



State of Louisiana
Department of Health and Hospitals
Louisiana Physical Therapy Board

104 Fairlane Drive, Lafayette, LA 70507
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AGENDA

August 24, 2011

- 5:30 Informal Conference Case #20111024 Teresa Maize, Case Manager
- 6:30 Call Meeting to order
Rules Public Hearing
- 8:00 Minutes of July board meeting
- 8:15 Reports
 - Chairman's Report
 - Treasurer's Report
 - June 2011 actual vs. budget
 - Securities
 - Executive Director's Report
 - Fed law – HS grad
 - HIPDB agent
- 8:45 Monitoring Disciplined Therapists Report
- 9:00 Rules and Regulations Update
- 9:15 New Business

Recess for evening

August 25, 2011

- 8:30 Legal
- 9:00 Tom Coplin – cold laser issue
- 10:00 Unfinished Business
 - Task Tracker
 - Correspondence
 - Drug Review
 - Frequency of PT services
 - Supervision
 - Restorative Programs in Nursing home
- 11:00 Board Monthly Call Discussion
 - Vantage Health – Dan
- 11:30 Investigation Summary Reports (one-on-one meetings)
- 12:00 Lunch
- 1:30 Adjournment

LOUISIANA PHYSICAL THERAPY BOARD

August 24 & 25, 2011

DRAFT

5:30 p.m. Informal Conference Case #2011I024 Teresa Maize, Case Manager. After meeting with the licensee, the case was dismissed due to a lack of evidence.

Proceedings for the Louisiana Physical Therapy Board, taken in regular session on Wednesday, July 24, 2011, at 104 Fairlane Drive, Lafayette, LA 70507. Jerry Jones, Jr., Chairman called the meeting to order at 6:30 p.m. A quorum of members was present. Board members present were: Jerry Jones, Jr., Teresa Maize, Al Moreau, III, Donna "Dee" Cochran, Dan Wood, Gerald Leglue and Danny Landry. Cheryl Gaudin, Executive Director, Glenn Ducote, attorney, George Papale, attorney were present. Advisory Committee Members present were Dionne Francois, Allison Roux, Tina Gualdo, and Peggy Wilson.

Attendees for the Rules Public Hearing were Chris Davis, Amanda Brewer, Adam Brewer, David Hite, Greg LeBlanc, Kinta LeBlanc, and Bland O'Conner.

Jerry Jones, Jr. asked if anyone wanted to comment at this time.

Bland O'Connor, the Executive Director of the Louisiana Physical Therapy Assn. (LPTA), and Greg LeBlanc, President of the LPTA expressed appreciation for the Board's effort in the long process of drafting comprehensive rule revisions and for the revisions made to the rules since the June 1, 2011 Senate oversight hearing.

The witnesses indicated their full satisfaction with the rules as revised and now poised for final adoption. They both indicated that the LPTA saw no need for further legislative oversight proceedings.

The public hearing ended at 6:45 p.m.

ADOPTION OF MINUTES OF PREVIOUS MEETING

Minutes of the July 2011 board meeting were accepted as written.

CHAIRMAN'S REPORT

Jerry Jones, Jr. reported on the FSBPT Summit which he and the Executive Director attended. Overall the discussion was open to comments and suggestions. It was a unanimous decision of all present that the PTA NPTE move from an on demand exam to a fixed date test due to security issues. Other topics discussed were history of security breaches of the NPTE, and performance trends of the NPTE of US and non-US educated PTs. There was an overview of competence testing and the reasoning behind the move to fixed-date testing.

TREASURER'S REPORT

Cash on hand for the month of July 2011 was \$903,123.03. Receipts for July 2011 totaled \$8,622.40 and expenses totaled \$46,792.69.

CD #5010799 at Bank of Montgomery will mature on September 14, 2011.

The board was provided with a copy of the budget vs. actual figures FY 2010/2011. Budgeted income FY 2010/2011 was \$552,000 and actual income was \$522,965. Budgeted figure for expenses FY 2010/2011 was 806,830 with the actual figure coming in at \$502,118.

