



Nevada Board of Physical Therapy

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Vice Chairman

Brian Fearnley

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Andrea Menicucci

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Lisa Cooper

Executive Director

Muriel Morin-Mendez

Licensing Coordinator

Chelsea Venturino

Office Assistant

Nevada Physical Therapy Board Newsletter

Spring 2017

Meet our Executive Director

I am proud to be writing you today to introduce myself as the Executive Director for the Nevada State Board of Physical Therapy Examiners. I am very honored to have the opportunity to work with our dedicated and hard-working Board members, the Board staff and each of the licensees in unison to protect the public. I would like to take a moment and thank everyone for the warm welcome I have received since I took over the position with the Board. Over the next year, you will see many changes with the Board. As you may know, this Legislative Session the Board is carrying a Bill (SB 142) and the Nevada Physical Therapy Association is carrying a Bill as well. These changes will modernize the statute section of the Practice

Act; referred to as the Nevada Revised Statute (NRS). While we are working on getting the NRS changed through the Legislative Session, the Board is working on modernizing the Nevada Administrative Code of the Practice Act (NAC). For this process, the Board will be asking for input from as many sources as we have available to us. The Board wants the Practice Act to be as close to current practice as possible. In short, your input is valuable and wanted; I hope you can find the time during the workshops section of the Administrative Rule Making Process. A little about myself. I have worked for the State of Nevada at various agencies for the 13 years. The majority of my time with the State has been in the Executive Director posi-



tion at the Cosmetology Board and the Massage Board. I truly enjoy regulatory work and find it challenging and rewarding. My hobbies include photography, youth sports and traveling. The majority of my travel is related to youth sports. In closing, I look forward to working with each and every therapist and therapist assistant.

Lisa Cooper

Executive Director

Notice of Retraction

The Physical Therapy Examiner's Board of the State of Nevada ("the Board") retracts its policy regarding the terms Osteopractor and Osteopractic adopted on March 28, 2013, and published in the Board's Winter 2013 Web News Bulletin, as well as the February 2014 version of the policy included in the Board's Policy Manual as "23. Policy Regarding the use of the terms 'Osteopractic' and

'Osteopractor' by Practitioners of Physical Therapy". The policy is being retracted because the Nevada Supreme Court ruled on May 26, 2016 that the policy is of general applicability and effectuates law or policy. The Board was required by the Nevada Supreme Court to pay Plaintiff the maximum allowed by law as the prevailing party in the appeal. Further, on July 18, 2016, the District Court, Clark County,

ruled that Plaintiff had exhausted his remedies and Plaintiff's claim that that the Policy constituted improper ad hoc rule-making in violation of the Nevada Administrative Procedure Act was properly before the court.

As such, Licensees are free to use the terms Osteopractor and Osteopractic, whether in writing or orally.

Letter from the Board Chairman.... Tina Baum, PT, DPT, MSPT, WCS, ATC, CLT

It is with great honor and privilege that I have had the opportunity to serve on the Nevada State Board of Physical Therapy Examiners. As the Chair, I am currently in my last year of a six-year term. This past year has been a whirlwind of growth and a much-needed change for the Board. The Board hired a new Executive Director, Lisa Cooper, in May of 2016. Mrs. Cooper has been a tremendous asset to the Board. With her guidance, the Board is in the process of modernizing all aspects of the administrative functions of the Board. It has been a remarkable opportunity, personally and professionally, to serve on the Nevada State Board of Physical Therapy Examiners. As a member of the professional association, APTA/NPTA, you stay actively informed in the growth and direction of the profession. As a member of the Board, it affords the opportunity to

stay active in the regulation of the profession for the goal of public protection. Regulation of the profession includes, along with Board Counsel, interpreting and enforcing the laws (NRS 640) and regulations (NAC 640) of the State of Nevada and keeping informed in the changes happening at the national level (FSBPT – Federation of State Board of Physical Therapy). For example, it is likely that the Physical Therapy License Compact (PTLC) will be operational within the next year. The purpose of the PTLC is to increase consumer access to physical therapy services by reducing regulatory barriers to interstate mobility and cross state practice.

