



State of Louisiana  
Department of Health and Hospitals

## *Board of Physical Therapy Examiners*

104 Fairlane Drive, Lafayette, LA 70507 (337) 262-1043 FAX (337) 262-1054

### **February 24, 2010**

- 6:30 Call Meeting to order
- 6:45 Minutes of January 2010 meeting
- 7:00 Meeting with Clay Cocke
- 7:30 Reports
  - Chairman's Report
  - Treasurer's Report
    - Jan 2010 actual vs budget
    - Securities FY 09/10
  - Executive Director's Report
    - Policy for expense reimbursement
    - Contracts
    - Online Jurisprudence and Webpage
    - Louisiana College PTA students - permits
    - Newsletter - Haiti
    - Act 12 accountability and transparency
    - Ethics course - LSUNO
    - Policy for course approval
    - Contracting for Fiber service
- 8:30 Rules and Regulations Update
  - Task Tracker
- 10:00 Unfinished Business
- Recess for the evening

### **February 25, 2010**

- 8:30 Legal
- 9:00 Formal Hearing, Stacey Andrus, PTA
- 10:00 New Business
  - Correspondence
  - Online PTA program
  - Delgado PTA class with Board
  - F Y I
  - FSBPT letter
  - SNF PTA supervision example Question
  - Re dry needling
  - PT with delegated authority
  - podiatry scope of practice
- 10:30 Monitor disciplined therapists
- 11:30 Board monthly call discussion
  - Questions - Teresa
- 12:00 Lunch
- 1:00 Investigation Summary Reports (one-on-one meetings)
- 2:30 Work Session ~ CEU review

Proceedings for the Louisiana Physical Therapy Board, taken in regular session on February 24 & 25, 2010, at 104 Fairlane Drive, Lafayette, LA 70507. Dan Wood, Chairman, called the meeting to order at 6:30. A quorum of members was present. Board members present were: Dan Wood, Jerry Jones, Jr., Al Moreau, Jr., Teresa Maize, Lacie Alfonso, and Dee Cochran. Cheryl Gaudin, Executive Director, and Glenn Ducote, Legal counsel were present.

Joe Shine, Vice President of LPTA and liaison to the Physical Therapy Board, and Danny Landry, PTA former Advisory Committee Member were present.

7:00 pm Meeting with Clay Cocke. Board discussion with Cocke regarding terms of his Consent Order which are deficient in compliance. Deficient paragraphs B, C, D, E, F and K. Clay provided the board with a letter from Melinda Rome, PT Touro Infirmary Human Resources Department, Director of Therapy Services and his direct supervisor indicating acknowledgement of the terms of His Consent Order.

### **ADOPTION OF MINUTES OF PREVIOUS MEETING**

The minutes of the January 2010 board meeting were read and accepted as written.

### **REPORTS**

#### **CHAIRMAN'S REPORT**

Dan Wood reported board attendance at the Federation of Association of Regulatory Boards Annual Meeting.

Welcome to Donna "Dee" Cochran's appointment to the board as the Louisiana Physical Therapy Association representative.

Reported Board representatives attending the LPTA Spring Meeting in Bossier City to respond to questions regarding proposed rules and timelines. 11

#### **TREASURER'S REPORT**

Cash on hand for the month of January was \$895,889.35. Receipts totaled \$13,833.46 and expenses reported for the month of January were \$36,580.54.

Motion was by Teresa Maize, seconded by Dee Cochran, to accept the Treasurer's Report as given.

#### **EXECUTIVE DIRECTOR REPORT**

The board reviewed and modified the policy/procedure for expense reimbursement for travel, meals, and mileage.

Proposed contracts FY 10/11 were reviewed by the board. The board elected to enter into a contract with Lafayette Websites, Inc. for web and computer consulting, HUB Enterprises, Inc. for investigation assistance on an as needed basis, Elaine Hudson Richard, CPA for accounting consultation, and Dr. Glenn Alley, Dr. Salcedo, Dr. Davis for psychological testing of disciplined licensees on an as needed basis.

