

**NEVADA STATE BOARD OF  
PHYSICAL THERAPY EXAMINERS**

**MAY 8, 2012**

**BOARD MEETING MINUTES**

Item 1- Call to order / roll call to determine the presence of a quorum. The meeting was called to order at 9:35am by Chairman Sidener. She apologized for the late start, noting that there was plane trouble coming from Reno. Board members in attendance: Kathleen Sidener, PT, Chairman; Lisa Mukavitz, PT, Vice Chairman; Tina Baum, PT; Emilio Puentedura, PT, Secretary/Treasurer; Andrea Menicucci, Public Member. Non-members in attendance: Richard Dreitzer, legal counsel, Allison Tresca executive director, Jackie Miklas, PT, inspector.

Item 2 - Pledge of Allegiance.

Item 3 – Public comment period. There was no public comment.

Item 4- Licensee Rebecca S. Seibel requests to be released from probation. Probation was required due to absence from the field.

Motion to enter closed session: Puentedura.

Second to motion: Mukavitz.

Passes unanimously.

After returning to open session-

Motion by Mukavitz to release from probation as the licensee has met all the probationary terms.

Second to motion: Puentedura.

Passes unanimously.

Item 5- Applicant Lisa C. Leonard requests to be licensed. This appearance is necessary to address the applicant's work experiences.

Motion to enter closed session: Mukavitz.

Second to motion: Puentdura.

Passes unanimously.

After returning to open session:

Motion by Puentedura to offer 6 month probationary license with board approved primary and secondary supervisors, 1.5 units of board approved education within the 6 months of licensure which can be used toward the annual requirement. Offer is valid for 6 months from date of appearance, and licensee must appear to request release from probation.

Second to motion: Mukavitz.  
Passes unanimously.

- Item 6- Applicant Vanessa Plotnick requests to be licensed as a physical therapist. This appearance is necessary to address the applicant's absence from the field.

Motion to enter closed session: Mukavitz.  
Second to motion: Baum.  
Passes unanimously.

After returning to open session:  
Motion by Mukavitz to offer a 1 year probationary license with board approved primary and secondary supervisors, 3.0 units of board approved education within the 6 months of licensure of which 1.5 must be from an on-site course and is addition to the annual requirement. Offer is valid for 6 months from date of appearance and is based on full-time work, and licensee must appear to request release from probation.  
Second to motion: Puentedura.  
Passes unanimously.

- Item 7- Applicant Marie Eugenie M. Pabustan requests to the take the National Physical Therapy Examination a fourth time in accordance with NRS 640.100(4).

Motion to enter closed session: Puentedura.  
Second to motion: Mukavitz.  
Passes unanimously.

After returning to open session:  
Motion by Puentedura to grant fourth attempt at the NPTE for the July 31 test date.  
Second to motion: Menicucci.  
Passes unanimously.

- Item 8- Applicant Tina Marie Thornton requests to the take the National Physical Therapy Examination a third time in accordance with NRS 640.100(4).

Motion to enter closed session: Puentedura.  
Second to motion: Menicucci.  
Passes unanimously.

After returning to open session:  
Motion by Mukavitz to table the item until the July meeting; legal counsel will research the legislative intent of NRS 640.140; applicant is approved to take the test a third time and is to register for the July 31 NPTE test date. In the event licensure can be granted under 640.140, the applicant can get a refund of the examination fee. The applicant can appear via telephone.

Second to motion: Puentedura.  
Passes unanimously.

Item 9- Applicant Christina Rose Miller requests to the take the National Physical Therapy Examination for physical therapist's assistant's a fourth time in accordance with NRS 640.100(4).

Motion to enter closed session: Puentedura.  
Second to motion: Mukavitz.  
Passes unanimously.

After returning to open session:  
Motion to allow fourth attempt at NPTE for the October 30 test date, must register by September 23: Puentedura.  
Second to motion: Mukavitz.  
Passes unanimously.

Item 10- Complaint Hearings or Review and Approval of Consent Decrees.

Case #2011-18 – Ann Elizabeth Grab.  
The consent decree was signed by the licensee and presented to the Board for review.  
Motion to approve: Puentedura.  
Second: Mukavitz.  
Passes with Puentedura, Mukavitz, Baum and Sidener. Board member Menicucci recused herself as the Investigating Board member.

