



State of Nevada
Board of Physical Therapy Examiners

Board Meeting Minutes

June 1, 2016

- 1. Call to Order** – roll call to determine the presence of a quorum. After determining the presence of a quorum, the meeting was called to order at 9:25 a.m. by Chairperson, Baum.

Tina Baum, PT, DPT, WCS, ATC, CLT, Chairperson (teleconference); Sherise Smith, PT, MSPT, CBIS Vice Chairperson; James McKivigan, DC, PT, MPA, MA, Secretary/Treasurer; Andrea Menicucci, MS, CCC-SLP, Public Board Member; Brian Fearnly, MPT, Board Member;
Staff in attendance: Lisa Cooper, Executive Director; Muriel Morin-Mendes, Licensing Coordinator; Sarah Bradley, Deputy Attorney General; Hal Taylor, Legal Counsel; Paula Berkley, Lobbyist

- 2. Pledge of Allegiance.**

- 3. Public Comments** – Jenelle Lauchman, President, Nevada Physical Therapy Association, Welcome to Lisa Cooper as new Executive Director. Discussion of Bill Draft for the 2017 Legislative Session, provided documents for the record. Reference to language in NRS 640.024, requesting to make the definition to reflect the current practice of today. The next section of the NRS we would like to make changes to is, NRS 640.170 by adding the 2 terms to the language of “D.P.T.” and “P.T.A.”. The next section of the NRS we would like to make changes to is, NRS 640.029 this is a minor change that the Board has suggested they were interested in making these changes in your bill draft. Submitted testimony to staff.

4. Consent Agenda Items (For Possible Action)

- a. Ratification of Licenses approved and issued by authority of the Board;
Exhibit A

Motion: Sherise Smith made the motion to ratify the licensees presented for Physical Therapists and Physical Therapists Assistants

Seconded: Tina Baum

Motion Carries Unanimously

5. Review, Discussion, Action of Board Administrative Items (For Possible Action)

- A. 2017 Bill Draft Request

- 1. Update (Paula Berkley)

Paula Berkley, Lobbyist – Any changes to the Proposed Language section 1. Change the name to The Nevada Physical Therapy Board? Seeing no questions I will move to section 2. The same provider of Health Care that was in the Association Bill, the only change is that we did not reference the initials in NRS 640.170. It is the Board opinion that it is not appropriate, in any case, if for any reason it dropped through one bill it would succeed on the other side. The 3rd change we added 2 new Board Members one was the PT/PTA and the other was an additional Consumer Member.

Tina Baum, Chairperson– I thought we talked about having specialty Board Members as need?

Paula Berkley, Lobbyist – You are correct, that is my miss.

Andrea Menicucci, Board Member – I thought we had talked about the specialty Board Member in lieu of the additional Board Member due to the cost.

Sherise Smith, Board Member – Can I just clarify, have we decided on the increasing it by 2 or are we considering keeping it 5 and making one of the PT positions a dual position PT/PTA.

Paula Berkley, Lobbyist – I think you did, I'm willing to change back again.

Tina Baum, Chairperson – Sherise, I think what you are saying is that one member can be a PT or a PTA depending on what the Governor decides to do.

Sherise Smith, Board Member – I believe what we discussed is that we preferred for the position to be filled by a PTA. The Discussion was the increasing by a member would increase expense.

Brian Fearnly, Board Member – I remember the same discussion of a 5 Member Board with one of the positions to be filled by a PT or a PTA.

Andrea Menicucci, Board Member – I think we should specify the Advisory Members as well.

Paula Berkley, Lobbyist – I think what we'll try to do is to give the Board Authority to specify Advisory Members/Specialty Members, that way you won't have to go back to the State for changes, if you ever have a permanent position you would be able to go back and have it written specific to that position.

Sarah Bradley, Deputy Attorney General – I think it is smart to leave it at the Board's discretion. You may want to utilize them or not, depending on the situation. The requirements for the Public Member is actually contained in 232A.020, it talks about the Public Member not having ownership interest. The other thing I was looking at was the quorum part. I know that that means $\frac{1}{2} + 1$, I think if we are going to specify quorum, we should put it in as the number of 3 Board Members so it is clear.

