



State of Louisiana
Department of Health and Hospitals
Louisiana Physical Therapy Board
104 Fairlane Drive, Lafayette, Louisiana 70507
337/262-1043 FAX 337/262-1054

- 9:30AM **Agenda Review**
Call to Order, Al Moreau, III
- 9:35AM **Minutes**
- 9:45AM **Reports of Officers/Board Office**
Chairman's Report, Al Moreau, III
Secretary/Treasurer's Report, Danny P. Landry
Executive Director's Report, Charlotte Martin
- 10:45AM **Reports of Special Committees**
Continuing Education Committee, Elizabeth Austin
Legislative Task Force, Al Moreau, III
- 11:00AM **Reports of Legal Matters**
Attorney Reports, George Papale
Attorney Reports, Courtney P. Newton
- 12:00PM Working Lunch
- 1:00PM **Special Orders**
Website Update
- 1:30PM **Unfinished Business**
- 2:30PM **New Business**
- 3:00PM **Programs**
- 3:30PM **Adjourned**

LOUISIANA PHYSICAL THERAPY BOARD

December 4, 2014

APPROVED

Proceedings for the Louisiana Physical Therapy Board, taken in regular session on Thursday December 4, 2014 at 104 Fairlane Drive, Lafayette, LA 70507. A quorum of members was present. Board members present were: Chairman Al Moreau, III, Secretary/Treasurer Danny P. Landry, Don Cassano, Jr., Kristina Lounsberry, Elizabeth "Beth" Austin, and Susan "Sue" Bartol. Dr. Gerald Leglue, MD was absent. Advisory committee members present were Nicholas Butler and Armafe Veneracion. Charlotte Martin, Executive Director, George Papale, General Counsel, and Courtney P. Newton, Attorney were also present.

The meeting was called to order at 9:30 a.m.

Review of Agenda

Chairman Moreau asked the members of the board to review the agenda and submit requests, if any, for changes. The agenda was revised to include Advisory Committee Nominations in Special Reports. The agenda was approved, as revised.

Approval of Minutes

Secretary/Treasurer Landry reviewed the minutes from the October 2014 board meeting and the Special Board Meeting held November 3, 2014. The board voted and the minutes were unanimously approved.

Chairman's Report

Chairman Moreau provided the board with an update on the Dry Needling Attorney General Opinion Request form the LSBME. Secretary/Treasurer Danny P. Landry moved to submit a public records request from the Attorney General regarding a copy of the opinion prepared but not published in response to the request for an advisory opinion regarding physical therapy dry needling by LSBME. The motion was seconded by Elizabeth Austin. The board voted and the motion was unanimously approved.

Secretary/Treasurer Danny P. Landry moved to form a committee with the authority to request an advisory opinion regarding physical therapy dry needling in Louisiana. Attorney General Committee members include Don Cassano, Danny Landry and Al Moreau. The motion was seconded by Elizabeth Austin. The board voted and the motion was unanimously approved.

LSU HSC Shreveport Course update. Survey was sent out and the PowerPoint will be revised based on the feedback from surveys. We will reach out to New Orleans PT program and talk to them about it. Change the PTA presentation to have more interactive cues.

Treasurer's Report

October 2014

Secretary/Treasurer Landry presented the cash in the bank for the month of October 2014 totaled \$128,715.55. He reported that the income for October 2014 totaled \$17,355.20 and expenses

totaled \$85,709.88. The two Certificates of Deposit at the Bank of Montgomery totaled \$713,892.69 at the end of October. The Business Savings account at Chase Bank was \$202,529.38.

November 2014

Secretary/Treasurer Landry presented the cash in the bank for the month of November 2014 totaled \$98,170.79. He reported that the income for November 2014 totaled \$14,343.37 and expenses totaled \$38,417.94. The two Certificates of Deposit at the Bank of Montgomery totaled \$714,194.48 at the end of November. The Business Savings account at Chase Bank was \$202,534.03.

Secretary/Treasurer Landry reported that the Certificate of Deposit totaling \$200,752.01 will mature on 12/18/14. Chairman Al Moreau motioned to have a standing policy of getting three quotes for approval of certificates of deposit and choosing the best rates and terms at the time of renewal. Final decision to be made by the Secretary/Treasurer and Executive Director jointly at that time. The motion was seconded by Secretary/Treasurer Danny P. Landry. The board voted and approved the motion unanimously.

Secretary/Treasurer Landry reported that the other post-employment benefits (OPEB) line item in the budget is currently being reported on annually in the budget. The board determined that this line item in the budget needs to change monthly.

Executive Director's Report

Executive Director Charlotte Martin provided a licensing update to the board, showing how many physical therapy and physical therapy assistant licenses were issued by examination, reciprocity and foreign educated applicants.