Case #2010-15 – Alicia D. Thomas.  
The consent decree was signed by the licensee and presented to the Board for review.  
Motion to approve: Puentedura.  
Second to motion: Mukavitz.  
Passes with Puentedura, Mukavitz, Baum and Sidener. Board member Menicucci recused herself as the Investigating Board member.

Case #2011-03 – Jeffery Deets. Richard Dreitzer advised that this case was in settlement and the dry needling decision may have an impact on the case.  
Motion to table until July meeting: Menicucci.  
Second to motion: Mukavitz.  
Passes unanimously.

Case #2011-08 - Brian K. Werner. Richard Dreitzer advised that the licensee recently retained legal counsel and has requested a continuance.  
Motion to table until July meeting: Mukavitz.  
Second to motion: Menicucci.  
Passes unanimously.

- Item 11- Review and approval of minutes for Board meeting of March 12, 2012.  
Motion to approve with grammatical changes: Baum.  
Second: Mukavitz.  
Passes unanimously.
- Item 12- Review and approval of executive session minutes for Board meeting of March 12, 2012. The Board did not enter into closed session at the March meeting.
- Item 13- Review and approval of minutes for Board meeting of March 20, 2012.  
Motion to approve with grammatical change: Sidener.  
Second: Puentedura.  
Passes unanimously.
- Item 14- Review and approval of executive session minutes for Board meeting of March 20, 2012. Motion to approve with amendments: Puentedura.  
Second to motion: Mukavitz.  
Passes unanimously.
- Item 15- Review and approval of Treasurer's Report for period ending February 2012.  
Motion to approve; Sidener.  
Second to motion: Puentedura.  
Passes unanimously.
- Item 16- Review and approval of Profit and Loss Report for period ending February 2012.  
Motion to approve: Mukavitz.  
Second to motion: Menicucci.  
Passes unanimously.
- Item 17- Review and approval of Balance Sheet as of February 2012.  
Motion to approve: Mukavitz.  
Second to motion: Menicucci.  
Passes unanimously.
- Item 18- Review and approval of Treasurer's Report for period ending March 2012.  
Motion to approve: Mukavitz.  
Second to motion: Menicucci.  
Passes unanimously.
- Item 19- Review and approval of Profit and Loss Report for period ending March 2012.  
Motion to approve: Mukavitz.  
Second to motion: Menicucci.  
Passes unanimously.
- Item 20- Review and approval of Balance Sheet as of March 2012.  
Motion to approve: Mukavitz.  
Second to motion: Puentedura.

Passes unanimously.

Item 21- Review and approval of current Fiscal Year Budget Report.

Motion to approve: Menicucci.

Second to motion: Puentedura.

Passes unanimously.

Item 22- Review and approval of Executive Director's Report as of April 28, 2012.

Motion to approve: Mukavitz.

Second to motion: Menicucci.

Passes unanimously.

Item 23- At the request of Board member Puentedura, reconsider the current policy of the Board which does not allow the use of the term "doctor" by practitioners of physical therapy. Board member Sidener noted there were pros and cons to this issue. Board member Puentedura stated that he wanted to revisit this issue. He stated that he was present, as an applicant for licensure, when this topic was on the agenda previously. He stated that at the time, the discussion was based on making sure patients were not confused. He stated he recalled a physical therapist that was present at the meeting and had "Dr. Mike" on his shirt. He stated that the patient is going in for physical therapy, enters a door that reads physical therapy so the patient cannot be confused as to the fact that the person treating them is a physical therapist and not a medical doctor. He continued, stating that patients are savvy and smart and noted there were doctors of optometry, chiropractic podiatry, etc. Board member Sidener stated there is still confusion with the public and noted that the physical therapist with a doctorate degree is not required to call themselves doctor. Board member Mukavitz stated that the Board needs to move forward with this. Board member Puentedura stated that the APTA advises that they should use the term appropriately, and if the licensee wants to use the term doctor he must explain he is a physical therapist. Board member Sidener stated that the policy needs to be specific so there is no confusion on the part of the licensee as to what their responsibility is. Board member Menicucci stated that if the Board has an opinion on this, the Board could therefore monitor and discipline, so specifics are needed. Board member Puentedura stated a complaint may be a he said-she said issue and there may be opportunity for a secret shopper. Board member Sidener stated that there has to be everyday use adopted to avoid public confusion. Board member Puentedura stated it was not the Board's job to help the public avoid confusion. Richard Dreitzer, legal counsel, stated that it is the mind of the consuming public that must be considered and stated that many patients assume a person wearing a white coat is a doctor. Inspector Jackie Miklas stated that in her few months as an inspector she believes some of the laws are vague and leaves things open to random interpretation. She suggested a badge requirement for the licensees to list their name, profession and educational designation. Board member Mukavitz stated that presents challenges for employment purposes, and noted that at her place of employment, they must list their highest degree awarded

