

**Louisiana Physical Therapy Board  
Board Meeting Agenda**

**Wednesday, January 27, 2016**

- 2:00pm** Informal Conference (2015-I-016)  
**3:00pm** Informal Conference (2015-I-003)
- 4:00pm** **Call to Order/Review/Approve Agenda**  
**4:05pm** **Review of Minutes from December 2015 Board Meeting**  
**4:15pm** **Special Programs**  
Compact webinar, Mark Lane, FSBPT
- 4:45pm** **Executive Session**  
Discuss sensitive information related to disciplined licensees and budgetary concerns  
Discuss Policy on letter of concern  
Consent Order 2014-I-012
- 6:00pm** **Officer Reports**  
Chairman's Report  
Secretary/Treasurer's Report  
Executive Director's Report
- 7:00pm** **Legal Report**  
Lobbying Memo  
FSBPT NPTE Policy Recommendations  
Practice Act Review and Recommendations  
Other legal matters
- 8:00pm** **Open Meetings Presentation, Courtney Newton**
- 8:30pm** **Committee Reports**  
LTF Committee  
CEU Committee (see attached)
- 9:00pm** **New Business**  
2016 School Interviews and Jurisprudence: Assignment of Presenters/Attendees  
Foreign Trained Applicants: Practice Act/Rules on discretionary practice of the Board  
CAPTE, FCCPT, Course Work Tool  
Board Resolution: Authorized Signers for Contracts (required by the state)
- 9:30pm** **Old Business**  
Advisory Committee Member elections  
Medication Review: Dr. Tinsley
- 10:00pm** **Adjourned**

**Thursday, January 28, 2016**

- 8:00am** Formal Administrative Hearing #2014-I-009
- 11:00am** Formal Administrative Hearing #2014-I-006

**LOUISIANA PHYSICAL THERAPY BOARD**

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**Louisiana Physical Therapy Board  
Minutes**

Wednesday, January 27, 2016

APPROVED

Proceedings for the Louisiana Physical Therapy Board, taken in regular session on Thursday, January 27, 2016 at 104 Fairlane Drive, Lafayette, LA 70507. A quorum of members were present. Board members present were: Chairman, Al Moreau, III, Secretary/Treasurer, Don Cassano, and board members Danny Landry, Kristina Lounsberry, Elizabeth "Beth" Austin, Dr. Gerald Leglue and Patrick Cook. Advisory Committee members Christopher Franks and Eugene Noel were present. Charlotte Martin, Executive Director; Board Attorneys, Courtney P. Newton and George Papale were also present.

2:00pm Informal Conference 2015-I-016 (AM)  
3:00pm Informal Conference 2015-I-003 (WA)

Chairman Al Moreau, III called the meeting to order at 4:00p.m.

**Agenda (review and amendment 1)**

The board members reviewed the agenda. Chairman Moreau motioned to amend the agenda to begin the Federation of State Boards of Physical Therapy (FSBPT) licensure compact presentation through webinar first, prior to reviewing the December Minutes. The Board members were all in favor and unanimously approved the agenda as revised.

**Special Programs – Compact Webinar with Federation of State Board of Physical Therapy (FSBPT)**

Mark Lane

Ten jurisdictions, at minimum, must pass legislation prior to the Compact Commission forming. FSBPT informed the Board that, although several states are interested, the likelihood of ten jurisdictions passing legislation in 2016 is not planned and they will continue to send updates on the probability of ten states passing legislation in 2017.

The Board determined that they will not move forward with attempting legislative action to approve the Compact in 2016. The board members requested that the Executive Director and board members research the need for physical therapists in rural areas and communicate with surrounding states to be aware of their intentions with regards to the compact and their future legislation to determine if the Compact is needed to be seriously considered in 2017 for the welfare of the public.

**Agenda (amendment 2)**

Chairman Moreau motioned to amend the agenda to remove the hearing scheduled at 11am on Thursday, January 28, 2016 due to a proposed consent order and to add Correspondences to New Business. The Board members were all in favor and unanimously approved the agenda as revised.

**Minutes**

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

### **Executive Session**

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

The Board exited Executive Session.

Al Moreau motioned to approve Ashley Wilkinson's voluntary surrender of license agreement with the Board. Kristina Lounsberry seconded the motion. The Board unanimously accepted Ashley Wilkinson's Voluntary Surrender of License.

Beth Austin motioned to approve Rebecca Seymour's Consent Order with the Board, as amended, and upon agreement of amendments by Ms. Seymour. Dr. Gerald Leglue seconded the motion. The Board unanimously accepted Rebecca Seymour's Consent Order, as amended to include restrictions on the workplace setting and notification requirements to employers. Following Ms. Seymour's agreement to the amendments. The Board authorized Courtney Newton to amend the Consent Order and board member Danny Landry and Mrs. Martin to review and approve the Consent Order prior to Mrs. Newton presenting amendments to Mrs. Seymour.

Beth Austin motioned to have legal draft a response to the proposed 2016 NPTE policies and have Kristina Lounsberry and Al Moreau review and approve and to be sent with the chairman's signature to FSBPT. Dr. Gerald Leglue seconded the motion. The board voted and unanimously approved the motion.

### **Agenda (amendment 3)**

Chairman Moreau motioned to amend the agenda to move the Medication Review discussion with Dr. Suzanne Tinsley, originally scheduled at 9:30pm, to before the Chairman's Report. The Board members were all in favor and unanimously approved the agenda as revised.

### **Medication Review: Dr. Tinsley (Old Business)**

Dr. Tinsley is a current faculty member at LSU Health Science Center in Shreveport. Among other topics, she teaches pharmacology to physical therapy students in the doctoral program at LSU. The Board asked her to attend the Board meeting to share her expertise and knowledge on the Commission on Accreditation in Physical Therapy Education (CAPTE) standards currently in place regarding the education of doctorate students in the physical therapy program and provide an expert opinion on Medication Review questions presented by Ms. Meyers. Dr. Tinsley reviewed of the letter sent to Sarah Meyers on March 27, 2014 and revised and sent to Ms. Meyers on May 29, 2015 with the Board response to questions related to medication review. Following the discussion, the board members requested that Dr. Tinsley review and provide revisions to a draft statement from the Board that attorney Mrs. Newton suggested the Board post to the board website for all licensees in response to the topic of Medication Review in the profession. The statement will be reviewed and approved at the February 2016 board meeting.

### **Chairman's report**

Chairman Moreau discussed the priorities of the Board at present and for the next fiscal year. Moreau was prompted to discuss priorities with the Board after being asked by the Louisiana Physical Therapy Association (LPTA) Board of Directors what the priorities of the Board will be in the next fiscal year. The Board decided to table this discussion until closer to June, when the next fiscal year will be approaching.

### **Secretary/Treasurer's Report**

Secretary/Treasurer Don Cassano reported that cash in the bank totaled \$19,277.95. Total Income for December 2015 totaled \$21,984.08 and expenses totaled \$69,833.21. The two Certificates of Deposit at Lakeside Bank total \$718,764.68. CD #4718 earned \$317.03 in interest between 12/01/2015-12/31/2015. The ending balance as of 12/31/2015 was \$517,055.81. The CD matures on January 15, 2016. CD #4726 earned \$99.05 in interest between 12/01/2015-12/31/2015. The ending balance as of 12/31/2015 was \$201,708.87. The CD matures on April 15, 2016.

Mrs. Martin presented on the status of the budget for the rest of the fiscal year 2015-16 and the budget for fiscal year 2016-17, as requested at the December Board Meeting by the Board.

The Board requested a fiscal year comparison of expenses from 2013-14, 2014-15 and the current fiscal year. They also requested that Mrs. Martin provide a justification for proposed fee increases that will balance the operating budget. The Board decided that a fee increase will need to be combined with cuts as a solution to balance the budget.

### **Executive Director's Report**

Mrs. Martin provided a hand-out of a compilation of all recommended changes to the Practice Act to the Board Members to review and determine if a Bill should be filed in the upcoming regular legislative session which begins in March of 2016 for changes to the Practice Act. The Board unanimously agreed that the Board will not recommend any changes to the Practice Act in 2016 through legislative action.

Mrs. Martin presented the licensing report. Martin reported that there were 13 individuals licensed since the last board meeting. The board members ratified the list and signed the wall licenses for each licensee.

### **Physical Therapist Assistant-Reciprocity**

1. Cristin Robison

### **Physical Therapist Assistants**

1. Gerren Davis
2. Christopher Worthington
3. Mary Daigrepoint
4. Ashley Hemby
5. Mitzi Romero
6. Denver Young

### **Physical Therapist- Reciprocity**

1. Emily Holt
2. Samantha Maiden
3. Steven Mistretta
4. Scott Seybold
5. Jessica Brand

### **Physical Therapist-Reinstatement**

1. William Rice

**Total: 13**

Mrs. Martin notified the Board that Emily Hymel, whose essay was reviewed at the December board meeting, has submitted a signed and dated essay per the request of the Board.

### **Legal Report**

Board Attorney, Courtney Newton reported on the status of complaints since the last board meeting:

- 2 informal conferences scheduled
- 5 hearings scheduled
- 10 investigations active
- 10 investigations closed

Mrs. Newton educated and informed the Board Members on the dangers of lobbying and provided a memo to the board members outlining what limitations they have during legislative session as a precautionary measure as the legislative session approaches.

General Counsel, George Papale responded to the Board's request for a legal opinion posed by the Board: should LPTB be included with other exempt Boards in the Louisiana Public Records Law (La R.S. 44:4). Mr. Papale stated that La R.S. 37:2406 B. of the Louisiana Physical Therapy Board Practice Act exempts the Board from providing confidential information to the public, such as information that is gathered through investigations. He stated that the Public Records Law recognizes that within the Practice Acts of the professions there are provisions exempting agencies from the law. He recommended that the Board not make any recommendations for exempting licensee information other than what is already stated in the law, as Public Records Law serves a serious purpose of transparency of state agencies and should be considered as a law that supports public protection, safety and welfare and not the interest of the licensees/profession.

General Counsel, George Papale responded to the Board's request for a legal opinion: Should the LPTB be allowed access to Expunged Records in the Code of Criminal Conduct, along with other Boards listed in the Code of Criminal Procedure Article 973. Mr. Papale recommended that the Board make a request through legislative action to be added as an entity who may have access to such records, upon request, as stated in Article 973, as it would improve the Board's ability to protect the public. The Board voted against moving forward with legislative action to "clean up" this legislation in the 2016 legislative session. Kristina Lounsberry, Al Moreau and Patrick Cook voted against, Beth Austin and Don Cassano voted for, and Danny Landry abstained. The Board will consider moving forward with legislation related to this in 2017.

### **Agenda (amendment 4)**

Newton requested to amend the agenda and present the Open Meetings Law Presentation at the February board meeting due to time constraints. The Board unanimously voted and all agreed to amend the agenda.

### **Reports of Committees**

#### Legislative Task Force

Chairman Moreau reported on behalf of the Legislative Task Force notifying the Board that the LPTA Board of Directors requested that Don Cassano present at their annual retreat on the regulator Board's

legislative outreach efforts to educate the legislators on the final report of the Patient Access Review Committee, as well as priorities of the regulator Board in the coming fiscal year. Moreau attended the discussion via teleconference.

#### Continuing Education Committee

The Continuing Education Committee provided a monthly report of approved, denied, and pending course to the Board, as well as an average approval time of course. There were a total of 142 courses that were approved. Of those 142 courses, 90 were on-site courses and 52 were distance learning courses. Of the 142 total courses that were approved, 140 were of clinical type, 1 was administrative, and 1 was on ethics. There were no courses denied. It took an average of 7 days to approve a course.

The Board discussed two pending courses submitted by Course Sponsor The Upledger Institute, both titled Healing from the Core. Following thorough review of both courses, the board voted unanimously to deny the courses based on the agreement that the courses do not meet the minimum standards of content criteria outlined in Rule §195, specifically that the courses do not update knowledge and skills required for competent performance beyond entry level of the PT or PTA.

The Board discussed a pending course submitted by licensee, Michael Di Carlo titled MediCupping Therapy. Following thorough review of the course, the board voted unanimously to deny the course based on the agreement that the courses do not meet the minimum standards of content criteria outlined in Rule §195, specifically that the courses do not update knowledge and skills required for competent performance beyond entry level of the PT or PTA.

