

Board Members

JENNIFER NASH, PT, DPT, NCS
Board Chair

KATHERINE JOINES, PT, DPT
Vice-Chair

LAURA CERAME, PTA
*Secretary/Treasurer
PTA Board Member*

JESSIE FISHER, PT, MPT, MA
Board Member

AARON STEVENS
Public Member

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

July 22, 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; Jessie Fisher Board Member; Aaron Stevens Public Member, Laura Cerame, PTA, Secretary/Treasurer.

Staff in Attendance: Charles D. Harvey, Executive Director, Debby Dieter Investigator

Board Counsel: Henna Rasul, Senior Deputy Attorney General

Item 2. Public Comment

Public comment from Brandon Godin, Licensed Physical Therapist Dr. Godin commented on proposed changes to NAC 640.595 regarding physical therapy technicians. Dr. Godin would like to revisit and re-open the discussion and feels that there would be a large impact on patient care and the profession. Dr. Godin asked the Board to consider further engagement and discussion on this topic.

Public Comment from Mike McKay, Licensed Physical Therapist Dr. McKay stated his agreement with Dr. Godin's comments on NAC 640.595. Dr. McKay would like an opportunity to revisit the topic of the changes to the proposed language. Dr. McKay stated that his colleagues agreed that there was not an opportunity to engage further on the topic of physical therapy technicians.

Public Comment from Wade Meyer, Chief Compliance officer of ATI Physical Therapy. Mr. Meyer discussed proposed changes to the language of NAC 640.595

- Item 3. Review and Discussion of May 6, 2022, Board Meeting Minutes *(For Possible Action)*

Motion: Motion to accept the May 6, 2022 meeting minutes as presented:
Jennifer Nash, Board Chair

Second: Jessie Fisher, PT Member

Motion Passes Unanimously

- Item 4. Report from Nevada Physical Therapy Association (APTA NV)

Nicole Lange, Secretary, APTA NV provided an update. APTA NV recently charged their newly created DEI committee with researching current practices and the challenges currently being faced in the market relating to diversity equity and inclusion. They will be charged to report back with their findings. Upcoming elections for APTA NV will take place on October 1, 2022. Details are still being finalized, and the ballot closes on August 31st, 2022.

- Item 5. Discussion on Imaging Referrals in Physical Therapist Practice *(For Possible Action)*. APTA NV seeks the Board's position on the ability of Nevada physical therapists to order imaging.

RJ Williams, President, APTA NV, discussed the modernization of Nevada and how it pertains to physical therapy. Seven other states have language that states physical therapists can order imaging. Evidence shows that 91% of physical therapists have been accurate with using imaging.

Dr. Merrill Landers stated that there is a 50-year history of physical therapists ordering diagnostic imaging. For example, Georgetown Kaiser Permanente allows Physical Therapists to order diagnostic imaging, and all physical therapists are reimbursed at 100%. CAPTE requires that diagnostic imaging be taught in the curriculum and the NPTE does have exam questions regarding diagnostic imaging.

No action taken on this item.

- Item 6. Review and Decision Regarding Pending Licensure Application *(For Possible Action)*. This appearance is necessary to review the applicant's work history. The Board will review, discuss, and possibly decide on the pending licensure request for the following applicant.

A. Heather M. Andersen

Heather Anderson was present at the meeting. Ms. Anderson stated that she is looking to relocate to Nevada and would like to be considered for a Nevada Physical Therapy License. Chair Nash discussed some concerns about the probation on the applicant's California license. Board Counsel Rasul advised the Board that under its statutes, the applicant does not meet the requirements for expedited licensure by endorsement and the Board is unable to give an unrestricted license to Ms. Anderson.

Motion: Motion to deny the application for licensure by endorsement for Heather Anderson: Jennifer Nash, Board Chair

Second: Aaron Stevens, Public Member

Motion Passes unanimously.

B. Zachery J. Bradley

Motion: Motion to approve the application for licensure for Zachery J. Bradley: Jennifer Nash, Board Chair

Second: Laura Cerame, PTA Member/Board Treasure

Motion Passes unanimously.

Item 7. Discussion on Board Requirements for Endorsement Applicants who have no work experience or gaps in physical therapy practice of two or more years (*For Possible Action*).

Executive Director Harvey brought this discussion back for further discussion after seeing an increase in foreign-trained endorsement applicants with no clinical experience in the United States. Director Harvey discussed his communication with boards in other jurisdictions and discussed adding language to allow the Board to issue probationary licenses, supervision requirements, etc.

Chair Nash states that supervised work experience in the United States is imperative for clinicians to be able to effectively deliver patient-centered care. Our healthcare system which is focused on the function through the ICF model is complex and not easily navigated without mentorship gained through supervised practice. It may be beneficial to have supervised practice as well as the option to assign CCU courses to address deficiencies.

Member Fisher stated that the profession has changed so rapidly over the last decade, as has the quality of care and decisions being made when evaluating and assessing patients. She would like to have an option to allow these applicants to move forward in their career/profession in a safe manner.

Member Cerame stated her agreement with Chair Nash and Member Fisher.

Director Harvey has examples of language being used in other states as well as examples of language previously used by this Board. A conversation with Board Counsel will need to take place to see if additional language needs to be added to the regulations.