James McKivigan, Board Member – joined the meeting at - 9:47 am

Sarah Bradley, Deputy Attorney General – I think we should insert in NRS 640.030 (2) (b) to include NRS 232A.020 and I would update NRS 640.030 (6) to give the actual number of what a quorum is this Agency.

James McKivigan, Secretary/Treasurer – I'm in agreement with clarifying the language.

Paula Berkley, Lobbyist – Let me summarize, we are going to have a 5 member Board made up of 3 members which will be PTs, 1 member will be a consumer member and 1 member will be a PTA/PT. This position will be an either or position. We are going to add the word 3 to the quorum and we are going to reference to 232A.020 and finally, we are going to add the ability to appoint an advisory member or specialty member.

Sherise Smith – Do we want to make the advisory member plural, in case it's more than one?

Paula Berkley, Lobbyist – Yes, I'll get that language written in.

Tina Baum, Chairperson – In NRS 640.030 (1), should that be changed to Nevada Physical Therapy Board?

Paula Berkley, Lobbyist – It will get changed but I might as well put that in there. I am moving on to #4, licensing people outside the state of territory. We are taking out old language even though it just got adapted into the statute last month. The significant change applies to adding Physical Therapist Assistant.

Tina Baum, Chairperson – If we are going to change the language now, there are 5 times where the Physical Therapist is mentioned that a Physical Therapy Assistant is not mentioned.

One other question on the #4 it says, "A license by endorsement as a physical therapist may be issued at a meeting of the Board or between its meetings by the Chair of the Board. Such an action shall be deemed to be an action of the Board."

Paula Berkley, Lobbyist – Some people call the Chair or President as non specific of the Board legalese written by LCB.

Open discussion regarding – Licensing time periods of applicants by

endorsement.

To summarize – We are going to add Physical Therapist Assistant 5 times before we quit fussing with it. We are going to check with Lisa to make sure we have the wiggle room to approve an application for 10 days. We are going to leave in the Chair to give us flexibility. You can also approve the application with the Board or the Chair and implement a policy designating the Board directives.

Hal Taylor, Board Counsel – I would like to take a look at SB 68, (3) “Has not been disciplined or investigated by the corresponding regulatory authority.” The problem with this is that merely being investigated because someone files a bogus complaint with the Board; I’m uncomfortable with that language. On the other hand you don’t want someone coming into the state because they have a current investigation going on in the other jurisdiction and you want to be aware that is going on. I would suggest that we remove that language and put something along the lines of, “Has not been disciplined by, and does not have an investigation currently pending before.” If they don’t tell you about the investigation then you can take action against their license or if they do tell you about it, you can contact the corresponding agency to see what is going on at that point. That would be my suggestion.

Paula Berkley, Lobbyist – I think it’s a really good idea to add that language, however, this is something that we discussed during the legislative session and the requests were not listened to.

Moving on to #5 changing the date of reinstatement of a license from a fixed July 1st date to a date established by the Board and we are adding the Physical Therapist Assistant to this statute so we don’t have two separate that require the same thing.

6 taking out obsolete language in NRS 640.230 of being 18 years old and having a high school diploma to be a PT.

#7 moving on to powers and duties, this language it’s a rewrite of duties. For example you really didn’t have the powers to investigate a complaint, not specifically. We put in this part unless there is extenuating circumstances. Then finally we want to clarify that Technicians are doing limited activities instead of “treatment”.

And now we’ve just put language were we are maintaining lists for records rather than compiling them the list.

Sarah Bradley, Deputy Attorney General – The register of all persons licensed, that is considered a public record and actually Library and Archive should be getting a list of all licensees every year.

Paula Berkley, Lobbyist – On #4 it says maintain a list.

Lisa Cooper, Executive Director – Sarah I believe there are guidelines to what is a public record could to elaborate on that?

Sarah Bradley, Deputy Attorney General – The rule on public records is, the list of licensees is public 239B.040 says (a) if a person or his or her agent provides the electronic mail address or telephone number of the person to a governmental entity for the purpose of or in the course of communicating with that governmental entity, the governmental entity may maintain the electronic

mail address or telephone number in the database.

(b) A database described in this subsection:

- (1) Is confidential;
- (2) Is not public book or record within the meaning of NRS 239.010; and
- (3) Must not be disclosed in its entirety as a single unit.

