

Louisiana Physical Therapy Board

MINUTES Regular Scheduled Board Meeting June 6, 2018

APPROVED

Proceedings for the Louisiana Physical Therapy Board, taken in regular session on June 6, 2018 at 104 Fairlane Drive, Lafayette, LA 70507. A quorum of members were present. Board members present were: Chairman Patrick Cook, Secretary/Treasurer, Karl Kleinpeter, and board members Kristina Lounsberry, Judith Halverson, and Meredith Warner. Advisory Committee Members present were Phillip Page, Jeremy Dye, Jason Douglas, and Lora Whiting. Charlotte Martin, Executive Director; board attorney, Courtney P. Newton, Stephanie Boudreaux, Compliance Officer, Danielle Linzer, Licensing Analyst, and Jessica Alwell, Assistant Executive Director were present. Public members Blair Duthu and Alyssa Puckett, PT were also present.

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

The board reviewed the agenda. Kristina Lounsberry moved to accept the agenda. Judith Halverson seconded the motion. The board members voted and unanimously approved the agenda.

The board members reviewed the minutes. Kristina Lounsberry moved to approve the minutes as amended. Secretary/Treasurer Karl Kleinpeter seconded the motion. The board voted and unanimously approved the minutes.

Chairman Cook called the hearing of reinstatement applicant Brandon Revelle to order. The applicant requested the hearing be held in Executive Session. Chairman Cook motioned to move into Executive Session pursuant to La R.S. 42:16 for the purposes of discussing investigating proceedings regarding the hearing of an applicant for license reinstatement.

The Board exited Executive Session.

Chairman Cook stated on the record the unanimous decision to deny the reinstatement application of Brandon Revelle. Mr. Revelle may reapply for reinstatement in no sooner than ten years.

The board conducted exit interviews for licensees David Watkins (Case 2012-I-013) and Ronald Helwig, Lisa Taglaeur, and Elizabeth Winkler-Schmit (Case 2017-I-009).

OFFICER REPORTS

Chairman Report

Chairman Patrick Cook presented Advisory Board Member Joe Guthrie's resignation, received on May 30, 2018.

Chairman Cook presented changes amended in the State Register Potpourri in regards to the recent submission of the Rules Revision, to be published on June 20, 2018. Judith Halverson moved to accept the changes as amended. Secretary/Treasurer seconded the motion. The board voted and unanimously accepted the changes.

Treasurer's Report

Secretary/Treasurer Kleinpeter presented February 2018 Financials. As of February 28, 2018, cash in the bank totaled \$546,781.63 in the checking and savings accounts at Farmer's Merchant Bank. Total Income totaled \$221,756.71 and ordinary expenses totaled \$59,832.54. The Certificates of Deposit at Business First Bank totaled \$482,644.08. CD #054 earned interest of \$470.96 in February. The ending balance as of 2/28/2018 was \$482,173.12.

Secretary/Treasurer Kleinpeter presented March 2018 Financials. As of March 31, 2018, cash in the bank totaled \$902,595.73 in the checking and savings accounts at Farmer's Merchant Bank. Total Income totaled \$409,925.00 and ordinary expenses totaled \$50,692.32. The Certificates of Deposit at Business First Bank totaled \$483,069.88. CD #054 earned interest of \$425.80 in March. The ending balance as of 3/31/2018 was \$483,069.88.

Secretary/Treasurer Kleinpeter presented April 2018 Financials. As of April 30, 2018, cash in the bank totaled \$909,952.39. in the checking and savings accounts at Farmer's Merchant Bank. Total Income totaled \$47,131.00 and ordinary expenses totaled \$44,478.61. The Certificates of Deposit at Business First Bank totaled \$483,547.71. CD #054 earned interest of \$471.83 in April. The ending balance as of 4/30/2018 was \$483,541.71.

Secretary/Treasurer Kleinpeter updated the board on the status of CD investments. Secretary/Treasurer Kleinpeter presented the options for the board to invest money for the board's Reserve Fund. Judith Halverson motioned to invest \$516,000 in a 3-month CD in order to stagger the maturation dates. Kristina Lounsberry seconded the motion. The board voted and unanimously accepted. Judith Halverson moved to accept the plan to invest \$500,000 in two CDs of \$250,000 each and to authorize board staff to research investment options for the remaining \$500,000. Kristina Lounsberry seconded. The board voted and unanimously accepted the plan.

