

STATE OF NEVADA

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Acting Board Chair

JENNIFER NASH, PT, DPT, NCS
Board Member

AARON STEVENS
Public Member

MICHAEL LAYMON, PT, DSc, OCS
Board Member

REGINA MCDADE, PTA
PTA Board Member



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Executive Director

MURIEL MORIN-MENDES
Licensing Coordinator

GABRIELLA FUENDES
Administrative Assistant

DEBORAH DIETER, PT
Board Investigator

PHYSICAL THERAPY BOARD

3291 North Buffalo Drive, Suite 100
Las Vegas, NV 89129

BOARD MEETING MINUTES

January 12, 2024

Item 1. Call to Order, Confirmation of Quorum

Members in Attendance: Jessie Fisher, Acting Board Chair; Aaron Stevens, Public Member; Jennifer Nash, Board Member, Gina McDade, PTA Member; Michael Laymon, Board Member.

Staff in Attendance: Charles Harvey, Executive Director; Gabriella Fuentes, Administrative Assistant; Muriel Morin Mendes, Licensing Coordinator; Deborah Dieter, Board Investigator; Ziweng Zheng, Deputy Attorney General.

Meeting Recessed at 9:15 a.m.
The meeting reconvened at 9:20 a.m.

Item 2. Public Comment

Jason Yeager discussed his request for an advisory opinion and recommendations for changes to the Scope of Practice language.

Item 3. New Board Member Introduction and Welcome (*Informational Only*)

Item 4. Report from Nevada Physical Therapy Association (APTA NV) (*Informational Only*).

Pamela Smith, APTA NV Secretary.
APTA Nevada will be holding its Board Meeting on February 20, 2024.
APTA NV looks forward to working with the new members of the Board.

Item 5. Review and Discussion of September 29, 2023, Board Meeting Minutes (*For Possible Action*)

Motion: Motion to approve the September 29, 2023, Board Meeting minutes with a correction to Item 11: Jennifer Nash, PT Member.

Second: Aaron Stevens, Public Member.

Motion Passes Unanimously.

Item 6. Application for Termination of Probation (*For Possible Action*).

A. The Board will consider a request from Dr. Michel Rantissi for full reinstatement of PT License Number 1735.

Motion: Motion to restore full licensure privileges: Michael Laymon, PT Member.

Second: Jennifer Nash, PT Member.

Motion Passes Unanimously.

B. The Board will consider a request for termination of probation from Earl Templo, PT, License Number 6208.

Motion: Motion to terminate probation of Earl Templo and grant full licensure privileges: Michael Laymon, PT Member.

Second: Aaron Stevens, Public Member.

Motion Passes Unanimously.

Item 7. Review and Discussion on the Application for Licensure by Endorsement for Foreign Educated Applicants and Reentry Applicants (*For Possible Action*).

Motion: Motion to approve the documents for application for licensure by endorsement for foreign-trained and reentry applicants as provided in the revised 2023 document: Jennifer Nash, PT Member.

Second: Aaron Stevens, Public Member.

Motion Passes Unanimously.

Item 8. Review and Discussion regarding pending licensure application (*For Possible Action*). This appearance is necessary to review the applicant's work history. The Board will review, discuss, and possibly decide on the pending licensure requests for the following applicants.

A. Paula Izzabela Falcon Estoy

Motion: Motion to grant probationary status to Paula Izzabela Falcon Estoy for the period of six months from the date of employment. The applicant will complete a total of 30 hours of continuing competence within the first year of licensure. The applicant must complete 30 hours of continuing education from the Nevada-approved continuing education list, within the setting in which she chooses to work. At the start of probation, the applicant must be supervised by an APTA-credentialed instructor who is a physical therapist and can mentor her through the six-month probationary period. The applicant must submit a letter from her supervisor each month of the six-month probationary period, as

well as at the end of the six-month probationary period, describing her progress and skills as a physical therapist. The applicant must appear before the board prior to termination of probation. The APTA credentialed instructor will evaluate Ms. Estoy's competence using the CIET or the CPI tool, to provide the board with objective information as to the level of competence.

Second: Michael Laymon, PT Member.

Motion Passes Unanimously.

B. Mai Henry

Motion: Motion to grant probationary status to the applicant Mai Henry for a PTA license, with the stipulation that she is supervised by a physical therapist for six months, requiring monthly attestation of supervision, and an end-of-probation attestation signed by the supervising physical therapist. The supervising physical therapist must complete CPI or the CIET at the end of the six-month probationary period, which the Board will review when the applicant returns to the board meeting. The applicant will complete a total of 30 hours of continuing competence within the first six months of licensure. The applicant will complete 15 hours of continuing education from the Nevada-approved continuing education list, within the first year of licensure: Jennifer Nash, PT Member.

Second: Aaron Stevens, Public Member.

Motion Passes Unanimously

Item 9. Request for Advisory Opinion (*For Possible Action*). The Board will consider a petition from Dr. Jason Jaeger, DC, about the possibility or potential for a Physical Therapy Assistant or a Physical Therapy Technician being able or allowed to take patient X-rays, or do blood draws, if they've had the appropriate schooling and training outside of their PTA or PT Tech training.

Motion: Motion to approve the use of a PTA under the direction of the appropriate provider that has the license and experience to perform things outside the scope of a PTA, and that it will not be listed as duties of a PTA, but will be listed as duties of whatever profession they are working under: Michael Laymon, PT Member.

Second: Gina McDade, PTA Member.

