



State of Louisiana
DEPARTMENT OF HEALTH AND HOSPITALS
Louisiana Physical Therapy Board

AGENDA
March 22, 2017

- 4:00pm** **Call to Order**
Approve Agenda
Approve Minutes
- 4:10pm** **Executive Session**
Discuss sensitive information related to discipline and attorney client privileged information.
- 5:10pm** **Officer Reports**
Chairman's Report
Secretary/Treasurer's Report
Executive Director's Report
- 5:35pm** **Legal Report**
- 6:35pm** **Committee Reports**
LTF Report
CEU Committee
- 7:05pm** **New Business**
Correspondences
- 8:20pm** **Old Business**
- 8:30pm** **Public Comment**
Adjourn

Louisiana Physical Therapy Board

MINUTES

Regular Scheduled Board Meeting March 22, 2017

APPROVED

Proceedings for the Louisiana Physical Therapy Board, taken in regular session on March 22, 2017 at 104 Fairlane Drive, Lafayette, LA 70507. A quorum of members were present. Board members present were: Chairman, Donald “Don” Cassano, Jr., Secretary/Treasurer, Kristina Lounsberry, and board members Elizabeth “Beth” Austin, Patrick Cook, Julie Harris and Craig Prejean. Charlotte Martin, Executive Director; Stephanie Boudreaux, Compliance Officer; and board attorneys, Courtney P. Newton and George Papale were also present.

The purpose of the Louisiana Physical Therapy Board is to protect the public health, safety, and welfare, and to provide for state administrative control, supervision, licensing, and regulation of the practice of physical therapy in Louisiana. Only individuals who meet and maintain prescribed standards of competence and conduct may engage in the practice of physical therapy. Our Practice Act and Rules promote the public interest.

Chairman Cassano called the meeting to order at 4:00pm.

AGENDA

The board reviewed the agenda. Chairman Cassano moved to approve the agenda. Beth Austin seconded the motion. The board voted and unanimously approved.

MINUTES

The board members reviewed the minutes from February 2017. Secretary/Treasurer Lounsberry moved to approve the minutes. Beth Austin seconded the motion. The board voted and unanimously approved.

EXECUTIVE SESSION

Chairman Cassano moved to move into Executive Session pursuant to La R.S. 42:16 for the purposes of discussing investigating proceedings regarding allegations of misconduct. Patrick Cook seconded the motion. The Board voted and all were in favor to move into Executive Session.

The board exited Executive Session.

The board voted on the essay submitted by Daniel Henning, as required by his Consent Order. Chairman Cassano, Beth Austin, Patrick Cook, Craig Prejean and Julie Harris voted to deny the essay. Secretary/Treasurer voted to accept the essay as written. The majority rules and the essay was denied. The board staff will provide guidelines for completing a revised essay along with an extended deadline for completing this requirement of his Consent Order.

The board voted on the General Counsel position as created and posted through Civil Service. The board unanimously voted against filling the position at this time. The Board voted to move forward with submitting a legal contract for Courtney Newton effective July 1, 2017.

The board voted and unanimously approved the updated Consent Order for Tomas Bryant (CASE# 2016-I-018).

OFFICER REPORTS

Chairman's Report

Chairman Cassano requested that the board members complete the Performance Evaluation form related to Mrs. Martin's performance for the Executive Director's annual performance evaluation review for 2016.

Chairman Cassano notified the board members that he would be unavailable for the May 2017 board meeting. The board members reviewed their calendars and decided not to move the date of the scheduled board meeting for May.

Chairman Cassano notified the board of Senate Resolution 10 (SR10), which requires that the board submit previous financial information, as well as future projections to the Commissioner of Administration.

Secretary/Treasurer's Report

Secretary/Treasurer Lounsberry reported that Cash in the bank as of January 31, 2017 totaled \$44,542.45 in the checking and savings accounts at Farmer's Merchant Bank. Total Income totaled \$17,990 and ordinary expenses totaled \$51,722.73. The Certificates of Deposit at Business First Bank total \$603,463.86. CD #910 earned \$285.22 in interest \$302,313.86. The CD matures on May 6, 2017. CD #534 will earn all interest of \$3,450 at maturity on February 12, 2017. The ending balance as of 1/31/2017 was \$301,150.00.

Secretary/Treasurer Lounsberry discussed the 2017-18 budget with the board members. She recommended that the board continue to build the reserve fund at this time until the fund reaches \$1,000,000. This reserve fund allows the Board to have funding for operational crisis and law suits that are unforeseen at this time. Secretary/Treasurer Lounsberry also recommended that once per year the board receive an update on the value of the land asset, the cost of keeping the land, and discuss this asset annually as a board.

Executive Director's Report

Mrs. Martin reported that 13 license applications were approved since the last board meeting. The applicants approved are as follows:

Physical Therapist- New Graduate

1. Christopher Freeland

Physical Therapist- Reciprocity

1. Kathryn Nance
2. Morgan Hartline
3. Emily Straub
4. Amy Porter
5. Christen Pontius
6. Sheida Rezai

Physical Therapist Assistant-Reciprocity

1. Cassie Conley
2. Mark Hart
3. Hayley Hildenbrand

Physical Therapy- Reinstatement

1. Amanda Caporossi

Physical Therapy Assistant- Reinstatement

1. Tiffany Lott
2. Jodie Cockrell

Mrs. Martin informed the board that in 2017 there are 2188 licensee eligible to renew. As of 3/22/2017, 1238 licensees have renewed. The Board has received a Notice of Non-Renewal from 32 licensees. As of 3/22/2017,

there are 918 licensees who have not renewed in 2017, nor have they confirmed with the board that they will not renew.

