

NEVADA STATE BOARD OF

PHYSICAL THERAPY EXAMINERS

BOARD MEETING MINUTES MAY 9, 2013

- Item 1- Call to order / roll call to determine the presence of a quorum. The meeting was called to order at 9:15am by Chairman Sidener. Board member present; Kathy Sidener, PT, Certified MDT, Chairman; Louie Puentedura, PT, DPT, PhD, FAAOMPT, Vice Chairman; Tina Baum, PT, ATC, CLT, Secretary/Treasurer; Jim McKivigan, DC, PT, MPA, MA; Andrea Menicucci, MS, CCC-SLP, Public Member. Non-members in attendance: Richard Dreitzer, legal counsel; Allison Tresca, executive director.
- Item 2 – Welcome newly appointed Board member James M. McKivigan. Dr. McKivigan was welcomed to the Board. He stated that he is a physical therapist and a chiropractor who moved to Nevada 8 years ago. He said he found it easy to become active in the process of the NPTA and the Board, so he applied to be a Board member. He stated that he is a full-time professor at Touro, and works part-time at Mountain View acute care.
- Item 3 – Public comment period. Board member Menicucci asked about the possibility of starting the meetings at 9:30am due to the flight times. The current start time of 9am creates a wait time for the applicants and other attendees.
- Item 4- Applicant Craig August Willis requests to take the National Physical Therapy Examination a fourth time in accordance with NRS 640.140.
Motion to enter closed session: Puentedura.
Second to motion: Menicucci.
Passes unanimously.
- After returning to open session:
Motion to allow for July test date: Puentedura.
Second to motion: Menicucci.
Passes with McKivigan recusing as he is a professor at the PT school of the applicant.
- Item 5- Applicant Vincent K. Edwards requests to take the National Physical Therapy Examination a fourth time in accordance with NRS 640.140.
- Motion to enter closed session: Baum.
Second to motion: Puentedura.
Passes unanimously.
- After returning to open session:
Motion to allow for July test date: Baum.
Second to motion: Menicucci.

Passes with McKivigan recusing as he is a professor at the PT school of the applicant.

Item 6- Applicant Valeska Naire Villagran Sosa requests to take the National Physical Therapy Examination for Physical Therapist's Assistants a sixth time in accordance with NRS 640.140. The director noted that the applicant's notice to appear was returned and the applicant had indicated she was not going to pursue the license.

Item 7- Applicant Allison G. Palisoc requests to take the National Physical Therapy Examination for Physical Therapist's Assistants a fourth time in accordance with NRS 640.140. The applicant did not appear. The director noted that the applicant was properly noticed and had not made any contact with the Board as to her intentions.

Item 8- Applicant Jennifer L. Tiutiunnyk requests to take the National Physical Therapy Examination for Physical Therapist's Assistants a fourth time in accordance with NRS 640.140.

Motion to enter closed session: Baum.
Second to motion: Menicucci.
Passes unanimously.

Chairman Sidener tabled the item until the July meeting as the applicant was not certain if she wanted to test again.

Item 9- Applicant Christina Rose Miller requests to take the National Physical Therapy Examination for Physical Therapist's Assistants a sixth time in accordance with NRS 640.140.

Motion to enter closed session: Puentedura.
Second to motion: Menicucci.
Passes unanimously.

After returning to open session:
Motion to approve: Puentedura.
Second to motion; Menicucci.
Passes unanimously.

Item 10- Applicant Arcel Lopez Escoto requests to be licensed. This appearance is necessary to address the applicant's work experiences and absence from the field.

Motion to enter closed session: Baum.
Second to motion: Menicucci.
Passes unanimously.

After returning to open session:

Motion to offer 2 year probationary license, with primary and secondary supervisors, must work full time to toll; must take 1.5 units of an on-site course within first year, in addition to the license renewal requirement; offer good for 6 months from date of meeting: Puentedura.

Second to motion: Baum.

Passes unanimously.

