



*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

**January 23, 2013**

- 6:30 Call Meeting to order
- 6:35 Paul Lemaire, Architect 232-0773 111 Rue Jeane Lafitte
- 7:05 December Board Meeting Minutes
- 7:15 Reports
  - Chairman's Report
    - 2013 NPTE Policies
  - Treasurer's Report
    - December 2012 actual vs. budget
    - Securities – December 2012
  - Executive Director's Report
- 7:45 Advisory Committee Appointment
  - G Noel resume
  - Josh Crow resume
- 8:00 Meeting with Dr. Robert Marier, Director of La State Board of Medical Examiners
- Recess for the evening

**January 24, 2013**

- 8:30 Legal
  - Ethics Course Contract
- 9:00 Meeting with Chad Marino, Killer Websites, Inc.
  - website changes overview of situation
- 9:30 Rules and Regulations Implementation Issues
  - APTA/F.A. Davis course – Ethics and Professionalism
- 10:00 Kirby Pecot, interview for Architech
- 10:30 Monitoring Disciplined Therapists Report
- 11:00 Bob Barras, Architect 267-3400- 921 Harding Street
- 1:00 Unfinished Business
  - Task Tracker for December 2012
  - Correspondence
    - FCE bill
    - FIM Scoring
    - FSBPT 2013 Budget
    - FW PT rules Legend drug and dry needling
    - Louisiana Physical Therapy Association 2013 Sports Symposium
    - PTA practice question
    - Question regarding visa status
    - discharge summaries in the acute care setting
    - Medicaid Louisiana
    - Contracting a Massage therapist
    - PT PTA Face to Face conference
- 1:30 Monitoring Disciplined Therapists Report
- 2:00 New Business
  - Election of Officers
- 2:30 Board Monthly Call Discussion
- 3:00 Adjournment

## **LOUISIANA PHYSICAL THERAPY BOARD**

January 23 & 24, 2013

Proceedings for the Louisiana Physical Therapy Board, taken in regular session on Wednesday and Thursday, January 23 & 24, 2013, at 104 Fairlane Drive, Lafayette, LA 70507. Jerry Jones, Jr., Chairman called the meeting to order at 6:30 p.m. on Wednesday, January 23<sup>rd</sup>. A quorum of members was present. Board members present were: Jerry Jones, Jr., Teresa Maize, Kristina Lounsberry, Al Moreau, III, Donna "Dee" Cochran, Danny P. Landry, and Gerald Leglue. Cheryl Gaudin, Executive Director and George Papale, general counsel to the board were present. Guest present was Courtney P. Newman.

6:30 Board interview with Paul Lemaire, architect for design of the new building. The board met with Mr. Lemaire, one of three architects, to choose an architect to design the new building and work with the contractor when chosen. Mr. Lemaire provided a booklet of previous projects and listing of organizations he has worked with in the past and offered suggestions for the selection process.

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

Minutes of the December 2012 board meeting were accepted as written.

### **CHAIRMAN'S REPORT**

Jerry Jones, Jr. reported review of the Federation NPTE policies for 2013. Changes to the Federation NPTE Policy include allowing a candidate to sit for the NPTE no more than 90 days prior to program (didactic and clinical) completion date and they become eligible for graduation, making the Federation the final authority on access to the NPTE and issuance of scores on the NPTE, and additional security measures for identity at the Prometric Center.

### **TREASURER'S REPORT**

Cash on hand for the month of December was \$749,681.93. Receipts for December totaled \$9,488.32 and expenses totaled \$38,137.60.

### **EXECUTIVE DIRECTOR REPORT**

Contracts FY 13/14 were provided to the board for approval and signature. It was reported that George Papale had a heavy load of cases pending and could use some assistance. Cheryl Gaudin suggested the board consider entering into a contract with Courtney P. Newton who is an attorney to assist George Papale. Mr. Papale indicated he could employ Mrs. Newton for her services under his current contract until the end of this fiscal year. At that point, motion was made by Teresa Maize, seconded by Donna "Dee" Cochran, "To establish a contract with Courtney P. Newton, esq. FY 13/14 with a cap not to exceed \$30,000." All in favor were Jerry Jones, Jr., Teresa Maize, Donna "Dee" Cochran, Al Moreau, III, Danny P. Landry, Gerald Leglue, and Kristina Lounsberry. No one opposed the motion.

The meeting with Dr. Robert Marier, Executive Director of the Louisiana State Board of Medical Examiners was postponed until February.

### **RULES AND REGULATIONS IMPLEMENTATION**

#### **MONITORING DISCIPLINED THERAPISTS**

Board requested Cheryl Gaudin to review compliance with terms of consent order with the board by Kim Licausi. Did he pay the \$500 administrative costs and complete his documentation course?

Cheryl Gaudin was asked to develop a separate listing for Confidential RPTP program participants.

Request Anna Smith conduct a monitor visit with Matthew Slimming, Miles Becnel, and Kim Licausi.

The meeting was recessed at 9:30 pm.

The meeting was reconvened at 8:30 am. January 24<sup>th</sup>. A quorum of members was present. Board members present were: Jerry Jones, Jr., Teresa Maize, Kristina Lounsberry, Al Moreau, III, Donna "Dee" Cochran, Danny P. Landry, and Gerald Leglue. Cheryl Gaudin, Executive Director and George Papale, general counsel to the board were present. Guest present was Courtney P. Newman.

9:00 a.m. The Board met with Chad Marino, owner of Killerwebsites, Inc. to discuss webpage issues. Numerous issues were identified with the current website language as the page was written eight years ago. Significant developments in technology are causing coding issues as well as access issues for licensees and the public. The website coding is old and requires rewriting before edits, changes, or additions can be made to the site. The board requested Cheryl Gaudin work with Chad Marino to determine how much the new site would cost and the time frame for completion of the new site.

10:00 a.m. Board interview with Kirby Pecot, Architect for design of the new building. The board met with Mr. Pecot, one of three architects, to choose an architect to design the new building and work with the contractor when chosen. Mr. Pecot shared previous architectural experiences and what services would be included if he were selected as the architect to design the new building.

11:00 a.m. Board interview with Bob Barras, Architect for design of the new building. The board met with Mr. Barras and his associate, one of three architect firms, to choose an architect to design the new building and work with the contractor when chosen. Mr. Barras shared previous architectural experiences and what services would be included if he were selected as the architect to design the new building, and a preliminary sketch of position of the office space and parking on the board's lot.

Motion was made by Kristina Lounsberry, PT, ATC: "Board moves for Cheryl Gaudin to begin the process to contract with Kirby M. Pecot, Pecot and Associates, as architect to work with the board to design/construct the new board office." All in favor were Jerry Jones, Jr., Donna "Dee" Cochran, Teresa Maize, Gerald Leglue, Al Moreau, III, Danny Landry, and Kristina Lounsberry. No one opposed the motion.

## **NEW BUSINESS**

As required by §2405.A, election of officers for 2013 were held. Jerry Jones, Jr. nominated Donna "Dee" Cochran for Chairman and Gerald Leglue seconded the nomination. Ms Cochran was elected by acclamation.

Jerry Jones, Jr. nominated Al Moreau, III for Secretary/Treasurer and Gerald Leglue nominated Danny P. Landry for Secretary/Treasurer. Votes for Al Moreau were Jerry Jones, Jr., Teresa Maize, and Danny P. Landry. Votes for Danny P. Landry were Al Moreau, III, Kristina Lounsberry, Gerald Leglue, and Donna "Dee" Cochran. Danny P. Landry was elected Secretary/Treasurer for 2013.

## **LEGAL**

George Papale, general counsel to the board, reviewed the contract for the development of the ethics course and offered advice for revisions. After review by the board, motion was made by Donna "Dee" Cochran, seconded by Al Moreau, III; "To accept the language included in the contract with Susan Welsh for the development of the ethics course Module 1." All in favor were Jerry Jones, Jr., Teresa Maize, Donna "Dee" Cochran, Al Moreau, III, Danny P. Landry, Gerald Leglue, and Kristina Lounsberry. No one opposed the motion.

## **CORRESPONDENCE**

Cristina Fauchaux emailed the latest version of the FCE bill for review to the previous legislative committee and inquired if the committee members were the same this year. Board decision was to keep the same committee members, Al Moreau, III, Danny P. Landry, and Cheryl Gaudin.

Teresa Maize offered her assistance if available.

Wanda D. Shanks, PTA at TriParish Rehabilitation Hospital and Jamie Tekell, PTA questioned the role of a PTA in scoring a FIM after the PT performs the initial evaluation of a patient. Is a PTA allowed to give a daily FIM score in follow-up treatments? Al Moreau, III will draft a letter on this subject.

The Federation of State Boards of Physical Therapy forwarded a copy of their 2013 Budget to all member boards for review.

Dr. Robert Marier, Executive Director of the Louisiana State Board of Medical Examiners wrote a letter to George Papale, general counsel to the board, indicating PT Board rules do not provide for PTs "to procure from licensed distributors, store and utilize legend devices and topical legend drugs which are employed in the delivery of physical therapy" whereas the procurement and use of legend drugs is nowhere to be found in the PT Practice Act (R.S. 37:2407). The Medical Board is most willing to work with the PT Board to seek an amendment in the PT practice act to provide for the use of legend drugs topically as this appears to be well established practice. In addition, the letter identified an issue with the practice of dry needling by PTs. This is a similar issue to the one noted above insofar as a rule adopted in 2011(LAC 46 LIV §123 and §311) provides for PTs to insert dry needles while this is nowhere to be found in the PT Practice Act. Mr. Papale asked Dr. Marier to forward these issues to the Executive Director of the La PT Board to be addressed by this board. The meeting with Dr. Marier scheduled for this meeting was postponed to the February Board meeting.

The Louisiana Physical Therapy Association emailed an exhibitor registration form for a booth at the 2013 Sports Symposium. After discussion by the board, the board decided to pay for a booth and be available to respond to questions. Cheryl Gaudin will forward a registration form with the required \$500 fee.

A student at Bossier Parish Community College indicated she is attending school under a student visa and will be graduating in the summer of 2014. Her question pertained to eligibility to take the licensure exam even though she is not an American citizen. George Papale, general counsel to the board, indicated she would be eligible to sit for the NPTE after complying with requirements. Upon receipt of a passing score on the NPTE she would be eligible for licensure in Louisiana. Donna "Dee" Cochran will contact the school and report to the program director.

Kim Licausi, PT posed several questions regarding discharge summaries in the acute care setting. Teresa Maize will draft a response to Licausi.

David Wendeborn, PT reported that many therapists who work in Louisiana will be impacted and may have questions about how to handle discontinuation of services by Medicaid. His concern was that of "abandonment" of patients if care is discontinued. Wendeborn understands that the therapist can continue to offer to treat their patients, but will have to inform the patients that Medicaid will no longer pay for their care. Treatment could continue under referral orders and with approved plans of care, but the patient will be responsible for different financial arrangements other than Medicaid. Is my understanding correct? Donna "Dee" Cochran will draft a response.

John Maggio, PTA requested clarification of the PT/PTA face to face documentation requirements. He understands the purpose and requirements of the rule, however, his questions pertain to how this should be documented. Is it the responsibility of the supervising P.T. to initiate and document this discussion followed by the appropriate co-signature of the P.T.A. or can the documentation of the conference be initiated by the P.T.A. and then co-signed by the supervising P.T. Danny P. Landry will draft a response to Maggio.

