



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

**AGENDA**  
**Regular Scheduled Board Meeting**  
**January 31, 2019**

- 11:30 am**      **Call to Order**  
Approve Agenda\*  
Approve Minutes\*
- 11:40 am**      **Executive Session**  
Discuss sensitive information related to discipline and attorney client privileged information.
- 1:00 pm**        **Special Program:** Adam Lafleur's petition
- 1:15 pm**        **Officer Reports\***  
Executive Director's Report  
Chairman's Report  
Secretary/Treasurer's Report
- 1:50 pm**        **Legal Report\***  
Legal Updates  
Board Training: Administrative Hearings
- 2:50 pm**        **Committee Reports\***  
Continuing Education Committee  
JP Exam Review Committee
- 3:00 pm**        **Old Business\***
- 5:00 pm**        **New Business\***  
Correspondences  
Officer elections  
Committee re-elections  
Rule change considerations
- 6:30 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 31, 2019

### APPROVED

Proceedings for the Louisiana Physical Therapy Board, taken in regular session on January 31, 2019 at 2110 W Pinhook Road, Suite 202, Lafayette, LA 70508. 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, Dr. Meredith Warner, and Melissa Cox. Advisory Committee Members present were Chris Franks, Tyra Mitchell, Marie Vazquez, and Shaina Goudeau. Charlotte Martin, Executive Director, Jessica Alwell, Assistance Executive Director, Stephanie Boudreaux, Compliance Officer, and board attorneys, Courtney P. Newton and George Papale were present.

Chairman Harris called the meeting to order at 11:29 am.

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

The board members reviewed the December Minutes. Secretary/Treasurer Kleinpeter moved to approve the minutes as written. Kathryn Brittain seconded the motion. The board voted and unanimously approved the minutes.

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

Chairman Harris moved to exit Executive Session. Dr. Warner seconded the motion. The board members were all in favor of exiting Executive Session.

Dr. Warner moved to approve Mr. Vishesh Singh's request to use the credentials 'BPT' behind his name with the stipulation that he must also include the disclaimer 'Not Licensed PT in Louisiana'. Kathryn Brittain seconded the motion. The board voted and unanimously approved.

Judith Halverson moved to accept the RPTP Handbook with no changes. Dr. Warner seconded the motion. The board voted and unanimously accepted the handbook.

Kathryn Brittain moved to authorize the board staff to move Pamala Hoffman from probation to active status. Craig Prejean seconded the motion. The board voted and unanimously approved.

After considering Adam Lafleur's request to modify the probation termination date of his Second Amending Consent Order and computation of time worked as a PT to remain in compliance with Paragraph F of the Second Amending Consent Order, the Louisiana Physical Therapy Board moves as follows: (1) that his probationary period terminate not before September 27, 2020 as specified in the Second Amending Consent Order; and that beginning January 31, 2019 Mr. Lafleur shall be deemed in compliance with Paragraph F of the Second Amending Consent Order for all weeks of any month during which Mr. Lafleur works as a PT, paid or unpaid, for a minimum of 80 hours that month. Craig Prejean moved to accept. Kathryn Brittain seconded the motion. The board voted and unanimously approved.

## **OFFICER REPORTS**

### Chairman Report

There was no report from the chairman at the January meeting.

### Executive Director Report

Mrs. Martin made a recommendation to the board to no longer require applicants for licensure send in a Certificate of Dean in order to be licensed in the state of Louisiana, instead relying on the applicants complete and official transcript from their educational institution. Dr. Warner motioned to accept the recommendation. Kathryn Brittain seconded the motion. The board voted and unanimously approved.

Mrs. Martin recommended that the board host a booth at the LPTA Spring meeting for 2019. Chairman Harris moved to approve this recommendation. Secretary/Treasurer Kleinpeter seconded the motion. The board voted and unanimously approved.

Mrs. Martin made a recommendation to the board to allow two staff members and a Board and Advisory Committee member host a Career Connections Booth here in Lafayette on February 19, 2019. Kathryn Brittain motioned to approved the recommendation. Chairman Harris seconded the motion. The board voted and unanimously approved.

Mrs. Martin reported that 25 license applications were approved since the last board meeting from December 3, 2018 to January 16, 2019.

For the upcoming license renewal period, Mrs. Martin reported that there are 2,367 licensees eligible for renewal. Four notices of non-renewal have been received.

Mrs. Martin reported that the board's Self-Evaluation Report was submitted to the state on January 15, 2019.

Mrs. Martin reported that there are 400 licensee records to review prior to moving forward with the next step with the Compact.

Mrs. Martin reported that the office move came in over \$5,000 under budget.

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

Currently Open (Licensees)	11
Currently Open (Non-Licensees)	2
Complaints Received	5
Informal Conferences	1
Hearings Scheduled	1
Appeals	1
Proposed Consent Order	1
<u>Closed Cases</u>	<u>2</u>
<b>Total Open Investigations:</b>	<b>13</b>

### Treasurer's Report

Secretary/Treasurer Kleinpeter presented on October and November 2018 financials. As of October 31, 2018, cash in the bank totaled \$168,671.23 in the checking and savings accounts at Farmer's Merchant Bank. Total Income was \$41,383.51 and ordinary expenses totaled \$77,554.69.

The Certificates of Deposit at Business First Bank totaled \$1,003,027.22. CD #111 ending balance was \$516,372.40 and earned \$318.33 in interest at 0.75% rate and will mature 12/09/2018. CD #054 ending balance was \$486,336.49 and earned \$459.27 in interest at a 1.150% interest rate and will mature on 05/25/2019.

As of November 30, 2018, cash in the bank totaled \$137,979.25 in the checking and savings accounts at Farmer's Merchant Bank. Total Income was \$24,047 and ordinary expenses totaled \$59,216.83.

The Certificates of Deposit at Business First Bank totaled \$1,003,831.38. CD #111 ending balance was \$517,019.87 and earned \$329.14 in interest at 0.75% rate and will mature 12/09/2018. CD #054 ending balance was \$486,811.51 and earned \$475.02 in interest at a 1.150% interest rate and will mature on 05/25/2019.

