



*state of Louisiana*

*Department of Health and Hospitals  
Louisiana Physical Therapy Board  
104 Fairlane Drive, Lafayette, LA 70507  
(337) 262-1043 FAX (337) 262-1054*

## AGENDA

### **January 26, 2011**

- 1:00 Call Meeting to order
- 2:00 Rules Public Hearing

### **January 27, 2011**

- 7:30 Breakfast at 5 Fifty 5
- 8:30 Minutes of December 2010 meeting
  - Reports
  - Chairman's Report
  - Treasurer's Report
    - Nov 2010 financial report - actual vs budget
    - Dec 2010 financial report - actual vs. budget
  - Securities
  - Executive Director's Report
    - DSCS Performance Planning and review
    - PT Shortage
- 9:30 Monitoring Disciplined Therapists Report
- 10:00 review comments received during Rules Public Hearing
- 12:00 Lunch
- 1:00 Unfinished Business
  - Task Tracker
    - Use of Electrocautery in Physical Therapy
  - Correspondence
    - OASIS - Reconciling Medication
    - PT with APE teacher in school system
    - Questions about article 139
    - Wellness questions P Page
    - Course denial appeal
    - advice on proper communication when handing off patients
    - Practice issue question McCulloch
    - NPTE comments
    - RE PTA supervision.msg
    - PTA supervision E Leblanc
- 2:00 New Business
  - Election of Officers
- 2:15 Legal
- 2:30 Board monthly call discussion
- 2:45 Investigation Summary Reports (one-on-one meetings)
- 3:30 Adjournment

Proceedings for the Louisiana Physical Therapy Board, taken in regular session on Wednesday, January 26, 2011, at the Marriott Hotel, 555 Canal Street, New Orleans, LA in the Mardi Gras Ballroom D. Dan Wood, Chairman called the meeting to order at 2:00 p.m. A quorum of members was present. Board members present were: Dan Wood, Jerry Jones, Jr., Teresa Maize, Donna "Dee" Cochran, Al Moreau, III, and Danny Landry. Cheryl Gaudin, Executive Director, Glenn Ducote, General Counsel, and George Papale, attorney were present. Advisory Committee Members present were Allison Roux, Tina Gualdo, Dionne Francois, Peggy Wilson and B. Craig Lowery.

The Rules Public Hearing began at 2:05 p.m. Cheryl Gaudin acted as moderator for the Hearing. Attendees who signed in prior to the public hearing were: Jerry Allgood, Mike Conlin, Allison Daly, Chris Davis, Scott Delahoussaye, Sharon Dunn, Jane Eason, Amelia Embley, Lisa K. George, Gus Gutierrez, Judith Halverson, David Hendricks, Paul Hildreth, Erica Kinler, Ricky Lane, Oday Lavergne, Greg LeBlanc, Amelia Leonardi, Kimberly Mathis, Lisanne Meiners, Tyra Mitchell, Lyn Savoie, Lisa Schuler, Joe Shine Julie L. Thomas, and Susan Welsh.

Written comments were received from Leslie Adrian, PT Director of Professional Standards FSBPT; Debbie Banks, PT; Andrea Billen, Sr. VP of Operations for Synergy Care, Inc.; Laura Bryant, PT; Jill Bugner, PT; Tina Gualdo, PT; Paul Hildreth, PT; Derrick Hines, student at LSUHSC New Orleans; Oday Lavergne, PT; Greg LeBlanc, PT; Marcy Linxwiler, PT; Phil Page, PT; and David Sale, Executive Director of the Council of Colleges of Acupuncture and Oriental Medicine.

The meeting was recessed at 6:00 pm.

The board meeting reconvened on January 27, 2011 at the Marriott Hotel located at 555 Canal Street, New Orleans, LA in the Bacchus Conference Room at 8:30 a.m. A quorum of members was present. Board members present were: Dan Wood, Jerry Jones, Jr., Teresa Maize, Donna "Dee" Cochran, Al Moreau, III, and Danny Landry. Cheryl Gaudin, Executive Director, Glenn Ducote, General Counsel, and George Papale, attorney were present. Advisory Committee Members present were Allison Roux, Tina Gualdo, Dionne Francois, Peggy Wilson and Craig Lowery.

#### ***ADOPTION OF MINUTES OF PREVIOUS MEETING***

Minutes of the December 2010 board meeting were accepted as written.

#### ***CHAIRMAN'S REPORT***

#### ***TREASURER'S REPORT***

Cash on hand for the month of November 2010 was \$942,802.46. Receipts for November 2010 totaled \$84,824.94 and expenses totaled \$27,202.55.

Cash on hand for the month of December 2010 was \$1,166,921.89. Receipts for December 2010 totaled \$258,546.06 and expenses totaled \$36,394.87.

Discussion was held to determine if the board wanted to invest funds from the checking account into a new security or to leave the funds in the account for a possibly purchase of the property and building the board is currently renting for office space. The board decided to leave the funds in the account until negotiations with the owner of the property/building Patrick Trappey have occurred.

Motion was made by Teresa Maize, seconded by Danny Landry, "To increase the meal allowances to \$15 for breakfast, \$25 for lunch, and \$40 for dinner to accommodate the high

cost market of New Orleans.” All in favor were Teresa Maize, Danny Landry, Donna “Dee” Cochran, Jerry Jones, Jr., Dan Wood, and Al Moreau, III. No one opposed the motion. Motion was made by Al Moreau, III, seconded by Danny Landry, to accept the Treasurers Report.

### **EXECUTIVE DIRECTOR REPORT**

The La Department of State Civil Service began a Performance Planning and Review for all agencies to determine compliance with Annual Reporting. The statewide un-rated rate was 2.48% for the past year. The La Physical Therapy Board’s un-rated rate was less than .01%. The board was commended for making performance management a priority which contributes to an agency’s effectiveness and helps it successfully meet its operational goals and objectives.

Staff suggested using Survey Monkey to survey all licensees for input to be included in the statutorily required Annual Report to the Governor regarding the condition of the practice of physical therapy in the state. The report must also include recommendations for improvement of the practice of physical therapy. The board decided to establish the survey and forward an email notice to all licensees requesting participation with the survey. Questions will be reviewed by the board at its February meeting.

### **PROPOSED RULES AND REGULATIONS/LEGISLATION**

Comments from the Rules Public Hearing were reviewed and suggested language changes/edits were discussed. Teresa Maize will draft language for continuing education based on comments from the Rules Public Hearing. The board will review the proposed rules with suggested edits on a conference call prior to the February board meeting to determine if additional edits are necessary. All edits or changes in language will be reviewed at the February board meeting for board decision and motion of acceptance.

### **NEW BUSINESS**

As required by statute, an election of officers took place at this meeting. Jerry Jones, Jr. was elected Chairman and Teresa Maize was elected Secretary-Treasurer.

The Board discussed sponsoring an Ethics course free of charge for licensees to be used for continuing education credit toward renewal of license. Further discussion for decision will be held at the February board meeting.

During discussion and planning for a traveling jurisprudence course offering after adoption of the current proposed rules, it was noted that the jurisprudence course is not well attended. The jurisprudence offers licensees the opportunity to obtain free continuing education credit while educating its licensees about sections of the rules that are often questioned. The board discussed the possibility of producing more than two newsletters per year. The purpose of producing additional newsletters will be to address one issue in depth per newsletter in hopes of reaching more licensees. Copies of these newsletters could then be posted on the board’s website for future access by the public and licensees.

### **CORRESPONDENCE**

Heidi Goldman, LOTR Home Health Therapy Supervisor at Touro Infirmary, requested clarification and scope of practice for a physical therapist in the use of the OASIS form for Home Health. OASIS question M2000 states “Drug regimen review: does a complete drug regimen review indicate potential critically significant medication issues, e.g. drug reactions, ineffective drug therapy, side effects, drug interactions, duplicate therapy, omissions, dosage error, or non compliance?” The practice of their agency is the PT collects the medication list and reviews it to the best of her ability; then a RN supervisor reviews the meds and signs off on them. Declaratory Statement 04.10.03 posted on the board’s website was reviewed by a staff PT at Touro causing the PT to question physical therapy scope of practice in this area. Ms. Goldman asked if a PT answers question M2000 on the OASIS as “1- no problems found during review will this be a problem.” Staff will request a

copy of the OASIS form from Ms Goldman. Upon receipt of the form, Jerry Jones, Jr. will draft a response to Ms Goldman.

Tonya Tabor, PT working in the school system, indicated she provides consultative services with a medical referral from a physician. Ms. Tabor consults with the adaptive physical education teacher (APE teacher) on the special needs children's program who qualifies for these services. Tabor is inquiring if she is liable for the APE teachers when they are performing stretching, ROM and developmental skills. Dan Wood will draft a response to Tabor indicating she is not liable for care provided by the APE teacher.

Amelia Embley, PT Outpatient Rehab Supervisor posed two scenarios for board clarification; 1) In the scenario that a PTA who only works weekends sees a patient and the evaluating/supervising PT is not working that day, does the face to face visit occur: a) with the lead therapist or therapist in charge on that particular weekend day (PT) who has never treated the patient before, b) No face to face visit should occur, c) try to meet with any PT that has ever seen the patient before but if no one who has seen the patient is working no face to face is conducted, and d) the PTA should not perform the treatment.

2) Do the face to face meetings have to occur on the same day as the treatment was conducted? Example) I am off and my board is covered by a PTA. We cannot meet the day of the treatments but meet the next day regarding the care from the day before and document on that day. Teresa Maize will draft a response to Ms Embley.

Phil Page PhD, PT, ATC, CSCS, FACSM posed two questions regarding wellness services for response from the board: 1. Can a PT provide a fitness program for management of chronic diseases such as diabetes under the 'wellness' provision, or other conditions such as osteoporosis that may have musculoskeletal impairments? Can 'wellness' services that are cash-based be performed with a physician referral that specifies "fitness" or "wellness" programs?

2. Cold, low-power lasers are now "over the counter" and rented for home use. Some physical therapy clinics are promoting 'weight loss' using cold lasers under the wellness umbrella. Page requested the position of the board regarding the use of low power laser for wellness services? Al Moreau, III will draft a response to Mr. Page.

Kim Lewis, PT Director of the Department of Outcomes and Program Development- a division of the Education Department for Therapy Management Corporation requested further information for the decisions rendered regarding Continuing Education Courses submitted for approval that appear as denied on the website. The courses are: 1. Cardiopulmonary, 2. Contracture Management for the Elderly Population, and 3. Incontinence Management. Ms. Lewis indicated previous continuing education course denial letters included a reason for denial. According to Ms. Lewis, denial letters received regarding the above listed courses did not contain the reason for denial. Ms Lewis indicated she is confident that all these course surpass the standards set forth for clinical crediting for continuing education units based on content- all are relevant and include a diverse level of information on physiology, pathologies related, implications of conditions as well as in depth assessment and treatment parameters. These courses also include clinician education for proper coding and documentation. Ms Lewis requested the board again review these courses for approval and attached each of the full course power points for reference to clear up any misunderstanding related to lack of therapeutic focus in course naming. Staff will forward the email to Teresa Maize and Donna "Dee" Cochran for review and response.

Jason Ledet, Program Director at the Rehabilitation Center of Thibodaux Regional forwarded additional questions regarding the Clarification of Act 139 PTA supervision and Declaratory Statement 2010.08.19. Two scenarios were posed:

1. We have a PT and PTA primary working together in the IP rehab facility. We have 1 PT stationed on acute care. When acute care's census increases, the PTA may flex to acute care to assist the PT with the caseload. What type of communication is required to be in compliance with the new ruling? Can the acute PT have a verbal/and or written discussion on which patients the PT wants the PTA to treat?

2. Same situation as above, but now the weekend is approaching. Our IP rehab PT and acute care PT leave notes on each patient to the weekend PT and PTA to hand off the patient to continue their treatment on Saturday and Sunday. These therapists are not familiar with the patients, but have the notes available to assist with their treatment plan. Is this enough communication to meet the standard? The report states "the PT shall communicate to the PT or PTA assuming treatment information on the patients essential for administering the plan of care."

