



State of Louisiana
DEPARTMENT OF HEALTH AND HOSPITALS
Louisiana Physical Therapy Board

AGENDA
Tuesday, April 26, 2016

- 3:00pm 2015-I-029 Informal Conference (Moreau)
- 4:00pm Call to order
Review Agenda
Review Minutes from March 2016
- 4:10pm Executive Session
2014-I-011 Surrender of License (RA)
2014-I-012 Consent Order (RS)
2015-I-028 Consent Order (BK)
2016-I-002 Consent Order (SC)
Monitored Licensees
- 5:00pm Officer Reports
Chairman
Secretary/Treasurer
 Budget 2016-2017 approval
Executive Director
- 5:30pm Legal
La R.S.37:3651 Licensure for Individuals with Military Training
Rule Review §§123, 125
- 7:30pm Committee Reports
CEU Committee
LTF Update
- 8:00pm New Business
Correspondences
Exemption Requests (2016 Renewal)
Remediation Plan Request for Approval (Kristie Rose)
BPCC Request for Pre-Completion Authorization to Test
Verify the policy on licensing
Expert Witness Rates
Investigator
- 8:30pm Old Business
Wallet Cards
- 9:00pm Public comment
Adjourned

**Louisiana Physical Therapy Board
MINUTES**

**Regular Scheduled Board Meeting
Tuesday, April 26, 2016**

APPROVED

Informal Conference (2015-I-029)

Proceedings for the Louisiana Physical Therapy Board, taken in regular session on Tuesday, April 26, 2016 at 104 Fairlane Drive, Lafayette, LA 70507. A quorum of members were present. Board members present were: Chairman, Alvin "Al" C. Moreau, Secretary/Treasurer, Don Cassano, and board members Danny Landry, Elizabeth "Beth" Austin, Kristina Lounsberry and Patrick Cook. Advisory Committee Members present were Jon "Jeremy" Dye and Wayne Campbell. Charlotte Martin, Executive Director; board attorneys, Courtney P. Newton and George Papale were also present.

Chairman Moreau called the meeting to order at 4:10pm.

The board reviewed the agenda. Chairman Moreau motioned to remove the wallet card discussion from Old Business until Mrs. Martin receives more information from Covalent Logic about the website capabilities. The board voted and unanimously approved the change to the Agenda. The board members reviewed the March 2016 board meeting minutes. Beth Austin motioned to approve the minutes as amended. Kristina Lounsberry seconded the motion. The board voted and unanimously approved.

Chairman Moreau motioned to go into Executive Session to discuss sensitive information related to disciplined licensees. Don Cassano seconded the motion. All board members were in favor and entered Executive Session.

The board exited Executive Session

The board voted and unanimously approved to accept the Surrender of License (2014-I-011) agreement with Robyn Alleman (License #05219)

The board voted and unanimously approved to accept the Consent Order (2014-I-012) agreement with Rebecca Seymour (License #07641R)

The board voted and unanimously approved to amend the Consent Order (2015-I-028) agreement with Brian Knight (License #00755) to allow for random continuing education audits for a time period that would extend beyond the probationary period. Upon agreement to the amendment, the board accepts the Consent Order agreement.

The board voted and unanimously approved to accept the Consent Order (2016-I-002) agreement with Sacha Comeaux (License #07048)

OFFICER REPORTSChairman's Report

Chairman Moreau updated the board on a recent request from the Louisiana State Board of Chiropractic Examiners. A LSBCE board member verbally requested that the LPTB issue cease and desist letters directly to LSBCE licensees when the LPTB receives complaints related to title protected terms. This request is in direct conflict with the LPTB Practice Act (La. R.S. 37:§2422.A.) which specifically states that prior to issuing a Cease and Desist Order, the LPTB shall send the director of the board which issued a license to that person notice for review and response. Mrs. Martin requested that the LSBCE submit the request to bypass this process in writing. The board requested that Mrs. Martin submit a second letter specifying a timeline for a response from the LSBCE.

Secretary/Treasurer's Report

Cash in the bank totaled \$535,124.70. The checking account at Chase Bank totaled \$1,195.04 and the account at FM Bank totaled \$533,929.66. Total Income for March 2016 totaled \$365,894.96 and ordinary expenses totaled \$52,112.40.

