

LOUISIANA PHYSICAL THERAPY BOARD

June 24, 2015

APPROVED

Proceedings for the Louisiana Physical Therapy Board, taken in regular session on Wednesday, June 24, 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, Kristina Lounsberry, and Elizabeth "Beth" Austin. Advisory committee members present were Nick Butler and Ryan Usner. Charlotte Martin, Executive Director; Gabrielle Bellow, Student Worker; George Papale, General Counsel; and Courtney P. Newton, Attorney were also present. Member of the public included Cristina Fauchaux from the LPTA.

The meeting was called to order at 8:53am by Chairman Al Moreau.

Review of the Agenda

Chairman Moreau asked the members of the board to review the agenda. Chairman Moreau motioned to amend agenda to add LHC Group to address board at 10:30am in regards to the Medication Review letter from the Board, Secretary/Treasurer Landry seconded the motion. The agenda was accepted as amended.

Approval of Minutes

Secretary/Treasurer Landry reported on the minutes from May 2015 board meeting. The Board voted and the minutes were approved.

Reports of Officers and the Board Office

Chairman's Report

Chairman Moreau discussed the need for the Board to prioritize revising the Rules Revision. The board members will compile a list of all recommended revisions prior to the August board meeting.

Treasurer's Report

Secretary/Treasurer Landry reported the finances for the end of the month of May. Cash in the bank at the totals \$82,013.53. Income for May 2015 totals \$28,081.93 and expenses total \$79,653.59. The two Certificates of Deposit at Lakeside Bank total \$715,574.69. One Certificate of Deposit totaled \$514,625.19 and matures on January 15, 2016. The other Certificate of Deposit totals \$200,949.50 and matures on April 15, 2016. The Business Savings account at Chase Bank is \$302,564.57.

Executive Director's Report

Executive Director Martin reported on the number of licenses issued in June. For Physical Therapists, twenty-five (25) were licensed via Reciprocity, one (1) as a new graduate, and one (1) through reinstatement. For Physical Therapist Assistants, one (1) was licensed through Reciprocity. A total of 40 applications were issued.

Executive Director Martin introduced a new staff member, Stephanie Boudreaux. Mrs. Boudreaux is the Program Specialist A, who will be focusing on compliance.

Executive Director asked the Board if the topic for the 2015 Jurisprudence should be changed. The board discussed and agreed to keep the topic the same until 2017.

Executive Director Martin reported all contracts are due on June 30th. The board decided to not extend the architecture contract and to extend the current building lease for an additional two (2) years.

Executive Director Martin recommended educational topics for board meetings

Legal Report

Courtney Newton reported there are three (3) current investigations, two (2) cases have been dismissed, one (1) licensee has signed a consent order, and there are seven (7) cases preparing for hearing.

George Papale has one (1) case set for hearing and one (1) licensee has signed a consent order.

Newton presented a complaint flow sheet that she designed for board members to better understand how the process works. The flow sheet identifies what happens at each step and at which point items become confidential.

Newton reported on the completed AG Opinion Request related to Procurement Law and private funds received from an industry utilized for the purpose of that industry. Board voted to submit opinion request in accordance with the Board resolution dated February 25, 2015.

Newton gave a legal opinion regarding privacy rights of emails. Legally the Board may not send out electronic or regular mail utilizing Board information and/or staff on Board equipment on behalf of other entities. The Board is legally mandated to fulfill any public records request for public records and may not question the intent of the requestor.

George Papale reviewed two sample orders and discussed the quality of the board orders section to be narrative style.

Reports of Special Committees

CEU Committee

The CEU Committee approved a total of 32 courses. The average approval time for course approval was 6 days.

- Innovative Educational Services, Headaches, Online
- Louisiana Department of Health and Hospitals, Early Childhood Mental Health: Developing the Whole Child, Helping Children Soar, Traditional
- Our Lady of the Lake Regional Medical Center, Introduction to the Neuro-Integrative Functional Rehabilitation and Habilitation Approach in the Treatment and Management of Adults with Hemiplegia form Stroke or Brain Injury, Traditional
- CIAO Seminars, 3rd Annual STAR Program Connection Conference, Traditional
- Allied Health Education, Amputee Rehabilitation: The Role of the Therapist in Evaluation and Treatment of the Amputee, Traditional
- Hands-On Seminars, A Comprehensive Manual Therapy Approach for Lumbar Spine Pathology, Traditional
- Hands-On Seminars, A Comprehensive Manual Therapy Approach for Hip, Knee, and Foot Pathology, Traditional
- Baton Rouge Physical Therapist Network, Baby Steps: Building Ambulation Interventions for the 0-3 Population with Movement Dysfunction, Traditional
- MedBridge Education, Concussion in Sport, Online
- Ochsner Therapy and Wellness, Hip Arthroscopy and Rehabilitation, Traditional