Mr. Ledet indicated he wants to be efficient with patient care, however, at the same time compliant with the appropriate communication. Teresa Maize will draft a response to Mr. Ledet.

Joseph McCulloch, PhD Dean of the School of Allied Health Professions at LSU HSC posed a question to the Board for clarification. A treatment that has been used for many years, and has FDA approval, is the application of Platelet Rich Plasma (PRP) to wounds in order to stimulate healing. This is a patented process where a patient's blood is drawn, spun down and the plasma used to treat the wound bed to stimulate growth factor expression in chronic wounds. There has been an increased interest in this treatment in our area and physicians are requesting we use it on some of their patients. The problem comes in when we don't always have a phlebotomist available to draw the blood. Phlebotomists over in the hospital are individuals hired off the street with no training. They go through in house training by Medical Technologists to learn how to draw blood. The question is, if we go through such training by our Clinical Laboratory Science program and receive certification as phlebotomists can, we then draw the patient's blood when ordered by the physician for this procedure? I guess this really isn't a PT practice act issue, but just didn't want anything to crop up should a question arise. Donna "Dee" Cochran will draft a response to Dr. McCulloch.

The FSBPT Administrative Team forwarded a CBT Comment Summary and a Candidate Satisfaction Survey for candidates who sat for the NPTE in Louisiana during the fourth quarter of 2010. The comments summary included all comments for licensure candidates who tested during those months. The Satisfaction with application processing by State indicated a satisfaction rate in Q3 was 88.42%, but dropped in Q4 to 82.98%. The report indicated low candidate volumes may have a large impact on changes in ratings from one quarter to the next.

Errol LeBlanc, PT Rehab Director at Opelousas General Health System Rehabilitation Unit expressed questions regarding supervision of a PTA for weekend therapists. Scenario: A weekend PT who comes in only for contract work and sees weekend patients. An evaluation is performed as well as regular treatments. Patients seen by the weekend contract therapist are then seen again by one of the regular staff PTs prior to a PTA seeing that patient for treatment. Does the initial therapist who performed the evaluation need to have a face to face with the PTA, or can a staff therapist, who is on premises at all times see this patient prior to PTA treatment and then perform the face to face? Does the documentation of the face to face need to be part of the patient's chart?

Second scenario forwarded by Kelly Morel, PT: After the contract PT completes the evaluation and treatments on the weekend, what if the next treatment is completed by the PTA, without the regular staff PT treating that patient first? Teresa Maize will draft a response to Mr. Leblanc and Ms Morel.

## **UNFINISHED BUSINESS**

In the initial phase of designing the board's website, staff requested an option for licensees to have secure access to document completion of continuing education courses. This access could also be utilized by the licensee to download the history of their continuing education when updating a CV. Staff will continue to work with website programmers to develop this secure access for licensees.

## **TASK TRACKER**

Glenn Ducote responded to Janet L. Crawford, PT, DPT, indicating the setting in which a PT who has earned a DPT, may properly use the title of Doctor. A recent Declaratory Statement was included for Ms. Crawford to review.

Glenn Ducote responded to Gail Pearce, PT to address questions regarding a PT being a paid "wellness consultant".

Danny Landry drafted a response to Heather addressing her question regarding a PTA providing "Educational Consultations". Staff forwarded the response on board letterhead.

## **MONITORING DISCIPLINED THERAPISTS**

Schedule Lani Griffin for February meeting.

Glenn Ducote reported DHH findings after investigation of home health services provided by Dwayne Hogan. DHH's reported indicated no problems noted.

Amy Stewart forwarded documentation that she is working in Arkansas part time. Her new employer forwarded documentation indicating he is aware of Stewart's consent order with the board. Ms. Stewart's probation will be adjusted as per her consent with the board.

Teresa Maize will schedule a monitor visit with Catherine Nelson.

Robyn Alleman reported an injection received from her physician as required by her consent with the board.

Sarah Saenger-Ormand reported she will be on maternity leave for 12 weeks beginning December 13, 2010 and anticipates returning to work on March 7, 2011. This report is required under the terms of her consent agreement with the board.

Dionne Francois will schedule a monitor visit during the spring with Adam Lafleur. Probation for Lafleur terminates on June 2011. The board instructed staff to schedule Adam Lafleur to meet with the board in June.

Tina Gualdo will schedule a monitor visit with Michael Johnston.

Dion Lirette entered into a consent agreement with the board. Lirette will continue to work for the same employer who forwarded documentation indicating receipt and acknowledgment of Lirette's consent with the board. The employer is in the process of refunding charges for patient treatment provided when Lirette did not have an active, valid license.

## **OTHER BUSINESS**

### **BOARD MEMBER MONTHLY CALLS**

### **LEGAL**

The meeting was adjourned at 5:30 p.m.

Submitted by  
Cheryl Gaudin



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

104 Fairlane Drive, Lafayette, LA 70507  
(337) 262-1043 FAX (337) 262-1054

AGENDA

**February 23, 2011**

- 5:30 Informal Meeting case #2009I039
- 6:30 Call Meeting to order
- 6:35 Minutes of January board meeting
- 6:45 Reports
  - Chairman's Report
  - Treasurer's Report
    - January 2011 actual vs budget
    - Securities
  - Executive Director's Report
    - Ga\_FSBPT law suit
    - Maryland Board of Physical Therapy
    - LUS
    - InfoTech
    - Contracts
- 7:00 Meeting with Oday Lavergne, PT
- 7:20 Monitoring Disciplined Therapists Report
- 7:45 Rules and Regulations Update
  - Proposed rule language with edits
  - Follow up to Jan 26 Hearing

Recess for evening

**February 24, 2011**

- 8:30 Meeting with Patrick Trappey, LLC
- 9:30 Legal
- 10:00 Meeting with Lani Griffin
- 10:30 Unfinished Business
  - Ethics Course
  - Survey for licensee input
  - Task Tracker
  - Correspondence
    - Ethics Matters
    - Clarification of PT documentation on 6th visit
    - Eval and Treat
    - Indigent patients
- 11:00 New Business
- 11:30 *Board monthly call discussion*
- 12:00 Lunch
- 1:00 Investigation Summary Reports (one-on-one meetings)
- 3:30 Adjournment
- 3:00 Informal Conference, case #2008I023
- 3:30 Informal Conference, case #2010I018

**LOUISIANA PHYSICAL THERAPY BOARD**

February 23 & 24, 2011

**ACCEPTED**

Informal Meeting for case #2009I039 was cancelled.

Proceedings for the Louisiana Physical Therapy Board, taken in regular session on Wednesday, February 23, 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, Donna "Dee" Cochran, Al Moreau, III, Dan Wood, Gerald Leglue and Danny Landry. Cheryl Gaudin, Executive Director, Glenn Ducote, attorney, and George Papale, attorney were present. Advisory Committee Member Allison Roux was present. Visitors present were Oday Lavergne, John Doggett, Attorney; Jenny Smith, COO of Agilus Health; Wes Greylap, Attorney; Scott Fruge, PT and Jerry Allgood, PTA.

***ADOPTION OF MINUTES OF PREVIOUS MEETING***

Minutes of the January 2011 board meeting and Rules Public Hearing were edited and accepted after a change of the date on the first page to read "January 26 & 27, 2011".

***CHAIRMAN'S REPORT***

Jerry Jones, Jr. indicated it is an honor to serve as the new Chairman. As Chairman, Mr. Jones indicated that all members enjoyed the same privileges. Mr. Jones said that he would like to see an improvement in response time for assigned tasks. Jones reported board members and staff attended the FARB Annual Meeting in New Orleans in January. Most of the educational sessions addressed issues which are currently addressed in policy and procedure for the board.

The board meeting for March was moved up a week to March 16 & 17, 2011.

Staff was asked to contact Joanne Marier to inquire if she is interested in presenting a proposal to develop and present a physical therapy ethics course possibly online. The course would be offered to all physical therapist and physical therapist assistants in the state free of charge. Proposed rule language addressing continuing education will require an ethics course for renewal of license.

***TREASURER'S REPORT***

Cash on hand for the month of January was \$1,131,952.26. Receipts for January 2011 totaled \$11,269.81 and expenses totaled \$46,265.07.

The CD at Bank of Montgomery will mature on March 14<sup>th</sup>. Motion was made by Teresa Maize, seconded by Donna "Dee" Cochran; "The Executive Director will research rates available and report to the Secretary/Treasurer for decision and direction." All in favor were Teresa Maize, Donna "Dee" Cochran, Jerry Jones, Jr., Al Moreau, III, Gerald Leglue, Dan Wood, and Danny Landry.

7:00 p.m. Oday Lavergne requested a meeting with the board to discuss PTA supervision. John Doggett, Jenny Smith, and Wes Greylap were present with Mr. Lavergne. Mr. Lavergne reported his conversation with Senator Joe McPherson indicating the Senator was willing to sponsor a bill in the next session to remove the numeric restriction for PTA supervision. Mr. Lavergne referred to the Federation of State Boards of Physical Therapy Model Practice Act which is silent regarding the number of PTAs a PT could supervise in his practice.

Mr. Lavergne indicated he contacted the board to obtain public record copies of the annual Governor report and only received those that could be found. Mr. Lavergne indicated he did not find where the board addressed encroachment of the physical therapy practice, fee splitting, or direct access in those reports. Mr. Lavergne indicated if these issues would be addressed in the Governor's Annual Report this year, he would schedule a meeting for the board with Governor Jindal to review these issues. As a result of the request, the board agreed to obtain statistical data and information to address issues in the report. The annual report to the Governor is

generally forwarded in April each year. George Papale was assigned to draft the issues for inclusion in the report. Danny Landry will contact Justin Elliott to obtain statistics from APTA and provide to George Papale for review. Glenn Ducote was assigned to draft a letter of purpose and assignment for a Direct Access Task Force. The board will designate the chair of the Task Force and will identify task force members.

### **EXECUTIVE DIRECTOR REPORT**

The board discussed the lawsuit filed against the Georgia Physical Therapy Board and the FSBPT by foreign educated physical therapists as a result of the Federation of State Boards of Physical Therapy action to limit graduates from Egypt, India, Pakistan, and the Philippines to two opportunities to sit for the NPTE during the current calendar year. The judge in the case ruled against the Georgia Physical Therapy Board requiring the board and the FSBPT to allow candidates from the four restricted countries to immediately have access to registration/eligibility to sit for the NPTE.

Staff requested moving the fast access service with AT&T to LUS fiber. Moving to fiber service provides an accelerated speed for posting data to the web and the ability to update the website more frequently than every evening. The increase in the cost from AT&T DSL to LUS fiber service is \$40 per month. The board approved the request.

Staff reported a meeting with an InfoTech in which the representative/programmer indicated they were not able to accomplish the request for website and database edits. The language and interface of the two programs is beyond the experience of their employees. InfoTech is under state contract with the board which does not allow for subcontracting. Staff will conduct a search for a company who has the knowledge and experience to do the work and report back to the board.

### **MONITORING DISCIPLINED THERAPISTS**

Staff will contact Amy Stewart for update of work status. The probation time period for Ms. Stewart will be extended for the time period she reported working prn in Arkansas.

The board requested Craig Lowery, Advisory Committee Member to conduct a monitor visit with Harold Cheffin. Staff will contact Lowery to advise and add Mr. Cheffin to the agenda for the June board meeting.

Dan Wood will schedule a monitor visit with Dwayne Hogan.

### **PROPOSED RULES AND REGULATIONS/LEGISLATION**

Senator Joe McPherson was invited to meet with the board to review and discuss the proposed rule language regarding physical therapist assistant supervision. Greg Waddell, attorney for the Senate, responded the Senator was unable to attend the meeting, but did review the proposed language and would be forwarding comments no later than Thursday morning. The board reviewed comments forwarded by Waddell on behalf of Senator McPherson. Jerry Jones, Jr. will respond to the three concerns noted by Senator McPherson, namely "Supervising PT of Record, Entire treatment by a PT, and patient physically unavailable."