Secretary/Treasurer Kleinpeter introduced a discussion regarding proper utilization and consistency in board members filing for a per diem for work conducted for the board.

## **LEGAL REPORT**

Mrs. Newton provide the board with training regarding the hearing process.

## **COMMITTEE REPORTS**

### CEU Committee:

The CEU Committee reported that 163 courses were reviewed since the last board meeting and all 163 courses were approved. Of the 163 courses approved, 61 courses were traditional/on-side, 100 were web-based courses, and 2 were hybrid courses. Of the 163 courses approved, 151 were clinical in nature, 9 was administrative in nature, and 3 were ethics in nature. The average turn-around time for approval was 4 days.

### Jurisprudence Exam Review Committee

The Jurisprudence Exam Review Committee presented a timeline to the board regarding the ongoing work to update the test which is offered online to licensees for continuing education.

## **OLD BUSINESS**

The board reviewed a policy and procedure document in guide board and staff in licensing applicants with a criminal history. Chairman moved to accept the policy and procedure document as is. Craig Prejean seconded the motion. The board voted an unanimously accepted the policy and procedure document.

The board reviewed the Board Action Guidelines document.

## **NEW BUSINESS**

The board reviewed a CEU exemption request from Lynn Johnson for the 2019 renewal period. Dr. Warner motioned to deny the request for CEU exemption. Kathryn Brittain seconded the motion. The board voted and Secretary/Treasurer Kleinpeter abstained, the remaining members of the board all voted yay. Upon review, the board decided to deny the request for exemption to the continuing education requirements due to the fact that the licensee was granted an exemption from CEUs during the last renewal period and because the licensee was practicing approximately 5 hours per week for which the board determined that completion of CEUs would be important to maintain professional competence.

Mrs. Martin informed the board of the state's new procedure for updating professional rules. The board reviewed the Rules Change Consideration document. Chairman Harris moved to accept the Rules Change Consideration. Dr. Warner seconded the motion. The board voted an unanimously accepted the consideration.

The board reviewed a correspondence from Woody Norsworthy, PT regarding the use of CBD products or Hemp derivatives in the clinic setting. The board discussed the question and provided that 0-0.3% THC is legal and that the usage meets the definition in the FARM bill, CBD products and Hemp derivatives may be used.

The board reviewed a correspondence from Brenda Goode, RN, DON regarding a PTA taking orders from a MD. The board discussed and agreed that it is appropriate for a PTA to take orders from a MD but that the PTA should at least notify the PT of the patient's change in status and the MD's orders.

Kathryn Brittain presented the board with information regarding the state's stance on the nationally recognized opioid epidemic. Chairman Harris moved to form a committee to pursue initiatives in order to address the opioid crisis. Dr. Warner seconded the motion. The board voted and unanimously agreed to form the Opioid Alternative Committee.

The board discussed a question regarding licensees taking dry needling courses prior to the rules revision of Rule §311 which removed the two years of practice requirement prior to undertaking education. The board decided to take no action against any licensee who may have taken any dry needling courses prior to the rule change and without two years of licensed practice.

The board held elections for the positions of chairman and secretary/treasurer. The board voted unanimously for Julie Ann Harris to continue as chairman and for Karl Kleinpeter to continue as secretary/treasurer.

For 2019, the board appointed Judith Halverson and Craig Prejean to the Continuing Education Committee, Karl Kleinpeter, Phillip Page, and Julie Ann Harris to the Legislative Task Force, and Katie Brittain, Dr. Warner, and Melissa Cox to the Opioid Alternative Committee.

## **PUBLIC COMMENT**

No public comment.

Judith Halverson moved to adjourn the meeting. Craig Prejean seconded the motion. The board voted and unanimously approved. The board meeting was adjourned at 5:38pm.

JOHN BEL EDWARDS  
GOVERNOR



CHARLOTTE F. MARTIN, M.P.A.  
EXECUTIVE DIRECTOR

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

**AGENDA**  
**Regular Scheduled Board Meeting**  
**February 28, 2019**

**8:30 am**      **Call to Order**

**9:00am**      **Hearing for Sasha Comeaux, Case# 2018-I-009**

**\*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 15 – 16, 2019

### APPROVED

Proceedings for the Louisiana Physical Therapy Board, taken in regular session on March 15 and 16, 2019 at the Louisiana Immersive Technologies Enterprise (LITE) Center, 537 Cajundome Blvd, Lafayette, LA 70506. A quorum of members were present. Board members present were: Chairman Julie Ann Harris, Secretary/Treasurer, Karl Kleinpeter, and board members Judith Halverson, Phil Page, Kathryn “Katie” Brittain, Craig Prejean, and Dr. Meredith Warner. Advisory Committee Members present were Tyra Mitchell on both days and Chris Franks on March 16<sup>th</sup> only. Charlotte Martin, Executive Director; Jessica Alwell, Assistant Executive Director; Danielle Linzer, Licensing Analyst; and Stephanie Boudreaux, Compliance Officer were present.

Chairman Julie Ann Harris called the meeting to order at 2:00 pm.

The board members unanimously approved the agenda as written.

The board members reviewed the minutes from the January board meeting. Craig Prejean moved to approve the minutes with one typographical correction. Phil Page seconded the motion. The board voted and unanimously approved the minutes.

Secretary/Treasurer 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.

Secretary/Treasurer Karl Kleinpeter moved to remove the language, “Respondent shall not provide physical therapy treatment to anyone under the age of eighteen (18)” from the Board Order draft for licensee Sacha Comeaux. Judith Halverson seconded the motion. The board members (Phil Page, Craig Prejean and Katie Brittain) voted unanimously in favor of the edit.

Phil Page moved to approve the Board Order draft for licensee Sacha Comeaux with changes discussed during Executive Session, which resulted from the administrative hearing held on February 28, 2019. Judith Halverson seconded the motion. The board members (Secretary/Treasurer Karl Kleinpeter, Craig Prejean and Katie Brittain) voted unanimously to approve the order.