## **OTHER BUSINESS**

## **UNFINISHED BUSINESS TASK TRACKER**

Eugene Noel responded favorably to the board inquiry as to his interest in being considered for the Advisory Committee Position in the Alexandria area. Motion was made by Donna "Dee" Cochran, seconded by Al Moreau, III; "To appoint Eugene Noel to the Advisory Committee Member position for the Alexandria area." All in favor were Jerry Jones, Jr., Teresa Maize, Donna "Dee" Cochran, Al Moreau, III, Danny P. Landry, Gerald Leglue, and Kristina Lounsberry. No one opposed the motion.

Donna "Dee" Cochran responded to Jessica Marloff, PT about working in the NICU setting and making an assessment and introducing the practice of bottlefeeding with patients. The American Physical Therapy Association has guidelines for the PT to educate mothers on breastfeeding their babies.

Teresa Maize drafted a response to Christopher Garcia, PT clarifying that currently there are no plans to promulgate rules allowing for clinical instructors providing clinical mentorship to Residency students to obtain continuing education credit.

Cheryl Gaudin forwarded by certified mail, the letter drafted by Kristina Lounsberry to all Louisiana Unitech locations. A response was received with documentation outlining the curriculum for their students who enroll in their physical therapy technician program.

Cheryl Gaudin prepared a proposed contract between the Board and Susan Welsh to develop an ethics course module 1. The contract was forwarded to George Papale for comments and suggestions.

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

The meeting was adjourned at 11:30 a.m

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*State of Louisiana*  
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**February 27, 2013**

- 6:30 Call Meeting to order
- 6:35 January Board Meeting Minutes
- 6:45 Reports
  - Chairman's Report
    - July 17 & 18 meeting date
    - Architect contract
    - Legend drugs and dry needling issue
  - Treasurer's Report
    - January 2013 actual vs. budget
    - Securities – January 2013
    - Option to Renew Audit Contract for Three Additional Years
  - Executive Director's Report
- 7:45 Legal
  - OPINION ON LOBBYING
- 8:30 Monitoring Disciplined Therapists Report  
Confidential RPTP Program
- 9:00 Recess for the evening

**February 28, 2013**

- 8:30 Rules and Regulations Issues
  - PROPOSED RULES MILITARY APPLICANTS
- 9:00 Unfinished Business
  - Task Tracker for January 2013
- 9:30 Correspondence
  - Christopher Giveans
  - PTA inpatient rehab hospital question
- 10:30 New Business
  - Increasing Patient Access
- 11:00 Board Monthly Call Discussion
  
- 12:00 Adjournment

## LOUISIANA PHYSICAL THERAPY BOARD

February 27 & 28, 2013

ACCEPTED

Proceedings for the Louisiana Physical Therapy Board, taken in regular session on Wednesday and Thursday, February 27 & 28, 2013, at 104 Fairlane Drive, Lafayette, LA 70507. Donna "Dee" Cochran, Chairman called the meeting to order at 6:30 p.m. on Wednesday, February 27<sup>th</sup>. A quorum of members was present. Board members present were: Donna "Dee" Cochran, Jerry Jones, Jr., Teresa Maize, Kristina Lounsberry, Al Moreau, III, Danny P. Landry, and Gerald Leglue. Cheryl Gaudin, Executive Director and George Papale, general counsel and Courtney P. Newman, attorneys were also present. New Advisory Committee Member Eugene Noel, PT was also present.

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

Minutes of the January 2013 board meeting were accepted with edits.

### **CHAIRMAN'S REPORT**

Donna "Dee" Cochran reported a conference call between herself, Kirby Pecot, Cheryl Gaudin, Danny Landry, and George Papale to request edits to the proposed contract for architect project. Mr. Pecot was in agreement with the suggested edits and provided a revised document. Motion was made by Jerry Jones, Jr., seconded by Al Moreau, III, "To accept the architect revised contract." All in favor were Donna "Dee" Cochran, Danny P. Landry, Teresa Maize, Gerald Leglue, Al Moreau, III, Kristina Lounsberry, and Jerry Jones, Jr. No one opposed the motion.

Donna "Dee" Cochran reported she would be unable to be present for the July meeting and asked fellow members if the date of the meeting could be changed to July 17 & 18. After discussion, the date of the July meeting will remain July 24 & 25<sup>th</sup>.

The board received an email from Dr. Robert Marier, Executive Director of the Louisiana State Board of Medical Examiners advising that he was unable to attend the February meeting as planned. Dr. Marier reported the Medical Board asked him to convey they will support an amendment to the PT Practice Act to permit PTs to purchase legend drugs for topical administration as this is presently outside the scope of practice of physical therapy as set forth in the PT Practice Act. The Medical Board encouraged the PT Board to seek legislation along these lines this year and would assist with the drafting if requested. In the same email, was the statement, "An amendment to the PT practice act would also be required for PTs to provide dry needling for the same reason. The Medical Board would not support an amendment to the PT Practice Act along these lines due to concern about patient safety especially when used along the vertebral axis and limited evidence of effectiveness."

### **TREASURER'S REPORT**

Cash on hand for the month of January was \$710,631.93. Receipts for January totaled \$8,204.66 and expenses totaled \$45,583.64.

Nancy Clement, Senior Analyst, Louisiana Legislative Auditors office emailed the board reporting the contract with John McKowen, CPA who conducted audits for the board had expired. After expressing the board did wish to enter into a contract for an additional three years with Mr. McKowen, Ms. Clement asked what type of engagement (audit or agreed-upon procedures) did the board want to contract for the service. The agreed-upon procedure is very similar to the recent contract with Mr. McKowen but is less than a full audit. Motion was made by Teresa Maize, seconded by Danny P. Landry, "To contract with John McKowen, CPA to perform the abbreviated audit and to also complete the AFR form for submission." All in favor were Donna "Dee" Cochran, Danny P. Landry, Teresa Maize, Gerald Leglue, Al Moreau, III, Kristina Lounsberry, and Jerry Jones, Jr. No one opposed the motion.

### **EXECUTIVE DIRECTOR REPORT**

After working with Chad Marino of KillerWebsites to make necessary edits for renewals, the program had to be returned to its original code as the edits crashed the program. Returning to

the original code would allow licensees to process the online renewal with the exception of paying for the second year, having enough space to add all continuing education courses, and be accessible by the various online browsers. The website was written more than seven years ago and must be rewritten. Motion was made by Teresa Maize, seconded by Kristina Lounsberry; "to authorize Cheryl Gaudin to research available IT companies to expand/change the database and rewrite the board webpage." All in favor were Donna "Dee" Cochran, Danny P. Landry, Teresa Maize, Jerry Jones, Al Moreau, III, Gerald Leglue, and Kristina Lounsberry. No one opposed the motion.

## **RULES AND REGULATIONS**

### **MONITORING DISCIPLINED THERAPISTS**

Gene Noel reported he and Peggy Wilson conducted a monitor visit at the employment facility of Stacey Andrus'. Ms Andrus was not present that day. Her supervisory and employer reported Ms Andrus was doing well and following all requirements.

## **NEW BUSINESS**

### **LEGAL**

On April 8<sup>th</sup>, the 2013 Legislative Session will begin. George Papale presented his legal opinion regarding board member lobbying. There was a new appointment since the last session and this is an opportunity to remind us of our limitations as employees of the state.

George Papale, general counsel to the board, provided proposed amendments to board rules to implement requirements on Act 276 of the 2012 Legislative Session. The proposal is to amend Board Rule §129. Qualifications for License, Provisional License to add Subpart E. "Licensing of Qualified Military-trained applicants and Spouses of Military Personnel". Motion was made by Al Moreau, III, seconded by Danny P. Landry, to move forward with the promulgation process for the proposed rule. All in favor were Donna "Dee" Cochran, Danny P. Landry, Teresa Maize, Kristina Lounsberry, Al Moreau, III, Gerald Leglue, and Jerry Jones, Jr. No one opposed the motion.

It was brought to board attention that La. R.S. 37:2409. Qualifications for license; physical therapists and La. R.S. 37:2411. Qualifications for license; physical therapist assistant differ in requirements. The qualification for license by a physical therapist require "Be a citizen of the United States or have obtained legal authority to work in the United States, and have proper documentation evidencing this fact." This requirement does not exist in the physical therapist assistant requirements. Motion was made by Teresa Maize, seconded by Gerald Leglue; "To amend La. R.S. 37:2411 to include "be a citizen of the United States. (copy La. R.S. 37:2409.A.2) All in favor were Jerry Jones, Jr., Teresa Maize, Donna "Dee" Cochran, Al Moreau, III, Danny P. Landry, Gerald Leglue, and Kristina Lounsberry. No one opposed the motion.

## **CORRESPONDENCE**

Christopher Giveans, PTA 2012 graduate wrote to the board requesting issuance of a provisional license after his second unsuccessful attempt. The purpose of the National Physical Therapist Assistant exam is to prove minimal competence. It is the board mandate to protect the public, so the request of Mr. Giveans was denied. Cheryl Gaudin will respond to Mr. Giveans.

Virginia Barrios, PTA reported working in free standing inpatient rehabilitation hospital. Patients are admitted to the rehab hospital and evaluated by the supervising P.T. and determined appropriate/inappropriate. The supervising P.T. has picked up patients on caseload that Ms. Barrios does not feel appropriate for this setting due to inability to tolerate 3 hours of therapy and/or unable to progress due to other factors. Ms. Barrios reports she is treating the patients except on sixth visits and discharge visits after evaluated and questions what actions may be taken against her license due to the supervising P.T. taking inappropriate patients onto the caseload. The administrator is pressuring the PT to eval/pick up patients, leaving the PTA to treat the patients without the authority to evaluate or discharge patients. Ms. Barrios is requesting



Board opinion of her situation. Danny Landry will draft a response.

**OTHER BUSINESS**

**UNFINISHED BUSINESS**

**TASK TRACKER**

Donna "Dee" Cochran contacted the program director at Bossier Parish Community College to report the student attending the program with an educational visa and will be graduating in the summer of 2014 will be eligible to take the NPTE even though she is not an American citizen.

Teresa Maize drafted a response to Kim Licausi, PT who posed several questions regarding discharge summaries in the acute care setting.

Danny P. Landry drafted a response to John Maggio, PTA who requested clarification of the PT/PTA face to face documentation requirements.

**BOARD MEMBER MONTHLY CALLS**

The meeting was recessed at 9:30 pm.