The Board reviewed the written request for a CEU exemption pursuant to Rule §198 related to personal hardship and granted Reba Thigpen (#A4614) a waiver on live coursework requirements for the 2016 renewal period. The Board unanimously agreed to grant Ms. Thigpen a waiver. Thigpen will be allowed to complete 30 hours of board-approved courses online to satisfy the CEU requirement for this renewal period only.

The board members reviewed a written request from licensee Kathryn Labbe regarding a course approval. Ms. Labbe provided supporting documentation of conversations via email between herself a course sponsor showing evidence that the course sponsor misled Labbe to believe that a course application was submitted to the LPTB in 2014. Labbe further provided documented proof of follow-up to the Course Sponsor for three months following the initial inquiry regarding the CEU application to the Board. The course sponsor then requested for approval of their course in 2015 and was approved. The board unanimously agreed to allow the course sponsor to submit a course application for the course for the year 2014, as evidenced in the email correspondences, for approval to correct the mistake of never submitting a course application as intended in 2014.

#### **New Business**

The Board requested that the Board staff send calendar invitations for all 2016 jurisprudence events and school interviews to the board members. The staff will plan to attend all and board members will try to be available to attend to answer questions related to practice scenarios.

Danny Landry informed the Board that he had recently traveled to Virginia for a meeting of an FSBPT committee that he serves on that is working on providing recommendations to update the Coursework Took (CWT). The CWT is a tool used to compare education/coursework that foreign trained applicants have completed to current CAPTE standards. In his meeting, he was reminded that the Commission on

Accreditation in Physical Therapy Education (CAPTE) had a request for comments on changes to accreditation standards that were made in recent years. He asked Mrs. Martin to make note that the standards are changed every five years and when an opportunity like this arises in the future he recommends that the Board take a substantial amount of time and seriousness in reviewing the standards, providing comment, and discussing how it relates to our Practice Act standards/rules and policies for foreign trained applicants.

Al Moreau motioned for Charlotte Martin to be authorized to sign contracts submitted to the state office of contracts. Don Cassano seconded the motion. The board members voted and unanimously approved the motion.

### Correspondences

1. Licensee Katie Brittain, PT requested clarification on storing and selling supplies in a physical therapy private practice. She provided a series of questions regarding selling of items/supplies in a physical therapy office. The Board reviewed Ms. Brittain's question and determined that the PT Board does not regulate selling of goods, as this is not addressed in the Practice Act or Board Rules. The final recommendation is that Ms. Brittain contact the American Physical Therapy Association to determine if there are other entities that have Rules and Regulations separate and apart from the Board that would regulate the selling of these goods. The Board also recommends contacting an attorney for advice related to legal matters. Mrs. Martin will respond to Ms. Brittain.
2. Licensee Kevin Guidroz, PT requested clarification on what action a PT should take if it is realized that a PTA accidentally saw a patient for a sixth consecutive visit. The Board reviewed Mr. Guidroz's question and determined that the PT should be notified immediately and the patient should not be billed for the service. The mistake should be clearly documented and recognized.
3. Jennifer Garriga asked if there is any regulation stating when a discharge summary visit must be turned in to be put on the patient's chart. The Board discussed Ms. Garriga's question and unanimously agreed that there is no regulation stating when a discharge summary visit must be turned in and included in the patient chart. However, the board members agree that it is a violation of the Rules if the discharge summary is not included in the file, as the file is not complete. The Board asked Mrs. Martin to recommend to Ms. Garriga that she submit a complaint to the Board on her employer, if her employer is a Louisiana licensed physical therapist or physical therapist assistant.
4. Licensee Jovirick Buscar, PT requested clarification on what a therapist should do in the event that they are the only physical therapist working for an agency and have submitted their two-weeks notice to leave an agency and the agency has not found a physical therapist to replace the position. The Board discussed Mr. Buscar's situation and determined that Rule §313 Transfer of Patient Care directs a PT to document the transfer of care of the patient to another health care provider in the event of elective termination of physical therapy services by the PT. The Board asked Mrs. Martin to reply to Mr. Buscar notifying him that appropriate action would be to notify the patient that he will no longer be providing services, notify the referring health care professional that he will no longer be providing services and that the agency has not, to his knowledge, secured a physical therapist who can provide the care, then clearly document both notifications. The physical therapist is required to complete a discharge visit and write a discharge summary if he is the only therapist.

**Old Business**

The board members discussed advisory committee member elections and determined that at this time, due to the budget shortfall, the Board will not elect any advisory committee positions to fill vacant positions. The one area of the state that is lacking presence is the Houma/Thibodaux area and that position is being considered for a filled position. The advisory committee members who had recent terms ended will be able to continue to serve the board if requested.

Chairman Moreau motioned to adjourn the meeting. Danny Landry seconded the motion. The Board voted and unanimously approved. The board meeting was recessed at 10:40pm.

**Thursday, January 28, 2016**

A Formal Administrative Hearing was conducted for licensee Art Prado in relation to case number 2014-I-009.

Chairman Moreau motioned to move into Executive Session pursuant to La R.S. 42:16 for the purpose of deliberation in this case. Kristina Lounsberry, Danny Landry, Gerald Leglue, Patrick Cook and Don Cassano were all in favor and moved into Executive Session. The hearing panel exited Executive Session. The hearing panel agreed to take this case under advisement and Michael Vallan with the Attorney General's office is going to work on the report and the hearing panel will review it at the next board meeting.



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

104 Fairlane Drive, Lafayette, Louisiana 70507  
Phone (337) 262-1043 | FAX (337) 262-1054  
[www.laptboard.org](http://www.laptboard.org)

**Board Meeting Agenda**

Wednesday, February 17, 2016

4:00pm Informal Conference: 2015I014 (DD)

4:30pm Informal Conference: 2015I028 (BK)

Thursday, February 18, 2016

- |         |  |
|---------|--|
| 8:00am  | Call Meeting to Order<br>Review and Approve Agenda   |
| 8:05am  | Review and Approve Minutes from January 2016 Board Meeting   |
| 8:15am  | Executive Session<br>Discuss sensitive information related to disciplined licensees  |
| 9:00am  | Officer Reports<br>Chairman's Report<br>Secretary/Treasurer's Report<br>Executive Director's Report  |
| 10:00am | Legal Report<br>Rules Review and Recommendations<br>Other Legal Matters  |
| 12:00pm | Open Meetings Presentation   |
| 12:30pm | Committee Reports<br>Legislative Task Force<br>CEU Committee   |
| 1:00pm  | New Business<br>Correspondences<br>Policy Recommendation: Continuing Education Review (90 day Rule)<br>Office of Debt Recovery Recommendations for Suspension Policy |
| 2:00pm  | Old Business<br>Medication Review Statement<br>Foreign Trained Therapist Application   |
| 3:00pm  | Adjourned  |

**LOUISIANA PHYSICAL THERAPY BOARD**

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**Louisiana Physical Therapy Board  
Minutes**

Thursday, February 18, 2016

APPROVED

Proceedings for the Louisiana Physical Therapy Board, taken in regular session on Thursday, February 18, 2016 at 104 Fairlane Drive, Lafayette, LA 70507. A quorum of members were present. Board members present were: Chairman, Al Moreau, III, Secretary/Treasurer, Don Cassano, and board members Danny Landry, Kristina Lounsberry, Elizabeth "Beth" Austin, and Patrick Cook. Charlotte Martin, Executive Director; Board Attorneys, Courtney P. Newton and George Papale were also present.

4:00pm Informal Conference 2015-I-014 (DD)  
4:30pm Informal Conference 2015-I-025 (BK)

Chairman Al Moreau, III called the meeting to order at 8:00a.m.

**Agenda**

The board members reviewed the agenda and accepted the agenda as written.

**Minutes**

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

**Executive Session**

Chairman Al Moreau, III motioned to move into Executive Session pursuant to La R.S. 42:16 for the purposes of discussing the findings of fact and conclusions of law related to the disciplinary hearing held in January 2016, as well as investigating proceedings regarding allegations of misconduct. Kristina Lounsberry seconded the motion. The Board voted and all were in favor to move into Executive Session.

The Board exited Executive Session.

Al Moreau motioned to accept the findings of fact for Art Prado as amended. Kristina Lounsberry seconded the motion. The Board unanimously accepted the findings of fact as amended.

**Officer Reports**

Chairman's report

Chairman Moreau reminded the board of the policy on board meeting conduct for all who attend.

Secretary/Treasurer's Report

Secretary/Treasurer Cassano reported cash in the bank totaled \$494,333.94. Total Income for January 2016 totaled \$18,680.89 and ordinary expenses totaled \$34,701.41. CD #4726 earned \$102.36 in interest between 1/01/2016-1/31/2016. The ending balance as of 1/31/2016 was \$201,811.23. The CD matures on April 15, 2016. The other CD at Lakeside Bank earned \$158.53 in interest between 1/01/2016-1/31/2016 and matured on January 15, 2016 in the amount of \$517,214.34. The Board Office deposited the matured CD funds into the checking account at Farmer's Merchant Bank.

The board members requested a proposed balanced budget for fiscal year 2016-17 to be presented at the March 2016 meeting.

Executive Director's Report

Mrs. Martin presented the licensing report. Martin reported that there were 11 individuals licensed since the last board meeting. The board members ratified the list and signed the wall licenses for each licensee.

**Physical Therapist Assistants – Reciprocity**

1. Kelsey Anderson
2. Ashley Carrick

**Physical Therapist Assistants – New Graduate**

1. Amber Buckel

**Physical Therapists – Reciprocity**

1. Mysty Brady
2. Lacey Erwin
3. Samantha Lerulli

**Physical Therapists – New Graduate**

1. Alyssa Abel
2. Tyler Butler
3. Tyler Fontenot
4. Jason Schexnayder
5. Cole Thompson

**Total: 11**

Mrs. Martin reviewed the remediation plan for Summer Pate and Elizabeth Knight. The board members approved the plans submitted to the board for both Pate and Knight.

**Legal Report**

The board members reviewed the Physical Therapy Rules and Regulations at the board meeting in preparation for the next Rules Revision.

The board members reviewed Rules §§123 and 341 regarding the requirement for PT/PTA patient care conference to be face-to-face at the same place and same time. There is a need for physical therapists in rural areas and with the evolution of technology the Rule for face time is outdated and burdensome to accomplish what can be accomplished through telecommunication. The board asked Danny Landry to draft language that will be presented at the March board meeting for a vote to be submitted as an Emergency Rule.

The board members reviewed Subchapter J. Continuing Education of the Louisiana Physical Therapy Rules and Regulations. The board members agreed that Rule§ 193 needs to be reworded to better explain that individual course approval is only approved for the submitter and that APTA courses will be automatically approved without the need for review.

The board members voted and unanimously agreed to not provide recommended edits to Rule§ 194.

The board members reviewed Rule §195.A. Kristina Lounsberry recommended the following addition to the language: "program content must be easily recognizable as pertinent to the physical therapy profession and in the areas of ethics, professional responsibility, clinical application, clinical management, behavioral science, science, or risk management. It should contain evidence-based information related to

the practice of physical therapy and clinical outcomes." Mrs. Lounsberry provided the justification that this provides better boundaries for approval of courses and noted that right now the guidelines are very vague and make it difficult to quote rule when a course is denied. The board voted and unanimously agreed on the recommended change.

The board members reviewed Rule §195.A.4. Kristina Lounsberry recommended removing §195.A.4. and adding "interdisciplinary learning" to Rule §195.A.3. The board voted and unanimously agreed on the recommended change.

The board members reviewed Rule §195.B.3.d. Kristina Lounsberry recommended adding all university coursework. The board asked Mrs. Newton to draft a statement to be presented at the March board meeting and voted on at that time.

Al Moreau recommended that the board members review Rules §§199, 185 and 187 at the March board meeting as the next priority Rules to be reviewed and voted on by the Board in preparation for the next Rules Revision.

Board Attorney, Courtney Newton reported on the status of complaints since the last board meeting:

5 closed since the last board meeting

11 currently open – of the 11 open cases, one is currently being negotiated as a consent order, 5 hearings are scheduled, and 1 informal conference is scheduled.

George Papale provided guidance to the board members on exhibits in preparation for upcoming hearings. He recommended that the board members share copies of exhibits or review exhibits on board iPads during the hearing to save on the cost of the printing and the time it takes staff to prepare copies. He reminded the board members that a copy must be made for the court reporter, hearing officer, Respondent, and any additional copies that the hearing panel would need.