### **MINIMUM DATA SET**

Phil Page provided a presentation to the Board regarding the Physical Therapy Minimum Data Set (PTMDS). The PTMDS is consistent set of data elements to be collected on all licensees at regular intervals in order to understand workforce needs related to access to healthcare. A set of questions is recommended by the Federation of State Boards of Physical Therapy (FSBPT) for use by all jurisdiction physical therapy licensing boards for consistency when comparing data regionally and nationally. If FSBPT administers the survey questionnaire, there is no cost to the LPTB at this time for implementation and the FSBPT provides raw data to the LPTB that can be used to run reports or share data with other agencies. The board also considered what other states are currently collecting this

data and discussed the benefits of having a consistent survey questionnaire amongst jurisdictions when comparing workforce data.

The board determined that the collection of information is a regulatory concern because the public should have easy access to information related to physical therapy workforce in Louisiana and the LPTB should have the ability to answer workforce related questions posed by public, policy makers, etc. regarding workplace settings, geographic location, and shortages within the profession. It was determined that the LPTB is the most appropriate organization to collect this information because the licensing board has the best access to information related to physical therapists and physical therapist assistants.

No public comment.

Phil Page moved to partner with the FSBPT to implement the PTMDS in Louisiana as a voluntary survey to be completed anonymously by licensees. Katie Brittain seconded the motion. The board voted an unanimously approved.

Katie Brittain offered to update the Louisiana Physical Therapy Association on the Board's plan to implement the PTMDS, provide the purpose for collecting the data and answer any questions from the Association.

The board discussed requesting to the legislature to add the following language to the Practice Act (La. R.S. 37:2405.B.): *Have the authority to determine and collect, at the time of new licensure and licensure renewal, a core set of data elements deemed necessary for the purpose of workforce planning. The data elements shall be used to create and maintain a health care workforce database. The Board may enter into agreements with a private or public entity to establish and maintain the database, perform data analysis, and/or prepare reports concerning the physical therapy workforce. The Board shall promulgate rules to perform duties pursuant to this act.* The board requested the Katie Brittain initiate the discussion with legislators and report to the legislative task force prior to and during the 2019 legislative session.

No public comment.

### **EDUCATION AND OUTREACH: OPIOID PREVENTION**

Katie Brittain provided a presentation to the board regarding an Opioid initiative of the Board. The board members reviewed current initiatives and recommendations in Louisiana, as well as American Physical Therapy Association recommendations.

The board determined that the Opioid Committee of the Board should propose one or two initiatives at the next board meeting and consider what type of education and outreach the board could focus on in terms of licensees with addiction, consumers of physical therapy services, and to those licensees without an addiction. The initiative(s) will be proposed to the board at the next board meeting with a proposed budget for implementation to be considered as a line-item in the budget for 2019-2020 to be considered part of a category of "Education and Outreach" to be budgeted annually. The committee is urged to consider how to use resources that are already available and can be modified and how to incorporate the message in initiatives that already exist with the board, such as the traveling jurisprudence and the newsletter.

Katie Brittain asked the board to consider issuing a Call to Action for course sponsors to create coursework related to this topic that could be considered for continuing education course approval and encouraged by the board to take. As an incentive for course sponsors to respond to the Call of Action, Katie recommended that the Board consider waiving the fee for application review for those course sponsors who submit courses on the subject.

No public comment.

The meeting recessed at 5:02pm.  
The meeting reconvened at 8:30am.

## **BUDGET**

The Board reviewed the 2019-2020 and 2020-2021 proposed budget, as well as budget projections through 2032-2033. Secretary/Treasurer Karl Kleinpeter, Chairman Julie Ann Harris and Charlotte Martin will present a draft budget for approval at the next board meeting, as well as an amended 2018-2019 budget for consideration.

## **COMPETENCE**

Judith Halverson provided a presentation to the board regarding the topic of Continuing Competence, including a comparison of LA to the following states: TX, GA, AR, MS and OK. The Board looked at the language of the Practice Act and determined that La R.S. 37:2402 allows the board to shift in the direction of encouraging activities that are more related to competence. The board considered their current requirements related to continuing education and the value of shifting toward continuing competence.

The board determined that the Continuing Education Committee of the board should consider what a shift in focus from continuing education to continued competence would entail and provide a recommendation to the board. As a first step, the Committee is asked to review Rule language of TX and GA and recommend changes to language in the current board Rules and present those changes to the board at the next board meeting for consideration of a Rule change. As a second step, the committee is asked to consider changing the terminology and messaging to licensees. The board members encouraged the committee to explore opportunities to educate Louisiana licensees on the topic of competency, as well as risks and supports of burnout. The committee is also tasked with exploring opportunities that may encourage licensees to consider self-assessments for their practice and creating a plan that caters to the individualized competency needs of that licensee.

Chairman Julie Harris moved to require that all PT board members take the self-assessment tool oPTION at the expense of the board and for Craig Prejean to take the PEAT as a self-assessment tool for PTAs at the expense of the board to be discussed by the entire board regarding these self-assessment tools being board-approved for licensees in LA. Judith Halverson seconded the motion. The board unanimously approved.

## **BOARD ACTION**

Chairman Julie Ann Harris provided a presentation to the board regarding the topic of board actions, including a review of the actions taken on violations in the last five years, the categories of violations and recidivism rates regarding licensees who were subject to board action due to a violation of the practice act and board rules. The board also reviewed the Confidential Recovering Physical Therapy Program participants and those who have not been able to remain in compliance with their participation agreement in the past five years.

The board determined that reviewing board actions is a regulatory issue because the board has a duty to protect the public from real, perceived, or potential harm as a result of violating the practice act and/or board rules. The Board determined that board action in response to a violation should not be too lenient, failing to deter potential offenders, or too restrictive, leading to fewer reports of violation. However, consistency and transparency are important in the application of remediation and discipline. The board action guidelines that the board uses provide consistency, but are flexible to allow the board to consider variables and provide board discretion in making decisions.