and there is now room for other information. Board member Puentedura stated that a person who earns the degree has earned the respect of being called doctor. Board member Sidener stated that a person who has worked in the field for 25 years is not less than the doctor. Board member Mukavitz noted that personal ethics are involved with this issue and the licensees have the responsibility to communicate with their patients. Board member Baum said she refers to herself as “Tina” when she introduces herself and does not understand the need to say her educational degree. Allison Tresca reported that there were no letters or emails received from the licensees on this issue. Board member Menicucci asked what the NPTAs position is on this issue and Ms. Tresca advised that the NPTA did not provide any information for consideration.

Motion by Puentedura to re-write the policy paper to allow for those who have earned a doctorate degree in physical therapy to refer to themselves as doctor, and the policy must include guidelines to ensure public understanding.  
Second to motion: Sidener.

Passes unanimously. The director volunteered to re-write the policy and will present at the next meeting for review and consideration.

- Item 24- Licensee Deborah Dieter, PT, asks if a physical therapist licensed in another state, not licensed in Nevada, can make an assessment and determination of eligibility for a citizen of Nevada to certify disabled ridership for the paratransit service.

It was discussed that the assessments are being done via the applicant answering questions via an on-line system, there is no in-person assessment occurring. It was discussed that the people reviewing the questions and determining eligibility are licensed in other jurisdiction. It was discussed that VA hospitals require a person to be licensed in a jurisdiction, but they are not required to be licensed in the state in which they are working as the funds are federal so they dictate the rules. Board member Mukavitz asked if the program was state, federal or privately funded. She also noted that Medicare regulations for wheelchair evaluations require an on-site evaluation by a specific person who is licensed and certified to perform that evaluation. It was discussed that an assessment or evaluation of this nature should be in-person. Richard Dreitzer said he would research the program to determine funding, as that would guide the Board in their decision.

Motion to direct legal counsel to research the funding of the paratransit service: Mukavitz.

Second to motion: Menicucci.

Passes unanimously.

- Item 25- Update from Paula Berkley regarding the activities of the Sunset Commission, which is reviewing all licensing Boards. A written report was reviewed. At this time, the Board has not been selected for review.

Item 26- Pima Medical Institute seeks clarification of NRS 640.240(a), asking if their program will meet the criteria set forth. (Action).

NRS 640.240 Requirements for educational curriculum.

1. For the purposes of [NRS 640.230](#), the Board shall not approve any educational curriculum for a physical therapist's assistant unless the curriculum includes elementary or intermediate courses in clinical, anatomical, biological and physical sciences and is:

(a) At least a 2-year program requiring a minimum of 60 academic semester credits at a college accredited by a recognized accrediting agency....

It was discussed that this is an accelerated program, with no large breaks, the education is condensed into less time and not a traditional academic program. It was discussed that all educational components are included and the exact program is approved by CAPTE in other states. It was discussed that CAPTE limits all programs to 5 semesters, no more no less. Board member Sidener stated that condensing too much can make it difficult for the students to learn the material. The statute requires 60 academic credits and that component is met. The program will also have to be accredited by CAPTE, and that is in process.

Motion to approve the program once it has received CAPTE approval, as it meets the 60 credits requirement: Puentedura.

Second to motion: Baum.

Passes unanimously.

Item 27 - Appointments to the Advisory Committee on Continuing Education.

Motion to appoint Joe Cracraft, Steve Bamberger, Beth Ward, Chad Bible, Deborah Dieter and JD Daruwalla to the committee: Sidener.

Second to motion: Menicucci.

Passes unanimously.

Item 28- Consideration of courses recommended by the Advisory Committee on Continuing Education at their meeting of April 10, 2012 for the units listed through July 31, 2013.

Motion to approve the courses: Mukavitz.

Second to motion: Menicucci.

Passes unanimously.