It does not reference home or work addresses. I've look at the legislative history and it is very clear that individual records are part of the public record. To summarize our database we can provide the mailing addresses, not email or phone number, if someone wants the email or phone number of a specific person or two of their individual records we have to provide that. Email and phone number is only confidential as a whole database. It's up to the Board that the person's work address is public and their home address is not. You could add something if you are concerned about it to protect the licensee. The only way you can say something is confidential is if you have a law. My understanding is that the legislature wants to see confidentiality language in the NRS going forward.

NRS 640.050 (3) previously read, the Board shall keep a record of its proceedings and a register of all persons licensed under the provisions of this chapter. The register must show:

- (a) The name of every living licensee.
- (b) The last known place of business and residence of each licensee
- (c) The date and number of each licensee issued as a physical therapist or physical therapist's assistant.

We are getting rid of that and that might be fine but, I think it could be important information to know; now we are saying in #5 only we have this list and it doesn't say what is included in the list and it says that this list is public and that's fine I just think that a list of Physical Therapists and their number should be public but, the question is, should their home address and work address be part of the public record. For many licensing professions it is not. I would recommend that we should clarify; the Board shall prepare and maintain a record of its proceedings, and # 4 it currently says maintain a list and I think we should add a sentence somewhere in there that says, this list shall include the name of every licensee, the last known place of business, and the date and number of the issuance of license. The home telephone number and address of a licensee is confidential. The Board may with good cause deem a licensee work address to remain confidential.

Sherise Smith, Vice Chairperson – I agree with that

James McKivigan, Secretary/Treasurer – I agree with that

Tina Baum, Chairperson – I'm good with that

Paula Berkley, Lobbyist – Under #4 the Board shall maintain a list of licensed Physical Therapists and Physical Therapists Assistants to include the name of the business, address and license number. It will not include the home residence and telephone number and for good cause the Board may deem the business confidential.

Hal Taylor, Board Counsel – Would it help if we simply designated this the public register? So if you have other information it is not part of the public

register.

Sarah Bradley, Deputy Attorney General – I don't think that solves it. I think we still have to say what is on the public register and what is confidential. I like say that the home address and work address is confidential and that for good cause the Board deems business address confidential if they have good reason.

Paula Berkley, Lobbyist - #8 this is the one where we are talking about the limited activates of a technician, instead of performing treatments.

#9. Finally we have two things we are deleting and this is because we are combining Physical Therapists with the Physical Therapists Assistant.

The only other thing we will have LCB do is to make a Physical Therapists Assistant throughout the NRS.

2. Request changes to Bill Draft – Include citation ability

Lisa Cooper, Executive Director – Going through the cases that we have in the office there are a lot of cases that could have been solved easily without going through adjudication after speaking with Sarah and Hal we discussed that having citation ability would clean up about 75% of the cases that we have right now. However, I spoke with Paula yesterday and she suggested that we do some type of administrative fee and having a stream lined adjudication process where we have paperwork

Paula Berkley, Lobbyist – NRS 640C.070 (3) that's where I made it up that it is perfectly legal to do what we want without having an additional item in the bill.

Sarah Bradley, Deputy Attorney General – You can add something there, 640.070 does not give you the authority to give citations.

Lisa Cooper, Executive Director – We are not talking about citations we are talking about an administrative fee after an investigation.

Sarah Bradley, Deputy Attorney General – Any fine is required to go to the General Fund. We need to be sure we are charging the exact cost or for these smaller cases, where we know it takes a specific amount of time we can give a flat fee amount. We cannot disguise a fine as a fee, under NRS 622.400 the Board is allowed to recover its costs

Hal Taylor, Board Counsel – From my perspective I really think we need to add citation authority to our bill. There is no way to really expedite the due process rights of someone being cited or someone who is being charged. If we start doing that then we end up screwing up our due process provision for our regular cases. What normally happens on the citations, you issue the citation with the associated fines and fees they can agree to it then they can pay it. If they have just cause to disagree then they have the opportunity to appeal the citation. My preference is to expand the citation ability; I think it's the cleaner way to do it.