The board members decided to include information in the live Jurisprudence presentation regarding violations in the last five years to provide an awareness to licensees of the types of violations that exist and provide better

information regarding the Recovering Physical Therapy Program since substance abuse is a significant category of violation.

The board members also considered the current terms of consent orders and board orders and requested that the Continuing Education Committee review case law and malpractice data as it relates to individuals who are suspended and return to work without re-entry to the profession (continuing education requirements or a self-assessment tool) prior to returning to work.

The board members considered editing the term of the consent order language moving forward to not require that the licensee work at least 20 hours per week during the probation period. It is the intention of the board that the licensee who is disciplined work during the probationary period. The term language will be revised to state that the licensee works an aggregate of 80 hours per month or 20 hours a week on average per month and a disclaimer will be added “at the discretion of the board” this time period can be reviewed and considered on a case by case basis.

The board members considered the term of consent orders and board orders that requires licensees to submit an essay. The board asked Charlotte Martin to draft a questionnaire for licensees to complete instead of the essay requirement and to consider a title for the document to be used in the order. The board will review the draft questionnaire for consideration at the next board meeting.

Dr. Warner moved to request an Attorney General Opinion asking if the Louisiana Physical Therapy Board has the authority to impose a fine or civil penalty. Katie Brittain seconded the motion. The board voted and unanimously approved.

Chairman Julie Harris moved to adjourn the meeting at 12:00pm. Craig Prejean seconded the motion. The board unanimously approved.

JOHN BEL EDWARDS  
GOVERNOR



CHARLOTTE F. MARTIN, M.P.A.  
EXECUTIVE DIRECTOR

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

**AGENDA**  
**Special Board Meeting**  
**May 16, 2019**

- 12:30 pm**      **Call to Order**
- 12:35 pm**      **New Business**  
Discussion of HB 368 and Senate and Governmental Committee Legislative  
Hearing held on May 15, 2019.
- 4:30 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 Special Board Meeting May 16, 2019

### APPROVED

Proceedings for the Louisiana Physical Therapy Board, taken in regular session on May 16, 2019 at the Louisiana Physical Therapy Board, 2110 W. Pinhook Rd., Suite 202, Lafayette, LA 70508. A quorum of members were present. Board members present were: Chairman Julie Ann Harris, Secretary/Treasurer, Karl Kleinpeter, and board members Phil Page, Kathryn “Katie” Brittain, and Craig Prejean. Charlotte Martin, Executive Director was present. Present from the public was Ben Myers.

Chairman Julie Ann Harris called the meeting to order at 12:50 pm.

Secretary/Treasurer 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.

Katie Brittain moved to issue a notice of concern to payers on a current monitored license. Craig Prejean seconded the motion. The board members voted unanimously in favor to approve the motion.

Chairman Julie Ann Harris informed the board members of George Papale’s notice to the board of resignation effective immediately. The board currently has a contract with Mr. Papale for professional legal services. The board accepted his resignation, which will terminate his contract prior to approved end date of the contract.

The board members discussed Courtney Newton’s current contract with the board and decided to call for applicants for legal services, which will include general counsel and prosecutorial services. Katie Brittain moved to authorize the Executive Director of the board to issue and RFP for General Counsel and prosecuting attorney for the board. Karl Kleinpeter seconded the motion. The board voted and unanimously approved the motion. The intention of this motion is to allow the current board to interview attorney prospects who seek to provide legal guidance to the board. The Request for Proposals (RFP) process is language that the board is using to demonstrate a competitive, open process for interviewing candidates. The board directs the executive director to contact the Office of State Procurement contracts division to confirm that an official state RFP process is not required for legal contracts. If it is required, the board will follow the official RFP process. If not, the board will post the position and interview candidates for selection.

The board members discussed contracting with the Attorney General’s Office during the interim while finding new legal counsel. Phil Page moved to authorize the Executive Director to amend the contract with the Attorney General’s Office of the Louisiana Department of Justice to include general counsel and prosecutorial services for the board. Craig Prejean seconded the motion. The board voted and unanimously approved.

The board members discussed the legislative hearing that occurred on May 15, 2019 and the public discussion as it related to the property right of licensees under investigation. The board members decided to seek legal advice concerning property right from the Attorney General’s office, should the Attorney General’s Office amend the contract to provide general counsel services. Phil Page moved to seek legal advice from the Attorney General’s

Office on the property rights of licensees, specifically the licensee named at the legislative hearing. Julie Ann Harris seconded the motion. The board voted and unanimously approved.

Karl Kleinpeter moved to provide signing authority to the Executive Director to sign contracts and amendments for the board office with documentation that the officers approved the contract prior to signature. Phil Page seconded the motion. The board voted and unanimously approved.

## **PUBLIC COMMENT**

No public comment.

Secretary/Treasurer Kleinpeter moved to adjourn the meeting. Katie Brittain seconded the motion. The board voted and unanimously approved. The board meeting was adjourned at approximately 3:30pm.

# Louisiana Physical Therapy Board

## MINUTES Special Board Meeting May 21, 2019

### APPROVED

Proceedings for the Louisiana Physical Therapy Board, taken in regular session on May 21, 2019 Kleinpeter Physical Therapy, 7648 Picardy Ave., Baton Rouge, LA 70808. A quorum of members were present. Board members present were: Chairman Julie Ann Harris, Secretary/Treasurer, Karl Kleinpeter, and board members Phil Page, and Craig Prejean. Charlotte Martin, Executive Director was present. Present from the public was Grace Toohey.

Chairman Julie Ann Harris called the meeting to order at 5:00 pm.

Chairman Julie Ann Harris moved to amend the agenda to discuss the possibility of seeking outside advice and guidance while working through recommendations made by the Senate and Governmental Affairs committee of the legislature on May 15, 2019. Karl Kleinpeter seconded the motion. The board members voted and unanimously approved amending the agenda.

Rudy Gomez, Partner, SSA Consultants presented a proposal to the board members to provide advice and guidance on the recommendations that the Senate & Governmental Affairs committee made for the board. Karl Kleinpeter moved to enter into a contract with SSA Consultants for the dates of May 21 2019 through June 30, 2019 not to exceed \$24,500. The contract scope of services will be reviewed and approved by three board members prior to the Executive Director signing the contract. Julie Ann Harris seconded the motion. The board voted and unanimously approved.

