

STATE OF NEVADA

Board Members

MICHAEL LAYMON, PT, DSc, OCS
Board Chair

REGINA MCDADE, PTA
Vice-Chair

JESSIE FISHER, PT, MPT, MBA, OCS
Secretary/Treasurer

JENNIFER NASH, PT, DPT, NCS
Board Member

AARON STEVENS
Public Member

JOE LOMBARDO
Governor



Staff

CHARLES D. HARVEY, MPA
Executive Director

MURIEL MORIN-MENDES
Licensing Coordinator

DEANNA IRBY
Board Operations Support Specialist

DEBORAH DIETER, PT
Board Investigator

PHYSICAL THERAPY BOARD

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

Phone: (702) 876-5535 | Fax: (702) 876-2097 | www.ptboard.nv.gov

BOARD MEETING MINUTES

September 27, 2024

1. Call to Order, Confirmation of Quorum

The meeting was called to order at 9:02 a.m. by Chair Laymon.

Roll Call:

Board Members Present: Michael Laymon, Board Chair; Gina McDade, Vice-Chair; Jessie Fisher, Secretary/Treasurer; Jennifer Nash, Member; Aaron Stevens, Public Member

Staff: Charles Harvey, Executive Director; Deborah Dieter, Board Investigator; Deanna Irby, Board Operations Support Specialist; Muriel Morin Mendes, Licensing Coordinator

Legal Counsel: Joseph Ostunio, Deputy Attorney General

2. Board Mission Statement *(Informational Only)*.

The mission statement was read into the record by Chair Laymon.

3. Service Recognition & New Member Introduction *(Informational Only)*.

Vice-Chair McDade presented service recognition plaques to Board Members Nash, Fisher, and Stevens. Anita Watson, Joseph Indrieri, and Louis Gillegass III were introduced as the newly appointed board members, effective 11/1/2024.

4. Public Comments

Chair Laymon read two written public comments into the record.

i. Public Comment from Jill Dickinson, PT, dated June 5, 2023

As a provider of pediatric physical therapy in the state of Nevada, I have always had concerns that there were limited pediatric courses approved by the Nevada Physical Therapy Board. Nevada is a smaller state in population, so therefore it is more likely that physical therapists practicing outside of the scope of orthopedics and/or adult rehabilitation have to pay the \$50.00 fee for course approval. While not intentional, this fee may discourage therapists from practicing in disciplines outside of these areas.

Historically, I was willing to pay the \$50.00 fee for a 3-day pediatric course in order to obtain my CEUs for an annual re-licensure. However, since COVID-19, the majority of courses are online and are short courses; several hours to one day. This has resulted in specialty physical therapists having to pay \$150.00 or more for 15 CEUs. For this reason, I have had fewer opportunities to advance my knowledge in pediatric physical therapy.

I have attached an example of state board CEU approvals from a reputable provider of pediatric physical therapy education for an 8-hour live webinar. You will notice that there are 24 states that accept approved courses from other physical therapy state boards and 4 states that approve all physical therapy CEUs from the provider. Further, there are 11 states that either do not require course pre-approval or do not require CEUs for re-licensure.

I am a staunch supporter of continued competency however, as a pediatric physical therapist, the requirements of the Nevada Physical Therapy Board make continuing education and training very difficult and expensive. Please consider making changes to the state board CEU approval process to allow for greater access to continued competency in all areas of physical therapy practice.

ii. Public Comment from Lawrence Flisser, PT, dated September 19, 2024.

Is the board planning to enact legislation to have Nevada become part of the PT Compact? Will there be a statute of limitations on “disciplinary action,” or will it be perpetually on someone’s record indefinitely? If so, should there be a differentiation between administrative discipline vs. poor conduct?