Paula Berkley, Lobbyist – There is no doubt it would be cleaner, the problem is legislatively process, what this is, is a tax. All the republicans that are conservative last session there were 10 representatives that any fine, fee or increase or decrease, so there are 10 votes against it. If it ends up

considered in ways in means and finance, no one likes a tax. Last legislative session there were two bills submitted, one was the Contractors Board and the other was the AG's Office trying to give Board citation ability. They were both rejected right after the hearing. They didn't get a vote, there was no consideration for the bills and I listened to them, I think both of them were fairly poorly written, so that didn't help them any. Between those things, that is why I was trying to come up with another way to get the Board monies. I just think that fines fee are close to opening up your scope of practice and that's where you bill dies and you could lose all of it.

Sarah Bradley, Deputy Attorney General – Can we carry two bills then?

Paula Berkley, Lobbyist – The Legislature will not let us carry two bills.

Hal Taylor, Board Counsel – That's good to know, and by the way the Contractor Board already has citation authority. What one could do, rather than serve a citation, the Board could serve a consent order, where it has a particular fine and cost provision and if they agree to that and send that back in signed with certified funds and then we can treat that as just another Consent Order. The licensee would have the standard waiver notice and we don't have to move forward with a hearing.

Paula Berkley, Lobbyist – Will you let us do it that way Sarah?

Sarah Bradley, Deputy Attorney General – The ideal situation is to have citation authority and proceed that way that is the preferred mechanism. Part of the problem is going to be for staff tracking what comes back into the office signed and what is remaining outstanding. There are a lot of variables.

Paula Berkley, Lobbyist – I'm just looking at it as maybe patchwork this until the next session and we can carry a citation bill it will be a clean bill that way and maybe put one or two things that aren't going to give us a heart attack and we can start all over again.

Hal Taylor, Board Counsel – If we proceed this way for the next two years then we will have numbers to put in front of the Legislature for the next session.

Lisa Cooper, Executive Director – The cost to the licensee is still is going to be so much more doing it through the consent decree. If we had the citation ability it would be a large reduction in cost to the licensee. I don't know maybe if the Association wanted to add citation ability to their bill to save the cost of their members. The consent decree is going to be expense.

Sherise Smith, Vice Chairperson – I think that we need to lay the ground work; we could lose the rest of the bill if we put citation ability in at this point. So, waiting and implementing this process that was identified by Hal and then going forward and we could carry a bill next session.

Lisa Cooper, Executive Director – I've carried bills with volatile language that people did not like and we've removed it and moved on.

Paula Berkley, Lobbyist – Every amendment may take one week, two weeks or three months to get the amendment drafted back, so that's why I try to submit the most perfect bill possible, the less they have to mess with it, this is all strategy, I'm just giving you my experience.

Sherise Smith, Vice Chairperson – I think that citation ability is a huge thing

that will help us administratively to get a handle the complaint process, so I'm wondering what you think the repercussions of carrying citation in the bill will impact us?

Paula Berkley, Lobbyist – I think it's large on any given bill. We don't even know who is going to be in the legislature next session, this is after 25 years and this is a death mill to a bill especially since they didn't pass any of them last session. It just gives you an indication they are fussy over here. I totally agree it would be a great idea.

Tina Baum, Chairperson – Can we have two bills?

Paula Berkley, Lobbyist – They no longer allow Board to carry 2 bills. The legislature hates Board Bills, you bill just becomes so big and it becomes cumbersome, one little thing and the whole thing folds.

Tina Baum, Chairperson – It sounds like a lot of unknowns.

Lisa Cooper, Executive Director – How married are we to the address change? I have someone that may want to carry this in their bill.

Sarah Bradley, Deputy Attorney General – It is my understanding there are two address violations in the #1. The Board sent out a letter and it came back with the yellow sticker on it. To me that is definitely a warning, if you mail something to a licensee and it comes back that they have moved, I think they should get a letter that reminds them the time period of the requirements. There is a difference when there is a bad address on file and an inspector goes out and that person is not at the work location on file. We have now wasted Board recourses and this is more of a burden and we should be able to recuperate our costs for this. Now again, I don't know the timeframes involved with is. The question is how many of our inspections when they are not there are within that first 30 days? It would not be a violation until the inspector went back 30 days later.

Sherise Smith, Vice Chairperson – Typically the investigator has written something on the investigation report that they hadn't been there in a year or the length of time they were no longer employed.

