

Board Members

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MPA
Executive Director

MURIEL MORIN-
MENDES
Licensing Coordinator

APRIL RAMIREZ
*Board Operations Support
Specialist*

DEBORAH DIETER, PT
Board Investigator

PHYSICAL THERAPY BOARD

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

BOARD MEETING MINUTES

March 11, 2022

Item 1. Call to Order/Roll Call to determine the presence of a quorum.

Chair Nash called the Board meeting to order at 9:02 AM. A roll call confirmed a quorum was present.

Board Members in Attendance: Jennifer Nash, Board Chair; Katherine Joines, Vice-Chair; Laura Cerame, PTA Member/Secretary-Treasurer; Jessie Fisher Board Member; Aaron Stevens Public Member.

Staff in Attendance: Charles D. Harvey, Executive Director; Muriel Morin Mendes, Licensing Specialist; April Ramirez, Board Operations Support Specialist; Deborah Dieter, Investigator; Joel Bekker, Board Counsel.

Item 2. Public Comment

Chair Nash opened public comments. There were no comments.

Item 3. Approval of January 14, 2022, Board Meeting Minutes (**For Possible Action**)

Motion: Motion to approve and accept January 14, 2022, Meeting Minutes as presented: Jennifer Nash, Board Chair

Second: Katherine Joines, Vice Chair

Motion Passes Unanimously

Item 4. Nevada Physical Therapy Association (APTA NV) Update.

Nicole Lange, APTA NV Secretary, provided a report on APTA NV activities.

APTA NV has started an investigatory phase of a Diversity, Equity, and Inclusion (DEI) Project. A specialist in DEI will be speaking at the upcoming April meeting. The Speaker on the DEI Project will be Natalie O'Neal. The APTA NV is currently working on a quarterly Newsletter. Elections will be held in October as well as an annual business meeting.

Item 5. Report from Board Lobbyist

Board Lobbyist Laxalt provided an update on legislative and Executive Branch activities that may impact the Board in the coming years.

Item 6. Review and Decision Regarding Pending Licensure Applications. **(For Possible Action)**. The Board will review, discuss, and possibly decide the following pending licensure application. 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 their licensure application.

A. Maria Concepcion Chua Agustin

Chair Nash introduced the item and facilitated a discussion of the applicant's pending application for licensure. Director Harvey explained that a Notice to Appear and OML Waiver was sent to the applicant, however, the applicant was not present at the meeting to discuss her pending application. The Board tabled the item based on the applicant's lack of work experience and absence at the Board meeting. The Board requested the applicant's presence at their next Board meeting.

Motion: Motion to table Item 6 Pending Licensure Application for Maria Concepcion Chua Agustin to the May 2022 Meeting: Jennifer Nash, Board Chair

Second: Jesse Fisher, PT Board Member

Motion Passes Unanimously

Item 7. Request for Advisory Opinion **(For Possible Action)**. The Board will consider a petition from Dr. Andy Hutchison, DPT, GSC, WCC, seeking an Advisory Opinion pursuant to NAC 640.310. The Board may review and discuss whether suture/staple removal (ordered by a physician or physician extender) is within the scope of practice of a physical therapist in the State of Nevada and may grant or deny the petition.

Chair Nash introduced the item and facilitated a discussion of the licensee's request. Director Harvey explained that the petitioner had been received notice that his request would be heard at the meeting today, however, he was not present at the meeting to his request. After

discussion with legal counsel, the Board tabled the item and requested the petitioner appear at the next Board meeting.

Motion: Motion to table Item 7 - Request for Advisory Opinion, to the next Board meeting and seek to have the petitioner appear at the next Board Meeting: Jennifer Nash, Board Chair

Second: Jesse Fisher, PT Board Member

Motion Passes Unanimously

Item 8. Advisory Committee on Continuing Competence Update (ACCC) (**For Possible Action**).

A. Consideration of Applicants to serve on the ACCC

i. Meghan Pefley

ii. Dennis Guterrez

Chair Nash introduced the item and explained the need for additional members on the Advisory Committee.

Motion: Motion to appoint Meghan Pefley and Dennis Guterrez to the ACCC Committee: Jennifer Nash, Board Chair

Second: Jesse Fisher, PT Board Member

Motion Passes Unanimously

B. Consideration of ACCC recommendations for continuing competency courses reviewed at the February 14th, 2022 meeting.

Motion: Motion to approve ACCC recommendations for Continuing Competency Courses reviewed at the February 14th, 2022 meeting: Jennifer Nash Board Chair.

Second: Kat Joines, Vice-Chair

Motion Passes Unanimously

Item 9. Discussion on Dry Needling Educational Requirement prescribed in NRS 640.050 for didactic education and training (**For Possible Action**)

Item has been tabled. No action taken, the Board will leave this item open for future discussion.

Meeting Recess: 10:22 AM

Meeting Reconvened: 10:32 AM

Item 10. Contract for Annual Financial Audit. (**For Possible Action**) The Board will review, discuss, and possibly select a vendor to perform the Boards annual financial Audit for FY2022 and 2023

Director Harvey advised the Board that they could table this matter which would allow staff additional time to solicit bids and bring this matter back for review and possible approval. After discussion, the item was tabled.

