

# Louisiana Physical Therapy Board

## MINUTES

### Regular Scheduled Board Meeting September 3, 2020

#### APPROVED

Proceedings for the Louisiana Physical Therapy Board, taken in regular session on September 3, 2020 by Zoom. A quorum of members was present. Board members present were: Chairman Karl Kleinpeter Secretary/Treasurer Judith Halverson, and board members Phillip “Phil” Page, John Marius, Meredith Warner, and Oday Lavergne. Advisory Committee Members present was Ben McRae, Michael Hildebrand, and Tyra Mitchell. Charlotte Martin, Executive Director; Jessica Alwell, Assistant Executive Director; Danielle Linzer, Licensing Analyst; Stephanie Boudreaux, CEU Specialist/Compliance Officer; and Attorney James “Jim” Raines were present. Members of the public present were Tomas Bryant, Cristina Faucheux, Paul Lamothe, Mac Barrient, Monica Neal, James Sutton, JD Boudreaux, and Sarah Prejean.

Chairman Karl Kleinpeter called the meeting to order at 12:33 pm.

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

The board reviewed the minutes from the June board meeting. Phil Page moved to accept the June 2020 minutes as written. Secretary/Treasurer Judith Halverson seconded the motion. The board voted and unanimously approved.

Phil Page moved to enter Executive Session. Secretary/Treasurer seconded the motion. The board voted and unanimously approved to enter Executive Session.

Phil Page moved to exit Executive Session. Secretary/Treasurer seconded the motion. The board voted and approved to exit Executive Session.

Secretary/Treasurer Halverson moved to accept the consent order for Ryan Nogot with technical amendments. Phil Page seconded the motion. The board voted and unanimously approved.

#### UNFINISHED BUSINESS

Oday Lavergne moved to change Odie Hughes license status from probation to active. Phil Page seconded the motion. The board voted and unanimously approved.

The board discussed the renewal requirements for the 2021 renewal period. Jim Raines, General Counsel, advised that the authority set forth in the Governor’s proclamation 111-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.” 111-JBE-2020, Section 11. Phil Page moved to allow the Executive Director to temporarily suspend Rule 194.C., which would not require a maximum number of hours for live course requirements for 2021 renewals. Oday Lavergne seconded the motion. The board voted and unanimously approved.

The board discussed that live Jurisprudence attendance is a requirement included in some current board orders. Secretary/Treasurer 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. Phil Page seconded the motion. The board voted and unanimously approved.

The board reviewed the Louisiana Legislative Auditor Action plan and the Disciplinary Action Posting Policy. Oday Lavergne moved to accept the policy as written. Secretary/Treasurer Halverson seconded the motion. The board voted and unanimously approved the policy.

The board conducted an exit interview for Tomas Bryant. Oday Lavergne moved to change Mr. Bryant's license status from probation to active effective September 24, 2020. Phil Page seconded the motion. The board voted and unanimously approved.

## **OFFICER REPORTS**

### Chairman Report

No chairman report.

### Secretary/Treasurer Report

As of May 31, 2020, cash in the bank totaled \$867,176.27 in the checking and savings accounts at Farmer's Merchant Bank. Total Income totaled \$87,142.00 and ordinary expenses totaled \$42,649.05.

The Certificates of Deposit at Business First Bank totaled \$999,654.04. CD #054 earned \$529.44 interest and the ending balance was \$496,015.02. CD #054 is on a 12-month certificate term at a 0.45% interest rate. The CD will mature on 05/25/2021. CD #025 earned \$723.40 interest and the ending balance was \$503,639.02. CD #025 is on a 12-month certificate term at a 1.75% interest rate. The CD will mature on 12/18/2020.

As of June 30, 2020, cash in the bank totaled \$841,658.66 in the checking and savings accounts at Farmer's Merchant Bank. Total Income totaled \$21,287.00 and ordinary expenses totaled \$76,125.60.

The Certificates of Deposit at Business First Bank totaled \$1,000,592.21. CD #054 earned \$189.57 interest and the ending balance was \$496,204.59. CD #054 is on a 12-month certificate term at a 0.45% interest rate. The CD will mature on 05/25/2021. CD #025 earned \$748.60 interest and the ending balance was \$504,387.62. CD #025 is on a 12-month certificate term at a 1.75% interest rate. The CD will mature on 12/18/2020.

As of July 31, 2020, cash in the bank totaled \$798,953.81 in the checking and savings accounts at Farmer's Merchant Bank. Total Income totaled \$368,877.00 and ordinary expenses totaled \$53,798.23.

The Certificates of Deposit at Business First Bank totaled \$1,001,501.26. CD #054 earned \$183.53 interest and the ending balance was \$496,388.12. CD #054 is on a 12-month certificate term at a 0.45% interest rate. The CD will mature on 05/25/2021. CD #025 earned \$725.52 interest and the ending balance was \$505,113.14. CD #025 is on a 12-month certificate term at a 1.75% interest rate. The CD will mature on 12/18/2020.

Executive Director Report

Mrs. Martin presented the licensing report. Between June 11, 2020 and August 21, 2020, 74 licenses and 21 provisional licenses were issued. Two licenses were reinstated.

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

Currently Open (Licensees)	21
Currently Open (Non-Licensees)	0
Complaints Received	5
Informal Conferences	5
Hearings Scheduled	1
Appeals	0
Proposed Consent Order	1
Closed Cases	5

Mrs. Martin presented the monitoring report of licensees who are currently being monitored by the board.

**COMMITTEE REPORTS**CEU Committee

The CEU committee reported that 123 courses were reviewed since the last board meeting. Of these reviewed courses 123 were approved. Fifteen of the courses were traditional (live) and 108 were web-based (online), and 0 was hybrid-based (live and online). Of the 123 courses that were approved, 118 were clinical, 5 were administrative and 0 were Ethics. The average time for approval was 2 days.

The board received a list of approved courses.

The CEU committee reported on the 2020 Continuing Education Audit. Two-hundred forty licensees were audited. Five licensees were found to be non-compliant. Four licensees were pending response after a second notice. Two-hundred thirty-one were found to be in compliance.

The board reviewed the CEU policy.

Rules

The Rules committee updated the board that Rules §§325, 311, and 194.C are being discussed for possible updates.

Education and Outreach

The committee informed the board that the most recent committee meeting had been delayed due to Hurricane Laura. The committee intends to reschedule when all members are available.

**NEW BUSINESS**

The board reviewed a correspondence asking a question about supervision of a PT provisional licensee pending examination. The licensee asked if the “on premises” supervision requirement of 2 hours per day could be fulfilled remotely. “With COVID-19, it is difficult for facilities to allow an additional therapist into the facility strictly for supervision.” The board discussed and concluded that rules do not allow for a change to the supervision requirement.

The board reviewed a correspondence from a licensee who was licensed via reciprocity earlier in 2020. The licensee communicated that they were short the required number of hours in §311 to practice dry needling in Louisiana and due to COVID-19 had not been able to obtain the remaining needed hours. The licensee requested to be allowed to practice dry needling in Louisiana without fulfilling the requirement in Rule for 50 hours of live, face-to-face board-approved coursework. The board members discussed and it was determined that the licensee must follow the rule.

The board reviewed the Minimum Dataset questions (MDS) and assigned Advisory Committee member Tyra Mitchell to review the questions and to provide final review the questions to be included.

There was no public comment.

Phil Page moved to adjourn the meeting. John Marius seconded the motion. The board voted and unanimously approved. The board meeting was adjourned at 4:11pm.