



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

**AGENDA**  
**Wednesday, June 15, 2016**

- 4:00pm Call to Order  
Approve Agenda
- 4:05pm Approve Minutes
- 4:15pm Executive Session to discuss sensitive information related to disciplined licensees
- 4:20pm Officer Reports  
Chairman  
Secretary/Treasurer  
Executive Director
- 4:45pm LTF Report
- 5:00pm CEU Committee  
CEU Report  
CEU Audit Issues
- 5:30pm Mary Catherine Shanks' disciplinary exit interview
- 5:45pm Legal Report  
Complaint Summary  
Other legal business  
Rule Recommendations in response to the Direct Access law passing  
Rules review of Rule §§335 and 123
- 7:45pm Licensing Interview via Skype
- 8:00pm New Business  
Correspondences  
6<sup>th</sup> visit Rule with 2 PTAs alternating during the week  
Licensing issues/approvals  
Foreign Eligibility for the Examination
- 8:45pm Old Business
- 9:00pm Adjourned

# Louisiana Physical Therapy Board

## MINUTES

### Regular Scheduled Board Meeting Wednesday, June 15, 2016

### APPROVED

Proceedings for the Louisiana Physical Therapy Board, taken in regular session on June 15, 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 Patrick Cook, Elizabeth "Beth" Austin, Kristina Lounsberry and Danny Landry. Charlotte Martin, Executive Director; Board Attorneys Courtney Newton and George Papale were also present.

Chairman Moreau called the meeting to order at 4:00pm. The board reviewed the agenda. Chairman Moreau moved to accept the agenda as written. Beth Austin seconded the motion. All were in favor to approve the agenda as written. The board reviewed the minutes from the May board meeting. Beth Austin moved to accept the minutes as amended. Kristina Lounsberry seconded the motion. All were in favor to approve and adopt the minutes as amended.

Chairman Moreau moved to enter executive session to discuss sensitive information related to discipline of licensees. Patrick Cook seconded the motion. The board moved into executive session.

The board exited executive session.

Chairman Moreau moved to accept the Findings of Fact and Conclusions of Law in the matter of licensee William Hooper (PT04480) following his disciplinary hearing held May 19, 2016. Kristina Lounsberry, Beth Austin and Danny Landry voted and approved the findings of fact. The other board members abstained from the vote due to the fact that they were not hearing panel members for the disciplinary hearing.

Chairman Moreau asked for a vote to approve or deny the request made by disciplined licensee Samuel Forester (PT04559) asking to complete the Ethics requirement of the Consent Order. The Board previously sent a list of board-approved Ethics and Boundary courses for Mr. Forester. Mr. Forester requested to take a course online due to the financial burden that attending a course will take. The board voted unanimously to deny the request.

## OFFICER REPORTS

### Chairman's Report

Chairman Moreau reported to the Board that he was requested to interview for Louisiana Radio Network on behalf of the Board to discuss the legislation on Patient Access. Chairman Moreau reported that he turned the interview down and recommended that they speak to the LPTA who, he believes, has now scheduled an interview.

Chairman Moreau requested that the board members discuss the possibility of canceling the board meeting in July due to the level of work currently expected by the office staff. The board members voted and approved canceling the July meeting, but rescheduling a meeting if a disciplinary case arises that would require protecting the public. If there is no need to meet due to a disciplinary hearing, then the board will reconvene at the August board meeting.

### Treasurer's Report

Cash in the bank totaled \$392,161.32 in the checking account at Farmer's Merchant Bank. The Chase checking account is closed with a balance of \$0. Total Income for May 2016 totaled \$23,455.00 and ordinary expenses totaled \$42,730.91.

Mrs. Martin has entered a journal entry to adjust the interest earned in the CD at Business First Bank, which will be reported in June. The CD will earn all interest at maturity. A new CD was opened at Business First Bank in the amount of \$300,000 in the month of June which will compound interest monthly. The prior reported earnings on the CD will be reversed for the CD to reflect the original balance of \$300,000, since the interest will not actually be earned until maturity. The balance on the CD as of May 31, 2016 is \$300,000. The CD matures February 2017.

### Executive Director's Report

Mrs. Martin informed the Board of Senator Mill's Senate Bill 65, which lists a representative from the Louisiana Physical Therapy Board as a committee member. The board decided that either Chairman Moreau or Patrick Cook will serve as the representative of the Board, and Mrs. Martin will serve as back-up if a board member cannot attend due to a conflict.

Mrs. Martin requested confirmation for the voting Delegate and Alternate Delegate of the FSBPT Annual Meeting, who are both funded and will be required to attend the annual meeting in Columbus, Ohio on November 3 – 5, 2016. Chairman Moreau will be the voting delegate and Secretary/Treasurer will be the alternate delegate this year.

Mrs. Martin informed the Board of the CAPTE action for May 2016, as well as the upcoming call for comment. She requested that the Board submit any comments that they wish to submit prior to the deadline of September 15, 2016, so she can submit those on behalf of Louisiana.

