

NEVADA STATE BOARD OF PHYSICAL THERAPY EXAMINERS

NEWSLETTER SPRING 2013

Nevada State Board of Physical Therapy Examiners

*7570 Norman Rockwell Lane
Suite 230*

Las Vegas, NV 89143

702/876-5535 phone

702/876-2097 fax

Open 9am to 4pm weekdays

atresca@govmail.state.nv.us

www.ptboard.nv.gov

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Board Inspector

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Board Inspector

BOARD COUNSEL

Richard I. Dreitzer

Admitted in Nevada and Missouri

◆LICENSE RENEWAL 2013 VIA ON-LINE◆

Yes, license renewal continues to be on-line! Please refer to the page 4 in this newsletter for the details on renewing your license. Please renew early to ensure your license is received in time to post on August 1, 2013.

◆FINAL PRINTED NEWSLETTER ◆

This 2013 newsletter will be the last newsletter mailed to the licensees. The Board will generate a newsletter each spring, and it will be available on the Board's website.

Although future newsletters will not be mailed, licensees are reminded that they are responsible for renewing their licenses timely.

◆DO YOU HAVE A TOPIC YOU WANT THE BOARD TO ADDRESS?◆

Licensees can request the Board to hear any matter under their purview. Such requests should be made using the Request for Appearance form which can be located under the Forms tab on the Board's website.

◆DISCIPLINARY FINES◆

The fines paid by licensees as the result of a complaint are collected by the Board and forwarded to the State General Fund as required by law.

◆ON-LINE CHANGES OF ADDRESS◆

We encourage licensees to report address changes via the Board's website. Please use this system for ease in reporting changes. A confirmation receipt is immediately available and your recorded change will be updated to the website in a few business days. Remember -- changes are to be reported within 30 days after the change.

Please be advised that filing a change of address form with the United States Postal Service is not considered a change of address to the Board. The Board's communications are deliverable only to the address on record, and are not forwarded by the USPS.

◆WEBSITE INFORMATION◆

Have you visited the Board's website lately? The website contains all of the forms needed by licensees and provides Board meeting agendas, Board meeting minutes and the approved courses listing. You can also view information on the meetings held by the Advisory Committee on Continuing Education. Stay informed -- visit the website often!

If you have a question about the website, please call the Board office and we will point you in the right direction.



♦WHAT IS THE ROLE OF MASSAGE THERAPISTS AND ATHLETIC TRAINERS?♦

The appropriate and legal role of a physical therapist's technician is an often-asked question. Massage therapists and athletic trainers who provide services under the supervision of a licensed physical therapist are considered technicians. Although a person may hold a license as a massage therapist or an athletic trainer, that license does not allow them to work independently in a physical therapy setting. The exception is if a patient is appearing solely for a massage, outside of the physical therapist's plan of care, and is being billed by the massage therapist.

Please refer to the physical therapy practice act sections NRS 640.0216, NRS 640.310, NRS 640.016, and NAC 640.595.

♦DOCUMENTATION BY TECHNICIANS NOT PERMITTED♦

Nevada Administrative Code 640.610 provides the requirements for licensees to document treatment. The licensees shall perform the documentation and cannot assign such documentation to another person. A signature of the licensee following the entry by a technician/staff member is not permitted. Only licensees may document treatments.

♦PTA DOCUMENTATION OF SUPERVISOR♦

Per Nevada Administrative Code 640.650, "a physical therapist's assistant shall include in the notation of each treatment with which he or she is involved the name of the physical therapist who is responsible for the supervision of the physical therapist's assistant".

PTAs must list the full name of their supervising therapist to meet this requirement. A review of patient records during recent inspections revealed that many PTAs are writing only the first or last name of their supervisor. Others have listed the license number of the supervisor. The record must be clear to whoever may view it.

♦WHO CAN BE EMPLOYED AS A REHABILITATION DIRECTOR?♦

We are asked this question quite often. The Board does not have provisions in the practice act regarding employment issues. However, only a licensed physical therapist may direct the care of a patient.

