



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

AGENDA
September 21 - 22, 2016

Wednesday, September 21, 2016

- 4:00pm** **Call to Order**
Approve Agenda
Approve Minutes
- 4:05pm** **Executive Session**
Discuss sensitive information related to disciplined licensees
- 4:30pm** **Officer Reports**
Chairman's Report
Secretary/Treasurer's Report
Executive Director's Report
- 5:00pm** **Committee Reports**
CEU Committee Report
LTF Report
- 5:30pm** **Disciplinary Exit Interview: James Cole Padgett**
- 5:45pm** **Legal Report**
Complaint Summary
Other Legal Business
- 7:00pm** **New Business**
Correspondences
- 7:30pm** **Old Business**
- 7:45pm** **Public Comment**
- 8:00pm** **Adjourn**

Thursday, September 22, 2016

- 10:00am** **Administrative Hearing**

Louisiana Physical Therapy Board

MINUTES

Regular Scheduled Board Meeting Wednesday, September 21, 2016

APPROVED

Proceedings for the Louisiana Physical Therapy Board, taken in regular session on September 21, 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 Elizabeth "Beth" Austin, Kristina Lounsberry and Patrick Cook. Charlotte Martin, Executive Director; board attorneys, Courtney P. Newton and George Papale were also present.

Chairman Moreau called the meeting to order at 4:00pm

The board reviewed and unanimously approved the agenda. Al motioned to approve the minutes from August 9, 2016. Beth Austin seconded the motion. The board voted and unanimously approved.

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

The board exited Executive Session.

OFFICER REPORTS

Chairman's Report

Chairman Moreau informed the board that the recently appointed PTA board member, Nancy Churchill has resigned due to the severe impact that the recent flood had on her home, car and career.

Chairman Moreau requested that the board consider if licensee email addresses should be considered private and protected. The legal advice is that email addresses are not protected under the Public Records law in Louisiana.

Secretary/Treasurer's Report

At the end of July, cash in the bank totaled \$317,628.46

Total income for July 2016 totaled \$11,307.00 and ordinary expenses totaled \$55,444.74. The two Certificates of Deposit total \$602,014.36. Both CDs are invested with Business First Bank. One CD earned \$283.85 in interest in July and matures May 6, 2017. The other CD earned accrued interest of \$287.50 during July and will mature February 2016.

Secretary/Treasurer Cassano requested that Mrs. Martin provide a report on licenses for the purpose of providing an update on revenue streams to the board at the October board meeting.

Executive Director's Report

Mrs. Martin informed the board that Al Moreau received the David Warner Distinguished Service Award

Mrs. Martin reported that 39 applications were approved since the last board meeting. The applicants approved are as follows:

PT New Graduate:	2
PT Foreign:	1
PT Reciprocity:	12
PTA New Graduates:	2
PTA Reinstatement:	1
PTA Provisional:	15

COMMITTEE REPORTS

CEU Committee

The board reviewed a course application for Shifting Pain with Wholistic Interventions by Cross Country Education. Following a discussion, the board unanimously approved the course.

The board reviewed the continuing education report listing all courses approved since the last board meeting. A total of 61 courses were approved since the previous board meeting (41 traditional/20 distance learning). Of the courses approved, the board approved 56 clinical, 4 administrative and ethics. No courses submitted were denied. Course approval turnaround time was five (5) days, on average.

The board reviewed amendments to the continuing education policy. Additional recommendations were made during the meeting. The board requested that Mrs. Martin work with Patrick Cook, Kristina Lounsberry and Beth Austin on final amendments to be presented at the October 2016 board meeting for final approval.

Secretary/Treasurer Cassano requested that, following approval of the CE Policy at the October 2016 board meeting, the board staff post notice on the homepage news of the website announcing an expansion of administrative hours now allowed by the Board for credit allowed to fulfill the requirements of the biennial renewal requirements set forth in Rule §194.

The board reviewed a question from a licensee who graduated in December 2014 and was licensed in Louisiana in February 2015. The Board discussed the question and determined that Rule §198 does not exempt this licensee from CEs for the calendar year in which he graduated. Had the licensee applied for license in December 2014, he would have been exempt during the 2015 renewal period from CEs required in 2014 and would not have needed any CEs to renew. Since he has held a license for 2 years, he will need to complete all CE requirements for biennial renewal found in Rule §194.