## **Reports of Committees**

### Legislative Task Force

Chairman Moreau reported on behalf of the Legislative Task Force updating the board members on the meetings that the board members and executive director have attended for educational purposes with legislators to inform them of the final report of the Patient Access Review Committee.

### Continuing Education Committee

Beth Austin reported on behalf of the Continuing Education Committee a monthly report of approved, denied, and pending course to the Board, as well as an average approval time of course. There were a total of 63 courses that were approved. Of those 63 courses, 59 were on-site courses and 4 were distance learning courses. Of the 63 total courses that were approved, all were clinical. Four courses were denied. It took an average of 9 days to approve a course.

## **New Business**

### Correspondences

*Dusty Dixon, PT asked the Board a question related to a patient with Medicaid insurance. The scenario that he provided involves the patient losing his Medicaid coverage. The question asked: is it fraudulent to continue seeing this patient until he has coverage and that he should be discharged. If I continue to see these patients for free am I committing something fraudulent in terms of the Physical Therapy practice act? Is this considered abandonment of care in accordance with the practice act if these kids are no longer allowed to receive physical therapy services? Are there any other ways that you would consider seeing a patient pro-bono fraudulent (especially when working for a non-profit 501 C3)?* The Board discussed the question and asked Mrs. Martin to respond according to the provisions in the Practice Act and Rules.

*Aubrey Rubia-Yamuta, PT asked who is supposed to do a discharge summary. She was on vacation for 2 weeks and a travelling PT cover for me for those 2 weeks who did the 6th visits, evaluations and discharges. While on vacation there were 2 unplanned discharges due to hospitalizations. Is it ok for me to do those discharge summaries or the travelling PT who was supervising should do it?* The Board discussed the question and asked Mrs. Martin to respond according to the provisions in the Practice Act and Rules.

*John Adams, PT asked a question in regards to patients wearing oxygen per nasal cannulas and masks. Is it legal for a physical therapist or a physical therapy assistant to remove oxygen, titrate oxygen or to wean patient off oxygen (e.g. re-administer oxygen, or to turn oxygen back up when O2 sat falls below therapeutic levels)?* The Board discussed the question and asked Mrs. Martin to respond according to the provisions in the Practice Act and Rules.

*Cynthia Simonds, PTA asked a question related to supervision of techs by PTAs.* The Board discussed the question and asked Mrs. Martin to respond according to the provisions in the Practice Act and Rules.

*Carol Baylock asked for clarification on Rule 333 B.2 e regarding patient care conferences held by PT with PTA? When should these conferences be held, how often and in what format?* The Board discussed the question and asked Mrs. Martin to respond according to the provisions in the Practice Act and Rules.

#### Continuing Education Policy Review

The Board reviewed the Continuing Education policy and recommended changes. The Board voted and unanimously approved the policy as amended.

#### Office of Debt Recovery

Danny Landry notified the board members of the recent article in The Advocate regarding the Office of Debt Recovery and information that they may recommend that professional licenses be suspended for individuals who are believed to not have automobile insurance. Mr. Landry recommended that the board create a policy so that the board office can handle these requests administratively. The board members discussed this and decided that when a recommendation is submitted it will be discussed by the board at the next board meeting.

#### **Old Business**

Dr. Suzanne Tinsely provided a recommended Medication Review Statement to the Board. The board members requested that legal review of the statement.

Mrs. Martin presented a proposed plan from license candidate Anna Stuivenberg. Ms. Stuivenberg reviewed the FCCPT PLAN to make up deficits in her physical therapy curriculum that would make her substantially equivalent to a CAPTE program and provided the actual coursework she would be taking with the Louisiana Physical Therapy Board to make up the deficit. The board members reviewed the plan and unanimously voted in favor of accepting the plan and upon completion of all coursework with a grade of a B or higher Ms. Stuivenberg will be made eligible to sit for the National Physical Therapy Examination.

Secretary/Treasurer Don Cassano motioned to adjourn the meeting. Danny Landry seconded the motion. The Board voted and unanimously approved. The board meeting was adjourned at 2:50pm.



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

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**Board Meeting Agenda**

**Wednesday, March 16, 2016**

**3:00pm Informal Conference**

**4:00pm Call to Order**  
**Review/Approve Agenda**  
**4:05pm Review/Approve Minutes**

**4:10pm Executive Session**  
Discuss sensitive information related to disciplined licensees  
Policy Recommendation: Observed Drug Tests

**4:40pm Officer Reports**  
Chairman's Report  
Secretary/Treasurer's Report  
Executive Director's Report

**5:40pm Legal Report**  
FSBPT Response to NPTE Policy Recommendations  
Rules Review and Recommendations  
Other legal matters

**6:30pm Disciplinary Action Exit Interview: Dana Altazan**

**6:45pm Legal Report**  
Continued

**8:00pm Committee Reports**  
LTF Committee  
CEU Committee

**8:15pm New Business**  
Correspondence

**8:30pm Old Business**  
**8:35pm Public Comment**  
**8:40pm Adjourned**

**Thursday, March 17 2016**

**10:00am Formal Administrative Hearing #2014-I-004**

**LOUISIANA PHYSICAL THERAPY BOARD**

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**Louisiana Physical Therapy Board**  
**MINUTES      APPROVED**

**Wednesday, March 16, 2016**

Proceedings for the Louisiana Physical Therapy Board, taken in regular session on Wednesday, March 16, 2016 at 104 Fairlane Drive, Lafayette, LA 70507. A quorum of members were present. Board members present were: Secretary/Treasurer, Don Cassano, and board members Danny Landry, Elizabeth “Beth” Austin, Dr. Gerald Leglue and Patrick Cook. Advisory Committee Members present were Christopher “Chris” Franks and Robert Montanaro. Charlotte Martin, Executive Director; Board Attorneys, Courtney P. Newton and George Papale were also present.

Don Cassano called the meeting to order at 4:05pm.

The board reviewed and approved the Agenda as written. The board members reviewed and approve Minutes as written.

Don Cassano motioned to go into Executive Session to discuss sensitive information related to disciplined licensees. Patrick Cook seconded the motion and the board went into Executive Session.

Exited Executive Session

**Officer Reports**

**Chairman’s Report**

There was no report of the Chairman

**Secretary/Treasurer’s Report**

Secretary/Treasurer Cassano reported cash in the bank totaled \$229,685.04 at the end of February. Total Income for February 2016 totaled \$114,301.54 and ordinary expenses totaled \$61,888.79. The CD at Lakeside Bank earned \$99.04 in interest between 2/01/2016 – 2/29/2016. The ending balance as of 2/29/2016 was \$201,910.27. The CD matures on April 15, 2016. The other CD at Lakeside Bank matured on January 15, 2016 in the amount of \$517,214.34. This CD was reinvested in Business First Bank at \$300,000. The CD at Business First Bank earned \$287.50 in interest between 2/01/2016 – 2/29/2016. The ending balance as of 2/29/2016 was \$300,287.50. The CD matures February 2017. The remaining amount from the matured CD was deposited into FM Bank and will be reinvested in combination with the funds in the CD that matures April 15, 2016.

The Board reviewed the current operating budget and the projected operating budget for fiscal year 2016-17. In both years the Board is operating in a deficit. The Board discussed the last fee increase, which occurred in 2002, and did not include any increase in initial license application or continuing education sponsor fees. The Board voted unanimously against operating in a deficit in fiscal year 2016-17. Dr. Leglue motioned to increase initial fee by \$50 (from \$200 to \$250), renewal by \$25 per year or \$50 per biennial renewal period (from \$115 per year to \$140 per year, or from \$230 per biennial renewal period to \$280 per biennial renewal period), the continuing education sponsor review fee for coursework less than 8 hours by \$50 (from \$50 to \$100), and continuing education sponsor review fee for coursework more than 8 hours by \$75 (from \$75 to \$150). The motion was seconded by Beth Austin. Approved unanimously.

## **Executive Director's Report**

### *Licensing*

8 Licenses Issued since the last board meeting.

- 4 PTs Reciprocity
- 1 PT Examination
- 1 PT Reinstatement
- 2 PTAs Reciprocity

### *Renewals*

705 Renewals since last board meeting

943 Renewals since February 1

2188 Expected to Renew in 2016

1245 Remaining to Renew in 2016

Mrs. Martin updated the board that she would be sending a letter to all of the licensees who have an even year birth year and who have not renewed their license, unless they have notified the board of intention to not renew. The letter will serve as a reminder to renew and request a response if they do not intend on renewing.

### *University of St. Augustine Graduates*

Mrs. Martin updated the Board that the University of St. Augustine graduates' Registrar sent information to the board with an incorrect date related to graduation and completion of didactic requirements for six upcoming graduates of the DPT program across several campuses. Mrs. Martin will send a letter to the students notifying them that they are ineligible for the examination in Louisiana.

Mrs. Martin notified the Board of the upcoming LSU Shreveport Interview and Jurisprudence seminar scheduled for Monday, March 21, 2016.

## **Legal Report**

Mrs. Newton reviewed the FSBPT Response to NPTE Policy Recommendations that the Board provided to FSBPT.

## **Rules Review and Recommendations:**

The Board reviewed Rules 187, 189, and 199. Following a review of the Rules.

Other legal matters: Complaint Summary

Current Investigations: 11

Complaints Received in March: 2

Informal Conferences Scheduled: 2

Hearings Planned: 4

Consent Order/Voluntary Surrender: 0

Closed Cases: 3

## **Disciplinary Action Exit Interview: Dana Altazan**

Dana Altazan presented to the Board and successfully completed an exit interview of her probation.

## **Committee Reports**

### **LTF Committee**

Don Cassano reported that the LTF has reviewed Bills filed this Regulatory Session and has nothing to report at this time to the Board.

### **CEU Committee**

Alyson Briody, DPT requested a waiver of the \$170 late fee to renew her license in April at the rate of \$230 due to a live CEU continuing education course sponsor canceling a course and leaving Ms. Briody in a deficit for live continuing education requirements to renew this year. The board members voted and Don Cassano, Danny Landry, Gerald Leglue and Patrick Cook were in favor of waiving the late fee, since this was out of the licensee's control. Beth Austin voted against. Mrs. Martin will notify the licensee that she may renew in April without an additional \$170 late fee.

Jarrad Faulk, PT requested an exemption pursuant to Rule 198 for natural disaster. He is requesting that he complete 2 hours of Ethics online and that the board accept these hours as live courses for the purposes of renewing his license. The board unanimously agreed to grant an exception.

### **New Business**

#### **Correspondence**

Jeff Hebert, PT asked if the Board plans to update the Practice Act to allow written confirmation of the PT/PTA patient care conference, specifying the date and time by both the PT and PTA on separate documents. Mrs. Martin reviewed the Correspondence with the Board and they are aware of the request.

### **Old Business**

No old business

### **Public Comment**

No public comment

The board meeting adjourned at 8pm

**Thursday, March 17, 2016**

10:00am      Formal Administrative Hearing #2014-I-004



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

**AGENDA**  
**Tuesday, April 26, 2016**

- 3:00pm      2015-I-029      Informal Conference (Moreau)
- 4:00pm      Call to order  
Review Agenda  
Review Minutes from March 2016
- 4:10pm      Executive Session  
2014-I-011 Surrender of License (RA)  
2014-I-012 Consent Order (RS)  
2015-I-028 Consent Order (BK)  
2016-I-002 Consent Order (SC)  
Monitored Licensees
- 5:00pm      Officer Reports  
Chairman  
Secretary/Treasurer  
    Budget 2016-2017 approval  
Executive Director
- 5:30pm      Legal  
La R.S.37:3651 Licensure for Individuals with Military Training  
Rule Review §§123, 125
- 7:30pm      Committee Reports  
CEU Committee  
LTF Update
- 8:00pm      New Business  
Correspondences  
Exemption Requests (2016 Renewal)  
Remediation Plan Request for Approval (Kristie Rose)  
BPCC Request for Pre-Completion Authorization to Test  
Verify the policy on licensing  
Expert Witness Rates  
Investigator
- 8:30pm      Old Business  
Wallet Cards
- 9:00pm      Public comment  
Adjourned

**LOUISIANA PHYSICAL THERAPY BOARD**

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**Louisiana Physical Therapy Board  
MINUTES**

**Regular Scheduled Board Meeting  
Tuesday, April 26, 2016**

**APPROVED**

Informal Conference (2015-I-029)

Proceedings for the Louisiana Physical Therapy Board, taken in regular session on Tuesday, April 26, 2016 at 104 Fairlane Drive, Lafayette, LA 70507. A quorum of members were present. Board members present were: Chairman, Alvin "Al" C. Moreau, Secretary/Treasurer, Don Cassano, and board members Danny Landry, Elizabeth "Beth" Austin, Kristina Lounsberry and Patrick Cook. Advisory Committee Members present were Jon "Jeremy" Dye and Wayne Campbell. Charlotte Martin, Executive Director; board attorneys, Courtney P. Newton and George Papale were also present.

