



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

AGENDA
Rescheduled Regular Board Meeting
January 24, 2018

- 2:00 pm** Informal Conference (Case #: 2017-I-001) – Julie Harris
2:45 pm Advisory Committee Member Orientation
3:00 pm Informal Conference (Case #: 2017-I-030) – Julie Harris
- 4:00 pm** **Call to Order**
Approve Agenda*
Approve Minutes*
- 4:15 pm** **Officer Reports***
Chairman’s Report
Secretary/Treasurer’s Report
Executive Director’s Report
- 4:30 pm** **Committee Reports***
Legislative Task Force
Continuing Education Committee
Rules Revision Committee
- 7:30 pm** **New Business***
Correspondences
Officer Elections
Committee Elections
- 8:30 pm** **Old Business***
- 8:45 pm** **Public Comment***
- 9:00 pm** **Executive Session**
Discuss sensitive information related to discipline and attorney client privileged information.
- 10:00 pm** **Adjourn**

*Public Comment

Public comment is requested prior to each vote (La. R.S. 42:14)

A public comment period shall be held during each board meeting. Persons desiring to present comments shall notify the executive director of the board prior to the beginning of the meeting. However, to assure that an opportunity is afforded to all persons who desire to make comments, the chairman shall inquire at the beginning of the meeting if there are additional persons present who wish to comment. The chairman shall allot the time available for the public comments in an equitable manner among those persons desiring to comment. Each person making public comments shall identify himself and the group, organization, company, or entity he represents, if any. (Louisiana Physical Therapy Board Rule §105.H.)

Louisiana Physical Therapy Board

MINUTES Regular Scheduled Board Meeting January 24, 2018

APPROVED

Proceedings for the Louisiana Physical Therapy Board, taken in regular session on January 24, 2017 at 104 Fairlane Drive, Lafayette, LA 70507. A quorum of members were present. Board members present were: Chairman Patrick Cook, Secretary/Treasurer Kristina Lounsberry, and board members Craig Prejean, Karl Kleinpeter, and Julie Harris. Advisory Committee Members present were Chris Franks, Phillip Page, Tyra Mitchell, and Lora Whiting. Board attorneys, Courtney P. Newton and George Papale were present. Charlotte Martin, Executive Director, Jessica Alwell, Assistant Executive Director, and Stephanie Boudreaux, Compliance Officer were present.

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

The board reviewed the agenda. Julie Harris moved to accept the agenda as written. Karl Kleinpeter seconded the motion. The board members voted and unanimously approved the agenda.

The board members reviewed the December 2017 board minutes. Chairman Patrick Cook moved to approve the minutes as written. Secretary/Treasurer Kristina Lounsberry seconded the motion. The board voted and unanimously approved the minutes.

OFFICER REPORTS

Chairman Report

There was no chairman's report.

Treasurer's Report

Secretary/Treasurer Lounsberry reported the board financials as of November 30, 2017, cash in the bank totaled \$138,571.89 in the checking and savings accounts at Farmer's Merchant Bank. Income totaled \$26,759.00 and Expenses totaled \$55,143.90. The Certificates of Deposit at Business First Bank totaled \$783,756.84. CD #534 will earn all interest of \$3,489.47 at maturity on February 12, 2018. The ending balance as of 11/30/2017 was \$303,432.72. CD #054 earned interest of \$469.59 in November. The ending balance as of 11/30/2017 was \$481,247.73.

The board requested that Mrs. Martin allow CD #534 to mature without reinvestment. At the March board meeting the board will determine how the CD should be reinvested, but at minimum the CDs will need to mature at staggered terms.

Executive Director Report

Licensing report:

13 license applications were approved since the last board meeting from December 12, 2017 to January 19, 2018.

Reciprocity – PT

1. Chad Oakley

2. Jessica Ortiz
3. Margaret Bates

4. Angela Carlson
5. Jason Schuster
6. Cassandra Hill

2. Stacey Grogan
3. Jeremy Herron
4. Spencer Shoemake
5. Shalayne Stinson
6. Alice Nowlin

Reciprocity- PTA

1. Myra Dunn

Reinstatement

1. Lacey Herron

Complaint summary (since the last board meeting):

Appeals:	1
Complaints Received:	2
Informal Conferences:	2
Consent Orders Accepted:	2
CRPTP:	1
Agreement to Abstain:	1
Closed:	0
Hearings Scheduled:	0
Total Open Investigations:	7

Mrs. Martin announced to the board that the Governor has appointed two members to the board. Meredith Warner, MD was nominated by the Louisiana Medical Society and Judith Halverson, PT, was nominated by the Louisiana Hospital Association.

Mrs. Martin announced that she will be attending FARB Forum on January 25-27, 2018 and will report on highlighted and relevant materials at the next board meeting.

COMMITTEE REPORTS

LTF:

There was no report from the Legislative Task Force.

CEU Committee:

The CEU Committee reported that 74 courses were reviewed since the last board meeting and 73 courses were approved and 1 course was denied. Of the 73 courses approved, 41 courses were traditional/on-site, 31 were web-based courses, and 1 course was hybrid (live and online portions). Of the 73 courses approved, 69 were clinical in nature, 3 were administrative in nature, and 2 were ethical in nature. The average turn-around time for approval was 6 days.

The board reviewed a Tuning Fork Sound Therapy Certification Course. After thorough discussion, the board determined that the course does not meet the minimum qualifications for course approval because it lacks evidence-based content. Craig Prejean moved to deny the course. Patrick Cook seconded the motion. The board voted and unanimously agreed to deny the course. The staff will issue a notice of denial.

Rules Revision Committee

The Rules Revision Committee presented Rules for proposed revisions to the state. The board voted and all were in favor of submitting the Rules Revision in accordance with the Administrative Procedures Act and with proper state legislative oversight.

NEW BUSINESS

Correspondences:

A licensee asked if the board consider doing a public relations campaign for direct access. After thorough discussion, the board determined that the budgeted priorities for fiscal year 2018-19 does not include a public relations campaign for direct access.

Executive Director, Charlotte Martin requested nominations for Officer Elections. For Chairman, the board members nominated Patrick Cook, PT. The board voted unanimously for Patrick Cook to serve as Chairman for 2018. For Secretary/Treasurer, the board members nominated Karl Kleinpeter. The board voted unanimously for Karl Kleinpeter to serve as Secretary/Treasurer for 2018.

Executive Director, Charlotte Martin requested nominations for Committee position elections for the year 2018. For the CEU Committee, the board members nominated Craig Prejean and Judith Halverson to serve as board member representatives on the committee. The chairman serves as an ex-officio member on the CEU Committee. The board also nominated Chris Franks to serve as the Advisory Committee member to serve on the CEU Committee. The board voted and unanimously approved the positions. For the Legislative Task Force, the board members nominated Karl Kleinpeter and JulieAnn Harris to serve as board member representatives on the committee. The chairman serves as an ex-officio member on the Legislative Task Force. The board also nominated Phil Paige to serve as the Advisory Committee member to serve on the Legislative Task Force. The board voted and unanimously approved the positions. Mrs. Martin recommended that the board consider forming a Jurisprudence Exam Review Committee to explore improvements to the online examination and provide recommendations to the board with the goal of completion for December 2018 or no later than the start of the 2019 renewal period on February 1, 2019. The board voted unanimously to form the Jurisprudence Exam Review Committee. Mrs. Martin requested nominations for the Committee for the year 2018. The board nominated JulieAnn Harris and Patrick Cook to serve as board members on the Committee. The board voted Lora Whiting, PTA to serve as an Advisory Committee Member to serve on the Jurisprudence Exam Review Committee. The board voted and unanimously approved the positions.

Mrs. Martin requested that the board elect a Delegate, Alternate Delegate, and Funded Administrator to represent the board at the FSBPT Annual Meeting in October 2019. The Board requested to move the election of these positions to the next board meeting to provide adequate time for the board members to review the position requirements and the travel and attendance requirements of the Delegate and Alternate Delegate.

Mrs. Martin presented a request for a license. The board unanimously approved the request and the license was granted.

OLD BUSINESS

Mrs. Martin requested that a board member draft a response to Ms. Nona Sheridan, PT in response to an inquiry to the board. Kristina Lounsberry agreed to review the draft response and seek approval from Chairman Cook prior to giving notice of approval to the Executive Director to send a written response.

The board reviewed a draft statement for the staff to use when asked questions related to PTA Scope of Practice. After thorough discussion and review, the board asked Mrs. Courtney Newton to finalize the language of the statement for the staff to use and present the final language at the next board meeting.

PUBLIC COMMENT

The board requested public comment. There was no public comment.

EXECUTIVE SESSION

Chairman Cook motioned to move into Executive Session pursuant to La R.S. 42:16 for the purposes of discussing investigating proceedings regarding allegations of misconduct. Craig Prejean seconded the motion. The board members were all in favor to move into Executive Session.

The board exited Executive Session.

Kristina Lounsberry moved to deny the essay submitted by Angela Archer as required by her consent order. JulieAnn Harris seconded the motion. The board voted and unanimously approved to deny the essay.

Patrick Cook moved to request deny Angela Archer's request to forgo testing until securing employment. Craig Prejean seconded the motion. The board voted and unanimously approved the motion.

Patrick Cook moved to adjourn the meeting. Craig Prejean seconded the motion. The board voted and unanimously approved. The board meeting was adjourned at 11:30pm.



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

AGENDA
Regular Scheduled Board Meeting
March 22, 2018

- 3:30 pm** **Orientation: new Board Member(s)**
- 4:00 pm** **Call to Order**
Approve Agenda*
Approve Minutes*
- 4:15 pm** **Executive Session**
Discuss sensitive information related to discipline and attorney client privileged information.
- 5:15pm** **New Business***
Recovering Physical Therapy Program
- 6:15 pm** **Officer Reports***
Chairman's Report
Secretary/Treasurer's Report
Executive Director's Report
- 7:45 pm** **Committee Reports***
Legislative Task Force
Continuing Education Committee
Rules Revision Committee
- 8:45 pm** **Legal Report***
Legal Training: Compliance Hearing for License Applicants
- 9:00 pm** **New Business***
Correspondences
- 9:30 pm** **Old Business***
- 10:00 pm** **Adjourn**

*Public Comment

Public comment is requested prior to each vote (La. R.S. 42:14)

A public comment period shall be held during each board meeting. Persons desiring to present comments shall notify the executive director of the board prior to the beginning of the meeting. However, to assure that an opportunity is afforded to all persons who desire to make comments, the chairman shall inquire at the beginning of the meeting if there are additional persons present who wish to comment. The chairman shall allot the time available for the public comments in an equitable manner among those persons desiring to comment. Each person making public comments shall identify himself and the group, organization, company, or entity he represents, if any. (Louisiana Physical Therapy Board Rule §105.H.)

Louisiana Physical Therapy Board

MINUTES Regular Scheduled Board Meeting March 22, 2018

APPROVED

Proceedings for the Louisiana Physical Therapy Board, taken in regular session on March 22, 2018 at 104 Fairlane Drive, Lafayette, LA 70507. A quorum of members were present. Board members present were: Chairman Patrick Cook, Secretary/Treasurer, Karl Kleinpeter, and board members Kristina Lounsberry, JulieAnn Harris, Craig Prejean, Judith Halverson, and Meredith Warner. Advisory Committee Members present were Phillip Page, Chris Franks, and Ryan Usner. Charlotte Martin, Executive Director; board attorney, Courtney P. Newton, Stephanie Boudreaux, Compliance Officer, and Jessica Alwell, Assistant Executive Director were present.

