

**Louisiana Physical Therapy Board
Minutes**

APPROVED

August 26 - 27, 2015

Proceedings for the Louisiana Physical Therapy Board, taken in regular session on Wednesday, August 26, 2015 and Thursday, August 27, 2015 at 104 Fairlane Drive, Lafayette, LA 70507. A quorum of members were present. Board members present were: Chairman Al Moreau, III, Secretary/Treasurer Danny P. Landry, Don Cassano, Kristina Lounsberry, and Elizabeth "Beth" Austin. Advisory committee members present on Wednesday were Christopher Franks and Eugene Noel. Charlotte Martin, Executive Director; George Papale, General Counsel; and Courtney P. Newton, Attorney were also present.

Informal Conference 2015-I-004

A Formal Administrative Hearing was conducted for licensee William Hooper in relation to case 2015-I-018. Chairman Moreau motioned to move into Executive Session pursuant to La R.S. 42:16 for the purpose of deliberation in this case. Kristina Lounsberry, Beth Austin, Danny Landry and Don Cassano were all in favor and moved into Executive Session. The hearing panel exited Executive Session. The hearing panel agreed to take this case under advisement and John Morris with the Attorney General's office is going to work on the report and the hearing panel will review it at the next board meeting.

Chairman Moreau motioned to move into Executive Session pursuant to La R.S. 42:16 for the purposes of discussing investigating proceedings regarding allegations of misconduct. The Board voted and all were in favor to move into Executive Session.

The Board exited Executive Session.

Chairman Al Moreau called the meeting to order at 12:00pm.

The board members reviewed the agenda. The agenda was approved unanimously.

The board members reviewed the minutes and approved the minutes as amended.

Chairman's Report

Chairman Moreau reported that the JP Seminar will be held in Lafayette on Thursday, August 27, 2015 and a reminder email has been sent to all licensees.

Secretary/Treasurer's Report

Secretary/Treasurer Landry reported the finances for the end of the month of July. Cash in the bank at the totals \$3,800.86. Income totals \$11,683.11 and expenses total \$72,279.36. The two Certificates of Deposit at Lakeside Bank total \$716,642.64 The Business Savings account at Chase Bank is \$252,579.67.

The board members reviewed the fiscal year budget for 2015-16. Secretary/Treasurer Landry and Advisory Committee Member Chris Franks worked on the budget with Mrs. Martin. Mrs. Martin reported the monthly operating expenses to the board, as requested by board member Don Cassano.

Kristina Lounsberry moved that the board move to enter into an agreement with a banking entity to provide banking services for the Louisiana Physical Therapy Board as determined by the Executive Director after conducting a competitive process and determining the best rates and services. Don Cassano seconded the motion. The board voted and unanimously approved.

Elizabeth Austin moved to amend the agenda the current agenda to move the budget adoption for FY 2015-16 to 8/27/2015 after completion of the hearing. Kristina Lounsberry seconded the motion the board members voted and unanimously approved.

The board members reviewed the legislative audit attestation that is required to be signed annually by the Board Chairman and Secretary/Treasurer. The board reviewed the attestation and attested that all information within is accurate to their knowledge, authorizing the Chairman and Secretary/Treasurer to sign on behalf of the board.

Executive Director's Report

Mrs. Martin reported that there were 50 individuals licensed since the last board meeting. Of those 45 were new graduate physical therapists, one was a physical therapist assistant through reciprocity, and four (4) were physical therapists through reciprocity. The board members ratified the list and signed the wall licenses for each licensee.

License Report August 2015

New Graduates- PT

Sarah Allen
Ryan Bermudez
Joshua Bryant
David Chessen
Brooke Constant
Caroline Crawford
Kaitlin Foley
Adam Ducoing
Elizabeth Spitz
Tyler Folse
Joel Gonzalez
Thomas Frederick
Alan Guitierrez
Brett Hernandez
Jessica Howe
Lynleigh Hughes
Stephen Jackson
Erin Kennedy