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*State of Louisiana*  
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**March 19, 2013**

- 5:30 Informal
- 6:00 Informal
- 6:30 Call Meeting to order
- 6:35 February Board Meeting Minutes
- 6:45 Reports
  - Chairman's Report
    - Booth LPTA Conference
  - Treasurer's Report
    - February 2013 actual vs. budget
    - Securities – February 2013
    - Option to Renew Audit Contract for Three Additional Years
    - Proposed Agreed-Upon Procedure Fees from John L McKowen CPA
  - Executive Director's Report
- 7:45 Unfinished Business
  - Task Tracker for February 2013
    - Medicare Guidelines Home Health: (13th visit, 19th visit and 30 day reassessment)
    - Medicare Guidelines Outpatient (10th visit & 30 day reassessment) PQRS, G codes & Severity Codes
    - Discussion points for appointing board legislative committee
    - Advertising campaign for PT in the state
- 8:30 Monitoring Disciplined Therapists Report
- 9:00 Correspondence
  - PTA scope of practice
  - Unitech request accreditation info
  - Delegate and Administrator Credentialing for 2013 Annual Meeting
  - Patricia B Scott- request to extend CEU's requirements

Recess for the evening

**March 20, 2013**

- 8:30 Legal
- 9:00 New Business
  - Increasing Patient Access
  - Physical Therapy Bill
- 11:00 Rules and Regulations Issues
  - John Thomas Horan- Remediation Plan
- 11:30 Board Monthly Call Discussion
- 12:00 Adjournment

## **LOUISIANA PHYSICAL THERAPY BOARD**

March 19 & 20, 2013

Proceedings for the Louisiana Physical Therapy Board, taken in regular session on Wednesday and Thursday, March 19 & 20, 2013, at 104 Fairlane Drive, Lafayette, LA 70507. Donna "Dee" Cochran, Chairman called the meeting to order at 6:30 p.m. on Wednesday, March 19<sup>th</sup>. A quorum of members was present. Board members present were: Donna "Dee" Cochran, Jerry Jones, Jr., Teresa Maize, Kristina Lounsberry, Al Moreau, III, Danny P. Landry, and Gerald Leglue. Cheryl Gaudin, Executive Director and George Papale, general counsel and Courtney P. Newman, attorneys were also present.

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

Minutes of the February 2013 board meeting were accepted.

### **CHAIRMAN'S REPORT**

Donna "Dee" Cochran reported the board booth at the LPTA Spring meeting was a success. Licensees visited the booth with questions about renewal, inquiries about scheduling traveling jurisprudence offering this year, and other issues.

### **TREASURER'S REPORT**

Cash on hand for the month of February was \$823,103.91. Receipts for February totaled \$140,025.99 and expenses totaled \$26,114.34.

Nancy Clement, Senior Analyst, Louisiana Legislative Auditor office reported John L. McKowen, CPA submitted a proposed fee for conducting an agreed-upon audit for FY2013 to FY 2015. The proposed fee is \$1,375 per each of the three years totaling \$4,125 for the contract. The board agreed to the proposed three years contract with John L. McKowen to conduct an agreed-upon audit at the proposed cost of \$1,375 per year.

### **EXECUTIVE DIRECTOR REPORT**

### **MONITORING DISCIPLINED THERAPISTS**

The meeting was recessed at 9:30 pm.

The meeting was reconvened at 8:30 am. March 20<sup>th</sup>. A quorum of members was present. Board members present were: Jerry Jones, Jr., Teresa Maize, Kristina Lounsberry, Al Moreau, III, Donna "Dee" Cochran, Danny P. Landry, and Gerald Leglue. Cheryl Gaudin, Executive Director and George Papale, general counsel and Courtney P. Newman attorney were present. Guest present was Cristina Faucheux, LPTA Governmental Affairs.

### **STATUTE, RULES, AND REGULATIONS**

Cristina Faucheux met with the board to discuss possible legislative action sponsored by LPTA regarding Direct Access. LPTA has found a sponsor for the bill and initial language has been drafted. Discussion took place regarding moving forward as the bill moves through the Legislative Session beginning April 8<sup>th</sup>.

### **NEW BUSINESS**

Beginning in June the board will begin offering a traveling jurisprudence course around the state. A mailing will be forwarded to licensees with details of course dates that will be offered.

### **LEGAL**

### **CORRESPONDENCE**

Corina Herndon, PTA asked if it is within the scope of practice for a PTA to perform total contact casting and/or serial casting for established patients per POC if trained by the supervising PT. Staff will respond to Herndon and include a copy of the declaratory statement from the board

website.

Debra Casey, Director of Education at Unitech Training Academy inquired about license procedures for the Physical Therapy Assistant or Technician. Unitech Training Academy is accredited by the Commission of the Council in Occupational Education and wants to know what steps need to be taken to have Unitech become accredited by this board so they may take the PTA NPTE. Staff will respond directing Casey to the Commission on Accreditation in Physical Therapy Education.

The Federation of State Boards of Physical Therapy emailed the board about attendance at the 2013 Annual Meeting for Credentialing of FSBPT Delegates and Administrator. Motion was made by Teresa Maize, seconded by Jerry Jones, Jr., "Board Chairman, Donna "Dee" Cochran was appointed to represent the board as Delegate, Danny P. Landry was appointed to represent the board as Alternate Delegate, and Cheryl Gaudin will be the Administrative representative at the FSBPT Annual Meeting later this year. Al Moreau, III will serve as the 2<sup>nd</sup> Alternate Delegate if the Delegate or Alternate delegate is unable to attend." All in favor were Donna "Dee" Cochran, Teresa Maize, Gerald Leglue, Al Moreau, III, Jerry Jones, Jr., and Kristina Lounsberry. No one opposed the motion.

Patricia B. Scott, a Louisiana licensee practicing in Arizona requested an extension to obtain the required continuing education to renew her license due the severe medical issues with one of her children. The board agreed to a three month extension. The continuing education hours may not be used toward the requirement for the next renewal period. Staff will respond to Scott.

John Thomas Horan submitted a Remediation Plan as required by §171 which addresses individuals who are unsuccessful on three attempts of the NPTE. This remediation plan must be submitted, approved, and completed prior to gaining approval to sit for the NPTE for the fourth attempt. Staff will respond to Horan.

**OTHER BUSINESS**

**UNFINISHED BUSINESS**

**TASK TRACKER**

**BOARD MEMBER MONTHLY CALLS**

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

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**April 24, 2013**

- 6:30 Call Meeting to order
- 6:35 March Board Meeting Minutes
- 6:45 Reports
  - Chairman's Report
  - Treasurer's Report
    - March 2013 actual vs. budget
    - Securities – March 2013
  - Executive Director's Report
- 7:45 Unfinished Business
  - Task Tracker for March 2013
- 8:30 Monitoring Disciplined Therapists Report
- 9:00 Correspondence
  - CBT Comments

Recess for the evening

**April 25, 2013**

- 8:30 Meeting with Shelley Sonnier
- 9:00 Meeting with David Watkins
- 9:30 Legal
  - PROPOSED FORM LETTER FOR FOREIGNPHYSICAL THERAPY
- 10:00 New Business
- 11:00 Statutes, Rules and Regulations Issues
  - Rule 171 3<sup>rd</sup> failure of NPTE requirement
- 11:30 Board Monthly Call Discussion
- 12:00 Adjournment

## **LOUISIANA PHYSICAL THERAPY BOARD**

April 24 & 25, 2013

Proceedings for the Louisiana Physical Therapy Board, taken in regular session on Wednesday and Thursday, April 24 & 25, 2013, at 104 Fairlane Drive, Lafayette, LA 70507. Donna "Dee" Cochran, Chairman called the meeting to order at 6:30 p.m. on Wednesday, April 24th. A quorum of members was present. Board members present were: Donna "Dee" Cochran, Jerry Jones, Jr., Teresa Maize, Kristina Lounsberry, Al Moreau, III, and Gerald Leglue. Cheryl Gaudin, Executive Director, George Papale, general counsel and Courtney P. Newman, attorneys were also present.

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

Minutes of the March 2013 board meeting were accepted as presented.

### **CHAIRMAN'S REPORT**

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

Cash on hand for the month of March was \$823,103.91. Receipts for March totaled \$386,060.50 and expenses totaled \$55,508.61.

Motion was made by Teresa Maize, Seconded by Gerald Leglue, "To open a new 6 month CD at the best rate available." All in favor were Donna "Dee" Cochran, Jerry Jones, Jr., Teresa Maize, Kristina Lounsberry, Al Moreau, III, and Gerald Leglue. No one opposed the motion.

### **EXECUTIVE DIRECTOR REPORT**

#### **MONITORING DISCIPLINED THERAPISTS**

#### **CORRESPONDENCE**

Rhonda Collins, Administrative Assistant from FSBPT provided Computer Based Test comments from La applicants who sat for the NPTE during the first quarter of 2013 for board review. No action is required.

The meeting was recessed at 9:30 pm.

The meeting was reconvened at 8:30 am. April 25<sup>th</sup>. A quorum of members was present. Board members present were: Donna "Dee" Cochran, Jerry Jones, Jr., Teresa Maize, Kristina Lounsberry, Al Moreau, III, and Gerald Leglue. Cheryl Gaudin, Executive Director, George Papale, general counsel and Courtney P. Newman attorney were present. Guest present was Cristina Faucheux, LPTA Governmental Affairs.

8:30 am Meeting with Shelley Sonnier – the Board Members met with Shelley Sonnier for an update of the status of practice in the physical therapy field. A lack of communication with Ms. Sonnier prompted the meeting. Ms Sonnier indicated she took a year off of practice but was ready to get back in the field of physical therapy and was beginning the process to find employment. Ms. Sonnier was informed that her Consent Order with the board required up to date contact with the Executive Director.

9:00 am. Meeting with David Watkins – the Board Members met with David Watkins as his one year suspension was ending and he was eligible to reinstate his license under the terms of his Consent Order with the board. Mr. Watkins indicated he was not ready to return to the practice of physical therapy just yet. Mr. Watkins reinstated his license prior to leaving the board office.

### **STATUTE, RULES, AND REGULATIONS**

#### **NEW BUSINESS**

## **LEGAL**

George Papale presented a Consent Agreement on behalf of Mary Shanks, PT. Motion was made by Al Moreau, III, seconded by Jerry Jones, Jr., "To accept the Consent Order with Mary Catherine Shanks, PT as presented. All in favor were Donna "Dee" Cochran, Jerry Jones, Jr., Teresa Maize, Kristina Lounsberry, Al Moreau, III, and Gerald Leglue. No one opposed the motion.

Yoel Trenk recruits foreign educated physical therapists to bring to the United States. With the new rule changes, Trenk inquired about the process which included the letter for immigration purposes. The letter for immigration purposes is provided after required documentation has been received but the applicant has not yet applied for and been issued a Social Security Number or legal immigration rights. George Papale prepared a proposed letter for board review. After review of the proposed USCIS letter, the board approved it for use in the application process for applicants educated outside the United States.

## **OTHER BUSINESS**

### **UNFINISHED BUSINESS TASK TRACKER**

Corina Herndon, PTA asked if it is within the scope of practice for a PTA to perform total contact casting and/or serial casting for established patients per POC if trained by the supervising PT. Staff responded to Herndon and included a copy of the declaratory statement from the board website.

Cheryl Gaudin credentialed the appointed Delegate, Alternate Delegate, 2<sup>nd</sup> Alternate Delegate and Administrator representatives for the FSBPT Annual Meeting.

Cheryl Gaudin responded to Patricia B. Scott, a Louisiana licensee practicing in Arizona requested an extension to obtain the required continuing education to renew her license due the severe medical issues with one of her children. The board granted a three month extension, however, these continuing education hours may not be used toward the requirement for the next renewal period.

## **BOARD MEMBER MONTHLY CALLS**

The meeting was recessed at 11:00 am.