Lisa Cooper, Executive Director – That would be a violation regardless.

Hal Taylor, Board Counsel – We can start working on the Consent Decree Order, if we get someone to carry citation ability that would be wonderful. I will go ahead and move forward with the procedure for the Consent Order. Also, by the time the legislature is in session and has started we will know who is sitting, we can always pull that section if we feel we don't have the votes.

James Mckivigan, Secretary/Treasurer – I feel very strongly about this particular portion to our practice at with regards to being able to find our licensees. I can appreciate some of the statistical outlying details you bring up what happens if it is 31 days typically those instances are very small. So I think we need to enforce this strongly. The 2nd thing I'd like to bring up is, people who are VSP (Variable Staffing Pool or Per Diem Basis) those are the ones that designate where their primary place is. I work at 3 different institutions and I'm the one who designates my primary work place.

Tina Baum, Chairperson – I think it's a good idea to have the Association's bill carry citation ability.

Paula Berkley, Lobbyist – To Summarize – in the interim we are going to start doing the Consent Order and the blank settlement thing. It will be a good way to cut down time. We are going to keep numbers to show how much time and money this will cost. We will give the Association the opportunity to decide if they would like to carry the citation ability in their bill.

Tina Baum, Chairperson – Do we have a formal motion for 5 A?

Lisa Cooper, Executive Director – There is no motion needed; this will be placed on the next agenda for final approval.

B. Discussion of scope of practice and essential oils

Lisa Cooper, Executive Director – The office received an email regarding essential oils and the Board Opinion. This is something that the Board would need to decide the direction we would like to go in.

Sarah Bradley, Deputy Attorney General – For Legal input I was looking at the practice of Physical Therapy in NRS 640.024 I think it would be what you would consider could fall under the scope of practice.

Paula Berkley, Lobbyist – I will just read what the Board requested to insert into their bill and I'll just read it for fun. Incorporating into the treatment of a client the safe and appropriate use of physical agents, modalities and techniques which have been acquired through an appropriate program of education determined by the Board pursuant to NRS 640.080 or through a program of continuing education or higher education. This will give us the ability to say we can approve specific things if we want to. As long as it's a physical agent, modality and techniques and learned it in school. Then it's up to the Board through regulation or continuing education to maybe say these are the appropriate ce's to go through using a modality.

Sarah Bradley, Deputy Attorney General – That's not the law yet, so the question before the Board is, whether or not essential oils is within the scope of practice.

Jim McKivigan, Secretary/Treasurer – We do not teach essential oils in Physical Therapy School. It is not evidence based and while you can bring up the fact that it is within the scope of practice it is not excluded from the scope. This falls under popular treatments vs. health care treatments and we do not teach it in school and therefore, I would say that we should not approve it.

Motion: Tina Baum, I make a motion to have Executive Director, write a letter with reference to NAC 640.550 Standards of conduct, this practice is not prohibited

Second: Brian Fearnly

Motion Carries Unanimously

C. Discussion of questions presented by Creekside Home Health Care

1. Clarify the NSBPT support of APTA's official statement regarding medication management

Tina Baum, Chairperson – I feel that this is very similar to item B of 5.

Sherise Smith, Vice Chairperson – I don't see why we would have a differing opinion, both case management and wound care are widely

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accepted. Both of these items are taught in our basic Physical Therapy Program. The description does not say dispense or

Tina Baum, Chairperson – I agree, there are some people that do not have the medication background.

Sarah Bradley, Deputy Attorney General – I would suggest creating the same type of letter as we did for Item 5 B

2. Clarify the NSBPT's opinion on therapist providing wound care

Motion: Tina Baum, I make a motion to have Executive Director, write a letter with reference to NRS 640.024 and NAC 640.550 Standards of Conduct

Second: Sherise Smith

Motion Carries Unanimously

D. Discussion of NRS 640.100 Examination and re-examination of applicants: as it relates to Physical Therapist vs. Physical Therapy Assistants

1. 6 times per lifetime or 3 times annually

Lisa Cooper, Executive Director – This is a continuing discussion from previous meetings.

Sarah Bradley, Deputy Attorney General – The Board can delegate duties to staff.