Chairman Julie Ann Harris updated the board members that the Louisiana Attorney General's Office advised that because they are in a contract with the board to provide services as a hearing officer during administrative hearings, there would be a conflict of interest to provide general counsel and/or prosecutorial services. The board needs legal guidance so the Executive Director has schedule several interviews to be held for consideration of contracted services.

The board members interviewed applicants, which include David Groner, Celia Cangelosi, James Raines, and Randy Ligh and Mary Roper with Roper Ligh.

Following the interviews, Chairman Julie Ann Harris moved to contract with Celia Cangelosi for legal services. Karl Kleinpeter seconded the motion. The board members voted and unanimously approved.

### **PUBLIC COMMENT**

No public comment.

Secretary/Treasurer Kleinpeter moved to adjourn the meeting. Phil Page seconded the motion. The board voted and unanimously approved. The board meeting was adjourned at approximately 7:30pm.



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

**AGENDA**  
**Regular Board Meeting**  
**May 30, 2019**

- 9:00 am**      **Call to Order**  
Approve Minutes\*  
Approve Agenda\*
- 9:20 am**      **Executive Session**  
Discuss sensitive information related to discipline and attorney client privileged information.
- 10:20 am**     **Officer Reports**  
Chairman's Report (30 minutes)  
Secretary/Treasurer (60 minutes)  
Executive Director (10 minutes)
- 12:00 pm**     **Committee Reports**  
Legislative Taskforce (10 minutes)  
Continuing Education Committee (60 minutes)  
Opioid Prevention Taskforce (10 minutes)  
JP Exam Review Committee (10 minutes)
- 1:30 pm**      **New Business**  
Correspondences
- 2:30 pm**      **Old Business**
- 3:30 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 May 30, 2019

### APPROVED

Proceedings for the Louisiana Physical Therapy Board, taken in regular session on May 30, 2019 at 2110 W Pinhook Road, Suite 202, Lafayette, LA 70508. A quorum of members were present. Board members present were: Chairman Julie Ann Harris, and board members Judith Halverson, Phil Page, Kathryn "Katie" Brittain, and Melissa Cox. Advisory Committee Member present was Tyra Mitchell. Charlotte Martin, Executive Director and Jessica Alwell, Assistant Executive Director; and Attorney Celia Cangelosi were present.

Chairman Julie Ann Harris called the meeting to order at 9:11 am.

Katie Brittain moved to amend the agenda to add a special program at 12:30pm for training on interviewing individuals who file a complaint to the board on licensees who have reported sexual misconduct. Judith Halverson seconded the motion. The board voted and unanimously approved the amended agenda.

The board members reviewed the minutes from the March board meeting. Phil Page moved to approve the minutes as written. Melissa Cox seconded the motion. The board voted and unanimously approved the minutes.

Judith Halverson moved to go into Executive Session. Melissa Cox seconded the motion. The board voted and unanimously approved to go into Executive Session to discuss the annual performance evaluation of the Executive Director.

The board exited Executive Session.

### OFFICER REPORTS

#### Chairman Report

The board members discussed the topic of American Disabilities Act (ADA) requests for the National Physical Therapy Examination (NPTE). Chairman Harris updated the board on a conversation she and Mrs. Martin had about a national company, Paradigm, that partners with the Federation of State Boards of Physical Therapy (FSBPT), other national federations and associations, and other state boards to review requests as a service to boards. Phil Page moved to have Chairman Harris work with the Executive Director to partner with Paradigm to provide ADA accommodation request reviews and recommendations to the board. Judith Halverson seconded the motion. The board voted and unanimously approved.

Chairman Harris informed the board that the Governmental Affairs of the Louisiana Physical Therapy Association (LPTA) requested a meeting in mid-June to receive an update on the Senate and Governmental Affairs meetings. Phil Page, Katie Brittain, Chairman Harris, and Charlotte Martin will participate on the call to provide information and answer questions.

Executive Director Report

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

Complaints Received	13
Informal Conferences	0
Hearings Scheduled	1
Appeals	1
Proposed Consent Order	0
Closed Cases	10
<b>Total Open Investigations:</b>	<b>16</b>

Mrs. Martin updated the board that from the last board meeting through April, 54 licenses were issued. She also informed the board that during the 2019 renewal period, 2210 licensees renewed their licenses and 157 did not renew.

Mrs. Martin informed the board that in order to be compliant with Sexual Harassment Legislation in Louisiana, the board must have a sexual harassment policy and post it to their website. Mrs. Martin presented the board with a draft policy. Katie Brittain moved to adopt the sexual harassment policy with recommended changes and to be reviewed by the chairman upon completion. Phil Page seconded the motion. The board voted and unanimously approved.

Mrs. Martin presented the board with training options from Sexual Trauma Awareness and Response (STAR) Advocates and Louisiana Foundation Against Sexual Assault (LaFASA) on the topic of trauma and working with sexual assault survivors. Katie Brittain moved to join as a member of Louisiana Foundation Against Sexual Assault, which would include a variety of off-the-shelf and customized training offerings for the board. Phil Page seconded the motion. The board voted and unanimously approved.

Mrs. Martin also informed the board of two upcoming training workshops offered by STAR Advocates: Responding to Disclosures being held in Baton Rouge on June 19<sup>th</sup> and New Orleans on June 21<sup>st</sup>.

Mrs. Martin updated the Board that a letter was drafted to the East Baton Rouge Parish District Attorney's office with an attachment that can be sent out to individuals who report crime that involved physical therapists informing them that our agency exists, the purpose of our agency, and information on how they can report a complaint. Katie Brittain moved to revise the letter to be sent out to all district attorneys in the state, not just the East Baton Rouge Parish District Attorney's office. Judith Halverson seconded the motion. The board voted and unanimously approved. The board directed the Executive Director to work with SSA Consultants on coordinating this effort through the District Attorney Association as a first step. Katie Brittain moved to work with SSA Consultants to notify the District Attorney Association so they are aware of the letter and can consider disseminating the letter to individuals who report misconduct of physical therapists in other areas of the state. Judith Halverson seconded the motion. The board voted and unanimously approved.