5. Board Member/Committee Reports and Updates *(Informational Only)*.

a. Open Roundtable

b. Advisory Committee on Continuing Competency (ACCC) Liaison

Update provided by Gina McDade, ACCC Board Liaison

c. Nevada Physical Therapy Association (APTA NV)

No update.

d. Government Relations

i. Tri-Strategies

1. Update on PT Compact

Under the direction of the PT Board and with the support of the Nevada Physical Therapy Association, a bill requiring Nevada to join the Physical Therapy Licensure Compact will be pursued once again during the upcoming 2025 legislative session. The Chair of the Assembly Committee on Commerce and Labor, Elaine Marzola (D-Clark), has preliminarily agreed to sponsor the bill.

2. Update on Nevada's Board and Commission Reforms

Nevada has over 300 boards, commissions, and advisory committees in need of reforms to meet Governor Joe Lombardo's (R-NV) goals of streamlining occupational licensing and reducing barriers to entry. This involves modernizing the systems that govern these bodies to make them more efficient, accountable, and aligned with contemporary governance and economic needs.

Led by Dr. Kristopher Sanchez and Nikki Haag, the Department of Business and Industry has started soliciting feedback and evaluating reform proposals. The stated objectives include PT Compact: Under the direction of the PT Board and with the support of the Nevada Physical Therapy Association, a bill requiring Nevada to join the PT Compact will be pursued once again during the upcoming 2025 legislative session. The Chair of the Assembly Committee on Commerce and Labor, Elaine Marzola, has preliminarily agreed to sponsor the bill.

- Improving accountability and transparency of boards and commissions.
- Strengthening oversight by the executive and legislative branches.
- Optimizing operations, eliminating redundancies, and reducing costs for licensees.

- Enhancing service quality and supporting Nevada's economic competitiveness.

Over the next few months, one-on-one discussions and public town halls with stakeholders such as industry groups and legislative leaders will take place. Executive Directors of licensing boards are encouraged to submit concerns or recommended changes as well. Based on the feedback and concerns gathered from these engagement efforts, a legislative proposal will be introduced in the 2025 session.

The Department of Business and Industry has created a "Boards and Commissions" page on its website to communicate updates regarding new board structures and legislative changes [@business.nv.gov/Boards_and_Commissions/Boards_and_Commissions/](https://business.nv.gov/Boards_and_Commissions/Boards_and_Commissions/).

3. Legislation proposals pursued by the Interim Committee on Health and Human Services

The Committee is pursuing a number of legislative measures. One of particular note, due to its relevance to physical therapy, is proposal #9 on Health Care Workforce. This bill seeks to:

- Establish the State Office of Health Care Workforce and Licensing within the Nevada Division of Public and Behavioral Health (DPBH).
- Develop and provide recommendations during the 2025–2026 Interim that outline the consolidation of health care licensing boards and other health care professions under the State Office of Health Care Workforce and Licensing.
- This proposal includes, among several others, the licensing authority as established in Chapter 640 regarding 'Physical Therapists, Physical Therapist Assistants, and Physical Therapist Technicians'.

4. Legislation proposals pursued by the Patient Protection Commission (PPC)

The PPC is pursuing three legislative initiatives aimed at bolstering Nevada's healthcare system by addressing workforce shortages. One initiative of particular note for its relevance to physical therapy is a bill that would require Nevada to join five Interstate Licensure Compacts:

- i. Audiology and Speech-Language Pathology Interstate Compact,
- ii. Nurse Licensure Compact,
- iii. Occupational Therapy Licensure Compact,
- iv. Physical Therapy Licensure Compact, and
- v. Physician Assistant Compact.

e. NVPTB Legal Counsel

No update.

6. **Licenses Recommended for Termination of Probation** (*For Possible Action*). The Board will review, discuss, and may vote to take action on the following matters.
- a. Mai Henry, PTA, License Number A-1672
 - b. Maeve Curran, PT, License Number 5138 (Pending - Awaiting results of background check).

Motion: Motion to approve the request for termination of probation for Mai Henry, License #A-1672, and Maeve Curran, License #5138.