Chairman Moreau called the meeting to order at 4:10pm.

The board reviewed the agenda. Chairman Moreau motioned to remove the wallet card discussion from Old Business until Mrs. Martin receives more information from Covalent Logic about the website capabilities. The board voted and unanimously approved the change to the Agenda. The board members reviewed the March 2016 board meeting minutes. Beth Austin motioned to approve the minutes as amended. Kristina Lounsberry seconded the motion. The board voted and unanimously approved.

Chairman Moreau motioned to go into Executive Session to discuss sensitive information related to disciplined licensees. Don Cassano seconded the motion. All board members were in favor and entered Executive Session.

The board exited Executive Session

The board voted and unanimously approved to accept the Surrender of License (2014-I-011) agreement with Robyn Alleman (License #05219)

The board voted and unanimously approved to accept the Consent Order (2014-I-012) agreement with Rebecca Seymour (License #07641R)

The board voted and unanimously approved to amend the Consent Order (2015-I-028) agreement with Brian Knight (License #00755) to allow for random continuing education audits for a time period that would extend beyond the probationary period. Upon agreement to the amendment, the board accepts the Consent Order agreement.

The board voted and unanimously approved to accept the Consent Order (2016-I-002) agreement with Sacha Comeaux (License #07048)

**OFFICER REPORTS**Chairman's Report

Chairman Moreau updated the board on a recent request from the Louisiana State Board of Chiropractic Examiners. A LSBCE board member verbally requested that the LPTB issue cease and desist letters directly to LSBCE licensees when the LPTB receives complaints related to title protected terms. This request is in direct conflict with the LPTB Practice Act (La. R.S. 37:§2422.A.) which specifically states that prior to issuing a Cease and Desist Order, the LPTB shall send the director of the board which issued a license to that person notice for review and response. Mrs. Martin requested that the LSBCE submit the request to bypass this process in writing. The board requested that Mrs. Martin submit a second letter specifying a timeline for a response from the LSBCE.

Secretary/Treasurer's Report

Cash in the bank totaled \$535,124.70. The checking account at Chase Bank totaled \$1,195.04 and the account at FM Bank totaled \$533,929.66. Total Income for March 2016 totaled \$365,894.96 and ordinary expenses totaled \$52,112.40.

The two Certificates of Deposit total \$502,587.73. The CD at Business First Bank earned \$287.60 in interest between 3/01/2016 - 3/31/2016. The ending balance as of 3/31/2016 was \$300,575.10. The CD matures February 2017. The CD at Lakeside Bank earned \$102.36 in interest between 3/01/2016-3/31/2016. The ending balance as of 3/31/2016 was \$202,012.63. The CD matures on April 15, 2016 and we have notified the bank to withdraw our funds. We plan to invest the money in a CD at Business First Bank.

The board reviewed the FY 2016-2017 operating budget. The board voted and unanimously approved.

The board requested that Mrs. Martin reserve four months of operating cash in checking and savings accounts and invest the remaining amount of cash in CDs at the highest interest possible for 12 months.

Executive Director's Report

Mrs. Martin provided an status update of the website and current work being completed by Covalent Logic.

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

Naimah Butler, PT, Reciprocity  
Dennis Fredette, PT, Reciprocity  
Kayla Rosen, PT, Reciprocity  
Emily Starks, PT, Reciprocity  
Devin Bumpers, PTA, Reciprocity  
April Burney, PTA, New Graduate  
Flavia Pires, PTA, New Graduate

Mrs. Martin reported on the 2016 Renewals status:

Total Renewals to date: 2,011

February Renewals: 460

March Renewals: 1,488

April Renewals: 63

Notice of non-renewal: 88

Licensees who will expire on 4/30/16 if they do not renew: 109

**LEGAL REPORT**

General Counsel, George Papale reviewed La R.S.37:3651, licensure for Individuals with Military Training, with the board and provided a historical account of LPTB discussions. Mr. Papale recommended language to be promulgated in Rule during the next Rules Revision submission.

Complaint Summary

Current Investigations: 6

Complaints Received in April: 1

Informal Conferences in April: 1

Hearings Scheduled: 1 (May)

Consent Order/Voluntary Surrender: 4

Closed Cases: 5 (3 Consent Order, 1 Voluntary Surrender, 1 Dismissed)

Board Attorney, Courtney Newton provided an update on the Emergency Rule process to the board, as requested at the March board meeting.

The board reviewed Rule §123. Definitions. Chairman Moreau motioned to move the review the remainder of Rule §123 and Rule §125 and §335 to the May board meeting, to allow the board to remain within the time scheduled on the agenda. The board unanimously approved.

**COMMITTEE REPORTS**CEU Committee

The board reviewed a request from John Ware, PT, inquiring about a course titled "Emotional Freedom Release (Meridian Tapping)." A board member was assigned to respond to his inquiry.

The board reviewed an exemption request from Derek Huff of Herman & Wallace Pelvic Rehab Institute. Mr. Huff is requesting that a 2015 Pelvic Floor Level 2 course application be reviewed and approved in the current calendar year (2016). The board referenced Rule §193.C. and determined that the exception has been made for course sponsors when their course was previously approved and was displayed as an approved course in prior year. The board voted and Beth Austin, Kristina Lounsberry, Al Moreau, Don Cassano and Patrick Cook were against reviewing the course for approval. Danny Landry voted for review and approval. The course will not be reviewed retroactively.

LTF (Legislative Taskforce) Update

Chairman Moreau provided an update to the board on SB291, relative to Patient Access for Physical Therapy services.

Chairman Moreau provided an update on a letter received by the Louisiana State Medical Board of Examiners (LSBME) related to Athletic Trainers working in physical therapy clinics. The LPTB responded to the letter and is currently awaiting a response from the LSBME.

**NEW BUSINESS**Correspondences

April Brown, PT, DPT, MSCI submitted a question to the board related to the educational hours for dry needling. The board requested that Mrs. Martin gather more information prior to the May board meeting.

Chris Giveans, PTA requested that the board explain the purpose of why the Rule §181 requires that licensees pay a different sum for renewal applications submitted in April. A board member was assigned to respond to his inquiry.

Clay Lanford, CATS/RRR submitted a question to the board asking, in a SNF, if there is a patient that needs to be seen in the am and pm, secondary to tolerance and endurance, there are two encounters for that patient on the same day. Lanford asks if each encounter should count as a visit toward the therapist 6<sup>th</sup> visit requirement, or just total one visit for the day. Mrs. Martin will respond to Mr. Lanford to clarify.

Melissa Morton, RN, submitted a question to the board proposing that a PTA be able to assist a registered nurse in gathering data related to the CMS mandated Care Data Sets in the hospital setting. The area of mobility is assessed by an RN at this time. She is requesting to consult a PT or a PTA for assistance during the admission process. A board member was assigned to speak with Ms. Morton to gather more information.

Renee Davis, PT, DPT, MTC asked the board a question related to frequency of therapy and “minimum of” orders. The board discussed the inquiry and agrees that the Plan of Care is determined by the treating Physical Therapist R.S.2407, §303 and §341.

Amelia Leonardi requested that the board provide clarification on Rule §335.A.2. Prior to providing an official board response to Ms. Leonardi, Chairman Moreau requested that the board discuss Rule §§335, 337, and 123 (Definition of Continuous Supervision) in detail at the regularly scheduled board meeting in May 2016.

Exemption Requests (2016 Renewal)

Christian Bourgeois requested a refund of the \$170 fee for renewing in April, pursuant to Rule §181, after attempting to renew on March 31, 2016 and not being able to select a course that was approved and had been confirmed approved during his interview for licensure and subsequently when he submitted course completion certificates to the board months in advance. After receiving documented evidence, the board approved a refund of \$170.

Deb Rathe, PTA requested an exemption pursuant to Rule §198 for personal hardship. The written request for exemption was not submitted 45 days prior to the end of the renewal period for which the exemption is sought, nor immediately after the licensee becomes aware of the facts or circumstances upon which the exemption is sought, whichever is later as is required by Rule §198.C. The board requested that Mrs. Martin contact Ms. Rathe to learn of what CEUs she completed prior to considering an extension; however, if she did not make an effort to complete CEUs then an exception would not be considered.

Eric Fisher, PT, EMT-P requested an exception to be made which would allow him to bypass the requirements of §194, using Louisiana “board-approved” courses for the purpose of license renewal. The board members voted and unanimously denied the request.

Darwin Fontenot requested a refund of the \$170 fee for renewing in April, pursuant to Rule §181, due to recently being made aware that the live course he would be taking in late-March is actually not Louisiana-approved. The board members voted and unanimously denied the request.

Jan Krennerich, PT requested approval for courses to be reviewed outside the course reviewing period for individual course approval for courses taken more than 90 days prior to submitting course applications and for courses submitted within 30 days of renewing her license. The board members voted and unanimously denied the request.

Bradley McClary, PTA requested a refund of the \$170 late fee for renewing in April, pursuant to Rule §181, due to personal hardship. The board members voted and unanimously denied the request.

Beth Ward, PT, requested a personal hardship waiver to extend the period of time to renew her license without penalty. Ms. Ward is requesting a 2 month extension to complete continuing education. The board members voted and unanimously approved the request.

Kristie Christ requested approval of a written remediation plan for the NPTAE, pursuant to Rule §171.C.1. The board members voted and unanimously approved the remediation plan.

Laura Bryant submitted a request for the board to consider language and/or procedural change that would allow Bossier Parish Community College PTA summer graduates to be able to apply for and sit for the July 6, 2016 licensure examination. The board members reviewed Rule §517 and confirmed that all clinical experience must be complete prior to being made eligible for examination. For the July 6, 2016 test date, all clinical internships of the BPCCC PTA students will need to be complete by the jurisdiction approval deadline, which is June 8, 2016. The board asked Mrs. Martin to respond to Ms. Bryant.

Tony McCoy provided his resume for board review in consideration of Investigator contracted services on an as-needed basis. The board members reviewed Mr. McCoy's credentials and approved entering into a contract with Mr. McCoy for Investigator services for the fiscal year 2016-17.

The board discussed the policy on licensing and provided guidance on background check guidelines.

The board voted on expert witness reimbursement and service rates as follows: preparation time will be paid at a rate of \$75 per hour for a limited number of hours, as agreed upon ahead of time; testimony at a hearing and deposition time will be paid at a rate of \$150 per hour; and travel will be reimbursed at the state rate for mileage, actual cost of meals not to exceed per diem rates, and the cost of the hotel room accommodation not to exceed the state rate.

The board discussed Trinity Holistic correspondence and a letter requesting a response from the Board.

### **OLD BUSINESS**

No old business was discussed

### **PUBLIC COMMENT**

No public comment.

Chairman Moreau moved to adjourn the meeting at 10:30pm. All board members were in favor.



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

**AGENDA**  
**Thursday, May 19, 2016**

- 8:00am**      **Call Hearing to Order**  
Hearing: 2014-I-031
- 11:00am**      **Call Board Meeting to Order**  
Review/Approve Agenda
- 11:05am**      **Review/Approve Minutes from April Board Meeting**
- 11:10 am**      **Petition to the Board: Ashley Fulkerson**
- 11:30am**      **Executive Session**  
Discuss sensitive information related to discipline of licensees.
- 12:00pm**      **Officer Reports**  
Chairman  
Secretary/Treasurer  
Executive Director
- 1:00pm**      **Legal Report**  
Complaint Summary  
Rules Review  
Other legal business
- 3:00pm**      **Committee Reports**  
CEU Committee  
Legislative Task Force
- 3:30pm**      **New Business**  
Correspondences  
Refund requests for renewals  
Background check policy/flow chart
- 4:30pm**      **Old Business**
- 5:00pm**      **Adjourned**

**LOUISIANA PHYSICAL THERAPY BOARD**

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# Louisiana Physical Therapy Board

## MINUTES

### Regular Scheduled Board Meeting Thursday, May 19, 2016

#### APPROVED

The disciplinary hearing for case 2014-I-031 of licensee William “Andy” Hooper, PT04480 commenced at 8:00am. Board members present were: Chairman, Alvin “Al” C. Moreau, Secretary/Treasurer, Don Cassano, and board members Danny Landry, Elizabeth “Beth” Austin, and Kristina Lounsberry. George Papale, Prosecuting Attorney; Jeffrey Wale, Hearing Officer; and Charlotte Martin, witness were also present. Chairman Al Moreau moved to take the hearing under advisement to vote on a final findings of fact and conclusions of law at its next meeting. The board voted all in favor.