The board requested that Mrs. Martin present an overview of all contracts at the next board meeting.

The board requested that Mrs. Martin schedule interviews with attorneys for the board to consider legal contracts at the next board meeting.

Secretary/Treasurer Report

The board reviewed the FY 2019-2020 budget. Melissa Cox motioned to add a professional services line item on the FY 2019-2020 budget at \$49,999. Judith Halverson seconded the motion. The board voted and unanimously approved.

The board reviewed the treasurer reports from December 2018 through April 2019. The board did not review regular financial reports at the board retreat in March 2019, but rather looked at projected costs of initiatives with the intention of reviewing all financial reports at this board meeting.

As of December 31, 2018, cash in the bank totaled \$139,607.97 in the checking and savings accounts at Farmer's Merchant Bank. Total Income totaled \$24,027.00 and ordinary expenses totaled \$44,161.23.

The Certificates of Deposit at Business First Bank totaled \$974,631.53. CD #054 earned interest of \$460.15 in the month of December. The ending balance as of 12/31/2018 was \$487,271.66. CD#111 earned interest of \$308.11 in the month of December. The ending balance as of 12/20/2018 was \$517,327.98. CD #025 was started on 12/20/2018 with a deposit of \$487,359.87 and does not have reportable interest earned by 12/31/2018/.

As of January 31, 2019, cash in the bank totaled \$109,097.50 in the checking and savings accounts at Farmer's Merchant Bank. Income totaled \$38,422.00 and ordinary expenses totaled \$67,469.14.

The Certificates of Deposit at Business First Bank totaled \$976,167.11. CD #054 earned interest of \$475.94 in the month of January. The ending balance as of 1/31/2019 was \$487,747.60. CD #025 earned interest of \$1,059.64 in the month of January. The ending balance as of 01/31/2019 was \$488,419.51.

As of February 28, 2019, cash in the bank totaled \$289,808.10 in the checking and savings accounts at Farmer's Merchant Bank. Income totaled \$122,756.00 and ordinary expenses totaled \$48,368.00.

The Certificates of Deposit at Business First Bank totaled \$977,705.53. CD #054 earned interest of \$476.41 in the month of February. The ending balance as of 02/28/2019 was \$488,224.01. CD #025 earned interest of \$1,062.01 in the month of February. The ending balance as of 02/28/2019 was \$489,481.53.

As of March 31, 2019, cash in the bank totaled \$624,600.43 in the checking and savings accounts at Farmer's Merchant Bank. Income totaled \$208,435.00 and ordinary expenses totaled \$49,541.03.

The Certificates of Deposit at Business First Bank totaled \$979,097.58. CD #054 earned interest of \$430.72 in the month of March. The ending balance as of 3/31/2019 was \$488,654.73. CD #025 earned interest of \$961.33 in the month of March. The ending balance as of 03/31/2019 was \$490,442.85.

As of April 30, 2019, cash in the bank totaled \$653,270.95 in the checking and savings accounts at Farmer's Merchant Bank. Income totaled \$65,632.00 and ordinary expenses totaled \$57,335.96.

The Certificates of Deposit at Business First Bank totaled \$980,641.28. CD #054 earned interest of \$477.29 in the month of March. The ending balance as of 4/30/2019 was \$489,132.02. CD #025 earned interest of \$1,066.41 in the month of March. The ending balance as of 04/30/2019 was \$491,509.26.

## **SPECIAL PROGRAM**

Erin MacInnes, MSW, LCSW from Partners in Physical Therapy provided a training on the Forensic Experiential Trauma Interview by Russell Strand. Katie Brittain disclosed to the Board that Ms. MacInnes is her sister and business colleague and after a conversation about the need to understand more about trauma and speaking to survivors of trauma, Erin offered to provide a training at short notice to the board.

## COMMITTEE REPORTS

### CEU Committee

Katie Brittain moved to approve the Continuing Education Audit of 10% of the licensees who renewed their license in 2019. Melissa Cox seconded the motion. The board voted and unanimously approved.

Phil Page moved to deny approval of continuing education units for the course Successful Aging because it does not rise to the level of requirements for continuing education outlined in Rule §195. Judith Halverson seconded the motion. The board voted. Judith Halverson, Phil Page, and Melissa Cox approved the denial of the course. Katie Brittain and Chairman Harris voted nay.

The board unanimously approved the request of Lauren Rachal to receive an extension on the CEU Audit.

The board unanimously approved the request from the Louisiana Department of Health for CEU course sponsor fees.

Katie Brittain moved to invalidate the use of the Acknowledgement of Dry Needling Episodes for Educational Purposes form for Dry Needling Requirements as of May 30, 2019, and to refer licensees to Rule §311. Melissa Cox seconded the motion. The board voted and unanimously approved.

### Opioid Prevention

Katie Brittain gave the board a short update regarding the progress of the opioid prevention initiatives and next steps.

### JP Exam Review

Chairman Harris updated the board of the progress of the Jurisprudence Exam Review and next steps.

## NEW BUSINESS

The board reviewed a question related to teletherapy in Louisiana. The board determined that the licensee should review the language of the statute and rules as they relate to teletherapy in Louisiana.

The board reviewed correspondences from licensee Dianna Gates asking that the board consider amending Rule 309. The board determined that the Rules Revision Committee will take Ms. Gates' recommendation into consideration at the next Rules revision.

## OLD BUSINESS

The board reviewed a questionnaire that the staff created to replace the Essay portion given to licensees as a part of their consent order requirements. The board decided to call this questionnaire the, "Ethics Assessment Tool" Katie Brittain motioned to approve the Ethics Assessment Tool as presented. Judith Halverson seconded the motion. The board voted and unanimously approved.

The board discussed the difference of a Request for Proposals (RFP) process and a process of hiring legal counsel. When hiring legal counsel an RFP is not required. Phil Page moved to post job listings for General Counsel and Prosecution positions in seeking legal counsel. Katie Brittain seconded the motion. The board voted and unanimously approved.