Recommended for approval:

Provider	Course	Type	Renewal Units	Units for all other purposes	Unit Type
Academy of Lymphatic Studies	Lymphatic Management Seminar 4-Day	On-Site	1.5	3.1	Clinical
Allied Health Education	Introduction to Physical Therapy for Urinary Incontinence-Internet	Internet	0.2	0.2	Clinical

Allied Health Education	Introduction to Physical Therapy for Urinary Incontinence-Webinar	Webinar	0.2	0.2	Clinical
Allied Health Education, LLC	Treatment and Rehabilitation of Orthopedic Shoulder Conditions (Internet)	Internet	0.2	0.2	Clinical
Allied Health Education, LLC	Treatment and Rehabilitation of Orthopedic Shoulder Conditions (Webinar)	Webinar	0.2	0.2	Clinical
American Academy of Orthopaedic Surgeons	AAOS Advances in Care of the Aging Athlete	On-Site	1.5	1.8	Clinical
APTA	Interdisciplinary Management of Patients w/ Complex Lower Limb Amputations	On-Site	0.3	0.3	Clinical
APTA	Managing a Caseload: A New Look at PT-PTA Teams	Audio Conference	0.2	0.2	Clinical
APTA	Vestibular Rehabilitation: A Competency -Based Course	On-Site	1.5	3.7	Clinical
Barton HealthCare Services	Comprehensive Sports Medicine Update & Board Review Course	On-Site	1.5	3.2	Clinical
Brett Windsor, PT, MPA, OCS, FAAOMPT	A Comprehensive Review of the Hip Joint: Evidence Informed Evaluation and Management	On-Site	1.5	1.5	Clinical
Clark County School District	Foundation Moves for Preschool Students	On-Site	0.75	0.75	Clinical
Cross Country Education	Dementia Management: Advanced Skills for the Health Care Practitioner	On-Site	0.65	0.65	Clinical
Cross Country Education	Dynamic Stretching: The Missing Link to Fitness, Athletic Performance, Injury Prevention & Rehabilitation	On-Site	0.75	0.75	Clinical
Cross Country Education	Outpatient Therapy CPT Coding, Billing & Documentation	On-Site	0.65	0.65	Non-Clinical
Educata	Physical Therapy for Children w/ Type 1 Diabetes: Examination and Treatment	Home Study	0.2	0.2	Clinical
Freedom Designs, Inc.	Simply Seating	On-Site	0.75	0.75	Clinical
Gannett Education	Common Fallacies About Cancer Pain	Internet	0.1	0.1	Clinical
Great Lakes Seminars	A Clinical Approach to Myofascial Release	On-Site	1.5	1.55	Clinical
HCR Manor Care	Professional Responsibility: Linking Ethics & Best Practices	Web-Conference	0.1	0.1	Clinical
HCR Manor Care	Stroke Update	Webinar	0.1	0.1	Clinical
Health.edu	Cross Friction Massage: Myth or Reality	Internet/ Home Study/ Video / DVD	0.1	0.1	Clinical
Institute for Natural Resources	Memory Loss and Forgetfulness	Home-Study	0.3	0.3	Clinical
International Sports & Fitness Trainers Association	Foam Rolling Techniques	On-Site	0.7	0.7	Clinical
International Sports & Fitness Trainers Association	Rehab Fitness Specialist	On-Site	1.5	1.5	Clinical
International Sports & Fitness Trainers Association	Stability Ball Trainer	On-Site	0.8	0.8	Clinical



