

STATE OF NEVADA

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DEBORAH DIETER, PT
Board Investigator

PHYSICAL THERAPY BOARD

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

NOTICE OF PUBLIC MEETING

BOARD MEETING

Date: March 15, 2024

Time: 9:00 a.m.

Physical Location:

3291 N. Buffalo Drive, Suite 100
Las Vegas, NV 89129

Members of the public may also participate in the meeting using Zoom for video access, or by calling the phone-in access number for telephone access.

VIDEOCONFERENCE ACCESS:

Join Zoom Meeting

<https://us06web.zoom.us/j/83650273052?pwd=iJGOoPCrKihdWNH53jCtWAJpBOK1XH.1>

Meeting ID: 836 5027 3052

Passcode: 625306

TELEPHONE ACCESS:

Members of the public may also participate in the meeting telephonically by dialing

1 (669) 900-6833

Meeting ID: 836 5027 3052

Passcode: 625306

AMENDED AGENDA

The Nevada Physical Therapy Board may: (a) address agenda items out of sequence, (b) combine agenda items, and (c) pull or remove items from the agenda at any time. The Board may convene in a closed session to consider the character, alleged misconduct, professional competence, or physical or mental health of a person (NRS 241.030).

1. Call to Order, Confirmation of Quorum

2. Public Comment

Note: Members of the public wishing to make public comments may do so via videoconference through ZOOM Meeting ID: 836 5027 3052 and entering the Passcode: 625306, or by telephone by dialing 1 (669) 900-6833 and entering the Passcode: 625306.

No vote may be taken upon a matter raised during a period devoted to public comment until the matter itself has been specifically included on an agenda as an item upon which action may be taken. (NRS 241.020).

3. Report from Nevada Physical Therapy Association (APTA NV) *(Informational Only)*.
4. Review and Discussion of January 12, 2024, Board Meeting Minutes *(For Possible Action)*
5. Board Member Nomination and Election for Positions of Board Chair, Vice-Chair, Secretary/Treasurer, and Liaison/Member of the Advisory Committee on Continuing Competence *(For Possible Action)*.
6. Professional Services: Contract for Board Lobbyist *(For Possible Action)*. The Board will review and discuss proposals for professional services and possibly approve a contract. Each vendor will be allotted five minutes to present their approach towards the Board's goals and initiatives.
- A. Kathleen Laxalt
 - B. I3 Public Affairs
 - C. TriStrategies
 - D. Pinion Public Affairs
7. Review and Discussion on Practice Act Question *(For Possible Action)*. The Board will review and discuss a request submitted by Susan Priestman, PT, DPT, President of APTA Nevada.
- A. Does the Practice Act explicitly prohibit physical therapists from referring patients directly for diagnostic imaging studies?
8. Review and Discussion on Practice Act Question *(For Possible Action)*. The Board will review and discuss a request submitted by Dr. Jason Jaeger, D.C.
- A. May PTs order imaging without referral, if they believe it is necessary. Precedence has been established in Colorado, Wisconsin, and Utah. Not sure about insurance reimbursement, but allowing us to order is the first step.

9. Request for NRS and NAC 640 Language Updates, submitted by Dr. Jason Jaeger, DC. *(For Possible Action)*. The Board will review and discuss a request submitted by Dr. Jason Jaeger, D.C. for board consideration of an interim Directive to not enforce:
 - A. Capitation of the number of PTA's, PT Techs, and PT Students to two (2) and three (3) respectively, but to be expanded to six (6) people total per licensed NV PT.
 - B. PT Provider/ Doctor supervision is required to be in person, but to be interim expanded to being present in person, video, or audio.
 - C. Examination requirements are to be every 7th visit or 21 days, but to instead follow Medicare Guidelines, or every 10 visits or 30 days.
10. Update on Pending Administrative Regulations (NAC 640) *(For Possible Action)*.
11. Report from Board Legal Counsel *(Informational Only)*
12. Disciplinary Matters *(For Possible Action)*.
 - A. The Board will hold formal hearings wherein it may impose disciplinary action or accept a stipulated settlement agreement, if one is presented, in the following cases.
 - i. Bernard Miller, PT, License #0801
 - ii. Channing Ware, PT, License #4255
 - iii. Justin Hesselbart, PTA, License #A-1272
 - B. Recommendation for Case Dismissal. The Board will review and possibly approve action regarding the dismissal of the following cases.
 - i. Case #2023-22
 - ii. Case #2023-20
 - iii. Case #2021-05
13. Advisory Committee on Continuing Competence (ACCC) Update *(For Possible Action)*
 - A. Consideration of recommendations for continuing competence courses reviewed at the February 9, 2024, ACCC Meeting.
 - B. Review, Discussion, and Approval of Revised White Paper.
14. Board Operations
 - A. License Ratiications *(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.
 - B. Report from Executive Director *(Informational Only)*
15. Diversity, Equity, Inclusion, and Justice (DEIJ) *(For Possible Action)*. The Board will receive an update on DEIJ initiatives and possibly approve additional actions.
16. Report from Board Chair and Board Members *(Informational Only)*
17. Discussion of Future Agenda Items *(Informational Only)*

18. Public Comment

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No vote may be taken upon a matter raised during a period devoted to public comment until the matter itself has been specifically included on an agenda as an item upon which action may be taken. (NRS 241.020).

19. Adjournment

Supporting materials relating to this public meeting of the Nevada Physical Therapy Board will be available at the Board Administrative Office or by contacting Charles D. Harvey, at (702) 876-5535 or email pted@govmail.state.nv.us and are available on the Board website <https://ptboard.nv.gov/>.

Public comment is welcomed by the Board. There is a time designated at the beginning and end of the meeting for public comments. Members of the public may bring matters not appearing on the agenda to the attention of the Board or make comments on specific agenda items. Public comment will be limited to five minutes per person and comments based on viewpoint will not be restricted. In consideration of others who may also wish to provide public comment, please avoid repetition. The Chairperson may allow additional time to be given a speaker as time allows and, in the Chair's sole discretion (NRS 241.020, NRS 241.030).

The Board may discuss matters, not on the agenda but may not act on those matters at this meeting. If the Board desires, the matters may be placed on a future agenda for action.

Prior to the commencement and conclusion of a contested case or a quasi-judicial proceeding that may affect the due process rights of an individual, the Board may refuse to consider public comment. (NRS 233B.126)

Notice: Reasonable efforts will be made to assist and accommodate individuals with disabilities who wish to participate in the meeting. Persons with disabilities who require special accommodations or assistance at the meeting should contact the Board office at (702) 876-5535, or fax (702) 876-2097 no later than 48 hours prior to the meeting. Requests for special accommodations after this time frame cannot be guaranteed.

This meeting has been posted at the Board Administrative Office and on the Nevada Physical Therapy Board website <https://ptboard.nv.gov/>; the State of Nevada Public Website at www.nv.gov; and the Nevada Legislature Administrative Notices website at <https://www.leg.state.nv.us/App/Notice/A/>.

This agenda has been sent to all members of the Nevada Physical Therapy Board and other interested persons who have requested an agenda from the Board. Persons who wish to continue to receive an agenda and notice must request so in writing every six months (NRS 241.020).