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

The board reviewed the agenda. Chairman Cook moved to amend the agenda to add the Jurisprudence Exam Review Committee report in Committee reports. The board members voted and unanimously approved the agenda as amended.

The board members reviewed the minutes. Chairman Cook moved to approve the minutes as written. Secretary/Treasurer Karl Kleinpeter seconded the motion. The board voted and unanimously approved the minutes.

Chairman Cook motioned to move into Executive Session pursuant to La R.S. 42:16 for the purposes of discussing investigating proceedings regarding allegations of misconduct. Secretary/Treasurer Kleinpeter seconded the motion. The board members were all in favor to move into Executive Session.

The board exited Executive Session.

Chairman Cook moved to accept the consent order for Edwin Salutillo (Case 2017-I-038). Judith Halverson seconded the motion. The board voted and unanimously accepted the consent order.

Chairman Cook moved to accept the essay submitted by Emanuel Antunez (Case 2017-I-036) as required by his consent orders. Craig Prejean seconded the motion. The board voted and unanimously accepted the essay.

Kristina Lounsberry moved to accept the essay submitted by Steven Schwab (Case 2017-I-032) as required his consent orders. JulieAnn Harris seconded the motion. The board voted and unanimously accepted the essay.

Chairman Cook moved to deny the essay submitted by Angela Archer (Case 2017-I-023) as required by her consent orders. Kristina Lounsberry seconded the motion. The board voted and unanimously denied the essay.

Chairman Cook moved to approve the workplace request submitted by Emanuel Antunez (Case 2017-I-036). Craig Prejean seconded the motion. The board voted and unanimously approved the workplace request.

Kristina Lounsberry moved to accept Angela Archer's (Case 2017-I-023) Evaluation Report. Craig Prejean seconded the motion. The board voted and unanimously accepted the evaluation report.

JulieAnn Harris moved to approve the fulfillment of the suspension requirement for Garret Woods (Case 2017-I-021). Craig Prejean seconded the motion. The board voted and unanimously agreed to transition Mr. Woods' license status from suspension to probation.

Kristina Lounsberry moved to approve the workplace request for Garret Woods (Case 2017-I-021). JulieAnn Harris seconded the motion. The board voted and unanimously approved the workplace request.

JulieAnn Harris moved to authorize the LPTB staff to change Daniel Henning's license status, both on the Board website and in response to public inquiry, from "probation" to "inactive". This change in public license status is not intended to alter the terms and conditions of Mr. Henning's Consent Order. Craig Prejean seconded the motion. The board voted and unanimously approved.

NEW BUSINESS

Mrs. Martin requested that the board review the documents related to the Recovering Physical Therapist Program (RPTP). Kathie Pohlman, Program Manager for the Recovering Physical Therapy Program attended the meeting to respond to questions.

Chairman Cook moved to accept the Program Manager Job Description as written. Kristina Lounsberry seconded the motion. The board voted and unanimously accepted the document.

Chairman Cook moved to accept the Program Manager Assessment Tool as written. Craig Prejean seconded the motion. The board voted and unanimously accepted the motion.

JulieAnn Harris moved to accept the Participation Agreement Terms and Conditions as written. Judith Halverson seconded the motion. The board voted and unanimously accepted the motion.

Chairman Cook moved to accept RPTP Manager Kathie Pohlman's recommended changes to the RPTP program. Harris seconded the motion. The board voted and unanimously accepted the motion.

Chairman Cook made a motion to set a minimum number of drug and alcohol tests per year for RPTP participants. JulieAnn Harris seconded the motion. The board voted and unanimously accepted the motion.

Chairman Cook made a motion to set the participation length of the RPTP to a minimum of five years. Craig Prejean seconded the motion. The board voted and unanimously accepted the motion.

Chairman Cook moved to accept the Recognized Treatment Providers list with the provision that the board will review the list annually, at minimum, and will not review individual Treatment Provider requests. Craig Prejean seconded the motion. The board voted and unanimously accepted the motion.

OFFICER REPORTS

Chairman Report

Chairman Patrick Cook presented on duties of the board and the current legal structure.

Treasurer's Report

Secretary/Treasurer Kleinpeter presented December 2017 Financials. As of December 31, 2017, cash in the bank totaled \$108,458.46 in the checking and savings accounts at Farmer's Merchant Bank. Total Income totaled \$30,457 and ordinary expenses totaled \$44,283.93. The Certificates of Deposit at Business First Bank totaled \$785,135.34. CD #534 ending balance as of 12/31/2017 was \$303,432.72. CD #054 earned interest of \$454.89 in December. The ending balance as of 12/31/2017 was \$481,702.62.

Secretary/Treasurer Kleinpeter presented January 2018 Financials. As of January 31, 2018, cash in the bank totaled \$89,397.02 in the checking and savings accounts at Farmer's Merchant Bank. Total Income totaled \$23,376 and ordinary expenses totaled \$53,553.07. The Certificates of Deposit at Business First Bank totaled \$785,605.84. CD #534 ending balance as of 1/31/2018 was \$303,432.72. CD #054 earned interest of \$470.50 in January. The ending balance as of 1/31/2018 was \$482,173.12.

Secretary/Treasurer Kleinpeter presented the 2018-19 fiscal year budget to the board. JulieAnn Harris motioned to approve the 2018-2019 fiscal year budget. Chairman Cook seconded the motion. The board requested public comment. There was no public comment. The board voted and unanimously accepted the motion.

Chairman Cook moved to authorize the Executive Director, Secretary/Treasurer and Chairman to determine the amount needed for reserve, checking, and savings and to determine the CD amount that should be invested at the end of the 2018 renewal period (April 30, 2018) when the current CD matures (May 2018). Craig Prejean seconded the motion. The board voted and unanimously approved.

The board requested that Mrs. Martin work with Secretary/Treasurer Karl Kleinpeter to write a policy for the board's reserve fund to be presented at the next board meeting.

The board authorized the Executive Director to work with the Secretary/Treasurer to present a plan for moving the board office. The proposed plan will be reviewed at the June 2018 board meeting.

Executive Director Report

Mrs. Martin reported that 24 license applications were approved since the last board meeting from January 22, 2018 to March 22, 2018. Mrs. Martin reported the average time for licensure is 33 days.

Mrs. Martin informed the board that licensee Anna Cavell's Supervised Clinical Practice is complete and received a satisfactory review from her supervisor. The board previously authorized Mrs. Martin to change Ms. Cavell's license status to active from temporary upon satisfactory completion of her Supervised Clinical Practice as required by the Board. Mrs. Martin notified the board that Ms. Cavell's license status was changed to active at the time of completion.

Mrs. Martin presented that an applicant disclosed a felony offense from 1978 on her license application; however the background check report confirming the felony conviction from Louisiana State Police has not been received at the board office at this time. Mrs. Martin requested a board decision on whether to approve her license application upon receipt of the background check report. The board moved to authorize Mrs. Martin to review the official La State Police background check when it arrives at the board office and if the criminal charge is not listed as a felony, to issue an unencumbered license to the applicant. If it is listed as a felony, the board will take up the discussion at the next board meeting.

Mrs. Martin presented the board with Disciplinary Action Guidelines. Chairman Cook moved to accept the Disciplinary Action Guidelines. Judith Halverson seconded the motion. The board voted unanimously accepted the motion.

COMPLAINT SUMMARY

Mrs. Martin reported the current complaint summary of activity that occurred since the last meeting:

Appeals:	1
Complaints Received:	8
Informal Conferences:	1

Consent Orders Accepted:	1
CRPTP:	1
Agreement to Abstain:	2
Closed:	1
<u>Hearings Scheduled:</u>	<u>1</u>
Total Open Investigations:	9

The board reviewed complaints submitted to the board on individuals not licensed by the Louisiana Physical Therapy Board. The board authorized the staff to follow the procedure dictated by La R.S. 37:2422.A. when responding to complaints when the complaint alleges title protected terms being used by unauthorized individuals. The staff is not authorized to issue actual cease and desist orders from the board to individuals who do not resolve the issue with their licensing board, to those who are unlicensed, nor to anyone who is in violation of the Practice Act and/or Rules of a violation that does not involve title protected terms.

The board authorized the staff to randomly audit 10% of the licensee population during the upcoming annual CE audit. The board authorized the staff to send a letter to licensees who are non-compliant with their Continuing Education requirements, but who can show evidence of completing 30 hours of continuing education. For individuals who have no proof of completing 30 hours of continuing education, the board authorized Mrs. Martin to form an investigative committee to review the matter for consideration of disciplinary action.

The board discussed the licensing procedure for military or military spouse applicants. The board authorized the staff to issue temporary licenses to military or military spouse applicants after receiving verification of their most recent jurisdiction of license, confirming that the applicant's active license in that jurisdiction is in good standing, as well as a background check affidavit stating that the applicant is free of criminal convictions. The applicant's temporary license status will change to permanent status once the board office receives verification from all states where the applicant holds a license. Mrs. Martin will present a written policy or review at the June board meeting for the board to approve and review annually.

The board voted to change the next board meeting date to Wednesday, June 6, 2018.

Mrs. Martin requested the board choose emergency contacts for the staff while she is out on maternity leave starting April 6th and expected to conclude June 4th. The board chose Chairman Cook and JulieAnn Harris as emergency contacts for the staff.

COMMITTEE REPORTS

Legislative Task Force:

Chairman Cook motioned for the board to allow the LTF to make decisions on board positions during the current legislative session. Kristina Lounsberry seconded the motion. The board voted and unanimously accepted the motion.

Chairman Cook motioned to accept the draft position statement in regards to Senator Peacock's Bill to enact the Physical Therapy Licensure Compact. Kristina Lounsberry seconded the motion. The board voted and unanimously accepted the motion.

CEU Committee:

The CEU Committee reported that 171 courses were reviewed since the last board meeting and all 171 courses were approved. Of the 171 courses approved, 92 courses were traditional/on-site and 76 were distance learning courses. Of the 171 courses approved, 161 were clinical in nature and 9 was administrative in nature, and 1 was an ethics course. The average turn-around time for approval was 3 days.

The board reviewed CEU Exemption requests and unanimously determined that John Hodge, Susan Roblow, and Calida Dunnehoo do not qualify for exemption from continuing education requirements for the 2018 renewal period based upon Rule §198. The board determined that Rebecca Leedy's request for CEU exemption from continuing education requirements for the 2019 renewal period does qualify for exemption based on Rule §198.

Judith Halverson moved to deny the Fascial Distortion Model courses (upper and lower) submitted by sponsor Jay Ferguson. Craig Prejean seconded the motion. The board reviewed the course and unanimously decided to deny the course due to lack of evidence. The board directed the staff to respond with a letter of denial indicating that the board would reconsider the request if a bibliography is sent in with an application demonstrating that this is evidence-based coursework.

A licensee submitted a request for CEU credit for a Neur-INFRAH course taken in which the course sponsor printed "this course will be submitted to the Louisiana Physical Therapy Board for 14.0 CEUs." The sponsor did not submit for course approval. The board reviewed the request and determined that the course credit would not be applied because the course sponsor did not apply for approval in the state of Louisiana and it is the responsibility of the licensees to take board-approved coursework for the purpose of license renewal based on Rule §194.

Jurisprudence Exam Review Committee

The board reviewed the committee plan and timeline as well as the guidelines and assessment for question scenario writing. Committee chair JulieAnn Harris recommended that Advisory Committee members review existing questions on the current Jurisprudence Exam online to determine if any might be salvageable in addition to writing new questions with the given guidelines.