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*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

**May 22, 2013**

- 6:30 Call Meeting to order
- 6:35 Cristina Faucheux request to address the board
- 7:00 April Board Meeting Minutes
- 6:45 Reports
  - Chairman's Report
    - Declaratory Statement regarding changes to renewal
  - Treasurer's Report
    - April 2013 actual vs. budget
    - Securities – April 2013
    - Motion to close MidSouth Bank account
  - Executive Director's Report
    - Renewal issues – payment issues
    - Renewal issues – lacking ethic course
- 7:30 Unfinished Business
  - Task Tracker for April 2013
- 7:40 Monitoring Disciplined Therapists Report
- 7:45 Correspondence
  - Endermologie for the use of massage 97124
  - LPTA Letter to the Board May 2013
  - Board question regarding PT discharges as it pertains to the age of electronic documentation
  - Look Up A License
  - PT Tech Supervision Rules
  - Request for Information
  - Scope of License
  - weekly face to face PT PTA case conferences
  - weekly progress notes
  - request
- 8:30 Legal
- 8:45 New Business
- 9:00 Statutes, Rules and Regulations Issues
  - electronic signature for CI hours CEU credits form
  - late fee
  - Question about late fee
  - Renewal fee
  - Failure of the NPTE 3 times
- 9:30 Board Monthly Call Discussion
- 9:45 Adjournment



## **LOUISIANA PHYSICAL THERAPY BOARD**

May 22, 2013      ACCEPTED

Proceedings for the Louisiana Physical Therapy Board, taken in regular session on Wednesday, May 22, 2013, at 104 Fairlane Drive, Lafayette, LA 70507. Donna "Dee" Cochran, Chairman called the meeting to order at 6:30 p.m. A quorum of members was present. Board members present were: Donna "Dee" Cochran, Teresa Maize, Kristina Lounsberry, Al Moreau, III. Cheryl Gaudin, Executive Director, George Papale, general counsel and Courtney P. Newman, attorneys were also present. Cristina Faucheux, Louisiana Physical Therapy Association Governmental Affairs representative was present.

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

Minutes of the April board meeting were not prepared for review as the Executive Director was out on medical leave.

### **CHAIRMAN'S REPORT**

Donna "Dee" Cochran reported a visit by Joint Commission at her facility brought to light an issue with the transition from annual renewal to biennial renewal. Cochran reported the board would have to develop a declaratory statement to post on the website to address these changes for regulatory agencies to understand steps taken during the transition. George Papale was assigned to draft the declaratory statement.

### **TREASURER'S REPORT**

The financial reports were not available for review as the Executive Director was out on medical leave.

Motion was made by Teresa Maize, seconded by Kristina Lounsberry, "To close the MidSouth Bank account and keep the Chase account for board financial purposes." All in favor were Donna "Dee" Cochran, Teresa Maize, Kristina Lounsberry, and Al Moreau, III. No one opposed the motion.

### **EXECUTIVE DIRECTOR REPORT**

Cheryl Gaudin reported at least 75 licensees that submitted renewal applications had not reported an ethics course. Attempt was made to contact these individuals to comply with the requirement unsuccessfully. Motion was made by Donna "Dee" Cochran, seconded by Teresa Maize, "Licensees that completed a renewal application but lack ethics requirement will be mailed a certified letter requiring proof of completion of an ethics course within 30 days of receipt of the request." All in favor were Donna "Dee" Cochran, Teresa Maize, Kristina Lounsberry, and Al Moreau, III. No one opposed the motion.

Cheryl Gaudin also reported numerous licensees still had not paid for their second year even though they received a text requesting they contact the board to complete this part of the renewal application process. Numerous licensees who made renewal application in the month of April also owed late fees for renewing late. Attempts are being made to collect monies owed to complete the process.

### **MONITORING DISCIPLINED THERAPISTS**

### **STATUTE, RULES, AND REGULATIONS**

Cristina Faucheux met with the board to report the outcome of legislative bills LPTA was following during the 2013 Legislative Session that would directly affect the physical therapy profession. Bills reported on were HB 606 sponsored by Representative Cromer: Provides with respect to Louisiana Workers Compensation Law; SB 198 sponsored by Senator Mack Bodi White, Jr. became SB 262 by adoption on the Senate floor: HEALTH CARE: Provides for the Louisiana Board of Emergency Medical Services was referred the Health and Welfare Committee – excluded AED and awaits governor signature; HB 355 sponsored by H. Bernard Lebas: CONTROLLED SUBSTANCES: Provides relative to access to state prescription monitoring program information passed and becomes effective August 1, 2013; HB 312 sponsored by Representative Nick Lorusso:

MILITARY AFFAIRS: Provides with respect to time limitations for the renewal of licenses under the Military Service Relief Act, and HB 569 sponsored by Representative Terry Brown: PHYSICAL THERAPISTS: Eliminates restrictions on performance of physical therapy services without a prescription or referral which LPTA pulled in committee; SB 375 sponsored by Representative Frank Hoffman: EXCEP PERSON/DISABLED: Provides for the Early Steps childhood disability intervention program and authorizes a fee schedule known as cost participation for services of the program was sent to the Governor for signature.

Kim Cox, PT, MEd. Academic Coordinator of Clinical Education at Bossier Parish Community College asked if the board would consider allowing electronic signatures to the Clinical Documentation Form so the form may be emailed to clinical instructors. Cheryl Gaudin will respond to Ms. Cox.

Amanda Doyle questioned compliance with Rule 171C which requires applicants who have failed the examination on three occasions, to develop and submit to the board a written remediation plan for additional preparation in areas of identified weakness. Her question for clarification was with §171.C.1.e which indicates the applicant may choose to work as a technician, either as paid staff or volunteer, under the supervision of a board approved licensed PT. If she volunteered, how many hours would be required? After discussion of the issue, motion was made by Donna "Dee" Cochran, seconded by Al Moreau, III; "If an applicant who has failed the licensing exam three (3) times in a rolling twelve month time period chooses to work as a volunteer or a technician to meet one of the requirements of Rule 171.C, the volunteer/technician must complete and report 120 hours working as a volunteer or as a technician." All in favor were Donna "Dee" Cochran, Teresa Maize, Kristina Lounsberry, and Al Moreau, III. No one opposed the motion.

## **NEW BUSINESS**

### **LEGAL**

### **CORRESPONDENCE**

Ken Jenkins, PT; Justin Reynolds, PTA, and Christina Mills, PT wrote to the board concerning the renewal late fees assessed for renewal application applied for in the month of April. Kristina Lounsberry will draft a template response to forward to each of these individuals.

Dr. Christian Armetta, SLP\_D, CCC-SLP Doctor of Speech-Language Pathology, Director of Rehabilitation Services at Beauregard memorial Hospital inquired if a licensed PT/OT are allowed to use the Cellu M6 machine from the LPG systems company (also known as Endermologie Treatment) as a tool when conducting a massage CPT 97124. Their therapists would use this machine as a tool in conjunction with his/her hands to improve joint motion or for relief of muscle spasm. Kristina Lounsberry will draft a response to Dr. Armetta.

Beth Ward, PT President of the Louisiana Physical Therapy Association wrote a letter of thank you to the board for supporting HB 569 and being present at the Legislative Committee Hearing on May 1, 2013. Ward requests the support of the board to reach out to non-LPTA member therapists who may be interested in information regarding LPTA legislative efforts to remove barriers to accessing physical therapy services. Ward's letter indicated Cristina Faucheux would be discussing this issue during her meeting with the board during her meeting with the board at the May board meeting.

Bert Lindsey, PT IP Rehab Services Supervisor at St Tammany Parish Hospital requested clarification PT discharges as it pertains to the age of electronic documentation. Teresa Maize will draft a response to Lindsey.

The Federation of Associations of Regulatory Boards (FARB) announced the launch of [www.lookupalicense.org](http://www.lookupalicense.org), an online service to provide the public with easy online access to verify the licensure status of a wide range of practitioners and providers. The intent of FARB's initiative

was intended to compliment the regulatory community and to protect the public.

Erin Comeaux reported she is a tech at a hospital requesting clarification if she can legally place a patient in a knee CPM without immediate supervision of a PT or without the assistance of a PTA? Also, is she authorized to place a patient in a CPM with the assistance of a CNA? Teresa Maize will draft a response to Comeaux.

Ira Jacobs, D.P.A., CP of NYS reported the Cerebral Palsy Associations of New York State (CP of NYS) is preparing to implement a formal series of training courses for the many disciplines in the field of developmental disabilities. One of the purposes of our training is to provide therapists with opportunities to meet the requirements of their state licensing boards. Jacobs is requesting procedure for having the training courses approved by this board. Cheryl Gaudin will respond reporting the correct procedure for Course Sponsor Prior Approval.

Richard Villemarette, PT is looking for guidance to comply with the PT/PTA case conference requirement. Currently, they are documenting these meetings on paper but are in the process of making the transition to paperless documentation. The current software they use has a section on the note to document if a face to face conference took place but it does not allow for both licensees to electronically sign the note, only the one completing it. Is this in compliance with the rule? Teresa Maize will draft a response to Villemarette.

Abby H. Aucoin, MS, CCC-SLP, Therapy Manager at Central Control, LLC asked if the physical therapist must complete every 3<sup>rd</sup> progress note. If there is such a rule where can she get this in writing? Donna "Dee" Cochran will draft a response to Aucoin.

Noelle G. Moreau, PhD, PT Assistant Professor in the Department of Physical Therapy at LSUHSC New Orleans campus indicated she will be participating in a research study, which is a joint venture with Columbia University, along with another therapist, Ashley Dew. They will be collecting data offsite from July 14-18<sup>th</sup> in Florence, Alabama. After contacting the Alabama board, it was determined that we would need temporary licensure for those dates, and they waived the licensure fees but request a written verification of licensure from Louisiana. The online verification was not sufficient. The request was for the board's consideration to waiving the fees for this project. Donna "Dee" Cochran will speak with Moreau for more information.

## **OTHER BUSINESS**

### **UNFINISHED BUSINESS**

#### **TASK TRACKER**

The task tracker was not prepared as the Executive Director was out on medical leave.

### **BOARD MEMBER MONTHLY CALLS**

The meeting was recessed at 9:30 p.m.

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*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

**June 19, 2013**

- 6:30 Call Meeting to order  
6:35 April Board Meeting Minutes  
May Board Meeting Minutes  
7:00 Reports  
Chairman's Report  
Treasurer's Report
  - April 2013 actual vs. budget
  - May 2013 actual vs. budget
  - Securities – April 2013
  - Securities – May 2013Executive Director's Report
  - Renewal issues – payment issues - update
  - Renewal issues – lacking ethic course – update
  - Late renewals - procedure7:45 Unfinished Business
  - Task Tracker for May 20138:30 Monitoring Disciplined Therapists Report  
9:00 Correspondence
  - PT\_INR test
  - Flr
  - Utilization and supervision of techs
  - Buck's Traction
  - 10th visit requirements and screens
  - Save the Date Leadership Issues ForumRecess

**June 20, 2013**

- 9:00 Meeting with Adam Lafleur  
9:30 Legal
  - Louisiana Public Records Doctrine (5-2013)10:00 Lindsey Hunter - PT Regulation Issue  
11:00 New Business  
11:30 Statutes, Rules and Regulations Issues  
11:45 Board Monthly Call Discussion  
12:00 Adjournment

## **LOUISIANA PHYSICAL THERAPY BOARD**

June 19, 2013      ACCEPTED

Proceedings for the Louisiana Physical Therapy Board, taken in regular session on Wednesday, June 19, 2013, at 104 Fairlane Drive, Lafayette, LA 70507. Donna "Dee" Cochran, Chairman called the meeting to order at 6:30 p.m. A quorum of members was present. Board members present were: Donna "Dee" Cochran, Teresa Maize, Kristina Lounsberry, Al Moreau, III, Danny Landry, and Gerald Leglue. Cheryl Gaudin, Executive Director, George Papale, general counsel and Courtney P. Newman, attorney were also present.