I would highly encourage monitoring and participating in the activities of the Board. Upcoming Board meetings and minutes are posted on the website. Reinstating our newsletter is one avenue for which we hope to provide information and updates to licensees. If our Board bill passes



this legislative session, there will be changes to the NRS 640 that governs practice. The Board is also in the beginning stages of drafting changes to the NAC 640 to take effect once the Legislative session is completed. We would like your input into the proposed changes.

Please feel free to contact the Board office for any questions or comments you have. If you have any concerns with how the Board staff addressed your concerns, you can also contact me directly thru the “How are we doing” link on the Board website: <http://ptboard.nv.gov/Contact/> I hope to see you at future meetings.

-Tina Baum

Come Give Your Input on the Proposed Changes to Our Regulations...

We will be holding two different Saturday workshops to get input on the proposed changes to our regulations (NAC 640). One workshop will be held in Las Vegas and the other in Reno. Please try to attend to give your input on the proposed changes. You can review a rough draft of the proposed changes on the Board website. We welcome your participation.

LAS VEGAS WORKSHOP: APRIL 22 @ 9AM AT THE LAS VEGAS BOARD OFFICE
7570 Normal Rockwell Lane , Suite 230, Las Vegas

RENO WORKSHOP: MAY 20TH @ 9AM AT THE RENO BOARD OFFICE
1325 Airmotive Way, Suite 175 Conference Room, Reno

What is aPTitude?

aPTitude is a **free** continuing competence resource for physical therapist and physical therapist assistant licensees, students and pre-licensure candidates; vendors of continuing competence and continuing education (CC/CE) activities, and jurisdiction licensing boards.




Licensees and students/pre-licensure candidates can use aPTitude to:

- Maintain licensure information and record of CC/CE
- Securely store CC/CE completion documents
- Stay current with all CC/CE requirements and license renewal dates
- Be reminded of license renewal and CE/CC deadlines
- Track CC/CE completion progress for one or many states
- Find CC/CE courses and activities

Click on the below link to sign up for free!
<https://pt.fsbpt.net/aPTitude/public/info/home>



Tracking continuing competence with aPTitude is as easy as 1, 2, 3!

	Enter your license into aPTitude
	Record Continuing Competence Activities that you have completed
	Track the number of CCU's that you have earned towards renewal

NPTE Requirements

As you may be aware, effective January 1, 2017, some new rules regarding the NPTE (National Physical Therapy Examination) went into effect. There is now a lifetime limit of six attempts at passing the exam. Candidates who have not passed within the allotted six attempts will not be allowed to sit for the NPTE again. There is an appeals process through the NPTE that a candidate can go through if they feel it is needed. Also established and now in

place is a low score policy to ensure that candidates with two failing scores at or below 400 will not be allowed to sit again for the NPTE. The purpose of the very low score limit is to restrict access to the NPTE to those candidates who are likely to be competent as measured by the NPTE performance standard. The PT and PTA exams are designed to assess basic entry-level competence after graduation from an accredited program or from an equivalent non-accredited program.

The FSBPT develops, maintains and administers the NPTE for two reasons:

1. To help ensure that only those individuals who have the requisite knowledge of physical therapy are licensed in the physical therapy field.
2. To help regulatory authorities evaluate candidates and provide standards that are comparable from jurisdiction to jurisdiction.

What is the Difference Between the PT Board and PT Association?

Many licensees are unaware that the Nevada State Board of Physical Therapy is separate and unrelated to the Nevada Physical Therapy Association (NPTA). All licenses in the state of Nevada are regulated and subject to the jurisdiction of the Board based on state legislation and regulation. Membership in your professional association (NPTA) is voluntary. If you would like more information regarding the NPTA, they can be reached at www.nvapta.org. The NPTA is the local of the national professional organization, the American Physical Therapy Association (APTA).

Legislative Update.....