Second: Jessie Fisher

Motion Passes Unanimously

7. **Board Disciplinary Matters** (*For Possible Action*).
- a. The Board will hold formal hearings wherein it may impose disciplinary action or accept a stipulated settlement agreement, if one is presented, in the following case:
 - i. Case 2023-16, Sarah Kester, PT, License #4409

Case overview and proposed settlement agreement presented by Senior Deputy Attorney General Todd Weiss. Attorney Charlotte Buys, representing licensee Sarah Kester.

Motion: Motion to accept the proposed settlement agreement for Case 2023-16, Sarah Kester, PT, License #4409; Gina McDade

Second: Jen Nash

Abstain: Jessie Fisher

Motion Passes Unanimously

- ii. Case 2023-18, Spencer Earnest, PT, License #3166

Case overview and proposed settlement agreement presented by Deputy Attorney General Joseph Ostunio.

Motion: Motion to accept the proposed settlement agreement for Case #2023-18, Spencer Earnest, PT, License #3166, Gina McDade.

Second: Jessie Fisher

Motion Passes Unanimously

- b. Recommendation for Case Dismissal. The Board will review and possibly approve action regarding the dismissal of the following cases.
- | | |
|--------------------|-------------------|
| i. Case #2023-22 | iv. Case #2024-08 |
| ii. Case #2024-02 | v. Case #2024-09 |
| iii. Case #2024-07 | vi. Case #2024-12 |

Motion: Motion to dismiss the following cases: Case #2023-22, Case #2024-02, Case #2024-07, Case #2024-08, Case #2024-09, Case #2024-12; Gina McDade

Second: Aaron Stevens

Motion Passes Unanimously

8. **Consent Agenda Items** *(For Possible Action)*. These items are being presented as a consent agenda; the Board members review the consent agenda items ahead of the meeting and will adopt the items as a single motion unless specific items are flagged for discussion and/or individual motion.

- a. Board Operations Report.

Update provided by Director Harvey.

- b. Board Meeting Minutes, Draft – July 25, 2024.

Motion: Motion to approve the meeting minutes for the July 25, 2024 Board Meeting: Gina McDade

Second: Aaron Stevens

Abstain: Jessie Fisher

Motion Passes

- c. Ratification of PT/PTA Licenses approved July - August 2024.

Motion: Motion to accept the ratifications for July – August 2024; Gina McDade

Second: Jessie Fisher

Motion Passes Unanimously

- d. Ratification of ACCC recommendations for continuing competence courses reviewed July – September 2024.

Motion: Motion to approve the ACCC Ratifications for continuing competence courses reviewed July – September 2024; Gina McDade

Second: Jessie Fisher

Motion Passes Unanimously

- e. Annual Audit of Board Financials for the year ended June 30, 2024.

Motion: Motion to accept the results of the annual audit as presented: Gina McDade

Second: Aaron Stevens

Motion Passes Unanimously

9. Board General Discussion & Action Items *(For Possible Action).*

- A. Boards & Commissions. Discussion on State Board consolidation efforts.

No action taken.

- B. Review, discussion, and possible approval of one hour of continuing competence for completion of the annual NV JAM.

Motion: Motion to grant one hour of continuing education credit for the successful completion of the annual NV JAM; Gina McDade.

Second: Aaron Stevens

Motion Passes Unanimously

- C. Animal Physical Therapy. Discussion and consideration of accepting all or partial Nevada Veterinary Board required Animal Therapy CCUs (5 CCUs required annually for Animal PT license/certification) toward NV Physical Therapist licensure renewal.

This item will be presented to the Advisory Committee on Continuing Competency for discussion and recommendations.

10. Report from Board Chair and Members *(Informational Only)*

The Board is following boards and commissions discussions and possible legislative bills. We want to update our practice act and become more universal with other states as we seek to join the PT Compact. Chair Laymon thanked staff and Board members for their efforts.

11. Future Agenda Items *(Informational Only)*

- Board consolidation efforts.
- Feedback from Northern Nevada, and any areas of concern in rural areas.
- ACCC updates and recommendations.

12. Public Comment

None

13. Adjournment

The meeting adjourned at 10:46 am.