

**NEVADA STATE BOARD OF
PHYSICAL THERAPY EXAMINERS**

MINUTES OF BOARD MEETING SEPTEMBER 10, 2015

Item 1- Call to order / roll call to determine the presence of a quorum. The meeting was called to order by Chairman Puentedura at 9:06am. Members in attendance: Louie Puentedura, PT, DPT, PhD, FAAOMPT, Chairman; Tina Baum, PT, DPT, WCS, ATC, CLT, Vice Chairman; James McKivigan, DC, PT, MPA, MA, Secretary/Treasurer; Sherise R. Smith, PT, MSPT, CBIS; Andrea Menicucci, MS, CCC-SLP. Non-members present: Richard Dreitzer, legal counsel, and Allison Tresca, executive director.

Item 2- Pledge of Allegiance.

Item 3- Public comment period. Janelle Lauchman, president of the Nevada Physical Therapy Association asked about the cost of mailing lists and noted that there was no information on the Board's website to order such lists. The Board's director noted that the Board's website has the order form on the main page, so it can be viewed upon entering the website, and also noted the order form is also available under the Forms section, which is at the top of the main page.

Item 4- Licensee Radhika Anirudh Bhagat requests to be released from probation.

Motion to enter closed session: Baum.

Second to motion: McKivigan.

Passes unanimously.

After returning to open session:

Motion to grant release from probation, as the licensee successfully completed the requirements: Puentedura.

Second to motion: Smith.

Passes unanimously.

Item 5- Applicant Julie Leonard requests to be licensed. This appearance is necessary to address the disciplinary action taken by the Kentucky Board of Physical Therapy. This item was tabled per the request of the applicant.

Item 6- Applicant Christopher Ancell requests to be licensed. This appearance is necessary to address the results of the applicant's fingerprinting.

Motion to enter closed session: Menicucci.

Second to motion: Smith.

Passes unanimously.

After returning to open session:

Motion to grant full licensure with the condition that if anything positive is reported in the hair test conducted through Dr. Mansky's office, Mr. Ancell will be required to appear before the Board to determine if any additional action should be taken regarding his license: Baum.

Second to motion: McKivigan.

Passes with Baum, Menicucci, McKivigan, Smith in favor. Puentedura abstained from voting.

Item 7- Review and approval of minutes for Board meeting of July 16, 2015.

Motion to approve with minor changes: Puentedura.

Second to motion: Baum.

Passes unanimously.

Item 8- Review and approval of executive session minutes for Board meeting of July 16, 2015.

Motion to approve with minor changes: Puentedura.

Second to motion: McKivigan.

Passes unanimously.

Item 9- Review and approval of minutes for Board meeting of August 31, 2015.

It was noted that at the 8/31 meeting, the Board's computer malfunctioned and deleted the document of the transcribed minutes. This was noted on the record at the time. The director reported that the tape of the meeting was garbled and there was not an ability to transcribe from the tape. The director noted that she typed the minutes the night of the Board meeting to ensure the actions of the Board were accurate. Chairman Puentedura thanked the director for the minutes, noting they were quite detailed despite what had occurred.

Motion to approve: Puentedura.

Second to motion: Smith.

Passes unanimously.

Item 10- Review and approval of executive session minutes for Board meeting of August 31, 2015.

Table to November meeting

Item 11- Review of NRS 640 and NAC 640 for any possible suggestions for changes and to create a list of such suggestions.

Ideas discussed –

- Add PTA to Board; it was noted the Board must be comprised of an odd number and a public member would be the likely addition.

- License expiration date change from 7/31 annually to the licensee's birthday.
- Change definition of the practice of physical therapy to the Model Practice Act.
- Change re-examination parameters to FSBPT guidelines, including lifetime limits.
- Remove Board offering test.
- Compact licensure.
- Require active practice.
- Review NRS 640.230(3) approved high school for PTA applicants.
- Requiring on-site courses for renewal of license.
- Term limits for members of the ACCE.

Item 12- Review and approval of Treasurer's Report for period ending June 2015.

Motion to approve with minor changes: Menicucci.
 Second to motion: Smith.
 Passes unanimously.

Item 13- Review and approval of Profit and Loss Report for period ending June 2015.

Board member Smith noted the rent was high. The director noted that amount was for the quarter, not a monthly payment.