There are 2 bills affecting physical therapy being introduced this 2017 legislative session. SB 142 has been introduced by the Nevada Board of Physical Therapy and SB 437 has been introduced by the Nevada Physical Therapy Association. Below is a summary of each of the bills. We encourage you to read the bills in their entirety on the Nevada Legislature website as well (click on the below link)

<https://www.leg.state.nv.us/App/NELIS/REL/79th2017/Bills/List>

Senate Bill 142 authorizes the Nevada PT Board to appoint nonvoting advisory members to the

Board; authorizes the Board to issue citations for certain violations; changes the designation of physical therapists' assistants and physical therapists' technicians; revises the membership and duties of the Board; requires the Board to elect certain officers annually (replacing one PT Board member with a PTA); amends provisions governing the supervision and authorized activities of physical therapist technicians; exempts certain providers of health care from the provisions governing the practice of physical therapy; revises terminology concerning the education of physical therapists and physical therapist assistants (changing continuing education to continuing competence); combines similar provisions governing physical therapists and physical therapist assistants; authorizes the licensure by endorsement of physical therapist assistants; removes the requirement that the Board administer an examination to applicants for a license as a physical therapist;

and provides other matters properly relating thereto.

SB 437 revises the definition of the practice of physical therapy; revising provisions prohibiting the use of certain names, titles and initials related to the practice of physical therapy; providing penalties; and providing other matters properly relating thereto. This modernizes and updates our practice act.

The bills, if passed, make changes to the Nevada Revised Statutes (NRS) or LAWS governing physical therapy. The Board will be conducting workshops later this year to work on the regulations that further define the NRSs, otherwise known as the Nevada Administrative Code (NAC). Please join in and give input on the workshops that will be held in the creation of the NACs.

Nevada Physical Therapy Board Mission Statement

Mission

The mission of the Nevada State Board of Physical Therapy Examiners is to protect the safety and well-being of the public consumer of physical therapy.

Who We License

The Nevada State Board of Physical Therapy Examiners licenses physical therapists and physical therapist's assistants. Any person wishing to work in Nevada must obtain a Nevada License.

What Will Citation Ability Proposed in SB 142 Mean?

One of the proposed changes in SB 142 is the ability of the Board to more efficiently handle some of the infractions of the NRS and NAC that Board investigators often encounter when doing inspections out in the field.

If you are found to be in violation of one of the proposed areas, the investigator will write you a citation on the spot, which you can take care of immediately without having to go through further proceedings with the Board. This will cut

down on attorneys needing to be involved in some of the more basic violations (display of license, change of address, supervision ratios), and allow you to settle the violation in an expedited fashion.

Currently, the process of discipline is the same for a minor infraction as a major infraction and is as follows:

1. Complaint
2. Investigation
3. Hearing

This process is costly to the licensee. The licensee incurs the cost of the investigation, legal fees, and

hearing costs.

The Board's ability to utilize an Administrative Citation will reduce the cost incurred by the licensee. The Board will set a uniform Administrative Fine and Fee. The citations will not go through the hearing process and in turn, will not be reported as a discipline to the Occupational Licensing Board Report. All Administrative Fines are to be turned over to the General Fund, and all Administrative Fees by the Board to recoup expenses.

License Renewal

Just a friendly reminder that all licenses expire on July 31 of each year. As you know, last year was the first year that online renewal was available. The Board staff has worked diligently through this past year to make improvements to the online renewal system; we anticipate to have the online renewal link on the Board's webpage no later than June 1, 2017. (Review NRS 640C.150 and NRS 640.280; Website - <http://ptboard.nv.gov/>).

Each physical therapist and physical therapist assistant is required to provide continuing education for their renewal; except for a license issued on or after February 1, 2017. (Review NAC 640.400). Also —just a reminder that there no longer is an “original” copy of your license. You should just print out as many copies as needed to post at each place that you work. And, if you work in the field, you should make a copy that you keep with you when you are in the field. Thank you!

How Many Physical Therapists and Physical Therapist Assistants are Currently Licensed in Nevada?

2,331

PTs

756

PTAs

3,087

**TOTAL
LICENSEES**

Survey Results....

Thank you to those of you who participated in the survey regarding the use of PT techs that was emailed out. We had 485 physical therapists who took part in the survey and 132 PTAs who participated.

Below are some of the results of the survey: 36% of PTs who responded to the survey work in outpatient private practice and 25% of PTAs who responded do. The other settings were also represented as well, but outpatient was the most heavily represented.