Proceedings for the Louisiana Physical Therapy Board, taken in regular session on Thursday, May 19, 2016 at 104 Fairlane Drive, Lafayette, LA 70507. A quorum of members were present. Board members present were: Chairman, Alvin “Al” C. Moreau, Secretary/Treasurer, Don Cassano, and board members Danny Landry, Elizabeth “Beth” Austin, and Kristina Lounsberry. Charlotte Martin, Executive Director; Board General Counsel George Papale was also present.

Chairman Moreau called the meeting to order at 10:30am. The board reviewed the agenda and approved the agenda as written. The board reviewed the minutes and adopted the minutes as amended.

License applicant Ashley Fulkerson interviewed in front of the board for license approval in lieu of failure to pass the licensing exam in four attempts or less. The Board voted unanimously to license Ms. Fulkerson due to the number of attempts to successfully pass the exam preceded the date of establishment of the current rule.

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

The board exited Executive Session.

Kristina Lounsberry motioned to provide an extension to Sacha Comeaux for completing her essay and initial evaluation, as ordered by her Consent Order. The deadline for completion is extended to 30 days following necessary notification to the board with proper documentation. Ms. Comeaux must submit documentation in support of the medical condition and notify the Board of the discharge date for an amended timeline of completion to be established.

Elizabeth Austin moved to amend Gretchen Duplantis’ order to correct the typographical error and enter her correct license number and send the correction to the licensee. Kristina Lounsberry seconded the motion. The board voted and unanimously approved.

## **OFFICER REPORTS**

### Chairman's Report

Chairman Moreau moved to allow Charlotte Martin, Executive Director the authority to sign contracts subject to ratification and review by the Board. Don Cassano seconded the motion. The board voted and unanimously approved.

### Secretary/Treasurer's Report

Secretary/Treasurer Don Cassano reported cash in the bank totaled \$734,116.87. The checking account at Chase Bank totaled \$1,195.04 and the account at FM Bank totaled \$733,116.87. Total Income for April 2016 totaled \$43,855.60 and ordinary expenses totaled \$52,389.55. The Certificate of Deposit at Business First Bank earned \$287.60 in April and totals \$300.862.70. The CD matures April 2017.

### Executive Director's Report

Executive Director Charlotte Martin updated the board on licenses granted since the last board meeting included three physical therapy licenses by reciprocity, two physical therapy assistant licenses through reciprocity and one reinstatement. Mrs. Martin reported that the office staff processed 2,038 renewals total. Of the 170 non-renewals in 2016, one hundred eleven notified the board, leaving fifty-nine individuals who could potentially be practicing without a license. All individuals who did not renew received a letter notifying them that their license is lapsed and they are not to practice physical therapy in Louisiana until they reinstate their license.

## **LEGAL REPORT**

### Complaint Summary

George Papale reported the Complaint Summary to the Board:

- Open Investigations: 5
- Complaints Received: 2
- Closed: 3
- Informal Conference Scheduled: 0
- Hearings Planned: 0
- Consent Order: 0

The board reviewed Rule §335 related to supervision of PT Techs. Danny Landry and Kristina Lounsberry were asked to provide draft proposed language for the board to review at the June meeting.

## **COMMITTEE REPORTS**

### CEU Committee

CEU Committee reported that 41 courses were approved. Of the 41 approved courses, 22 courses were traditional, 19 were distance learning. Of the 41 approved courses, 39 were clinical and 2 were administrative. The average turn-around time for approval was 4 calendar days.

Mrs. Martin updated the board on the Continuing Education Audit of 2016. Audit letters were sent to licensees on May 1, 2016 with a deadline of May 31, 2016 to respond.

Total number of licensees audited: 188

Compliant: 90

Total number of licensees replied (as of 5/17): 101

Non-Compliant: 11

LTF (Legislative Taskforce) Update

Legislative Task Force reported that the SB291 is currently moving forward to the House floor after passing the House committee on Health and Welfare.

**NEW BUSINESS**

Mrs. Martin requested that the board allow her to interview one applicant for licensure over the telephone or by other telecommunication methods. The board voted unanimously against this exception citing Rule §151 that clearly states that the interview must be in-person.

The board discussed the background checks that are being performed at the time of initial license and determined that if a blemish appears on a returned background check, the first step is for Mrs. Martin to work with legal to determine if a board member needs to be involved. If not, the licensee may be licensed. If so, an investigative committee will be formed to discuss each applicant on a case-by-case basis.

Correspondences

*Sue Rostrom, PTA requested exemption from the live requirements of continuing education, pursuant to Rule §198 for personal hardship. Her renewal period will begin 02/01/2017.*

The board voted and unanimously approved her request.

*Marietta Sepulvado, PTA requested a refund of the additional \$170 fee for renewing in the month of April do to confusion about Rule.*

The board voted and unanimously denied the request.

*Lindsey Aucoin asked the board if therapists have certification requirements to implement a Work Harding and Work Conditioning Program to assist injured workers with returning to their pre-injured jobs.*

The board members requested that Mrs. Martin respond.

*Lloyd Vale asked if a PTA can do screens in a SNF setting and select "PT evaluation recommended" or elect to not selection that portion of the screen.*

The board requested that Mrs. Martin respond.

*Laura Bryant asked the Board if a student who graduates in December will begin working in October if the Board receives a certificate of registrar showing that all requirements have been met and a letter of completion from the program director.*

The board requested that Mrs. Martin respond.

*Renee Davis sent a message to the board to make them aware that Mississippi recently put out a newsletter stating for PTs to remove themselves from positions where the PTAs were performing administrative duties and that the PT should ultimately be in charge of the caseloads and management of the practice stating that PTAs should not be in management roles.*

The board reviewed this comment and elected to not make any comment or take any action on the subject.

The board meeting was adjourned at 4:00pm.



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

**AGENDA**  
**Wednesday, June 15, 2016**

- 4:00pm Call to Order  
Approve Agenda
- 4:05pm Approve Minutes
- 4:15pm Executive Session to discuss sensitive information related to disciplined licensees
- 4:20pm Officer Reports  
Chairman  
Secretary/Treasurer  
Executive Director
- 4:45pm LTF Report
- 5:00pm CEU Committee  
CEU Report  
CEU Audit Issues
- 5:30pm Mary Catherine Shanks' disciplinary exit interview
- 5:45pm Legal Report  
Complaint Summary  
Other legal business  
Rule Recommendations in response to the Direct Access law passing  
Rules review of Rule §§335 and 123
- 7:45pm Licensing Interview via Skype
- 8:00pm New Business  
Correspondences  
6<sup>th</sup> visit Rule with 2 PTAs alternating during the week  
Licensing issues/approvals  
Foreign Eligibility for the Examination
- 8:45pm Old Business
- 9:00pm Adjourned

**LOUISIANA PHYSICAL THERAPY BOARD**

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# Louisiana Physical Therapy Board

## MINUTES

### Regular Scheduled Board Meeting Wednesday, June 15, 2016

#### APPROVED

Proceedings for the Louisiana Physical Therapy Board, taken in regular session on June 15, 2016 at 104 Fairlane Drive, Lafayette, LA 70507. A quorum of members were present. Board members present were: Chairman, Alvin "Al" C. Moreau, Secretary/Treasurer, Don Cassano, and board members Patrick Cook, Elizabeth "Beth" Austin, Kristina Lounsberry and Danny Landry. Charlotte Martin, Executive Director; Board Attorneys Courtney Newton and George Papale were also present.

Chairman Moreau called the meeting to order at 4:00pm. The board reviewed the agenda. Chairman Moreau moved to accept the agenda as written. Beth Austin seconded the motion. All were in favor to approve the agenda as written. The board reviewed the minutes from the May board meeting. Beth Austin moved to accept the minutes as amended. Kristina Lounsberry seconded the motion. All were in favor to approve and adopt the minutes as amended.

Chairman Moreau moved to enter executive session to discuss sensitive information related to discipline of licensees. Patrick Cook seconded the motion. The board moved into executive session.

The board exited executive session.

Chairman Moreau moved to accept the Findings of Fact and Conclusions of Law in the matter of licensee William Hooper (PT04480) following his disciplinary hearing held May 19, 2016. Kristina Lounsberry, Beth Austin and Danny Landry voted and approved the findings of fact. The other board members abstained from the vote due to the fact that they were not hearing panel members for the disciplinary hearing.

Chairman Moreau asked for a vote to approve or deny the request made by disciplined licensee Samuel Forester (PT04559) asking to complete the Ethics requirement of the Consent Order. The Board previously sent a list of board-approved Ethics and Boundary courses for Mr. Forester. Mr. Forester requested to take a course online due to the financial burden that attending a course will take. The board voted unanimously to deny the request.

## OFFICER REPORTS

### Chairman's Report

Chairman Moreau reported to the Board that he was requested to interview for Louisiana Radio Network on behalf of the Board to discuss the legislation on Patient Access. Chairman Moreau reported that he turned the interview down and recommended that they speak to the LPTA who, he believes, has now scheduled an interview.

Chairman Moreau requested that the board members discuss the possibility of canceling the board meeting in July due to the level of work currently expected by the office staff. The board members voted and approved canceling the July meeting, but rescheduling a meeting if a disciplinary case arises that would require protecting the public. If there is no need to meet due to a disciplinary hearing, then the board will reconvene at the August board meeting.

### Treasurer's Report

Cash in the bank totaled \$392,161.32 in the checking account at Farmer's Merchant Bank. The Chase checking account is closed with a balance of \$0. Total Income for May 2016 totaled \$23,455.00 and ordinary expenses totaled \$42,730.91.

Mrs. Martin has entered a journal entry to adjust the interest earned in the CD at Business First Bank, which will be reported in June. The CD will earn all interest at maturity. A new CD was opened at Business First Bank in the amount of \$300,000 in the month of June which will compound interest monthly. The prior reported earnings on the CD will be reversed for the CD to reflect the original balance of \$300,000, since the interest will not actually be earned until maturity. The balance on the CD as of May 31, 2016 is \$300,000. The CD matures February 2017.

### Executive Director's Report

Mrs. Martin informed the Board of Senator Mill's Senate Bill 65, which lists a representative from the Louisiana Physical Therapy Board as a committee member. The board decided that either Chairman Moreau or Patrick Cook will serve as the representative of the Board, and Mrs. Martin will serve as back-up if a board member cannot attend due to a conflict.

Mrs. Martin requested confirmation for the voting Delegate and Alternate Delegate of the FSBPT Annual Meeting, who are both funded and will be required to attend the annual meeting in Columbus, Ohio on November 3 – 5, 2016. Chairman Moreau will be the voting delegate and Secretary/Treasurer will be the alternate delegate this year.

Mrs. Martin informed the Board of the CAPTE action for May 2016, as well as the upcoming call for comment. She requested that the Board submit any comments that they wish to submit prior to the deadline of September 15, 2016, so she can submit those on behalf of Louisiana.

Mrs. Martin confirmed the licensing process with the Board related to requiring the Certificate of Dean, and diploma and using an official transcript as an alternative to the diploma.

Mrs. Martin provided a licensing report to the Board. Since the last board meeting, twenty-one applicants were licensed as physical therapists by examination and eleven physical therapists were licensed through reciprocity. Two physical therapy assistants were licensed by examination and one physical therapy assistant was licensed by reciprocity.

Al Moreau moved to amend the agenda to move the disciplinary exit interview of Mary Catherine Shanks to follow the Officer Reports and proceed the LTF Report. All board members were in favor and the agenda was amended.

Mary Catherine Shanks interviewed successfully before the before for her disciplinary exit interview.