- Item 11. License Ratifications (For Possible Action). The Board will review, and approve licenses issued by the authority of the Board pursuant to NRS 640.090, NRS 640.146, NRS 640.240, and NRS 640.250

Motion: Motion to approve the license ratifications as presented: Jennifer Nash, Board Chair

Second: Laura Cerame, Secretary/Treasurer-PTA Board Member

Motion Passes Unanimously

- Item 12. Report from Executive Director

Director Harvey reported on Board operations with comparisons to prior year and current fiscal year data.

Licensing:

- *Total Licenses as of February 28, 2022:* 3,123 active licenses. This figure includes 825 physical therapist assistants and 2,297 physical therapists. 256 new licenses have been issued in the current fiscal year.
- *Military Licenses:* Approximately 3% of the Board's active licensees identify as military, military spouses, or veterans.
- *License Processing Time:* Application processing time has declined over the last four years, from an average of four days in 2017 to two days in 2021 and 2022.
- *License Renewals:* 78% of license renewals occur over three months between Jun and Aug, and the volume is steady amongst the other months of the year. The Board has two license renewal structures. Licenses issued prior to October 1, 2017, expire on July 31st each year. Licenses issued on or after October 1, 2017, expire on the anniversary date of their issuance.

Continuing Competence:

- The Advisory Committee on Continuing Competence (ACCC) has reviewed 971-course applications this fiscal year. 95% of course applications have been approved.

Dry Needling Applications:

- Dry Needling was added to the physical therapy Practice Act in the 2019 legislative session through Senate Bill 186. The Board began

accepting applications to perform Dry Needling in July 2020 and has approved 240 licensee applications.

Customer Comment Summary and Candidate Satisfaction Survey Results:

- The Federation of State Boards of Physical Therapy (FSBPT) provides feedback from all candidates that take the National Physical Therapy Exam (NPTE). The FSBPT breaks out results from each jurisdiction on applicant satisfaction with the processing of their application. The overall satisfaction rating for Nevada for the fourth quarter of 2021 was 94%.

Inspections, Complaints & Investigations:

- 197 inspections were completed in the previous year. The monthly goal for inspections is 15 per month. The most common violation is the failure to notify the Board of an address change.
- The Board has 20 active cases. Investigations have been completed on 85% of the cases. Four new complaints have been received since Jan 2022. Case 2021-14 and Case 2022-04 are being recommended for dismissal. After a review of all documentation received, it was determined that there is insufficient evidence to file a formal complaint, and the accusations are insufficient to establish a violation of the Practice Act.

Board Reporting:

- Director Harvey presented a summary of Board reporting requirements for State and legislative bodies

Licensing Software:

- Director Harvey presented an update and project life cycle for the implementation of a new licensing software system. Based on currently available information, we anticipate project completion in six to eight months.

Website Redesign:

- The project is ongoing. Members of the State web team were tasked with another project, delaying implementation of our redesign. The Board's current website continues to be online and operational during this project.

Board Financial Review:

- Director Harvey presented and summarized Financial Reports, including the balance sheet, profit and loss, and vendor expenses.

Motion: Motion to dismiss the following cases 2021-14 and 2022-02
Jennifer Nash, Board Chair
Second: Kat Joines, Vice Chair
Motion Passes Unanimously

- Item 13. Discussion relating to supporting the diversification of the Physical Therapy Workforce (**For Possible Action**). The Board will review, discuss, and possibly approve initiatives or other actions.

Chair Nash introduced the item and facilitated discussion with the members on possible initiatives to diversify the physical therapy workforce in Nevada. The Board discussed the creation of a task force or focus group to brainstorm DEI projects and provide input on different options that might help address issues with diversity and inclusion. The Board can then determine which ideas are the most viable and focus on one or two ideas from that brainstorming session.

Motion: Motion to create a focus group to investigate options for DEI initiatives to help guide future board initiatives: Jennifer Nash, Board Chair
Second: Jessie Fisher, PT Board Member
Motion Passes Unanimously

- Item 14. Report from Board Chair

Chair Nash thanked everyone for attending the Board meeting and thanked Member Cerame, Member Fisher, and Director Harvey for participating in the FSBPT Regulatory Training for Board Members and Staff. Chair Nash asked each attendee to offer their thoughts and insights from their education.

Member Cerame stated ~~that one of the items that stuck out with her was~~ the need to start focusing on the Board's strategic plan.

Member Fisher stated the that Board strategic plan would help bring new board members in and enable them to be able to participate in the conversations a little bit better.

Director Harvey decided to revise the board operations report to provide greater detail on performance measures to help gauge progress, effectiveness, and monitor outcomes of initiatives included in the strategic plan.

Chair Nash thanked the meeting participants for their participation and engagement in the dialogue and discussion.

Item 15. Report From Legal Counsel

No Report from Board Counsel at this time.

Item 16. Discussion of Future Agenda Items

The following items were identified as future agenda items:

1. Board approval of the ACCC White Paper
2. Board Focus Group results
3. Discussion on Board Retreat
4. Update on the results from the LCB review of the Board proposed regulatory changes to NAC 640

Item 17. Public Comment

Chair Nash opened public comments. There were no comments.

Item 18. Adjournment

The meeting was adjourned at 12:06 pm by Chair Nash.