Mobility Research Institute of Continuing Education	Geriatric Balance & Dizziness Management	Webinar	0.15	0.15	Clinical
Motivations, Inc.	Vestibular, Oculomotor & Balance Rehabilitation # 218	On-Site	1.5	1.7	Clinical
Nevada Physical Therapy Association	Current Issues in the Physical Therapy Profession	On-Site	0.1	0.1	Non-Clinical
Nevada Physical Therapy Association	Current Trends in Clinical Management of the Patient w/MS	On-Site	0.1	0.1	Clinical
Nevada Physical Therapy Association	Integrating Aquatics Based Therapeutic Interventions into Practice	On-Site	0.1	0.1	Clinical
Nevada Physical Therapy Association	Total Shoulder Arthroplasty - On-Site	On-Site	0.1	0.1	Clinical
Nevada Physical Therapy Association	Total Shoulder Arthroplasty - Podcast	Podcast	0.1	0.1	Clinical
North East Seminars	The Knee and Shoulder Today		1.5	1.6	Clinical
Orthopaedic Section, APTA, Inc.	ISC 19.1, Update on Anterior Cruciate Ligament Injuries	Home Study	1.5	3	Clinical
Orthopaedic Section, APTA, Inc.	ISC 19.2, The Female Athlete Triad	Home-Study	1.5	3	Clinical
Orthopaedic Section, APTA, Inc.	ISC 19.3, Orthopaedic Issues & Treatment Strategies for the Pediatric Patient	Home Study	1.5	3	Clinical
Orthopaedic Section, APTA, Inc.	ISC 20.1, Orthopaedic Implications for Patients with Diabetes	Home-Study	1.5	3	Clinical
Orthopaedic Section, APTA, Inc.	ISC 20.2, Joint Arthroplasty: Advances in Surgical Management & Rehabilitation	Independent Study Course	1.5	3	Clinical
Pride Mobility Products Corp.	Clinically Speaking: A Practical Guide to Evaluation & Documentation for MAE	On-Site	0.3	0.3	Clinical
PT source.com	Attention Deficit/Hyperactivity Disorder in Children and the Use of Stability Balls as a Therapeutic Intervention	Internet	0.1	0.1	Clinical
PT source.com	Conservative Management of Spine Trauma	Internet	0.1	0.1	Clinical
PT source.com	Difficult Conversations	Internet	0.1	0.1	Non-Clinical
PT source.com	Prospective Payment System 2012: An Update	Internet	0.2	0.2	Non-Clinical
PT source.com	Traumatic Brain Injury Series 1: Mechanics of Injury and Neuropathology of TBI	Internet	0.2	0.2	Clinical
Renown Health	Part 3 Focus on the Trunk & Upright Control	On-Site	1.45	1.45	Clinical
Therapy Network Seminars	Core Stabilization: Facilitation & Treatment Techniques	On-Site	1.5	1.55	Clinical
Therapy Network Seminars	Management of Nerve and Tendon Pain in the Upper Extremity	On-Site	1.5	1.6	Clinical

Recommended for denial due to lack of relevance:

Motion to deny: Puentedura.

Second to motion: Menicucci.

Passes unanimously.

Provider	Course
APTA	ELI: Module 5-Legal and Policy Issues
PT source.com	Practical Referral Source Management

Item 29- Activities of the Board office.

Item 30- Report from legal counsel regarding pending cases. Closed session.

Item 31- Report from Board member Mukavitz regarding the new licensee surveys. Board member Mukavitz stated that she received only two survey responses from the total contacted by all Board members and wants to make a recommendation to stop the monthly process. She noted that the idea was to get feedback from all applicants regarding the application process as well as the communications from the board office. She noted that the members are making several calls and receive very few replies. She noted that the applicants have shared some positive comments about staff, and there have been no negative reports. She also noted that some of the applicant's have concerns as to the licensure requirements, but they are contradictory to what is required for licensure. Board member Baum suggested a survey be included in the licensure packets. The director noted that it was discussed previously but the Board members wanted to personally get the feedback. The director was instructed to place the matter on the next agenda for action, and provide the number of new licenses contacted and the month the survey started.

Item 32- Items for future agendas. The board advised the director to research securing phones with better sound for teleconferences; the possibility of skype or Google plus for video conferencing.

Item 33- Public comment period.

Item 34- Review of files/ratification for licensure.

Motion to ratify: Puentedura.

Second to motion: Mukavitz.

Passes unanimously.

FILES FOR REVIEW/RATIFICATION:

Physical Therapists

LAST	FIRST	CRED#
Chen	Judy	2650
Lamore	Mary	2651
Schaefer	Renee Nicole	2652

Glosner	Stephen	2653
Bantolo	Nova Franco	2654
Hyatt	Coleman	2655
Hyatt	Ashley	2656
Walstad	Kristin	2657
Andres	Marco Eli Jacobe	2658
Pangilinan	Gilbert	2659
Renfro	Mindy	2660
Church	Lincoln	2661
Magstadt	Marc	2662
Carlton	Bryan	2663
Jones	Bradley	2664
Bach	Laura	2665
Emery	Andrew	2666
Feret	Tomasz	2667

*Physical Therapist's Assistants*

LAST	FIRST	CRED#
Mitchell	Deborah	A-0599
Arakawa	Carly	A-0600

Item 35- Confirm schedule of future Board meetings and their locations. July 17 in Las Vegas, however may need to change and will communicate via email.

Item 36- Adjournment of the Board meeting. Chairman Sidener adjourned the meeting.