

**Board Members**

TINA BAUM, PT, DPT, MSPT, WCS, ATC, CLT  
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SHERISE SMITH, PT, MSPT, CBIS  
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JAMES MCKIVIGAN, PT, DC, MPA, MA  
*Secretary/Treasurer*  
  
BRIAN J. FEARNLEY, PT, MPT  
*Board Member*  
  
ANDREA MENICUCCI, M.S., CCC-SLP  
*Public Member*

**STATE OF NEVADA**

BRIAN SANDOVAL  
*Governor*



**Staff**

CHARLES D. HARVEY  
*Executive Director*  
  
MURIEL MORIN-MENDES  
*Licensing Coordinator*  
  
CHELSEA VENTURINO  
*Administrative Assistant*

**NEVADA PHYSICAL THERAPY BOARD**

7570 Norman Rockwell Lane, Suite 230  
Las Vegas, NV 89143

**NOTICE OF PUBLIC MEETING**

**November 14, 2017  
9 a.m.**

**Meeting locations will be connected by video-conference. Board members may call in to participate in the meeting.**

Las Vegas Location:  
Public Utilities Commission  
Southern Nevada Office, Hearing Rm. B  
9075 W. Diablo Drive, Suite 250  
Las Vegas, NV 89148

or

Carson City Location:  
Public Utilities Commission  
Northern Nevada Office, Hearing Rm. B  
1150 E. William Street  
Carson City, NV 89701

**AGENDA**

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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 closed session to consider the character, alleged misconduct, professional competence or physical or mental health of a person. (NRS 241.020, NRS 241.030) Action by the Board on an item may be to approve, deny, amend, table or take no action.

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1. Call to Order/Roll call to determine the presence of a quorum.
2. Pledge of Allegiance
3. Public Comments

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)

4. **(Discussion Only)** Introduction and Welcome to the Board's Executive Director—Charles Harvey
5. **(For Possible Action)** Approval of Board Meeting Minutes. The Board will review and possibly approve the meeting minutes from prior meetings:
  - a. October 17, 2017

6. **(For Possible Action) Review and Decision Regarding Pending Licensure Applications.** The Board will review, discuss, and possibly decide the following pending licensure applications. The Board may grant or deny the applications, and the Board may grant licensure to the applicants under specific terms and conditions as specified in the meeting. If the applicant is present, the Board may ask questions of the applicant, and the applicant will have an opportunity to address the Board regarding his or her licensure application.
  - a. Physical Therapist Assistant Applicants
    - i. Barbara A. Gabut
    - ii. Alan Oaxaca
7. **(For Possible Action) Investigation and Inspections Department.** The Board will review a list of its outstanding disciplinary cases. The Board will also discuss possible Boards to model its processes after. The Board will review, discuss, and possibly vote to change its investigation process, clarify its job description for investigators, and/or post a recruitment notice for investigator(s).
  - a. Status of Outstanding Cases
  - b. Investigation Process
  - c. Review a draft proposal for Model Board Action Guidelines from the Federation of State Board of Physical Therapy (FSBPT). The Board will review, discuss, and possibly implement these guidelines, with the intent of being more consistent both internally and with other states regarding punitive sanctions and remedial actions taken against licensees.
8. **(For Possible Action) Schedule of Future Board Meetings.** The Board will discuss and determine the next Board meeting date(s). The next Board meeting is scheduled for December 11, 2017.
9. **(For Possible Action) Consent Agenda.** Ratification of licenses approved and issued by the authority of the Board pursuant to NRS 640.090, NRS 640.146, NRS 640.240, and NRS 640.250.
10. **(For Possible Action) Contract for Legal Services.** The Board will review and discuss its current contract with Hal Taylor, Esq., for the prosecution of disciplinary cases.
  - a. **Current Contract.** The current contract expired on June 30, 2017. At the Board's August 19, 2017 Board meeting, it voted to extend its contract with Mr. Taylor through October 31, 2017, for a not to exceed amount of \$15,000. This new contract has not yet been approved through the State system. The Board will need to re-visit this contract and re-submit it to the Governor's Finance Office for approval by the Clerk of the Board of Examiners. Options are to have a retroactive contract from July 1, 2017 through November 30, 2017 for a not to exceed amount of \$18,750 or from July 1, 2017 through December 31, 2017 for a not to exceed amount of \$22,500.
  - b. **Future Contract.** The Board will discuss, deliberate and decide whether to continue its contract with Mr. Taylor going forward, and if it continues the contract, under what terms and conditions this contract will continue, including the scope of work for this contract.
11. **(For Possible Action) Board Audit.** The Board will discuss and possibly decide to choose to opt in to an annual audit pursuant to NRS 218G.400. The Board's audit for FY2017(July 1, 2016 through June 30, 2017) would be completed and submitted to the Legislative Counsel Bureau (LCB) in early 2018 and the Board's audit for FY2018 (July 1, 2017 through June 30, 2018) would be completed and submitted to the LCB by December 1, 2018 as required by NRS 218G.400.