The webpage was updated to reflect the board's new name as defined by statute that went into effect on January 1, 2010. The online jurisprudence was updated to reflect the correct corresponding statute responses.

The Louisiana College PTA program should receive CAPTE accreditation just prior to graduation. If students complete the program prior to accreditation of the program, a temporary permit may not be issued until accreditation of the program. This information will be conveyed to the students by Jerry Jones when conducting the group interview scheduled for March 4<sup>th</sup>.

Staff was notified by a licensee of volunteer physical therapists who are traveling to Haiti to assist in treatment of injured people in recovery. A suggestion was made to include an article in the upcoming newsletter listing those PT licensees who have volunteered their time to help the people in Haiti. The board agreed to add an article to the next newsletter.

The Division of Administration developed an online system required by Act 12 for accountability and transparency for regulatory boards and commissions. The Executive Director will input required data regarding the statutory authority, financial and budget information, contact information, member information, employee information, rules, regulations and procedures of the board.

Tina Gualdo, Advisory Committee Member requested the board's opinion as to whether LSU Physical Therapy New Orleans campus could develop an Ethics continuing education course for approval by the board as requirement of an ethics course is included in the proposed rule language. The board determined this was an excellent idea.

An issue has been identified with the approval of continuing education courses in the consistency of review criteria. Teresa Maize and Dee Cochran will lead a task force and draft a Policy and Procedure for review of criteria required for approval.

Proposals for contracting for fiber optic internet bandwidth were presented to the board for consideration. Bids were received from two providers: Network USA, LLC and GLOBAL Data Systems, Inc. The issue was tabled until later.

The meeting was recessed for the evening at 10:30 pm.

The meeting was reconvened on Thursday, February 25<sup>th</sup> at 8:30 a.m. A quorum of members was present. Board members present were: Dan Wood, Jerry Jones, Jr., Al Moreau, Jr., Teresa Maize, and Dee Cochran. Cheryl Gaudin, Executive Director, Glenn Ducote, Legal Counsel, George Papale was present. Danny Landry was also present.

A Formal Hearing was held at 9:00 a.m. for Stacey Andrus, PTA. Donna from Lori Court Reporters was present as transcriptionist for the hearing. After discussion by the board, the following conditions are required for licensure:

(1) Have physical, psychological and substance abuse evaluations conducted by Board designated professionals at Ms Andrus expense;

(2) Provide releases for Ms Andrus prior medical records for review by Board consultant;

(3) Statements from Ms Andrus last two supervising physical therapists;

(4) Statement from Reliant Home Health on her service and consequences of her conduct; (5) begin random drugs screens and NA or AA now until further notice at Ms Andrus expense;

(6) NC/C records check. If above are satisfactory to the Board representative, then allow her to sit for the NPTE. If she passes the NPTE, then subject Ms Andrus to these restrictions:

1. Five year probation with practice monitoring and random drug screens,

2. No employment in home health,

3. Participation in 12 step program with documentation,

4. Provide noticed to employers of prior consent order and current consent order,

5. Complete each year a continuing education course in ethics approved in advance by the executive director.

Motion was made by Teresa Maize, seconded by Dee Cochran: "to accept the proposed restrictions/stipulations presented regarding re-licensure for Stacey Andrus." All in favor was Dan Wood, Jerry Jones, Al Moreau, Dee Cochran, and Teresa Maize. No one opposed the motion.

## **UNFINISHED BUSINESS**

Review of the Power Point presentation developed for edits and/or additions. A suggestion was to include scenarios for students to review and propose disciplinary action for consideration. Glenn Ducote will draft four scenarios to be used.

## **TASK TRACKER**

Staff responded to Beth Winkler-Schmitt's question if a physician orders physical therapy, is there an ethical issue billing their insurance carriers? The response indicated it is not an ethical issue to bill the insurance carrier with a physician's order.