Substantive changes to the proposed rule language were identified and approved by the board. The date for the second public rules hearing to address any concerns regarding the substantive rule changes is scheduled for April 27<sup>th</sup> to coincide with the board meeting. Staff will prepare the appropriate documentation to be published in the March 20<sup>th</sup> issue of the La Register.

The meeting was recessed at 10:05 pm.

The board meeting reconvened on February 24, 2011. A quorum of members was present. Board members present were: Jerry Jones, Jr., Teresa Maize, Donna "Dee" Cochran, Al Moreau, III, Dan Wood, Gerald Leglue and Danny Landry. Cheryl Gaudin, Executive Director, Glenn Ducote, attorney, and George Papale, attorney were present. Advisory Committee Member Allison Roux

was present.

## **NEW BUSINESS**

Patrick Trappey, owner of the property being leased by the board, met with the board to begin negotiation for possible purchase of the property. Sam Robertson attended the meeting with Mr. Trappey. Mr. Trappey was asked to provide a proposal within 60 days for consideration by the board.

## **CORRESPONDENCE**

Amanda Burson requested clarification of documentation the PT must provide on a sixth visit in a LTC/SNF setting. Does the PT write a brief description of what treatment was provided and modification of plan of care if necessary, or must the PT write the formal weekly note on the day of the visit? Staff will respond to Ms. Burson.

David Ingram requested a statement from the board to appeal an action taken by Joint Commission. Does an order for PT Eval and Treat mean that a Physical Therapist can perform any treatment within the PT scope of practice and does a PT need a specific order for debridement or does the PT Eval and Treat order cover the debridement? Staff responded to Mr. Ingram citing La. R.S. 37:2407.A.5, §305 and §307.E. The response included the role of the PTA in wound care as wound debridement is a treatment that can only be performed by a PT.

Freddie Breaux, III PT requested a specific cite from the rules which addressed that charitable cases are legal and not in violation of any rules.

## **UNFINISHED BUSINESS**

### **TASK TRACKER**

Dan Wood responded to Patrick Cook, PT, MPT, OCS, CSCS, Peak Performance Physical Therapy regarding his quest for clarification of the rules and regulations regarding direct access and cash based services.

Dan Wood responded to Russ Gunter, PT, DPT with clarification of supervision of a student internship at Gunter's facility.

Glenn Ducote drafted a declaratory statement to address the EPLEY maneuver. Motion was made by Teresa Maize, seconded by Al Moreau, III, "to approve the declaratory statement." All in favor were Jerry Jones, Jr., Teresa Maize, Al Moreau, III, Gerald Leglue, Donna "Dee" Cochran, Danny Landry, and Dan Wood.

Dan Wood responded to Tonya Tabor regarding consultative services with a medical referral from a physician questioning if she was liable for the services provided by the adaptive physical education teacher.

Cheryl Gaudin responded to Therapy Management regarding the denial of course prior approvals submitted for Cardiopulmonary, Contracture Management for the Elderly Population, and Incontinence Management. These courses were not denied on the basis of course content, but rather on the credentials of the course presenter.

Donna "Dee" Cochran responded to Joseph McCulloch, PhD Dean of the School of Allied Health Professions at LSU HSC regarding the application of Platelet Rich Plasma (PRP) to wounds in order to stimulate healing.

Teresa Maize responded to Errol Leblanc, Ameila Embley, Holly Domingue, and Kelly Barracco clarifying PTA supervision and 6<sup>th</sup> visits.

## **OTHER BUSINESS**

### **BOARD MEMBER MONTHLY CALLS**

The meeting was adjourned at 3:00 p.m.

3:00 Informal Conference with case #2008I023 was held.

3:30 Informal Conference with case #2010I018 was held.

Submitted by Cheryl Gaudin



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

104 Fairlane Drive, Lafayette, LA 70507  
(337) 262-1043 FAX (337) 262-1054

*AGENDA*

**March 16, 2011**

- 6:30 Call Meeting to order
- 6:35 Minutes of February board meeting
- 6:45 Reports
  - Chairman's Report
    - Motion for temporary permits for new grads
  - Treasurer's Report
    - January 2011 actual vs budget
    - Securities
  - Executive Director's Report
- 7:20 Monitoring Disciplined Therapists Report
- 7:45 Rules and Regulations Update

Recess for evening

**March 17, 2011**

- 8:30 Legal
- 9:30 Unfinished Business
  - Task Tracker
  - Cook direct access \_cash based service
  - Tabor APE teacher
  - Gunter CI supervision
  - Correspondence
    - DON changed Physician\_PT order
    - RE LPTA proposed motion hod
- 10:00 New Business
- 10:30 Board monthly call discussion
- 11:00 Investigation Summary Reports (one-on-one meetings)
- 12:00 Adjournment

# LOUISIANA PHYSICAL THERAPY BOARD

March 16 & 17, 2011

Accepted

Proceedings for the Louisiana Physical Therapy Board, taken in regular session on Wednesday, March 16, 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, Dan Wood, Gerald Leglue and Danny Landry. Cheryl Gaudin, Executive Director, Glenn Ducote, attorney, and George Papale, attorney were present.

## ***ADOPTION OF MINUTES OF PREVIOUS MEETING***

Minutes of the February 2011 board meeting were accepted.

## ***CHAIRMAN'S REPORT***

Discussion was held regarding temporary permits for new graduates. Motion was made by Teresa Maize, seconded by Al Moreau, III to; "Board moves to issue temporary permits to applicants for licensure after completion of requirements from the physical therapy program but prior to the graduation date". All in favor were Jerry Jones, Jr., Teresa Maize, Al Moreau, III, Dan Wood, Gerald Leglue, and Danny Landry. No one opposed the motion.

## ***TREASURER'S REPORT***

Cash on hand for the month of February 2011 was \$1,080,517. Receipts for February 2011 totaled \$5,101.98 and expenses totaled \$58,688.67.

Revenues show renewal fees are up by \$17,848 and application fees are up \$13,590 actual vs budgeted while reinstatement, mail list and label, and other fees are below budgeted amount. Interest income is \$15,079 below budgeted amount.

Expense categories are under budgeted amounts with the exception of Healthcare Insurance, payroll taxes, and court reporter fees.

The board motioned to open an interest bearing Commercial Savings Account. Once the account is open, \$300,000 would be moved from the checking account into the savings account to earn interest until a decision is made regarding the purchase of the building currently being rented.

## ***EXECUTIVE DIRECTOR REPORT***

Staff reported numerous unsuccessful attempts to contact 10 licensees to forward an updated photo which was requested in June 2010. Glenn Ducote, attorney for the board, suggested forwarding a written warning by certified mail to each licensee citing §341.B.

## ***MONITORING DISCIPLINED THERAPISTS***

Craig Lowery, Advisory Committee Member was asked to conduct monitor visit with Ron Robertson.

Tina Gualdo, Advisory Committee Member was asked to conduct monitor visit with Michael Johnston.

Staff will contact Sheryl Townsend for an update on work status.

## ***PROPOSED RULES AND REGULATIONS/LEGISLATION***

The public hearing is scheduled for April 27<sup>th</sup> at 6:30 pm at the board office.

## ***LEGAL***

Dan Wood reported agreed terms of a consent order with Carrie Signal to the board. The board accepted the terms presented by Mr. Wood on behalf of Mrs. Signal. Donna "Dee" Cochran will be monitoring Mrs. Signal.

The meeting was recessed at 10:05 p.m.

The board meeting reconvened on March 17, 2011. A quorum of members was present. Board members present were: Jerry Jones, Jr., Teresa Maize, Al Moreau, III, Dan Wood, and Danny Landry. Cheryl Gaudin, Executive Director and Glenn Ducote attorney, were present.

## **NEW BUSINESS**

### **CORRESPONDENCE**

Samantha Guichet, PT is employed by Performance Therapy Services who provides home health services in the greater New Orleans area. Ms. Guichet performed an assessment for a patient at Concerned Care and determined the patient could benefit from PT services and requested an OT evaluation because the patient who lived alone without a caregiver was having difficulty with bathing, dressing, etc. A plan of care was written for the patient. Upon review of the plan of care, Ms. Guichet was contacted by the agency who reported the DON for Concerned Care cancelled orders for PT and OT. Ms. Guichet reported the situation to the referring physician and to the family, and asked the board what is her professional obligation? The question Ms. Guichet raised is should she discharge the patient, and if so, for what reason?

The board reviewed a draft of the proposed motion from LPTA to be presented at the APTA House of Delegates meeting.

### **UNFINISHED BUSINESS**

#### **TASK TRACKER**

Al Moreau, III responded to Phil Page, PT regarding Wellness questions and use of cold, low-power laser.

Teresa Maize responded to Jason Ledet regarding PT/PTA communication.

Staff responded to Amanda Burson regarding clarification of documentation the PT must provide on a sixth visit in a LTC/SNF setting.

George Papale drafted a statement on direct access for inclusion in the Annual Governors Report for review by the board.

### **OTHER BUSINESS**

#### **BOARD MEMBER MONTHLY CALLS**

The meeting was adjourned at 3:00 p.m.

3:00 Informal Conference with case #2008I023 was held.

3:30 Informal Conference with case #2010I018 was held.

Submitted by Cheryl Gaudin



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

104 Fairlane Drive, Lafayette, LA 70507  
(337) 262-1043 FAX (337) 262-1054

AGENDA

**April 27, 2011**

- 5:00 Case #2010I019 Informal with Jerry Jones, Jr.
- 5:30 Case #2010I019 Informal with Jerry Jones, Jr.
- 6:30 Call Meeting to order
- 6:35 Substantive Rules Public Hearing
- 7:30 Minutes of March board meeting
- 7:40 Reports
  - Chairman's Report
    - Meeting with Senator McPherson
    - Conference call with LPTA leadership
    - LPTA meeting
    - BD Member Timesheet
    - Property purchase negotiation
  - Treasurer's Report
    - January 2011 actual vs budget
    - Securities
  - Executive Director's Report
    - Newsletter
    - Governor Annual Report
- 8:30 Monitoring Disciplined Therapists Report
- 9:00 Rules and Regulations Update
- Recess for evening

**April 28, 2011**

- 8:30 Legal
  - Opinion Letter Cassius Ekhaton
- 9:30 Unfinished Business
  - Task Tracker
  - Correspondence
    - CLEAR 2011 Annual Educational Conference and Training Programs
    - 2011 FSBPT Delegate and Administrator Credentialing
    - NPTE Fee Increase Effective January 1 2013
    - 2011 FARB Attorney Certification Seminar
    - concussions
    - Question about PTA rights
    - Veneracion resume and letter of interest
    - Regulation of Medical Equipment
    - referrals from psychologists
    - Question
    - Supplements
    - CBA comments
- 10:15 New Business
  - Suggested Advisory names
  - Continuing Education Policy
- 10:30 Meeting with Sheryl Townsend

11:00 Board monthly call discussion  
11:30 Investigation Summary Reports (one-on-one meetings)  
12:00 Adjournment  
  
1:00 Case #2011I010 Informal Conference with Dan Wood

**LOUISIANA PHYSICAL THERAPY BOARD**

April 27 & 28, 2011

**Accepted**

5:00 The Investigative Committee for case #2010I019 and case #2011I019 met.

Proceedings for the Louisiana Physical Therapy Board, taken in regular session on Wednesday, April 27, 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, and George Papale, attorney were present. Advisory Committee Members Allison Roux and Dionne Francois were in attendance.

At 7:09 pm proceedings for the Substantive Rules Public Hearing began. Those present and wishing to speak were Bland O'Connor, Greg Leblanc, Kinta Leblanc, Paul Hildreth, Lisa George, and Jane Eason. Written comments were reviewed and oral testimony was accepted. A court reporter was present to record and transcribe the proceedings.

***ADOPTION OF MINUTES OF PREVIOUS MEETING***

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

***CHAIRMAN'S REPORT***

Jerry Jones, Jr. reported the outcome of the meeting with Senator McPherson and the conference call with LPTA President Greg Leblanc.