The two Certificates of Deposit total \$502,587.73. The CD at Business First Bank earned \$287.60 in interest between 3/01/2016 - 3/31/2016. The ending balance as of 3/31/2016 was \$300,575.10. The CD matures February 2017. The CD at Lakeside Bank earned \$102.36 in interest between 3/01/2016-3/31/2016. The ending balance as of 3/31/2016 was \$202,012.63. The CD matures on April 15, 2016 and we have notified the bank to withdraw our funds. We plan to invest the money in a CD at Business First Bank.

The board reviewed the FY 2016-2017 operating budget. The board voted and unanimously approved.

The board requested that Mrs. Martin reserve four months of operating cash in checking and savings accounts and invest the remaining amount of cash in CDs at the highest interest possible for 12 months.

Executive Director's Report

Mrs. Martin provided an status update of the website and current work being completed by Covalent Logic.

Mrs. Martin reported that seven initial applications were approved since the last board meeting. The initial applicants approved are as follows:

Naimah Butler, PT, Reciprocity
Dennis Fredette, PT, Reciprocity
Kayla Rosen, PT, Reciprocity
Emily Starks, PT, Reciprocity
Devin Bumpers, PTA, Reciprocity
April Burney, PTA, New Graduate
Flavia Pires, PTA, New Graduate

Mrs. Martin reported on the 2016 Renewals status:

Total Renewals to date: 2,011

February Renewals: 460

March Renewals: 1,488

April Renewals: 63

Notice of non-renewal: 88

Licensees who will expire on 4/30/16 if they do not renew: 109

LEGAL REPORT

General Counsel, George Papale reviewed La R.S.37:3651, licensure for Individuals with Military Training, with the board and provided a historical account of LPTB discussions. Mr. Papale recommended language to be promulgated in Rule during the next Rules Revision submission.

Complaint Summary

Current Investigations: 6

Complaints Received in April: 1

Informal Conferences in April: 1

Hearings Scheduled: 1 (May)

Consent Order/Voluntary Surrender: 4

Closed Cases: 5 (3 Consent Order, 1 Voluntary Surrender, 1 Dismissed)

Board Attorney, Courtney Newton provided an update on the Emergency Rule process to the board, as requested at the March board meeting.

The board reviewed Rule §123. Definitions. Chairman Moreau motioned to move the review the remainder of Rule §123 and Rule §125 and §335 to the May board meeting, to allow the board to remain within the time scheduled on the agenda. The board unanimously approved.

COMMITTEE REPORTSCEU Committee

The board reviewed a request from John Ware, PT, inquiring about a course titled "Emotional Freedom Release (Meridian Tapping)." A board member was assigned to respond to his inquiry.

The board reviewed an exemption request from Derek Huff of Herman & Wallace Pelvic Rehab Institute. Mr. Huff is requesting that a 2015 Pelvic Floor Level 2 course application be reviewed and approved in the current calendar year (2016). The board referenced Rule §193.C. and determined that the exception has been made for course sponsors when their course was previously approved and was displayed as an approved course in prior year. The board voted and Beth Austin, Kristina Lounsberry, Al Moreau, Don Cassano and Patrick Cook were against reviewing the course for approval. Danny Landry voted for review and approval. The course will not be reviewed retroactively.

LTF (Legislative Taskforce) Update

Chairman Moreau provided an update to the board on SB291, relative to Patient Access for Physical Therapy services.

Chairman Moreau provided an update on a letter received by the Louisiana State Medical Board of Examiners (LSBME) related to Athletic Trainers working in physical therapy clinics. The LPTB responded to the letter and is currently awaiting a response from the LSBME.

NEW BUSINESSCorrespondences

April Brown, PT, DPT, MSCI submitted a question to the board related to the educational hours for dry needling. The board requested that Mrs. Martin gather more information prior to the May board meeting.

Chris Giveans, PTA requested that the board explain the purpose of why the Rule §181 requires that licensees pay a different sum for renewal applications submitted in April. A board member was assigned to respond to his inquiry.

Clay Lanford, CATS/RRR submitted a question to the board asking, in a SNF, if there is a patient that needs to be seen in the am and pm, secondary to tolerance and endurance, there are two encounters for that patient on the same day. Lanford asks if each encounter should count as a visit toward the therapist 6th visit requirement, or just total one visit for the day. Mrs. Martin will respond to Mr. Lanford to clarify.