Item 11- Licensee Brian Murphy requests to be released from probation.

Motion to enter closed session: Puentedura.

Second to motion: Menicucci.

Passes unanimously.

After returning to open session:

Motion to release from probation, having met all the terms: Puentedura.

Second to motion: Menicucci,

Passes unanimously.

Item 12- Licensee Gerard Hesch, PT, requests reconsideration of approvals for courses pertaining to "sacroiliac alignment, sacroiliac adjusting, sacroiliac mobilization". It was noted that there was not time to place this before the Advisory Committee on Continuing Education for their recommendation. Chairman Sidener tabled the item until such time the ACCE indicates that a change to the course review is needed.

Item 13- Update and discussion of AB 73, which revises provisions governing the practice of chiropractic; and update and discussion on the Board's activities regarding the letter from the Chiropractic Board of Nevada pertaining to the Attorney General Opinion regarding whether a physical therapist licensed by this Board may lawfully perform any manipulation or adjustment of the spine or any other articulation of the human body that involves a thrust from a practitioner. It was noted that AB 73 was not an issue as the concerning language was withdrawn, and so far it appeared it would not be added back in. Janelle Lauchman, PT, President of the NPTA stated they believed the language was going to be added back in. It was noted that the Board was awaiting a response letter from the Attorney General's Office regarding clarifying the opinion recently issued. Board member McKivigan stated that he received a package at work from the Chiropractor's Board. It was noted that other members had not received that information, nor was the Board office copied on any of the items. Board member McKivigan stated that he reviewed the Board and Commission manual that Board staff provided him, and the manual states that an opinion from the Office of the Attorney General is not binding by law. It was noted that the manual is created by the Office of the Attorney General. He noted that it appears the Chiropractor's Board believes the opinion is legally binding, despite that language in the manual.

Item 14- Complaint Hearings or Review and Approval of Consent Decrees. The director noted that consent decrees have been offered to both of the licensees, and the

licensees want some time to review before making a decision. The items were tabled to the next meeting by Chairman Sidener.

Case #2012-05 / Victoria Lee

Case #2012-27 / Bernard Lubin

- Item 15- Richard Dreitzer addresses the Board regarding a recent Supreme Court decision on professional negligence standards. The director was advised to place the item in the next Board newsletter for information. No action to be taken.
- Item 16- Review and approval of minutes for Board meeting of March 28, 2013.
Motion to approve with amendments: Puentedura.
Second to motion: Menicucci.
Passes unanimously.
- Item 17- Review and approval of executive session minutes for Board meeting of March 28, 2013.
Motion to approve with amendments: Puentedura.
Second to motion: Menicucci.
Passes unanimously.
- Item 18- Review and approval of Treasurer's Report for period ending March 2013.
Motion to approve: Sidener.
Second to motion: Menicucci.
Passes unanimously.
- Item 19- Review and approval of Profit and Loss Report for period ending March 2013.
Motion to approve: Menicucci.
Second to motion: Baum.
Passes unanimously.
- Item 20- Review and approval of Balance Sheet as of March 2013.
Motion to approve: Menicucci.
Second to motion: Baum.
Passes unanimously.
- Item 21- Review and approval of current Fiscal Year Budget Report.
Motion to approve: Menicucci.
Second to motion: Baum.
Passes unanimously.
- Item 22- Review and approval of Executive Director's Report as of April 28, 2013.
Motion to approve: Puentedura.
Second to motion: Baum.
Passes unanimously.

Item 23- Review and approval of Board policies. Board member Puentedura asked for the item to be tabled as it was received the night before the meeting. Mr. Dreitzer noted that he has had a lot on his plate and he apologized for the delay in compiling the information. NPTA representative Lauchman stated that the NPTA asked for this a year ago and requested that the Board be more timely. Chairman Sidener advised Ms. Lauchman that the project was directed by the Board prior to the NPTA request and the manual has been in place for years, this is a compilation of the manual, policies, etc. to one file. The item was tabled to the July meeting.