Secretary/Treasurer Kleinpeter presented on the recommendation to the board to move forward with a plan to move the office to another location in Lafayette better suited for the board's needs and the associated moving costs. The board accepted the recommendation to obtain a realtor to guide the board on whether to lease or buy in order to best meet the needs of the board.

Executive Director Report

Mrs. Martin informed the board about the board office recently being targeted for "card testing" and the reported the measures being taken to hinder this from happening again in the future. No information from the board was jeopardized.

Mrs. Martin informed the board of several upcoming professional development opportunities for board members and staff. She reported that the chosen delegate for FSBPT is Secretary/Treasurer Karl Kleinpeter and the alternate delegate is Judith Halverson.

Mrs. Martin requested the board choose a FSBPT Compact delegate and the board unanimously agreed that Mrs. Martin should act as delegate for the board.

Mrs. Martin reported on the numbers from the recent license renewals period. 2315 licensees were eligible for renewal. Of that number, 1500 PTs and 670 PTAs renewed their license. 145 licensees did not renew their license.

Mrs. Martin presented two new policies previously requested by the board. The board reviewed both the Reserve Fund policy and the Military Licensing Policy and unanimously accepted both policies for the office staff to use going forward.

The board authorized Mrs. Martin to have Signature Authority Authorization for the board with the Office of State Procurement.

COMPLAINT SUMMARY

Mrs. Martin reported the current complaint summary of activity that occurred since the last meeting:

Open (licensees)	9
<u>Open (non-licensees)</u>	<u>3</u>
Total Open Investigations:	12

Current Investigation Activity:

Closed:	6
Appeals:	1
Complaints Received:	3
Informal Conferences:	1
Proposed Consent Order:	1
Hearings Scheduled:	3

COMMITTEE REPORTS

CEU Committee:

The CEU Committee reported that 124 courses were reviewed since the last board meeting and 122 courses were approved. 2 courses which were denied at the March board meeting were later approved upon the receipt of additional information. Of the 122 courses approved, 56 courses were traditional/on-site and 65 were distance learning courses, and 1 course was a hybrid of live and online portions. Of the 171 courses approved, 117 were clinical in nature and 5 were administrative in nature. The average turn-around time for approval was 4 days.

The board reviewed a proposal letter from Rick Shroeder requesting the ability to bundle courses for review. The board determined that the courses can be submitted for review by the CEU Committee pursuant to Rule §501 (A) (8).

The board reviewed a request from Ebony Taylor for a refund for a renewal late fee. Judith Halverson moved to deny the request pursuant to Rule §181(B). Kristina Lounsberry seconded the motion. The board voted and unanimously accepted the motion.

The board reviewed a letter from Mathew Clark regarding his non-compliance during the renewal audit and his request for an extension to complete the additional hours needed in order to be in compliance with the continuing education requirements for the 2018 renewal period. Due to his military service at the time of the audit period, the board agreed to give Mr. Clark until September 1st to pay his fee and take the additional continuing education hours required.

The board reviewed the documents supplied by two licensees, Jonathan Coscarart and Leslie Miller, showing their efforts to be in compliance and their fees paid for being non-compliant at the time of the audit. The board approved.

Jurisprudence Exam Review Committee

Mrs. Martin reviewed the updated Jurisprudence Exam Review Committee Plan with the board and reminded the board members that they will take the new test questions and provide feedback.

Legislative Task Force:

Courtney Newton recapped the 2018 Regular Session to the board.

Mrs. Martin updated the board on the status of the Physical Therapy Compact. She requested the board choose a delegate to represent the board on the Compact. The board unanimously agreed that Mrs. Martin shall represent the board on all Compact-related matters and inform the board of new developments and next steps.

NEW BUSINESS

Correspondences

The board reviewed a question from licensees Blair Duthu and Alyssa Puckett, PT regarding whether it is within the scope of practice of PTs to perform Percutaneous Tibial Nerve Stimulation (PTNS) for bladder dysfunction. The board determined that more research on the topic is needed and agreed to review the question again at the next regularly scheduled board meeting.

The board reviewed a draft response to a question regarding whether it is within the scope of a PT's practice to perform Needle Electromyography and Nerve Conduction Studies. The board agreed with the draft response that it is within the scope of a PT's practice.

The board reviewed questions from an RN regarding a PTA's scope of practice in the Home Health setting. The board discussed and determined that the questions pertained to facility specific policies that the RN is writing. The board decided that the RN should first ask the PT/PTAs at her Home Health agency these questions and report to the board with their answers.