Irrespective of a person's title as a Rehabilitation Director, any person in such a position, who is not a licensed physical therapist, cannot direct or provide guidance as to the patient care provided by a licensed PT. Additionally, a person not licensed as a PT cannot provide a review of the patient care provided. The licensed PT maintains control over the care provided to the patients.

A Rehabilitation Director who is not licensed as a PT may not conduct a performance evaluation of a licensed PT. Their review must be limited to items not involving patient care, such as attendance.

Licensed PTAs are not permitted to supervise any staff, by regulation.

♦BOARD INSPECTOR POSITIONS♦

The Nevada State Board of Physical Therapy Examiners is seeking Inspectors/Investigators for the Las Vegas and Reno areas. Responsibilities include conducting routine inspections, investigation of complaints received by the Board office, and conduction of compliance visits for licensees under restrictions. Requirements include graduation from an accredited physical therapy program, successful passing of the licensure exam, and active practice, without disciplinary action, as a Physical Therapist in the state of Nevada for a minimum of five (5) years. Individual must have exemplary written and verbal communication skills. This intermittent position is paid hourly without benefits. Approximately 50-100 hours per year available. Please mail or fax a letter of interest and resume to the Board office.

◆NEVADA SUPREME COURT CHANGES RULES FOR PROFESSIONAL NEGLIGENCE CASES ◆

On April 25, 2013, the Nevada Supreme Court handed down the decision in the matter of *Egan v. Chambers*, 129 Nev. Adv. Op. 25 (2013). In *Egan*, a doctor of podiatric medicine performed surgery on a patient's foot. After several surgical procedures, gangrene set in and ultimately required that the patient's foot be amputated. Some time later, the patient filed suit against her podiatrist for professional negligence. Before *Egan*, Chapter 41A of the Nevada Revised Statutes (the medical malpractice statute) required that an affidavit of merit be included with all medical malpractice as well as professional negligence cases in the State of Nevada. In other words, all such cases needed to be filed with a sworn affidavit attesting to the specifics of a health care provider's negligence as a requirement for filing. *Egan* changes this rule, holding that the affidavit requirement only applies to medical malpractice (i.e., physicians) and dental malpractice claims, but **not** professional negligence cases. This change means that a professional negligence action may now be brought against a physical therapist in the State of Nevada without including an affidavit setting forth the basis for the negligence claim at the time of filing. The removal of the affidavit requirement "hurdle" now makes such cases significantly easier and less expensive to file.

◆LICENSURE APPLICATION PROCESS CHANGE◆

In October of 2012, the Board made a change in the application process pertaining to references. Applicants are still required to submit 3 professional references, and one personal reference, as part of the application process. The change was in the process for receiving those references. Previously, the applicants would complete a reference sheet with the contact information for their references. The Board would contact the references via letter, requesting a reference for the applicant. This was found to be a very time consuming task for staff, due to incomplete or incorrect addresses.

Additionally, staff was sending multiple requests for the references without response, to a host of addresses and fax numbers.

New applicants must provide the required reference letters, in sealed envelopes, with the submission of their application. The Board will not accept an application without the required references. The Board will not accept references by mail, fax or email and hold them awaiting the filing of an application.

This process has created a quicker turnaround for licenses to be issued. For new graduates, their approval time to take the National Physical Therapy Examination can be done, in many cases, the same day the application is received by the Board. We are pleased this change has created a benefit for the applicants.

◆aPTitude◆

The Federation of State Boards of Physical Therapy offer aPTitude. It is a free continuing competence resource for physical therapist and physical therapist assistant licensees; providers of continuing competence and continuing education (CC/CE) activities, and jurisdiction licensing boards.

Licensees can use aPTitude to:

- Maintain licensure information and record of CC/CE
- Securely store CC/CE completion documents
- Stay current with all CC/CE requirements and license renewal dates
- Be reminded of license renewal and CE/CC deadlines
- Track CC/CE completion progress for one or many states
- Find CC/CE courses and activities

For more information, visit the FSBPT at <https://pt.fsbpt.net/aPTitude/public/info/home>

This service is not endorsed by the Board, but is provided for the licensee's information. If you utilize this system, please be reminded that maintaining or storing information with aPTitude is not a substitute for renewing your license each year. Additionally, licensees are required to take Nevada Board approved courses and retain their certificates of completion for four years.