The board sponsored a booth at the Louisiana Physical Therapy Association Spring Meeting held at the Lafayette Hilton and Towers. Teresa Maize and Cheryl Gaudin manned the booth to respond to questions regarding proposed legislation. Jerry Jones, Jr. and Danny Landry attended the continuing education course sponsored by LPTA. Teresa Maize, Jerry Jones, Jr., Danny Landry and Cheryl Gaudin attended the business luncheon.

Danny Landry reported discussion at the LPTA Board of Directors meeting to appoint a Task Force to address direct access. Mr. Landry informed the LPTA BOD the board had previously decided to appoint a task force to address direct access and suggested the two organizations work together in making appointments to a single task force.

Staff forwarded a board member timesheet for review. Tasks that do not take more than 30 minutes to complete could be recorded on the form to accumulate two hours of work which could be used toward a per diem for board work. Motion was made by Dan Wood, seconded by Danny P. Landry; "To accept the board member timesheet to monitor monthly activity. Board and Committee Members must submit a minimum of 2 hours of board related activity to be compensated for a per diem."

A proposal from Sam Robertson Realty for purchase of the building and property was reviewed. The proposal for purchase of the property was \$280,000. Motion was made by Dan Wood, seconded by Donna "Dee" Cochran; "The board will secure the services of a licensed realtor to negotiate the purchase of the current location the board is renting, and to counter the offer to purchase the property at \$225,000. The purchase offer would include mineral rights." All in favor were Dan Wood, Donna "Dee" Cochran, Jerry Jones, Jr., Teresa Maize, Danny Landry, Gerald Leglue, and Al Moreau, III. No one opposed the motion.

A couple of board members indicated they would not be at the board meeting scheduled for May due to personal conflicts. After discussion, the May board meeting was moved to May 18<sup>th</sup> & 19<sup>th</sup>. Personal conflicts were also noted for the board meeting scheduled for July. The meeting date was moved to July 20<sup>th</sup> and 21<sup>st</sup>.

***TREASURER'S REPORT***

Cash on hand for the month of March 2011 was \$1,036,516.28. Receipts for March 2011 totaled \$10,092.56 and expenses totaled \$42,344.70.

A Commercial Savings Account was opened at Chase Bank. When the account was opened, \$300,000 was moved from the checking account into the Commercial Savings Account.

Motion was made by Donna "Dee" Cochran, seconded by Al Moreau, III: "To accept the Treasurers report as given." All in favor were Jerry Jones, Jr., Donna "Dee" Cochran, Al Moreau, III, Teresa Maize, Gerald Leglue, Danny Landry and Dan Wood. No one opposed the motion.

#### **EXECUTIVE DIRECTOR REPORT**

Staff presented a rough draft of the Annual Report to the Governor which included the information about direct access drafted by George Papale. In addition, comments were added regarding wellness client direct access. Staff will complete the report and forward to the Governor.

Staff presented for review articles for the Spring Newsletter. Donna "Dee" Cochran provided the article information stating the differences between licensure and academic degree to be included in the newsletter. Staff will prepare and forward to the printer for distribution.

#### **MONITORING DISCIPLINED THERAPISTS**

The board asked staff contact Peggy Wilson requesting she conduct a monitoring visit with Stacey Andrus.

Donna "Dee" Cochran will conduct a monitor visit with Carrie Signal.

Danny Landry will monitor Shelley Sonnier.

#### **PROPOSED RULES AND REGULATIONS/LEGISLATION**

The Board discussed written and verbal comments received at the Substantive Rules Public Hearing. Discussion surrounding the temporary permit issue will be taken up at a later time. The board decided to move forward with the process with the rules language as is and forward the report to the Oversight Committees.

#### **LEGAL**

George Papale, legal counsel to the board reported review of an application submitted by Cassius Ekhator to sit for the NPTE. Mr. Papale identified several discrepancies in the fourteen applications submitted by Mr. Ekhator. Mr. Papale presented for review by the board an opinion letter containing such discrepancies. Motion was made by Donna "Dee" Cochran, seconded by Dan Wood; "To notify Cassius Ekhator of the Board's intent to deny and disqualify his application for licensure." All in favor were Dan Wood, Donna "Dee" Cochran, Jerry Jones, Jr., Teresa Maize, Danny Landry, Gerald Leglue, and Al Moreau, III. No one opposed the motion.

George Papale reported review of an application from Jennifer Clark PTA. Ms. Clark indicated previous disciplinary action in Mississippi and Arkansas. After discussion, the board requested a meeting with Ms. Clark at the May board meeting. A substance test by submission of a hair specimen was to be requested prior to the meeting.

Glenn Ducote drafted a Cease and Decist Order for review by the board. George Papale suggested adding a place for acknowledgment by the individual the cease and decist order was addressed to. Motion was made by Dan Wood, seconded by Donna "Dee" Cochran; "Authorize issuance of a Cease and Decist Order to Mario Wilkens, Lourdes Han and Vinicio Madrigal." All in favor were Dan Wood, Donna "Dee" Cochran, Jerry Jones, Jr., Teresa Maize, Danny Landry, Gerald Leglue, and Al Moreau, III. No one opposed the motion.

The meeting was recessed at 10:05 p.m.

The board meeting reconvened on April 28, 2011. 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 Allison Roux and Dionne Francois were in attendance.

### **NEW BUSINESS**

Armafe Veneracion, PT from the Monroe area, submitted a resume with letter of interest to be appointed to the Advisory Committee. After review and discussion, motion was made by Teresa Maize, seconded by Gerald Leglue; "To appoint Armafe Veneracion, PT as an Advisory Committee Member for the two year time period to expire December 31, 2013." All in favor were Dan Wood, Donna "Dee" Cochran, Jerry Jones, Jr., Teresa Maize, Danny Landry, Gerald Leglue, and Al Moreau, III. No one opposed the motion.

Teresa Maize drafted a Continuing Education Policy to post on the board's website as indicated in proposed rules language. Suggestions and edits were solicited from other members. Upon completion of the document, motion was made by Dan Wood, seconded by Gerald Leglue; "To Copyright the continuing education state guidelines." All in favor were Dan Wood, Donna "Dee" Cochran, Jerry Jones, Jr., Teresa Maize, Danny Landry, Gerald Leglue, and Al Moreau, III. No one opposed the motion.

10:30 Meeting with Sheryl Townsend to discuss her probationary status. Ms. Townsend reported her concerns about not being able to be gainfully employed because of the terms of her probation. The board reported there are other licensees with probationary terms who are gainfully employed and suggested she continue to apply for advertised positions. In review of the terms of the Consent Agreement with Ms. Townsend, the probationary time period ceases to run if Ms. Townsend is not gainfully employed for at least 20 hours per week. Therefore, an additional four months were added to her probationary time period as she has not been employed for the four month time period.

### **CORRESPONDENCE**

The Federation of State Boards of Physical Therapy requested the board designate a delegate, alternate delegate, and administrator to attend the FSBPT 2011 Annual Meeting to be held in Charlotte, North Carolina. Motion was made by Dan Wood, seconded by Donna "Dee" Cochran; "To appoint Jerry Jones, Jr. as delegate, Teresa Maize as alternate delegate, and Cheryl Gaudin as administrator representing the board at the FSBPT 2011 Annual meeting." All in favor were Dan Wood, Donna "Dee" Cochran, Jerry Jones, Jr., Teresa Maize, Danny Landry, Gerald Leglue, and Al Moreau, III. No one opposed the motion.

CLEAR forwarded an email noticing the board of the 2011 Annual Educational Conference and Investigator Training Programs scheduled. Al Moreau, III indicated he would review the available dates to attend the Basic Investigator Training Program.

The Federation of State Boards of Physical Therapy owns the National Physical Therapy Examination. A notice was received that the exam fee will increase January 1, 2013 to \$400.

A notice was received from the Federation of Association of Regulatory Boards for the upcoming Attorney Certification Seminar. The board decided not to send anyone to the seminar.

A question was posed on the FSBPT Council of Board Administrators email thread regarding concussions. North Dakota was inquiring if other jurisdictions allow PTs to make the determination to put an athlete back into a game if the athlete shows signs and symptoms of a concussion. The board determined the Louisiana Physical Therapy Practice Act prohibits a PT from making a medical diagnosis. Staff will respond to the thread.

Virginia Barrios, PTA wrote to the board to determine if she can refuse to treat a patient when the patient is verbally abusive and disrespectful to the PTA. The verbal abuse was reported to the

supervising PT and administration of the nursing home facility. At the request of administration, the PTA continued to treat the patient, but after discharging the patient due to meeting goals, the patient wanted to receive treatment again. The PT screened the patient and found no change in the condition since discharge and refused further services as there were no goals to be met. Danny P. Landry will draft a response to Ms. Barrios for staff to forward.

Mitchell Traina inquired about the scope of practice and regulation of medical equipment sold by a PT. Specifically a TENS unit issued by a PT at the request of a physician which was invoiced by an out of state vendor. Staff will respond to Mr. Traina.

John W. Ware, PT, MS, Fellow of the AAOMPT and director of Outpatient PT at LSU-HSC questioned if it within the scope of practice to accept a referral from psychologists, whether licensed as behavioral health professionals or some other terminal clinical doctorate in psychology. Staff will respond to Mr. Ware.

Kelly Ortego, PT at Laborde Occupational and Physical Therapy Center asked what documentation is required when consulting with clients that are seeing a trainer or member of a health club. No treatment will be performed and insurance would not be billed. Ms. Ortego indicated she would be consulting only. Staff will respond to Ms. Ortego.

FSBPT forwarded comments received from NPTE exam takers from Louisiana for the months of January, February, and March 2011. Satisfaction with applicants applying through Louisiana during that time period was posted at 86.9%.

## **UNFINISHED BUSINESS TASK TRACKER**

Glenn Ducote drafted a mission statement for the direct access task force as requested. After review of the content, motion was made by Dan Wood, seconded by Donna "Dee" Cochran; "To appoint Al Moreau, III as Chairman of the Physical Therapy Access Task Force. Mr. Moreau will identify individuals to serve on the task force." All in favor were Dan Wood, Donna "Dee" Cochran, Jerry Jones, Jr., Teresa Maize, Danny Landry, Gerald Leglue, and Al Moreau, III. No one opposed the motion.

## **OTHER BUSINESS**

Jerry Jones, Jr. called an Executive Session at the request of Glenn Ducote to discuss a personnel matter.

## **BOARD MEMBER MONTHLY CALLS**

Jerry Jones, Jr. reported speaking to Lisa Montaldo and her husband who is a pharmacist on several occasions regarding PTs completing the OASIS form. Mr. Montaldo has also contact the board office with concerns of a physical therapist conducting a medicine review and providing an opinion on the OASIS form. Mr. Jones suggested Mr. Montaldo contact the board office to schedule a meeting with the board either by conference call or in person.

The meeting was adjourned at 1:00 p.m.

3:00 Informal Conference with case #2011I010 was held.

3:30 Informal Conference with case #2006I028 was rescheduled.

Submitted by Cheryl Gaudin



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

104 Fairlane Drive, Lafayette, LA 70507  
(337) 262-1043 FAX (337) 262-1054

AGENDA

**May 18, 2011**

- 6:30 Call Meeting to order
- 6:35 Meeting with Case # 20111018 – new applicant
- 7:00 Minutes of April board meeting
- 7:30 Reports
  - Chairman's Report
  - Treasurer's Report
    - April 2011 actual vs budget
    - Securities
  - Executive Director's Report
    - Conference table
- 8:15 Monitoring Disciplined Therapists Report
- 8:45 Rules and Regulations Update
  - Continuing Education Policy update
- 9:00 Legal
- 9:15 Unfinished Business
  - Task Tracker
  - Correspondence
    - refusal of patient
    - Questions for the board for clarification
- 9:45 New Business
  - laser position statement to medical board
  - position statement on low level lasers
- 10:00 Board Monthly Call Discussion

Recess for evening

**May 19, 2011**

- 8:15 Meeting with Monty Warren, Valor Commercial Real Estate
- 9:15 Investigation Summary Reports (one-on-one meetings)
- 1:00 Adjournment

**LOUISIANA PHYSICAL THERAPY BOARD**

May 18 & 19, 2011

**ACCEPTED**

5:00 The Investigative Committee for case #2010I019 and case #2011I019 met.