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

Minutes of the April and May Board meeting were accepted as written.

### **CHAIRMAN'S REPORT**

Donna "Dee" Cochran discussed the need to have a booth at the LPTA Fall Meeting to be available to licensees in attendance.

### **TREASURER'S REPORT**

Cash on hand for the month of April was \$1,254,233.94. Receipts for April totaled \$103,541.89 and expenses totaled \$36,268.72.

Cash on hand for the month of May was \$1,219,213.76. Receipts for May totaled \$63,638.42 and expenses totaled \$30,351.52.

### **EXECUTIVE DIRECTOR REPORT**

Cheryl Gaudin reported staff is still attempting to obtain payment from licensees who owe for the second year of renewal and late fees as well as obtaining ethic course requirements from licensees who renewed without providing that information. The Board chose not to discipline those renewal applicants. Those individuals would receive a letter giving them 30 days to meet that requirement and provide proof of completion of the ethics course.

Discussion regarding applications for reinstatement of licensees for those who missed the April 30<sup>th</sup> deadline took place. Motion was made by Jerry Jones, Jr., seconded by Teresa Maize; "To authorize the Executive Director to send out a proposed consent agreement to licensees who have been practicing without a license after April 30<sup>th</sup> with a \$250 administrative assessment in conjunction with the renewal fee for renewing the licenses." All in favor were Jerry Jones, Jr., Teresa Maize, Kristina Lounsberry, Al Moreau, III, Gerald Leglue, and Donna "Dee" Cochran. No one opposed the motion.

### **MONITORING DISCIPLINED THERAPISTS**

### **STATUTE, RULES, AND REGULATIONS**

### **NEW BUSINESS**

### **LEGAL**

Courtney P. Newton, legal counsel to the board presented an educational session regarding Louisiana Public Records Doctrine. The presentation provided information as to what constitutes a public document as well as how to address requests for public documents.

### **CORRESPONDENCE**

Karen T. Barkman, PT, CCCE Supervisor of Rehab. Services at Ochsner Medical Center-NS reported she has worked at several acute care facilities over the years where the question of who should be applying Buck's traction was brought up. Some of the facilities require it to be done a) by "ortho techs" in the nursing department, b) by rehab techs in the therapy department, or c) by a PT without an actual evaluation. There have been cases where PTA's have been involved as well. Barkman reported she read the declaratory

statement allowing a PT to perform this function 1) with a doctor's order, and 2) following an evaluation. What about scenarios b and d? Can a rehab technician apply Buck's traction if there is no PT involvement? (the order would come as Buck's traction) Can a PTA participate in the application of Buck's traction without the involvement of a PT? The service would not be documented or billed as PT. Also, since there are no facilities that have PT services 24 hours a day, how can an order differentiate who will perform the function of applying Buck's traction depending upon the time of day it is ordered? Al Moreau will draft a response to Barkman.

Jennifer Champagne, PTA reported practicing about a year questioned if it is within the scope of practice for a PTA to do screens on patients in a SNF/nursing home? When it comes to progress notes only done once a week, how often is the PT required to write a progress note? Can the PTA do all of them now that the PT has to treat the patient every tenth visit? Jerry Jones, Jr. will draft a letter to Champagne.

Roger Martin, PT reported he practices in several SNF/LTC facilities. A new procedure at these facilities is to consult PT on every patient admitted, readmitted from a short hospital stay or that has experienced a fall. This is a "standing order", which often occurs prior to the ordering physician meeting, treating or reviewing the patient's medical history. The problem arises when based on chart review, patient interview or previous course of treatments with the patient, it is determined that the patient is not appropriate for therapy. This occurs without any type of actual physical evaluation or exam. The most common occurrence is the patient is observed by staff or it is documented in the chart that the patient is at their baseline level of function. It is my opinion that the physician should be contacted and be informed of findings and the order discharged/cancelled. It is the facility and/or the program manager's decision that it is outside of the PT's scope of practice to make the determination that a Doctors order should be discharged and that a full evaluation should be completed with the finding that PT is not indicated. Part of their reasoning is that it is an "order" from the doctor for and Evaluation and treatment and we are not doctors and cannot make a contrary decision to the order. It is my opinion that we are independent practitioners, and it is our responsibility to determine if a patient would benefit from skilled PT intervention either by an evaluation or treatment. Charging for and completing a complete evaluation seems inappropriate in these situations, as it would be contrary to the PT's professional findings and would result in unnecessary and unneeded evaluation and charge to the patient or the patients payor. What is the board's opinion on these situations and which statutes and rules of the practice act apply? Kristina Lounsberry will draft a response to Martin.

Lloyd Vale, PT asked if a therapist should assess and complete functional limitation report as Medicare FLR mandates on every tenth (10<sup>th</sup>) visit? Can a PTA treat the patient on the tenth visit FLR assessment or is this a requirement of the PT? Danny P. Landry will draft a response to Vale.

Dr. J. Christian Armetta, SLP.D., CCC-SLP Doctor of Speech-Language Pathology, Director of Rehabilitation Services at Beauregard Memorial Hospital asked if a PT/OT can use the Cellu M6 machine from the LPG systems company (also known as Endermologie Treatment) as a tool when conducting massage CPT 97124. The therapist would use this machine as a tool in conjunction with his/her hands to improve joint motion or for relief of muscle spasm. Kristina Lounsberry will draft a response to Dr. Armetta.

Elizabeth Madden, RN Clinical Educator at Ochsner Home Health, Kenner asked for clarification if a physical therapist practicing in a home care work setting can perform a PT/INR test on a patient using a coag monitor device once the therapist is provided with proper training and passes a competency test? I read the declaratory statement indicating the PT can perform a glucose monitoring with training. Danny P. Landry will draft a response letter.

John Maggio, PT requested clarification regarding utilization and supervision of PT Techs availability to assist a PTA in day to day patient care and operations of the clinic. As previously documented by Declaratory Statement on the board's website, during the daily operation of the department the PTA will have to give general direction to the technician as it relates to patient care. The Board determined it is appropriate if the technician assist the PTA in maneuvering IV poles, catheters, etc., with a PT on the premises. The question specifically pertains to the scenario

in which PTA's are assigned to see patients that are "double booked" at the same time--can a PT tech be utilized by the PTA to assist with the set up and performance of an established exercise program with one patient while the PTA provides hands on care with the other patient? The Rules and Regulations for supervision of PT Techs indicates: *A. The level of responsibility assigned to a PT technician is at the discretion of a Supervising PT of Record who is ultimately responsible for the care provided by the technician. Documentation of education or inservice training completed by the physical therapy technician shall be maintained in the technician's personnel file.*

- 1. In all practice settings, during the provision of physical therapy services, the supervising PT shall provide continuous, in-person supervision of the physical therapy technician.*
- 2. A physical therapy technician may assist a PTA only with those aspects of patient treatment which have been assigned to the physical therapy technician by a PT.*

In the above scenario, it appears that it would be permissible for the technician to assist the PTA with a patient's exercise program if it is approved by the supervising PT.

Maribeth Decker, Associate to Senior Staff at FSBPT reported each summer, the Board of Directors schedules a Leadership Issues Forum (LIF) and invites representatives from jurisdiction member boards, FSBPT committees, the FSBPT Council of Board Administrators and the Foreign Credentialing Commission on Physical Therapy (FCCPT) along with external stakeholders to attend. This year, we will have an update from LIF 2012, focus on the delegate assembly motions related to portability AND discuss the outcome of the NPTE eligibility task force. The invitation was extended as a representative, to either Delegate or Administrator. The Leadership Issues Forum was scheduled for Friday and Saturday, August 9 & 10, 2013 in Alexandria, VA. Both the Chairman and Executive Director declined the invitation.

## **OTHER BUSINESS**

### **UNFINISHED BUSINESS TASK TRACKER**

Staff mailed certified letters to licensees who did not provide completion of an ethics course.

Kristina Lounsberry drafted a letter to forward to all licensees who voiced concerns with assessment of late fees. Cheryl Gaudin will forward letters.

Teresa Maize drafted a letter in response to Bert Lindsey, PT IP Rehab Services Supervisor at St Tammany Parish Hospital clarifying PT discharges as it pertains to the age of electronic documentation.

Teresa Maize drafted a letter in response to Erin Comeaux regarding her question if a tech at a hospital can legally place a patient in a knee CPM without immediate supervision of a PT or without the assistance of a PTA. Also, is she authorized to place a patient in a CPM with the assistance of a CNA?

Richard Villemarette, PT is looking for guidance to comply with the PT/PTA case conference requirement. Currently, they are documenting these meetings on paper but are in the process of making the transition to paperless documentation. The current software they use has a section on the note to document if a face to face conference took place but it does not allow for both licensees to electronically sign the note, only the one completing it. Is this in compliance with the rule? Teresa Maize will draft a response to Villemarette.

Noelle G. Moreau, PhD, PT Assistant Professor in the Department of Physical Therapy at LSUHSC New Orleans campus indicated she will be participating in a research study, which is a joint venture with Columbia University, along with another therapist, Ashley Dew. They will be collecting data offsite from July 14-18<sup>th</sup> in Florence, Alabama. After contacting the Alabama board, it was determined that we would need temporary licensure for those dates, and they waived the licensure fees but request a written verification of licensure from Louisiana. The online verification was not sufficient. The request was for the board's consideration to waiving the fees for this project. Donna "Dee" Cochran will speak with Moreau for more information.

Kristina Lounsberry drafted a response to Dr. Christian Armetta, SLP\_D, CCC-SLP Doctor of Speech-Language Pathology, Director of Rehabilitation Services at Beauregard Memorial Hospital regarding her question if licensed PTs/OTs are allowed to use the Cellu M6 machine from the LPG systems company (also known as Endermologie Treatment) as a tool when conducting a massage CPT 97124. Their therapists would use this machine as a tool in conjunction with his/her hands to improve joint motion or for relief of muscle spasm.

Al Moreau drafted a response to Krystal Hart at Analgesic Healthcare asked if in state of Louisiana, is it considered within the scope of license for a PT, DPT, MSPT, NPT to prescribe electrotherapy products ( specifically TENS and Mstim) and orthotics for home use, without a supervising MD Rx?"

**BOARD MEMBER MONTHLY CALLS**

The meeting was recessed at 1:00 pm.

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*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

**August 21, 2013**

- 5:00 Informal Conference 2013I015  
5:30 Informal Conference 2013I007  
6:30 Call Meeting to order  
6:35 Meeting with Brian Soignier and Clark Leblanc; McCloud, Trahan, Sheffield PT  
7:00 June Board Meeting Minutes  
7:00 Reports  
Chairman's Report  
    ➤ FSBPT Leadership Forum Report  
Treasurer's Report  
    ➤ June 2013 actual vs. budget  
    ➤ July 2014 actual vs. budget  
    ➤ Securities – June 2013  
    ➤ Securities – July 2014  
Executive Director's Report  
7:45 Unfinished Business  
    ➤ Task Tracker for June 2013  
8:30 Monitoring Disciplined Therapists Report  
9:00 Correspondence  
    ➤ Discharge of patient based on attendance policy  
    ➤ Stroke education  
    ➤ Expiration of Referrals  
    ➤ supervision with telehealth  
    ➤ Dry Needling course question  
    ➤ Lowery Request Dry Needling

Recess

**August 22, 2013**

- 9:00 Letter from the Medical Board  
10:00 Legal  
11:00 New Business  
11:30 Statutes, Rules and Regulations Issues  
    ➤ Dry Needling language  
11:45 Board Monthly Call Discussion  
12:00 Adjournment

## LOUISIANA PHYSICAL THERAPY BOARD

August 21 & 22, 2013      ACCEPTED

An Informal Conference was held for Case #2013I015.