Item 24- Update of activities of Board office.
 The director advised the Board that the archiving project was completed and 25 boxes of materials were destroyed. She advised that the process was done in accordance with the records retention schedule per Nevada law. The director advised that the newsletter was being drafted for print at the end of the month. The director advised that the license renewal site and payment site were set to be up and running June 1. The director advised that the accountant was scheduled to come in to do the audit entries, and the bookkeeper contract was signed. The director provided updates on the day to day activities of the Board and reported that all is going well.

Item 25- Review of files/ratification for licensure.
 Motion to ratify: Sidener.
 Second to motion: Puentedura.
 Passes unanimously.

FILES FOR REVIEW/RATIFICATION:
Physical Therapists

Sinangote	Sharon	2815
Lindsley	Tori	2816
Sy	Eric	2817
Wiegand	Stephanie Coleen	2818

Physical Therapist's Assistants

Haro	Edgar	A-0662
Duncan	John	A-0663
McElroy	Frank	A-0664
Miranda	Kim	A-0665
Tagaca	Antonio	A-0666
Mallory	Karissa	A-0667

Item 26- Consideration of courses recommended by the Advisory Committee on Continuing Education at their meeting of April 23, 2013 for the units listed through July 31, 2014.
 Motion to approve and deny as indicated: Sidener.
 Second to motion: Menicucci.
 Passes unanimously.

Recommended for approval:

Allied Health Education	Are You Sure it is Mechanical Pain? Medical Screening and Differential Diagnosis of the Lumbopelvic Hip Region-Live	Live Webinar	0.2	0.2	Clinical
Allied Health Education	Are You Sure it is Mechanical Pain? Medical Screening and Differential Diagnosis of the Lumbopelvic Hip Region-Recorded	Recorded Webinar	0.2	0.2	Clinical
Allied Health Education	Basic Therapeutic Taping-Live	Live Webinar	0.2	0.2	Clinical
Allied Health Education	Basic Therapeutic Taping-Recorded	Recorded Webinar	0.2	0.2	Clinical
Allied Health Education	From Impact to Outcomes: Piecing Together the Concussion Puzzle-Live	Live Webinar	0.2	0.2	Clinical
Allied Health Education	From Impact to Outcomes: Piecing Together the Concussion Puzzle-Recorded	Recorded Webinar	0.2	0.2	Clinical
Allied Health Education	Introduction to Physical Therapy for Urinary Incontinence-Webinar	Webinar	0.2	0.2	Clinical
Allied Health Education	Introduction to the Pilates Principles for Rehabilitation-Live Webinar	Live Webinar	0.25	0.25	Clinical
Allied Health Education	Introduction to the Pilates Principles for Rehabilitation-Recorded Webinar	Recorded Webinar	0.25	0.25	Clinical
Allied Health Education	Pharmacology and Parkinson's Disease : What Every Therapist Should Know Live Webinar	Live Webinar	0.2	0.2	Clinical
Allied Health Education	Pharmacology and Parkinson's Disease : What Every Therapist Should Know Recorded Webinar	Recorded Webinar	0.2	0.2	Clinical
Allied Health Education	The "3 P's of Practice" Yoga for Preventing Practitioner Burnout, Promoting Professional Growth and Improving Patient Outcomes through Psychoneurophysiological & Neuromuscular Awareness Modules 3 & 4-Live	Live Webinar	0.25	0.25	Clinical