Staff responded to Jan Dommerholt request for confirmation from the Louisiana Board that trigger point dry needling is within the scope of practice for physical therapists in Louisiana.

Staff responded to Kevin Sellers request for clarification that trigger point dry needling is within the scope of practice for physical therapists in the state of Louisiana.

## **LEGAL**

### **RULES UPDATE**

Attorney and staff are still working on proposed language for Trigger Point Dry Needling.

### **MONITORING DISCIPLINED THERAPISTS**

Blanket substance test for all disciplinary licensees within their consent orders with the board.

Clair Joiner forwarding sign in sheets monthly according to terms of consent order.

Glenn Ducote will forward a letter to Amy Stewart requesting a policy to prevent error of six visit supervision again.

Dan Wood monitored Dwayne Hogan in November. Need monitor report.

Glenn Ducote will subpoena the records from Catherine Nelson. Teresa Maize attempted to conduct a monitor visit with Nelson, but was denied access to any records.

## **NEW BUSINESS**

Received notice from Office of the Governor, Boards and Commissions indicating the appointment of Donna "Dee" Cochran as the LPTA representative appointed to the board.

## **CORRESPONDENCE**

The board reviewed the San Juan Physical Therapist Assistant online program in New Mexico accredited by CAPTE. Part of the program requires onsite participation and requires clinical rotations.

Amelia Leonardo requested scheduling a date for the board presentation to the PTA student. Teresa Maize will present to the LSU New Orleans PTs and Delgado PTA students at the same time.

Tara Roberts, PT posed a scenario illustrating when PTs and PTAs are practicing. The questions surrounded supervision and sixth visits. Jerry Jones will contact Roberts to discuss her questions.

Mr. Jan Dommerholt reported he was pleased to hear the La board determined trigger point dry needling was within the scope of practice for physical therapists, however, he wanted to alert us to anticipate the AAAOM (American Association of Acupuncture and Oriental Medicine) will likely file a protest letter as they have done in nearly every other state when dry needling was approved for PT.

Amelia Embley, PT submitted the following scenario for review and opinion by the board. On the acute unit, the orthopedists wanted to allow Physical therapy to order Occupational therapy per delegated authority via our computer documentation. This idea was meant to address several patients who were being admitted to SNF and Rehab units without OT consults. The physician's would like to find a way that PT can obtain a consult for OT or ST if needed to ensure the pt's get the services they need in their short time on acute now that the length of stay is being monitored so closely. Is this acceptable or is there any way to obtain the same end result through a different method?

Kitty Brown, PT, OCS recanted a recent conversation with a Louisiana podiatrist that motivated her to explore the scope of practice of podiatry in the State of Louisiana. The Board website responsible for licensure of podiatrists does not easily display their current Practice Act. I am aware of recent expansions of their practice to include the ankle or regions distal to the tibia tuberosity, but additional clarification is needed especially when podiatrists are increasingly expanding their practices to include physical therapy. Staff will respond to Ms Brown.

### **BOARD MONTHLY CALL DISCUSSION**

Mark Siegel has a script from a physician for a patient indicating treatment for two weeks. After evaluation of patient, he indicated in his plan of care his recommendation for eight weeks treatment and the doctor signed off on the plan of care. Does he have to obtain a script from the doctor for the balance of six wks per our rules or is this just for reimbursement.

Kim Waguespack has an existing patient with a plan of care. The patient presents for wound care treatment. Must she perform and document a separate evaluation for the wound care? Or can this be addressed in a reassessment?

Kathy Scott, a licensed clinical social worker asked if it is within the scope of practice for a PT to perform internal vaginal treatment.

The Board recessed to conduct one-on-one review of complaints with individual board members.

### **WORK SESSION CONTINUING EDUCATION REVIEW**

The board adjourned at 5:00 pm

Submitted by  
Cheryl Gaudin  
Executive Director