◆ ON-LINE LICENSURE RENEWAL ◆

We are pleased to offer on-line renewals again this year! The process is simple, fast and secure. Beginning June 1, 2013, you may visit the Board's website and click on the "2013 Licensure Renewal" tab or go directly to:

<https://www.ptboard.nv.gov/renewal/epaylogin.aspx>

In order to access your individual renewal form, you will need to enter your license number, last four digits of your social security number and date of birth.

Once you have gained access, you simply follow the provided instructions. (1) Verify your residential and professional addresses, making changes if necessary. (2) Answer the renewal questions. (3) Enter your continuing education courses. (4) Pay via your checking account. Once completed, your information will be processed to the Board. Your current license (aka renewal certificate) will be mailed to your residential address of record in 2-4 business days. Board staff will not fax licenses.

QUESTIONS AND ANSWERS

Can multiple licenses renew via one transaction?

No. Due to the fact that you are entering personal information to access your individual licensure record, only one license can be renewed per transaction.

Many employers pay the renewal fees for their employees. This is typically performed by sending in multiple renewal forms with one check covering all of the employees. If your renewal fee is paid for by your employer, it is suggested that the employer directly reimburse you.

Can I pay with my credit card or debit card?

No. At this time, the Board will only accept electronic checks. You enter the routing number and checking account number and the renewal fee will be automatically debited from your checking account.

Is it safe to renew on-line?

Yes. The web site uses industry-standard (Secure Sockets Layer) SSL encryption to protect your privacy online. Secure pages are marked by the lock symbol on your screen. We will not store your checking account information on our database. All personal data is encrypted using industry standards.

Will I receive a receipt?

Yes. Once you have completed the process, you may choose to print a receipt. The Board office will not have access to your personal receipt, so please print a receipt for your records. If your employer reimburses your annual renewal fee or if your accountant requires a receipt, you may use this receipt for these purposes.

Will the Board be mailing paper renewal forms?

No. The Board prefers that all licensees take advantage of the on-line renewal system. This system has been created to make renewal easy and secure.

Are paper renewal forms available?

Yes. Upon a written and signed request, a licensee may obtain a paper renewal form, pre-printed with their licensure and address information. Please fax or mail in your written request for a paper renewal form. Be sure your request contains your complete name printed legibly, as well as your signature. *The Board office will not accept phone call or email requests for pre-printed paper renewal forms.* We will mail your renewal form to your residential address of record in 1-3 business days.

Blank renewal forms are also available on the Board's website under the forms tab. Please be sure to complete all required areas and complete both pages to avoid having your renewal form returned to you.

I want to renew on-line, but I am not comfortable using a computer. What can I do?

Ask a relative or co-worker to help you. Be certain to ask someone you trust, as you will be entering private information.

How many continuing education units do I need to renew?

The vast majority of licensees require 1.5 units (15 hours) of Board-approved continuing education to renew. No more than .8 units can be obtained from non-clinical courses. Please visit the Board's website to ensure you take only Board-approved courses. Non-approved courses do not count toward your annual requirement.

Can the Board office assist me in the on-line renewal process?

We can certainly answer general questions, however we cannot perform the on-line renewal for you.

What if I don't want to renew my license?

The on-line system allows you to report that you do not intend to renew your license. After entering the system, simply select "I do not intend to renew my license." When prompted "Are you sure?" click "OK". We would appreciate that information so we can update your record accordingly.

If you were licensed during the past year, your continuing education requirement was calculated for you and provided with your initial licensure information. Please refer to that information for your requirement. If you have misplaced that information, you may make a written request via fax or mail, with signature, and we will call you with 1-3 business days with the information.

New licensees who are waived the first year will enter "New Grad" for the provider name, "Waived" for the course name, 1.5 for the units and the date of the renewal for the course date.

Endorsement licensees will enter the course(s) taken to meet their requirement. Any remaining units will be listed as "Ends" for the provider name, "Prorated" for the course name, the units needed to reach 1.5, and the date of the renewal for the course date.