Allied Health Education	The "3 P's of Practice" Yoga for Preventing Practitioner Burnout, Promoting Professional Growth and Improving Patient Outcomes through Psychoneurophysiological & Neuromuscular Awareness Modules 3 & 4-Recorded	Recorded Webinar	0.25	0.25	Clinical
APTA	2013 Federal Advocacy Forum	On-Site	0.8	1.63	Non-Clinical
APTA	Vestibular Rehabilitation: An Advanced Course and Update	On-Site	1.5	1.76	Clinical
CE International	"Alzheimer's & Parkinson's Disease"	Live On Line	0.2	0.2	Clinical
Cross Country Education	Building Therapy Caseloads-On Demand	Web Based, Internet, On-Demand, DVD	0.6	0.6	Non-Clinical
Cross Country Education	Coding & Billing for Therapy & Rehab.	On-Site	0.65	0.65	Non-Clinical
Cross Country Education	Cognitive Rehabilitation Therapy: Practical Interventions and Personalized Planning - On-Demand	Internet, Video	0.65	0.65	Clinical
Cross Country Education	Developing and Implementing Restorative Programs-On-Demand	Web Based, Internet, Video	0.65	0.65	Non-Clinical
Cross Country Education	Functional Strength Training for the Aging Spine-On Demand	Web Based, Internet, On-Demand, DVD	0.65	0.65	Clinical
Cross Country Education	HIPAA Compliance: Avoiding HIPAA Convictions	On-Site	0.65	0.65	Non-Clinical
Cross Country Education	Introducing APPI Pilates for Rehabilitation: Matwork Level 3	On-Site	1.3	1.3	Clinical
Cross Country Education	Lymphedema and Complete Decongestive Therapy-On Demand	Web Based, Internet, On-Demand, DVD	0.65	0.65	Clinical
Cross Country Education	Mealtime Success for Kids on the Spectrum	On-Site	0.65	0.65	Clinical
Cross Country Education	Obesity in Rehabilitation: Removing Treatment Barriers to Improve Outcomes- On-Demand	Web Based, Internet, Video	0.65	0.65	Clinical
Cross Country Education	Sports-Related Injuries in the Young Athlete-On Demand	Web Based, Internet, On-Demand, DVD	0.65	0.65	Clinical
Cross Country Education	Suspected Apraxia and Early Intervention	On-Site	0.65	0.65	Clinical
Cross Country Education	The Functional Shoulder	On-Site	0.65	0.65	Clinical
Cross Country Education	The Power of Play	On-Site	0.65	0.65	Clinical

Cross Country Education	Therapeutic Interventions for Infants and Toddlers-On-Demand	Web Based, Internet, Video	0.65	0.65	Clinical
DJO Global	Application and Expected Clinical Outcomes of Mechanical Traction	On-Site	0.4	0.4	Clinical
DJO Global	Electrotherapy Made Simple	On-Site	0.4	0.4	Clinical
Education Resources, Inc.	Baby Steps: Building Ambulation Interventions for the 0-3 Population with Posture and Movement Dysfunction	On-Site	1.5	2.25	Clinical
Fascial Manipulation Workshops	Fascial Manipulation Part 1A and 1B	On-Site	1.5	4.85	Clinical
Gannett Education	Advance Directives: An Unrealized Goal	Internet	0.1	0.1	Non-Clinical
Genesis Rehab Services	A Framework for Dementia Management	Webinar	0.3	0.3	Clinical
Great Seminars and Books	Clinical Geriatric Orthopedics	On-Site	1.5	2.13	Clinical
Great Seminars and Books	Rehabilitation for Persons w/ Common Medical Pathologies	On-Site	1.5	2.1	Clinical
Great Seminars and Books	Total Joint Arthroplasty	On-Site	1.5	2.1	Clinical
HCR Manor Care	2013 Stroke Update	Webinar	0.1	0.1	Clinical
Health.edu	Kinesio Taping/Considerations for Vestibular Patients #15213	Internet/ Home Study/ Video/ DVD	0.1	0.1	Clinical
Health.edu	Thoracic Outlet Syndrome Treatment 15613	Internet / Home Study / Video / DVD	0.1	0.1	Clinical
LSVT Global, Inc.	LSVT Big Training and Certification Workshop	On-Site	1.3	1.3	Clinical
Mobility Research	Dissecting Dizziness: You cannot Treat What You cannot Identify	Online Webinar	0.15	0.15	Clinical
Mobility Research	Partial Weight Bearing Gait Therapy In-service	On-Site In-service	0.1	0.1	Clinical
Mobility Research	Stroke Advanced	Online Webinar	0.15	0.15	Clinical
Motivations Inc.	Current Surgical and Rehabilitation Trends # 139	On-Site	0.85	0.85	Clinical
Nevada Physical Therapy Association	Advances in Falls Prevention	On-Site	0.1	0.1	Clinical
Nevada Physical Therapy Association	Foot Posture Biomechanics-MASS Theory	On-Site	0.85	0.85	Clinical
Nevada Physical Therapy Association	Hip Pathologies, Treatment and PT	On-Site	0.1	0.1	Clinical
Nevada Physical Therapy Association	Introduction to Dry Needling	On-Site	0.1	0.1	Clinical
Nevada Physical Therapy Association	Lower Extremity: Hip Update	On-Site	0.1	0.1	Clinical
Nevada Physical Therapy Association	Medicare: Cap, Modifiers, and G Codes	On-Site	0.1	0.1	Non-Clinical