**PUBLIC COMMENT**

No public comment.

Chairman Harris moved to adjourn the meeting. Craig Prejean seconded the motion. The board voted and unanimously approved. The board meeting was adjourned at 3:36pm.

JOHN BEL EDWARDS  
GOVERNOR



CHARLOTTE F. MARTIN, M.P.A.  
EXECUTIVE DIRECTOR

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

**AGENDA**  
**Special Board Meeting**  
**June 14, 2019**

- 7:00 am**      **Call to Order**  
Approve Agenda\*
- 7:05 am**      **Special Programs**  
Training: Louisiana Foundation Against Sexual Assault
- 9:00 am**      **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 Special Board Meeting June 14, 2019

### APPROVED

Proceedings for the Louisiana Physical Therapy Board, taken in special session on May 16, 2019 at Louisiana Physical Therapy Board, 2110 W. Pinhook Rd, Suite 202, Lafayette, LA 70508. A quorum of members were present. Board members present were: Chairman Julie Ann Harris, and board members Phil Page, Katie Brittain, Melissa Cox and Craig Prejean. Advisory Committee Members present were Jeremy Dye, Chris Franks and Marie Vazquez Morgan. Charlotte Martin, Executive Director, Jessica Alwell, Assistant Executive Director, Stephanie Boudreaux, Compliance Officer and Danielle Linzer, Licensing Analyst were present from the board staff.

Chairman Julie Ann Harris called the meeting to order at 8:00 am.

The board voted and unanimously approved the agenda.

A licensing report was provided to the board members showing that 46 licenses were approved from May 1, 2019 through June 26, 2019. The board ratified the licensure decision of 11 PTAs and 35 PTs.

### SPECIAL PROGRAM

Brittany Hunt, LMSW, Justice Systems Coordinator from the Louisiana Foundation Against Sexual Assault (LaFASA) provided a two-hour training to the board members about Sexual Assault.

### PUBLIC COMMENT

No public comment.

Chairman Harris moved to adjourn the meeting. Phil Page seconded the motion. The board voted and unanimously approved. The board meeting was adjourned at approximately 10:30am.

JOHN BEL EDWARDS  
GOVERNOR



CHARLOTTE F. MARTIN, M.P.A.  
EXECUTIVE DIRECTOR

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

**AGENDA**  
**Regular Board Meeting**  
**June 27, 2019**

**9:00 am**      **Call to Order**

**9:05 am**      **Administrative Hearing Case# 2018-I-006**  
**Executive Session**

Discussion of the character, professional competence, or physical or mental health of a licensee and investigative proceedings regarding allegations of misconduct.

**\*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

### Administrative Hearing / Board Meeting June 27, 2019

#### APPROVED

Proceedings for the Louisiana Physical Therapy Board, taken in special session on May 16, 2019 at Louisiana Physical Therapy Board, 2110 W. Pinhook Rd, Suite 202, Lafayette, LA 70508. A quorum of members were present. Board members present were: Secretary/Treasurer Karl Kleinpeter, and board members Phillip Page, Melissa Cox, Meredith Warner, MD, and Craig Prejean.

Secretary/Treasurer called the meeting to order at 9:48 am.

The board voted and unanimously approved the agenda.

The board voted to enter into Executive Session to conduct an Administrative Hearing.

The board exited Executive Session.

Chairman Harris moved to adjourn the meeting. Phil Page seconded the motion. The board voted and unanimously approved. The board meeting was adjourned at 12:48pm.



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

**AGENDA**  
**Regular Board Meeting**  
**August 29, 2019**

- 11:30 am**      **Call to Order**  
Approve Minutes\*  
Approve Agenda\*
- 11:35 am**      **Special Program**
- 12:00 pm**      **Executive Session**  
Discuss sensitive information related to discipline and attorney client privileged information.
- 1:00 pm**        **Officer Reports**  
Chairman's Report (40 minutes)  
Secretary/Treasurer (20 minutes)  
                    Budget Adoption 2019-2020  
Executive Director (30 minutes)
- 2:30 pm**        **Committee Reports**  
Legislative Taskforce (10 minutes)  
Continuing Education Committee (60 minutes)  
Opioid Prevention Taskforce (10 minutes)  
JP Exam Review Committee (10 minutes)
- 3:45 pm**        **Special Program**
- 4:15 pm**        **New Business**  
Correspondences
- 5:05 pm**        **Old Business**
- 6:00 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 August 29, 2019

### APPROVED

Proceedings for the Louisiana Physical Therapy Board, taken in regular session on August 29, 2019 at the Louisiana Physical Therapy Board, 2110 W Pinhook Rd, Suite 202, Lafayette, LA 70508. A quorum of members were present. Board members present were: Chairman Julie Ann Harris, Secretary/Treasurer, Karl Kleinpeter, and board members Judith Halverson, Phillip “Phil” Page, Kathryn “Katie” Brittain, and Dr. Meredith Warner. Advisory Committee Members present were Jason Douglas and Jeremy Dye. Charlotte Martin, Executive Director; Jessica Alwell, Assistant Executive Director; and Attorney Celia Cangelosi were present. Members of the public present were representatives from Comit Developers, Ayodeji Famuyide, PT, and Karen LeBlanc, Emily Dixon, Denise Brown, and Misty Perry with the Legislative Auditor Office.

Chairman Julie Ann Harris called the meeting to order at 11:34 am.

Judith Halverson moved to approve the agenda as written. Dr. Warner seconded the motion. The board voted and unanimously approved the agenda.

The board members reviewed the minutes from previous board meetings. Secretary/Treasurer Kleinpeter moved to accept the May 16, 2019 special board meeting minutes as written. Katie Brittain seconded the motion. The board voted and unanimously approved.

Katie Brittain moved to accept the May 21, 2019 special board meeting minutes as written. Dr. Warner seconded the motion. The board voted and unanimously approved.