Executive Director Charlotte Martin presented a 2015 Calendar for the board to review, including potential traveling Jurisprudence seminar dates and board meeting dates. The board requested to review this in depth and approve the calendar at the next board meeting.

Executive Director Charlotte Martin reported to the board that she is ready to begin the search for the Executive Assistant (aka Assistant Executive Director). Chairman Al Moreau motioned to begin the search for the Executive Assistant for the LPTB. Charlotte Martin will begin search after vetting candidates and will present the top three to five candidates to be interviewed by board members. The motion was seconded by Secretary/Treasurer Danny Landry. The board voted and the motion was approved unanimously.

Special Committees Report

Continuing Education Committee

Elizabeth Austin reported on the number of continuing education courses that were approved, denied and pending for the month.

Kristina Lounsberry notified the board that there is a discrepancy in the number of hours approved on a course. She recommended that Mrs. Martin send a mass email to licensees letting

them know. Mrs. Martin will wait for Kristina Lounsberry to confirm that a mass email should go out to licensees and then will send notification.

Kristina Lounsberry advised the board that there have been discrepancies in the requested approval hours for courses from Advanced CEUs. She has attempted to contact the course provider and has requested the ability to review a sample course. This has not yet been provided. Advertised hours on Advanced CEUs website are greater than those awarded by the board. This will be investigated further and a mass email will be sent to licensees with the final determination.

Executive Director Charlotte Martin asked for clarification from the board and from legal regarding Continuing Education requirements for individuals applying for licensure through reciprocity. General Counsel George Papale cautioned the board about pinpointing continuing education requirements to determine if another state is substantially equivalent to Louisiana. He recommended that the board enforce Rule §145.D. in determining that if the applicant was in good standing with the continuing education requirements of the applicants' license state for the past 24 months, then that would fulfill the requirement to meet the continuing education requirement for obtaining initial licensure in Louisiana. The board asked Mrs. Martin to communicate this to licensees who are applying/have recently applied through reciprocity.

Legislative Taskforce

Don Cassano is now added as a member of the Legislative Taskforce. The Legislative Taskforce for 2015 is made up of board members: Al Moreau, III; Danny Landry and Donald Cassano, Jr. Non-board member members of the Legislative Taskforce include Advisory Committee Member Patrick Cook, Attorney Courtney P. Newton, and Executive Director Charlotte F. Martin.

Chairman Al Moreau provided a Direct Access Resolution update to the board. Chairman Moreau scheduled a board vote for the January board meeting to determine if the board will pursue a resolution or not. Board members were asked to email Executive Director Charlotte Martin questions that they have regarding the resolution.

Chairman Al Moreau updated the board on his and Mrs. Martin's efforts to schedule a meeting with Senator Troy Brown to discuss the resolution with him. Mrs. Martin will continue to reach out to Senator Brown's office to schedule a meeting to discuss the resolution discussion with Senator Mills.

Attorney Courtney Newton updated the board on the conversation she had with Senator Mills' legislative staff member, Chris Adams. Mrs. Newton recommended that the board draft firm questions for Senator Mills prior to determine the composition of the committee.

Chairman Al Moreau reported to the board that the legislative taskforce plans to schedule a meeting with Patrick Cook, Advisory Committee member in January 2015 to provide an orientation in preparation for this year's legislative session. Chairman Moreau requested that the legislative task force members be invited to the meeting, as well as Cristina Fauchaux.

Chairman Al Moreau, III welcomed Cristina Faucheux from the Louisiana Physical Therapy Association and thanked her for attending the meeting. Cristina Faucheux updated the Board on recent LPTA efforts prior to this legislative session. The LPTA is concerned that the board may impede the LPTA's efforts if the Board moves forward with a Resolution at this time. The board will vote regarding moving forward with the Resolution, or not, at the next board meeting.

Legal Reports

General Counsel George Papale discussed his conversation with Executive Director Charlotte Martin regarding Hearing Officer Expectations. The board reviewed the expectations list prepared by Mr. Papale and approved. Mrs. Martin will send the prepared expectations to the AG's office.

Chairman Al Moreau presented the final findings of fact from the David Conerly hearing held in September 2014. The board voted and accepted the findings of fact as written. Mrs. Martin will notify Mr. Conerly of the determination by the board and provide language from legal counsel on Mr. Conerly's options for appeal.

Chairman Al Moreau presented a Consent Order to be reviewed by the board on licensee Emmanuel Adeyanju, License No. 03062F. The board voted and unanimously accepted the consent order as written and signed.

Chairman Al Moreau presented an Amending Consent Order to be reviewed by the board on licensee David Watkins, License No. A4091. The Amending Consent Order includes provisions for abstaining from alcohol, in addition to controlled dangerous substances, during his probationary period. The board voted and unanimously accepted the Amending Consent Order.

