

STATE OF NEVADA

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Executive Director

JENNIFER DE ROSE
Licensing Coordinator

DEANNA IRBY
Board Operations Support Specialist

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Board Investigator/Clinical Advisor

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BOARD MEETING MINUTES September 5, 2025

Item 1. Call to Order, Confirmation of Quorum

The meeting was called to order at 9:05 am by Chair Michael Laymon.

Roll Call:

Board Members Present: Gina McDade, Vice-Chair; Louis Hillegass III, Member; Joe Indrieri, Member; Anita Wagner, Public Member

Board Members Absent: Michael Laymon, Board Chair

Board Staff: Charles Harvey, Executive Director; Deborah Dieter, Board Investigator; Deanna Irby, Board Operations Support Specialist; Jennifer De Rose, Licensing Coordinator.

Legal Counsel: Joseph Ostunio, Deputy Attorney General

Item 2. Board Mission Statement (*For Possible Action*).

The Board's Mission Statement was read into the record by Vice Chair McDade.

The Nevada Physical Therapy Board protects and promotes the health and safety of Nevadans by pursuing the highest quality of evidence-based physical therapy practice through education, communication, legislation, licensing, regulation, and enforcement.

Vision: The Board will promote public protection through safety, competence, and availability to care.

Item 3. Public Comments

Dr. Janelle Lachman, a licensed physical therapist and licensed animal physical therapist with the Nevada Veterinary Board, requested that, in reviewing PTA requirements for animal rehabilitation, the Board also examine and update the scope of practice for physical therapists working with animals in Nevada. She noted that the regulations have not been revised since PTs were first authorized to provide animal physical therapy and that the practice has evolved significantly. Dr. Lachman urged the Board to address these considerations to reflect current capabilities and services in animal PT.

Item 4. Board Member/Committee Reports and Updates *(For Possible Action)*.

A. Nevada Physical Therapy Association (APTA NV)

None.

B. Government Relations (Tri-Strategies)

Paul Klein and Edward Ableser from Tri-Strategies provided the Board with legislative and policy updates. They reported that a statewide cyberattack has slowed legislative operations and could impact upcoming interim committee work. Major leadership changes in the Assembly were noted, with Speaker Steve Yeager and two other key leaders not seeking reelection, and Assemblymember Elaine Marzola, previously chair of Commerce and Labor, now leading the caucus.

Tri-Strategies reviewed key interim committees starting this fall, including Health and Human Services, Legislative Commission, Interim Finance, Patient Protection Commission, and the newly formed Nevada Health Authority. They highlighted legislative successes from the last session, including SB113 (PT disability placard certification), AB248 (Physical Therapy Compact), and AB269 (student loan repayment eligibility for PTs and PTAs). They also reported success in protecting the Board from adverse “board reform” legislation. Looking ahead, Ableser informed the Board of possible special sessions on crime or healthcare and emphasized maintaining communication during the state’s budget preparation process. In discussion, Member Hillegas asked about AB269 and whether rural or underserved areas qualify; Tri-Strategies clarified that HRSA determines such areas, including regions within Las Vegas and Reno, and offered to provide more details in a future meeting.

C. Advisory Committee on Continuing Competency (ACCC)

Vice Chair McDade reported that the process for approving continuing education courses is working smoothly and efficiently. The Board office handles courses under four credits and forwards others to the committee as needed for quick review. While a few courses required clarification due to missing or questionable documentation, the committee contacted providers, received the needed information, and resolved the issues.

Overall, there is a wide selection of approved courses for licensees, and the recent changes to the White Paper and course approval procedures have been effective. Vice-Chair McDade thanked the Board for supporting these improvements.

D. NVPTB Legal Counsel

Deputy Attorney General Ostunio reported that the legal team is making good progress in reducing the case backlog. He noted the possibility of a contested case hearing being scheduled for the next board meeting.

Item 5. **Review and Decision Regarding Pending Licensure Application.** *(For Possible Action).*

Summary: Application Review – Enrique Lopez

Chair Laymon introduced the applicant, who appeared via videoconference. Board members confirmed they had reviewed his application materials.

Member Hillegas thanked Mr. Lopez for his military service and inquired about his current participation in treatment or monitoring programs. Mr. Lopez responded that he completed the Veterans Treatment Court program from 2021 to 2022 and has since been working full-time in wound care at Valley Hospital. He remains engaged with the Las Vegas Vet Center, attending meetings approximately every two weeks. Mr. Lopez added that although he previously served as a Veterans Court mentor, family commitments, full-time work, and his pursuit of an executive MBA program have limited his ability to regularly attend court hearings, though he remains active in veteran support activities when possible.

