

STATE OF NEVADA

Board Members

MICHAEL LAYMON, PT, DSc, OCS
Board Chair

REGINA MCDADE, PTA
Vice-Chair

JOSEPH INDRIERI, PT, MPT
Board Member

LOUIS HILLEGASS III, PT, MHA
Board Member

ANITA WAGNER
Public Member

JOE LOMBARDO
Governor



Staff

CHARLES D. HARVEY, MPA
Executive Director

JENNIFER DE ROSE
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 March 28, 2025

Item 1. Call to Order, Confirmation of Quorum

The meeting was called to order at 9:04 am by Board Chair Michael Laymon.

Roll Call:

Board Members Present: Michael Laymon; Gina McDade; Anita Wagner; Joe Andrieri; Louis Hillegass III.

Board Members Absent: Joseph Indrieri

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 (*Informational Only*).

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

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

Item 3. Public Comments

No members of the public were present. Chair Laymon noted that two written public comments had been received and had been reviewed by members. The written comment will be added to the March 28, 2025, meeting minutes and available on the board website.

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

A. Nevada Physical Therapy Association (APTA NV)

Not available.

B. Government Relations

i. Tri-Strategies

A) PT Compact Discussion

B) Discussion on State Boards and Commissions Consolidation Efforts.

The legislative report was provided by Paul Klein, Tri-Strategies.

1. The PT Compact Bill passed out of the Committee on Commerce and Labor.
2. SB113 updates the verifying status for parking privileges for people with disabilities, adding physical therapists as a provider. SB113 was heard on February 19, 2025, and awaits a committee vote before going to the floor.
3. AB269 expands the student loan repayment program up to \$120,000 for individuals who go to work in an underserved area in Nevada. We are seeking to add physical therapists as one of the healthcare providers who can receive those funds.
4. SB78 revises the powers and duties of the Office of Boards, Commissions, and Committees, which is within the Department of Business and Industry. We're asking them to consider an amendment that exempts boards that meet certain strict criteria including operating efficiency, safeguarding public welfare, financial stability, and other accountability and transparency measures that align with the State's goals. If they meet this criteria, they could potentially retain their autonomy and remain independent from the rest of the statutes provided in the bill. The 1st major deadline is approaching, which is April 11th and that is the deadline that all bills have to be passed out of its committee.

C. Advisory Committee on Continuing Competency (ACCC)

Vice-Chair McDade discussed the ACCC course approval process and two courses that had been reviewed at the February 7, 2025, ACCC meeting and were routed to the Board for a determination of approval or denial under item 7B today.

Vice-Chair McDade provided an update on the course approval process that involves the administrative review and approval of courses that are less than 4 credits, and the routing of courses that are 4 or more credits to Advisory Committee members for review, along with questionable course applications. She stated that this process is moving along very well with staff approving one, two, and three-hour courses using the White Paper, and the ACCC discussing more complicated cases.

The ACCC is also working on a proposal for a preferred provider program that would allow approved course providers to submit bulk courses for automatic approval. This would involve an application process in which the Board grants preferred provider status based on a provider's ability to meet certain standards. Currently, each provider, whether large or small, must submit a course application for each course along with the applicable fee. A preferred provider program would enable them to submit as many courses as they want for immediate approval. The next step is for the Board to engage in a discussion about fee schedules. This could be a more efficient and effective process. The Board would reserve the right to conduct periodic audits to ensure vendors are following standards.

The meeting was recessed at 9:20 am due to the hacking of audio and video.

The meeting was reconvened at 9:46 am, under audio-only.

Item 6. Taken Out of Order

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. Board Meeting Minutes, Draft – January 24, 2024 Ratification of PT/PTA Licenses approved November - December 2024.
- C. Ratification of ACCC recommendations for continuing competence courses reviewed December 13, 2024.

Motion: Motion to adopt the Consent Agenda Items as written on this day, March 28th, 2025, for approval: Vice-Chair McDade
Second: Member Wagner
Motion Passes Unanimously

Item 5. Taken Out of Order

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 cases:

- i. Stipulated Settlement Agreement: Cases 2024-03 & 2024-04, Licensee Andrew Hillyer, License No. 4840.

Motion: Motion to accept the Stipulated Settlement Agreement:
Member Hillegass
Second: Member Wagner
Motion Passes Unanimously

B. Recommendation for Case Dismissal. The Board will review and possibly approve action regarding the dismissal of the following case.

- i. Case 2024-18

Motion: Motion to approve the dismissal of Case No. 2024-18: Vice-Chair McDade
Second: Member Hillegass
Motion Passes Unanimous

Item 7. Board General Discussion & Action Items *(For Possible Action)*.

A. Open Roundtable.

No discussion.

B. **ACCC Course Application Review.** The Board will review and take action on the following course applications reviewed by the Advisory Committee on February 7, 2025:

- i. Master Dry Needling Level-1 (Entry level, Home study course)
- ii. Implicit Bias and Health Disparities in the Practice of Physical Therapy

Vice-Chair McDade introduced two courses that were reviewed at the February 7th ACCC meeting and were being presented to the Board for discussion and recommendation on approval. The first is an introductory

dry needling course that is home-study, meaning a licensee would have to submit and receive all of the tools at their home. They're responsible for getting their own participant to be their patient and then follow a video. The course technically meets all the criteria based on white paper requirements. However, because this is a particularly polarizing topic, we want to treat this with the respect that it deserves. Vice-Chair McDade asked the members if they'd had an opportunity to review the course. The discussion centered on the protection of the general public.

