

Board Members

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AARON STEVENS
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STATE OF NEVADA

STEVE SISOLAK
Governor



Staff

CHARLES D. HARVEY, 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

May 6, 2022

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

Chair Nash called the Board meeting to order at 9:00 am. A roll call confirmed a quorum was present.

Board Members in Attendance: Jennifer Nash, Board Chair; Katherine Joines, Vice-Chair; 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

Board Counsel: Henna Rasul, Senior Deputy Attorney General

Item 2. Public Comment

Chair Nash opened public comments. There were no comments.

Item 3. 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.

Dr. Hutchison appeared and presented his request for an Advisory Opinion and provided background. After discussion, the Board came to an agreement that the facility is responsible for having a policy and procedure regarding suture and staple removal.

Motion: Motion to provide an advisory opinion in support of staple and suture removal by physical therapists and physical therapist assistants as long as the guidelines are a part of their facility's policies and procedures, that adequate training is provided and competencies are demonstrated, and recorded: Jennifer Nash, Board Chair

Second: Katherine Joines, Vice Chair

Motion Passes Unanimously

Item 4. Update on Consent Decree and Evaluation Review *(For Possible Action)*

- A. Michael Rantissi, License No. 1735 to appear via videoconference to address the results of his April 5, 2022, evaluation pursuant to the Board's December 2020 Consent Decree, and for the Board to determine if any action is necessary.

Dr. Michael Rantissi appeared and was represented by attorney, John Hunt Esq. Mr. Hunt presented Dr. Rantissi's psychological evaluation. Mr. Hunt informed the Board that Dr. Rantissi has followed all the stipulations in the Consent Decree and has one year remaining on his probation. Mr. Hunt inquired whether Dr. Rantissi would be eligible for early release of probation. Henna Rasul, Board Counsel responded and encouraged the Board to follow the Consent Decree. Board Chair Nash stated that the Board is not inclined on making any changes to the consent decree today. **(No Action Taken)**

Item 5. Approval of March 11, 2022, Board Meeting Minutes *(For Possible Action)*

Motion: Motion to approve and accept March 11, 2022, Meeting Minutes with the suggested edits: Jennifer Nash, Board Chair

Second: Jessie Fisher, PT Board Member

Motion Passes Unanimously

Item 6. Nevada Physical Therapy Association (APTA NV) Update.

Nicole Lange, APTA NV Secretary, provided a report on APTA NV activities. APTA NV is making progress on the Diversity, Equity, and Inclusion (DEI) Project. Dr. Natalie O'Neal spoke at the April Meeting. They will be voting at an upcoming meeting. APTA NV is looking for nominees and the ballot closes on August 31, 2022. Elections will be held in October as well as an annual business meeting.

Item 7. 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 8. Review and Decision Regarding Pending Licensure Applications. *(For Possible Action)*. This appearance is necessary to review the applicant's work history. The Board will review, discuss, and possibly decide on pending licensure requests for the following applicants.

A. Maria Concepcion Chua Agustin

Motion: Motion to grant an unrestricted Physical Therapy License to Maria Concepcion Chua Agustin: Katherine Joines, Vice-Chair

Second: Aaron Stevens, Board Member

Motion Passes Unanimously

B. Antonio Basiolio Bandalas

Motion: Motion to grant an unrestricted Physical Therapy License to Antonio Basiolio Bandalas: Jennifer Nash, Board Chair

Second: Jessie Fisher, PT Board Member

Motion Passes Unanimously

C. Vincent Yerro

Motion: Motion to grant an unrestricted Physical Therapy License to Vincent Yerro: Jennifer Nash, Board Chair

Second: Katherine Joines, Vice-Chair

Motion Passes Unanimously

Item 9. Petition for Criminal History Review

A. Review, discussion, and determination on a Petition for Criminal History Review submitted by William Sheridan Luse *(For Possible Action)*.

The Board discussed William Sheridan Luse's Petition for Criminal History Review. Vice-Chair Joines asked if there was anything else that had shown up on Mr. Luse's background besides what was initially shown. Nothing else had shown up and, the background results matched what the Petitioner reported.

Motion: Motion that the information provided on Mr. Luse's Criminal History report would not disqualify him from obtaining a Physical Therapy License: Jennifer Nash, Board Chair

Second: Jessie Fisher, PT Board Member
Motion Passes Unanimously

Item 10. Disciplinary Matters

- A. Recommendation for Approval of Consent Decree: Case No. 2021-06, Mark Rizkalla, License No. 3466 (*For Possible Action*).

Motion: Motion to Accept the Consent Decree for case No. 2021-06, Mark Rizkalla, License No. 3466: Jennifer Nash, Board Chair
Second Katherine Joines, Vice-Chair
Motion Passes Unanimously

- B. Recommendation for Approval of Consent Decree: Case No. 2019-12, Pomaikai Anduha, License No. 4087 (*For Possible Action*).

