

Louisiana Physical Therapy Board

MINUTES

Regular Scheduled Board Meeting & Administrative Hearing January 16, 2020

APPROVED

Proceedings for the Louisiana Physical Therapy Board, taken in regular session on January 16, 2020 at the Louisiana Physical Therapy Board, 2110 W Pinhook Rd, Suite 202, Lafayette, LA 70508. A quorum of members was present. Board members present were: Chairman Karl Kleinpeter, Secretary/Treasurer, Judith Halverson, and board members Phillip "Phil" Page, Kathryn "Katie" Brittain, and Dr. Meredith Warner. Charlotte Martin, Executive Director; Jessica Alwell, Assistant Executive Director; Stephanie Boudreaux, CEU Specialist; and Attorneys James R Raines and Celia Cangelosi were present. Public member Rudy Gomez of SSA Consultants was present.

Chairman Karl Kleinpeter called the meeting to order at 2:10 pm.

Phil Page moved to approve the agenda. Secretary/Treasurer Judith Halverson seconded the motion. The board voted and the agenda was unanimously approved.

The board reviewed the minutes from the December board meeting. Phil Page moved to accept the December 2019 minutes as written. Secretary/Treasurer Halverson seconded the motion. The board voted and unanimously approved.

SPECIAL PROGRAM

SSA Consultants representative Rudy Gomez presented the board with the final draft of Findings and Recommendations regarding Crisis Communications Engagement. Phil Page moved to accept the report as written. Secretary/Treasurer Halverson seconded the motion. The board voted and unanimously approved.

Phil Page moved to enter into Executive Session to finalize finding of facts and conclusions of law for license applicant Marshall Peak, PTA applicant to discuss professional competence, character, or physical/mental health pursuant to La R.S. 42:17 which provides justification for discussion during Executive Session. Katie Brittain seconded the motion. The board moved into Executive Session.

Phil Page moved to exit Executive Session. Dr. Warner seconded the motion. The board exited Executive Session.

Secretary/Treasurer Halverson moved that the board accepts the findings of fact and conclusions of law regarding the hearing held on December 12, 2019 on Marshall Peak. The members present were Karl Kleinpeter, Judith Halverson, Kathryn Brittain, Phillip Page, and Dr. Meredith Warner. Dr. Warner has read the transcript. Katie Brittain seconded the motion. The board voted and unanimously approved to accept Marshall Peak's order.

Phil Page moved to enter into Executive Session to finalize the findings of fact and conclusions of law for Brant Landry, Louisiana physical therapy license #06617 to discuss his character, professional competence, or physical and/or mental health, which provides justification for discussion during Executive Session pursuant to La R.S. 42:17. Katie Brittain seconded the motion. The board moved into Executive Session.

Phil Page moved to exit Executive Session. Katie Brittain seconded the motion. The board exited Executive Session.

Secretary/Treasurer Halverson moved that the board accepts the findings of fact and conclusions of law regarding the hearing held on December 12, 2019 on Brant Landry. The member's present were Karl Kleinpeter, Judith Halverson, Kathryn Brittain, Phillip Page, and Dr. Meredith Warner. Dr. Warner has read the transcript. The board approved the chair to sign the order. Katie Brittain seconded the motion. The board voted an unanimously approved Brant Landry order.

OFFICER REPORTS

Chairman Report

Chairman Kleinpeter did not have a report at this meeting.

Secretary/Treasurer Report

Cash in the bank totaled \$466,313.23 in the checking and savings accounts at Farmer's Merchant Bank. Total Income totaled \$38,690.00 and ordinary expenses totaled \$60,838.81.

The Certificates of Deposit at Business First Bank totaled \$991,746.38. CD #054 earned 543.54 interest and the ending balance was \$492,811.77. CD #045 is on a 12-month certificate term at a 1.3% interest rate. The CD will mature on 05/25/2020.

CD #025 earned interest of \$1,082.53 and the ending balance was \$498,934.61. CD #025 is on a 12-month certificate term at a 2.56% interest rate. The CD will mature on 12/18/2019.

Secretary/Treasurer Halverson presented the FY 2020-21 budget to the board. Phil Page moved to approve the annual budget as presented at the board meeting on January 16, 2020 for fiscal year 2020-2021. Katie Brittain seconded the motion. There was no public comment. The board voted and unanimously approved.