The board authorized the staff to contact potential public member volunteers that have been identified and request cover letter and resumes for the committee to review and in an effort to finalize the test taker volunteer list.

The board reviewed a request from a licensee asking if, as a volunteer test taker, continuing education hours can be earned for testing draft JP exam questions. The board discussed the request and decided that volunteer test takers may receive two administrative hours to be used as CEU credit for the next renewal period. Test taker volunteers will still be required to take the new Jurisprudence exam or attend a live Jurisprudence to receive 2 hours credit to meet the Jurisprudence requirement for the renewal period based on Rule §194.

Rules Review Committee

The board reviewed the updated timeline for submitting the Rules Revision document. The Rules will be submitted to the State Register on April 20, 2018.

The board reviewed Rule §171 specific to the applicant attempts to the National Physical Therapy Examination (NPTE). Louisiana applicants are limited to four attempts to pass the NPTE. As the Rule is currently written, once the applicant fails the examination the first time they have no more than two years from the first attempt to complete all four attempts. The board voted unanimously to add language to this Rule that would allow the board the opportunity to review requests from applicants to extend the time period beyond two years in special circumstances. The language will be supported by policy clearly articulating circumstances that would qualify for this extension. The policy will be reviewed and approved on an annual basis.

LEGAL REPORT

Mrs. Courtney Newman gave a short training presentation on Licensure Compliance Hearings.

Mrs. Newton provided a Good Moral Character document to the Board for review and recommended that new board members review the document prior to the next board meeting.

NEW BUSINESS

Correspondences

The board reviewed a question from licensee Gerard LeLeux, PT asking if continuing education taken prior to March 31st of the current renewal period could be used as credit toward the next renewal period. The board discussed the question and determined that this is not possible due to the language of Rule §194.

The board reviewed a question that asked if PTAs were allowed to perform screens in a SNF setting. The board determined that a PTA may obtain baseline information from a patient based on visual observations of the resident during normal activities, communication with nursing staff and by verbal interview of caregivers and resident. The PTAs may then provide that information to the PT and rehab team to assist in the determination of the resident's care, and if rehab services are indicated.

OLD BUSINESS

Mrs. Martin requested the board consider a delegate and alternate to attend the LIF meeting being held July 14-15, 2018 as well as the FSBPT annual meeting being held on October 25-27, 2018.

PUBLIC COMMENT

No public comment.

Chairman Cook moved to adjourn the meeting. Judith Halverson seconded the motion. The board voted and unanimously approved. The board meeting was adjourned at 9:54p.m.



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

AGENDA
Regular Scheduled Board Meeting
June 6, 2018

- 2:00 pm** **Informal Conference: 2018-I-001**
- 4:00 pm** **Call to Order**
Approve Agenda*
Approve Minutes*
- 4:15 pm** **Hearing for Reinstatement Applicant (Brandon R.)**
- 6:00 pm** **Exit Interviews**
Case: D. Watkins
Case: R. Helwig, L. Taglaeur, E. Winkler-Schmit
- 6:30 pm** **Officer Reports***
Executive Director's Report
Chairman's Report
Secretary/Treasurer's Report
- 7:15 pm** **Committee Reports***
Continuing Education Committee
Jurisprudence Exam Review Committee
Legislative Task Force
- 8:00 pm** **New Business***
Correspondences
- 8:15 pm** **Old Business***
- 8:30 pm** **Executive Session**
Discuss sensitive information related to discipline and attorney client privileged information.
- 10:00 pm** **Adjourn**

*Public Comment

Public comment is requested prior to each vote (La. R.S. 42:14)

A public comment period shall be held during each board meeting. Persons desiring to present comments shall notify the executive director of the board prior to the beginning of the meeting. However, to assure that an opportunity is afforded to all persons who desire to make comments, the chairman shall inquire at the beginning of the meeting if there are additional persons present who wish to comment. The chairman shall allot the time available for the public comments in an equitable manner among those persons desiring to comment. Each person making public comments shall identify himself and the group, organization, company, or entity he represents, if any. (Louisiana Physical Therapy Board Rule §105.H.)

Louisiana Physical Therapy Board

MINUTES Regular Scheduled Board Meeting June 6, 2018

APPROVED

Proceedings for the Louisiana Physical Therapy Board, taken in regular session on June 6, 2018 at 104 Fairlane Drive, Lafayette, LA 70507. A quorum of members were present. Board members present were: Chairman Patrick Cook, Secretary/Treasurer, Karl Kleinpeter, and board members Kristina Lounsberry, Judith Halverson, and Meredith Warner. Advisory Committee Members present were Phillip Page, Jeremy Dye, Jason Douglas, and Lora Whiting. Charlotte Martin, Executive Director; board attorney, Courtney P. Newton, Stephanie Boudreaux, Compliance Officer, Danielle Linzer, Licensing Analyst, and Jessica Alwell, Assistant Executive Director were present. Public members Blair Duthu and Alyssa Puckett, PT were also present.

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

The board reviewed the agenda. Kristina Lounsberry moved to accept the agenda. Judith Halverson seconded the motion. The board members voted and unanimously approved the agenda.

The board members reviewed the minutes. Kristina Lounsberry moved to approve the minutes as amended. Secretary/Treasurer Karl Kleinpeter seconded the motion. The board voted and unanimously approved the minutes.

Chairman Cook called the hearing of reinstatement applicant Brandon Revelle to order. The applicant requested the hearing be held in Executive Session. Chairman Cook motioned to move into Executive Session pursuant to La R.S. 42:16 for the purposes of discussing investigating proceedings regarding the hearing of an applicant for license reinstatement.

The Board exited Executive Session.

Chairman Cook stated on the record the unanimous decision to deny the reinstatement application of Brandon Revelle. Mr. Revelle may reapply for reinstatement in no sooner than ten years.

The board conducted exit interviews for licensees David Watkins (Case 2012-I-013) and Ronald Helwig, Lisa Taglaeur, and Elizabeth Winkler-Schmit (Case 2017-I-009).

OFFICER REPORTS

Chairman Report

Chairman Patrick Cook presented Advisory Board Member Joe Guthrie's resignation, received on May 30, 2018.

Chairman Cook presented changes amended in the State Register Potpourri in regards to the recent submission of the Rules Revision, to be published on June 20, 2018. Judith Halverson moved to accept the changes as amended. Secretary/Treasurer seconded the motion. The board voted and unanimously accepted the changes.

Treasurer's Report

Secretary/Treasurer Kleinpeter presented February 2018 Financials. As of February 28, 2018, cash in the bank totaled \$546,781.63 in the checking and savings accounts at Farmer's Merchant Bank. Total Income totaled \$221,756.71 and ordinary expenses totaled \$59,832.54. The Certificates of Deposit at Business First Bank totaled \$482,644.08. CD #054 earned interest of \$470.96 in February. The ending balance as of 2/28/2018 was \$482,173.12.

Secretary/Treasurer Kleinpeter presented March 2018 Financials. As of March 31, 2018, cash in the bank totaled \$902,595.73 in the checking and savings accounts at Farmer's Merchant Bank. Total Income totaled \$409,925.00 and ordinary expenses totaled \$50,692.32. The Certificates of Deposit at Business First Bank totaled \$483,069.88. CD #054 earned interest of \$425.80 in March. The ending balance as of 3/31/2018 was \$483,069.88.

Secretary/Treasurer Kleinpeter presented April 2018 Financials. As of April 30, 2018, cash in the bank totaled \$909,952.39. in the checking and savings accounts at Farmer's Merchant Bank. Total Income totaled \$47,131.00 and ordinary expenses totaled \$44,478.61. The Certificates of Deposit at Business First Bank totaled \$483,547.71. CD #054 earned interest of \$471.83 in April. The ending balance as of 4/30/2018 was \$483,541.71.

Secretary/Treasurer Kleinpeter updated the board on the status of CD investments. Secretary/Treasurer Kleinpeter presented the options for the board to invest money for the board's Reserve Fund. Judith Halverson motioned to invest \$516,000 in a 3-month CD in order to stagger the maturation dates. Kristina Lounsberry seconded the motion. The board voted and unanimously accepted. Judith Halverson moved to accept the plan to invest \$500,000 in two CDs of \$250,000 each and to authorize board staff to research investment options for the remaining \$500,000. Kristina Lounsberry seconded. The board voted and unanimously accepted the plan.

Secretary/Treasurer Kleinpeter presented on the recommendation to the board to move forward with a plan to move the office to another location in Lafayette better suited for the board's needs and the associated moving costs. The board accepted the recommendation to obtain a realtor to guide the board on whether to lease or buy in order to best meet the needs of the board.

Executive Director Report

Mrs. Martin informed the board about the board office recently being targeted for "card testing" and the reported the measures being taken to hinder this from happening again in the future. No information from the board was jeopardized.

Mrs. Martin informed the board of several upcoming professional development opportunities for board members and staff. She reported that the chosen delegate for FSBPT is Secretary/Treasurer Karl Kleinpeter and the alternate delegate is Judith Halverson.

Mrs. Martin requested the board choose a FSBPT Compact delegate and the board unanimously agreed that Mrs. Martin should act as delegate for the board.

Mrs. Martin reported on the numbers from the recent license renewals period. 2315 licensees were eligible for renewal. Of that number, 1500 PTs and 670 PTAs renewed their license. 145 licensees did not renew their license.

Mrs. Martin presented two new policies previously requested by the board. The board reviewed both the Reserve Fund policy and the Military Licensing Policy and unanimously accepted both policies for the office staff to use going forward.

The board authorized Mrs. Martin to have Signature Authority Authorization for the board with the Office of State Procurement.

COMPLAINT SUMMARY

Mrs. Martin reported the current complaint summary of activity that occurred since the last meeting:

Open (licensees)	9
<u>Open (non-licensees)</u>	<u>3</u>
Total Open Investigations:	12

Current Investigation Activity:

Closed:	6
Appeals:	1
Complaints Received:	3
Informal Conferences:	1
Proposed Consent Order:	1
Hearings Scheduled:	3

COMMITTEE REPORTS

CEU Committee:

The CEU Committee reported that 124 courses were reviewed since the last board meeting and 122 courses were approved. 2 courses which were denied at the March board meeting were later approved upon the receipt of additional information. Of the 122 courses approved, 56 courses were traditional/on-site and 65 were distance learning courses, and 1 course was a hybrid of live and online portions. Of the 171 courses approved, 117 were clinical in nature and 5 were administrative in nature. The average turn-around time for approval was 4 days.

The board reviewed a proposal letter from Rick Shroeder requesting the ability to bundle courses for review. The board determined that the courses can be submitted for review by the CEU Committee pursuant to Rule §501 (A) (8).

The board reviewed a request from Ebony Taylor for a refund for a renewal late fee. Judith Halverson moved to deny the request pursuant to Rule §181(B). Kristina Lounsberry seconded the motion. The board voted and unanimously accepted the motion.

The board reviewed a letter from Mathew Clark regarding his non-compliance during the renewal audit and his request for an extension to complete the additional hours needed in order to be in compliance with the continuing education requirements for the 2018 renewal period. Due to his military service at the time of the audit period, the board agreed to give Mr. Clark until September 1st to pay his fee and take the additional continuing education hours required.

The board reviewed the documents supplied by two licensees, Jonathan Coscarart and Leslie Miller, showing their efforts to be in compliance and their fees paid for being non-compliant at the time of the audit. The board approved.