Orthopaedic Section, APTA	Annual Orthopaedic Section Meeting	On-Site	1.5	1.6	Clinical
Orthopaedic Section, APTA	ISC 22.3, Foot and Ankle	Independent Study Course	1.5	3	Clinical
Orthopaedic Section, APTA, Inc.	ISC 20.3, Physical Therapy for the Performing Artist	Home-Study	1.5	1.5	Clinical
Orthopaedic Section, APTA, Inc.	ISC 21.1, Cervical and Thoracic Pain: Evidence for Effectiveness of Physical Therapy	Home-Study	1.5	3	Clinical
PESI HealthCare	Cognitive Rehabilitation: Therapy...Therapy...Therapy!!!	On-Site	0.65	0.65	Clinical
PESI HealthCare	Managing Challenging Patient & Family Behavior, Strategies for Healthcare Professionals	On-Site	0.7	0.7	Clinical
PESI HealthCare	Skin & Wound Care 06/10/2013	On-Site	0.7	0.7	Clinical
Rock Tape	Fascial Movement Taping Certification	On-Site	0.4	0.4	Clinical
Select Medical	Medical Screening for Referral-Direct Access	Internet	1	1	Clinical
Select Medical	Pharmacology in Rehabilitation	Internet	0.2	0.2	Clinical
The McKenzie Institute	2013 Americas Conference - MDT for Peak Patient Outcomes	On-Site	1.5	1.53	Clinical
Unv. Of NV School of Medicine	"End of Life Care: Geriatric Care Management & Guardianship"	Interactive Video	0.1	0.1	Clinical
Valley Health System	The Vision of Physical Therapy Services in the ER: Making it Reality	On-Site	0.15	0.15	Clinical

Recommended for denial:

Academy Medical Systems	Gluten Intolerance and Celiac Disease	out of scope
APTA	Cervicogenic Dizziness: An Evidence Based Competency Course	need more info on timeline
HomeCEUConnection.com	Functional Pathway Symposium 2013	need more info on timeline

Item 27- Report from legal counsel regarding pending cases. It was noted that all cases are caught up with legal and office staff, but there are cases with the previous inspector that need to be provided to the Board.

Item 28- Items for future agendas. Board member Puentedura would like to discuss course approvals, specifically if a course is denied as too basic is it considered out of scope. He indicated that a denial does not mean the course is out of scope.

- Item 29- Update from Paula Berkley on the current legislative session. The director advised that several bills will pass that will require changes in the office, but directives will come from the state.
- Item 30- Public comment period. There was no public comment.
- Item 31- Confirm schedule of future Board meetings and their locations.
The next meetings will be held as follows:
July 12 at 9:30am; September 12 in Reno.
- Item 32- Adjournment of the Board meeting. The meeting was adjourned by Chairman Sidener at 11:37am.