- Item 8. Report from Board Lobbyist (*Informational Only*)
- A. Update on Proposed Changes to NAC 640 (R124-21).
 - i. Board Lobbyist, Neena Laxalt briefed the Board on updates to the proposed changes to NAC 640 (R124-21). She and Director Harvey have been working together with the LCB since June of 2022. The LCB analyst states that the draft is very close to being finalized.
 - ii. Representatives from ATI presented additional comments on proposed changes to NAC 640.595 regarding physical therapy technicians.
 - iii. The Board will send out a second Small Business Impact Questionnaire to solicit additional comments.

- Item 9. Disciplinary Matters (*For Possible Action*).
- A. Recommendation for approval of Consent Decree, if one is presented, in the following case:
 - i. Case No. 2018-15 and Case No. 2019-26, Boyd Etter, License No. 0869-

No Action was Taken. This item is tabled.

- B. Recommendation for Case Dismissal
 - i. Case #2022-04
 - ii. Case #2022-07

Motion: Motion to dismiss case number 2022-04 and case number 2022-07: Jennifer Nash: Board Chair

Second: Aaron Stevens, Public Member

Motion Passes unanimously.

- Item 10. Advisory Committee on Continuing Competence (ACCC) Update (*For Possible Action*).
- A. Consideration of recommendations for continuing competency courses reviewed at the June 3rd, July 8th, and July 13, 2022, ACCC Meetings.

Motion: Motion to approve the courses reviewed at the June 3rd, July 8th, and July 13th, 2022, ACCC meetings: Jennifer Nash, Board Chair

Second: Jessie Fisher, PT Member

Motion Passes unanimously.

- B. Discussion and consideration of blanket approval of American Physical Therapy Association (APTA) Combined Section Meetings (CSM) and APTA Learning Center.

Motion: Motion to add a blanket approval statement to the Board's list of approved continuing competence courses for American Physical Therapy Association CSM and APTA Learning Center courses: Jennifer Nash, Board Chair

Second: Jessie Fisher, PT Member

Motion Passes unanimously.

- C. Discussion and consideration of continuing competence credit for licensed clinicians teaching continuing education courses.

Motion: Motion to approve the addition of Primary Instructor of a continuing competency course under professional activities, with a maximum of eight units and only applicable for the first time the course is taught: Jennifer Nash, Board Chair

Second: Jessie Fisher, PT Member

Motion Passes unanimously.

- 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: Aaron Stevens, Public Member

Motion Passes unanimously

- Item 12. Report from Executive Director (*For Possible Action*)

- A. Board Operations

Director Harvey presented the Board Operations Report. License renewals are underway and the majority of renewals have been completed online. The office internet has been upgraded and is performing well. A workers comp audit with Travelers Insurance has been completed. Weekly meetings with

Thentia are ongoing for the software implementation project.

B. July 2022 Board Newsletter

Director Harvey presented the Board July 2022 Newsletter. Chair Nash suggested that Director Harvey include a synopsis on the small business impact questionnaire, and add the additional continuing competence professional activity that has been approved.

C. Proposed FY23 Budget.

Director Harvey presented the FY23 Board Budget Proposal for \$560,000 and identified several funding initiatives including Board office internet upgrades; new licensing software; PT Compact fees; digitization/scanning project; salary adjustments; and DEI initiatives.

Motion: Motion to approve the budget as proposed with an increase in the categories that were discussed: Jennifer Nash, Board Chair

Second: Jessie Fisher, PT Member

Motion Passes unanimously.

Item 13. Review, Discussion, and Possible Approval of Board Administrative Actions (*For Possible Action*)

A. Board Member Compensation – Salary of Board Members while engaged in the Business of the Board (NRS 640.045).

Director Harvey requested guidance from the Board regarding Board Member Compensation.

Motion: The salary of Board Members while engaged in the business of the Board is capped at \$150.00 per day per NRS 640.045. Board Members may receive compensation for the following activities: Case Review - \$50.00 per hour not to exceed \$150.00 per day. Board meeting prep day - \$150.00 per day. Board Meeting day - \$150.00 per day: Jennifer Nash, Board Chair

Second: Laura Cerame, PTA Member/ Board Treasurer

Motion Passes unanimously.

Item 14. Report from Board Chair (*Informational only*)

Chair Nash reported that she was currently at the FSBPT Leadership Issues Forum. The LIF Conference was covering current and future

FSBPT initiatives, and the agenda included Ethics; the PT Compact; the NPTE, and CAPTE. Strategic Planning will be conducted at the September 9, 2022, Board meeting. The meeting will be held at the Board office in Las Vegas, NV. . The Legislative session is coming up in February 2023.

Item 15. Report from Board Legal Counsel (*Informational only*)

No Updates at this time.

Item 16. Discussion of Future Agenda Items

The following items will be placed on future agendas:

- Decision on Legislative Committee
- Strategic Planning
- Vote on the Compact Fee
- Directors Performance Review
- Discussion on License applications regarding applicants who are on probation or have disciplinary action in another jurisdiction or, who have a long gap of time where they did not practice.

Item 17. Public Comment-No Comment

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)
--

Adjournment- Meeting Adjourned at 1:06 pm.