### **LTF REPORT**

Chairman Moreau announced that the Senate Bill 291 was signed by the Governor John Bel Edwards and effective June 6, 2016 Louisiana physical therapists can practice with direct access, following the amended law.

Chairman Moreau reported on behalf of the LTF that a statement is being drafted in response to the questions that many licensees are having about physical therapy diagnosis. The Board approved sending a statement from the board to be released to the licensees for clarification.

Chairman Moreau requested approval from the board on the draft letter to be sent out to all licensees notifying them of the May State Register publication changes to Rule. The board approved the letter, as written, pending a final grammatical check.

Chairman Moreau shared the PTPN email on patient access with the board members for informational purposes only.

## **CEU COMMITTEE REPORT**

Mrs. Martin provided a continuing education update to the board. Thirty-five total courses were approved. Of those, all courses were "Clinical" courses, 18 courses were traditional courses and 17 were distance-learning. The average time for approval for the 35 courses was 3 days.

Mrs. Martin provided a CEU Audit update to the board. One-hundred eighty-eight licensees were audited. Of those, 161 were complaint and 23 were non-compliant. Four licensees have failed to respond to the Board as of June 13, 2016.

The Board addressed six auditee issues, at the request of the auditees.

## **LEGAL REPORT**

Courtney Newton provided a compliant summary to the Board, as an update since the last board meeting:

- Closed Investigations: 1
- Current Investigations: 7
- Hearings Planned: 0
- Informal Conferences: 0
- Consent Orders: 0
- Complaints received: 2

Mrs. Newton provided recommended changes to Louisiana Physical Therapy Board Rules, as a result of the passage of the new law related to direct patient access. The changes were discussed and will be filed in the July State Register.

Kristina Lounsberry and Danny Landry presented recommended language changes in Rules §§123, 335, 337 and 339. The Board determined that more discussion is needed. Chairman Moreau asked Mrs. Martin to include sufficient time of two hours for continued discussion at the August board meeting.

## **INTERVIEW: NATALIE PETERS**

License applicant Natalie Peters interviewed for license before the board as a policy of the board to interview all applicants who have not passed the national board examination in four attempts or less. The Board determined that Ms. Peters is fit to practice safely in Louisiana following the interview.

## **NEW BUSINESS**

### Correspondence

Eddy Johnson asked a question to the Board regarding retention of Medicare patient records. The Board asked Mrs. Martin to respond to Mr. Johnson directing him to the Department of Health and Hospitals and CMS.

Genevieve Bates asked the Board to define auricular points. The Board agreed to designate a representative to give Ms. Bates a call regarding her question.

Maisie Hargett, PT, asked the Board if there are documentation requirements needed for transferring patient care. The Board agreed to designate a representative to give Mrs. Hargett a call regarding her question.

Lloyd Vale asked the board a question regarding frequency of patient visits. The Board asked Mrs. Martin to respond.

#### Licensee Issues

Arvin Dones, a foreign-trained PT asked the Board to consider the hours of practice and to waive the hospital setting requirements for his clinical supervised time as required by Rule § 321 G.1. The Board reviewed his request and determined that he has not met the requirement of that practice setting and must complete that requirement according to Rule.

Mary Anne Calindas, a foreign-trained PT asked if she can be made eligible to take the NPTE without a Social Security Number. Courtney Newton, Board Attorney issued an opinion that the Board can make applicants eligible for examination without a SSN, but cannot be licensed.

Lauren Beelman asked the Board if she must complete the re-entry requirements of Rule §145.E. since she is not applying by Reciprocity. The Board determined that she must meet the requirements of Rule § 187.G. and if she has not been out of the practice for five years, then the Board must review her statement regarding why her license lapsed. After review of her statement, the board determined that she is eligible for licensure. Mrs. Martin will confirm that she has worked in the prior five years and, if not, she will need to meet the requirements.

#### **OLD BUSINESS**

Brad McClary, PTA had requested an exemption for CEUs due to personal hardship and his request was denied at a previous board meeting. Mr. McClary asked the Board if they would waive one hour of live continuing education for his renewal, as he was selected in the Audit and is short by one live hour. The board denied his request.

Susan Blanchard, PT, submitted her written personal hardship letter as follow-up to her request at a previous board meeting. The board reviewed her letter and approved the hardship officially.

John Ware, PT responded to the Board's email response regarding his disapproval of an approved continuing education course. The board reviewed his response.

The meeting was adjourned at 9:00pm.



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

**AGENDA**  
**August 9, 2016**

- 2:00pm** Informal Conference 2016-I-008 (AB) Patrick Cook  
**3:00pm** Informal Conference 2016-I-013 (RS) Patrick Cook  
**2:45pm** Orientation: Advisory Committee Members
- 4:00pm** **Call to Order**  
Approve Agenda  
Approve Minutes
- 4:05pm** **Executive Session**  
Discuss sensitive information related to disciplined licensees
- 4:45pm** **Officer Reports**  
Chairman's Report  
Secretary/Treasurer's Report  
Executive Director's Report
- 5:45pm** **LTF Report**
- 6:00pm** **Licensing Interview**
- 6:15pm** **CEU Committee Report**  
CEU Report  
CEU Audit Ratification of Decisions
- 6:30pm** **Special Programs: Peak Media Presentation/PSA**
- 7:00pm** **CEU Application Discussion: Upledger/Healing from the Core**
- 7:15pm** **Legal Report**  
Complaint Summary  
Rules §335 and §337  
Other Legal Business
- 8:30pm** **New Business**  
Correspondences
- 9:00pm** **Old Business**
- 9:05pm** **Public Comment**
- 9:15pm** **Adjourn**
- August 10, 2016**
- 10:00am** **Hearing**

**LOUISIANA PHYSICAL THERAPY BOARD**

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# Louisiana Physical Therapy Board

## MINUTES

### Regular Scheduled Board Meeting Tuesday, August 9, 2016

**APPROVED**

Proceedings for the Louisiana Physical Therapy Board, taken in regular session on August 9, 2016 at 104 Fairlane Drive, Lafayette, LA 70507. A quorum of members were present. Board members present were: Chairman, Alvin "Al" C. Moreau, Secretary/Treasurer, Don Cassano, and board members Elizabeth "Beth" Austin, Kristina Lounsberry and Patrick Cook. Advisory Committee Members present were Althea Jones, Eugene Noel, and Robert Montanaro. Charlotte Martin, Executive Director; board attorneys, Courtney P. Newton and George Papale, and Paul Hildreth, public member were also present.

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

The board reviewed the agenda. The board voted and approved to amend the agenda to move the CEU Committee report to follow the approval of the minutes. The board members reviewed the minutes and approved the minutes.

### **COMMITTEE REPORT**

#### The CEU Committee

The CEU Committee reported that 82 courses were approved since the last board meeting. Of the 82 courses approved 40 were traditional and 42 were distance learning. Of the 82 courses approved 80 were clinical, 1 was administrative and 1 was ethics. One course was denied due to speaker qualifications. The board reviewed the denied course for ratification of the decision of the committee. The average time for approval was 4 days.

The board discussed the application for The Summit Health & Rehab Services Elector Therapeutic Interventions course and approved the course for one hour CE credit in Louisiana.

The Board reviewed an inquiry from David Qualls regarding CE credits for Louisiana delegates that attend American Physical Therapy Association House of Delegates each year. The Board reviewed his request and took it under advisement. They requested that the staff draft a policy to be reviewed and approved at the September board meeting.

The CEU Committee reported that 13% of audited licensees were not initially in compliance with the audit for the CEU Audit 2016. A total of 186 licensees were audited and of those 24 were not in compliance.

### **EXECUTIVE SESSION**

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

The board exited Executive Session.

### **DECISION ON MONITORING OF DISCIPLINED LICENSEE**

The board voted and unanimously approved the essay for Gretchen Duplantis.

## **OFFICER REPORTS**

### Chairman's Report

Chairman Moreau updated the board that a PTA member, Nancy Churchill has been appointed by the Governor. Ms. Churchill is unable to attend the August board meeting due to a conflict and the short timeframe since the appointment.

Chairman Moreau reminded the board to submit their performance evaluations on Mrs. Martin for her annual performance review. Courtney Newton and George Papale provided legal guidance on Executive Order JBE 2016-32 regarding merit increase freeze on unclassified employees. It is advised that the Board follow the advice of the governor's legal counsel and not grant a merit increase to unclassified staff during the fiscal year 2016-17.

The Board discussed the PTA position on the Advisory Committee vacancy. The board will appoint new members advisory committee in December 2016.

### Secretary/Treasurer's Report

The legislative auditor of the state recommended that the board report financials from two months prior. At the end of June 2016, cash in the bank totaled \$364,508.49. Total Income for June 2016 totaled \$17,780 and ordinary expenses totaled \$51,575.36. The two Certificates of Deposit total \$602,314.31.

### Executive Director's Report

Mrs. Martin reported that 76 applications were approved since the last board meeting. The initial applicants approved are as follows:

PTA New Graduates: 27  
PTA Reciprocity: 4  
PT New Graduates: 45  
PT Reciprocity: 0

Mrs. Martin shared information regarding the Federation of State Boards of Physical Therapy (FSBPT) Alternate Approval Pathway to the licensure examination. If the LPTB would participate in this program, the FSBPT report on the score of applicants and the Board would not participate in the eligibility of the examination process. The Board expressed concern in the potential of the FSBPT not granting eligibility to a Louisiana applicant. At this time, the LPTB will not participate in the program.

Mrs. Martin provided an update on foreign-trained PT applicant Anna Stuivenberg.

Mrs. Martin consulted with the board on the level of security needed at board hearings and board meetings.

Mrs. Martin updated the board on her recent participation of the FSBPT Leadership Issues Forum and confirmed that Al Moreau will be available to serve as the Delegate and Don Cassano will be available to serve as the alternate delegate at the FSBPT annual meeting.

## **COMMITTEE REPORT**

### LTF Committee

The LTF presented a draft of the physical therapy diagnosis letter to be sent to the licensees clarifying questions related to diagnosis that have come to the board following the passage of the direct access legislation. The board voted to approve the letter and send it to licensees and post it on the website.

The LTF reported on the Senate Concurrent Resolution 65 and discussed the LPTB representation that would attend that meeting.

## **SPECIAL PROGRAMS**

### Peak Media

Melissa Campbell from Peak Media presented a tv script to the LPTB along with an updated agenda. The board approved moving forward with the Public Service Announcement in a fiscally responsible manner. The board will approve \$175,000 of the \$250,000 project and will vote at the end of the fiscal year for consideration of purchasing an additional \$75,000 of media after the 2017 renewal period.

### CEU Application: Upledger/Healing from the Core

Myra Buller, PT presented to the Board requesting reconsideration of the Upledger Institute courses that were denied by the Board for Louisiana continuing education credit. The Board requested that Ms. Buller submit a packet of information for the Board to reconsider the courses.

## **LEGAL REPORT**

Board Attorney, Courtney Newton provided an update on:

### Complaint Summary

Current Investigations: 7  
Complaints Received since last board meeting: 3  
Informal Conferences: 2  
Hearings Scheduled: 0  
Consent Order/Voluntary Surrender: 0  
Closed Cases: 7 (Dismissed)

The Board voted to continue Rules §335 and 337 until the PTA board member could be present to discuss these two rules at the board meeting.

Beth Austin motioned to continue discussion with Courtney Newton to possibly become staff legal fulltime as a board staff position while remaining within the budget. Don Cassano seconded the motion. The board voted and unanimously approved.

## **NEW BUSINESS**

### Correspondences

*A licensee asked what is the most recent discussion from the board related to Tele therapy. The Board asked Mrs. Martin to respond with the latest update from the Board.*

*A licensee asked if there is a way to get primary source verification for therapist that are dry needling certified. The Board asked Mrs. Martin to respond that Dry Needling is not a special certification but that there are coursework hours as educational requirements that licensees must adhere to in accordance with Rule §311.*

*Several licensees have asked the board about the need to write progress notes every week since in a nursing home setting full progress notes must be written every ten visits. The Board considered the question and requested more information to ensure that the licensees are using the correct terminology with the documentation standards according to Board Rule.*

**OLD BUSINESS**

No old business was discussed.

**PUBLIC COMMENT**

No public comment.

Chairman Moreau motioned to adjourn the meeting. Patrick Cook seconded the motion. The board voted and unanimously approved. The board meeting was adjourned at 8:17 pm.