Mrs. Martin notified the board members that the Licensing Analyst, Danielle Linzer is out of the office for 8 weeks beginning 3/27/2017. She also notified the board members that it is graduation season and directed them to the website for the school interviews schedule if they would like to attend school interviews in their area.

Mrs. Martin notified the board members that the next traveling jurisprudence is scheduled on 4/10/2017 in Metairie. Patrick Cook confirmed that he will be presenting.

Mrs. Martin notified the board members that the online jurisprudence questions have been checked for accuracy. The board members expressed their interest in creating a webinar online jurisprudence course in the future. This will be considered in the future.

LEGAL REPORT

Board Attorney, Courtney Newton provided an update on investigative activity since the last board meeting as follows:

Current Investigations: 5 currently open
Complaints Received since last board meeting: 3
Informal Conferences since last board meeting: 1
Hearings Scheduled: 1
Consent Order/Voluntary Surrender: 2
Confidential Recovery Physical Therapy Program: 2
Agreement to Abstain: 1
Closed Cases since last board meeting: 4

Board Attorney Courtney Newton recommended that the board consider offering CE credit for expert witnesses who are licensees as an alternative option other than payment.

General Counsel George Papale provided an update that Kevin Bias has appealed the Board panel decision and judicial review is required. Papale is currently working on documents and will meet the deadline.

General Counsel George Papale provided an educational in-service training to the board members on the topic of bias as a reminder of board member duties and as orientation for the newly appointed board members.

COMMITTEE REPORTS

LTF (Legislative Taskforce) Update

Chairman Cassano provided an update to the board on LTF activity including 2017 Bill language. The board voted and unanimously approved removing the language in the Bill related to the Attorney General's office approving cease and desist orders because it is expected that other Bills will move forward providing meaningful state oversight and the board staff has not had the opportunity to work with the AG's office on the logistics. The board voted and unanimously approved to add a Course Sponsor approval fee in the Bill to allow for course sponsor approval in the future. The maximum rate proposed in the Bill will be \$1,000 for a course approval fee.

Chairman Cassano provided an update from his attendance at the Louisiana Physical Therapy Association open forum held on the Friday of the Spring Symposium to discuss PTA supervision and PT 6th visit reassessments.

Chairman Cassano recommended that the board send an official letter to the Louisiana Medical Society regarding the LPTB vacancy of their nominee.

CEU Committee

Beth Austin presented the monthly Continuing Education report to the board. Since the last board meeting 142 courses were approved and 3 courses were denied based on criteria requirements for not satisfying the evidence-based content requirement. Of the 142 approved courses, 57 courses were traditional, 79 were web-based and 6 were a hybrid (traditional/online). Of the 142 approved courses 129 were clinical, 12 were administrative and 1 was ethics. The average turnaround time for approval was 7 days.

The board members unanimously approved the percentage of licensees who renew in 2017 to be audited at 10% random selection for the CEU Audit 2017, not including licensees who renew in April. All licensees who renew in April will be added to the CEU Audit. The board reviewed a form created by office staff for the CEU Audit. The board members requested that Courtney Newton, board attorney, assist with a clause regarding Board Rule §199 and once approved by legal the form would be considered final and can be mailed out early April.

The board members reviewed continuing education exemption requests as a result of the Flood from the following licensees: Kelly Mauro and Lynn Johnson. The board members decided unanimously to exemption from CE requirements for the 2017 renewal due to natural disaster.

The board reviewed Grady Guidry, PTA transcripts for Health Care Administration coursework and determined that coursework completed through the university would be granted as Administrative Hours and will not exceed the limit of 8 hours as set forth in Rule.

The Board reviewed Dusty Dixon's request for mentor hours as a participant in a mentorship program and determined that the Rule related to Clinical Instructor hours would be followed for CE credit, not to exceed 5 hours credit as set forth in Rule.

The board members Arma Veneracion's request for CE exemption for Reynaldo Veneracion's CEU hours required for the 2017 renewal period. The board reviewed Rule §198 and determined that the request was not made in compliance with the Rule, which would require that the request is made 45 days prior to the expiration of the license.

NEW BUSINESS

Correspondences

The board reviewed a board member drafted response to a question asking if the use of ultrasounds are within the scope of practice of physical therapy. The board approved the statement with a simple grammatical correction. Mrs. Martin will respond to the licensee and post the board statement on the website.

The board members reviewed the Renewal Form questionnaire and determined that #16 related to traffic violations should be removed or reworded on future renewal forms. The board members asked Courtney Newton, board attorney to review the questions and provide draft questions for review prior to the renewal period 2018.

Mrs. Martin asked the board members if a PTA can supervise PTA provisional licensees. The board members reviewed the Rules and determined that the PTA supervision of a PTA provisional licensee would be allowed, just as a PTA can supervise a PTA student, but that any PTA student or PTA provisional licensee that the PTA supervises is included in the PT total of supervised personnel and must be included in the limitation on supervision ratios allowed (Rule §339).

OLD BUSINESS

Mrs. Martin shared the CEU policy updates. The board members agreed to put any changes to the policy on hold for the time being.

Mrs. Martin updated the board that Glenn Ducote would be interested in contracting with the LPTB as a hearing officer. George Papale recommended to the board that they offer him the hourly rate that he had when he left the board. Don Cassano moved to offer Glenn Ducoote a contract at his previous rate when his contract expired with the Board to serve as hearing officer. Patrick Cook seconded the motion. The board voted and unanimously approved.

PUBLIC COMMENT

No public comment.

Chairman Cassano moved to adjourn the meeting. Beth Austin seconded the motion. The board voted and unanimously approved. The board meeting was adjourned at 7:42 pm.