Jurisprudence Exam Review Committee

Mrs. Martin reviewed the updated Jurisprudence Exam Review Committee Plan with the board and reminded the board members that they will take the new test questions and provide feedback.

Legislative Task Force:

Courtney Newton recapped the 2018 Regular Session to the board.

Mrs. Martin updated the board on the status of the Physical Therapy Compact. She requested the board choose a delegate to represent the board on the Compact. The board unanimously agreed that Mrs. Martin shall represent the board on all Compact-related matters and inform the board of new developments and next steps.

NEW BUSINESS

Correspondences

The board reviewed a question from licensees Blair Duthu and Alyssa Puckett, PT regarding whether it is within the scope of practice of PTs to perform Percutaneous Tibial Nerve Stimulation (PTNS) for bladder dysfunction. The board determined that more research on the topic is needed and agreed to review the question again at the next regularly scheduled board meeting.

The board reviewed a draft response to a question regarding whether it is within the scope of a PT's practice to perform Needle Electromyography and Nerve Conduction Studies. The board agreed with the draft response that it is within the scope of a PT's practice.

The board reviewed questions from an RN regarding a PTA's scope of practice in the Home Health setting. The board discussed and determined that the questions pertained to facility specific policies that the RN is writing. The board decided that the RN should first ask the PT/PTAs at her Home Health agency these questions and report to the board with their answers.

The board reviewed a question from a reciprocity licensee regarding acceptance of his dry needling coursework taken in another state. The licensee completed 35 total hours from 2 dry needling courses recognized by the state of Texas and had been practicing for at least 2 years. The licensee questioned whether his education would be seen as the substantial equivalent to practice dry needling here in Louisiana. The board discussed and agreed that pursuant to Rule §311(B), to have the licensee provide a letter from their residency mentor documenting a minimum of 15 hands on hours on instruction in dry needling in order to meet the substantial equivalent of the Louisiana Physical Therapy Board rule regarding dry needling.

Attorney Courtney Newton presented a draft response to Nona Sheridan's May 23, 2018 follow-up questions to the board's statement on her original correspondence dated September 16, 2017. The board reviewed the draft answers to each of Ms. Sheridan's questions regarding her concerns that physical therapists are delegating management of patient care to non-physical therapists to comply with employer policy and procedures. The board determined that if Ms. Sheridan feels there are issues concerning the care level of patients that she should submit a formal complaint for the board to investigate further. The board agreed to send the response to Ms. Sheridan.

The board reviewed request by two provisional license applicants for a refund of application fees. Wesley Nelson and Paru Shah were scheduled to take the NPTE in California with the intention and applied for a provisional license in Louisiana with the intention of working temporarily over the summer in Louisiana. However, they both decided not to withdraw their California application and so requested a refund. The board unanimously agreed not to issue a refund as the fees were for the application which the two applicants had completed and the fees were not for a license.

OLD BUSINESS

Mrs. Martin asked the board to consider whether more live Jurisprudence dates should be added to the calendar. The board agreed to add live Jurisprudences in Shreveport and New Orleans.

Chairman Cook motioned to move into Executive Session pursuant to La R.S. 42:16 for the purposes of discussing investigating proceedings regarding allegations of misconduct. Secretary/Treasurer Kleinpeter seconded the motion. The board members were all in favor to move into Executive Session.

The board exited Executive Session.

Kristina Lounsberry moved to accept the participation agreement for Elizabeth Austin (Case 2017-I-034). Chairman Cook seconded the motion. The board voted and unanimously accepted the consent order.

Judith Halverson moved to accept the voluntary surrender agreement for Daniel Henning (Case 2018-I-011). Kristina Lounsberry seconded the motion. The board voted and unanimously accepted the voluntary surrender agreement.

Kristina Lounsberry moved to accept the essay for Angela Archer (Case 2017-I-023). Judith Halverson seconded the motion. The board voted and unanimously accepted the essay.

Dr. Meredith Warner moved to accept the reimbursement request for Edwin Salutillo (Case 2017-I-038). Kristina Lounsberry seconded the motion. The board voted and unanimously accepted the reimbursement request.

Kristina Lounsberry moved to accept the essay for Edwin Salutillo (Case 2017-I-038). Dr. Meredith Warner seconded the motion. The board voted and unanimously accepted the essay.

Kristina Lounsberry moved to authorize staff to change the status of Steven Schwab (Case 2017-I-032) from suspension to probation. Dr. Meredith Warner seconded the motion. The board voted and unanimously accepted the change of status.

Kristina Lounsberry moved to accept the evaluation report for Joshua S. (Case 2017-I-030). Judith Halverson seconded the motion. The board voted and unanimously accepted the evaluation report.

Kristina Lounsberry moved to accept the participation agreement for Joshua S. (Case 2017-I-030). Judith Halverson seconded the motion. The board voted and unanimously accepted the confidential participation agreement.

Dr. Meredith Warner moved to close the unlicensed complaint against Jeffrey Miller, D.C. (Case 2017-I-035). Secretary/Treasurer Kleinpeter seconded the motion. The board voted and unanimously accepted the motion to close the complaint.

Secretary/Treasurer Kleinpeter moved to closed the unlicensed complaint against Kaleb Doshotel, D.C. and Kayla Smith, D.C. (Case 2018-I-005). Judith Halverson seconded the motion. The board voted and unanimously accepted the motion to close the complaint.

Dr. Meredith Warner moved to dismiss the unlicensed complaint against Katie Green (Case 2018-I-013). Kristina Lounsberry seconded the motion. The board voted and unanimously accepted the motion to close the complaint.

PUBLIC COMMENT

No public comment.

Chairman Cook moved to adjourn the meeting. Judith Halverson seconded the motion. The board voted and unanimously approved. The board meeting was adjourned at 10:15 p.m.



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

AGENDA
Regular Scheduled Board Meeting
August 15, 2018

- 12:00 pm** **Informal Conference 2018-I-022**
1:30 pm **Informal Conference 2018-I-010**
- 3:00 pm** **Call to Order**
Approve Agenda*
Approve Minutes*
- 3:05 pm** **Old Business**
- 3:15 pm** **Officer Reports***
Chairman's Report
Secretary/Treasurer's Report
Executive Director's Report
- 3:35 pm** **New Business***
- 3:45 pm** **Committee Reports***
Continuing Education Committee
- 4:00 pm** **Hearing: Reinstatement Application Consideration for David Conerly**
- 6:30 pm** **Executive session**
Discuss sensitive information related to discipline and attorney client privileged information.
- 7:10 pm** **Public Comment**
- 7:15 pm** **Adjourn**

*Public Comment. Public comment is requested prior to each vote (La. R.S. 42:14) . A public comment period shall be held during each board meeting. Persons desiring to present comments shall notify the executive director of the board prior to the beginning of the meeting. However, to assure that an opportunity is afforded to all persons who desire to make comments, the chairman shall inquire at the beginning of the meeting if there are additional persons present who wish to comment. The chairman shall allot the time available for the public comments in an equitable manner among those persons desiring to comment. Each person making public comments shall identify himself and the group, organization, company, or entity he represents, if any. (Louisiana Physical Therapy Board Rule §105.H.)

In compliance with Act 655 of the 2018 Regular Legislative Session, the Board gives notice to its licensees and applicants of their opportunity to file a complaint about board actions or procedures. You may submit such complaints to one or more of the following organizations:

La Physical Therapy Board, 104 Fairlane Drive, Lafayette, LA 70507; 337-262-1043; info@laptboard.org
Committee on House & Governmental Affairs; La House of Representatives, P.O. Box 94062, Baton Rouge, LA 70804; 225-342-2403; obriens@legis.la.gov
Committee on Senate & Governmental Affairs; La Senate, P.O. Box 94183, Baton Rouge, LA 70804; 225-342-9845; s&g@legis.la.gov

Louisiana Physical Therapy Board

MINUTES Regular Scheduled Board Meeting August 15, 2018

APPROVED

Proceedings for the Louisiana Physical Therapy Board, taken in regular session on August 15, 2018 at 104 Fairlane Drive, Lafayette, LA 70507. A quorum of members were present. Board members present were: Chairman Patrick Cook, Secretary/Treasurer, Karl Kleinpeter, and board members Julie Ann Harris, Craig Prejean, Judith Halverson and Dr. Meredith Warner. Advisory Committee Member present was Jason Douglas. Charlotte Martin, Executive Director; board attorneys, Courtney P. Newton and George Papale, and Stephanie Boudreaux, Compliance Officer, and Jessica Alwell, Assistant Executive Director were present. Public members Blair Duthu, PT, Alyssa Puckett, Pt, Stevelyn Picke, and Lisa Naeger, PT were present.

Chairman Cook called the meeting to order at 3:00 pm.

The board reviewed the agenda. Judith Halverson moved to accept the agenda. Julie Ann Harris seconded the motion. The board members voted and unanimously approved the agenda as amended.

The board members reviewed the minutes. Secretary/Treasurer Kleinpeter moved to approve the minutes as amended. Julie Ann Harris seconded the motion. The board voted and unanimously approved the minutes.

OLD BUSINESS

At the last regular board meeting, the board agreed to review a question from licensees Blair Duthu, PT and Alyssa Puckett, PT regarding whether it is within the scope of practice for PTs to perform Percutaneous Tibial Nerve Stimulation (PTNS) for bladder dysfunction after taking time to review more research on the topic. The board discussed the information provided and determined that it is within the scope of a PTs practice, pursuant to §303.C. Judith Halverson moved to authorize Chairman Cook and Mrs. Martin to draft a statement from the board. Julie Ann Harris seconded the motion. The board members voted and unanimously approved the motion.

OFFICER REPORTS

Chairman Report

Chairman Cook presented on a Letter of Intent prepared by Trahan Group for a possible new office building. Julie Ann Harris moved to sign the Letter of Intent. Chairman Cook seconded the motion. The board voted and unanimously approved to sign the Letter of Intent.

Treasurer's Report

Secretary/Treasurer Kleinpeter presented May 2018 Financials. As of May 31, 2018, cash in the bank totaled \$872,854.25 in the checking and savings accounts at Farmer's Merchant Bank. Total Income totaled \$29,326.38 and ordinary expenses totaled \$66,959.91. The Certificates of Deposit at Business First Bank totaled \$483,998.78. CD #054 earned interest of \$457.07 in May. The ending balance as of 5/31/2018 was \$483,998.78.

Secretary/Treasurer Kleinpeter presented June 2018 Financials. As of June 30, 2018, cash in the bank totaled \$306,961.68 in the checking and savings accounts at Farmer's Merchant Bank. Total Income totaled \$17,264.76

and ordinary expenses totaled \$56,051.32. The Certificates of Deposit at Business First Bank totaled \$1,000,472.74. CD #054 earned interest of \$472.74 in June. The ending balance as of 6/30/2018 was \$484,472.52.

Executive Director Report

Mrs. Martin updated the board regarding a letter from the Compact Commission informing the board of the importance of sharing licensees' social security numbers and dates of birth in order to be compliant with the Compact and ultimately begin issuing privileges to practice.

Mrs. Martin informed the board of the CAPTE Call for Comments. The board had no comments to report.

NEW BUSINESS

The board reviewed a request from Khurum Khan, an applicant for licensure who is applying for a PTA license via reciprocity. The Mr. Khan was educated as a PT but failed the NPTE for PTs and instead has been licensed elsewhere as a PTA after passing the NPTE for PTAs. Chairman Cook moved to accept the applicant's request to seek PTA licensure in Louisiana. Julie Ann Harris seconded the motion. The board voted and unanimously approved the request.