12. Board Operations and Updates.
  - a. Update regarding InLumon—New Software Database
  - b. **(For Possible Action)** December Newsletter Topics and Assignments
  - c. **(For Possible Action)** Board Administrative Manuals. The Board may discuss and determine the process for reviewing and updating these manuals.
  - d. **(For Possible Action)** Administrative process for addressing licensee questions regarding interpretation of NAC/NRS.
  - e. **(For Possible Action)** Discuss options for implementing a system for data collection for various administrative functions. Action may be to assign staff and/or Board members to conduct additional research or follow up.
  
13. **(For Possible Action)** North Board Office Lease, Furniture, and Documents. The Board will review, discuss, and decide whether to close the northern office. If the Board decides to close the northern office, it will also determine the proper disposition of the items in the northern office, including Board files, Board computers and other office equipment, and the Board's furniture.
  
14. **(For Possible Action)** Discussion on the Creation of a Sub-Committee to Discuss Dry Needling and Other Advanced Physical Therapy Modalities. Pursuant to §1.2 of SB 437 from the 2017 Legislative Session, the Board may appoint advisory members to its body and prescribe the term and duties of these members. The Board will discuss and determine whether to create sub-committee to discuss dry needling and other advanced physical therapy modalities. The Board also may decide the scope, duties, and membership of this sub-committee. Membership of this sub-committee may include advisory members as appointed and determined by the Board.
  
15. **(For Possible Action)** Update Regarding the Federation of State Boards of Physical Therapy (FSBPT). The Board will review and discuss changes and updates from FSBPT. The Board may direct staff or members to follow up on these topics. The Board may also determine next steps for implementation and/or adoption of each of these topics.
  - a. Physical Therapy Compact
  - b. Jurisprudence Exam
  - c. Implementation of ProCert, aPTitude, oPTion
  - d. Presentation and/or comments from Board members regarding their participation at the Annual meeting of the FSBPT
  
16. **(For Possible Action)** Advisory Committee on Continuing Education (ACCE)
  - a. Review and discussion of the White Paper, ACCE guidelines. Possible action may be to assign additional research or follow up to a staff or Board member. The Board also may review and modify to reflect changes to NRS Chapter 640 from the 2017 Legislative Session, and include the implementation of ProCert and activities approved for clinical and non-clinical continuing competence units. This White Paper is available for review at the following link:  
<http://ptboard.nv.gov/uploadedFiles/ptboardnvgov/content/CE/ClinicalvsNon-clinicalCriteriaACCE.pdf>

17. **(For Possible Action)** Review and Amendments to Nevada Administrative Code (NAC) 640. The Board will discuss and determine the next steps to ensure that NAC 640 is up-to-date and appropriately revised.
  - a. Schedule for Public Workshop, Submission to LCB for an R #, and Public Hearing
  - b. Continued review and process for amending NAC Chapter 640.
18. Report from Board Chair.
  - a. Future Agenda Items
19. 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) |
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20. Adjournment.

The Board welcomes public comment at the beginning and end of the meeting during the public comment periods identified on the agenda. Public comment may be limited to three minutes per person, at the discretion of the Board Chair. Comments based on viewpoint will not be restricted. At the discretion of the Board Chair, public comment may be heard on specific agenda items, when requested. (NRS 241.020, NRS 241.030)

Before 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:** *Persons with disabilities who require special accommodations or assistance at the meeting should contact the Board office at (702) 876-5535; no later than 48 hours before the meeting. Requests for special accommodations made after this time frame cannot be guaranteed.*

**THIS MEETING WAS PROPERLY NOTICED AND POSTED  
IN THE FOLLOWING LOCATIONS:**

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| Nevada Board of Physical Therapy<br>7570 Norman Rockwell Lane, Suite 230<br>Las Vegas, Nevada 89143<br>Website<br><a href="http://www.ptboard.nv.gov">www.ptboard.nv.gov</a> | Nevada Board of Physical Therapy<br>1325 Airmotive Way #175H<br>Reno, NV 89502                                 | Office of the Attorney General<br>5420 Kietzke Lane, Ste 202<br>Reno, NV 89511          |
| Grant Sawyer State Office Building<br>555 E. Washington Avenue #3900<br>Las Vegas, Nevada 89101  | St. Mary's Reginal Medical Center<br>235 W. Sixth Street,<br>4 <sup>th</sup> Floor PT Lounge<br>Reno, NV 89523 | The State of Nevada Public Notice Website<br><a href="http://www.nv.gov">www.nv.gov</a> |
| College of Southern Nevada<br>PTA Program<br>6375 W. Charleston Blvd<br>Sort WA 158<br>Las Vegas, NV 89146   | Carrington College<br>Attn: Laura Cerame<br>5740 S Eastern Ave #140,<br>Las Vegas, NV 89119                    | Office of the Attorney General<br>100 North Carson Street<br>Carson City, Nevada 89701  |
| Pima Medical Institute<br>PTA Program<br>Attn. Rebecca Cheema<br>3333 E. Flamingo Road<br>Las Vegas, NV 89121  |  |   |

This agenda has been sent to all 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).

Supporting material relating to public meetings of the Nevada Board of Physical Therapy is available at the Board administrative offices located at 7570 Norman Rockwell Lane, Suite 230, Las Vegas, Nevada or by contacting Muriel Morin-Mendes or Chelsea Venturino at the Board office at (702) 876-5535 or by email to [ptapplication@govmail.state.nv.us](mailto:ptapplication@govmail.state.nv.us) .