Motion to approve: Puentedura.
 Second to motion: Menicucci.
 Passes unanimously.

Janelle Lauchman, PT, said the Board's rent was a "rip off". The director noted that the state Buildings and Grounds division is responsible for the lease, from finding the space to negotiating the terms, and that the contract must be approved by the Office of the Attorney General as well as the Board of Examiners, and one of their members is Governor Sandoval. Per state law, the Board cannot, and does not, handle their lease terms.

Item 14- Review and approval of Balance Sheet as of June 2015.

Chairman Puentedura noted that legal fees have increased over last year's expenses. It was noted that there were several court cases. It was noted the Board has reserves, and the director reported that the reserves are to ensure the Board can handle any and all cases, and noted that some Boards owe the Office of the Attorney General for years of work.

Motion to approve: Puentedura.
 Second to motion: Smith.
 Passes unanimously.

Item 15- Review and approval of Treasurer's Report for period ending July 2015.

Secretary/Treasurer McKivigan noted that there was an expense for legal with no licensee name on it. The director noted the case was not public information, and therefore the name of the licensee was not listed. The director noted that the invoice for the expense is attached to the payment, and therefore the entire backup is available in Quickbooks. It was mentioned that the books were not publicly available and therefore listing the licensee's name would not be problematic. The director advised the Board that the financials of the Board are available to the public, and the only information protected is the home address, social security number, and date of birth. She noted that the reports provided to the Board for their meetings are part of the official record of the Board meeting and office staff has provided financial reports to members of the public on many occasions.

It was suggested the file number from legal counsel number be added to the check information. Public member Menicucci asked who Kyle Hamilton and Julian Domingo were as there was payroll activity. The director stated that Kyle Hamilton is a Board inspector from the Reno area, and Julian Domingo was the summer clerk, who had worked for the Board in 2014 and 2015.

Motion to approve: Menicucci.
Second to motion: Puentedura.
Passes unanimously.

Item 16- Review and approval of Profit and Loss Report for period ending July 2015.

Board member Smith asked what the Contract Services-ACCE category was. The director noted it was the Advisory Committee on Continuing Education.

Motion to approve: Menicucci.
Second to motion: McKivigan.
Passes unanimously.

Item 17- Review and approval of Balance Sheet as of July 2015.

Motion to approve: Baum.
Second to motion: McKivigan.
Passes unanimously.

Item 18- Review and approval of Director's Report ending August 31, 2015.

Motion to approve: Baum.
Second to motion: Menicucci.
Passes unanimously.

Item 19- Board members Tina Baum and Sherise Smith report on their attendance at the Federation of State Board of Physical Therapy meetings.

Vice Chairman Baum noted the FSBPT was collecting data on work force shortages and was asking the Boards to collect data on renewal forms. The director noted that the Board can make changes to the on-line renewal process to add questions, however that will require staff time and costs to the Board for programming. Vice Chairman Baum suggested that perhaps the Board can provide a link to the FSBPT for the licensees to respond to. Janelle Lauchman noted that it is burdensome to enter checking information to renew her license and asked about accepting credit cards. The director noted she was working on getting that done, as it had to be approved by the state and then implemented through programming. Vice Chairman Baum also noted there was a lot of discussion regarding compact licensure. She also discussed perhaps listing some links on the Board's website for the APTA website on the topic of fraud and abuse. Board member Smith stated the FSBPT suggests the Board's set up a Facebook page to include information on the Board's actions, including disciplines. Richard Dreitzer stated it could cause a lot of problems posting people's disciplines to a public website vs. the Board's website, as people may happen upon the information on Facebook. The director noted that there was such backlash from licensees when disciplines were in the Board's newsletters that the Board decided to stop posting them. Chairman Puentedura stated there is value in transparency. Board member Smith stated the FSBPT is interested in presenting their continuing education program ProCert to the Board. She noted that the FSBPT wants to be the entity to approve courses. Janelle Lauchman stated the association would like to take over the review of continuing education as that would be income for them. The director noted that the review of courses is not an income generator for the Board. The course review fee was established to cover the cost of staff with process and data entry, copying, conducting meeting, postage and supplies for approval letters, etc. Richard Dreitzer stated that a lien is blurred when association is approving the courses as their role is not the same as the Board's role. Chairman Puentedura noted that he uses ProCert to keep track of his courses. The director will request the FSBPT to send someone out to present ProCert.