Proceedings for the Louisiana Physical Therapy Board, taken in regular session on Wednesday, May 18, 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, and George Papale, attorney were present.

***ADOPTION OF MINUTES OF PREVIOUS MEETING***

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

***CHAIRMAN'S REPORT***

Jerry Jones, Jr. reported he and Cheryl Gaudin were invited to attend the Federation of State Boards of Physical Therapy (Federation) Summit. The purpose of the summit is to provide guidance for tasks for the Federation to undertake for its member boards. The summit will also address NPTE issues and attempt to develop solutions to those issues of security.

***TREASURER'S REPORT***

Cash on hand for the month of April 2011 was \$1,036,518.28. Receipts for April 2011 totaled \$15,028.92 and expenses totaled \$27,079.29.

Teresa Maize reported a CD maturing at Union Bank in Marksville on June 1, 2011. The board elected to redeem the CD and move the proceeds into the boards Chase checking account. Research would be conducted for the best bank rate to open a new CD in the amount of \$300,000.

***EXECUTIVE DIRECTOR REPORT***

Staff presented a quote from Prison Enterprises to fabricate a new board table to match the other three. The quote was for \$1,000 and would be stained to match the other furniture. Motion was made by Teresa Maize, seconded by Donna "Dee" Cochran; "To have Prison Enterprises fabricate a new board table." All in agreement were Teresa Maize, Donna "Dee" Cochran, Jerry Jones, Jr., Gerald Leglue, Al Moreau, III, Danny Landry, and Dan Wood. No one opposed the motion.

Jennifer Clark, Administrative Case #2011I018 met with the board. Ms Clark is a new applicant with administrative action reported in Mississippi and Arkansas. Ms Clark provided a hair sample for substance testing May 18<sup>th</sup>. The board is awaiting the results of the test prior to a decision for licensure.

***MONITORING DISCIPLINED THERAPISTS***

Staff was asked to schedule Adam Lafleur, Harold Cheffin, and Joseph Heath Clampit meet with the board at the June board meeting.

Staff was asked to schedule Michael Johnston meet with the board at the July board meeting. Tina Gunaldo, Advisory Committee Member will be asked to conduct a final monitor visit with Johnston prior to the June meeting.

Staff was asked to contact Shelley Sonnier regarding the essay she provided as determined by terms of her consent order with the board. Ms Sonnier was asked to rewrite the essay provided as most of the essay was quotes from the statute and rules which she violated. Staff reported it was difficult to contact Sonnier as she did not return calls or email attempts.

Sarah Ormand provided information regarding the length of time she was out on maternity leave as required by her consent order with the board. Terms of the consent order included a

statement that if Ms Ormand did not practice at least 20 hours per week, that week did not count toward her probation time. The probation time for Ms Ormond will be reviewed to determine how much time she was out and how much time must be added to correct the end date of her consent order.

Amy Stewart provided information regarding the length of time she was not in Louisiana but practiced in Arkansas. Terms of the consent order included a statement that if Ms Stewart did not practice at least 20 hours per week, that week did not count toward her probation time. The probation time for Ms Stewart will be reviewed to determine how much time she was out and how much time must be added to correct the end date of her consent order.

### **PROPOSED RULES AND REGULATIONS**

Teresa Maize submitted a proposed Continuing Education Policy to be posted on the board's website. The purpose of the policy is to provide board members, potential course sponsors and general consumers guidelines in the Louisiana Physical Therapy Board's approval process. The policy includes criteria for approval of courses such as credentials for speakers, information for approval of online and home study courses, and how approval time is determined. After review and discussion, the board approved the new policy.

### **LEGAL**

Glenn Ducote and Danny Landry presented a proposed consent order on behalf of Randy Gomez. Mr. Gomez would be on probation for one year with additional terms. The board approved the terms of the consent order.

Glenn Ducote and Dan Wood presented a proposed consent order on behalf of Shirley Bryan. Ms Bryan would be on probation for five years with additional terms. The board approved the terms of the consent order.

The meeting was recessed at 10:05 p.m.

The board meeting reconvened on May 19, 2011. 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.

### **NEW BUSINESS**

8:15 Monty Warren, Valor commercial Real Estate met with the board to discuss representation for the purchase of the property and building the board is currently leasing for office space.

Al Moreau reported receipt of a letter and telephone calls with Mr. Bonck at the Louisiana State Board of Medical Examiners. Discussion surrounded use of cold lasers in wellness area. Mr. Moreau provided a proposed response to Mr. Bonck's concerns. The board determined it best to conduct further research with individuals from APTA, LPTA, LSU, and FSBPT prior to responding to the Medical Board.

### **CORRESPONDENCE**

Anjel Via Liles, PT owner of Physical Therapy, Inc. requested clarification regarding the right to refuse to treat a patient due to an ongoing lawsuit against a fellow colleague. The patient has a history with the clinic. Staff will respond to Ms. Liles.

Kristi L. Thomas, Area Rehab Manager at Synergy Care, Inc. forwarded two questions to the board for clarification. (1) Can a PTA print the last weekly progress note and take to the rehab meeting update? No questions will be address regarding PT prognosis. (2) If the PT evals and develops the POC to include the intensity that the patient is expected to tolerate, can anyone enter the planned minutes in the SMART planner? Any problems with the patient attaining the expected intensity, the PTA would consult with the evaluating PT. Staff will respond to Ms Thomas.

**UNFINISHED BUSINESS****TASK TRACKER**

Danny Landry responded to Virginia Barrios regarding verbal abuse of the PTA by a patient.

**OTHER BUSINESS**

Donna "Dee" Cochran, Teresa Maize and Cheryl Gaudin conducted a jurisprudence presentation to the graduating students of LSU HSC in Shreveport and New Orleans and to PTA students at Bossier Community College and OLOL.

**BOARD MEMBER MONTHLY CALLS**

None reported.

The meeting was adjourned at 1:00 p.m.

Submitted by Cheryl Gaudin



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

104 Fairlane Drive, Lafayette, LA 70507  
(337) 262-1043 FAX (337) 262-1054

AGENDA

**June 21, 2011**

- 4:30 Call Meeting to order
- 4:35 Meeting with Adam Lafleur
- 4:45 Meeting with Harold Cheffin
- 5:00 Meeting with Joseph Heath Clampit
- 7:00 Minutes of May board meeting  
PT Board/LPTA rule meeting
- 7:30 Reports
  - Chairman's Report
  - Treasurer's Report
    - May 2011 actual vs budget
    - Securities
  - Executive Director's Report
- 8:15 Monitoring Disciplined Therapists Report
- 8:45 Rules and Regulations Update
- 9:00 Legal
- 9:15 Unfinished Business
  - Task Tracker
    - Dry needling course
  - Correspondence
    - PTA supervision
    - Pain Elimination Techniques Letter
    - Please help me become a licensed PTA!!
    - Provision of equipment for self-injurious behavior
    - Question for the Board Dry Needling
    - Supplements
    - I have a question
    - Ultrasound\_PVT
    - Temp Permit
- 9:45 New Business
  - Reappointment of Jerry Jones
- 10:00 Board Monthly Call Discussion

Recess for evening

**June 22, 2011**

- 8:30 Board preparation on process
- 9:00 Formal Hearing, Cassius Ekhaton
- 11:00 Investigation Summary Reports (one-on-one meetings)
- 12:00 Lunch
- 1:30 Adjournment

**LOUISIANA PHYSICAL THERAPY BOARD**

June 21 & 22, 2011

**ACCEPTED**

Proceedings for the Louisiana Physical Therapy Board, taken in regular session on Wednesday, June 21, 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, and Don Evans, Administrative Investigator were present.

4:35 Meeting with Adam Lafleur  
4:45 Meeting with Harold Cheffin  
5:00 Meeting with Joseph Heath Clampit

***ADOPTION OF MINUTES OF PREVIOUS MEETING***

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

Minutes of the May 2011 PT Board/LPTA rule meeting were accepted as written.

***CHAIRMAN'S REPORT***

***TREASURER'S REPORT***

Cash on hand for the month of May 2011 was \$1,007,908.97. Receipts for May 2011 totaled \$14,606.35 and expenses totaled \$43,712.83.

Proceeds from the CD that matured at Union Bank were used to open a new CD at the Bank of Montgomery. The CD is in the amount of \$300,000, at a 1% interest rate for a 9 month term.

***EXECUTIVE DIRECTOR REPORT***

None

***MONITORING DISCIPLINED THERAPISTS***

The board requested Advisory Committee Member Tina Gunaldo conduct a monitor visit with Michael Johnston prior to the July board meeting. Johnston will be contacted and asked to meet with the board at the July meeting.

Staff will update the probation time for Amy Stewart to include the amount of time in which Stewart did not practice as a PTA in Louisiana for at least 20 hours per week.

Glenn Ducote will write to Joseph Heath Clampit requesting documentation indicating a deadline for providing the documentation to the board.

Donna "Dee" Cochran will conduct a monitor visit with Carrie Signal.

Staff will contact Allison Roux and request a monitor visit with Matthew Slimming and Miles Becnel, Jr. Staff will schedule Matthew Slimming to meet with the board at August board meeting.

***PROPOSED RULES AND REGULATIONS***

Draft language of revised proposed rule language was approved. The proposed language will be forwarded to the La Register for publication in the July 20<sup>th</sup> issue indicating a public hearing will be held at the Board office on Wednesday, August 24<sup>th</sup> at 6:30.

***NEW BUSINESS***

Governor Bobby Jindal reappointed Jerry Jones, Jr. as a Board Member to serve a second three year term which will expire on April 21, 2014.

## **CORRESPONDENCE**

Michael Wilchens, PT is working in a SNF setting and asked for clarification with regards to PTA supervision. (1) If a PT is supervising 4 PTAs, one of them is a temporary permittee, and a rehab technician (being paid under nursing as a CAN), does this meet the supervision ratio? (2) If there are 2 OTs and 2 to 3 COTAs in the rehab department, does this put me over the supervision ratio? (3) When a patient switches from Medicare A to Medicare B, does a PT need to see the patient and do a complete new evaluation or does writing an order in the patient chart to continue under Medicare B allow the PTA to continue with the visits until the sixth visit? (3) Are PTAs still issued a temporary permit? (4) Is a PT required to inform the board when changing jobs and what PTAs he will be supervising? If so, how do I inform the board? Staff will respond to Mr. Wilchens.

Lynn Inzerella, PT wrote to the board asking for reconsideration of the denial of a course presented by Stephen Kaufman, DC titled "*Pain Elimination Techniques*". The board researched the course and denied the course.

Tina Henry, PTA graduate requested assistance in obtaining a license to practice in Louisiana. Henry applied to Kansas for licensure. Her application indicated prior legal issues which must be investigated prior to licensure issuance. The board has not received an application from Henry, but indicated the process of investigation of her legal issues would also have to be investigated.

Brett Domangue, PT indicated a patient in their clinic under treatment of psychology to address a significant history of self-injurious behavior including kicking himself in the shin with the opposite foot and hitting himself in the head/face. The PT was asked to supply a protective helmet and a shin guard due to this self-injurious behavior. Does the provision of this equipment fall under the La Physical Therapy Practice Act?

Virginia B. Davis, PT, MA of Crescent City Physical Therapy requested an update as to when La PTs would be able to perform "Dry Needling"? Staff will respond to Ms. Davis.

Brian Soignier, PT requested clarification as to whether PTs may sell nutritional OTC supplements in the clinic. The board determined there is nothing in the La Physical Therapy Practice Act prohibiting the sale of such supplements.

Stephanie deSouza reported her physician referred her to Lewy Physical Therapy for PT. On her second visit, she was treated by a PTA and asked if this was proper to be seen only by a PTA. Teresa Maize will draft a response to deSouza.