Motion: I move to approve licensure for Mr. Lopez: Member Hillegass

Second: Vice Chair McDade

Motion Passes Unanimously

Item 6. **Board Contract** *(For Possible Action).*

The Board reviewed and discussed the renewal of its contract with Tri-Strategies. Board members commended Tri-Strategies for their excellent work

during the legislative session, emphasizing their diligence, communication, and advocacy.

Tri-Strategies Representatives Paul Klein and Edward Ableser expressed appreciation for the partnership and reaffirmed their commitment to supporting the Board's regulatory and legislative efforts. They acknowledged the Board's professionalism and reputation, noting their positive performance made advocacy efforts successful and rewarding.

Vice-Chair McDade proposed a two-year contract term with Tri-Strategies to close out the legislative year. Tri-Strategies confirmed they would follow state contracting processes and noted all contracts include a 30-day termination clause. It was agreed that if approved, the specific contract language would be finalized by Executive Director Harvey, Board Counsel Ostunio, and Tri-Strategies before formal submission through the state contracting process.

Motion: Motion to approve a renewal contract between the Nevada Physical Therapy Board and Tri-Strategies, for the term of 1/1/2026 through 12/31/2027, with a monthly amount of \$4,000, for a total of \$96,000, with the terms of the language to be negotiated between Board Counsel, Director Harvey, and a trustee of Tri-Strategies: Vice Chair McDade

Second: Member Wagner

Motion Passes Unanimously

Item 7. **Board Disciplinary Matters** *(For Possible Action).*

- A. Recommendation for approval of Consent Decree (if presented) Licensee: James Minello, PTA, License No. A-0937.

Deputy Attorney General Ostunio introduced the item. Mr. Ostunio confirmed that the licensee's legal counsel was not present before proceeding with the agenda item. Mr. Ostunio confirmed that all board members had received and reviewed the Consent Decree concerning James Minello, PTA, License No. A-0937.

Motion: I move to accept the recommendations for approval of the Consent Decree for licensee James Minello, PTA, License No. A-0937: Vice-Chair McDade

Second: Member Wagner

Motion Passes Unanimously

- B. Recommendation for Case Dismissal
i. None

Item 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.
- B. Draft Board Meeting Minutes, July 25, 2025.
- C. Ratification of PT/PTA Licenses Approved (July - August 2025)
- D. Ratification of Advisory Committee on Continuing Competence (ACCC) Recommendations for Courses Reviewed – August 1, 2025.

Vice Chair McDade asked Director Harvey for highlights from the Operations Report. Director Harvey reported that staff completed the peak license renewal season, which includes about 65% of all renewals, and effectively assisted licensees with the new CE Broker system, online renewal portal, and jurisprudence exam process. He previewed the Fall 2025 newsletter, noting new features designed to promote early renewals and improve communication.

Board members commended the newsletter for its clear presentation, new consumer notification section, public member feature, and a spotlight on local therapists, which they agreed enhanced transparency and community engagement.

Director Harvey also informed the Board of an ongoing review of the jurisprudence exam to resolve technical issues and improve content quality. Chair Laymon added that the Board will review the Nevada Practice Act against the FSBPT Model Practice Act to ensure alignment.

Motion: I move to accept the consent agenda as written and presented:
Chair Laymon

Second: Board Member Hillegass

Motion Passes Unanimously

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

- A. Support for Physical Therapist Assistants, giving support to physical therapists in the animal rehab industry.
- B. Disability Placards: Development of Guidance for Physical Therapists Regarding SB 113 – Certification of Disability Status for Parking Privileges
- C. Update on the Board Practice Act Subcommittee.
- D. Strategic Plan Updates
- E. Review and Planning for Potential Revisions to the Nevada Practice Act
- F. Open Roundtable

The Board reviewed and discussed multiple topics under Item 9, which included:

A. Support for PTAs in Animal Rehabilitation

Vice-Chair McDade proposed expanding opportunities for physical therapist assistants (PTAs) to work in animal rehab under PT supervision, aligning with current human practice guidelines.

Current rules prevent veterinarians from supervising PTAs and vice versa, creating barriers for PTs providing animal therapy.

Board Investigator Dieter and public commenter Dr. Janelle Lachman supported revisiting the scope of practice for animal PT and noted that updates would require changes to both the PT Practice Act and the Veterinary Practice Act.