Discussion: Clarification: Jennifer Nash, PT Member. If this person is licensed as a PTA, but they are also a certified X-ray tech or a certified or licensed phlebotomist, then they can perform all of these activities if it is within their job description. But a PTA should not be doing either of these things if their only certification and license is a PTA.

Motion Passes Unanimously

Item 10. Review and Discussion on Practice Act Question. (*For Possible Action*).

A. Is it within the Physical Therapist Assistant's scope of practice to perform special tests such as Berg balance, 6 MWT, dynamic gait, and TUG as part of objective measurements for the physical therapist

to assess as long as the PTA does not change the plan of care? If so, are there certain parameters for the PTA to stay within their scope of practice? For example, can the PTA perform these tests if the PT has not performed the initial test to establish a baseline?

Board Discussion: The initial test to establish a baseline must be performed by the physical therapist. The objective measurements can be performed by a PTA.

No Motion is necessary.

Meeting Recessed at 11:00 a.m.
The meeting reconvened at 11:10 a.m.

Item 11. Pending Administrative Regulations (NAC 640) *(For Possible Action)*. The Board will review, discuss, and approve action on the proposed regulatory changes to NAC 640.

Motion: Motion to move forward with the pending administrative regulation (NAC 640) that the Board approved on January 13, 2023, without the revisions to NAC 640.594: Jennifer Nash, PT Member.

Second: Michael Laymon, PT Member.

Motion Passes Unanimously.

Item 12. Report from Board Legal Counsel *(Informational Only)*

Nothing to report at this time.

Item 13. Disciplinary Matters

A. Recommendation for Case Dismissal *(For Possible Action)*. The Board will review and possibly approve action regarding the dismissal of the following case.

i. Case # 2023-20

Motion: Motion to dismiss Case #2023-20: Jennifer Nash, PT Member.

Second: Michael Laymon, PT Member.

Motion Passes Unanimously.

Item 14. Advisory Committee on Continuing Competence (ACCC) Update *(For Possible Action)*

A. Consideration of recommendations for continuing competence courses reviewed at the December 1, 2023, ACCC Meeting.

Motion: Motion to approve the recommendation of continuing competence courses reviewed at the December 1, 2023, ACCC Meeting: Jennifer Nash, PT Member.

Second: Gina McDade, PTA Member.

Motion Passes Unanimously.

Item 15. Federation of State Boards of Physical Therapy (FSBPT) Update (*For Possible Action*)

A. Selection of 2024 Voting Delegate, Alternate Delegate, and Funded Administrator

B. 2024 Meeting Dates:

- Regulatory Workshop for Board Members and Administrators: March 16-18, 2024 (in-person and virtual)
- Leadership Issues Forum: July 13-14, 2024, Arlington, Virginia
- Annual Education Mtg: Oct 31-Nov 2, 2024, Cedar Rapids, Iowa

Motion: Motion to approve Gina McDade as the Voting Member, Jennifer Nash as the Alternate Member, and a staff member as the Funded Administrator: Michael Laymon, PT Member.

Second: Aaron Stevens, Public Member.

Motion Passes Unanimously.

Item 16. Board Operations

A. License Ratifications (*For Possible Action*). The Board will review, and approve licenses issued by the authority of the Board pursuant to NRS 640.090, NRS 640.146, NRS 640.240, and NRS 640.250.

Motion: Motion to approve the license ratification issued by the authority of the Board for October, November, and December 2023, pursuant to NRS 640.090, NRS 640.146, NRS 640.240, and NRS 640.250: Jennifer Nash, PT Member.

Second: Michael Laymon, PT Member.

Motion Passes Unanimously.

B. Report from Executive Director (*Informational Only*)

Executive Director Harvey presented the Board Operations Update consisting of licensing and renewal statistics, administrative highlights, information technology, complaints and Investigations, and board financials.

Item 17. Board Contracts (*For Possible Action*). The Board will review, discuss, and possibly approve contracts for professional services.

A. Audit of Board Financials

B. Bookkeeping/Payroll Services

C. Lobbyist/Legislative Services

Motion: Motion to approve a contract for Campbell Jones Cohen for the Audit of Board Financials and a contract for Numbers Inc. for Bookkeeping/Payroll Services for two years: Jennifer Nash, PT Member.

Second: Michael Laymon, PT Member.

Motion Passes Unanimously.

Item C was tabled for the March 15, 2024 meeting.

Item 18. Diversity, Equity, Inclusion, and Justice (DEIJ) *(For Possible Action)*. The Board will receive an update on DEIJ initiatives and possibly approve additional actions.

No updates at this time.

Item 19. Report from Acting Chair and Board Members *(Informational Only)*

- Acting Chair Fisher discussed agenda items moving forward and plans for the year.
- Discussion of the February 16, meeting of the Joint Interim Standing Committee on Health and Human Services. The Board will request the rescheduling/postponement of this meeting, as the proposed regulatory changes to NAC 640 are updated and resubmitted to the LCB.

Item 20. Discussion of Future Agenda Items *(Informational Only)*

- Review, Discussion, and Approval of Lobbyist Contract.
- Election of Board positions, and the Liaison for the Advisory Committee on Continuing Competence.
- Pending Administrative Regulations (NAC 640).

Item 21. Public Comment

Jenelle Lauchman, PT, requested a link to the meeting and licensee notification of the meeting logistics and status of the February 16, 2024, Joint Interim Standing Committee on Health and Human Services.

Item 22. Adjournment

The meeting adjourned at 12:29 p.m.