

# Louisiana Physical Therapy Board

## MINUTES Regular Scheduled Board Meeting January 31, 2019

### APPROVED

Proceedings for the Louisiana Physical Therapy Board, taken in regular session on January 31, 2019 at 2110 W Pinhook Road, Suite 202, Lafayette, LA 70508. A quorum of members were present. Board members present were: Chairman Julie Ann Harris, Secretary/Treasurer, Karl Kleinpeter, and board members Craig Prejean, Kathryn Brittain, Judith Halverson, Dr. Meredith Warner, and Melissa Cox. Advisory Committee Members present were Chris Franks, Tyra Mitchell, Marie Vazquez, and Shaina Goudeau. Charlotte Martin, Executive Director, Jessica Alwell, Assistance Executive Director, Stephanie Boudreaux, Compliance Officer, and board attorneys, Courtney P. Newton and George Papale were present.

Chairman Harris called the meeting to order at 11:29 am.

The board reviewed the agenda. The board members voted and unanimously approved the agenda as amended.

The board members reviewed the December Minutes. Secretary/Treasurer Kleinpeter moved to approve the minutes as written. Kathryn Brittain seconded the motion. The board voted and unanimously approved the minutes.

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

Chairman Harris moved to exit Executive Session. Dr. Warner seconded the motion. The board members were all in favor of exiting Executive Session.

Dr. Warner moved to approve Mr. Vishesh Singh's request to use the credentials 'BPT' behind his name with the stipulation that he must also include the disclaimer 'Not Licensed PT in Louisiana'. Kathryn Brittain seconded the motion. The board voted and unanimously approved.

Judith Halverson moved to accept the RPTP Handbook with no changes. Dr. Warner seconded the motion. The board voted and unanimously accepted the handbook.

Kathryn Brittain moved to authorize the board staff to move Pamala Hoffman from probation to active status. Craig Prejean seconded the motion. The board voted and unanimously approved.

After considering Adam Lafleur's request to modify the probation termination date of his Second Amending Consent Order and computation of time worked as a PT to remain in compliance with Paragraph F of the Second Amending Consent Order, the Louisiana Physical Therapy Board moves as follows: (1) that his probationary period terminate not before September 27, 2020 as specified in the Second Amending Consent Order; and that beginning January 31, 2019 Mr. Lafleur shall be deemed in compliance with Paragraph F of the Second Amending Consent Order for all weeks of any month during which Mr. Lafleur works as a PT, paid or unpaid, for a minimum of 80 hours that month. Craig Prejean moved to accept. Kathryn Brittain seconded the motion. The board voted and unanimously approved.

## **OFFICER REPORTS**

### Chairman Report

There was no report from the chairman at the January meeting.

### Executive Director Report

Mrs. Martin made a recommendation to the board to no longer require applicants for licensure send in a Certificate of Dean in order to be licensed in the state of Louisiana, instead relying on the applicants complete and official transcript from their educational institution. Dr. Warner motioned to accept the recommendation. Kathryn Brittain seconded the motion. The board voted and unanimously approved.

Mrs. Martin recommended that the board host a booth at the LPTA Spring meeting for 2019. Chairman Harris moved to approve this recommendation. Secretary/Treasurer Kleinpeter seconded the motion. The board voted and unanimously approved.

Mrs. Martin made a recommendation to the board to allow two staff members and a Board and Advisory Committee member host a Career Connections Booth here in Lafayette on February 19, 2019. Kathryn Brittain motioned to approved the recommendation. Chairman Harris seconded the motion. The board voted and unanimously approved.

Mrs. Martin reported that 25 license applications were approved since the last board meeting from December 3, 2018 to January 16, 2019.

For the upcoming license renewal period, Mrs. Martin reported that there are 2,367 licensees eligible for renewal. Four notices of non-renewal have been received.

Mrs. Martin reported that the board's Self-Evaluation Report was submitted to the state on January 15, 2019.

Mrs. Martin reported that there are 400 licensee records to review prior to moving forward with the next step with the Compact.

Mrs. Martin reported that the office move came in over \$5,000 under budget.

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

Currently Open (Licensees)	11
Currently Open (Non-Licensees)	2
Complaints Received	5
Informal Conferences	1
Hearings Scheduled	1
Appeals	1
Proposed Consent Order	1
<u>Closed Cases</u>	<u>2</u>
<b>Total Open Investigations:</b>	<b>13</b>

### Treasurer's Report

Secretary/Treasurer Kleinpeter presented on October and November 2018 financials. As of October 31, 2018, cash in the bank totaled \$168,671.23 in the checking and savings accounts at Farmer's Merchant Bank. Total Income was \$41,383.51 and ordinary expenses totaled \$77,554.69.