Special Orders

Executive Director Charlotte Martin provided an update on the status of the upgrading of the current LPTB website. Mrs. Martin stated that the project is on hold to ensure that the LPTB is in compliance with all state requirements. Mrs. Martin and Attorney Courtney Newton met with the state contacts in the contracts division to resolve the current issues with the state contract and to continue moving forward. Mrs. Newton and Mrs. Martin are working closely with the vendor and the state to determine if the services can be approved through a purchase order, which would allow the vendor to move forward quickly, as this is considered by the LPTB to be an emergency situation. Mrs. Martin also mentioned that when working with vendors there are unexpected costs associated with the technology. Chairman Al Moreau motioned to allow Charlotte Martin to approve and pay for services performed by Covalent Logic in relation to the website outside the scope of the contract/in addition to the scope of the contract as long as the contract amount is not exceeded. Sue Bartol seconded the motion. The board voted and the motion was approved unanimously.

Executive Director Charlotte Martin provided a list of four Advisory Committee terms that will be ending December 31, 2014: Nicholas Butler, Kevin Touchet, Armafe Veneracion, and Wayne Campbell. Mrs. Martin will work on nominations to the committee for the January Board Meeting. The board discussed ways to communicate the vacancies on the committee and

determined that it should be announced at the traveling Jurisprudence seminars and included in the printed newsletter.

Unfinished Business

Kristina Lounsberry provided an update to the board regarding the website of Unitech. The Unitech advertisement for Physical Therapy Assistants is actually a link to an external website that is linked to a government site. They will have to drop the link all together because the government will not edit it from Physical Therapy Assistant to Physical Therapy Technician. Kristina Lounsberry will request the link to be removed.

Monitoring Consent Orders

Ashley Wilkinson, PTA asks if her probation period must be extended during period of working less than 20 hours prior to finding he first job after her suspension period. She requested that this be waived and her period of extension occur only if she loses a job once she gets one. The board will not grant this request.

Ashley Wilkinson, PTA asks if the board is aware of companies that help disciplined licensees find a job? The board does not know of any companies that assist disciplined licensees with finding employment.

Ashley Wilkinson, PTA asks if the board can perform hair tests instead of urine tests for testing for controlled substances and alcohol as a way to test less frequently and save on costs. The board will not grant this request.

David Watkins, PTA asks if the board will set up a credit line for his drug tests. He will enter into a payment plan with the board. The board voted and approved this request for a \$500 credit to be granted for six months, then to be repaid.

Ryan Roussel, PT asks if he can treat female patients if he is not performing physical therapy treatment. In other words, if he is doing duties similar to what a tech would be able to do can he help out in the clinic on female patients. The board will not grant this request.

Mrs. Martin reported that Todd Rodrigue and Laura Briggs, licensees who did not renew in a timeline manner and entered into an informal consent order with the board, have completed all requirements of the informal consent order. Susan Bartol provided review of the materials and determined that the requirements have been fulfilled.

Maisie Hargett, PT submitted version two of her essay requirement from her Board Order. The board approved the essay as it is written.

New Business

Correspondences

The board voted on the question: Can a PTA do an objective screen on a patient and report back to the PT to determine if the PT needs to treat the patient. Al Moreau, Danny Landry, Elizabeth Austin, Don Cassano and Kristina Lounsberry voted yes. Susan Bartol was opposed.

Sheila Crockett asked, "I'm wondering if a PTA can perform manual lumbar traction on a patient or is that limited to the physical therapist?" The board will research it further bringing in information from APTA and AOMPT.

ATC Declaratory Statements:

A Report was provided from the Special Committee made up of Kristina Lounsberry, Donald Cassano and Danny Landry. The committee reported that three statements will be released, pertaining to the following: 1) PT in Sports Medicine, 2) PT in a PT Clinic, and 3) Wellness. Kristina Lounsberry motioned to accept the declaratory statements regarding "physical therapy in sports medicine," "athletic trainers in a physical therapy clinic" and "physical therapy and wellness." Al Moreau seconded the motion. The board voted and the motion was approved unanimously. The committee will revise the statements and present them to the board at the next board meeting.

Executive Session

The board voted to move into Executive Session to discuss Executive Director Charlotte Martin's performance review. All voted and approved unanimously. The board also voted to let the Advisory Members remain in the room for Executive Session. The board voted and approved unanimously.

Programs

Chairman Moreau welcomed Melissa Campbell from Peak Media and her staff to the board office. Peak Media presented to the board regarding the Public Service announcement.

The board formed a PSA committee to be made up of Chairman Al Moreau, Secretary/Treasurer Danny P. Landry, and Don Cassano, Jr.

Susan Bartol motioned to accept Peak Media as agency to develop and manage the LPTB's PSA pending the PSA committee's approval of Peak Media's proposed budget for the project. Don Cassano seconded the motion. The board voted and the motion was passed unanimously.

The meeting was adjourned at 4:07pm.