Item 20- Review and discussion of the Licensure Compact Draft from the Federation of State Board of Physical Therapy.

Vice Chairman Puentedura stated the FSBPT presented numerous compacts. Janelle Lauchman stated there are a lot of states interested in the compacts. Board member Smith said there 10 states interested at this time. She also noted that the states vary in their requirements, and this Board requiring fingerprints is not common among Boards. Janelle Lauchman stated it was presented to her that if the Board does not like certain language, the Board did not have to adopt the compact word for word. Board member Smith stated that the Board's have to accept the compact licensure language as written; and a Board is either in or out, there are no options to accept anything less than the compact as written, the FSBPT was clear they would not work with the language of any particular jurisdiction. Vice Chairman Baum noted it is a very difficult document to read. Richard Dreitzer noted it is the Board's obligation enforce their statutes, and until the legislature tells the Board to join the compact, they are not required to

entertain the idea unless they believe it is in the best interest of the public to do so. He noted that the minute the Board allows someone else in on the Board's licensing, they give those states a seat at our table. He noted that the only concern of this Board is what benefits the public. Richard Dreitzer stated he understands this is to ensure transportability to other states, including rural areas, and noted that a person can get licensed by this Board in two weeks and that is not unreasonable. Board member Smith noted that for some jurisdiction it is a bar increase, and for others it is lowering the bar. The director stated her belief is that the FSBPT wants national licensure. They own the NPTE and handle all score transfers; Board's are required to report to the FSBPT or are rated poorly; the FSBPT approves and develops continuing education and are now seeking the compacts.

Motion to Richard Dreitzer was directed to review the language of the compact and report at the next meeting: McKivigan.

Second to motion: Menicucci.

Passes unanimously.

- Item 21- Review and discussion of the Analysis of Competencies for Dry Needling by Physical Therapists prepared by HumRRO for the Federation of State Board of Physical Therapy.

Board member Smith stated she loved the report and found it to be very detailed. Chairman PuenteDura noted that many of the points raised in the report are contained in the Board's policy. He stated that the analysis is great. He noted that Colorado's dry needling is so restrictive it is a disservice to the public. Vice Chairman Baum noted that the report found that 86% of the education for dry needling was found to be taught during the physical therapy education. Chairman PuenteDura noted that any new skill requires training, but the foundation for those new skills is already present in the licensee. Janelle Lauchman stated that it is not professional for a licensee to treat if they are not educated and that is for any new treatment. Public member Menicucci asked if there was any feedback from the public or other Boards. The director noted there was not, and advised the Board that the agenda was mailed to the Oriental Medicine Board and they did not contact the Board and there was no one from their Board in attendance.

- Item 22- Review and discussion of the National Physical Therapy Examination Eligibility Requirements Appeal Process. Vice Chairman Baum noted there was a lot of discussion on this topic at the FSBPT meeting. The Board can petition the FSBPT on behalf of an applicant to take the test a 7th or subsequent time, however the decision remains with the FSBPT. It was noted that a person would likely have to repeat a program in order to be recommended to test a 7th or subsequent attempt. The director noted that the application instructions refer applicants to the FSBPT guidelines for test taking.

- Item 23 - Review of letters of interest for open position on the Advisory Committee on Continuing Education, and appointment of new member.

Chairman Puentedura stated that he suggests removing Dr. Cracraft from the committee as he has been on for too long. Board member Smith stated it was not a good idea to remove him as he has been doing a terrific job. Chairman Puentedura stated it was nothing personal, just there should be a limit as to length of service just as Board members have limits. Janelle Lauchman stated she would like to see term limits as well. The director noted there are no limits now, and the Board should work with what the law is. He stated that Dr. Cracraft should be given a plaque for his immense service to the Board, and that he had enough time on the committee. Board member Smith stated that the Board should implement changes if desired and act after those are made, and stated the process should be proper and orderly. Secretary/Treasurer McKivigan stated this was railroading Dr. Cracraft.

Richard Dreitzer noted that he is a big believer of taking the bull by the horns, but there is no reason to not re-appointment Dr. Cracraft. Chairman Puentedura suggested the director tell Dr. Cracraft of their intent to move forward with term limits.

Vice Chairman Baum noted that there are two strong candidates to consider. Janelle Lauchman stated she attended a meeting and stated the process is valuable, and noted a lot of trees were killed that day. It was noted that Mr. Sachtler was certified in dry needling and that was a hot topic for the Board at this time. Board member Smith stated that Mr. Sachtler is well respected in the physical therapy community.