David Buckner, PT reported he is practicing in an acute care hospital. If a patient had a TKA on 6/2/11 and has an order in the chart that indicated the patient is to have ultrasound on 6/4/11 to L leg to rule out DVT, can the patient still be treated before the ultrasound is done if the physician writes an order that it is okay to continue with PT prior to ultrasound being done? The physician does not think the patient has a DVT, but the PT is not willing to risk to the patient if there is a problem and the PT should have used better clinical judgment.

Christopher M. Rawls, temporary permittee requested an extension of his permit which expires on 8/10/11. His 60 day permit was issued for re-examination which is scheduled for 9/7/11. The board determined the current rules allow for a 60 day temporary permit after a 1<sup>st</sup> failure, so the permit will not be extended. Staff will respond to Mr. Rawls.

## **UNFINISHED BUSINESS**

### **TASK TRACKER**

Staff contacted Chris Davis for assistance with obtaining information of a dry needling course offered by Dr. Yun Tao Ma. The course indicated only 46 hours duration. The proposed rule language will require certificate of completion of a continuing education dry needling course with a minimum of 50 contact hours. Davis contacted Dr. Yun Tao Ma and received a response that Louisiana students would receive 24 contact hours for the first course and 26 contact hours for the second part of the course.

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

The meeting reconvened on Thursday, June 22<sup>nd</sup> 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, George Papale, attorney, and Don Evans, Administrative Investigator were present.

#### **LEGAL**

Glenn Ducote and George Papale reported speaking to Katrina Jackson, attorney representing Johan Smith. Ms. Jackson requested a continuance of the Johan Smith formal hearing which was to take place on Thursday morning. The continuance was granted to Ms. Jackson. Counsel suggested the matter be calendared for Thursday, July 21<sup>st</sup> at 9 a.m.

George Papale reported on a review of an application submitted by George Papashvili. The board decided to move the application forward to have Mr. Papashvili scheduled for an interview in Lafayette at the board office.

A Formal Hearing began at 9:00 a.m. with Cassius Ekhatov. A court reporter was present to record the proceedings. George Papale was prosecutor for the La Physical Therapy Board and Glenn Ducote; attorney participated as the Hearing Officer. Mr. Ekhatov represented himself in the proceedings.

#### **OTHER BUSINESS**

#### **BOARD MEMBER MONTHLY CALLS**

The meeting was adjourned at 1:00 p.m.  
Submitted by Cheryl Gaudin



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

104 Fairlane Drive, Lafayette, LA 70507  
(337) 262-1043 FAX (337) 262-1054

**AGENDA**

**July 20, 2011**

- 6:30 Call Meeting to order
- 7:00 Brian Russell, Meeting with the board
- Case # 2004I15, MJ Meeting with the board
- 7:45 Minutes of June board meeting
- 8:00 Reports
  - Chairman's Report
  - Treasurer's Report
    - June 2011 actual vs. budget
    - Securities
  - Executive Director's Report
- 8:15 Monitoring Disciplined Therapists Report
- 8:45 Rules and Regulations Update
  - La Register Publication July 20, 2011
- 9:00 Legal
  - PROPOSED BOARD DECISION AND ORDER – Jennifer Clark
- 9:15 New Business
- Recess for evening

**July 21, 2011**

- 8:30 Board Monthly Call Discussion
- 9:00 Formal Hearing, Case #2009I039 JS
- 10:00 Unfinished Business
  - Task Tracker
  - Correspondence
    - Guidance needed
    - Insurance Credentialing
    - Several questions
    - CBT Comments
- 11:00 Investigation Summary Reports (one-on-one meetings)
- 12:00 Lunch
- 1:30 Adjournment
- 12:30 Informal Conference, Donna "Dee" Cochran, Case #2010I015 CP
- 12:30 Informal Conference, Donna "Dee" Cochran, Case #2011I026 JJ

**LOUISIANA PHYSICAL THERAPY BOARD**

July 20 & 21, 2011

Accepted

Proceedings for the Louisiana Physical Therapy Board, taken in regular session on Wednesday, July 20, 2011, at 104 Fairlane Drive, Lafayette, LA 70507. Teresa Maize, Acting Chairman, called the meeting to order at 6:30 p.m. A quorum of members was present. Board members present were: Teresa Maize, Al Moreau, III, Donna "Dee" Cochran, Gerald Leglue and Danny Landry. Cheryl Gaudin, Executive Director, Glenn Ducote, attorney, and George Papale, attorney, were present. Advisory Committee Members present were Armafe Veneracion and B. Craig Lowery.

***ADOPTION OF MINUTES OF PREVIOUS MEETING***

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

***CHAIRMAN'S REPORT***

Jerry Jones, Jr. was unable to attend this meeting.

***TREASURER'S REPORT***

Cash on hand for the month of June 2011 was \$1,007,908.97. Receipts for June 2011 totaled \$1658.82 and expenses totaled \$47,956.54. June is the end of the fiscal year. Total income for FY 10/11 was \$523,013.78 and expenses FY 10/11 were \$502,115.62.

***EXECUTIVE DIRECTOR REPORT***

The annual audit is under way. Staff is providing documentation to John McKowen, CPA who is contracted to perform the audit.

The first proof of the Summer Newsletter was provided for board review. Edits were noted and changed before forwarding to the printer for production and distribution.

7:00 Meeting with Brian Russell

7:30 Meeting with Michael Johnston

***MONITORING DISCIPLINED THERAPISTS***

Staff will contact Amy Stewart requesting each of her employer's report dates and hours worked during the time period she practiced in Arkansas. This report must come from the employers HR department.

Staff will request Dan Wood forward a copy of the report for the monitor visit he conducted with Dwayne Hogan.

***PROPOSED RULES AND REGULATIONS***

The substantive changes resulting from the meeting between the PT Board and the LPTA were published in the July 20<sup>th</sup> issue of the La Register. The Rules Public Hearing is scheduled for Wednesday, August 24<sup>th</sup> at 6:30 p.m. at the board office.

***NEW BUSINESS***

***CORRESPONDENCE***

Alex Hoang, MD from Metairie wants to offer patients coming to his Family Medicine Clinic physical therapy treatment. Dr. Hoang requested guidance as to whom he can employ to assist with administering the therapeutic modalities. Dr. Hoang wants to be able to formulate a treatment plan and have a PTA or technician administer the treatments under his supervision. Glenn Ducote was asked to respond to Dr. Hoang.

Woody Norsworthy, PT asked if the board could work with the Insurance Commission to develop a policy that allows new graduates and other permittees to work while they await their NPI's and credentialing applications approval. The process is time consuming and when the market is flooded with applicants it becomes even slower. Some sort of grace period would be a solution,

even` if it required supervision. Staff will respond to Mr. Norsworthy that this does not fall under the jurisdiction of the board.

The Federation of State Boards of Physical Therapy forwarded comments written by Louisiana NPTE examinees for April, May and June 2011.

Rutgers Jongbloets, PT requested a list of all La licensed PTs for recruiting purposes. Mr. Jongbloets expressed interest in being appointed to a task force to address rules for bringing new physical therapists from Holland and the United Kingdom who are willing to work in a rural community in south-east La. Staff provided Mr. Jongbloets with information on how to obtain a mailing list. Staff will respond that proposed rule language is in process to address licensure requirements and the process for foreign educated physical therapists. A task force is not needed at this time to address the issue of foreign educated physical therapists.

The meeting was recessed at 11:00 p.m.

The meeting reconvened on Thursday, July 21<sup>st</sup> at 8:30 a.m. at the office of GoDepo located at 109 E Vermillion, Lafayette, LA. A quorum of members was present. Board members present were: Teresa Maize, Al Moreau, III, Donna "Dee" Cochran, Gerald Leglue and Danny Landry. Cheryl Gaudin, Executive Director, Glenn Ducote, attorney, and George Papale, attorney were present. Advisory Committee Members present were Armafe Veneration and B. Craig Lowery.

A formal hearing for case #2009I039 Johan Smith began at 9:45. Mr. Smith was late arriving at the location. The hearing was held at GoDepo's office specifically for the use of videoconferencing equipment for witnesses located in Minden, LA to testify. The hearing ended at 11:45 a.m.

The board meeting was recessed to return to the board office to complete agenda board business.

Teresa Maize, acting chairman, reconvened the meeting at 12:30. A quorum of members was present. Board members present were: Teresa Maize, Al Moreau, III, Donna "Dee" Cochran, Gerald Leglue and Danny Landry. Cheryl Gaudin, Executive Director, Glenn Ducote, attorney, and George Papale, attorney were present. Advisory Committee Members present were Armafe Veneration and B. Craig Lowery.

## **LEGAL**

The board reviewed the draft of the Decision for the Jennifer Clark application for licensure. Motion was made by Al Moreau, III PT seconded by Danny P. Landry, "to accept the board Decision and Order document with editorial changes of "my" to "by" in the last sentence." All in favor were Teresa Maize, Donna "Dee" Cochran, Al Moreau, III, Danny Landry and Gerald Leglue. No one opposed the motion.

## **UNFINISHED BUSINESS**

### **TASK TRACKER**

Staff responded to Michael Wilchens, PT regarding PT/PTA ratio/supervision questions.

Staff forwarded an application for PTA licensure to Tina Henry, new graduate of a physical therapist assistant program.

Staff responded to Bret Domangue, PT that it is not a violation of the La Physical Therapy Practice and Rules to supply a protective helmet and shin guard to a self-injurious patient.

Staff provided an update on the proposed language dry needling issue to Virginia Davis.

Staff responded to Brian Soignier regarding OTC nutritional supplements being sold in the clinic.

Staff responded to Chris Rawls with regards to extension of his 60 day temporary permit. According to the rules, after failing the NPTE on the first attempt, a temporary permit will be issued for 60 days.

Staff responded to Stephanie deSouza's that a PTA can treat a patient without a PT on site. The physical therapist does not have to be onsite for half the treatment time.

## **OTHER BUSINESS**

### **BOARD MEMBER MONTHLY CALLS**

An Informal Conference was held for Case 2010I015 with Case Manager Donna "Dee" Cochran, Cheryl Gaudin and Glenn Ducote

An Informal Conference was held for Case 2011I026 with Donna "Dee" Cochran, Cheryl Gaudin and Glenn Ducote

The meeting was adjourned at 5:30 p.m.  
Submitted by Cheryl Gaudin



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

104 Fairlane Drive, Lafayette, LA 70507  
(337) 262-1043 FAX (337) 262-1054

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

Accepted

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 24<sup>th</sup> 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



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

104 Fairlane Drive, Lafayette, LA 70507  
(337) 262-1043 FAX (337) 262-1054

AGENDA

**September 14, 2011**

- 6:30 Call Meeting to order
- 8:00 Minutes of Aug board meeting
- 8:15 Reports  
Chairman's Report  
Treasurer's Report  
August 2011 actual vs. budget  
Securities  
Executive Director's Report
- 8:45 Monitoring Disciplined Therapists Report
- 9:00 Rules and Regulations Update
- 9:15 New Business  
Recess for evening

**September 15, 2011**

- 8:30 Lawrence Bergeron – SECON
- 9:00 Legal
- 9:30 Unfinished Business  
Task Tracker  
Correspondence
  - Questions
  - B Soignier – Christian Home School Athletic Assoc. needs Medical Professional on sideline.
- 11:00 Board Monthly Call Discussion
  - Joshua Constantine – equip for infection control
- 11:30 Investigation Summary Reports (one-on-one meetings)
- 12:00 Lunch
- 1:30 Adjournment

# LOUISIANA PHYSICAL THERAPY BOARD

September 14 & 15, 2011

Accepted

Proceedings for the Louisiana Physical Therapy Board, taken in regular session on Wednesday, September 14 & 15, 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.

## **ADOPTION OF MINUTES OF PREVIOUS MEETING**

Minutes of the August 2011 board meeting were accepted as amended.

## **CHAIRMAN'S REPORT**

Jerry Jones, Jr. reported the Federation of State Boards of Physical Therapy decided to move to fixed-date testing for physical therapist assistants beginning February 2012. The reason involved the same issues they moved to fixed-date testing for physical therapists.