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

**AGENDA**  
**September 21 - 22, 2016**

**Wednesday, September 21, 2016**

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

**Thursday, September 22, 2016**

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

**LOUISIANA PHYSICAL THERAPY BOARD**

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# Louisiana Physical Therapy Board

## MINUTES

### Regular Scheduled Board Meeting Wednesday, September 21, 2016

**APPROVED**

Proceedings for the Louisiana Physical Therapy Board, taken in regular session on September 21, 2016 at 104 Fairlane Drive, Lafayette, LA 70507. A quorum of members were present. Board members present were: Chairman, Alvin "Al" C. Moreau, Secretary/Treasurer, Don Cassano, and board members Elizabeth "Beth" Austin, Kristina Lounsberry and Patrick Cook. Charlotte Martin, Executive Director; board attorneys, Courtney P. Newton and George Papale were also present.

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

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

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

The board exited Executive Session.

## **OFFICER REPORTS**

### Chairman's Report

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

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

### Secretary/Treasurer's Report

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

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

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

Executive Director's Report

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

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

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

**COMMITTEE REPORTS**CEU Committee

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

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

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

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

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

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

**DISCIPLINARY EXIT INTERVIEW**

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

## COMMITTEE REPORTS

### LTF (Legislative Taskforce)

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

## LEGAL REPORT

Board Attorney, Courtney Newton provided an update on complaints:

### Complaint Summary

Current Investigations: 8

Complaints Received in Month: 3

Informal Conferences in Month: 0

Hearings Scheduled: 2

Consent Order/Voluntary Surrender: 0

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

September: Hearing Continued

October: Hearing Scheduled

December: Open

## NEW BUSINESS

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

### Correspondences

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

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

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

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

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

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

### **OLD BUSINESS**

No old business was discussed.

### **PUBLIC COMMENT**

No public comment.

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



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

**AGENDA**  
**October 19, 2016**

- 2:00pm** Informal Conference 2016-I-008 (AB) Patrick Cook
- 4:00pm** **Call to Order**  
Approve Agenda  
Approve Minutes
- 4:10pm** **Executive Session**  
Discuss sensitive information related to discipline and attorney client privileged information.
- 4:40pm** **Officer Reports**  
Chairman's Report  
Secretary/Treasurer's Report  
Executive Director's Report
- 5:00pm** **Committee Reports**  
LTF Report  
CEU Committee  
    Course sponsor recommendations  
    Fraud Course Offerings
- 5:30pm** **Legal Report**  
Complaint Summary  
Mood-altering substances  
Other Legal Business
- 6:30pm** **New Business**  
Correspondences  
Advisory Committee Members Discussion  
NPTE Appeal Request  
Rules Revision Plan
- 7:30pm** **Old Business**  
CE Policy  
Dry Needling Updated Forms
- 7:30pm** **Disciplinary Exit Interview: Samuel Forester**
- 7:45pm** **Public Comment**
- 8:00pm** **Adjourn**

**LOUISIANA PHYSICAL THERAPY BOARD**

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# Louisiana Physical Therapy Board MINUTES

## Regular Scheduled Board Meeting October 19, 2016

**APPROVED**

Proceedings for the Louisiana Physical Therapy Board, taken in regular session on October 19, 2016 at 104 Fairlane Drive, Lafayette, LA 70507. A quorum of members were present. Board members present were: Secretary/Treasurer, Don Cassano, and board members Elizabeth “Beth” Austin, Kristina Lounsberry, Patrick Cook, and Craig Prejean. Advisory Committee Members present were Nick Butler and Ryan Usner. Charlotte Martin, Executive Director; board attorneys, Courtney P. Newton and George Papale were also present.

Secretary/Treasurer Don Cassano called the meeting to order at 4:04pm.

### **AGENDA AND MINUTES REVIEW**

The board reviewed and approved the agenda. Beth Austin moved to approve the minutes as amended. Kristina Lounsberry seconded the motion. The board voted and unanimously approved.

### **EXECUTIVE SESSION**

Secretary/Treasurer Don Cassano motioned to move into Executive Session pursuant to La R.S. 42:16 for the purposes of discussing investigating proceedings regarding allegations of misconduct and attorney client-privileged information. The Board voted and all were in favor to move into Executive Session.

The board members exited Executive Session.

The board members decided to request a specific test for monitored licensee David Watkins at his next selection.

### **OFFICER REPORTS**

#### Chairman’s Report

There was no chairman’s report.

#### Secretary/Treasurer’s Report

At the end of August, cash in the bank totaled \$295,036.37. Total Income for August 2016 totaled \$19,097.24 and ordinary expenses totaled \$41,334.71. The two Certificates of Deposit total \$602,595.44. Both CDs are invested with Business First Bank. One CD earned \$293.58 in interest in August and matures May 6, 2017. The other CD earned accrued interest of \$287.50 during August and will mature February 2017.

As requested at the September board meeting, Mrs. Martin reported on the number of licensees who did and did not renew their license in 2015 and 2016. In 2015, 1888 licensees renewed and 34 individuals did not renew. In 2016, 2357 licensees renewed and 177 did not renew. Of the 177 who did not renew in 2016, 135 of those did renew in 2014 and three licensees did not renew due to revocation.

### Executive Director's Report

Mrs. Martin informed the board members that 18 license applications were approved since the last board meeting. Of those one was a PT new graduate, 16 were PT by reciprocity and one was a PTA by reciprocity.

Mrs. Martin asked the board members to review the job description of board officers and recommend any changes prior to the December board meeting. Changes, if any, will be presented at the December board meeting for vote.

FARB Forum will be held in January. Mrs. Martin encourages anyone who is interested in attending to contact her expressing this information so the Board can make a determination if the budget will allow for out-of-state conference travel.

Mrs. Martin notified the Board that the LPTA Lafayette District chair has contacted the board office requesting presence at a district meeting that will be held on October 25, 2016 in Lafayette. Mrs. Martin will attend to answer questions related to changes to the Practice Act following the 2016 legislative session.

Mrs. Martin reminded the Board that the only jurisprudence seminar scheduled before the next board meeting will be held in Metairie on October 27, 2016. Kristina Lounsberry offered to attend as the board representative.

Mrs. Martin presented a list of proposed dates for 2017 board meetings.

Mrs. Martin asked the board members to consider contracting with FSBPT as a reporting agent to the National Practitioner Databank. The board members discussed and determined that the number of entries performed by staff does not warrant delegation of this service at this time.

Mrs. Martin informed the board members of the national practitioner databank reporting guidelines and discussed minor "clean-up" of entries from the past, as early as 2002. Since the board files were audited in 2014 and all records were determined by HRSA to be accurate, the board members determined that it is not necessary at this time to review all entries historically and consider edits.

## **COMMITTEE REPORTS**

### LTF (Legislative Task Force) Update

The Legislative Task Force discussed current board priorities as potential items for legislative action in 2017. Kristina Lounsberry moved to allow the Legislative Task Force to pursue education and research on the following items:

1. Foreign-trained PTA license,
2. Public Board Member,
3. Adopting language similar to the Louisiana State Board of Social Worker Examiner Practice Act in response to the FTC vs. N.C. Board of Dentistry Supreme Court ruling, and
4. Clean up rules and statute on CEU fees.

The motion was seconded by Elizabeth Austin. The board voted and unanimously approved.

The board members reviewed the draft report of the Senate Concurrent Resolution 65 committee. The board members determined that there is no need to provide a statement from the board at this time.

### CEU Committee

The CEU Committee reported that 56 courses were approved since the last board meeting. Of the 56 courses approved, 35 were traditional and 21 were web-based. The category of the course approval includes 51 clinical courses, 4 administrative courses, and 1 was approved as either Administrative or Ethics. The average turnaround time for approval was eight (8) days.

The board discussed the fact that currently there are not very many options of courses on fraud available to disciplined licensees. The board recommends documentation and billing courses as an alternative to fraud courses if fraud coursework is required in a board order or consent order of a disciplined licensee.

Rick E. Schroeder, President of PTcourses.com requested that the board consider recommendations for new continuing education course approval fees. The Continuing Education sponsor fees are set by Rule and changing the fee structure would require a rule change through the rulemaking process. The board members discussed the time and thought put into this valuable contribution. Mrs. Martin will respond to Mr. Schroeder thanking him for this information and assuring him that the board will take these recommendations under consideration during the next Rules revision process.

## **LEGAL REPORT**

Board Attorney, Courtney Newton provided an update on

### Complaint Summary

Current Investigations: 8

Complaints Received in Month: 1

Informal Conferences in Month: 2

Hearings Scheduled: 2

Consent Order/Voluntary Surrender: 1 (consent order offered to one of the licensees scheduled for a hearing)

Closed Cases: 3 (dismissed)

Galen M. Hair, attorney at law requested clarification on the term “mood-altering substances.” The board requested that Mrs. Newton respond to Mr. Hair asking what he thinks mood-altering substances should be considered when considering licensees who are disciplined for a history of substance abuse.

Mrs. Newton informed the board members of a correspondence exchange that has recently occurred with one of the laboratories that was used for drug and alcohol testing. A monitored licensee who is currently in a Consent Order agreement with the Board tested at a lab and the report from the lab had two clerical errors, which resulting in the Board considering the result invalid for the purpose of screening the applicant for alcohol or drugs. The board determined that for the protection and safety of the disciplined licensee moving forward, this lab shall not be considered as a valid testing facility by the Board.

Mrs. Newton presented a draft DUI/DWI policy for the board to review. The board members asked Mrs. Newton to edit the policy and present a second draft of the DUI/DWI policy at the December board meeting for approval.

Mrs. Newton asked Mrs. Martin to provide information to the board members on the Louisiana State Policy Rap Back program. This is a program is allowed by law and is used by many other licensing agencies. The program enters any applicant who submits to a background check for the Board into a system where the Board will be notified of arrests if any occur in the future. The board members requested that Mrs. Martin research the program and provide information regarding the details of the report that is submitted to the board in the Rap Back program at the next board meeting. Mrs. Martin will also determine if the report can be submitted on convictions only, as opposed to reporting on all arrests.

## **NEW BUSINESS**

The board members reviewed the Advisory Committee member nominees for 2017. Mrs. Martin informed the board members that another news blast will be emailed to the licensees requesting resumes from interested individuals. Applicants will be screened and finalists will be interviewed by at least one board member prior to voting in December.

The board members reviewed a NPTE appeal request from a test taker who is requesting to sit for the examination for the eighth attempt. The candidate was not a candidate for Louisiana in any previous attempt on the NPTE. In Louisiana, candidates are limited to four attempts by Rule §171. The Board will not submit an appeal to FSBPT on behalf of this candidate.

The board members reviewed the Rules Revision plan created by Mrs. Martin and determined that revising Rules is a priority of the Board in the coming year. Mrs. Martin will revise the details of the plan and present next steps at the next board meeting for Board approval.

### Correspondences

An applicant who is applying for reinstatement in Louisiana requested a waiver for the CE requirements, or the ability to take coursework online for the requirements of Rule §187.F. The board determined that the applicant must comply with Rule §187.F. and complete the requirements of Rule§194 as directed by the Rule.

A licensee asked if there will be accommodations made regarding continuing education requirements for renewals for licensees in the flooded areas. The Board discussed the request and compared the flood situation to historical precedents set by previous Boards. The Board determined that licensees in the flooded areas may apply for a hardship exemption due to natural disaster found in Rule §198. The board members asked Mrs. Martin to post notice on the homepage news of the website recommending that flood victims request a hardship exemption. Each exemption will be considered individually by the Board.

A marketing firm representative inquired about incentive packages for patients and referring practitioners. The board members discussed the inquiry and determined that a health law attorney would be more appropriate to provide advice and judgement on creating policies. The board members asked Mrs. Martin to respond with this recommendation, and to recommend reviewing the APTA Code of Ethics and the Louisiana Physical Therapy Board Rule §369 as they relate to the inquiry.

## **OLD BUSINESS**

The board members reviewed and approved the Continuing Education Policy.

The board members reviewed and approved the updated Dry Needling forms.

## **EXIT INTERVIEW OF DISCIPLINARY ACTION: SAM FORESTER**

Sam Forester, PT successfully completed the terms of his consent order and has ended his probationary period. Mr. Forester attended the board meeting exit interview, as is requested of disciplined licensees.