Tina Baum, Chairperson – There is an appeals process for this and we need to take into consideration that fingerprints results expire and need to be retaken. The application is good for 1 year. NRS 640.100 applies to Physical Therapists only and NRS 640.280 technically applies to Physical Therapists Assistants.

Sarah Bradley, Deputy Attorney – I believe you do have the ability to delegate the duties of approving Physical Therapist to sit for the examination to staff. NRS 640.100 does not mention Physical Therapists Assistants.

Tina Baum, Chairperson – Lisa, will we need an internal policy for conducting these types of administrative duties?

Lisa Cooper, Executive Director – Yes, there are several internal policies that need to be made.

Motion: Tina Baum, task Executive Director to create a policy with regards to administrate NRS 640.100 Physical Therapists and we are no longer requiring Physical Therapists Assistants to appear before the Board.

Seconded: James Mckivigan

Motion Carries Unanimously

E. Discussion of NRS 640.045 Compensation of Board Member and employees;

1. Board Member Duties Investigation

Lisa Cooper, Executive Director – I need to figure out what we are paying the Board Members as long as it is in compliance with NRS 640.045 which says; A salary of not more than \$150.00 per day. In my previous agency, I paid my Board Members \$150.00 for a prep day and \$150.00 for a Board Meeting day and any day that is spent doing Board Business they were paid \$150.00. I would bring lunch in for meetings.

Board Members will be paid \$20.00 per hour up to \$150.00 per day for investigations.

2. Board Member Compensation

Board Members will be paid as follows:

\$150.00 per Board Meeting and Prep Day

\$150.00 per Day for any Board Business

3. Compensation for Advisory Committee on Continuing Education Members

ACCE Committee Members will be paid \$150.00 for a prep day and \$80 for a Committee Meeting.

Committee Member that spends time in the office for administrative duties will receive \$40.00 per hour up to a maximum of \$150.00 per day.

Motion: Sherise Smith, I make a motion, Board Members will be paid \$150.00 per prep day, Board Meeting day and for any day spent on board business, Board Members will mark their investigations with 15 minute increments. Committee Members will be paid \$150.00 for prep day and \$80.00 per Board Meeting Day. A Committee Member that does administrative work in the Board office, will be paid \$40.00 per day not to exceed \$150.00.

Seconded: James McKivigan

Motion Carries Unanimously

F. Use of probation for foreign trained students and criminal history

1. Set Minimum Requirements

2. Early Release

Tina Baum, Chairperson - Sherise and I had a discussion about early release, I found the person that we had given the early release from probation to. This person was on 2 years probation and this was brought before the Board and our previous Executive Director recommended as an endorsement applicant with 1 year full time work can get fully licensed without probation, it would seem appropriate to remove this licensee from probation. It would also be prudent to issue the license in line with the requirements of an endorsement candidate. That is what started this process in motion. Specific to the candidate he graduated in the Philippines, while he was in the Philippines I think it was part of his school to go out for 3 months at a time and we counted that. Since then there have been other people that are following that line. FSBPT is coming out with Course Work Tool 6. I wanted to review that we have been limiting probation from 2 years to 1 year, have we been basing probation on the

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new thought process or the old thought process? We have had more people requesting the Board to be released from probation.

Sherise Smith, Vice Chairperson – I feel that we were giving probation it is for a reason and if we are starting to let people off early from their probation, then we need to change the way we are doing probation. We are going from what was 2 years as our standard to 1 year as our standard?

Tina Baum, Chairperson – Yes, Those that are foreign trained and have not practiced in the United States.

Sherise Smith, Vice Chairperson – That was something that was put in place by our Board and not something done administratively?

Tina Baum, Chairperson – This came before us and we made the decision to release this person from probation. So although our former Executive Director recommended it, we followed through with it.

Andrea Menicucci, Public Member - So what you are saying is that we have kind of established a new pattern of how we are doing things.

Lisa Cooper, Executive – My question is what are you looking at having this person do to fulfill requirements? Can we ask them to take specific classes and get letters from who they are working with? I would like to set a bench mark that staff can identify; staff will not know why they were recommended for early termination.

Tina Baum, Chairperson – one of the things that is a concern to me is the actions we take as a Board is it actually remedying the issues? Are we being successful in accomplishing what we want? I always ask it would be nice to have letters from supervisors but then I was told by legal counsel if the person on probation tells them they are on probation that is fine, but we can't legally ask the supervisor to comment because we can't share that with them.

