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BOARD OF PHYSICAL THERAPY

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Executive Director

MURIEL MORIN-MENDES
Licensing Coordinator

CHELSEA VENTURINO
Administrative Assistant

**BOARD MEETING MINUTES
DECEMBER 11, 2017**

Item 1 - Call to Order/Roll call to determine the presence of a quorum: The meeting was called to order at 9:08 a.m. Monday, December 11, 2017, by Chairperson Baum.

Board Members in attendance: Tina Baum, PT, DPT, WCS, ATC, CLT, Chairperson; Sherise R. Smith, PT, MSPT, CBIS, Vice Chairperson; Brian Fearnley, PT, MPT, Secretary/Treasurer; James McKivigan, DC, PT, MPA, MA.

Staff in attendance: Charles Harvey, Executive Director; Muriel Morin-Mendes, Licensing Coordinator; Chelsea Venturino, Administrative Assistant; Sarah Bradley, Senior Deputy Attorney General; Hal Taylor, Board Counsel; Deborah Dieter, Inspector; Neena Laxalt, Lobbyist.

Item 2 - Pledge of Allegiance

Item 3 - Public Comments: None

Item 8 - Update of Board Member Appointment and Nomination and Election for Positions of Board Chairman, Vice Chairman, Secretary/Treasurer and Member for the Advisory Committee on Continuing Education.

A. Secretary/Treasurer

Motion: Nomination of Jim McKivigan as Secretary/Treasurer: Sherise Smith

Second: Tina Baum

Motion Passes Unanimously

- B. Vice Chairman
Motion: Nomination of Brian Fearnley as Vice Chairman: Tina Baum
Second: Sherise Smith
Motion Passes Unanimously

- C. Board Chair
Motion: Nomination of Sherise Smith as Board Chair: Tina Baum
Second: Brian Fearnley
Motion Passes Unanimously

- D. Board Member for Advisory Committee on Continuing Education
Motion: Nomination of Jim McKivigan as Board member for the Advisory Committee on Continuing Education: Sherise Smith
Second: Tina Baum
Motion Passes Unanimously

Item 9 - Consideration of Requests to take the National Physical Therapy Examination

- A. **Courtney Aguada-Semana**
Applicant Aguda-Semana requests Board approval to take the National Physical Therapy Examination for Physical Therapists a third time. Discussion regarding applicant's previous attempts and what she is doing to succeed in her third attempt.
Motion: Motion to grant Courtney approval to take the National Physical Therapy Exam for the third time in January 2018: Tina Baum
Second: James McKivigan
Motion Passes Unanimously

- B. **Buenaventura G. Agraviador III**
Applicant Agraviador requests Board approval to take the National Physical Therapy Examination for Physical Therapists a third time. Discussion regarding applicant's previous attempts and what he is doing to succeed in his third attempt. Recommendation that Mr. Agraviador consider waiting until April to ensure that he is adequately prepared to take the examination.
Motion: Motion to grant Buenaventura approval to take the National Physical Therapy Exam for the third time either in January or April 2018: Tina Baum
Second: James McKivigan
Motion Passes Unanimously

C. Yanet J. Echart

Applicant Yanet J. Echart requests Board approval to take the National Physical Therapy Examination a fifth time. Discussion regarding applicant's previous attempts and what she is doing to succeed in her fifth attempt.

Motion: Motion to grant Yanet approval to take the National Physical Therapy Exam for a fifth time in either April or July 2018: Brian Fearnley

Second: James McKivigan

Motion Passes Unanimously

Item 4 -

Review, discuss, amend and approve Board Meeting Minutes

A. November 14, 2017

Motion: Motion to approve the minutes from November 14, 2017:

James McKivigan

Second: Tina Baum

Motion Passes Unanimously

Item 5 -

Review, discuss, amend and approve Sub-committee Meeting Minutes for the recruitment of the Executive Director

A. October 2, 2017

Motion: Motion to approve the minutes from October 2, 2017: Brian Fernley

Second: Tina Baum

Motion Passes Unanimously

Item 6 -

Review, discuss, amend and approve ACCE Meeting Minutes

A. February 3, 2017

B. May 23, 2017

Recommendation that Item 6 be removed from the agenda, as the meeting minutes were approved by the ACCE: Senior Deputy Attorney General Sarah Bradley.

Item 6 removed from agenda by Chairperson Smith.

Item 7 -

Report from Board Chair

A. Future Agenda Items

Tina Baum reported that future agenda items will be scheduled and brought forward by the Executive Director as he sees fit.

B. Board Meeting Schedule

Discussion of Board Meeting dates for 2018. Chairperson Smith asked Board staff to set a meeting location for the Workshop in northern and southern Nevada so it can be added to the December Board Newsletter. Board Meetings have been set for January 12th which will involve a hearing and be video conferenced between the north and

the south. Senior Deputy Attorney General Sarah Bradley has scheduled Attorney General's office meeting rooms for January 12th. A January board meeting will be held on Saturday January 27th in the Las Vegas Board Office. Sarah Bradley and Neena Laxalt will accompany Sherise Smith and Brian Fearnley to discuss the NACs. A March 2nd board meeting will be held in the morning and a public workshop in the afternoon. Director Harvey requested that board meeting dates be calendared for the remainder of the year to allow for planning and coordination. Discussion of meeting dates.