Mrs. Martin confirmed the licensing process with the Board related to requiring the Certificate of Dean, and diploma and using an official transcript as an alternative to the diploma.

Mrs. Martin provided a licensing report to the Board. Since the last board meeting, twenty-one applicants were licensed as physical therapists by examination and eleven physical therapists were licensed through reciprocity. Two physical therapy assistants were licensed by examination and one physical therapy assistant was licensed by reciprocity.

Al Moreau moved to amend the agenda to move the disciplinary exit interview of Mary Catherine Shanks to follow the Officer Reports and proceed the LTF Report. All board members were in favor and the agenda was amended.

Mary Catherine Shanks interviewed successfully before the before for her disciplinary exit interview.

### **LTF REPORT**

Chairman Moreau announced that the Senate Bill 291 was signed by the Governor John Bel Edwards and effective June 6, 2016 Louisiana physical therapists can practice with direct access, following the amended law.

Chairman Moreau reported on behalf of the LTF that a statement is being drafted in response to the questions that many licensees are having about physical therapy diagnosis. The Board approved sending a statement from the board to be released to the licensees for clarification.

Chairman Moreau requested approval from the board on the draft letter to be sent out to all licensees notifying them of the May State Register publication changes to Rule. The board approved the letter, as written, pending a final grammatical check.

Chairman Moreau shared the PTPN email on patient access with the board members for informational purposes only.

## **CEU COMMITTEE REPORT**

Mrs. Martin provided a continuing education update to the board. Thirty-five total courses were approved. Of those, all courses were "Clinical" courses, 18 courses were traditional courses and 17 were distance-learning. The average time for approval for the 35 courses was 3 days.

Mrs. Martin provided a CEU Audit update to the board. One-hundred eighty-eight licensees were audited. Of those, 161 were complaint and 23 were non-compliant. Four licensees have failed to respond to the Board as of June 13, 2016.

The Board addressed six auditee issues, at the request of the auditees.

## **LEGAL REPORT**

Courtney Newton provided a compliant summary to the Board, as an update since the last board meeting:

- Closed Investigations: 1
- Current Investigations: 7
- Hearings Planned: 0
- Informal Conferences: 0
- Consent Orders: 0
- Complaints received: 2

Mrs. Newton provided recommended changes to Louisiana Physical Therapy Board Rules, as a result of the passage of the new law related to direct patient access. The changes were discussed and will be filed in the July State Register.

Kristina Lounsberry and Danny Landry presented recommended language changes in Rules §§123, 335, 337 and 339. The Board determined that more discussion is needed. Chairman Moreau asked Mrs. Martin to include sufficient time of two hours for continued discussion at the August board meeting.

## **INTERVIEW: NATALIE PETERS**

License applicant Natalie Peters interviewed for license before the board as a policy of the board to interview all applicants who have not passed the national board examination in four attempts or less. The Board determined that Ms. Peters is fit to practice safely in Louisiana following the interview.

## **NEW BUSINESS**

### Correspondence

Eddy Johnson asked a question to the Board regarding retention of Medicare patient records. The Board asked Mrs. Martin to respond to Mr. Johnson directing him to the Department of Health and Hospitals and CMS.

Genevieve Bates asked the Board to define auricular points. The Board agreed to designate a representative to give Ms. Bates a call regarding her question.

Maisie Hargett, PT, asked the Board if there are documentation requirements needed for transferring patient care. The Board agreed to designate a representative to give Mrs. Hargett a call regarding her question.

Lloyd Vale asked the board a question regarding frequency of patient visits. The Board asked Mrs. Martin to respond.

### Licensee Issues

Arvin Dones, a foreign-trained PT asked the Board to consider the hours of practice and to waive the hospital setting requirements for his clinical supervised time as required by Rule § 321 G.1. The Board reviewed his request and determined that he has not met the requirement of that practice setting and must complete that requirement according to Rule.

Mary Anne Calindas, a foreign-trained PT asked if she can be made eligible to take the NPTE without a Social Security Number. Courtney Newton, Board Attorney issued an opinion that the Board can make applicants eligible for examination without a SSN, but cannot be licensed.

Lauren Beelman asked the Board if she must complete the re-entry requirements of Rule §145.E. since she is not applying by Reciprocity. The Board determined that she must meet the requirements of Rule § 187.G. and if she has not been out of the practice for five years, then the Board must review her statement regarding why her license lapsed. After review of her statement, the board determined that she is eligible for licensure. Mrs. Martin will confirm that she has worked in the prior five years and, if not, she will need to meet the requirements.

### **OLD BUSINESS**

Brad McClary, PTA had requested an exemption for CEUs due to personal hardship and his request was denied at a previous board meeting. Mr. McClary asked the Board if they would waive one hour of live continuing education for his renewal, as he was selected in the Audit and is short by one live hour. The board denied his request.

Susan Blanchard, PT, submitted her written personal hardship letter as follow-up to her request at a previous board meeting. The board reviewed her letter and approved the hardship officially.

John Ware, PT responded to the Board's email response regarding his disapproval of an approved continuing education course. The board reviewed his response.

The meeting was adjourned at 9:00pm.