For the PTs who utilize techs, it was evenly divided between PTA and PT Tech as to who the PT supervises the most to assist in patient care. As far as activities delegated to a PT tech the following were listed in order of highest to lowest response: cleaning of equipment (63%). Escort of patients (53%), assist

with exercise set up (51%), modalities set up-ice/heat (47%), monitoring of exercise programs delegated by PT (41%), administration of modalities (26%), assistance donning/doffing braces, orthotics, etc. (8%), gait or balance training (5%), massage (1%). It was nearly evenly divided as to "are you concerned about the way PT techs are being utilized with patient care?": 52% of physical therapists answered no and 48% answered yes. 56% of PTs answered no to whether or not they had concerns regarding the use of techs as it relates to the safety and welfare of patients.

74% of PTAs who responded to the survey felt that the 2000 hours of required "on premise" supervision is helpful when first receiving their license as a physical therapist assistant. 52% also thought that eliminating this 2000 hour requirement would compromise the health safety and welfare of patients. 37% of PTAs work under the supervision of two PTs,

29% work under the supervision of one PT, 14% under three PTs and 11% under five or more.

73% of PTAs did not feel that having supervision from more than one PT compromises the safety or welfare of patients. Verbal on-site communication was by far (76%) the most common mode of communication between the PTA and his/her supervising PT. 98% of PTAs stated they feel that they receive the type of feedback and assistance needed with patients when they communicate with their supervising PT.

73% of PTAs surveyed reported they do not feel that PT techs are participating in treatment activities that may compromise the safety and welfare of patients. 62% are not concerned about the way PT techs are being utilized in patient care in our state.

APTA & FSBPT Collaboration

Moving forward together

FSBPT (Federation of State Boards of Physical Therapy) and the American Physical Therapy Association (APTA) each have unique missions, purposes and roles to play in the physical therapy profession. Below you'll find overview information for each organization and some topics that have been of interest to both organizations:

Missions:

FSBPT

To protect the public by providing service and leadership that promote safe and competent physical therapy practice. *(FSBPT is a membership organization of 53 jurisdictions or states)*

APTA

To improve the health and quality of life of individuals in society by advancing physical therapist practice, education and research, and by increasing the awareness and understanding of physical therapy's role in the nation's health care system. *(APTA is a membership organization of more than 90,000 physical therapists, physical therapist assistants and students)*

Meet Your Board....

The Nevada Board of Physical Therapy Examiners (with the proposed name change in SB 142 to the Nevada Physical Therapy Board) is made up of 5 members: currently this includes four physical therapists and one public member. Proposed in SB 142 is the change to replace one of the physical therapist members with a physical therapist assistant (thereby making the Board composition three physical therapists, one physical therapist assistant and one public member).

Currently, our Chairman is Tina Baum. She practices women's health in private practice. She is serving in her sixth year on the Board.



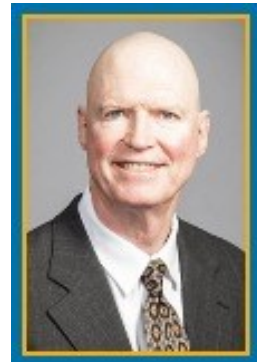
Our Vice Chairman is Sherise Smith. She practices neurological rehabilitation in the home and community setting. She is serving in her third year on the Board.



Our Secretary/Treasurer is Brian Fearnley. He practices in outpatient orthopedics. He is serving in his second year on the Board.



Jim McKivigan is our fourth physical therapist member and practices both in the education realm and acute hospital setting. He is serving in his fifth year on the Board.



Our public member is Andrea Menicucci. She is a speech pathologist with a wide array of healthcare experience. She is serving in her sixth year on the Board.



Your Board is working hard to ensure the protection of our public in the delivery of physical therapy in the state of Nevada. We thank you for your continued involvement and support!

CEUs for attending PT Board Meetings?

Did you know that you can now earn one hour (.1) of non-clinical CEU for attending a PT Board Meeting? As you know, you can earn up to .8 non-clinical CEUs per year out of the 1.5 total units. The Board greatly encourages licensees to attend meetings to see what is happening. There will be a sheet available for you to take with you that is a certificate of your attendance of that meeting for continuing education. One of the proposed changes in SB 142 is to "modernize" the term "CEU" to "CCU" or continuing competence unit. This is in keeping pace with what most states are currently doing related to continuing competence.