Camille Kennedy
Lisa Knecht
Amy Kidd
Brian Labruzzo
Jessica Launey
Casey LeJeune
Matthew Madere
Caitlin Naquin
Jennifer Parker
Amanda Pace
Stefan Norris
Caitlin Paskewich
Chasity Popillion
Cailidh Pedersen
Brody Patton
Katie Reboul
Kelly Quebedeaux
Benjamin Roussel
Nicholas Roger
Beau Saunier
Lauren Stone
Byrnes Tatford
Stephanie Veade
Jennifer Vaughn
Maryann Vicari
Margaret Watson
Dorothea Waltz
Total: 45

Reciprocity Applicants-PTA

William Hall
Total: 1

Reciprocity Applicants-PT

Alberta Harris
Margaret Burns
Kevin Landreneau
Elizabeth Landreneau
Total: 4

Legal Report

Ashlee York, Provisional License No. 09071 accompanied by her attorney William M. Magee presented to the Louisiana Physical Therapy Board requesting an extension of her provisional license and asked for permission to take the National Physical Therapy Examination at the

earliest date possible. After consideration the Board granted a one-time 90-day extension to the Provisional License No. 09071.

Ms. Pamela Hoffman Case #2015I007 appeared before the Board to discuss her Consent Order. This is a standard procedure to ask question to and answer questions of the Respondent.

General Counsel George Papale discussed the revisions to the Medication Review protocol board statement for physical therapists. Mr. Papale recommended that the Board create a Rule on this topic for all licensees to follow. This is a confusing topic with many implications in the home health setting. The board members agreed and will begin drafting a Rule.

Board Attorney Courtney Newton presented the response to a question related to email privacy of licensees. The board accepted the letter as written and it will be mailed to the licensee as a response to her question to the Board.**Reports of Committees**

CEU Committee

The CEU Committee provided a monthly report of approved, denied and pending courses to the Board, as well as an average approval time.

48 courses approved
1 denied
2 courses pending
Average approval time is 3 days

Mrs. Martin provided an update on the 2015 annual CEU Audit, noting that licensees have a deadline of 8/31/2015 to respond. The status update at this time is as follows:

Total Number in Audit	198
Number of letters returned	1 (a letter has been sent to the corrected address)
Number of Audits Mailed In	75 returned to office
Number of Compliant	53
Number Questionable	22

Legislative Task Force

Chairman Moreau provided an update on the first Patient Access Review Committee meeting and shared the schedule of future meetings with the Board. The Patient Access Review Committee has agreed on an outline of necessary activities to complete at each meeting in order to produce a study to the legislature by the deadline specified in SCR 19.

New Business

Correspondences

Bridget Beninato, PTA asked: I am a PTA in an LTAC setting inquiring if we are essential or non-essential personnel for natural disasters. I did not find it anywhere on the website nor have I ever been considered essential in any state or setting I have been in. Can you please respond via email with the correct information at your earliest convenience? The board agreed that there are no Board Rules that relate to this matter and that this should be addressed by an internal policy within the organization.

A licensee asked the board if a physical therapist in Louisiana can receive a referral from Mexico. The Board determined that a physical therapist can receive a referral from Mexico, but in no way would this guarantee payment. It is simply not against the Louisiana Practice Act or Board Rules to accept a prescription from a different country as long as the prescription is provided by a licensed professional authorized to prescribe physical therapy services.

Marisa Chaffin asked the Board: as a Physical therapy clinician who has less than a year of clinical experience, can I be a clinical instructor for a physical therapy technician? Can I have students under my supervision for observation hours who plan to apply to a physical therapy institution in the future? Can you provide me with the information for when it is appropriate to be a clinical instructor for a PT or PTA student? The Board agreed that it is not necessary to receive board approval to supervise a student and the university would have to determine if it is appropriate for the licensee to be a supervisor of the student. The Board approves supervisors of licensees, not students.

Jennifer Bray, PT, DPT, License # 08670R asked the board: I just took Level 1 Functional Dry Needling over the weekend with Kinetacore which requires only one year experience to take the course. I have had my PT license for exactly 2 years to the date when I took the course. I didn't start practicing PT until 2 weeks after my license was issued due to my company wanting me to start on a certain pay period. Due to this, I believe I may have accidentally taken the course 2 weeks before my 2 year mark of experience. I wanted to touch base with you to determine where I go from here. Would the board still give me credit for the course as long as I wait 2 weeks before performing dry needling? Or would I have to take the course all over again? The Board determined that the licensee is not in compliance with the Rule and would need to take the course again.