The board reviewed the La Attestation Questionnaire for accuracy with responses to questions. The Attestation is part of the Annual Audit. Motion was made by Donna "Dee" Cochran, seconded by Dan Wood; "To accept the La Attestation as completed." All in favor were Jerry Jones, Jr., Teresa Maize, Donna "Dee" Cochran, Danny Landry, Gerald Leglue, Al Moreau, III, and Dan Wood. No one opposed the motion.

EXECUTIVE DIRECTOR REPORT

Staff received a call from Laura Bryant, PTA Program Director at Bossier Parish Community College. Bryant requested clarification of the La Physical Therapy Practice Act and Rules which addressed requirements for licensure of a physical therapist assistant. Is an applicant with an Associate Degree in Physical Therapist Assisting required to be a high school graduate? The question pertained to a new federal ruling for which she was researching. Staff reported there was no requirement for a physical therapist assistant applicant to be a high school graduate. However, the rule did require the applicant to be at least 19 years of age.

Staff requested to report directly to the federally mandated HIPDB instead of using the FSBPT as its agent. Within the last year each time a report was forwarded to the FSBPT for reporting, the selection of offenses was questioned by FSBPT staff requiring an explanation why the choices were made. Motion was made by Danny P. Landry, seconded by Donna "Dee" Cochran; "The board chooses to report required disciplinary actions directly to the HIPDB. Copies of reportable actions will be shared with the FSBPT after reporting to the HIPDB." All in favor were Jerry Jones, Jr., Teresa Maize, Donna "Dee" Cochran, Danny Landry, Gerald Leglue, Al Moreau, III, and Dan Wood. No one opposed the motion.

MONITORING DISCIPLINED THERAPISTS

The board requested Ron Robertson, Alexander Clay Cocke, and Joseph Heath Clampit meet with the board at its October board meeting. Staff will forward a letter scheduling the licensees.

Teresa Maize reported a monitor visit with Catherine Nelson in July. Maize was allowed to review records; however, she was not allowed to speak with Nelson.

Staff requested hair samples for substance testing on disciplined licensees required as a term of their consent with the board. The test on Allemand was terminated due to an inadequate sample collected. The report on Cocke has not yet been posted to the Secon site for review.

Danny Landry reported a monitor visit with Shelley Sonnier. Landry reviewed records, spoke with her supervisor, and Sonnier. Sonnier is in compliance with the terms of her consent with the board.

PROPOSED RULES AND REGULATIONS

As a result of the Rules Public Hearing, motion was made by Danny P. Landry, seconded by Donna "Dee" Cochran; "That the board advance the proposed comprehensive rules language forward and provide a report to the oversight committees." All in favor were Jerry Jones, Jr., Teresa Maize, Donna "Dee" Cochran, Danny Landry, Gerald Leglue, Al Moreau, III, and Dan Wood. No one opposed the motion.

NEW BUSINESS

Tom Coplin cancelled his appointment with the board.

CORRESPONDENCE

Daniel Dale, the current President of the APTA Student Assembly emailed a request to all physical therapy jurisdictions indicating the Student Assembly is attempting to put together a unified guide from each individual state regarding the following: (1) A one page document that outlines the PT and PTA student licensure requirements and (2) A summary of requirements for someone who is already licensed to transfer their license over to that state to practice. After discussion by the board, it was determined applicants for a license in Louisiana should contact La board staff to be provided with the most current information regarding requirements.

Todd S. Danos, MBA, LOTR Director of Therapy at East Jefferson General Hospital requested clarification as to who is appropriate to determine the frequency of PT services? Should Physical Therapy services be ordered on patients in an acute care setting, or any setting and the frequency of services be automatically set in place, prior to the Physical Therapist actually performing an evaluation of this patient? For example, all orders for Physical Therapy are

specified as Eval and Treat 7 days per week for all patients in the hospital. Jerry Jones, Jr. will draft a response to Danos.