The board reviewed a request from Mr. Adebowale Adesola, a foreign-trained applicant for licensure, requesting to have the board waive the TOEFL requirement on the basis that Mr. Adesola is currently completing a DPT degree through Evidence in Motion. The board questioned the amount of reading, writing, and speaking in English the program requires as it is a distance program. The board requested more information prior to making a decision and will review the request again at the next regular board meeting in September.

COMMITTEE REPORTS

CEU Committee:

Judith Halverson moved to deny the CranioSacral Therapy course submitted by International Alliance of Healthcare Educators. Julie Ann Harris seconded the motion. The board reviewed the course and unanimously decided to deny the course due to it not meeting requirements in Rule §195.A., specifically lack of evidence.

Chairman Cook moved to deny the Service Excellence Course submitted by Monique Auger for individual approval. JulieAnn Harris seconded the motion. The board reviewed the course and unanimously decided to deny the course due to the course content not aligning with required course goals per Rule §195.A.

Chairman 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 members were all in favor to move into Executive Session.

The board exited Executive Session.

Judith Halverson moved to accept the board order for Brandon Revelle. Craig Prejean seconded the motion. The board voted and unanimously accepted the board orders.

LEGAL REPORT

There was no legal report at this board meeting.

Chairman Cook called the hearing of reinstatement applicant David Conerly to order.

Secretary/Treasurer Kleinpeter moved to enter Executive Session pursuant to La R.S. 42:16 for the purposes of discussing investigating proceedings regarding the hearing of an applicant for license reinstatement. The board members were all in favor to move into Executive Session.

The board exited Executive Session.

Chairman Cook state on the record the unanimous decision to deny the reinstatement application of David Conerly. Mr. Conerly is barred for life from reapplying for reinstatement.

PUBLIC COMMENT

No public comment.

Chairman Cook moved to adjourn the meeting. Judith Halverson seconded the motion. The board voted and unanimously approved. The board meeting was adjourned at 7:45 pm.



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

AGENDA
Regular Scheduled Board Meeting
September 12, 2018

- 4:00 pm** **Call to Order**
Approve Agenda*
Approve Minutes*
- 4:10 pm** **Officer Reports***
Chairman's Report
Secretary/Treasurer's Report
Executive Director's Report
- 4:45 pm** **Committee Reports***
Legislative Task Force
Continuing Education Committee
Jurisprudence Review Committee
- 5:00 pm** **New Business***
Correspondences
- 5:30 pm** **Old Business***
- 5:35 pm** **Public Comment**
- 5:45 pm** **Executive Session**
Discuss sensitive information related to discipline and attorney client privileged information.
- 9:00 pm** **Adjourn**

*Public Comment

Public comment is requested prior to each vote (La. R.S. 42:14)

A public comment period shall be held during each board meeting. Persons desiring to present comments shall notify the executive director of the board prior to the beginning of the meeting. However, to assure that an opportunity is afforded to all persons who desire to make comments, the chairman shall inquire at the beginning of the meeting if there are additional persons present who wish to comment. The chairman shall allot the time available for the public comments in an equitable manner among those persons desiring to comment. Each person making public comments shall identify himself and the group, organization, company, or entity he represents, if any. (Louisiana Physical Therapy Board Rule §105.H.)

Louisiana Physical Therapy Board

MINUTES Regular Scheduled Board Meeting September 12, 2018

APPROVED

Proceedings for the Louisiana Physical Therapy Board, taken in regular session on September 12, 2018 at 104 Fairlane Drive, Lafayette, LA 70507. A quorum of members were present. Board members present were: Chairman Patrick Cook, Secretary/Treasurer, Karl Kleinpeter, and board members Craig Prejean, Judith Halverson, and Kathryn Brittain. Advisory Committee Members present were Jon Jeremy Dye, Phillip Page, Ryan Usner, and Tyra Mitchell. Charlotte Martin, Executive Director, Jessica Alwell, Assistant Executive Director, Stephanie Boudreaux, Compliance Officer, and Board Attorneys George Papale and Courtney Newton were present. Public members Penny Scruggins and Amanda Brewer were present.

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

The board reviewed the agenda. Judith Halverson moved to approve the agenda as written. Craig Prejean seconded the motion. The board voted and unanimously approved the agenda.

The board members reviewed the minutes. Craig Prejean moved to approve the minutes as written. Judith Halverson seconded the motion. The board voted and unanimously approved the minutes.

OFFICER REPORTS

Chairman Report

Chairman Cook provided an overview of his priorities for the Board when he first was elected as chairman, as well as an update on progress that was made and recommendations that are pending. Chairman Cook introduced a different workflow and process for investigations, that legal counsel confirmed will comply with the current Board Rules and Administrative Procedures Act. The board asked Mrs. Martin to document the new Investigative Process model for review and consideration at the next board meeting.

Treasurer's Report

Special guest Penny Scruggins, CPA provided the board with a learning workshop regarding previous year comparisons on Balance Sheets and Profit and Loss reports.

Secretary/Treasurer Kleinpeter presented on July 2018 Financials. As of July 31, 2018, cash in the bank totaled \$273,317 in the checking and savings accounts at Farmer's Merchant Bank. Total Income totaled \$15,331.00 and ordinary expenses totaled \$46,093.36.

The Certificates of Deposit at Business First Bank totaled \$1,001,004.89. CD #054 earned interest of \$457.94 in July. The ending balance as of 7/31/2018 was \$484,929.46. CD #111 earned \$74.21 interest in July. The ending balance as of 7/31 was \$516,075.43.

Secretary/Treasurer Kleinpeter informed the board that CD #111 matured on September 10, 2018. Chairman Cook motioned to reinvest CD #111 in a one-month CD. Secretary/Treasurer Kleinpeter seconded the motion. The board

voted an unanimously agreed to reinvest the CD for one month and discuss options at the October board meeting for future investment options.

Executive Director Report

Mrs. Martin presented new policies for the board to review.

Mrs. Martin presented data on past live Jurisprudence offerings. The board discussed the 2019 Jurisprudence schedule and agreed to host live Jurisprudences at the Spring and Fall LPTA meetings as well as in the geographical locations where each board member resides.

Mrs. Martin presented the board with new annual assessment tools for legal contracts and IT contracts. The board approved the use of these assessment tools to be used on an annual basis to assess performance.

Mrs. Martin presented the board with the lease for a new office space. Chairman Cook made a motion to sign the lease agreement at 2110 W Pinhook in Lafayette. Secretary/Treasurer Kleinpeter seconded the motion. The board voted and unanimously agreed to sign the lease agreement for the new office space.

Mrs. Martin presented recommendations to the board for claiming a per diem pursuant to §2404.C. The board voted and agreed to amend the current expense reimbursement form.

COMMITTEE REPORTS

LTF:

Chairman Cook brought a question before the board regarding physical therapists conducting nutritional assessments, counseling, and education with their patients.

Mrs. Martin updated the board on the current status of the Compact. Chairmen Cook motioned to request an Attorney General opinion asking if the board needs to promulgate a rule to address the Compact Privilege state fee and specify the amount, as authorized by La. R.S. 37:2425. Secretary/Treasurer Kleinpeter seconded the motion. The board voted and unanimously agreed.

CEU Committee:

The CEU Committee reported that 60 courses were reviewed since the last board meeting and 58 courses were approved and 2 were denied. Of the 58 courses approved, 37 courses were traditional/on-side and 21 were web-based courses. Of the 58 courses approved, 42 were clinical in nature and 16 was administrative in nature. The average turn-around time for approval was 5 days.

Judith Halverson moved to deny the Therapeutic Singing Bowl Training Program submitted by Beneth Frame for individual approval. Craig Prejean seconded the motion. The board reviewed the course and unanimously decided to deny the course due to the course not meeting requirements in Rule §195.A.

The board reviewed a request to deny the course SICS: Sensory Integration for CrainoSacral Therapists submitted by International Alliance of Healthcare Educators. The board discussed and requested more information for further review.

The board reviewed a course application appeal from Kristen Bloom with Upledger Institute for the CSCN1: CranioSacral Therapy for Cranial Nerves 1 course. Chairman Cook moved to deny the appeal. Kathryn Brittain seconded the motion. The board voted and unanimously denied the appeal due to lack of peer reviewed evidence-based support.

Jurisprudence Exam Review Committee

Mrs. Martin presented a recommendation to the board to have the Jurisprudence Exam Review Committee partner with LSU-Shreveport to improve the new Jurisprudence questions. The board discussed and agreed to the plan and to allow for a budget of \$5,000 to provide a stipend to LSU-Shreveport faculty assisting with the board's project.

NEW BUSINESS

The board reviewed a reinstatement application for applicant Lori Barber.

OLD BUSINESS

No old business was discussed.

PUBLIC COMMENT

No public comment.

Chairman Cook 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 members were all in favor to move into Executive Session.

The board exited Executive Session.

Chairman Cook moved to adjourn the meeting. Judith Halverson seconded the motion. The board voted and unanimously approved. The board meeting was adjourned at 11:26pm.



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

AGENDA
Regular Scheduled Board Meeting
October 18, 2018

- 4:00 pm** **Call to Order**
Approve Agenda*
Approve Minutes*
- 4:10 pm** **Officer Reports***
Secretary/Treasurer's Report
- 4:30 pm** **Committee Reports***
Legislative Task Force
Continuing Education Committee
Jurisprudence Review Committee
- 4:45 pm** **Legal Report***
- 5:45 pm** **Old Business***
- 6:05 pm** **New Business***
Correspondences
- 7:05 pm** **Executive Session**
Discuss sensitive information related to discipline and attorney client privileged information.
- 8:05 pm** **Adjourn**

*Public Comment

Public comment is requested prior to each vote (La. R.S. 42:14)

A public comment period shall be held during each board meeting. Persons desiring to present comments shall notify the executive director of the board prior to the beginning of the meeting. However, to assure that an opportunity is afforded to all persons who desire to make comments, the chairman shall inquire at the beginning of the meeting if there are additional persons present who wish to comment. The chairman shall allot the time available for the public comments in an equitable manner among those persons desiring to comment. Each person making public comments shall identify himself and the group, organization, company, or entity he represents, if any. (Louisiana Physical Therapy Board Rule §105.H.)

MINUTES
Regular Scheduled Board Meeting
October 18, 2018

FINAL

Proceedings for the Louisiana Physical Therapy Board, taken in regular session on December 13, 2017 at 104 Fairlane Drive, Lafayette, LA 70507. A quorum of members were present. Board members present were: Secretary/Treasurer, Karl Kleinpeter, and board members JulieAnn Harris, Craig Prejean, Judith Halverson, Dr. Meredith Warner, Phillip Page and Kathryn Brittain. Advisory Committee Members present were Ryan Usner, Nick Butler, and Tyra Mitchell. Charlotte Martin, Executive Director, Jessica Alwell, Assistant Executive Director, Stephanie Boudreaux, Compliance Officer, and board attorneys, Courtney P. Newton, George Papale were present.

Secretary/Treasurer Kleinpeter called the meeting to order at 4:03 pm.

The board reviewed the agenda. JulieAnn Harris moved to approve the agenda as written. Judith Halverson seconded the motion. The board voted and unanimously approved the agenda.

The board members reviewed the minutes. Phillip Page moved to approve the minutes as written. JulieAnn Harris seconded the motion. The board voted and unanimously approved the minutes.