Motion to enter closed session and ask Janelle Lauchman to leave the room:
Smith.

Second to the motion: Menicucci.
Passes unanimously.

After returning to open session:

Motion to appoint Mr. Sachtler: Baum.
Second to the motion: McKivigan.
Passes unanimously.

It was noted that the regulation requires three members from the North, and three from the South, and the vacancy was for the North.

Item 24- Review and consideration of re-appointment of current members of the Advisory Committee on Continuing Education.

Motion to re-appoint the current members: Steve Bamberger, Katherine Bernardo, Joe Cracraft, Jehangir Daruwalla, Deborah Dieter: Menicucci.
Second to the motion: McKivigan.
Passes unanimously.

Item 25 – Update of activities of the Board office. The Board discussed being provided a list of pending cases and their status within the director’s report. Richard Dreitzer noted that not all information was available to the Board but they could see the case number and status. Richard Dreitzer reminded the Board that he only sees cases in which a formal complaint has been filed, meaning the case is moving forward. Vice Chairman Baum would like to discuss the subject matter of the cases and why dismissed.

Item 26- Review and ratification of licenses (Action).

Motion to ratify: McKivigan.
 Second to motion: Menicucci.
 Passes unanimously.

Physical Therapists -

LAST	FIRST	LICENSE #	ISSUED	APPLIED
Griffin	Melody	3159	7 /10/2015	6 /25/2015
Hinsberger	Alison	3160	7 /10/2015	6 /15/2015
Mukherjee	Bidur	3161	7 /10/2015	1 /12/2015
Wettach	Charles Patrick	3162	7 /10/2015	5 /29/2015
Cameron	Carrie	3163	7 /10/2015	4 /17/2015
Stevenson	Patricia	3164	7 /18/2015	3 /23/2015
Lang	Nicole	3165	7 /18/2015	3 /31/2015
Earnest	Spencer	3166	7 /18/2015	3 /23/2015
Bru	Nancy	3167	7 /18/2015	6 /10/2015
Mercurio	Lauren	3168	7 /18/2015	7 /6 /2015
Bringhurst	Jamie	3169	7 /30/2015	3 /23/2015
Jackson	Maiesha N'Tasha	3170	7 /30/2015	6 /29/2015
Jones	Jessica	3171	7 /30/2015	5 /15/2015
Lambert	Michael	3172	7 /30/2015	7 /24/2015
Kruse	Nichole	3173	7 /30/2015	7 /9 /2015
Cassidy	Nolan	3174	7 /30/2015	6 /19/2015
Weis	Ashton Bailey	3175	8 /6 /2015	6 /3 /2015
Zelena	Nicole Delight	3176	8 /6 /2015	6 /11/2015
Morden	Ronaldo	3177	8 /6 /2015	6 /9 /2015
Zehnder	Kristin	3178	8 /6 /2015	5 /15/2015
Silverman	Brian	3179	8 /6 /2015	5 /8 /2015
Fletcher	Karen	3180	8 /6 /2015	4 /30/2015
Salinas	Sergio Emanuel	3181	8 /6 /2015	6 /22/2015
Hinchey	Lisa	3182	8 /6 /2015	5 /7 /2015
Stover	Benjamin	3183	8 /6 /2015	5 /21/2015

Gray	Candace Lauren	3184	8 /6 /2015	6 /2 /2015
Reynders	David	3185	8 /6 /2015	5 /29/2015
Kuhns	Kevin	3186	8 /6 /2015	6 /12/2015
Crutcher	Lauren	3187	8 /6 /2015	5 /25/2015
Hill	Bradley	3188	8 /6 /2015	6 /11/2015
Lechuga	Adriana	3189	8 /6 /2015	5 /11/2015
Piccirillo	Kayleigh	3190	8 /11/2015	7 /16/2015
Gough	Melanie	3191	8 /11/2015	6 /5 /2015
Taylor	Nathan	3192	8 /11/2015	7 /6 /2015
Burton	Greg	3193	8 /11/2015	7 /10/2015
Desrosiers	Garrett	3194	8 /11/2015	7 /16/2015
Mellor	Shon	3195	8 /11/2015	7 /27/2015
Lieu	Kevin	3196	8 /17/2015	8 /6 /2015
Roberts	Alan	3197	8 /17/2015	6 /26/2015
Cole	Melanie	3198	8 /17/2015	7 /13/2015
Gill	Michael	3199	8 /26/2015	7 /21/2015
Hamilton	David	3200	8 /26/2015	8 /11/2015
Jakaitis	Kacie	3201	8 /26/2015	8 /3 /2015
Panetta	Katherine	3202	8 /26/2015	7 /30/2015
Hernandez	Marco M.	3203	8/26/2015	8/3/2015
Seitz	Sara	3204	8 /26/2015	7 /9 /2015