Motion: Motion to tentatively approve the following dates for 2018 Board Meetings: Sherise Smith

- 1/12/2018
- 1/27/2018
- 3/02/2018
- 4/06/2018
- 5/04/2018
- 6/01/2018
- 7/06/2018
- 8/03/2018
- 9/07/2018
- 10/05/2018
- 11/02/2018
- 12/07/2018

Second: Brian Fernley

Motion Passes Unanimously

Item 10 - Report and update on activities of the legislature from the Board's Lobbyist – Neena Laxalt

- A. Compact. Discussion on the creation of a legislative advisory committee with policy-making authority, to lead the legislative effort, and hold regular meetings. Request for the Board Chair to ask Sarah Bradley to review the compact language and find out how compatible it is with our statutes.
- B. Regulations. Neena will be working with LCB, Sherise Smith and Sarah Bradley to make sure that all of our regulations have been codified.
- C. Discussion on the Dry Needling Meeting scheduled for December 12, 2017 from 1:30 – 3:30 in the Attorney General's Office, with Oriental Medical Board President, their Attorney and Executive Director.

D. Discussion on the Sunset Subcommittee Meeting. This oversight subcommittee looks at all boards and commissions, to determine whether they are still needed and if they can be combined. Neena will be working with the Board Chair and Executive Director to prepare for the Sunset Subcommittee and make sure that everyone has the resources they need to complete the report. Discussion on the role and working relationship between the Board Lobbyist, Executive Director and Board Chair going forward.

Item 11 - Investigation and Inspections Department. The Board will review a list of its outstanding disciplinary cases. The Board will review, discuss, and possibly vote to change its investigation process, clarify its job description for investigators, and/or post a recruitment notice for investigator(s).

Discussion on active and dismissed cases, and the settlement process, video conferencing and the need to be able to see licensees at future hearings.

Item 12 - Advisory Committee on Continuing Education (ACCE)

A. Review and update of the White Paper, ACCE guidelines. Discussion on proposed changes that are referenced in the NAC and NRS. Recommend that proposed changes be removed until they are approved.

Motion: Motion to approve the updated white paper ACCE guidelines except removing the NRS and NAC references until they get codified. Tina Baum

Second: James McKivigan

Motion Passes Unanimously

Discussion on Item #4 under 'Other Approved Activities to receive credit under Non-Clinical Physical Therapy Practice (B)' on page 2 of the White Paper. Input solicited and provided from Laura Cerame, PTA and instructor at Carrington College in the PTA Program.

Amended Motion: Motion to approve the updated white paper ACCE guidelines except removing the NRS and NAC references until they get codified. Include statement "*Only the primary clinical instructor will receive the credit*", at the end of item #4. Tina Baum

Second: James McKivigan

Motion Passes Unanimously

- B. Consideration of Recommendations of the Advisory Committee on Continuing Education (ACCE) for Continuing Education Courses Reviewed at the ACCE Meetings.

- i. December 4, 2017

- Motion:** Move to approve the recommendations of the ACCE made at their December 4, 2017 meeting. Tina Baum

- Second:** James McKivigan

- Motion passes Unanimously**

- C. The Board will review and possibly appoint/re-appoint members to the Advisory Committee on Continuing Education (ACCE) for Continuing Education.

Discussion on term limits of ACCE positions as defined in NAC 640.480, open ACCE positions, duties, time commitment, and the specialty areas that need to be emphasized in the recruitment of new members.

Motion: Motion to reappoint Katherine Joines, Deborah Dieter, Kirk Sachtler, and James McKivigan, and advertise for three openings on the ACCE that will be advertised in the Board Newsletter and on the Board website. Sherise Smith

Second: James McKivigan

Motion Passes Unanimously

Meeting recessed at 10:50 a.m.

Meeting reconvened at 11:00 am

- D. Discussion on the impact of PROCERT on the ACCE, and the role of the committee going forward.

Discussion on the continuing role of the committee once PROCERT was fully adopted.

No action required.

Item 13 - Board Operations and Updates.

- A. Update regarding Executive Branch Audit

Discussion on status of Audit and responses provided to the Executive Branch. Discussion on the Sunset Committee.

- B. Update regarding InLumon-New Software Database

Staff is engaged in regular meetings with InLumon and is happy with the level of communication and steady progress. InLumon provided an updated test application which staff is testing.

- C. December Newsletter Topics and Assignments
Discussion on workshop date/time/location, anticipated number of attendees, ACCE recruitment, email distribution, and future items to include in the Board Newsletter.

- D. Administrative process for addressing licensee questions regarding interpretation of NAC/NRS.
Item tabled.

- E. North Board Office Lease, Furniture, and Documents
Discussion on lease termination, shipment of documents to southern office, disposition of office furniture and equipment.

Item 14 - Public Comment

Laura Cerame, PTA, representing the Nevada Physical Therapy Association and Carrington College, wanted to clarify the date of the NAC Meeting and Workshop and inform the Board that several people had expressed interest in attending. The NAC Workshop will be held March 2, 2018. Discussion on supervising physical therapists signing off on a clinical performance instrument of a PTA student.

Item 15 - Adjournment. The meeting was adjourned by Chairperson Smith at 11:34 am.