Federation of State Board of Physical Therapy Leadership Issues Forum

Secretary/Treasurer Landry reported that he did attend the FSBPT Leadership Issues Forum held in Virginia in early August 2015 and he shared highlights with the board members.

Old Business

Task Tracker:

Shelley Foster, LOTR asked: I work in the SNF/nursing home setting. In referring to Subchapter C-Supervised Practice, section 341 Documentation Standards number 5 states, "Treatment Record is the written documentation of each patient visit which includes specific treatment and/or any equipment provided which shall be signed or initialed by the Supervising PT of Record or PTA. A treatment record shall be maintained only if a progress note is not written for each patient visit. A treatment record may be in the form of a checklist, flow sheet, or narrative." Does entering charges for a patient such as 15 minutes for 97110, 25 minutes for 97116, etc. meet this requirement? If not, what is required to meet the documentation standards for supervised practice? Currently we complete weekly progress notes and patients are seen somewhere between 3-5 times a week. Supervisory notes are being completed on supervisory visits. The Board approved the following response: Thank you for your inquiry. Regarding documentation standards, you cited the correct section. Subsection 341 A. 5. Charges are not adequate documentation as it does

not provide "specific treatment" information. The means as to how this treatment record is maintained is left open to the following choices: "may be in the form of a checklist, flowsheet or narrative". The charge alone does not detail treatment provided. If a checklist or flowsheet isn't available to you, a narrative SOAP note would meet the requirement.

Tim Burnell asked the following questions:

Someone recently told me that in the near future there was going to be some law changes which would dis-allow an outpatient therapy outfit to rent space from an assisted living facility (ALF), even if the rent is a reasonable amount based on comparable market analysis or fair market value. Can you confirm or deny the validity of that? The LPTB is not associated with any legislation relating to regulating where an outpatient clinic is located. Perhaps a review of the legislation could direct you to an answer.

What is the supervisory requirements (PT/PTA) for Medicare in the state of LA? Please refer to the Board Rule §333A.2., which states that the physical therapist must treat and reassess the patient at least every sixth treatment day or every 30 days, whichever occurs first.

Is there direct or in-direct requirements? (Does the PT need to be under the same roof as the PTA during treatment or simply be available via phone and within a reasonable distance?) Louisiana Physical Therapy Board Rule §333B.2.d. states that a physical therapist must be readily accessible by beeper or telephone and available to the patient by the next scheduled treatment session upon request of the patient or PTA.

Can the PTA perform part of the supervisory visit and the PT perform part of the same supervisory visit (as long as both parties sign the note)? No. The physical therapist will treat and reassess the patient. The PTA can then later perform a separate treatment. Sharing notes and signing the same note would be prohibited.

Can the PTA perform part of the Discharge visit and the PT perform part of the same discharge visit (as long as both parties sign the note)? No. Louisiana Physical Therapy Board Rule §333A.3. states that the physical therapist must treat the patient for the final treatment session unless the patient is physically unavailable.

Direct access/eval & treatment with no prescription: I see that it is ok to perform evaluation and treat without script according to the LAPT board website. Can you clarify the Medicare regulations for this in the state of LA please? Please refer to the Louisiana Physical Therapy Board Rule §307 for an outline of physical therapy services without a prescription or referral.

The board members recessed at 5:00pm

Thursday, August 27, 2015

7:00am Informal Conference 2012I017

A Formal Administrative Hearing was conducted for licensee Jane Wetherington in relation to case 2014-I-002. Chairman Moreau motioned to move into Executive Session pursuant to La R.S. 42:16 for the purpose of deliberation in this case. Kristina Lounsberry, Danny Landry and Don Cassano were all in favor and moved into Executive Session. The hearing panel exited Executive Session. The hearing panel agreed to take this case under advisement and John Morris with the Attorney General's office is going to work on the report and the hearing panel will review it at the next board meeting.

Budget FY 2015-16

The board members reviewed the budget. Chairman Al Moreau motioned to accept the budget as amended today. Don Cassano seconded the motion. The board voted and unanimously approved.

Chairman Moreau motioned to adjourn the meeting. Secretary/Treasurer Danny Landry seconded the motion. The board voted and unanimously approved. The board meeting was adjourned at 5:00pm.