## **TREASURER'S REPORT**

Cash on hand for the month of September 2011 was \$907,123.03. Receipts for September 2011 totaled \$12,004.16 and expenses totaled \$82,662.16.

Teresa Maize reported the result of the annual attestation conducted by John McKowen. There were no findings in the report. An adjusting entry was made to OPEB liability as required by the Office of Statewide Reporting and Accounting Policy.

## **EXECUTIVE DIRECTOR REPORT**

### **MONITORING DISCIPLINED THERAPISTS**

Licensees under disciplinary action requiring substance abuse testing were tested. All tests were returned negative with the exception of one. The board will be addressing this issue.

### **PROPOSED RULES AND REGULATIONS**

The proposed Comprehensive Rules are pending printing in the October 20<sup>th</sup> edition of the *La Register* for adoption.

### **NEW BUSINESS**

The meeting was recessed at 10:30 p.m.

The meeting reconvened on Thursday, September 15<sup>th</sup> 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.

Lawrence Bergeron from SECON met with the board to report which tests should be requested for certain alleged substance abuse. Bergeron reported why hair samples are sometimes used under certain circumstances and urine samples provide results under other circumstances.

### **CORRESPONDENCE**

Kevin Hebert, PT posed questions to the board for response. (1) One of our therapists is billing 95831 (Muscle testing, manual [separate procedure]) and 95851 (Range of motion measurements and report [separate procedure]) to private insurers and Medicare/Medicaid or should the therapist be billing for (Automated muscle testing because it is included as part of physical performance testing/measurement (97750) when he treats his patients? But I am not sure whether therapists can even bill for these codes. It was my understanding that these codes

were strictly for physiatrists. Is this correct or can Physical Therapist bill for them and when? (2)  
In a CORF facility, is re-certification every 30, 60, or 90 days?

Brian Soignier asked if a PT is allowed as a Medical Professional on sideline at athletic events for consultation. The board response was affirmative.

### **UNFINISHED BUSINESS**

#### **TASK TRACKER**

Teresa Maize responded to David Buckner regarding performing an ultrasound without prior testing to verify the existence of a DVT.

#### **LEGAL**

George Papale reported investigation of a licensure application for Dale Malstrom. Mr. Malstrom reported disciplinary action in two other states over a period of time with a pending complaint in another state. Mr. Papale found no reason to license Mr. Malstrom at this time.

Glenn Ducote and Cheryl Gaudin will draft a document for use with licensees who fall under the new Alternative to Disciplinary Proceedings. The document will be brought before the board for approval at the October meeting.

### **OTHER BUSINESS**

#### **BOARD MEMBER MONTHLY CALLS**

Danny P. Landry reported speaking with Joshua Constantine who questioned if he was required to treat a patient when the required equipment for infection control was not present. Landry reported necessary precautions must be taken under the circumstances.

The meeting was adjourned at 1:30 p.m.

Submitted by Cheryl Gaudin



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

104 Fairlane Drive, Lafayette, LA 70507  
(337) 262-1043 FAX (337) 262-1054

AGENDA

**October 26, 2011**

- 6:30 Call Meeting to order  
Monty Warren, Valor Real Estate  
➤ LPT Board Project Summary  
7:00 Ron Robertson  
8:00 Minutes of Sept board meeting  
8:15 Reports  
Chairman's Report  
Treasurer's Report  
July 2011 actual vs. budget  
Securities  
Executive Director's Report  
1. Rules implementation questions  
○ Pass/Fail Results report  
○ Provisional license – 1<sup>st</sup> failure, issue 90 day license?  
○ CEU courses – expire every calendar year?  
○ Online renewal - open Jan to April?  
○ Receive license b/w 10/1 & 10/31-good for year?  
October 26th PT Administration  
9:00 Rules and Regulations Update  
9:15 New Business  
➤ Proposed Meeting dates for 2012  
Recess for evening

**October 27, 2011**

- 8:30 Legal  
9:00 Monitoring Disciplined Therapists Report  
  
9:30 Unfinished Business  
Task Tracker  
Correspondence  
➤ Question PTA performing measures  
➤ Seeking clarification  
➤ Brace fitting for PT PTA  
  
11:00 Board Monthly Call Discussion  
11:30 Investigation Summary Reports (one-on-one meetings)  
12:00 Lunch  
  
1:30 Adjournment

## LOUISIANA PHYSICAL THERAPY BOARD

October 26 & 27, 2011

ACCEPTED

Proceedings for the Louisiana Physical Therapy Board, taken in regular session on Wednesday, October 26 & 27, 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 Member Allison Roux was present.

7:00 pm - Monty Warren and Bill Stevenson, Beau Box Real Estate – The board met with Monty Warren and Bill Stevenson with Beau Box Commercial Real Estate to review a proposal and options for the property purchase and construction of a new building for the board office. As a result of the discussion, motion was made by Al Moreau, III and seconded by Danny P Landry; "Request Monty Warren make an offer on Lot 1 located at 101 Fairlane Drive. The offer for the purchase of the property is \$67,500 and may be negotiated not to exceed \$75,000. If the purchase price is agreed upon by the board, 10% earnest money up to \$5,000 may be paid to Beau Box Real Estate to establish the contract." All in favor of the motion were Jerry Jones, Jr., Teresa Maize, Al Moreau, Jr., Donna "Dee" Cochran, Danny Landry, Dan Wood, and Gerald Leglue. No one opposed the motion.

7:45 p.m. Ron Robertson met with the board to discuss completion of his probation and what he learned as a result of the findings addressed in his Consent Order with the board. Mr. Robertson reported he wanted to provide better care to his patients.

### ***ADOPTION OF MINUTES OF PREVIOUS MEETING***

Minutes of the September 2011 board meeting were accepted as amended.

### ***CHAIRMAN'S REPORT***

Jerry Jones, Jr. reported receiving an email from the La Medical Society requesting dates of upcoming board meetings.

### ***TREASURER'S REPORT***

Cash on hand for the month of October 2011 was \$854,239.86. Receipts for October 2011 totaled \$11,879.22 and expenses totaled \$63,897.10.

Teresa Maize reported receipt of a revised audit report from John McKowen, CPA auditor under contract with the board to perform the annual audit. Mr. McKowen was asked by Michael Taylor, State Accounting System Consultant with the Office of Statewide Reporting and Accounting to revise the audit report to include a beginning balance in the OPEB Obligation from \$23,300 to \$72,740 with an ending balance of \$96,040.

### ***EXECUTIVE DIRECTOR REPORT***

An email notification was received from the Federation of State Boards of Physical Therapy indicating failing score reports will only be available for one day from the reporting site. The reasoning is to allow a failing candidate the ability to register for the NPTE in time to sit for the next fixed date test.

Board Decision: To change the preferences for Louisiana on the FSBPT score reporting website to allow PTs and PTAs to receive notification of NPTE results online. Results will post as "passed" or "failed".

Rules implementation questions - With the adoption of the Comprehensive Rules on October 20, 2011 questions arise as to implementation of new rules.

1. §172. CAPTE Graduate Applicants Pending Examination

B. A provisional license granted pursuant to this Rule shall be issued for 90 days and shall designate board approved supervisors and a single worksite. No more than one such provisional license shall be issued to an applicant.

Board decision: For a person who currently holds a temporary permit and fails the NPTE on the first attempt, one provisional license will be issued to that person for 90 during which time the provisional licensee must sit for the NPTE.

2. New continuing education criteria, content, and reporting have changed. Will courses or activities continue to expire every calendar year or will they now be approved for two years?

Board Decision: Continuing education courses or activities will continue to be approved on a calendar year.

Discussion was held as to how the CEU Committee is staffed. Staff was asked to prepare a Policy & Procedure to be reviewed by the board at its December meeting.

3. §181. Renewal of License – Will the time frame for renewal of license change to begin in February and end April 30<sup>th</sup>?

Board Decision: The time frame for online renewal applications will be February 1<sup>st</sup>. Licenses will be notified either by postcard or electronic mail.

Discussion was held regarding the search for a web programmer proficient in Cold Fusion to address issues with the current webpage. As a result of the difficulty in being able to contract with an instate programmer, the board decided to keep the current look of the webpage and have the page written in a common language known to more programmers. Motion was made by Donna "Dee" Cochran, seconded by Dan Wood; "Cheryl Gaudin has the authority to draft a Request for Proposals to rewrite the current web page."

Development of a Recovering Physical Therapy Program was discussed. Motion was made by Teresa Maize, seconded by Donna "Dee" Cochran; "To establish a RPTP program." All in favor of the motion were Jerry Jones, Jr., Teresa Maize, Al Moreau, Jr., Donna "Dee" Cochran, Danny Landry, Dan Wood, and Gerald Leglue. No one opposed the motion.

### **MONITORING DISCIPLINED THERAPISTS**

The board reviewed the essay provided by James Cole Padgett as required by his Consent Order. Padgett requested and received approval to work at Cornerstone LT Hospital.

### **NEW BUSINESS**

The meeting dates for 2012 are:	June 20 - 21
Jan 18 - 19	July 18 - 19
Feb 15-16	Aug 22 - 23
Mar 21 - 22	Sept 26 - 27
Apr 18 - 19	Oct 24 - 25
May 23 - 24	Dec 5 - 6

The meeting was recessed at 10:30 p.m.

The meeting reconvened on Thursday, October 27<sup>th</sup> 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 Member Allison Roux was also present.

### **CORRESPONDENCE**

Shannon L. Juneau, PT Director of Rehab at St. James Parish Hospital questioned the ruling on whether a PTA can perform measures to assist a PT with an evaluation. Juneau's understanding

is the PTA may assist with ROM, MMT and other measures as directed by the PT, but the PT is responsible for performing the assessment, establishing goals, and writing the POC. Staff will respond to Juneau.

Scott Hourcade, PTA requested clarification of documentation of face-to-face conferences. What is the preferred method of documentation for weekly case conferences in the home health setting? Face-to-face conferences are currently documented on paper on a weekly basis even though they have been using electronic medical records. We use the software "Pointcare" also known as "Homecare Homebase." The Director of Nursing says the documentation only needs to be in the electronic medical record. We have continued to document on paper because it allows both the P.T. and the P.T.A. to sign the document. Since we each have our own individual computers, there isn't a way for both to sign on one device. I see in the rules it states: "d. conduct, once weekly and document, a face to face patient care conference with each physical therapist assistant to review progress and modification of treatment programs for all patients;" I notice there is no mention of a dual signature requirement. Teresa Maize will draft a response to Hourcade.

Cody Meaux requested clarification if a PTA was able to work with a certified orthotic representative to fit braces. Meaux expressed interest in helping an orthotic fitter with patients in multiple settings, but wanted to know if it is legal. Does a PTA have to be certified, or is a PTA authorized to do this through PT/PTA practice act? Danny Landry will draft a response to be forwarded to Meaux.

## **UNFINISHED BUSINESS TASK TRACKER**

### **LEGAL**

Glenn Ducote presented a proposed Consent Order on behalf of Alexander Clay Cocke. The order includes a period of suspension, 5 years probation, repayments of costs to the board, and drug testing. Motion was made by Donna "Dee" Cochran, seconded by Dan Wood, "To accept the Consent Order for Alexander Clay Cocke as presented." All in favor of the motion were Jerry Jones, Jr., Teresa Maize, Al Moreau, Jr., Donna "Dee" Cochran, Danny Landry, Dan Wood, and Gerald Leglue. No one opposed the motion.

### **OTHER BUSINESS**

#### **BOARD MEMBER MONTHLY CALLS**

The meeting was adjourned at 3:00 p.m.