OFFICER REPORTS

Executive Director Report

Mrs. Martin updated the board on the progress of the Rules Revision. There was no public hearing requested.

Mrs. Martin requested the assistance of two board members in annual review of license renewal questions. Members Kathryn Brittain and JulieAnn Harris volunteered to review.

Mrs. Martin presented the board with the Legislative Audit AUP and explained findings.

Mrs. Martin requested the board review a license reinstatement application for Darian Robinson. The board considered the applicants PEAT results which met the qualifications of rule. The board determined that the applicants CEUs will be reviewed by the CEU committee. The board agreed that the applicant would be reinstated contingent upon the receipt of the remaining application components.

Treasurer's Report

Secretary/Treasurer Kleinpeter presented on August 2018 financials. As of August 31, 2018, cash in the bank totaled \$238,377.45 in the checking and savings accounts at Farmer's Merchant Bank. Total Income totaled \$27,319.83 and ordinary expenses totaled \$51,092.88.

The Certificates of Deposit at Business First Bank totaled \$1,001,631.95. CD #054 earned interest of \$473.65 in August. The ending balance as of 8/31/2018 was \$485,403.11. CD #111 earned \$153.41 interest in August. The ending balance as of 8/31 was \$516,228.84.

Craig Prejean moved to approve the Treasurer's Report. Judith Halverson seconded the motion. The board voted and unanimously approved the Treasurer's Report.

Mrs. Martin and Secretary/Treasurer Kleinpeter updated the board on the research for the board's reserve fund. The board agreed to have Mrs. Martin research other investment options in addition to those recommended by Iberia Bank.

COMMITTEE REPORTS

LTF:

The board appointed board member Phillip Page and Advisory Committee Member Tyra Mitchell to the Legislative Taskforce.

CEU Committee:

The CEU Committee reported that 81 courses were reviewed since the last board meeting and 79 courses were approved. Of the 79 courses approved, 38 courses were traditional/on-side, 38 were web-based courses, and 3 were Hybrid (live and online) courses. Of the 79 courses approved, 73 were clinical in nature, 4 were administrative in nature, and 2 were ethics in nature. The average turn-around time for approval was 4.5 days.

Mrs. Martin updated the board regarding two live Jurisprudence seminars held in New Orleans and Shreveport. It was reported that 86 licensees attended the New Orleans seminar and 57 licensees attended the Shreveport seminar.

Jurisprudence Exam Review Committee

JulieAnn Harris updated the board that the faculty at LSU-Shreveport has agreed to partner with the board to review and improve the new Jurisprudence exam questions in order to make certain that all questions are academic in nature and accurately assess licensees' knowledge of the rules.

LEGAL REPORT

Mrs. Newton presented a draft letter to the Attorney General regarding setting a fee for the PT Licensure Compact and the sharing of social security numbers and/or date of birth.

Phillip Page motioned to request an Attorney General opinion asking if the Louisiana Physical Therapy Board has the legal authority to set and charge a fee for granting a compact privilege under Act No. 524 of the 2018 Regular Legislative Session enacting La R.S. 37:2405 relative to the PT Licensure Compact. Kathryn Brittain seconded the motion. The board voted and unanimously agreed.

Phillip Page motioned to request an Attorney General opinion asking if the board is allowed to share the social security numbers and/or date of birth with the Compact Commission as required under Act No 534 of the 2018 Regular Legislative Session enacting La R.S. 37:2405 relative to the PT Compact as the unique identifier requested by law and related rules. Kathryn Brittain seconded the motion. The board voted and unanimously agreed.

Mrs. Newton presented a policy for contracting services to the board. The board reviewed the policy. Phillip Page motioned to accept the policy as written. Craig Prejean seconded the motion. The board voted and unanimously accepted the policy.

Mrs. Newton presented a policy for purchasing and disbursements to the board. The board reviewed the policy. Phillip Page motioned to accept the policy as written. Judith Halverson seconded the motion. The board voted and unanimously accepted the policy.

Mrs. Newton provided the board with an update regarding her recent attendance at FARB RLS.

Mrs. Newton provided the board with a refresher on the Open Meetings Law.

OLD BUSINESS

Mrs. Martin updated the board regarding the investigative process with recommendations moving forward.

Mrs. Martin informed the board that a letter to the FBI was sent.

NEW BUSINESS

Mrs. Martin presented proposed dates for 2019 board meetings. The board agreed to schedule seven board meetings in 2019, including one planning retreat in the first quarter of the year. The board meeting schedule will be posted on the board website.

The board reviewed a list of potential Advisory Committee Members. The board agreed to have Kathryn Brittain assist Mrs. Martin in reviewing final applicants for consideration at the next board meeting.

Mrs. Martin requested nominations for election of a new Chairman. Secretary/Treasurer nominated JulieAnn Harris. Judith Halverson seconded the motion. The board voted unanimously for JulieAnn Harris to serve as Chairman.

PUBLIC COMMENT

No public comment.

JulieAnn Harris 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 members were all in favor to move into Executive Session.

The board exited Executive Session.

Karl Kleinpeter moved to adjourn the meeting. Judith Halverson seconded the motion. The board voted and unanimously approved. The board meeting was adjourned at 9:00 pm.

POLICY
CONTRACTING FOR SERVICES

Original Date: October 10, 2018

POLICY

The policies of the Louisiana Physical Therapy Board (“Board”) with regard to contracting for services are:

1. To comply with all applicable provisions of the Louisiana Procurement Code (La. R.S. 39:1551 *et seq.*), the Louisiana Administrative Code Title 34, Part V, and all other applicable laws.
2. To provide for increased public confidence in the procedures followed by the Board.
3. To ensure the fair and equitable treatment of all persons who deal with the Board.
4. To ensure that contracts for services provide quality services to accomplish Board objectives in a cost-effective manner.
5. To implement and monitor controls and safeguards over contracts for services.

SCOPE & STRUCTURE

Contracting for services is essential to ensure that the Board is able to fulfill its legislative mandate under La. R.S. 37:2402 to protect the public health, safety, and welfare and to provide for state administrative control, supervision, licensing, and regulation of the practice of physical therapy. To ensure fiscal responsibility for the expenditure of public funds, the Board shall conduct a cost/benefit analysis to determine those services that can be provided by Board staff and those services, professional or otherwise, that require contracts with third-parties. The cost/benefit analysis shall also analyze whether contracting for services is the most cost efficient manner for accomplishing the Board’s objectives. Only after the cost/benefit analysis establishes a need to enter into a contract with a service provider should the Board proceed.

DEFINITIONS

“Competitive Negotiation” means to negotiate for a contract through a request for proposals process or any other similar competitive selection process [La. R.S. 39:1556 (8)].

“Consulting services” include, but are not limited to, management, finance (banking services), planning, data processing (IT), advertising, public relations, personnel, accounting [La. R.S. 39:1556 (10)].

“Negotiation” means the formulation of a contract through discussions [La. R.S. 39:1556 (34)].

“Personal services” include, but are not limited to, photographer, writer, handwriting analyst, court reporter, expert witness, and private investigator [La. R.S. 39:1556 (37)].

“Professional Services” include, but are not limited to, lawyers, architects, engineers, land surveyors, landscape architects, and accountants [La. R.S. 39:1556(42)].

“Requests for Proposals” means all documents, whether attached or incorporated by reference, utilized for soliciting proposals in accordance with the procedures set forth in La. R.S. 39:1595 of the Louisiana Procurement Code.

PROCEDURE:

For contracts for consulting services, personal services, and professional services, the Executive Director shall:

- Enforce restrictions of contracts as follows:
 1. with parties related to Board members, Advisory Committee Members, and Board staff (family and business interests);
 2. with current state employees [La. R.S. 39:1624. A (4)];
 3. with contractors not current with the filing of all applicable tax returns and reports, and in payment of all taxes, interest, penalties, and fees owed [La. R.S. 39:1624. A. (10)];
 4. For the performance of tasks which would be substantially duplicated without appropriate written justification [La. R.S. 39:1624. A. (5)].
- Request a Resolution from the Board authorizing the Executive Director to initiate a search for necessary service vendors. Such Resolution at a minimum shall contain:
 1. A description of the services needed by the Board;
 2. Required qualifications of the necessary service provider;
 3. A monetary range providing the minimum and maximum compensation amounts for contracted services;
 4. The desired start date and term of the contract;
 5. Whether hiring/contracting authority is delegated to the Executive Director, Chairman of the Board, Secretary/Treasurer, a combination thereof, or remains with the Board;
 6. Whether the Chairman of the Board, Secretary/Treasurer, or other Board member, in conjunction with the Executive Director, has the authority to sign the contract on behalf of the Board.
- Initiate Service Provider Selection:
 1. Contracts for professional and personal services may be awarded without the necessity of competitive bidding or competitive negotiation (La. R.S. 39:1494, 1620). However, when determining the most qualified service provider, the Executive Director shall utilize the following criteria in the following order (La. R.S. 39:1600. E.):
 - a) Professional and technical competence;
 - b) Technical merits of the proposal(s);
 - c) Compensation for which services are to be rendered, including fees.
 2. Consulting Services (La. R.S. 39:1621):
 - a) Contracts with a total maximum amount of compensation less than \$50,000 for a twelve-month period may be awarded without the necessity of competitive bidding or competitive negotiation.
 - b) Contracts with a total maximum amount of compensation of \$50,000 or more for a twelve-month period shall be awarded through a request for proposal process (RFP process).
 3. Contracts for telecommunications and data processing services shall be awarded through a request for proposal process (RFP process) in accordance with La. R.S. 38:2234.
 4. Request for proposal process is found in La. R.S. 39:1595. B., attached hereto as attachment "A".

- Draft the proposed contract in accordance with La. R.S. 39:1625, attached hereto as attachment “B”. In addition to those provisions outlined in La. R.S. 39:1625, contracts shall address the following:
 1. Travel requirements – PPM 49 (OR) Travel included in cost

Before any contract can be executed, the contract must be:

1. Reviewed by legal counsel and recommended for approval in writing;
2. Presented to the Board for approval and documented in the minutes.

Upon approval by the Board, the contract shall be signed by the Executive Director, one Board member (as outlined in the authorizing resolution), service provider, and two witnesses. The signed contract must be submitted for approval by outside agencies as follows:

- Legal Services – Attorney General and Office of General Counsel (La. R.S. 49:258)
- Financial Auditing Services – Legislative Auditor
- Telecommunication and Data Processing Services – Office of Telecommunications Management (La. R.S. 39:1753)

Existing Contracts

Upon entering into a contract, the Executive Director shall be responsible for the diligent administration and monitoring of the contract. Diligent administration and monitoring of contracts includes, but is not limited to:

1. Monitor payments to ensure they are made in accordance with the terms and conditions of the contract and in a timely manner as required by the Louisiana Constitution. Note, the Director of Operations is responsible for the administrative work to make the payment in a timely manner;
2. Ensure that services received comply with the terms and conditions of the contract;
3. Maintain all documentation pertaining to contracts in a secure location in the Board office in an organized manner; and
4. Conduct performance evaluations in a manner and at a frequency as determined by the Board unless otherwise prescribed by law.

Contract Renewals

Upon expiration of a contract, the Executive Director shall compare the services that have been provided to the contract terms and also shall perform a cost/benefit analysis to determine if renewing that contract is in the Board’s best interest.