Melissa Morton, RN, submitted a question to the board proposing that a PTA be able to assist a registered nurse in gathering data related to the CMS mandated Care Data Sets in the hospital setting. The area of mobility is assessed by an RN at this time. She is requesting to consult a PT or a PTA for assistance during the admission process. A board member was assigned to speak with Ms. Morton to gather more information.

Renee Davis, PT, DPT, MTC asked the board a question related to frequency of therapy and “minimum of” orders. The board discussed the inquiry and agrees that the Plan of Care is determined by the treating Physical Therapist R.S.2407, §303 and §341.

Amelia Leonardi requested that the board provide clarification on Rule §335.A.2. Prior to providing an official board response to Ms. Leonardi, Chairman Moreau requested that the board discuss Rule §§335, 337, and 123 (Definition of Continuous Supervision) in detail at the regularly scheduled board meeting in May 2016.

Exemption Requests (2016 Renewal)

Christian Bourgeois requested a refund of the \$170 fee for renewing in April, pursuant to Rule §181, after attempting to renew on March 31, 2016 and not being able to select a course that was approved and had been confirmed approved during his interview for licensure and subsequently when he submitted course completion certificates to the board months in advance. After receiving documented evidence, the board approved a refund of \$170.

Deb Rathe, PTA requested an exemption pursuant to Rule §198 for personal hardship. The written request for exemption was not submitted 45 days prior to the end of the renewal period for which the exemption is sought, nor immediately after the licensee becomes aware of the facts or circumstances upon which the exemption is sought, whichever is later as is required by Rule §198.C. The board requested that Mrs. Martin contact Ms. Rathe to learn of what CEUs she completed prior to considering an extension; however, if she did not make an effort to complete CEUs then an exception would not be considered.

Eric Fisher, PT, EMT-P requested an exception to be made which would allow him to bypass the requirements of §194, using Louisiana “board-approved” courses for the purpose of license renewal. The board members voted and unanimously denied the request.

Darwin Fontenot requested a refund of the \$170 fee for renewing in April, pursuant to Rule §181, due to recently being made aware that the live course he would be taking in late-March is actually not Louisiana-approved. The board members voted and unanimously denied the request.

Jan Krennerich, PT requested approval for courses to be reviewed outside the course reviewing period for individual course approval for courses taken more than 90 days prior to submitting course applications and for courses submitted within 30 days of renewing her license. The board members voted and unanimously denied the request.

Bradley McClary, PTA requested a refund of the \$170 late fee for renewing in April, pursuant to Rule §181, due to personal hardship. The board members voted and unanimously denied the request.

Beth Ward, PT, requested a personal hardship waiver to extend the period of time to renew her license without penalty. Ms. Ward is requesting a 2 month extension to complete continuing education. The board members voted and unanimously approved the request.

Kristie Christ requested approval of a written remediation plan for the NPTAE, pursuant to Rule §171.C.1. The board members voted and unanimously approved the remediation plan.

Laura Bryant submitted a request for the board to consider language and/or procedural change that would allow Bossier Parish Community College PTA summer graduates to be able to apply for and sit for the July 6, 2016 licensure examination. The board members reviewed Rule §517 and confirmed that all clinical experience must be complete prior to being made eligible for examination. For the July 6, 2016 test date, all clinical internships of the BPCCC PTA students will need to be complete by the jurisdiction approval deadline, which is June 8, 2016. The board asked Mrs. Martin to respond to Ms. Bryant.

Tony McCoy provided his resume for board review in consideration of Investigator contracted services on an as-needed basis. The board members reviewed Mr. McCoy's credentials and approved entering into a contract with Mr. McCoy for Investigator services for the fiscal year 2016-17.

The board discussed the policy on licensing and provided guidance on background check guidelines.

The board voted on expert witness reimbursement and service rates as follows: preparation time will be paid at a rate of \$75 per hour for a limited number of hours, as agreed upon ahead of time; testimony at a hearing and deposition time will be paid at a rate of \$150 per hour; and travel will be reimbursed at the state rate for mileage, actual cost of meals not to exceed per diem rates, and the cost of the hotel room accommodation not to exceed the state rate.

The board discussed Trinity Holistic correspondence and a letter requesting a response from the Board.

OLD BUSINESS

No old business was discussed

PUBLIC COMMENT

No public comment.

Chairman Moreau moved to adjourn the meeting at 10:30pm. All board members were in favor.