Submitted by Cheryl Gaudin



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

104 Fairlane Drive, Lafayette, LA 70507  
(337) 262-1043 FAX (337) 262-1054

AGENDA

**December 7, 2011**

6:30 Call Meeting to order

6:45 Minutes of Oct board meeting

7:15 Reports

Chairman's Report

- FARB Annual Meeting
- Purchase of lot 1 Fairlane Dr
- Physical Therapy Board site

Treasurer's Report

- Oct & Nov 2011 actual vs. budget
- Securities

Executive Director's Report

- Ethics and Professionalism
- Ethics Course Marier
- Credentialing Agencies Approval
  - Getting ICD approved
  - IERF
  - RE Getting ICD approved
  - Glenn Dorr
  - Record Storage

8:30 Rules and Regulations Implementation Issues

- Continuing Education
  - Wound Care Residency
  - Number of hrs awarded course- total # vs. 30+
  - Continuing Education Policy
  - Dry Needling - dry needling Brignac
    - dry needling Janssen
    - continuing ed dry needling Moreau
    - Dry needling Jansen
    - New Message Posted on the CBA Message Board
- P&P CEU Committee Appointment
- P&P CEU Review Committee Job Description
- P&P Dry Needling
- P&P Advisory Committee Appointment
- P&P Advisory Committee Job Description
- P&P Advisory Committee Expense Reimbursement

9:30 New Business

- Advisory Committee
  - Re Advisory Committee Gunaldo
  - RE Advisory Committee Lounsberry
  - Re Advisory Committee Smith
  - Kevin Touchet.resume
- RE OLOL College Spring PTA guest speakers

Recess for evening

**December 8, 2011**

- 8:30 Legal
- 9:00 Monitoring Disciplined Therapists Report
- 9:30 Unfinished Business
  - Task Tracker
  - Correspondence
    - acute PT question
    - Declarative statement needed
    - face to face conferencing for PT PTA supervision LA
    - Practice Act Revision Comment
    - Questions
    - [Re Dry Needling Credentials](#)
    - [FSBPT Budget for 2012](#)
- 11:00 Board Monthly Call Discussion
  - [RE Shreveport district chair](#)
- 11:30 Investigation Summary Reports (one-on-one meetings)
- 12:00 Lunch
- 1:30 Adjournment

## LOUISIANA PHYSICAL THERAPY BOARD

December 7 & 8, 2011

ACCEPTED

Proceedings for the Louisiana Physical Therapy Board, taken in regular session on Wednesday, December 7 & 8, 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, and Tina Gunaldo.

Guests present requesting to address the board were Greg LeBlanc, Lance Lemoine, Jr, and Derek Laurent.

### ***ADOPTION OF MINUTES OF PREVIOUS MEETING***

Minutes of the October 2011 board meeting were accepted as amended.

### ***CHAIRMAN'S REPORT***

Board Members attending the FARB Annual Conference in January are Jerry Jones, Jr., Teresa Maize, Donna "Dee" Cochran, Al Moreau, III, Danny Landry, and Dan Wood.

Discussion was held regarding the proposed purchase of land to build a new board office. Motion was made by Donna "Dee" Cochran seconded by Al Moreau, III; "To request an appraisal of lot 1 located on Fairlane Drive." All in favor were Jerry Jones, Jr, Teresa Maize, Donna "Dee" Cochran, Danny Landry, Dan Wood, Gerald Leglue, and Al Moreau, III. No one opposed the motion.

### ***TREASURER'S REPORT***

Cash on hand for the month of October 2011 was \$854,968.69. Receipts for October 2011 totaled \$56,741.54 and expenses totaled \$34,022.38.

Cash on hand for the month of November 2011 was \$929,520.86. Receipts for November 2011 totaled \$100,546.94 and expenses totaled \$48,658.14.

The board reviewed the proposed budget FY 12/13 and discussed amendments to the budget FY 11/12 in the categories of printing to include the new La Physical Therapy Practice Act and Rules booklets and unemployment benefits for a previous employee. Motion was made by Donna "Dee" Cochran, seconded by Al Moreau, III; "To approve the budget FY 2012/2013 and the amendments FY 2011/2012." All in favor were Jerry Jones, Jr, Teresa Maize, Donna "Dee" Cochran, Danny Landry, Dan Wood, Gerald Leglue, and Al Moreau, III. No one opposed the motion.

Greg LeBlanc, Lance Lemoine, Jr, and Derek Laurent spoke with the board regarding dry needling issues and the requirement to complete 200 episodes after completion of Part 1 of the Kinetacore Dry Needling course before being allowed to take Part 2. Discussion included the time it would take for a therapist to perform the 200 episodes based on the number of patients who would benefit from the technique. LeBlanc provided the board with a certificate of completion of Part 1: Introductory Level: Dry Needling of the Kinetacore 2 part course.

### ***EXECUTIVE DIRECTOR REPORT***

Cheryl Gaudin emailed Joanne Marier, PT, JD to determine interest in the development of an Ethics course for the board. The board would like this course to be presented in person and/or posted on the board's website for licensees. Marier indicated she would assist Tina Gunaldo and LSU PT School in New Orleans in developing the course but did not want to take on this project alone. The board tabled the issue to gather additional information before proceeding.

Staff contacted the International Consultants of Delaware (ICD) and International Education Research Foundation, Inc. to request a sample credential evaluation report. After review of

informational material submitted by ICD and IERF, motion was made by Dan Wood, seconded by Danny Landry; "To accept ICD and IERF as approved credential agencies for foreign educated physical therapy applicants." All in favor were Jerry Jones, Jr, Teresa Maize, Donna "Dee" Cochran, Danny Landry, Dan Wood, Gerald Leglue, and Al Moreau, III. No one opposed the motion.

Staff questioned the length of time to keep paying to store the patient records obtained from the storage facility obtained several years ago. Staff will provide Gerald Leglue with an address of the storage facility in Alexandria to see just how many boxes are being kept. With approval from Leglue, motion was made by Dan Wood, seconded by Danny Landry; "To destroy medical records which are currently in storage in Alexandria." All in favor were Jerry Jones, Jr, Teresa Maize, Donna "Dee" Cochran, Danny Landry, Dan Wood, Gerald Leglue, and Al Moreau, III. No one opposed the motion.

Glenn Dorr, PTA submitted application for reinstatement of his physical therapist assistant license. Dorr's license has been expired since December 31, 2005. Section 187 of the new rules adopted in October 2011, require additional steps be taken when an applicant requests reinstatement of a license and has not practiced physical therapy for 5 years. Staff will respond to Mr. Dorr indicating requirements for reinstatement of his PTA license.

## **MONITORING DISCIPLINED THERAPISTS**

### **RULES AND REGULATIONS IMPLEMENTATION**

#### Continuing Education

1. Wound Care Residency – the board approved 10 clinical hours each year a physical therapist is in a wound care residency

2. Number of hrs awarded course- total # vs. 30+. Some licensees hold dual licenses. When reviewing continuing education for awarding contact hours, the course will be given the total number of hours as opposed to indicated 12+ or 30+.

3. Continuing Education Policy – the continuing education policy was reviewed prior to posting on the board's website.

4. Dry Needling - Numerous questions regarding dry needling are being addressed to the board for clarification. After discussion, language was drafted to address the required episodes which must be completed after completion of Part 1 of the dry needling course in order to move to Part 2 to receive certification in dry needling. The declaratory statement will be posted to the web when approved by the board.

5. Continuing education required for license renewal in 2013 is 15 contact hours. The requirements include 2 hours jurisprudence, 2 hours ethics, and 11 clinical in nature. Up to 4 hours of administrative coursework may be substituted for the clinical courses. For this renewal cycle only, all courses or activities may be acquired through distance learning offerings.

### **NEW BUSINESS**

Christine Cook, Instructor at the Our Lady of the Lake PTA program emailed the board to schedule the student presentation for the graduating students. Teresa Maize and Cheryl Gaudin will schedule the presentation.

New policy and procedures addressing CEU Committee Appointments, CEU Review Committee Job Description, Advisory Committee Appointments, the Advisory Committee Job Description, and Advisory Committee Expense Reimbursement were reviewed and accepted by the board as presented.

Terms of Advisory Committee Members were reviewed. Most of the current Advisory Committee Members were termed out requiring appointment of new members. Request for interest in being considered for appointment to the committee was mailed to Anna Smith in New Orleans, Lori Boyter in New Orleans, Kevin Touchet in Jennings, Kristina Lounsberry in Lake Charles, and Diana Rentrop in Lake Charles. A resume was requested if the licensee was interested in being considered for appointment. Kevin Touchet, Kristina Lounsberry, and Anna Smith responded

affirmatively providing a resume. Motion was made by Donna "Dee" Cochran, seconded by Al Moreau, III; "To appoint Kevin Touchet from Jennings and Anna Smith from New Orleans to the Advisory Committee. Tina Gualdo was appointed for one year at which time Gualdo would also be termed out. Allison Roux was appointed to the Advisory Committee to complete a specific case." All in favor were Jerry Jones, Jr, Teresa Maize, Donna "Dee" Cochran, Danny Landry, Dan Wood, Gerald Leglue, and Al Moreau, III. No one opposed the motion.

Staff was asked to forward a request for interest to serve on the Advisory Committee to Nick Butler, Brian Soignier, Wendell Juneau, Chad Asher, Tammy Bordelon, and Kurt Burger.

The meeting was recessed at 11:00 p.m.

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

### **CORRESPONDENCE**

Jennifer Liuzza, PT works at an acute care hospital where an MD inquired about the Louisiana Physical Therapy Practice Act and Rules regarding treatment for hematocrit/hemoglobin levels. The MD requested research or proof of the levels a PT follows for bedrest, mobility, etc. when a PT will cease mobility until the levels rise. Teresa Maize will draft a response to Liuzza.

Marty Aime, PT, OCS, GCS Instructor, PTA program at Our Lady of the Lake College posed a question to the board; "Can a PTA, who is an ATC as well, legally perform services as an ATC when it involves evaluation and treatment of injuries, either on the field or in the training room, as this will not occur under the supervision of a doctor or PT as mandated by the PTA Practice Act?" Al Moreau, III will draft a response to Aime.

Nicky Wolfe, Therapy Resource Manager, LHC Group requested a copy of the PT/PTA Face-to-Face template printed in the newsletter. Wolfe forwarded their current process to ensure that it meets with the approval of your board for the necessary elements of documentation of the PT/PTA face to face meeting requirement in the state of LA. The Group is currently using point of care documentation and paper documentation. Please advise as to whether or not the following 2 methods meet your requirements:

1. In the point of care system the PT is assigned a service code for each patient that is to be discussed in the face to face conference and the attached sample is the resulting document that is produced to document this conference. Note that the patient, PT, and PTA are all named in the documentation but it is only signed by the PT. Our system does not allow multiple clinician signatures.

2. In our agencies where the clinicians are documenting the face to face supervision on paper, the clinicians sit together and review the patients together, checking the face to face conference check box and both signing the visit note that is being discussed. See below. This section is found at the bottom of the routine visit note following all visit and care planning documentation. These notes are filed in the patients' medical charts. Donna "Dee" Cochran will draft a response to Wolfe.

Jennifer Rossnagel, PT, MPT, LPMC Rehab Coordinator at North Oaks Health System provided comments regarding Patient Care Conference, *PT supervising that care*, Supervising PT of Record, and Reevaluation. Staff will respond to Rossnagel thanking her for her comments.

The Federation of State Board of Physical Therapy forwarded a copy of the Annual Budget for 2012 for board review as a member of the Federation.

### **UNFINISHED BUSINESS**

#### **TASK TRACKER**

Staff responded to Shannon L. Juneau, PT Director of Rehab at St. James Parish Hospital on the

issue of a PTA performing measurements to assist a PT with an evaluation.

Danny Landry drafted a response to Cody Meaux regarding clarification of a PTA being able to work with a certified orthotic representative to fit braces. Staff will forward the response to Meaux.

#### LEGAL

#### OTHER BUSINESS

The board will offer a traveling jurisprudence in Lafayette, Baton Rouge, New Orleans, Alexandria, Lake Charles, Houma, Shreveport, and Monroe. A postcard will be forwarded to all licensees notifying them of the course. This jurisprudence course will count toward the 2 hour requirement for license renewal.

#### BOARD MEMBER MONTHLY CALLS

The meeting was adjourned at 3:30 pm.

.....