POLICY

PURCHASING AND DISBURSEMENTS

Original Date: October 10, 2018

POLICY

The policies of the Louisiana Physical Therapy Board (“Board”) with regard to purchasing and disbursements are:

6. To comply with all applicable provisions of the Louisiana Procurement Code (La. R.S. 39:1551 *et seq.*), the Office of State Procurement Rules and Regulations, Executive Orders including Executive Order No. JBE 2017-18, and all other applicable laws.
7. To provide for increased public confidence in the procedures followed by the Board.
8. To ensure that when procuring goods and services such goods and services are obtained in a cost-effective manner and are the most appropriate to accomplish the necessary objectives.
9. To implement and monitor controls and safeguards for procurement of goods and services and disbursement of funds.

PURCHASING AND DISTRIBUTION

Unless listed in the “Special Commodities” section herein, purchases and disbursements shall be made in accordance with Executive Order No. JBE 2017 – 18, attached hereto as Attachment “A”. In addition to all lawful requirements:

1. The Executive Director has the authority to approve and make purchases and disbursements not exceeding \$2,500 and within the approved Board budget.
2. Purchases and distributions between \$2,501.00 to \$5,000.00 require approval by the Chairman and Treasurer/Secretary of the Board when within the Board budget.
3. Purchases and distributions between \$5,001.00 and \$25,000.00 require a Board resolution authorizing such purchase or distribution.
4. For purchases and distributions in excess of \$25,000.00, a competitive process must be utilized. When the board has a definitive need, competitive sealed bid (ITB) process in accordance with La. R.S. 39:1594 and Rules and Regulations Section 5 must be utilized. When the Board needs to procure hi-tech acquisitions or complex services, a Request for Proposal (RFP) is utilized in accordance with La. R.S. 39:1595. A Board resolution authorizing such action is required prior to such action being initiated.

Disbursements may be made by a paper check, the Board’s business credit card, online payment, or by using the automatic bill pay feature through on online bank portal. Cash payments are prohibited. Signatory authority for paper checks is as follows:

1. The Executive Director has the authority to sign paper checks for amounts not exceeding \$2,500.00.
2. Either the Chairman of the Board or the Treasurer/Secretary has the authority to sign paper checks for amounts \$2,501.00 and greater in accordance with the procedure as provided above.

SPECIAL COMMODITIES

The following are not included in Executive Order JBE 2017 – 2018. Accordingly, these categories are governed by different laws as follows:

1. Telecommunications – La. R.S. 39:1751-1755
2. Information Technology – La. R.S. 39:196 - 200
3. Printing – PPM No. 64, attachment “B”; La. R.S. 43.1 - 34
4. Labor and material project purchase \$5,000 or more
5. Vehicles
6. Elevator Maintenance
7. Used Equipment

EMERGENCY PROCUREMENTS

The Executive Director may make or may authorize others to make emergency procurements when there exists an imminent threat to the public health, welfare, safety, or public property under emergency conditions as defined in accordance the La R.S. 39:1598 of the Louisiana Procurement Code.

The Executive Director shall make a written determination of the basis of the emergency that includes the facts and circumstances leading to the conclusion that such procurement was necessary as well as a written determination detailing the steps taken prior to selecting a particular contractor and the basis for the final selection. The written determination shall be included in the contract file either prior to contracting or as soon thereafter as practicable (La R.S. 39:1598.C). In addition, a record of the name and telephone number of each contractor, the amount and type of each emergency purchase, a listing of the supplies, services, or major repairs procured, and the authorization number of each contract shall be maintained in the file. At the next regularly scheduled Board meeting, the Executive Director shall present the Board with all information related to the emergency procurement for review and ratification. The record of emergency purchases for the previous fiscal year shall be submitted to the Legislature at the beginning of the Legislative session. Contact Office of State Procurement for direction.

PROHIBITIONS

The Board shall not artificially divide purchases within a cost center to avoid the competitive p

Louisiana Physical Therapy Board

POLICY

CONTRACTING FOR SERVICES

Original Date: October 10, 2018

POLICY

The policies of the Louisiana Physical Therapy Board (“Board”) with regard to contracting for services are:

1. To comply with all applicable provisions of the Louisiana Procurement Code (La. R.S. 39:1551 *et seq.*), the Louisiana Administrative Code Title 34, Part V, and all other applicable laws.
2. To provide for increased public confidence in the procedures followed by the Board.
3. To ensure the fair and equitable treatment of all persons who deal with the Board.
4. To ensure that contracts for services provide quality services to accomplish Board objectives in a cost-effective manner.
5. To implement and monitor controls and safeguards over contracts for services.

SCOPE & STRUCTURE

Contracting for services is essential to ensure that the Board is able to fulfill its legislative mandate under La. R.S. 37:2402 to protect the public health, safety, and welfare and to provide for state administrative control, supervision, licensing, and regulation of the practice of physical therapy. To ensure fiscal responsibility for the expenditure of public funds, the Board shall conduct a cost/benefit analysis to determine those services that can be provided by Board staff and those services, professional or otherwise, that require contracts with third-parties. The cost/benefit analysis shall also analyze whether contracting for services is the most cost efficient manner for accomplishing the Board’s objectives. Only after the cost/benefit analysis establishes a need to enter into a contract with a service provider should the Board proceed.

DEFINITIONS

“Competitive Negotiation” means to negotiate for a contract through a request for proposals process or any other similar competitive selection process [La. R.S. 39:1556 (8)].

“Consulting services” include, but are not limited to, management, finance (banking services), planning, data processing (IT), advertising, public relations, personnel, accounting [La. R.S. 39:1556 (10)].

“Negotiation” means the formulation of a contract through discussions [La. R.S. 39:1556 (34)].

“Personal services” include, but are not limited to, photographer, writer, handwriting analyst, court reporter, expert witness, and private investigator [La. R.S. 39:1556 (37)].

“Professional Services” include, but are not limited to, lawyers, architects, engineers, land surveyors, landscape architects, and accountants [La. R.S. 39:1556(42)].

“Requests for Proposals” means all documents, whether attached or incorporated by reference, utilized for soliciting proposals in accordance with the procedures set forth in La. R.S. 39:1595 of the Louisiana Procurement Code.

PROCEDURE:

For contracts for consulting services, personal services, and professional services, the Executive Director shall:

- Enforce restrictions of contracts as follows:
 1. with parties related to Board members, Advisory Committee Members, and Board staff (family and business interests);
 2. with current state employees [La. R.S. 39:1624. A (4)];
 3. with contractors not current with the filing of all applicable tax returns and reports, and in payment of all taxes, interest, penalties, and fees owed [La. R.S. 39:1624. A. (10)];
 4. For the performance of tasks which would be substantially duplicated without appropriate written justification [La. R.S. 39:1624. A. (5)].
- Request a Resolution from the Board authorizing the Executive Director to initiate a search for necessary service vendors. Such Resolution at a minimum shall contain:
 1. A description of the services needed by the Board;
 2. Required qualifications of the necessary service provider;
 3. A monetary range providing the minimum and maximum compensation amounts for contracted services;
 4. The desired start date and term of the contract;
 5. Whether hiring/contracting authority is delegated to the Executive Director, Chairman of the Board, Secretary/Treasurer, a combination thereof, or remains with the Board;
 6. Whether the Chairman of the Board, Secretary/Treasurer, or other Board member, in conjunction with the Executive Director, has the authority to sign the contract on behalf of the Board.
- Initiate Service Provider Selection:
 1. Contracts for professional and personal services may be awarded without the necessity of competitive bidding or competitive negotiation (La. R.S. 39:1494, 1620). However, when determining the most qualified service provider, the Executive Director shall utilize the following criteria in the following order (La. R.S. 39:1600. E.):
 - a) Professional and technical competence;
 - b) Technical merits of the proposal(s);

- c) Compensation for which services are to be rendered, including fees.
- 2. Consulting Services (La. R.S. 39:1621):
 - a) Contracts with a total maximum amount of compensation less than \$50,000 for a twelve-month period may be awarded without the necessity of competitive bidding or competitive negotiation.
 - b) Contracts with a total maximum amount of compensation of \$50,000 or more for a twelve-month period shall be awarded through a request for proposal process (RFP process).
- 3. Contracts for telecommunications and data processing services shall be awarded through a request for proposal process (RFP process) in accordance with La. R.S. 38:2234.
- 4. Request for proposal process is found in La. R.S. 39:1595. B., attached hereto as attachment "A".
- Draft the proposed contract in accordance with La. R.S. 39:1625, attached hereto as attachment "B". In addition to those provisions outlined in La. R.S. 39:1625, contracts shall address the following:
 - 1. Travel requirements – PPM 49 (OR) Travel included in cost

Before any contract can be executed, the contract must be:

1. Reviewed by legal counsel and recommended for approval in writing;
2. Presented to the Board for approval and documented in the minutes.

Upon approval by the Board, the contract shall be signed by the Executive Director, one Board member (as outlined in the authorizing resolution), service provider, and two witnesses. The signed contract must be submitted for approval by outside agencies as follows:

- Legal Services – Attorney General and Office of General Counsel (La. R.S. 49:258)
- Financial Auditing Services – Legislative Auditor
- Telecommunication and Data Processing Services – Office of Telecommunications Management (La. R.S. 39:1753)

Existing Contracts

Upon entering into a contract, the Executive Director shall be responsible for the diligent administration and monitoring of the contract. Diligent administration and monitoring of contracts includes, but is not limited to:

1. Monitor payments to ensure they are made in accordance with the terms and conditions of the contract and in a timely manner as required by the Louisiana Constitution. Note, the Director of Operations is responsible for the administrative work to make the payment in a timely manner;
2. Ensure that services received comply with the terms and conditions of the contract;

3. Maintain all documentation pertaining to contracts in a secure location in the Board office in an organized manner; and
4. Conduct performance evaluations in a manner and at a frequency as determined by the Board unless otherwise prescribed by law.

Contract Renewals

Upon expiration of a contract, the Executive Director shall compare the services that have been provided to the contract terms and also shall perform a cost/benefit analysis to determine if renewing that contract is in the Board's best interest.

Louisiana Physical Therapy Board

POLICY

PURCHASING AND DISBURSEMENTS

Original Date: October 10, 2018

POLICY

The policies of the Louisiana Physical Therapy Board (“Board”) with regard to purchasing and disbursements are:

1. To comply with all applicable provisions of the Louisiana Procurement Code (La. R.S. 39:1551 *et seq.*), the Office of State Procurement Rules and Regulations, Executive Orders including Executive Order No. JBE 2017-18, and all other applicable laws.
2. To provide for increased public confidence in the procedures followed by the Board.
3. To ensure that when procuring goods and services such goods and services are obtained in a cost-effective manner and are the most appropriate to accomplish the necessary objectives.
4. To implement and monitor controls and safeguards for procurement of goods and services and disbursement of funds.

PURCHASING AND DISTRIBUTION

Unless listed in the “Special Commodities” section herein, purchases and disbursements shall be made in accordance with Executive Order No. JBE 2017 – 18, attached hereto as Attachment “A”. In addition to all lawful requirements:

1. The Executive Director has the authority to approve and make purchases and disbursements not exceeding \$2,500 and within the approved Board budget.
2. Purchases and distributions between \$2,501.00 to \$5,000.00 require approval by the Chairman and Treasurer/Secretary of the Board when within the Board budget.
3. Purchases and distributions between \$5,001.00 and \$25,000.00 require a Board resolution authorizing such purchase or distribution.
4. For purchases and distributions in excess of \$25,000.00, a competitive process must be utilized. When the board has a definitive need, competitive sealed bid (ITB) process in accordance with La. R.S. 39:1594 and Rules and Regulations Section 5 must be utilized. When the Board needs to procure hi-tech acquisitions or complex services, a Request for Proposal (RFP) is utilized in accordance with La. R.S. 39:1595. A Board resolution authorizing such action is required prior to such action being initiated.

