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PHYSICAL THERAPY BOARD

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

NAC 640 SUBCOMMITTEE MEETING MINUTES

August 26, 2021

Item 1 - Call to Order and Roll Call of Board Members

The meeting was called to order at 6:34 pm by Chair Fearnley.

Subcommittee Members in Attendance: Brian Fearnley, Board Chair; Jennifer Nash, Vice-Chair; Katherine Joines, Board Member; Charles Harvey, Executive Director, Jenelle Lauchman, physical therapist.

Staff in Attendance: Michael Detmer, Deputy Attorney General

Item 2 - Public Comment

None.

Item 3 - Administrative Review of Nevada Administrative Code (NAC) Chapter 640 **(For Discussion and Possible Action)**. The Subcommittee assigned to review NAC 640 for possible revisions and/or amendments will review, discuss, and possibly approve revisions/amendments to NAC 640 that may be recommended to the Board for possible future adoption, or can/will take other relevant actions regarding the same.

Discussion: The Subcommittee continued the administrative review and discussion of NAC 640 beginning at NAC 640.595 through NAC 640.695.

Meeting Recessed at 7:58 pm

Meeting Reconvened at 8:03 pm

Motion: Motion to accept the edits as presented from the NAC 640 Subcommittee: Brian Fearnley

2nd: Jennifer Nash

Motion passes unanimously

Item 4 - Public Comment

Brandon Godin, PT - I want to address some concerns with NAC 640.595 being too restrictive. The appropriate supervision of a technician allows the PT to delegate that care accordingly, and provide safety to patients. In addition, PT technicians can properly be trained or are already trained to complete what would ultimately be deemed as billed interventions because they are being supervised by the licensed PT. I think the new language to simply state that any service is unskilled if delivered by them is in general too restrictive.

Chair Fernley - Mr. Godin which part of NRS 640.595 is too restrictive.

Brandon Godin - The overall impression of it, as the body reads. Just moving forward, we start getting kind of really defined on what they can and can't do, compared to the streamlined, simple, easy to follow kind of definition we previously had. It used to say for the purposes of regulating the use of physical therapist technician, the practice board will consider any aid or unlicensed person forms. Right? It was just the definition of it. And it seems like we're laboring to death what can and can't be done. If they're a properly trained and skilled and supervised by a licensed PT, aren't they just an extension of the PT at that point, as long as it's not specifically designated as a skilled service by the PT?

Chair Fearnley - The whole idea behind this was to delineate like when you say skill, it's something that's unique to the knowledge of a PT or PTA.

Brandon Godin - Yeah. So, like even in NAC 640.595(6)(c), it says a physical therapist shall not authorize or permit a physical therapist technician to engage in any skilled intervention. Which is kind of the basis of our profession to begin with, then it says skilled intervention shall be defined as advise teachers, instruct patients concerning their condition or disability. If I ask my tech like, hey, can you deliver this information for me, and I'm delegating them to do that, isn't that still alright? Because by this, it tells me that I can't

do that anymore and not advise anything. I got them to do what they're saying and do what they need to. I can't do that.

DAG Detmer - While public comment is always appreciated, the Board cannot take action or deliberate on anything that's in public comment.

Chair Fearnley – Thank you Brandon for your comments. I'll address this at the Board meeting and open it up for discussion.

No additional public comment was provided.

Item 5- Adjournment

Meeting adjourned at 9:06 pm.