Motion: I motion to not approve the course: Chair Laymon

Second: Member Indrieri

Motion Passes Unanimously

Vice-Chair McDade introduced the second course that the ACCC Committee sent to the board for review: Implicit Bias and Health Disparities in the Practice of Physical Therapy, and read the following statement: The Board has faced several questions and strongly worded opinions regarding the recent adoption of rules requiring licensees to complete one hour of continuing education in a course or active activity related to diversity, equity, and inclusion known as DEI. We're seeing some DEI-related courses come into the Board that do not appear to align with the Board's goals. The course Implicit Bias in Health Disparities in the Practice of Physical Therapy was presented to the ACC Committee in our February meeting. While this course does satisfy the application requirements as detailed in the White Paper, the ACCC Committee is submitting this because, when we investigated this course, it became apparent to us through our looking at their website and seeing what they're about, that the majority of their content is related to affirmative action, and not truly what DEI is. As we as physical therapists and physical therapist assistants understand DEI to be. I think it's important, first, so that we all have an understanding of exactly what we know DEI to be as it is related to our physical therapy practice. After discussion, the following motion was made:

Motion: Motion to deny the course Implicit Bias and Health Disparities and Practice of Physical Therapy based on policies. The belief of policy and practice for physical

therapists in the State of Nevada today, March 28, 2025:
Vice-Chair McDade
Second: Member Wagner
Motion Passes Unanimously

- C. Review, discuss, and possibly amend requirements for DEI-related continuing competency course approvals, approved courses, and continuing competency activities as defined in NAC 640.400 (Approved Regulation R124 21, Sec. 50. Adopted 1/13/2023).

Motion: Motion to accept the public statement as written: Member Wagner
Second: Vice-Chair McDade
Motion Passes Unanimously

- D. Board letterhead discussion on the Department of Business & Industry directive to use their letterhead for board correspondence.
- E. Review, discussion, and possible action on the Physical Therapy Compact State Fee. The Board will review the previously approved PT Compact, and consider potential revisions.

Director Harvey introduced the state compact fee that had been previously approved by the Board in November 2022, in anticipation of joining the PT Licensure Compact. The approved fee consisted of a \$75 fee for physical therapist compact members and a \$45 fee for physical therapist assistant compact members. With the Board's PT Compact Bill (AB248) currently being heard by the Nevada Legislature, Director Harvey asked the Board to revisit this matter and determine if the amounts are acceptable.

Motion: I make a motion that we adjust the compact fees for the State of Nevada to be \$150 for physical therapists and \$100 for physical therapist assistants. This keeps the same schedule for compact privileges as we currently have for license renewals here in our state: Vice-Chair McDade.
Second: Member Hillegass
Motion Passes Unanimously

- F. Review and possible approval of strategic planning proposal.

Motion: Motion to approve the strategic planning proposal: Vice-Chair McDade
Second: Member Wagner
Motion Passes Unanimously

G. Possible rescheduling of the Board's May 16, 2025 Board Meeting.

No action was taken.

Item 8. Report from Board Chair and Members *(Informational Only)*.

Chair Laymon passed along his appreciation to Director Harvey and Vice-Chair McDade for their work on the PT Compact and SB78.

Vice-Chair McDade discussed the upcoming Federation of State Boards of Physical Therapy (FSBPT) Regulatory Workshop for Board Members & Administrators and her appreciation that several board members and administrative staff will be attending. Board leadership is seeking an audience with legislators in regards to SB78, so we can explain a little bit more clearly what our actual position is, defend our position, and inform a little bit more versus what kind of topics were not touched upon in some of the committee discussions that have been happening through this legislative session.

Vice-Chair McDade discussed some of the articles in the recent FSBPT newsletter, including the Model Practice Act, and the regulation of physical therapy, which addresses a physical therapist's responsibilities. It goes down the table about what physical therapists do, what their qualifications must be, PTA qualifications, recognition of the physical therapist assistant's work under the supervision of a physical therapist, and the use of therapy aids for designated routine tasks. She mentioned that these were some of the things that would be discussed at the upcoming FSBPT conference.

Item 4D Taken Out of Order

NVPTB Legal Counsel

Deputy Attorney General Ostunio provided an update on a proposed settlement agreement and a possible disciplinary hearing that would be agendized for the next board meeting.

Item 9. Future Agenda Items *(Informational Only)*.

- Proposed settlement for Case No. 2022-17
- Preferred Provider Fee
- Discussion on who can apply physical therapy, and under what conditions? In other words, we don't define the services that can be performed by a PT Tech. We define the services that a PTA can perform but have not done so for Techs, and under what conditions.

Item 10. Public Comment

None.

Item 11. Adjournment

The meeting adjourned at 11:17 am pm.