Disbursements may be made by a paper check, the Board’s business credit card, online payment, or by using the automatic bill pay feature through on online bank portal. Cash payments are prohibited. Signatory authority for paper checks is as follows:

1. The Executive Director has the authority to sign paper checks for amounts not exceeding \$2,500.00.
2. Either the Chairman of the Board or the Treasurer/Secretary has the authority to sign paper checks for amounts \$2,501.00 and greater in accordance with the procedure as provided above.

SPECIAL COMMODITIES

The following are not included in Executive Order JBE 2017 – 2018. Accordingly, these categories are governed by different laws as follows:

1. Telecommunications – La. R.S. 39:1751-1755
2. Information Technology – La. R.S. 39:196 - 200
3. Printing – PPM No. 64, attachment “B”; La. R.S. 43.1 - 34
4. Labor and material project purchase \$5,000 or more
5. Vehicles
6. Elevator Maintenance
7. Used Equipment

EMERGENCY PROCUREMENTS

The Executive Director may make or may authorize others to make emergency procurements when there exists an imminent threat to the public health, welfare, safety, or public property under emergency conditions as defined in accordance the La R.S. 39:1598 of the Louisiana Procurement Code.

The Executive Director shall make a written determination of the basis of the emergency that includes the facts and circumstances leading to the conclusion that such procurement was necessary as well as a written determination detailing the steps taken prior to selecting a particular contractor and the basis for the final selection. The written determination shall be included in the contract file either prior to contracting or as soon thereafter as practicable (La R.S. 39:1598.C). In addition, a record of the name and telephone number of each contractor, the amount and type of each emergency purchase, a listing of the supplies, services, or major repairs procured, and the authorization number of each contract shall be maintained in the file. At the next regularly scheduled Board meeting, the Executive Director shall present the Board with all information related to the emergency procurement for review and ratification. The record of emergency purchases for the previous fiscal year shall be submitted to the Legislature at the beginning of the Legislative session. Contact Office of State Procurement for direction.

PROHIBITIONS

The Board shall not artificially divide purchases within a cost center to avoid the competitive process.



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

AGENDA
Regular Scheduled Board Meeting
December 5, 2018

- 1:00 pm** **Call to Order**
Approve Agenda*
Approve Minutes*
- 1:05 pm** **Special Programs**
Office of Risk Management
- 2:00 pm** **Officer Reports***
Chairman's Report
Secretary/Treasurer's Report
Executive Director's Report
- 3:00 pm** **Committee Reports***
Continuing Education Committee
Jurisprudence Exam Review Committee
- 3:10 pm** **Legal Report***
Board Training: Anti-Trust
Update: Kevin Bias Appeal Decision
- 4:00 pm** **Old Business***
License Renewal Application – Review of current questions on application.
- 4:30 pm** **New Business***
2019 Advisory Committee Member Appointments
- 5:00 pm** **Executive Session**
Discuss sensitive information related to discipline and attorney client privileged information.
- 6:00 pm** **Adjourn**

*Public Comment. Public comment is requested prior to each vote (La. R.S. 42:14)n A public comment period shall be held during each board meeting. Persons desiring to present comments shall notify the executive director of the board prior to the beginning of the meeting. However, to assure that an opportunity is afforded to all persons who desire to make comments, the chairman shall inquire at the beginning of the meeting if there are additional persons present who wish to comment. The chairman shall allot the time available for the public comments in an equitable manner among those persons desiring to comment. Each person making public comments shall identify himself and the group, organization, company, or entity he represents, if any. (Louisiana Physical Therapy Board Rule §105.H.)

Individuals, licensees and applicants may file a complaint about board actions or procedures by submitting such complaints to one or more of the following organizations: La Physical Therapy Board, 104 Fairlane Drive, Lafayette, LA 70507; 337-262-1043; info@laptboard.org; Committee on House & Governmental Affairs; La House of Representatives, P.O. Box 44486, Baton Rouge, LA 70804; 225-342-2403; h&ga@legis.la.gov; Committee on Senate & Governmental Affairs; La Senate, P.O. Box 94183, Baton Rouge, LA 70804; 225-342-9845; s&g@legis.la.gov

MINUTES
Regular Scheduled Board Meeting
December 5, 2018

APPROVED

Proceedings for the Louisiana Physical Therapy Board, taken in regular session on December 5, 2018 at 104 Fairlane Drive, Lafayette, LA 70507. A quorum of members were present. Board members present were: Chairman Julie Ann Harris, Secretary/Treasurer, Karl Kleinpeter, and board members Craig Prejean, Kathryn Brittain, Judith Halverson, and Phillip Page. Advisory Committee Members present were Nick Butler and Jeremy Dye. Charlotte Martin, Executive Director; board attorneys, Courtney P. Newton, George Papale, and Stephanie Boudreaux, Compliance Officer, Jessica Alwell, Assistant Executive Director were present. Public members present were Kristy Breaux and Mark Joseph from the Office of Risk Management and Taylor McLellan, PT Student.

Chairman Harris called the meeting to order at 1:00 pm.

The board reviewed the agenda. The board members voted and unanimously approved the agenda as written.

The board members reviewed the October Minutes for the Regular Scheduled board meeting. Craig Pejean moved to approve the minutes as written. Phillip Page seconded the motion. The board voted and unanimously approved the minutes.

The board members reviewed the October Minutes from the meeting held at the FSBPT Annual Meeting. Craig Prejean moved to approve the minutes as written. Phillip Page seconded the motion. The board voted and unanimously approved the minutes.

SPECIAL PROGRAM

The board participated in a training from Office of Risk Management regarding insurance coverage for the Louisiana Physical Therapy Board.

OFFICER REPORTS

Chairman Report

Chairman Harris presented the option to suspend the use of the background check affidavit in the licensing process. Phillip Page moved to suspend the use of the background check affidavit as an approval mechanism for licensing applicants while the FBI/State background check report is pending. Judith Halverson seconded the motion. Julie Ann Harris, Karl Kleinpeter, Craig Prejean, Judith Halverson, and Phillip Page were in favor. Kathryn Brittain abstained. The motion was approved by majority vote.

Chairman Harris presented information to the board regarding the board's mailing list and asked Courtney Newton for an updated legal analysis of the mailing list.

Treasurer's Report

Secretary/Treasurer Kleinpeter presented on September 2018 financials. As of September 30, 2018, cash in the bank totaled \$206,033.97 in the checking and savings accounts at Farmer's Merchant Bank. Total Income totaled \$20,000.00 and ordinary expenses totaled \$58,988.48.

The Certificates of Deposit at Business First Bank totaled \$1,002,249.62.

CD #054 earned interest of \$474.11 in September. The ending balance as of 9/30/2018 was \$485,877.22. CD #111 earned \$143.56 interest in September. The ending balance as of 9/30 was \$516,372.40.

Mrs. Martin and Secretary/Treasurer Kleinpeter presented an investment option for CD #111. Judith Halverson motioned to invest the maturing CD #111 at the amount of maturity minus the \$30,000 approved for the moving expenses in to a CD for a duration of no more than 12 months in a state approved financial institution offering the best interest rate as determined by the Executive Director, Secretary/Treasurer, and Chairman and to authorize the Executive Director, Secretary/Treasurer and Chairman to be designated signatories on the CD account at the financial institution. Secretary/Treasurer Kleinpeter seconded the motion. The board voted and unanimously approved the investment option.

Executive Director Report

Mrs. Martin reported that 38 license applications were approved since the last board meeting from October 18, 2018 to November 30, 2018.

Mrs. Martin reported that there are 12 open investigations, 11 open on licensees and 1 open on a non-licensee Since the last board meeting from October 18, 2018. Since the last board meeting, 2 complaints have been received, 1 informal conference held, 1 hearing scheduled, 1 appeal, 2 proposed consent orders/voluntary surrenders, and 3 cases closed.

Mrs. Martin presented an applicant for licensure's ADA request to the board. The board reviewed the request. Phillip Page moved to approve the applicant's ADA request as written. Craig Prejean seconded the motion. The board voted and unanimously approved the request.

Mrs. Martin presented the board with an alternate approval process for future applicants for licensure to request ADA accommodations for taking the NPTE. The board reviewed the recommendation and requested additional information to discuss at the next regularly scheduled board meeting.

Mrs. Martin presented revisions to the licensing policy and procedure. The board discussed and requested the topic be added to old business at the next regularly scheduled board meeting.

Mrs. Martin presented a request from a license reinstatement applicant an extension to complete a evaluation. Judith Halverson moved to allow the extension as requested to be completed no later than April 30, 2019. Phillip Page seconded the motion. The board unanimously approved the extension.

COMMITTEE REPORTS

CEU Committee:

The CEU Committee reported that 131 courses were reviewed since the last board meeting and all 131 courses were approved. Of the 131 courses approved, 52 courses were traditional/on-side and 76 were web-based courses. Of the 131 courses approved, 120 were clinical in nature, 9 were administrative in nature, and 2 were ethics in nature. The average turn-around time for approval was 4 days.

Jurisprudence Exam Review Committee

Chairman Harris updated the board on the current status of the plan to revise the new Jurisprudence exam questions.

LEGAL REPORT

Mr. Papale updated the board on the status of an appeal to the court decision regarding Kevin Bias.

Mrs. Newton provided the board members with a board member development training on the topic of Anti-Trust.

OLD BUSINESS

Mrs. Martin presented the board with revised Board Action Guidelines. The board discussed and requested to move the topic to the next board meeting to allow for more time to review and discuss.

NEW BUSINESS

Mrs. Martin requested the board vote on candidates for the 2019 Advisory Committee. The board reviewed the recommended candidates. Phillip Page moved to appoint Marie Vazquez and Shaina Goudeau to the Advisory Committee for a two-year term beginning in January 2019. Craig Prejean seconded the motion. The board voted and unanimously appointed both candidates.

Phillip Page moved to move into Executive Session pursuant to La R.S. 42:16 for the purposes of discussing investigating proceedings regarding allegations of misconduct. Judith Halverson seconded the motion. The board members were all in favor to move into Executive Session.

Phillip Page moved to exit Executive Session. Karl Kleinpeter seconded the motion. The board exited Executive Session.

Karl Kleinpeter moved to accept the evaluation report, evaluator recommendations, and suspension completion documents for Edwin Salutillo. Phillip Page seconded the motion. The board voted and unanimously accepted the documents.

Phillip Page moved to approve office staff to change Edwin Salutillo's (Case 2017-I-038) license status from suspended to probation effective December 12, 2018. Judith Halverson seconded the motion. The board voted and unanimously agreed.

Judith Halverson moved to accept the voluntary surrender of a license for Mark Loflin (Case 2018-I-010). Phillip Page seconded the motion. The board voted and unanimously agreed to accept the voluntary surrender.

Phillip Page moved accepted the consent order for Philippe Veeters (Case 2018-I-014). Craig Prejean seconded the motion. The board voted an unanimously accepted the consent order.

PUBLIC COMMENT

No public comment.

Karl Kleinpeter moved to adjourn the meeting. Phillip Page seconded the motion. The board meeting was adjourned at 6:12pm.