

STATE OF NEVADA

JOE LOMBARDO
Governor



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Board Chair

KATHERINE JOINES, PT, DPT
Vice-Chair

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*Secretary/Treasurer
PTA Board Member*

JESSIE FISHER, PT, MPT, MBA
Board Member

AARON STEVENS
Public Member

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

March 17, 2023

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

The Meeting was called to order at 9:01 AM

Board Members in Attendance: Jennifer Nash, Board Chair; Katherine Joines, Vice-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; Muriel Morin Mendes, Licensing Coordinator;

Board Counsel: Harry Ward, Deputy Attorney General

Item 2. Public Comment

None.

Item 3. Review and Discussion of January 13, 2023, Board Meeting Minutes (*For Possible Action*).

A. January 13, 2023,

Motion to approve January 13, 2023, meeting minutes as presented with the amended changes: Kat Joines, Vice Chair

Second: Jessie Fisher, PT Member

The motion passes unanimously.

Item 4. 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 applicants.

A. Patrick G. Casupang

Motion: Motion to approve a provisional license for Patrick Casupang with conditions of taking continuing competency units that encompass documentation and billing that can be done online looking at medically complex clients like neuro and acute settings or hospital base that would be taken in person for a minimum of thirty hours, and 11 months of supervision and mentorship with one on one supervision for one month, weekly for 3 months, and monthly for 7 months thereafter. An attestation signed by the licensee and supervisor is required to be turned in to the Board each month: Kat Joines, Vice Chair

Second: Aaron Stevens, Public Member
Roll Call Vote Completed.

The motion passes unanimously.

B. Leah A. Martin

Motion: Motion to approve a provisional license for Lea Martin based on her completion of ten hours of continuing education based on the home health setting: Jessie Fisher, PT Member

Second: Kat Joines, Vice Chair
Roll Call Vote Completed

The motion passes unanimously.

Item 5. Report from Nevada Physical Therapy Association (APTA NV) (*Informational Only*).

Pamela Smith, APTA NV Secretary. The APTA NV continues to support the Board to ensure that SB97 PT Compact Legislation gets passed and signed into law this session, along with the regulation changes that were passed by the Board.

Item 6. Report from Board Lobbyist (*Informational Only*).

Executive Director Harvey provided a report.

A. Update on the 2023 Legislative Session

Director Harvey has reviewed twelve Bill Draft Requests (BDRs) and has submitted fiscal notes to describe the fiscal impact that would result to the Nevada Physical Therapy Board from the enactment of the BDRs.

B. Review and discussion on Executive orders 2023-003, 2023-004

Executive Director Harvey discussed the two Executive Orders (EOs) signed by Governor Lombardo in January 2023, and the requirements contained in each Order. A Public Hearing has been scheduled for the Board on March 31, 2023, at 1:00 pm to vet stakeholder comments on recommended changes to the Board's regulation. Executive Director Harvey requested and received an exemption to proceed with the Board's proposed regulation LCB R124-21. Director Harvey is finalizing a report for EO 2023-004 that will be submitted to the Governor and the Director of the LCB before April 1, 2023.

C. Update on Proposed Changes to Nevada Administrative Code 640 (R124-21)

No update is available at this time.

Item 7. Diversity, Equity, Inclusion, and Justice (DEIJ) *(For Possible Action)*. The Board will receive an update on DEIJ initiatives and possibly approve additional actions.

The Board discussed scholarships for PTs and PTAs. Additional research will be conducted by Board members for discussion at a future date. No further action was taken.

Item 8. Disciplinary Matters *(For Possible Action)*

A. Consideration of Summary Suspension of Licensee Brady Powell, PT, License No. 3099, per NRS 233B.127.

Deputy Attorney Ward recommended that no action be taken on this item at this time. The matter is under investigation and the item may be brought back to the Board for review.

B. Recommendation for Approval of Consent Decree

i. Sunday Carao-Tiglao, PT, License No. 3706

Motion: Motion to approve the Consent Decree for License Number 3706: Kat Joines, Vice Chair

Second: Aaron Stevens, Public Member

Roll Call Vote Complete

The motion passes unanimously.

C. Recommendation for Case Dismissal. The Board will review and possibly approve action regarding the dismissal of the following cases:

- i. Case 2020-08
- ii. Case 2020-09
- iii. Case 2021-12
- iv. Case 2022-09
- v. Case 2023-02
- vi. Case 2023-03
- vii. Case 2023-04

Motion: Motion to dismiss the following cases: Case 2020-08; 2020-09; 2021-12; 2022-09; 2023-02; 2023-03; 2023-04: Kat Joines, Vice Chair

Second: Aaron Stevens, Public Member

Roll Call Vote Completed

The motion passes unanimously.

Item 9. Report from Board Legal Counsel *(Informational only)*

Deputy Attorney General Ward provided an update on case management activities, and the efforts of the Attorney General's Office to hire additional attorneys to help out with Board caseloads.