Concerns were raised regarding strong lobbying by veterinary tech organizations, highlighting the need for building relationships with these groups and the Veterinary Board.

Motion: Motion to draft a position paper supporting PTA involvement in animal rehab and to present it to the Veterinary Board for collaboration:
Vice-Chair McDade

Second: Member Indrieri

Motion Passes Unanimously

B. Disability Placards – SB113 Guidance

SB113 allows PTs to certify disability status for parking placards, effective October 1, 2025. Current DMV forms do not list PTs as authorized certifiers; the DMV is revising the form. The Board agreed to wait for DMV's official guidance before advising licensees to sign forms. Director Harvey will send a clarifying email to all licensees as implementation approaches and will follow up with the DMV if no guidance is received.

C. Practice Act Subcommittee Update

The Crosswalk Committee is being formed to compare Nevada's Practice Act with the FSBPT Model Practice Act. Nine members will be divided into three groups to review assigned sections, identify missing or unclear language, and report findings during public meetings.

Dr. Janelle Lachman volunteered to join during the meeting; three more volunteers are still needed. Women's Health and Pelvic Health provisions will be specifically reviewed to ensure proper inclusion.

D. Strategic Plan Updates

The strategic plan initiatives are complete; next steps involve integrating them into the Practice Act review. Discussion addressed potential policy approaches to address physician-owned PT clinics, suggesting limits on where newly licensed PTs can work, rather than trying to prohibit non-PT ownership.

E. Review of Potential Revisions to the Nevada Practice Act

Discussion focused on protecting PT-related terminology and addressing overlaps with chiropractic and medical practices using "physical therapy" or similar terms without licensed PT involvement. Members noted challenges related to CPT coding usage, which allows multiple professions to bill under the rehabilitation code. Federal and state scope-of-practice rules, advertising standards, and existing overlaps with Chiropractic and Medical Practice Acts were acknowledged as barriers to reform.

F. Open Roundtable

Board Investigator Dieter recommended advising patients experiencing referral or insurance conflicts to file official complaints to support investigations.

Ongoing focus on protecting the PT scope of practice and terminology within statutory and regulatory frameworks. Members discussed misuse of "physical therapy" terminology by non-PT providers and enforcement through term protection and regulatory updates.

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

Vice-Chair McDade reported that Board operations are running smoothly despite recent Nevada system hacking issues. Several members of the Board will be attending the FSBPT Annual Education Meeting in Spokane, WA, which features breakout sessions and in-depth discussions on advancing practice, improving education, and implementing regulatory strategies.

Krista Barton, Chair of the Advisory Committee on Continuing Competence (ACCC), will join for the first time, expanding her involvement in Board functions. Director Harvey will be receiving an Outstanding Service Award, and the Nevada Physical Therapy Board will receive a Regulatory Recognition

Award. We have been invited to present in the event's "lightning rounds," covering Nevada's past, present, and future regulatory initiatives. Vice-Chair McDade expressed excitement about the meeting's collaborative and themed environment, emphasizing its value for knowledge-sharing and leadership development. No additional ideas or discussion points were raised by members.

Item 11. Future Agenda Items *(Informational Only)*.

The Board discussed potential topics for future agendas.

- Animal Rehabilitation and PTA Scope: Following Dr. Janelle Lachman's earlier public comment, members agreed to continue discussions on collaborating with the Veterinary Board to improve guidance and regulations for PTAs assisting PTs in animal rehab. Utah's veterinary and PT practice act language will be reviewed for potential use in drafting proposals to present to the Veterinary Board.
- Next Meeting Location: The next board meeting will likely be held at the Attorney General's Office near the state offices on Warm Springs Road, the same location used during the bill signing ceremony.
- Strategic Plan Updates: Director Harvey recommended keeping "Strategic Plan Updates" as a standing agenda item for each meeting, even if there is no new progress, until the crosswalk committee work is completed.
- Treasury and Financial Oversight:
 - Member Wagner, acting as Board Secretary/Treasurer, has been reviewing board financials monthly.
 - The annual financial audit by Campbell Jones Cohen CPAs is currently underway. Results are expected by November, with plans to present them to the Governor's Office and the State Finance Office by December 1. If completed in time, the audit report will be presented at the November board meeting before submission.

No additional future agenda items were proposed.

Item 12. Public Comment

None.

Item 13. Adjournment

The meeting adjourned at 11:17 am.