Motion: Motion to Accept the Consent Decree for Case No. 2019-12, Pomaikai Anduha, License No. 4087: Jennifer Nash, Board Chair
Second Aaron Stevens, Board Member
Motion Passes Unanimously

- C. Recommendation for Case Dismissal (*For Possible Action*).
I. Case #2019-13
II. Case #2020-02
III. Case #2021-04

Motion: Motion to dismiss Case No. 2019-13, Case No. 2020-02, Case No. 2021-04: Jennifer Nash, Board Chair
Second Katherine Joines, Vice-Chair
Motion Passes Unanimously

Meeting Recessed: 10:27 AM

Meeting Reconvened: 10:36 AM

Item 11. Advisory Committee on Continuing Competence Update (ACCC) (*For Possible Action*)

- A. 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 April 1, 2022 meeting:
Jennifer Nash Board Chair.
Second: Jessie Fisher, PT Board Member

Motion Passes Unanimously

- B. Review, discuss, and possible approval of recommended changes to the ACCC Review Guidelines.

Motion: Motion to approve the recommended changes to the ACCC Review Guidelines: Jennifer Nash Board Chair.

Second: Jessie Fisher, PT Board Member

Motion Passes Unanimously

- Item 12. Contract for Annual Financial Audit (*For Possible Action*). The Board will review, discuss, and approve a vendor to perform the Board's annual financial audit for FY2022 and 2023.

Motion: Motion to approve the Annual Financial Audit Contract for Campbell, Jones, Cohen CPA's for FY2022 and FY2023: Jennifer Nash Board Chair.

Second: Katherine Joines, Vice-Chair

Motion Passes Unanimously

- Item 13. 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: Jessie Fisher, PT Board Member

Motion Passes Unanimously

- Item 14. Report from Executive Director (*For Possible Action*)
 - A. Update on LCB review of proposed regulatory changes to NAC 640 (R124-21)

Director Harvey provided an update. The Board's proposed regulatory changes were submitted to the LCB on December 15, 2021, and file number R124-21 was assigned on December 16, 2021. Based on discussions with LCB staff, we anticipate receiving the reviewed proposal back within the next month. Once we've reviewed the LCB comments, we can determine the next step in the adoption process.

- B. Board Retreat

Director Harvey provided an update and discussed the results of a meeting poll. After a discussion of possible meeting dates, Chair Nash requested that the Board retreat be scheduled for the early

part of 2023. Staff will send out another poll for availability during the first 8 weeks of 2023 and follow up with an email.

C. Board Operations Update

Director Harvey presented an update of board operations as of March 31, 2022.

1. Licensees: 3,144 active licensees, 105 military members, and 282 new licenses issued this fiscal year. Application processing time is between 0-2 days.
2. The Advisory Committee on Continuing Competence has reviewed 1,158-course applications, the approval rate is 94%.
3. Complaints and Investigations: 22 open cases. Investigations have been completed in 16 of these cases. Two consent decrees were approved, and three cases were dismissed in this meeting. 10 cases are in various stages of review and negotiation.
4. Policy Update: Update on public records request forms to ensure that Freedom of Information Act (FOIA) request
5. Process Change: Update on process change related to Department of Public Safety fingerprint authority for criminal history background checks.
6. Records Retention: A records destruction project was completed, securely destroying 60 boxes of outdated records, in accordance with state records retention schedules.
7. Licensing Software: Update on software implementation project with Thentia.
8. System Upgrade: A systems assessment and upgrade project was completed. All PC hard drives were upgraded to boost performance. A camera system was installed in the conference room for video conference meetings.
9. Board Website: Redesigned website launched at the end of April 2022. The website is now mobile enabled.
10. Board Financials: A Balance Sheet, Profit & Loss Statement, and Vendor Expense report was provided in the Board Operations Report for the fiscal year period ending March 31,

2022. The Board reserve balance is \$913,680.00. Director Harvey will provide a proposed budget for FY23 at the next meeting.

Item 15. DEI Update (*For Possible Action*)

Director Harvey discussed the results of the DEI focus group discussion held on April 8, 2022. A summary of comments was provided for Board review, along with a draft diversity workforce scholarship application.

Director Harvey asked if any Board members would be interested in joining a DEI Task Force. Board Member Stevens agreed to participate. Senior Deputy AG Rasul advised that a task force would be considered a sub-committee and meetings would be subject to Open Meeting Law.

The ACCC Committee was asked to categorize DEI Courses, so they are easier to find on the list of approved courses on the Board website.

Item 16. Report from Board Chair

The July 22, 2022, meeting overlaps with the FSBPT Leadership Issues Forum conference and I suggest possibly changing the Board meeting to July 29, 2022.

Item 17. Report From Legal Counsel

No Report from Board Counsel.

Item 18. Discussion of Future Agenda Items

The following items were identified as future agenda items:
1. Update from the DEI Committee

Item 19. Public Comment

Chair Nash opened public comments. There were no comments.

Item 20. Adjournment

The meeting was adjourned at 12:07 pm by Chair Nash.