The board reviewed a question from a reciprocity licensee regarding acceptance of his dry needling coursework taken in another state. The licensee completed 35 total hours from 2 dry needling courses recognized by the state of Texas and had been practicing for at least 2 years. The licensee questioned whether his education would be seen as the substantial equivalent to practice dry needling here in Louisiana. The board discussed and agreed that pursuant to Rule §311(B), to have the licensee provide a letter from their residency mentor documenting a minimum of 15 hands on hours on instruction in dry needling in order to meet the substantial equivalent of the Louisiana Physical Therapy Board rule regarding dry needling.

Attorney Courtney Newton presented a draft response to Nona Sheridan's May 23, 2018 follow-up questions to the board's statement on her original correspondence dated September 16, 2017. The board reviewed the draft answers to each of Ms. Sheridan's questions regarding her concerns that physical therapists are delegating management of patient care to non-physical therapists to comply with employer policy and procedures. The board determined that if Ms. Sheridan feels there are issues concerning the care level of patients that she should submit a formal complaint for the board to investigate further. The board agreed to send the response to Ms. Sheridan.

The board reviewed request by two provisional license applicants for a refund of application fees. Wesley Nelson and Paru Shah were scheduled to take the NPTE in California with the intention and applied for a provisional license in Louisiana with the intention of working temporarily over the summer in Louisiana. However, they both decided not to withdraw their California application and so requested a refund. The board unanimously agreed not to issue a refund as the fees were for the application which the two applicants had completed and the fees were not for a license.

OLD BUSINESS

Mrs. Martin asked the board to consider whether more live Jurisprudence dates should be added to the calendar. The board agreed to add live Jurisprudences in Shreveport and New Orleans.

Chairman Cook motioned to move into Executive Session pursuant to La R.S. 42:16 for the purposes of discussing investigating proceedings regarding allegations of misconduct. Secretary/Treasurer Kleinpeter seconded the motion. The board members were all in favor to move into Executive Session.

The board exited Executive Session.

Kristina Lounsberry moved to accept the participation agreement for Elizabeth Austin (Case 2017-I-034). Chairman Cook seconded the motion. The board voted and unanimously accepted the consent order.

Judith Halverson moved to accept the voluntary surrender agreement for Daniel Henning (Case 2018-I-011). Kristina Lounsberry seconded the motion. The board voted and unanimously accepted the voluntary surrender agreement.

Kristina Lounsberry moved to accept the essay for Angela Archer (Case 2017-I-023). Judith Halverson seconded the motion. The board voted and unanimously accepted the essay.

Dr. Meredith Warner moved to accept the reimbursement request for Edwin Salutillo (Case 2017-I-038). Kristina Lounsberry seconded the motion. The board voted and unanimously accepted the reimbursement request.

Kristina Lounsberry moved to accept the essay for Edwin Salutillo (Case 2017-I-038). Dr. Meredith Warner seconded the motion. The board voted and unanimously accepted the essay.

Kristina Lounsberry moved to authorize staff to change the status of Steven Schwab (Case 2017-I-032) from suspension to probation. Dr. Meredith Warner seconded the motion. The board voted and unanimously accepted the change of status.

Kristina Lounsberry moved to accept the evaluation report for Joshua S. (Case 2017-I-030). Judith Halverson seconded the motion. The board voted and unanimously accepted the evaluation report.

Kristina Lounsberry moved to accept the participation agreement for Joshua S. (Case 2017-I-030). Judith Halverson seconded the motion. The board voted and unanimously accepted the confidential participation agreement.

Dr. Meredith Warner moved to close the unlicensed complaint against Jeffrey Miller, D.C. (Case 2017-I-035). Secretary/Treasurer Kleinpeter seconded the motion. The board voted and unanimously accepted the motion to close the complaint.

Secretary/Treasurer Kleinpeter moved to closed the unlicensed complaint against Kaleb Doshotel, D.C. and Kayla Smith, D.C. (Case 2018-I-005). Judith Halverson seconded the motion. The board voted and unanimously accepted the motion to close the complaint.

Dr. Meredith Warner moved to dismiss the unlicensed complaint against Katie Green (Case 2018-I-013). Kristina Lounsberry seconded the motion. The board voted and unanimously accepted the motion to close the complaint.

PUBLIC COMMENT

No public comment.

Chairman Cook moved to adjourn the meeting. Judith Halverson seconded the motion. The board voted and unanimously approved. The board meeting was adjourned at 10:15 p.m.