Meeting Recess at 10:47 am

Meeting Reconvene at 10:55 am

- Item 10. Executive Director Performance Review and Consideration of Salary Adjustment (*For Possible Action*)
Vice Chair Joines informed the Board that the Executive Director's review had been completed. No additional action was taken.
- Item 11. Advisory Committee on Continuing Competence (ACCC) Update (*For Possible Action*)
- A. Consideration of recommendations for continuing competency courses reviewed at the February 10, 2023, ACCC Meeting.
- Motion:** Motion to approve the reviewed courses by the Advisory Committee on Continuing Competence from the February 10, 2023 meeting: Jessie Fisher, PT Member
Second: Aaron Stevens, Public Member
Roll Call Vote Completed
The motion passes unanimously.
- B. Consideration of adding an additional member to the Advisory Committee.
- Board discussion on the composition of the Advisory Committee and NAC 640.490. No further action was taken.
- C. Consideration of blanket approval of all APTA courses, where the APTA would not need to submit course applications for review.
- Motion:** Motion to approve a blanket statement for all APTA courses to be approved without having to submit a course application: Kat Joines, Vice Chair
Addendum: To also approve all FSBPT courses without having to submit a course application for review and approval: Kat Joines
Second: Aaron Stevens, Public Member
Addendum Second: Aaron Stevens, Public Member
Roll Call Vote Completed
The motion passes unanimously.
- Item 12. 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; Jessie Fisher, PT Board member
Second: Kat Joines, Vice Chair
Roll Call Vote Completed
The motion passes unanimously.
- Item 13. Board Operations Report (*Informational only*)
- Executive Director Harvey presented the Operations Report for March 17, 2023.
- A. Active licenses: 3,261 (2,403 PTs and 858 PTAs)
B. Military, military spouse, veteran, veteran spouse: 107
C. New Licenses Issued – Year to date: 41
D. Application processing time: One day.
E. Pending applications: 57

- F. Continuing competence course applications reviewed/approved: 165/163
- G. Customer satisfaction survey results for 2022:
 - i. 1st Qtr: 91%
 - ii. 2nd Qtr: 92%
 - iii. 3rd Qtr: 91%
 - iv. 4th Qtr: 85%
- H. Board Investigations and Pending Matters: 15 Investigations completed, 2 active open investigations, 1 case under Investigative Board Member review, 7 matters recommended for dismissal by the Board, and 11 cases awaiting legal review or action by the AG's office.
- I. Board Newsletter: 1st Qtr newsletter published on March 3, 2023
- J. Online Jurisprudence Exam test bank questions were provided to the Board for review and feedback. The NV JAM is ready for deployment when the new licensing system is launched.
- K. Licensing System: Staff completed a soft launch, allowing for additional internal training and testing. Public launch to follow in April 2023. The learning curve for Staff has been, greater than what we anticipated.
- L. CE Broker: Contract under review with DAG. CE Broker working with Thentia on integration.
- M. Mentor Update: The Mentor flyer was created and sent out to licensees and the APTA NV on January 25, 2023. The list currently has 27 volunteer mentors.
- N. DEIJ Statement: The approved DEIJ Statement was published on January 20, 2023.
- O. FSBPT Grant Funding: The Executive Director has received nearly \$29,000 in grant funding to support programming, data entry, technological upgrades, consulting, and other activities that enhance public protection and the Board's support of the FSBPT Exam Licensure, Disciplinary Database (ELDD).
- P. Financial Update:
 - i. Balance Sheet: \$1,021,224
 - ii. Profit: \$405,762
 - iii. Loss: \$331,051
- Q. Board Training: Executive Director Harvey provided training on the Investigative Board Member's role, responsibilities, and the Complaint and investigation process.

Item 14. Board Assessment Resource (BAR) Training *(Informational only)*.

Executive Director Harvey provided board training in the areas of Planning, Training, and Reviewing Relevant Documents, utilizing the FSBPT board assessment tool provided by the FSBPT.

Item 15. Board Inspections and Resource Utilization *(For Action)*. The Board will review, discuss and approve compliance and enforcement goals.

Executive Director Harvey provided an inspection report containing the results of best practice research, and a survey of all 53 physical therapy boards. The Board discussed objectives and expectations around the inspection program. The item was tabled until the September 2023 Board Meeting.

Item 16. Selection of Delegates for 2023 Federation of State Boards of Physical Therapy (FSBPT) Meetings. *(For Possible Action)*. The Board will select a voting and alternate delegate and identify the funded administrator.

Motion: Motion to appoint Laura Cerame, PTA Member as the voting delegate and Vice-Chair Joines as the alternate delegate. Vice Chair Joines will attend the LIF workshop in July 2023. Member Cerame and Vice Chair Joines will attend the Annual FSBPT Education Meeting in October. Laura Cerame, PTA Member.

Second: Aaron Stevens, Board Member

Roll Call Vote Completed

The motion passes unanimously.

Executive Director Harvey recommended April Ramirez, Board Operations Support Specialist as the funded Administrator.

Item 17. Report from Board Chair and Members *(Informational only)*

No report at this time.

Item 18. Discussion of Future Agenda Items *(Informational only)*

No items were added at this time

Item 19. Public Comment

None.

Adjournment Meeting Adjourned at 1:53 PM