An Informal Conference was held for Case #2013I007.

Proceedings for the Louisiana Physical Therapy Board, taken in regular session on Wednesday, August 21, 2013, at 104 Fairlane Drive, Lafayette, LA 70507. Donna "Dee" Cochran, Chairman called the meeting to order at 6:30 p.m. A quorum of members was present. Board members present were: Donna "Dee" Cochran, Jerry Jones, Jr., Kristina Lounsberry, Al Moreau, III, Danny Landry, and Gerald Leglue. New Board Member Elizabeth Austin was unable to attend. Cheryl Gaudin, Executive Director, George Papale, general counsel and Courtney P. Newman, attorney were also present.

Meeting with Michael Sheffield, Brian Soignier, Maisie Meaux Hargett of McCloud, Trahan, and Sheffield Physical Therapy (MTS). Mr. Hargett who is an attorney was also present. The group met with the Board to make a plea regarding the late renewal of Maisie Meaux Hargett providing documentation for the board review. Cheryl Gaudin asked to be excused as she was a patient of MTS. Motion was made by Danny P. Landry, seconded by Gerald Leglue, "Following due consideration of all of the issues presented by representatives of MTS and consideration of the purpose and intent of Rule 187 (C), prior uniform enforcement of the rule and the advice of legal counsel, I move that the Board enforce Rule 187 (C) in regard to lapsed license of Maisie Meaux Hargett." All in favor were Donna "Dee" Cochran, Al Moreau, III, Danny P. Landry, Gerald Leglue, Kristina Lounsberry, and Jerry Jones, Jr. No one opposed the motion. Mr. Papale will respond to their counsel.

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

Minutes of the June Board meeting were accepted as written.

### **CHAIRMAN'S REPORT**

Ms. Cochran reported on the FSBPT Leadership Forum attended by she and Cheryl Gaudin. Issues discussed will be presented at the FSBPT Annual Meeting to be held in San Antonio in October. Board Members attending the Annual Meeting are Donna "Dee" Cochran as Delegate, Danny P. Landry as Alternate Delegate, Kristina Lounsberry, Elizabeth Austin, and Cheryl Gaudin.

### **TREASURER'S REPORT**

Cash on hand for the month of June was \$1,240,516.29. Receipts for June totaled \$20,759.10 and expenses totaled \$33,419.51.

Cash on hand for the month of July was \$1,214,248.67. Receipts for July totaled \$13,847.59 and expenses totaled \$47,482.92.

The Board was presented with the end of year report of budget vs. actual. It was noted although George Papale has a three year contract with a cap of \$180,000.00, the annual amount paid to Mr. Papale was \$72,000. This amount was over the \$60,000 annual limit by \$12,000. This was due to the resignation of Glenn Ducote, previous general counsel, early in the fiscal year and Mr. Papale became general counsel to the board. Mr. Papale employed the legal services of Courtney P. Newton increasing the amount paid for legal services performed during the current calendar year being paid through the contract of George Papale. The Board entered a contract with Ms. Newton for legal services which became effective July 1, 2013. It was suggested the contract of Mr. Papale should be increased to \$100,000 for the last year of his three year contract. Motion was made by Kristina Lounsberry, seconded by Danny P. Landry, "The Board moves to amend the contract of George Papale to increase the cap on the third year of his three year contract to \$100,000." All in favor were Kristina Lounsberry, Danny P. Landry, Donna "Dee" Cochran, Gerald Leglue, Jerry Jones, Jr., and Al Moreau, III. No one opposed the motion. Cheryl Gaudin will

prepare the amendment to the contract for board signature.

### **EXECUTIVE DIRECTOR REPORT**

An update was provided regarding the progress of the architect contract with Kirby Pecot. DHH Contract Management is still asking for additional information which Cheryl Gaudin has been providing upon request.

### **MONITORING DISCIPLINED THERAPISTS**

### **STATUTE, RULES, AND REGULATIONS**

### **CORRESPONDENCE**

Lindsay Escoyne, PTA reported working for an outpatient clinic at Regional Medical Center of Acadiana and questioned if a PTA can make the decision to discharge a patient solely based on non-compliance with their attendance policy. Escoyne understands a PTA can't write the discharge, but questions if it is ok for the PTA to make that decision, then let the treating PT know. Also, can the PTA forward a letter to a MD renewing a script for a patient even if a reassessment is not due. Danny P. Landry will draft the response to Escoyne.

Karen Vandersypen, PT, DPT, PCS reported the hospital where she is employed is asking the physical therapists to go the patient's room with stroke triggers and leave stroke education information. The hospital wants the PT to get the patient or a family member to sign the document to be placed in the patient's chart. Vandersypen believes this request is beyond the PTs scope of practice because that would be inferring a medical diagnosis. Providing this information is without the doctor's consent. The hospital is making this mandatory for even a diagnosis of syncope because it is a stroke trigger. Vandersypen indicated she is uncomfortable going in a patient's room and leaving stroke information without a medical diagnosis by a physician of a stroke. Vandersypen faxed a copy of the document the hospital is expecting the PT to leave in the room and have the patient sign. Donna "Dee" Cochran will contact Vandersypen and report after review of the document, it was decided the PT could provide this information to patients.

Julie White from the Shreveport VA Medical Center reported the facility is planning to use telehealth audio and visual technology to connect clinicians, including therapists to patients at offsite settings including outlying clinics in rural areas where access is limited and in the home. New technology brings new questions: (1) Could evaluations ever be accomplished by video? Say for gait to determine assistive device if there is someone onsite for physical assistance? (2) If another person is needed to assist patient physically say for transfers and therapist is watching by video, would that other assistant be required to be a PTA or could it be a nursing person trained in patient handling? Al Moreau, III will draft a response to White.

Tricia Holifield, PTA Clinical Director at Lewy Physical Therapy reported Danny Lewy attended a Dry Needling Course Level 1, Aug 5<sup>th</sup> 2012. Lewy has only completed and documented 120 educational episodes. Since it has now been over a year since completion of DN Level 1, is he allowed to continue to perform his educational treatment episodes? Cheryl Gaudin will respond the board suggested he attend DN Level 1 again as a way to gain certification allowing him to provide only those techniques he learned in Level 1.

Beau Lowery, PT, ATC, SCS who is employed by the New Orleans Saints, reported he was in receipt of a copy of the June 18, 2013 letter from the La State Board of Medical Examiners to the La Physical Therapy Board requesting an amendment to and/or deletion of published rules authorizing physical therapists to perform "dry needling". Lowery is requesting the position of the board with regards to this request. Cheryl Gaudin will respond with the statement provided to the La State Board of Medical Examiners drafted by Lindsey Hunter of the Attorney General's Office.

The meeting was recessed at 10:30 pm.

The meeting was reconvened at 8:30 am on Thursday, August 22, 2013. A quorum of members was present. Board members present were: Donna "Dee" Cochran, Jerry Jones, Jr., Kristina Lounsberry, Al Moreau, III, Danny Landry, and Gerald Leglue. Cheryl Gaudin, Executive Director, George Papale, general counsel and Courtney P. Newman, attorney were also present. Cristina Fauchoux, Louisiana Physical Therapy Association (LPTA) Governmental Affairs was also in attendance.

## **NEW BUSINESS**

### **LEGAL**

Lindsay Hunter, attorney from the AGs office was scheduled to meet with the board to discuss a request from the La State Board of Medical Examiners. Hunter was unable to attend the meeting due to an illness. Courtney P. Newton spoke with Hunter by telephone and led the discussion regarding the request from the Medical Board. The Board reviewed the response drafted by Lindsey Hunter and agreed to forward to the LA State Board of Medical Examiners and copy the La Drug Wholesale Board. Ms. Hunter reported the Medical Board requested a lunch meeting with representatives of the PT Board at a neutral location. The board voted to have Donna "Dee" Cochran and Cheryl Gaudin attend the luncheon meeting with Courtney P. Newton. Cristina Fauchoux reported LPTA was reviewing strategy for efforts for next year's legislative session.

George Papale provided Adam Lafleur's psychological evaluation report. The evaluation was required by his Consent Order prior to consideration for reinstatement of his physical therapy license. Lafleur's license had been on suspension for a period of one year. After review of the report, motion was made by Kristina Lounsberry, seconded by Jerry Jones, Jr., "To reinstate the license of Adam Lafleur". All in favor were Kristina Lounsberry, Jerry Jones, Jr., Donna "Dee" Cochran, and Gerald Leglue. Danny P. Landry and Al Moreau III opposed the motion.

George Papale presented the results of the investigation of James Coleman Padgett and the proposed revised consent order. After discussion, motion was made by Kristina Lounsberry, seconded by Jerry Jones, Jr., "To accept the revised Consent Order on James Coleman Padgett." All in favor were Jerry Jones, Jr., Kristina Lounsberry, Donna "Dee" Cochran, Al Moreau, III, Danny P. Landry, and Gerald Leglue. No one opposed the motion.

## **OTHER BUSINESS**

### **UNFINISHED BUSINESS TASK TRACKER**

Kristina Lounsberry drafted a response to Roger Martin, PT in response to questions posed regarding a "standing order" and the PT determining when an evaluation is necessary and appropriate.

Danny P. Landry drafted a response to Lloyd Vale, PT responding to his question if a therapist should assess and complete a functional limitation report as Medicare FLR mandates on every tenth (10<sup>th</sup>) visit and should the PT or PTA treat the patient on the tenth visit FLR assessment.

Danny P. Landry drafted a response to Elizabeth Madden, RN Clinical Educator at Ochsner Home Health, Kenner clarifying that a PT practicing in a home care work setting can perform a PT/INR test on a patient using a coag monitor device once the therapist is provided with proper training and passes a competency test.

Al Moreau, III drafted a response to Krystal Hart, Analagic Healthare who asked if it is considered within the scope of practice for a PT, DPT, MSPT, NPT to prescribe electrotherapy products (specifically TENS and Mstim) and orthotics for home use, without a supervising MD Rx. The response indicated it is within the scope of practice for a PT practicing in Louisiana to distribute DME such as orthotics and Tens/muscle stim units without the prescription of a physician if used for wellness and prevention. If these products are being used for the treatment of a musculoskeletal disorder that is considered treatment and not wellness/prevention, then a

prescription would be necessary unless the patient meets criteria described La R.S. 37:2418 and §307.

