

# Louisiana Physical Therapy Board

## MINUTES Regular Scheduled Board Meeting December 3, 2020

### APPROVED

Proceedings for the Louisiana Physical Therapy Board, taken in regular session on December 3, 2020 held virtually. A quorum of members were present. Board members present were: Judith Halverson, Kathryn “Katie” Brittain, Dr. Meredith Warner, John Marius, Tyra Mitchell, and Oday Lavergne. Charlotte Martin, Executive Director and Jim Raines, General Counsel were present. Members of the public were present as well, including licensee Emanuel Antunez and Advisory Committee Members Marie Vazquez Morgan, Ben McRae, and Michael Hildebrand.

Interim Chairman Judith Halverson called the meeting to order at 2:04 pm.

The board members reviewed the agenda, as written. Tyra Mitchell moved to approve the agenda. John Marius seconded the motion. The board members voted and the agenda was unanimously approved.

The board members reviewed the minutes from the November 19<sup>th</sup> and 20<sup>th</sup>, 2020 board meeting. Oday Lavergne moved to approve the minutes. Tyra Mitchell seconded the motion. The board members voted and unanimously approved the minutes.

### **Exit Interview: Emanuel Antunez**

Emanuel Antunez participated in an exit interview with the board members in anticipation of the successful completion of his probationary period.

Oday Lavergne moved to authorize the board staff to change the status of Emanuel Antunez’s physical therapy assistant license (A9255), from probation to active on December 28, 2020 upon successful completion of his probation period from his Consent Order, Case # 2017-I-036, which will end on December 27, 2020. Dr. Meredith Warner seconded the motion. The board members voted and unanimously approved the motion.

### **Officer Reports**

Interim Secretary/Treasurer presented the Treasurer’s Report to the Board.

Interim Secretary/Treasurer moved to authorize the Executive Director to fund a 12-month CD in the amount of \$775,000, which reflects one year of operating expense. To fund this account, the board authorizes cash to be moved from the checking account and combined with funds from the CD that will mature on 12/18/2020. John Marius seconded the motion. The board members voted and unanimously approved the motion.

Executive Director, Charlotte Martin provided a report to the board consisting of the following updates.

- Live Jurisprudence virtual offering
  - November meeting had 116 attendees.
  - December 10 currently has 160 registered licensees.

**Licenses Issued from August 21, 2020 through November 30, 2020**

Total: 130

PTs: 56

- New Grads: 27
- Provisionals: 2
- Reinstatement 5
- Reciprocity: 22

PTAs: 74

- New Grads: 54
- Provisionals: 3
- Reinstatement: 1
- Reciprocity: 16

**Complaints Summary**

As of 11/27/2020, last reported 09/03/2020

Currently Open: 14

- Boundaries: 10
- Fraud/Billing/Documentation: 2
- Substance Abuse: 1
- Malpractice: 1

Complaints Received: 3

Informal Conferences: 7

Hearings: 1

Proposed Consent Order/Voluntary Surrender: 3

Closed Cases: 9

- Dismissed: 5
- Board Order/Suspension: 1
- Revocation: 1
- Consent Order: 2

Monitoring Report of those who are currently disciplined was provided to the board.

**Committee Reports**

Interim Secretary/Treasurer Katie Brittain provided the following report on behalf of the CEU committee:

Total Courses Reviewed	975		
Total Courses Approved	975		
Traditional	75	Clinical	922
Web-based	899	Administrative	41
Hybrid	1	Ethics	12

Oday Lavergne provided a report on behalf of the Rules committee.

Oday Lavergne moved to dedicate one regular scheduled board meeting in 2021 to primarily discuss Physical Therapy Board Rules. John Marius seconded the motion. The board members voted and unanimously approved the motion.

The board discussed the renewal requirements for the 2022 renewal period. Jim Raines, General Counsel, advised that the authority set forth in the Governor's proclamation 159-JBE-2020, Section 6(V) provides that the Executive Director may temporarily suspend, waive, or amend a board rule or regulation that would prohibit, limit, or interfere with the licensing of healthcare professionals that are necessary to address the declared public health emergency. The Governor has instructed that "all departments, commissions, Boards, agencies and officers of the State, or any political subdivision thereof, are authorized and directed to cooperate in actions the State may take in response to the effects of this event." 159-JBE-2020, Section 11.

Oday Lavergne moved to authorize the Executive Director to temporarily suspend Rule 194.C. through the 2022 renewal cycle, which would not require a maximum number of hours for live course requirements for 2022 renewals. John Marius seconded the motion. The board voted and unanimously approved.

The board members discussed that live Jurisprudence attendance is a requirement included in some current board orders for individuals who are renewing in 2022. Interim Chairman Judith Halverson moved to allow the requirement of a live Jurisprudence on board orders to be fulfilled by attend a live Louisiana Physical Therapy Board webinar offering. Tyra Mitchell seconded the motion. The board voted and unanimously approved.

Oday Lavergne moved to authorize Rules committee members and the Executive Director to meet with stakeholders to discuss imaging in the practice of physical therapy. There was no second to the motion. Interim Chairman Judith Halverson recommended that this topic come before the board for discussion at a later date, along with research regarding imaging as it relates to patient safety, when the Rules are discussed in detail.

Katie Brittain provided a report on behalf of the Education & Outreach committee and provided a document to the board members with a 3-phase approach to completing the initiatives identified by the committee.

### **New Business**

Jim Raines, General Counsel, presented updates to the Board Policy Manual.

Interim Chairman Judith Halverson moved to accept the 2021 Policy manual and to authorize the executive director to work with general counsel to revise the policy related to licensing applicants who have military affiliation as revised in La R.S. 37:3651. Oday Lavergne seconded the motion. The board members voted and unanimously approved the motion.

Jim Raines, General Counsel, presented revisions to the licensure application form for initial license, reciprocity and reinstatement applicants.

Interim Chairman Judith Halverson moved to accept the revised application questions for the initial license, reciprocity and reinstatement application forms. Oday Lavergne seconded the motion. The board members voted and unanimously approved the motion.

Executive Director Charlotte Martin updated the board on the status of advisory committee members who currently hold positions that are expiring on 12/31/2020. Oday Lavergne moved to reappoint the advisory committee members whose terms are expiring 12/31/2020 for an additional 2 year term to expire on 12/31/2022. Tyra Mitchell seconded the motion. The board members voted and unanimously approved the motion.

Oday Lavergne moved to authorize the Executive Director to interview applicants who have shown interest in serving on the Advisory Committee in consideration of an appointment to the committee, which currently has two vacant positions. Tyra Mitchell seconded the motion. The board voted and unanimously approved the motion.

## **PUBLIC COMMENT**

Executive Director Charlotte Martin asked for clarification regarding a discussion at a prior meeting that could result in revising the template of the Wall License to include only the Executive Director's signature. The board members noted that Rule 175 (LAC 46: LIV §175.A) states that "the executive director shall issue to the applicant a license to engage in the practice of physical therapy in the State of Louisiana."

Oday Lavergne moved that the board revise the Wall License certificate to include the Executive Director's signature in compliance and consistent with Board Rule. Judith Halverson seconded the motion. The board members voted and unanimously approved the motion.

Oday Lavergne moved to adjourn the meeting. Tyra Mitchell seconded the motion. The board voted and unanimously approved. The board meeting was adjourned at 4:26pm.