Physical Therapist's Assistants

LAST	FIRST	LICENSE #	ISSUED	APPLIED
Dudley	Marise	A-0820	7 /18/2015	3 /9 /2015
Pimentel	Roy	A-0821	7 /18/2015	2 /12/2015
Kizer	Ruth	A-0822	7 /18/2015	4 /13/2015
Luce	Kevin	A-0823	7 /18/2015	5 /29/2015
Johnson	Kelly	A-0824	7 /18/2015	4 /2 /2015
McGee-White	Nicholas	A-0825	7 /18/2015	5 /12/2015
McCutcheon-O'Brien	Kimberly	A-0826	7 /18/2015	6 /5 /2015
Knight	Derryn	A-0827	7 /18/2015	5 /4 /2015
Maguire	Kelly Patrice	A-0828	7 /18/2015	5 /15/2015
Termini	Joseph	A-0829	7 /18/2015	4 /27/2015
Cooke	Anna	A-0830	7 /18/2015	5 /12/2015
Kemper	Scott Frederick	A-0831	7 /18/2015	5 /22/2014
Grondel	Travis	A-0832	7 /18/2015	12/9 /2014
Cummings	Aneacia	A-0833	7 /18/2015	12/9 /2014
Chiang	Bonnie	A-0834	7 /18/2015	4 /27/2015
Albana	Willavy	A-0835	7 /18/2015	4 /20/2015

Agcaoili	Joseph	A-0836	7 /18/2015	12/9 /2014
Jackson	Kirsten	A-0837	7 /18/2015	5 /1 /2015
Gutierrez	Erin	A-0838	7 /18/2015	4 /29/2015
Garcia	Marc Francis	A-0839	7 /18/2015	12/2 /2014
Fierro	Carmen Alicia	A-0840	7 /18/2015	12/2 /2014
Dalisay	Jason	A-0841	7 /18/2015	5 /4 /2015
Tsapkounis	Michelle	A-0842	7 /18/2015	5 /18/2015
Reyes	Robyn	A-0843	7 /18/2015	5 /18/2015
Pineda	Angelica	A-0844	7 /18/2015	4 /27/2015
Reyes	Rachelle	A-0845	7 /18/2015	4 /29/2015
Stevenson	Paul	A-0846	7 /18/2015	5 /26/2015
Solares	Jessica	A-0847	7 /18/2015	4 /27/2015
Vicencio	Ma Erika Jai	A-0848	7 /18/2015	5 /19/2015
Briggs	Lynda	A-0849	7 /30/2015	5 /19/2015

Item 27- Report from Chairman Puentedura on the performance evaluation of Allison Tresca and salary review. Chairman Puentedura stated he wanted to get this done while he was still on the Board. Vice Chairman Baum noted she wants the director to have feedback to ensure she is headed in the right direction, and meet at six months to get an update. It was noted it was the first time using the form. Chairman Puentedura stated that the director is meeting requirements of her position. He noted that the form was being used for the review but it was never adopted by the Board. He stated that he was not aware of all the director did until he became Chairman and he can report that the director does a “bloody great job”. He stated that it is good for all Board members to have input as has occurred in the past. Janelle Lauchman stated the Board asked for information on the website two years ago and it is not there. Vice Chairman Baum stated that all information is on the website, it is the live version that is being worked on, which takes time and there are roadblocks with the state webmaster, so the Board is looking to take control.

Item 28- Public comment period. There was no public comment.

Item 29 – The Board thanks Emilio “Louie” Puentedura, outgoing Board member, for his service to the Board. Chairman Puentedura was presented with a plaque and token of appreciation for his exceptional service.

Item 30- Adjournment of the Board meeting. The meeting was adjourned by Chairman Puentedura.