**PUBLIC COMMENT**

Danny Landry, PTA expressed his interest in the Rules revision process and asked the Board if he should submit a formal request for Rules to be revised that are concerning. The Board reviewed the Rules that will be priority for discussion in the next year and determined that the Rules that Mr. Landry has most interest in seeing edited are on the list.

Danny Landry, PTA asked about the Continuing Education dates and times listed on the Board website. Mrs. Martin explained that the Board office staff updates the approved courses and allows course sponsors to update dates/times when courses are offered. If course sponsors do not update their course listing on the board website through their portal, then some offerings (date/time/location) may not be listed, although the course is approved for the calendar year. Mrs. Martin recommended that the Board office staff send regular notice to course sponsors reminding them to update courses on the website and having more communication with course sponsors moving forward.

Secretary/Treasurer Cassano motioned to adjourn the meeting. Kristina Lounsberry seconded the motion. The board voted and unanimously approved. The board meeting was adjourned at 7:30pm.



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

**AGENDA**  
**December 7, 2016**

- 4:00pm**      **Call to Order**  
Approve Agenda  
Approve Minutes
- 4:10pm**      **Executive Session**  
Discuss sensitive information related to discipline and attorney client privileged information.
- 4:40pm**      **Officer Reports**  
Chairman's Report  
Secretary/Treasurer's Report  
Executive Director's Report
- 5:00pm**      **Special Programs**  
Rick Schroeder, PTcourses.com
- 5:30pm**      **Committee Reports**  
LTF Report  
CEU Committee
- 6:00pm**      **Exit Interview for Disciplinary Action**  
Emily Hymel
- 6:15pm**      **Legal Report**  
Complaint Summary  
Screening guidelines for arrests/convictions  
Sanctioning guidelines  
LSU Shreveport HSC Letter to Board for vote  
DUI Policy for review
- 7:00pm**      **New Business**  
Officer Elections  
Correspondences  
Advisory Committee Member Appointments 2017
- 7:30pm**      **Old Business**  
Review of Workplace Settings List for vote  
Rap Back Program
- 7:45pm**      **Public Comment**  
**8:00pm**      **Adjourn**

**December 8, 2016**

- 8:30am**      **Public Hearing for Case #2016I007**

**LOUISIANA PHYSICAL THERAPY BOARD**

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# Louisiana Physical Therapy Board

## MINUTES

### Regular Scheduled Board Meeting December 7, 2016

**APPROVED**

Proceedings for the Louisiana Physical Therapy Board, taken in regular session on December 7, 2016 at 104 Fairlane Drive, Lafayette, LA 70507. A quorum of members were present. Board members present were: Chairman, Alvin "Al" C. Moreau, Secretary/Treasurer, Don Cassano, and board members Elizabeth "Beth" Austin, Kristina Lounsberry, Patrick Cook and Craig Prejean. Advisory Committee Members present were Althea Jones, Nick Butler and Ryan Usner. Charlotte Martin, Executive Director and General Counsel George Papale were also present.

Chairman Moreau called the meeting to order at 4:05pm.

The board reviewed the agenda. Patrick Cook motioned to approve the agenda. Kristina Lounsberry seconded the motion. The board voted and unanimously approved.

The board members reviewed the minutes. Kristina Lounsberry motioned to approve the minutes. Secretary/Treasurer Cassno seconded the motion. The board voted and unanimously approved the minutes.

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

The board exited Executive Session.

## **OFFICER REPORTS**

### Chairman's Report

Chairman Moreau updated the board on the Public Service Announcement. The board discussed having a social media presence. As long as any questions posted on the social media page will be responded to with, "*Thank you for your inquiry. Please send me your contact information*" the board is comfortable with having a presence immediately following the board meeting. Chairman Moreau moved to create a Facebook and Twitter account to be used to drive traffic to the secure website following a Social Media Policy to be approved at the January 2017 board meeting. Patrick Cook seconded the motion. The board voted and unanimously approved.

The board members discussed reporting obligations of the board to other agencies. For example, if a licensee is found in violation fraud, the board would want to report this fraud to the appropriate agencies. General Counsel George Papale recommended that the Board not forward any information during an investigation. Once a violation is formally found and adjudicated, Mr. Papale stated that it would not be bad to forward the information along to other agencies.

### Secretary/Treasurer's Report

Cash in the bank totaled \$247,792.58 in the checking and savings accounts at Farmer's Merchant Bank. Total Income for September 2016 totaled \$16,045.33 and ordinary expenses totaled \$47,076.51.

The Certificates of Deposit at Business First Bank total \$602,314.31. CD #910 earned \$293.87 in interest between 9/01/2016 - 9/30/2016. The ending balance as of 9/30/2016 was \$301,164.31. The CD matures on May 6, 2017. CD #534 will earn all interest of \$3,450 at maturity on February 12, 2017. The ending balance as of 9/30/2016 was \$301,150.00.

Cash in the bank totaled \$218,721.58 in the checking and savings accounts at Farmer's Merchant Bank. Total Income for October 2016 totaled \$13,463.33 and ordinary expenses totaled \$43,158.42.

The Certificates of Deposit at Business First Bank total \$602,598.99. CD #910 earned \$284.68 in interest between 10/01/2016 - 10/31/2016. The ending balance as of 10/31/2016 was \$301,448.99. The CD matures on May 6, 2017. CD #534 will earn all interest of \$3,450 at maturity on February 12, 2017. The ending balance as of 10/31/2016 was \$301,150.00.

### Executive Director's Report

Mrs. Martin discussed an administrative challenge that the board is having with the time period lapsed for those who are waiting for background check results through the state police. The Board approved that the staff work with the legal team to create an affidavit that would allow for the staff to grant a license to those who have no criminal history, once they certify that they have no criminal history and agree that the board may revoke their license should criminal history appear in their background check. The board also requested that the board update the policy to reflect the change and present the updated policy at the next board meeting for approval.

Mrs. Martin received confirmation that the Board is not going to participate in an Exhibitor Booth at the LPTA Spring meeting because of budgetary concerns.

Mrs. Martin reported that fifty (50) license applications were approved since the last board meeting:

PT Reinstatement:	2
PT Reciprocity:	8
PTA Reciprocity:	2
PT New Graduate:	5
PTA New Graduate:	33

Mrs. Martin reported on CAPTE accreditation decisions made at the CAPTE November 9, 2016 meeting and the CAPTE call for comments from interested parties regarding the PT and PTA education programs scheduled for review at CAPTE's April 2017 meeting. The deadline for comments is March 15, 2017.

Mrs. Martin reported back to the Board following her attendance at the FSBPT Annual Meeting. Mrs. Martin was accompanied by Al Moreau and Don Cassano at the 2016 annual meeting.

Mrs. Martin provided an update to the Board on a meeting that she had with Office of Risk Management to review the current policy coverage offered by ORM.

### **SPECIAL PROGRAMS**

Rick Schroeder of PTcourses.com presented to the Board regarding the recent fee increase and alternative options for consideration.

### **LEGAL REPORT**

General Council George Papale provided an update on the complaints:

#### Complaint Summary

Current Investigations: 7  
Complaints Received since the last board meeting: 2  
Informal Conferences since last board meeting: 0  
Hearings Scheduled/Notices Sent: 2 (December, January)  
Consent Order/Voluntary Surrender: 0  
Closed Cases since the last board meeting: 0

The board reviewed a sample screening guidelines template for arrests and convictions, as well as sanctioning guidelines. These tools are proposed to be used loosely to provide for consistency with the board moving forward. The board approved of the staff moving forward with customizing both the screening and sanctioning guidelines.

The board reviewed a letter submitted from Ed Mahoney, Director of the PT Program at LSU HSC Shreveport regarding applicants for licensure who have not graduated and the ability of the board to make them eligible for the examination. The letter is a template that the School will be using to comply with Rule §157. Eligibility for Examination “A. *To be eligible for examination by the board, an applicant shall possess all qualifications for licensure prescribed by §129.A. However, an applicant who has completed, or will complete prior to examination, his physical therapy or physical therapist assistant education, but who does not yet possess a degree or certificate as required by §129.A.4 or §129.B.4, shall be deemed eligible for examination upon submission to the board of a letter subscribed by the authorized representative of an approved school certifying that the applicant has completed all academic education at such school or college, that a degree in physical therapy or physical therapist assisting will be conferred at the next scheduled convocation of such school, and specifying the date on which such degree will be awarded.*”. The board members reviewed the letter and General Counsel George Papale recommended that the letter mimic the Rule more closely and specifically state who is the “authorized representative” of the university. Mrs. Martin will provide this information to Mr. Mahoney and request a revised template for the university to use.

General Counsel George Papale presented the DUI policy drafted by board Attorney Courtney Newton. The board reviewed the policy and unanimously approved it.

## **COMMITTEE REPORTS**

### CEU Committee

The CE Committee reported that 87 courses total were approved. Of the courses approved, 49 were traditional and 34 were web-based or by distance learning and four (4) were a hybrid (live/online). Eighty (80) of the courses were clinical, 7 were Administrative and 0 were Ethics. No (0) courses were denied. The average turnaround time for approval was 6 days.

The board reviewed Steve Allison’s request for approval of Administrative hours for a published article. The course credit will depend on the formal bibliography and a review of the actual article by the CE committee.

The board reviewed the course application from International Alliance of Healthcare Educators for the course titled CranioSacral Therapy: Touching the Brain. The course was denied because the speaker does not meet the qualifications of the CE Policy. The board requested that the staff send a letter of denial with a recommendation to resubmit with a speaker who meets the qualifications of the CE policy of the Board.

The board reviewed the exemption request submitted by Michelle O’Brien pursuant to Rule §198 for personal hardship and natural disaster. The Board approved the request for full exemption of CE requirements for the 2017 renewal period.

### LTF (Legislative Taskforce) Update

Chairman Moreau provided an update to the board on Senate Concurrent Resolution 65 regarding the final report.

## **EXIT INTERVIEW**

Emily Hymel presented before the board for an exit interview following the successful completion of her probationary period.

## **NEW BUSINESS**

### Officer Elections

The board voted unanimously to elect Don Cassano as the Chairman of the Board for 2017.

The board voted unanimously to elect Kristina Lounsberry as the Secretary/Treasurer of the Board for 2017.

### Advisory Member Appointments

The board members requested to interview Joe Guthrie and Jason Douglas at the January 2017 board meeting for the two vacant positions of the Advisory Committee.

### Correspondences

A licensee asked if they can put “Cert DN” behind his/her name after completing the requirements for dry needling certification. The Board referenced La R.S. 37:2419 Use of titles and terms; restrictions and Rule §323 Use of Titles and Terms; Restrictions and noted that they do not regulate “Cert DN” and; therefore, it is not within the jurisdiction of the Board to determine any other credentials allowed or disallowed behind one’s name other than those listed in the aforementioned law and rule. Mrs. Martin will respond to the licensee accordingly.

A licensee wrote to the board regarding her recent completion of canine rehabilitation therapist certification. In her correspondence, she stated that some states require that the term Physical Therapist to be designated to the human field only and asked for Louisiana’s stand on this. The board reviewed this question and determined that more research would be needed prior to a response.

A licensee asked the board if a PT can supervise a Home Health Aide. The Board reviewed the inquiry and requested that a draft response be reviewed at the next scheduled board meeting.

A licensee asked the board if it is within the scope of PT to complete impairment ratings for individuals. The board reviewed the inquiry and determined that it is within the scope of PT to do this.

## **OLD BUSINESS**

Mrs. Martin presented information on the Louisiana State Policy Rap Back program. The Board reviewed the research and voted unanimously to participate in the Rap Back Program.

Mrs. Martin presented an updated list of workplace settings for the initial licensure application, renewal form and for the licensee dashboard. The board voted unanimously to update the workplace settings according to the updated list presented and to post the definitions on the website.

## **PUBLIC COMMENT**

Althea Jones stated that she has been approached by a Senator and a licensee who were concerned about the lack of diversity of the board members on the LPTB. The board members responded to Ms. Jones by explaining the process of the Governor appointing individuals and explained that they have expressed this need to the Governor, to the Director of Boards and Commissions, and to that Senator in the past year. The Board asked Mrs. Martin to include information in the next newsletter explaining the process of board appointments to the licensees so they understand that it is not within the control of the board members who serve on the board to appoint board members.

Chairman Moreau motioned to adjourn the meeting. Kristina Lounsberry seconded the motion. The board voted and unanimously approved. The board meeting was adjourned at 9:00pm.