The board reviewed a request from a licensee who asked if OCS recertification could be used toward continuing education credit for renewals. The board recommends that the licensee submit the recertification coursework with a course application for review. The continuing education committee will review the course with the current review tool and determine if it qualifies, for how many hours, and in what category.

DISCIPLINARY EXIT INTERVIEW

James Cole Padgett appeared before the board as standard protocol for disciplined licensees who successfully fulfill the term of their probation with the board.

COMMITTEE REPORTS

LTF (Legislative Taskforce)

Chairman Moreau requested that the board review the SCR 65 report that was submitted to the taskforce. The report deadline was Friday, September 16, 2016. At this time, the board is asked to review the report and provide recommended amendments to the report to be submitted prior to the next taskforce meeting, which will be held on Monday, September 26, 2016. The board members reviewed the report and provided amended language. Mrs. Martin will submit an amendment based on the board recommendations and submit it to the taskforce on behalf of the board.

LEGAL REPORT

Board Attorney, Courtney Newton provided an update on complaints:

Complaint Summary

Current Investigations: 8

Complaints Received in Month: 3

Informal Conferences in Month: 0

Hearings Scheduled: 2

Consent Order/Voluntary Surrender: 0

Closed Cases: 1 (0 Consent Order, 0 Voluntary Surrender, 1 Dismissed)

September: Hearing Continued

October: Hearing Scheduled

December: Open

NEW BUSINESS

The board reviewed current Dry Needling forms that are sent from the board office to licensees who are attempting to practice dry needling in the state of Louisiana in accordance with Rule §311. The board recommended changes and requested that Mrs. Martin edit the documents and send to Patrick Cook and Al Moreau for final approval.

Correspondences

A staffing agency requested that the Board consider accepting reports from General Information Services in lieu of a background check for applicants in Louisiana to expedite the process of out-of-state applicants seeking employment in Louisiana. The board determined that La. R.S. 2413.B. requires that the board “shall” submit fingerprints to the FBI and La State Police shall report results of criminal history background checks to the board. Therefore, the Board is prevented by statute to accept GIS reports in lieu of La State Police background checks.

A new licensee by reciprocity asked if she can perform dry needling in Louisiana, since she met all qualifications to practice in Georgia and was practicing in Georgia prior to moving to Louisiana on a travel assignment. The advice provided to the board from general counsel, George Papale is to allow her to practice dry needling in the state of Louisiana.

A licensee asked the board if therapists can take calls during and after clinic hours to assist coaches or parents via telephone only in directing an athlete who may have sustained injury to either 1) the ER, 2) to the PT clinic for an evaluation and treatment, or 3) to an orthopedic department or medical clinic for further management. The board determined that consultative services, as defined in Rule §123 and as allowed by statute (La R.S. 7 § 2407) and Rule (§303), is within the scope of physical therapy. The board determined that the licensee has a high potential for liability and must be reminded that they will be held accountable for determinations made over the phone. The

board recommends that licensees engaging in this activity exercise caution and remain focused on determining that they are not putting the public in danger in any way with consultative services. Ultimately it is the responsibility of the PT to determine what is appropriate (§303).

A foreign-trained PTA applicant asked if the Louisiana board will accept a credentials evaluation on coursework completed abroad for the purpose of obtaining a license in Louisiana. The advice provided to the board from general counsel, George Papale is that La. R.S. 37:2410 addresses foreign PT graduates that applies to qualification of physical therapists (§2409), but the PTA qualifications (§2411) does not have a foreign graduate provision and the board is not lawfully authorized to review foreign credentials of PTAs for the purpose of licensing. The Board determined that this is a potential amendment to consider in statute to allow access for foreign-trained PTAs.

The board agreed to review the Practice Act and Rules at the October 2016 board meeting.

OLD BUSINESS

No old business was discussed.

PUBLIC COMMENT

No public comment.

Chairman Moreau motioned to adjourn the meeting. Don Cassano seconded the motion. The board voted and unanimously approved. The board meeting was adjourned at 8:00 pm.