Andrea Menicucci, Public Member – Our probation is typically been with a supervisor, deciding whether we need in house continuing education, do we want to change what we are looking for?

Tina Baum, Chairperson – I think that would be a good idea. What is it that we think are the deficits? We need to review these on an individual basis. It's not just cut and dry.

What are the issues what we would use probation for

Not educated in the U.S.

Not practiced for a while

Criminal history

G. Review of the new online renewal process

1. Opening online renewal as of June 6, 2016

2. Legal opinion of extension after July 31, 2016

Lisa Cooper, Executive Director – There has been issues with getting the online renewal process started. We are working with Inlumon to get the issues corrected.

6. Review Department of Public Safety Audit 2011 (For Possible Action)

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- A. Make required changes to the Application Process
 - B. Make required changes to the Chain of Custody Procedure
Lisa Cooper, Executive Director – We are not in compliance with Department of Public Safety. I will be working with them to come into compliance.
7. Review, Discussion, Action of Office Equipment Upgrades (For Possible Action)
- a. Xerox – black and white
 - b. Xerox – color
 Lisa Cooper, Executive – The copy machine that is in the Board Room in the Las Vegas Office is just a copy machine. You cannot print to it, we need to expend the money and get a new copy machine. The two proposals I have listed are both machines are wireless machines. I gave a proposal for a black and white machine and color machine.
Motion: Sherise Smith, I motion that we approve the purchase of the color 4 in 1 machine.
Second: Tina Baum
Motion Carries Unanimously
 - c. Dell Computer for Vegas
Lisa Cooper, Executive Director – We had IT (CTS) come out to evaluate our computer system. What they discovered is that Muriel’s computer had the minimum requirement of RAM to operate windows. It has not been updated in over 9 years. It was recommended to replace Muriel’s computer system, move the computer system in the Director Office to the reception area and Muriel’s will move into the Director’s Office.
 - d. Dell Laptop for ED
Motion: Sherise Smith, I motion that we approve the purchase of the Dell Computer for the Vegas Office and the Laptop for the Executive Director.
Second: Andrea Menicucci
Motion Carries Unanimously
8. Federation of State Boards of Physical Therapy Meeting (For Possible Action)
- a. Select delegate to attend Leadership Issues Forum July 30 & 31, 2016
Tina Baum, Chairperson – In the past the administrator has not wanted to go. I do know that the administrator is invited to go.
Motion: Sherise Smith I nominate Tina Baum, Chairperson and Lisa Cooper Executive Director to attend the Federation Leadership Issues Forum.
Second: James McKivigan
Motion Carries Unanimously
9. Review, Discussion, Action of Letter Regarding the Federation of State Board of Physical Therapy Compact Letter (For Possible Action)
10. Review of Board Meeting Minutes (For Possible Action)

a. March 24, 2016

Motion: Sherise Smith I make a motion that we approve the Board Minutes for the Marc 24, 2016 Board Meeting with revisions.

Second: James McKivigan

Motion Carries Unanimously

11. Report from Legal Counsel (possible closed session, attorney client privilege)

11:39 am

Motion: Tina Baum, Chairperson, made a motion to into closed session

Second: Sherise Smith

Motion Carries Unanimously

After return to open session

12. Report from Board Chair (For possible action)

First I would like to complement Lisa for everything she has taken on and all the things she has discovered and her knowledge. Everything about her, I am very happy to have her. I've had a chance to have a few meetings with her and have had numerous emails and phone conversations. I feel that things are going good so, thank you Lisa.

- Future Agenda Items / Meeting Schedule

Terms Limits for the ACCE

Brett Kandt cannot make our July 7th meeting; he would like to be scheduled for our next available meeting.

Next Board Meeting September 6, 2016

13. Public Comment - Jenelle Lauchman, President, Nevada Physical Therapy Association, I like this format; I find it more economical for our association. I was not at the February meeting and after reading the minutes, I feel there were a number of issues that were unethical or criminal. I was wondering if you were going to peruse that.

Tina Baum, Chairperson – There are further investigations and we will update you as soon as we can.

14. Adjournment (For possible action) 3:04 pm.