Executive Director Report

Mrs. Martin updated the board regarding the Compact Privilege holder Nigelle Williams (CP000902T). Ms. Williams completed her Jurisprudence requirement and is now compliant with Louisiana's requirements.

Phil Page moved that based upon the updated information of Compact requirements, the board takes no action against Ms. Williams on her Compact privilege.

Mrs. Martin updated the board that Compact Privileges Issued for Louisiana are as follows: 10 new compact privileges purchased since the last meeting with the total privileges purchased in Louisiana at 55.

Mrs. Martin presented the licensing report. Between December 2, 2019 and January 10, 2020, 7 licenses were issued. Of the 7 licenses issued, 6 were PTs receiving a license in Louisiana for the first time. One was a PTA reinstating a lapsed license.

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

Currently Open (Licensees)	16
Currently Open (Non-Licensees)	0
Complaints Received	4
Informal Conferences	0
Hearings Scheduled	0
Appeals	1
Proposed Consent Order	0
Closed Cases	1

Mrs. Martin updated the board on the status of the Legislative Auditor Performance Audit: Open.

The board advised that they would like HUB Enterprises to conduct upcoming monitoring visits that are due on disciplined licensees. The board will review the report of the monitoring visits at the next board meeting.

LEGAL REPORT

Mr. Raines facilitated a training on investigations using a mock case.

COMMITTEE REPORTS

CEU Committee

The CEU committee reported that 163 courses were reviewed since the last board meeting. Of these reviewed courses 163 were approved. Sixty-eight of the courses were traditional (live) and 91 were web-based (online), and 4 were hybrid-based (live and online). Of the 163 courses that were approved, 152 were clinical, 9 were administrative and 2 were Ethics. The average time for approval was 5.2 days.

LTF

Chairman Kleinpeter gave a brief update on relevant topics from the legislature.

Opioid Prevention

Katie Brittain updated the board on a committee meeting held on January 13, 2020.

UNFINISHED BUSINESS

Changes to the Participation Agreement Template were not ready for review and were moved to the next board meeting.

Secretary/Treasurer Halverson updated the board on a follow up conversation she had with the licensee who had asked the question “Can a PT technician perform transfers and transport of a patient without a clinician of any sort present? Is it within the scope of physical therapy to make recommendations for discharge for equipment and location?”

NEW BUSINESS

The board reviewed a request from a licensee for reimbursement for the license verification fee after the wrong address was mistakenly entered by the licensee “I am requesting a \$43 reimbursement for the previous verification form.” The board members discussed and denied the request.

The board reviewed a request from a licensee seeking an exemption from the CEUs hours required for the 2020 license renewal. “I am requesting a one-time [exception] to the rule concerning [exception] of continuing education hours completed just prior to receiving my Louisiana license through reciprocity from Texas. I am requesting that the hours from the 7 remaining courses, totaling 16.5 hours’ worth of CEUs, be accepted in place for my 7 hours that will be still remaining after I take the 2 hours ethics course and Jurisprudence exam.” The board members discussed and agreed that the individual’s request did not meet the requirements of an exception (LAC 46: LIV§198) to the rule based upon personal hardship.

The board reviewed a question asking “I am a physical therapist in the home health setting. Are PTs and/or PTAs allowed to perform PT/INR if training is done by the nursing director?” The board members discussed and agreed that clarification is needed before a response can be sent to this licensee. Katie Brittain will request clarification and bring more information to the next board meeting.

The board reviewed a question asking “I have a colleague that works at a public tag agency. He is asking if PTs are allowed to fill out the application for temporary/permanent handicap tags. The policy from the office of motor vehicles states that “a person licensed by the Louisiana State Board of Physical Therapy Examiners” can fill out the Certification of Mobility Impairment form. Can we do this?” The board members discussed and agreed that clarification is needed before a response can be sent to this licensee. Katie Brittain will request clarification and bring more information to the next board meeting.

PUBLIC COMMENT

No public comment.

Phil Page moved to adjourn the meeting. Katie Brittain seconded the motion. The board voted and unanimously approved. The board meeting was adjourned at 6:48 pm.