**BOARD MEMBER MONTHLY CALLS**

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

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*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

**September 25, 2013**

- 6:30 Call Meeting to order
- 6:35 [August Board Meeting Minutes](#)
- 6:45 Reports  
Chairman's Report  
Treasurer's Report
  - July 2013 actual vs. budget
  - August 2013 actual vs. budget
  - [Securities – September 2013](#)Executive Director's Report
- 7:15 Unfinished Business
  - Task Tracker for August 2013
- 8:00 [Monitoring Disciplined Therapists Report](#)
- 8:20 Legal
  - Report from meeting with Medical Board – Executive Session
- 9:00 New Business
  - [Topics for Discussion](#)
- Recess

**September 26, 2013**

- 8:30 Correspondence
  - [Treating grandfather](#)
- 9:00 Statutes, Rules and Regulations Issues
  - [continuing education](#)
  - [License Renewal](#)
  - [New CE Policy](#)
- 10:15 Board Monthly Call Discussion
- 10:30 Adjournment

## LOUISIANA PHYSICAL THERAPY BOARD

September 25 & 26, 2013      ACCEPTED

Proceedings for the Louisiana Physical Therapy Board, taken in regular session on Wednesday, September 25 & 26, 2013, at 104 Fairlane Drive, Lafayette, LA 70507. Donna "Dee" Cochran, Chairman called the meeting to order at 6:30 p.m. A quorum of members was present. Board members present were: Donna "Dee" Cochran, Jerry Jones, Jr., Kristina Lounsberry, Elizabeth "Beth" Austin, Al Moreau, III, Danny Landry, and Gerald Leglue. Cheryl Gaudin, Executive Director, George Papale, general counsel and Courtney P. Newton, attorney were also present. Former Advisory Committee Member Peggy Wilson was in attendance. Arma Veneracion, advisory committee member.

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

Minutes of the August Board meeting were accepted as written.

### **CHAIRMAN'S REPORT**

Donna "Dee" Cochran welcomed Elizabeth Austin as the new member of the board representing the Louisiana Hospital Association. Ms. Austin is from Minden, Louisiana and is employed at Minden Medical Center.

Ms. Cochran reported on the success of the board's attendance at the Louisiana Physical Therapy Association meeting in Baton Rouge. Board members and the Executive Director had the opportunity to greet and speak with licensees and address questions regarding rule changes.

The traveling jurisprudence held in Mandeville on September 19<sup>th</sup> had 148 attendees. The presentation provided clarification of those issues staff continuously receives calls about. These questions include renewal, continuing education, test taking, and reporting contact information to the board as required by rule.

The Federation of Association of Regulatory Boards is offering its 38th Annual Forum in Austin on January 24 – 26, 2014. Board members expressing intention to attend are Donna "Dee" Cochran, Danny P. Landry, Kristina Lounsberry, Jerry Jones, Jr., and Elizabeth Austin. Registration for members will be taken care of by staff.

### **TREASURER'S REPORT**

Cash on hand for the month of July 2013 was \$1,214,248.67. Receipts for July totaled \$13,849.59 and expenses totaled \$39,471.70.

Cash on hand for the month of August was \$1,181,516.79. Receipts for August totaled \$17,593.69 and expenses totaled \$47,017.98.

One of the board CD investments is scheduled to mature on September 27, 2013. After discussion, motion was made by Danny P. Landry, seconded by Al Moreau, III; "To allow CD 5012261 to rollover at maturity at the interest rate available at Montgomery Bank." Montgomery Bank pays interest monthly instead of at maturity providing for a higher yield. All in favor were Danny P. Landry, Al Moreau, III, Donna "Dee" Cochran, Kristina Lounsberry, Gerald Leglue, Jerry Jones, Jr. and Elizabeth "Beth" Austin. No one opposed the motion.

A report was provided by John McKowen, CPA contracted to the board to conduct the Annual Agreed Upon Procedure for review of the board's finances. Mr. McKowen provided year end adjusting entries and requested these entries be made as of June 30, 2013 so he would not have to make these adjusting entries next year. The adjusting entries included classifying the renewal applicants who paid for a two year renewal and reporting the second year as deferred revenue. This would be the case each year as all licensees move to the biennial license renewal. As a result of the adjusting entries, Cheryl Gaudin provided the June, July, and August reports which

included any changes due to the adjusting entries.

### **EXECUTIVE DIRECTOR REPORT**

Cheryl Gaudin reported efforts to rewrite the board's website and necessary database edits. Covalent Logic which is a company located in Baton Rouge, contracts with DHH to host their site and provide other IT services. This project will probably take until at least May of 2014. In the meantime, Gaudin is working with Covalent to attempt to resolve the online renewal issue before renewals begin in February 2014. Gaudin is working with Covalent to contract for IT services for the board.

Cheryl Gaudin announced plans for retirement. Contact has been made with Civil Service to determine if the Executive Director position can be double encumbered to allow for training for the new director. Although the position is an unclassified position, the board is allowed to double encumber the director position for this purpose.

George Papale suggested engaging a consultant to assess the job descriptions, especially the executive director job description, to determine how many employees are needed to work in the board office. The executive Director job description encompasses management, IT, HR, and financial responsibilities.

### **LEGAL**

George Papale, general counsel, Gerald Leglue and Peggy Wilson, presented to the board on behalf of Samuel Forester, PT a proposed Consent Order. Ms. Wilson participated with Dr. Leglue in the investigation of this complaint. After discussion and review of the proposed terms of the Consent Order, motion was made by Jerry Jones, Jr, seconded by Elizabeth Austin; "To accept the proposed content order of Samuel Forester, PT as written." All in favor were Danny P. Landry, Al Moreau, III, Donna "Dee" Cochran, Kristina Lounsberry, Gerald Leglue, Jerry Jones, Jr. and Elizabeth "Beth" Austin. No one opposed the motion.

### **MONITORING DISCIPLINED THERAPISTS**

A letter was forwarded by certified mail to Kim Licausi and Dana Altazan requesting copies of the additional continuing education courses required by their consent orders.

A review of the monitoring reports of Stacey Andrus, Cole Padgett, David Watkins, and Wanda Shanks indicated compliance with the terms of their consent order to date.

### **STATUTE, RULES, AND REGULATIONS**

#### **CORRESPONDENCE**

Danny P. Landry submitted two statements for board review and response. 1.) Medication Review by PT/PTA for PT only admitted Home Health Patients. 2.) Discharge Summary for electronic records in acute care setting for unforeseen discharge of patients that were not able to be seen by Physical Therapist for a discharge visit. The board requested a question regarding the medical review be forwarded for response.

Advisory Committee Member Anna Smith requested clarification regarding continuing education requirements for new licensees. If an applicant graduated this year (2013) or obtains a license through reciprocity, and the license issued expires March 2014 (a one year), is this new licensee required to obtain 15 hours of CEU's when they renew in March? At what point do they not need the 15 hours? Dec, Jan? Courtney P. Newton will respond to Anna Smith.

Rachel Comish, PT contacted the board office to inquire if it was acceptable for an employee to treat his grandfather in a SNF setting, Part A, with Humana insurance. It would only need to occur once per week to accommodate work schedules. The board reported this is an insurance issue and not a board issue. Cheryl Gaudin will respond to Comish.

Kim Bueche Hardman, Executive Director of PTPN would like to send out a reminder to the PTPN



member clinics to remind them about license renewals as required by the Louisiana Physical Therapy Board. PTPN would like to send to their subscriber's continuous reminders regarding renewing their license in a timely manner. Also, PTPN would like to ask the licensees to provide a copy of what they submit to the board when PTPN credentials them. PTPN is particularly interested in seeing the renewal summary form which includes the list of educational activities. Hardman requested a copy of the most current renewal form and a summary of the timelines/guidelines required for license renewal to date.

Heather Cobb, Private Events Coordinator and CE Administrator at CIAO Seminars posed questions about the new CEU Policy posted on the board website. In Section II.G "Computer/video courses will have an interactive feature to allow dialogue, coursework assignments, and post-tests. Can you clarify "dialogue"? Will emails between the participant and instructor be accepted? For example, we have an online course that requires the participant to submit a response. The instructor grades the response and replies on a private message board, but it is not a "live" or immediate response. Also, Section II.A.3. "Provide opportunities for inter-disciplinary learning". Will all courses (both live and computer based) be required to have an intended audience of other disciplines? Board decision is to incorporate a definition of "dialogue" in the CEU policy. Dialogue shall be defined as "taking part in a conversation or discussion between two people to resolve a problem".

The meeting was recessed at 10:30 pm.

The meeting was reconvened at 8:30 am on Thursday, September 26, 2013. A quorum of members was present. Board members present were: Donna "Dee" Cochran, Jerry Jones, Jr., Kristina Lounsberry, Al Moreau, III, Danny Landry, and Gerald Leglue. Cheryl Gaudin, Executive Director, and Courtney P. Newton, attorney were also present. Arma Veneracion, Advisory Committee Member was present.

#### **NEW BUSINESS**

Discussion was held regarding the luncheon meeting scheduled for Friday September 27<sup>th</sup> in Baton Rouge with the Medical Board. Initially, Donna "Dee" Cochran, Cheryl Gaudin, and Courtney P. Newton were appointed to represent the board. After discussion, motion was made by Danny P. Landry, seconded by Kristina Lounsberry, "To appoint Al Moreau, III to attend the lunch meeting with the Medical Board representative." All in favor were Danny P. Landry, Al Moreau, III, Donna "Dee" Cochran, Kristina Lounsberry, Gerald Leglue, Jerry Jones, Jr. and Elizabeth "Beth" Austin. No one opposed the motion.

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

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

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*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

**October 23, 2013**

- 6:30 Call Meeting to order
- 6:35 Meeting with Rudy Gomez, SSA Consultants
- 7:00 September Board Meeting Minutes
- 7:05 Reports
  - Chairman's Report
  - Treasurer's Report
    - September 2013 actual vs. budget
    - Securities – September 2013
  - Executive Director's Report
- 7:15 Unfinished Business
  - Task Tracker for September 2013
- 7:30 Monitoring Disciplined Therapists Report
  - Probation Closure letter Licausi
- 7:45 Legal
- 8:00 New Business
- 8:30 Correspondence
  - Board Questions
  - Lymphedema Certification
- 9:00 Statutes, Rules and Regulations Issues
  - Rule 171 – 4<sup>th</sup> NPTE failure
- 9:30 Board Monthly Call Discussion
- 10:00 Adjournment

## LOUISIANA PHYSICAL THERAPY BOARD

October 23, 2013      ACCEPTED

Proceedings for the Louisiana Physical Therapy Board, taken in regular session on Wednesday, October 23, 2013, at 104 Fairlane Drive, Lafayette, LA 70507. Donna "Dee" Cochran, Chairman called the meeting to order at 6:30 p.m. A quorum of members was present. Board members present were: Donna "Dee" Cochran, Jerry Jones, Jr., Kristina Lounsberry, Elizabeth "Beth" Austin, Al Moreau, III, Danny P. Landry, and Gerald Leglue. Cheryl Gaudin, Executive Director, George Papale, general counsel and Courtney P. Newton, attorney were also present.

The board met with Rudy Gomez, SSA Consultants to review and discuss a Proposal for Organizational and Operations Assessment. As a result of the retiring Executive Director, the board is requesting an assessment to address personnel and moving forward. Motion was made by Elizabeth "Beth" Austin, seconded by Jerry Jones, Jr., "to authorize Cheryl Gaudin to prepare a contract for consultant services with SSA Consultants with a cap of \$24,500." All in favor were Donna "Dee" Cochran, Jerry Jones, Jr., Kristina Lounsberry, Elizabeth "Beth" Austin, Al Moreau, III, Danny P. Landry, and Gerald Leglue. No one opposed the motion.

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

Minutes of the September Board meeting were accepted as written.

### **CHAIRMAN'S REPORT**

Donna "Dee" Cochran reported on the FSBPT Annual meeting and motions that came before the Delegate Assembly. Course sessions included topics such as Bridge Programs, Dry Needling, Fraud and Abuse, telehealth and other issues.

### **TREASURER'S REPORT**

Cash on hand for the month of September was \$1,163,055.20. Receipts for September totaled \$7,773.57 and expenses totaled \$25,208.34.