- Education Resources, Inc. Intervention for Complex Feeding Disorders Infants and Toddlers, Traditional
- Louisiana Geriatrics Society, Louisiana Geriatric Society's 15th Geriatric and Gerontology Update Conference, Traditional
- North American Center for Continuing Medical Education (NACCME), Symposium on Advanced Wound Care (SAWC) Fall 2015, Traditional
- Glenwood Regional Medical Center, Conference on Healthy Aging, Traditional
- Rehab Champions Continuing Education, Lumbar Spine- Clinical Orthopedics & Manual Therapy, Traditional
- The Neuro Medical Center Rehabilitation Hospital/Our Lady of the Lake Regional Medical Center, NEURO-IFRAH Certification Course in the Treatment and Management of Adults with Hemiplegia from a Stroke or Brain Injury, Traditional
- Innovative Educational Services, Office Ergonomics- Assessment & Modification, Online
- PESI, Inc., Self Regulation in Children- Keeping the Body, Mind, and Emotions on Task in Children with Autism, ADHD, or Sensory Disorders, Traditional
- Hands-On Seminars, A Comprehensive Manual Therapy Approach for Shoulder, Elbow, and Hand Pathology, Traditional
- Postural Restoration Institute, Cervical Revolution, Traditional
- Postural Restoration Institute, Impingement and Instability, Traditional
- Postural Restoration Institute, Postural Respiration, Traditional
- Dr. Ma's Systemic Dry Needling, Dr. Ma's Systemic Dry Needling for Sport Performance, Traditional
- VHA, 2015 VHA Navigating Excellence Forum, Traditional
- Healthcare Academy, MDS Curriculum 3.0, Online
- Concentra, ADAPT Training Course, Traditional
- Cross Country Education, Effective Healthcare Leadership: Influencing Positive Change in the Workplace- Webinar, Online
- Innovative Education Services, Workplace Injuries, Online
- Summit Professional Education, Therapeutic Exercise, Online
- Summit Professional Education, Joint Replacement, Online
- Cross Country Education, Evidence Based Treatment for Hand, Wrist, and Elbow Injuries, Traditional
- www.physicaltherapy.com, General Pharmacology for the Physical Therapists, Online

DECLARATORY STATEMENT REVIEW

Two Declaratory Statements were reviewed for Board discussion.

#1: The first Declaratory Statement that was reviewed by the Board is as follows. The Board determined that the answer will be discussed again at the next board meeting prior to making revisions on the website.

Referrals: Case Manager accepting a verbal order for treatment

Original Question to be reviewed by the Board: Can a case manager who is not a nurse accept a verbal order for PT from a physician and document in the medical record and PT begin treatment?

Answer to be reviewed by the Board: The board determined it is not appropriate for a case manager who is not a nurse to accept a verbal order for PT from a physician and document in the medical record for physical therapy to begin treatment.

After discussion the board decided to change the original question on the website to be more of a general statement. The revised language for the website will be as follows:

#8: Verbal Order: Accepting a verbal order for treatment

The Revised answer will be discussed at the next board meeting.

#2: The second Declaratory Statement that was reviewed and the board determined that it is irrelevant and needs to be removed from the website:

Declaratory Statement Topic: Referrals #13: Computer Generated Order for Outpatient PT

Question (voted to be removed from the website) Can I accept a computer generated order for a PT sent to the outpatient clinic? What about physician approved protocols and standing orders?

Answer (voted to be removed from the website) In order to answer this question, we should refer to Rule 341 Documentation Standards. This rule outlines and defines what must be contained in a physical therapy medical record. A. 1 of that rule states: "A prescription or referral is a written request for physical therapy evaluation or treatment signed by a healthcare provider lawfully authorized to make such a request which may initially be a verbal order but must be later confirmed in writing. The verbal order shall be documented by the PT in the patient's record. If the verbal order is not confirmed in writing, then the PT shall send a written communication requesting a written prescription or referral to the prescribing practitioner within 15 days of commencement of treatment or by the fifth treatment session, whichever occurs first. A copy of the written communication to the prescribing or referring practitioner must be maintained in the patient's record". The Board would therefore require that you receive a faxed or mailed copy of the written order signed by the patient's physician. Although this signed order may be in a patient's inpatient chart, as an outpatient clinic, you are starting a new chart with a new episode of care. The signed physician's order will start your new chart. Secondly, you must comply with all regulatory or accrediting agency requirements (JCAHO or other) and your facility Medical Staff By-laws pertaining to proper documentation of standing orders and protocols. The Board would require that each patient chart contain the referenced protocol or order for the equipment or device provided to the patients as part of your treatment plan. In addition, the patient's payor source may impose requirements that you would want to comply with.

LEGISLATIVE TASK FORCE UPDATE

Executive Director Charlotte Martin reported that letters were sent to all Senators and Representatives thanking them for their help during this year's legislative session.

Special Programs of the Board

SSA Interview

Rudy Gomez from SSA Consultants presented a proposal to provide neutral party facilitation services for the study committee that was formed during the legislative session through Senate Concurrent Resolution 19. Rudy separated the process into 3 main options: Option 1-Facilitator Services "Front House Work",

Option 2-Committee Administration/Logistic Services “Back Shop” and Option 3-Report Development Services.

The Board considered contracting with SSA for Option 1 & 3 only and to hire a part-time coordinator to provide enough staff support to for the meeting preparation. After considering the cost of a part-time staff person from July through January, the Board realized that SSA’s services would only cost about \$2,000 more total to provide this service and would save the staff time to not train a new person. The Board ultimately determined that SSA’s proposal will save the board time and effort

Secretary/Treasurer Danny Landry motioned to accept SSA Consultants’ proposal for facilitator services for all 3 options for total not to exceed \$36,500 in connection with the committee meetings & regards to Resolution SCR 19, Chairman Al Moreau seconded the motion. The board members voted and approved the motion unanimously.

Investigator Candidate

The board interviewed Tracey Lobue to fill apart-time private investigator vacancy. The board asked Mrs. Martin to provide details of the hourly rate that was paid to the previous investigator. The Board will discuss the rate for hire at the next board meeting.

Assistant Executive Director Candidate

The board interviewed Randi Schexnayder for theAssistant Executive Director Position. Danny Landry motioned to offer Randi Schexnader the position of Assistant Executive Director not to exceed \$55,000. The motion was seconded by Al Moreau. The Board voted and approved unanimously.

The board meeting was adjourned at 4:00pm.