The Certificates of Deposit at Business First Bank totaled \$1,003,027.22. CD #111 ending balance was \$516,372.40 and earned \$318.33 in interest at 0.75% rate and will mature 12/09/2018. CD #054 ending balance was \$486,336.49 and earned \$459.27 in interest at a 1.150% interest rate and will mature on 05/25/2019.

As of November 30, 2018, cash in the bank totaled \$137,979.25 in the checking and savings accounts at Farmer's Merchant Bank. Total Income was \$24,047 and ordinary expenses totaled \$59,216.83.

The Certificates of Deposit at Business First Bank totaled \$1,003,831.38. CD #111 ending balance was \$517,019.87 and earned \$329.14 in interest at 0.75% rate and will mature 12/09/2018. CD #054 ending balance was \$486,811.51 and earned \$475.02 in interest at a 1.150% interest rate and will mature on 05/25/2019.

Secretary/Treasurer Kleinpeter introduced a discussion regarding proper utilization and consistency in board members filing for a per diem for work conducted for the board.

## **LEGAL REPORT**

Mrs. Newton provide the board with training regarding the hearing process.

## **COMMITTEE REPORTS**

### CEU Committee:

The CEU Committee reported that 163 courses were reviewed since the last board meeting and all 163 courses were approved. Of the 163 courses approved, 61 courses were traditional/on-side, 100 were web-based courses, and 2 were hybrid courses. Of the 163 courses approved, 151 were clinical in nature, 9 was administrative in nature, and 3 were ethics in nature. The average turn-around time for approval was 4 days.

### Jurisprudence Exam Review Committee

The Jurisprudence Exam Review Committee presented a timeline to the board regarding the ongoing work to update the test which is offered online to licensees for continuing education.

## **OLD BUSINESS**

The board reviewed a policy and procedure document in guide board and staff in licensing applicants with a criminal history. Chairman moved to accept the policy and procedure document as is. Craig Prejean seconded the motion. The board voted an unanimously accepted the policy and procedure document.

The board reviewed the Board Action Guidelines document.

## **NEW BUSINESS**

The board reviewed a CEU exemption request from Lynn Johnson for the 2019 renewal period. Dr. Warner motioned to deny the request for CEU exemption. Kathryn Brittain seconded the motion. The board voted and Secretary/Treasurer Kleinpeter abstained, the remaining members of the board all voted yay. Upon review, the board decided to deny the request for exemption to the continuing education requirements due to the fact that the licensee was granted an exemption from CEUs during the last renewal period and because the licensee was practicing approximately 5 hours per week for which the board determined that completion of CEUs would be important to maintain professional competence.

Mrs. Martin informed the board of the state's new procedure for updating professional rules. The board reviewed the Rules Change Consideration document. Chairman Harris moved to accept the Rules Change Consideration. Dr. Warner seconded the motion. The board voted an unanimously accepted the consideration.

The board reviewed a correspondence from Woody Norsworthy, PT regarding the use of CBD products or Hemp derivatives in the clinic setting. The board discussed the question and provided that 0-0.3% THC is legal and that the usage meets the definition in the FARM bill, CBD products and Hemp derivatives may be used.

The board reviewed a correspondence from Brenda Goode, RN, DON regarding a PTA taking orders from a MD. The board discussed and agreed that it is appropriate for a PTA to take orders from a MD but that the PTA should at least notify the PT of the patient's change in status and the MD's orders.

Kathryn Brittain presented the board with information regarding the state's stance on the nationally recognized opioid epidemic. Chairman Harris moved to form a committee to pursue initiatives in order to address the opioid crisis. Dr. Warner seconded the motion. The board voted and unanimously agreed to form the Opioid Alternative Committee.

The board discussed a question regarding licensees taking dry needling courses prior to the rules revision of Rule §311 which removed the two years of practice requirement prior to undertaking education. The board decided to take no action against any licensee who may have taken any dry needling courses prior to the rule change and without two years of licensed practice.

The board held elections for the positions of chairman and secretary/treasurer. The board voted unanimously for Julie Ann Harris to continue as chairman and for Karl Kleinpeter to continue as secretary/treasurer.

For 2019, the board appointed Judith Halverson and Craig Prejean to the Continuing Education Committee, Karl Kleinpeter, Phillip Page, and Julie Ann Harris to the Legislative Task Force, and Katie Brittain, Dr. Warner, and Melissa Cox to the Opioid Alternative Committee.

## **PUBLIC COMMENT**

No public comment.

Judith Halverson moved to adjourn the meeting. Craig Prejean seconded the motion. The board voted and unanimously approved. The board meeting was adjourned at 5:38pm.