### **EXECUTIVE DIRECTOR REPORT**

The contract with Pecot and Associates, the Architectural firm has been approved by the Contract Management. After the architectural plan is presented and accepted, a Request for Proposal for building construction must be prepared and printed in at least two La newspaper publications. One of these newspapers must be the Baton Rouge Advocate. The contract for the current board office space will terminate on May 31, 2014. An assignment was made to Cheryl Gaudin to contact the current owner of the space to discuss the options for leasing extension for a short period of time. A new contract must be approved for this option with Facility Planning and Control.

### **LEGAL**

Motion was made by Al Moreau, III, seconded by Kristina Lounsberry; to go into Executive Session to discuss attorney work product. The votes were as follows: Donna "Dee" Cochran-Yea, Jerry Jones, Jr.-Yea, Kristina Lounsberry-Yea, Elizabeth "Beth" Austin-Yea, Al Moreau, III-Yea, Danny P. Landry-Yea, and Gerald Leglue-Yea. No one opposed the motion.

George Papale reported receiving a request from legal counsel representing Samuel Forester to extend the time for receipt of the essay due to not receiving a copy of the signed Consent Order earlier. The board agreed to the extension for receipt of the essay.

### **MONITORING DISCIPLINED THERAPISTS**

Kim Licausi provided proof of completion with terms of his Consent Order agreement and requested a letter in writing to that effect. Cheryl Gaudin drafted such response and presented to the board for review. The letter was approved for emailing to Licausi.

### **STATUTE, RULES, AND REGULATIONS**

## **Task Tracker**

Cheryl Gaudin responded to Rachel Comish, PT about an employee treating his grandfather in a SNF setting, Part A, with Humana insurance. The board reported this is an insurance issue and not a board issue.

Al Moreau, III contacted Kim Bueche Hardman, Executive Director of PTPN regarding her questions about renewal and reminders to members of PTPN.

Cheryl Gaudin responded to Heather Cobb, Private Events Coordinator and CE Administrator at CIAO Seminars concerning questions about the new CEU Policy posted on the board website. The Board decision is to incorporate a definition of "dialogue" in the CEU policy. Dialogue shall be defined as "taking part in a conversation or discussion between two people to resolve a problem".

Al Moreau, III drafted a response to Krystal Hart , Analgesic Healthcare reporting is it considered within the scope of license for a PT, DPT, MSPT, NPT to prescribe electrotherapy products (specifically TENS and Estim) and orthotics for home use, without a supervising MD Rx.

## **CORRESPONDENCE**

Amanda Greer, MS. CCC-SLP Director of Therapy Services at LaSalle General Hospital requested clarification on the need for certification for lymphedema with physical therapy. The therapists are trained in lymphedema, but not necessarily certified. Elizabeth "Beth" Austin will contact Greer to discuss the issue.

Don Casanova, Jr., MPT, DPT, OCS posed two questions to the board regarding services being offered by a licensed physical therapist. (1) Instructing a regular mobility class at a gym on self soft tissue mobilization and joint mobilization techniques utilizing various, self administered approaches, ie: utilizing TP Massage Ball, lacrosse ball and/or monster bands; and (2) Performing musculoskeletal screening of individuals at a gym and making recommendations for corrective exercises based on the results of the screening. Please comment on scenarios that both involve pain and do not involve pain. Kristina Lounsberry will draft a response to Casanova.

## **BOARD MEMBER MONTHLY CALLS**

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

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*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

**December 4, 2013**

- 5:00 Informal Meeting case 2013I15  
6:30 Call Meeting to order  
➤ Conference call with Joseph Whitmore/Symantec  
6:35 October Board Meeting Minutes  
6:45 Reports  
Chairman's Report  
Treasurer's Report  
➤ October 2013 actual vs. budget  
➤ November 2013 actual vs. budget  
➤ Securities – October 2013  
➤ Securities – November 2013  
Executive Director's Report  
7:00 Executive Session  
7:15 Unfinished Business  
➤ Task Tracker for October 2013  
7:30 Monitoring Disciplined Therapists Report  
8:00 New Business  
8:30 Correspondence  
➤ Medication management question  
➤ OLOL College PTAP spring 2014 semester guest speakers  
➤ Recent board opinion re Mr Vale  
➤ PTA role in serial casting total contact casting  
➤ SNF OP ALF Question

Recess

**December 5, 2013**

- 8:30 Legal  
➤ Declaratory Statements pertaining to PT treatment on athletic field  
➤ 12-5-13 letter to Mouton from Gaudin re med board meeting  
➤ PT Declaratory Statements Re Treatment on Field  
➤ Smith Inquiry re CEU exemption revised (12-5-13)  
9:00 Board Monthly Call Discussion  
9:15 Statutes, Rules and Regulations Issues  
➤ Rule 171 – 4<sup>th</sup> NPTE failure  
9:30 Meeting with Kirby Pecot, Architect  
10:00 Adjournment  
10:30 Meeting for case 2013I018

## LOUISIANA PHYSICAL THERAPY BOARD

December 4 & 5, 2013      ACCEPTED

Proceedings for the Louisiana Physical Therapy Board, taken in regular session on Wednesday, December 4, 2013, at 104 Fairlane Drive, Lafayette, LA 70507. Donna "Dee" Cochran, Chairman called the meeting to order at 6:30 p.m. A quorum of members was present. Board members present were: Donna "Dee" Cochran, Jerry Jones, Jr., Kristina Lounsberry, Elizabeth "Beth" Austin, Al Moreau, III, and Danny P. Landry. Cheryl Gaudin, Executive Director, George Papale, general counsel and Courtney P. Newton, attorney were also present. Beth Ward, President of LPTA and Cristina Faucheux, Governmental Affairs were present.

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

Minutes of the October Board meeting were accepted as written.

A conference call was established with Joseph Whitmore, III employed by US-Analytics to provide information about Microsoft Office 365 features that could be of benefit to the board. The main feature of interest to the board is Enterprise Vault software for email which would be supported by Microsoft.

### **CHAIRMAN'S REPORT**

### **TREASURER'S REPORT**

CDs at Montgomery Bank total \$710,832.51. The Business Savings account at Chase Bank has \$402,415.16. Cash on hand for the month of October was \$1,127,764.21. Receipts for October totaled \$14,407.14 and expenses totaled \$42,624.98.

### **EXECUTIVE DIRECTOR REPORT**

The board reviewed the letter drafted to the Louisiana State Board of Medical Examiners (LSBME) and approved the letter. The letter will be forwarded to LSBME.

An Informal Hearing was held for Case 2013I015.

### **UNFINISHED BUSINESS**

#### **TASK TRACKER**

Beth Austin drafted a response to Amanda Greer, MS. CCC-SLP Director of Therapy Services at LaSalle General Hospital clarifying the need for certification for lymphedema with physical therapy who are trained in lymphedema, but not necessarily certified.

Kristina Lounsberry drafted a response to Don Casanova, Jr., MPT, DPT, OCS regarding services offered by a licensed physical therapist such as; (1) Instructing a regular mobility class at a gym on self soft tissue mobilization and joint mobilization techniques utilizing various, self administered approaches, i.e.: utilizing TP Massage Ball, lacrosse ball and/or monster bands; and (2) Performing musculoskeletal screening of individuals at a gym and making recommendations for corrective exercises based on the results of the screening. The request was for board opinion on scenarios that both involve pain and do not involve pain.

Advisory Committee Member Anna Smith requested clarification regarding continuing education requirements for new licensees. If an applicant graduated this year (2013) or obtains a license through reciprocity, and the license issued expires March 2014 (a one year), is this new licensee required to obtain 15 hours of CEU's when they renew in March? At what point do they not need the 15 hours? Dec, Jan? Motion was made by Jerry Jones, Jr, seconded by Al Moreau, III; "To accept the proposed resolution on the interpretation of Rule 171 drafted by Courtney P. Newton. All in favor were Jerry Jones, Jr, Al Moreau, III, Beth Austin, Kristina Lounsberry, Donna "Dee" Cochran, and Danny P. Landry. No one opposed the motion.

## **CORRESPONDENCE**

Sarah Myers emailed the board indicating she reviewed the LAPT board's website's "scope of practice" page for information regarding medication management and was unable to find specific information addressing her question. In a home health setting, is it within a physical therapist's scope of practice to 1) Assist in filling the patient's medication planner? 2) Call the pharmacy or doctor to request a refill for an empty bottle? 3) Educate the patient on side effects, medication interactions, and medication purposes? 4) Instruct the patient on dosage/frequency? 5) Take medications from bottles or planner and hand to patient per their medication schedule? and 6) handle the medication bottles each visit to ensure medications have been filled, taken, and no changes have occurred since the last visit?

Christine Cook PT, MS, PTA Program faculty at Our Lady of the Lake College scheduled the boards' presentation to their students for May 5, 2014.

Matt Slimming, PT requested further clarification regarding the Board's statement addressing 10<sup>th</sup> visit reassessment. The Board opined that the 10th visit FLR is an evaluation component of the treatment which must be completed by a physical therapist. I think Mr. Vale's question was not posed in a way that allowed the Board to provide complete clarity on this issue. He asked if a TA can do the 10th visit FLR assessment. I think it is clear from the state practice act and regulations that the reassessment is to be done by the PT. However, often the reassessment is only a portion of the 10th visit. For example, on the 10th visit, after the reassessment is performed (or possibly before), the PTA may (under the direction of the PT) carry out some exercises. These exercises are not part of the assessment. And so from my interpretation of the practice act and regulations, as long as the PT performs all components of the reassessment, the PTA can perform some component of the treatment on that visit also. Al Moreau, III will contact Matt Slimming.

Corina Herndon, PTA requested the board's position on PTAs carrying out the POC for serial casting and total contact casting physical therapy treatments, such as cast removal and recasting with proper training? Danny P. Landry will draft a response to Herndon.

Lannie Henderson reported working in a SNF that also offers outpatient therapy services to discharged residents and other appropriate residents in the community. This SNF is unique in that it also has an assisted living facility section where some of our SNF residents discharge. Some of these residents return to their gym to receive outpatient therapy services and are able to bring themselves to therapy. A resident was recently discharged the SNF to the ALF and then returned to the facility as an outpatient. This resident, however, is not able to negotiate between the two facilities well enough to bring herself safely to our gym. The family was advised, at length, that it is their or the patient's responsibility to bring the resident to therapy, as she is considered an "outpatient." Otherwise, Home Health therapy may be a better option. The ALF Director stated to the family and the company's CEO that staff cannot be responsible for taking the resident to therapy and it was suggested that our staff be responsible for transfer of the resident to and from our gym for her therapy services. This mandate was also approved by our company's CEO. The ALF and the SNF is owned by the same company but different entities. The two facilities are connected by a corridor. Is it appropriate and/or legal for a therapist or therapy tech employed by a SNF to transfer an ALF resident to and from our facility for outpatient therapy services?

## **LEGAL**

Courtney P. Newton, attorney for the Board prepared a letter addressing Rule 171 for board review and approval. This letter will be provided to applicants who have been unsuccessful in achieving a passing score on the NPTE after four attempts.

## **MONITORING DISCIPLINED THERAPISTS**

## **STATUTE, RULES, AND REGULATIONS**

## **BOARD MEMBER MONTHLY CALLS**

The meeting was recessed at 12:00 pm.

An informal Hearing was held for Case 20131018.

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