Chastity Jackson, PT asked how to obtain basic information on PT participation in Restorative Programs in Nursing homes. Staff will respond to Jackson.

Rick Newell, NFA Director of Operations at Guest Care Rehab provided a scenario of the role of a rehab technician and various other positions in a SNF setting. The question related to the transport of patients to and from a therapy gym in a SNF setting. Specifically, would a SNF employee who transports patients within the SNF fall under the supervision requirements of a PT? The person or persons performing these tasks are employed by the SNF and not the therapy company. They are not assisting in any aspect of patient treatment related to physical therapy. Historically, we have not included them in the supervision ratios under a PT. The board's response is under the scenario described, the rehab tech is not considered under the supervision of the PT. If the rehab tech assists the PT after transporting the patient to the physical therapy treatment area, then the supervision ratio applies. Staff will respond to Newell.

UNFINISHED BUSINESS TASK TRACKER

The meeting was recessed at 11:30 p.m.

The meeting reconvened on Thursday, July 24th at 8:30 a.m. A quorum of members was present. Board members present were: Jerry Jones, Jr., Teresa Maize, Al Moreau, III, Donna "Dee" Cochran, Dan Wood, Gerald Leglue and Danny Landry. Cheryl Gaudin, Executive Director, Glenn Ducote, attorney, and George Papale, attorney, were present. Advisory Committee Members present were Dionne Francois, Allison Roux, Tina Gunaldo, and Peggy Wilson.

LEGAL

Glenn Ducote provided the written Decision rendered by the board after the formal hearing on Johan Smith for the board to review. As a result of the review, motion was made by Donna "Dee" Cochran, seconded by Al Moreau, III; "To accept the decision as amended on Johan Smith." All in favor were Jerry Jones, Jr., Teresa Maize, Donna "Dee" Cochran, Danny Landry, Gerald Leglue, Al Moreau, III, and Dan Wood. No one opposed the motion.

George Papale provided the written Decision rendered by the board after the formal hearing on Cassius Ekhaton for the board to review. As a result of the review, motion was made by Teresa Maize, seconded by Donna "Dee" Cochran; "To accept the Cassius Ekhaton decision as amended." All in favor were Jerry Jones, Jr., Teresa Maize, Donna "Dee" Cochran, Danny Landry, Gerald Leglue, Al Moreau, III, and Dan Wood. No one opposed the motion.

Glenn Ducote reported the terms of a Consent agreement with James Cole Padgett. Documentation was received indicating charges against Padgett were refused by the DA. Padgett agreed to enter into a Consent Order with the board as a stipulation to reinstatement of his license. Padgett reported a job offer and indicated he had not yet received the consent order for signature. Ducote will draft the document for approval of the Investigating Board Member prior to forwarding to Padgett for signature of agreement with the terms. The board agreed to the terms of the consent with Padgett.

Glenn Ducote reported the terms of a consent agreement with Jereme Johnson. Johnson began practicing physical therapy prior to attending his personal interview with a board representative and receipt of a temporary permit. The board agreed to the terms of the consent agreement with Johnson. Glenn Ducote will draft the consent agreement for review by the board investigator prior to forwarding for signature by Johnson.

OTHER BUSINESS

BOARD MEMBER MONTHLY CALLS

Danny P. Landry, reported receiving a call asking if it is within the scope of practice for a Physical Therapist to perform a drug review with a home health patient? APTA currently has a position statement stating that it is within the scope of practice for a Physical Therapist. The new standards of home health admissions with the current OASIS document calls for the gathering of the information from the patient and documenting of all medications currently prescribed to the patient. There are cases where the home health patient is only receiving the skilled services of a Physical Therapist who is responsible for the admission and the filling out of the complex OASIS document. The board position is the drug review is at the discretion of the PT.

Dan Wood reported concerns about a physician referring a patient out of his clinic to facility owned by the physician.

The meeting was adjourned at 2:30 p.m.
Submitted by Cheryl Gaudin