Katie Brittain moved to accept the May 30, 2019 regular board meeting minutes as written. Dr. Warner seconded the motion. The board voted and unanimously approved.

Katie Brittain moved to accept the June 14, 2019 special board meeting minutes as written. Dr. Warner seconded the motion. The board voted and unanimously approved.

Dr. Warner moved to accept the June 27, 2019 minutes from the administrative hearing as written. Secretary/Treasurer seconded the motion. The board voted and unanimously approved.

### SPECIAL PROGRAM

The board participated in a special program regarding the current website update and the steps taken thus far since the project’s inception. Dr. Warner moved to create a committee to review and research a new developer company to take over the project. Judith Halverson seconded the motion. The board voted and unanimously approved. Board members Katie Brittain, Karl Kleinpeter, and Dr. Warner agreed to participate on the committee.

### PUBLIC COMMENT

Mr. Famuyide commented on the need to consider security of data and looking toward the future in regards to the continued development of board website improvements.

At the request of the licensee, Ayodeji Famuyide the board discussed the terms of his ending disciplinary order with the board in open session. Secretary/Treasurer Kleinpeter moved to change Mr. Famuyide's license status from probation to active due to satisfactory completion of his order. Katie Brittain seconded the motion. The board voted an unanimously approved.

## **PUBLIC COMMENT**

Mr. Famuyide thanked the board for their help during his probationary period.

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

The board exited Executive Session.

Phil Page moved to approve Cierra Bush's appeal letter and allow her to seek licensure in Louisiana due to documentation related to an undiagnosed medical condition when attempting to pass the NPTE. Judith Halverson seconded the motion. The board voted an unanimously approved.

Katie Brittain moved to deny Adam Lafleur's request to average work hours for the months of May and June and not extend the period of his probationary period due to working less hours than agreed upon in his Consent Order. Phil Page seconded the motion. The board voted and unanimously approved.

## **OFFICER REPORTS**

### Chairman Report

Chairman Harris presented the board with guidance provided by the Federation of State Medical Boards regarding education and outreach partnership opportunities in response to reports of sexual misconduct by physical therapists. Phil Page moved to authorize staff to have conversation with partners and report to the board. Katie Brittain seconded the motion. The board voted and unanimously approved.

Chairman Harris presented the board with the question of whether burnout is a regulatory issue. The board members determined that more research is needed before the board will determine if burnout is or is not a regulatory issue.

Chairman Harris informed the board of an upcoming board member and advisory committee member vacancies. The board authorized staff to send mass emails to licensee's information all of the upcoming vacancies.

Chairman Harris informed the board of upcoming professional conferences. Secretary/Treasurer Kleinpeter moved to approve Jessica Alwell to attend ASHRM's Annual Meeting in Lafayette in September. Phil Page seconded the motion. The board voted and unanimously approved.

Phil Page moved to approved Mrs. Martin to attend the Executive Leadership program at CLEAR in September. Dr. Warner seconded the motion. The board voted and unanimously approved.

Phil Page moved for the board to pay for board members and staff members to attend either the basic or specialized CLEAR trainings in Baton Rouge in December. Judith Halverson seconded the motion. The board voted and unanimously approved.

Phil Page moved for the board to pay for board members and staff members to attend a CLEAR training in December. Dr. Warner seconded the motion. The board voted and unanimously approved.

Secretary/Treasurer Kleinpeter moved for the board to pay for all board members and staff members to attend CLEAR's Allegations of Sexual Misconduct training in Baton Rouge. Judith Halverson seconded the motion. The board voted and unanimously approved.

Katie Brittain moved for the board to pay for Mrs. Martin and one board member to attend FARB Forum in January 2020. Phil Page seconded the motion. The board voted and unanimously approved.

Phil Page moved that the board pay for all board members to attend the FSBPT Annual Meeting in Oklahoma City. Secretary/Treasurer seconded the motion. The board voted and unanimously approved.

#### Secretary/Treasurer Report

The board reviewed the FY 2019-2020 budget. Phil Page moved to approve the budget. Judith Halverson seconded the motion. The board voted and unanimously approved.

As of May 31, 2019, cash in the bank totaled \$638,617.54 in the checking and savings accounts at Farmer's Merchant Bank. Total Income totaled \$22,805.34 and ordinary expenses totaled \$60,956.31.

The Certificates of Deposit at Business First Bank totaled \$982,137.88. CD #054 earned interest of \$462.34 in the month of May. The ending balance as of 5/31/2019 was \$489,594.36. CD #025 earned interest of \$1,034.26. The ending balance as of 5/31/2019 was \$492,543.52.

As of June 30, 2019, cash in the bank totaled \$580,802.14 in the checking and savings accounts at Farmer's Merchant Bank. Income totaled \$16,531.10 and ordinary expenses totaled \$155,056.50.

The Certificates of Deposit at Business First Bank totaled \$983,749.46. CD #054 earned interest of \$540.59 in the month of June. The ending balance as of 6/30/2019 was \$490,134.95. CD #025 earned interest of \$1,070.99 in the month of June. The ending balance as of 06/30/2019 was \$493,614.51.

As of July 31, 2019, cash in the bank totaled \$558,120.52 in the checking and savings accounts at Farmer's Merchant Bank. Income totaled \$21,203.00 and ordinary expenses totaled \$57,437.40.

The Certificates of Deposit at Business First Bank totaled \$985,311.87. CD #054 earned interest of \$523.72 in the month of July. The ending balance as of 7/31/2019 was \$490,658.67. CD #025 earned interest of \$1,038.69 in the month of July. The ending balance as of 07/31/2019 was \$490,658.67.

#### Executive Director Report

Mrs. Martin informed the board that from May 2 – August 16, 2019 101 PTs and 68 PTAs were licensed. She also informed the board that as of August 28<sup>th</sup>, there are 14 individuals who hold Compact privileges to practice in Louisiana.

Mrs. Martin presented the recommendation to the board to select one board member for the entirety of their term to serve on the License Application Review Committee. Secretary/Treasurer Kleinpeter moved to appoint Katie Brittain for the remainder of her board position term. Phil Page seconded the motion. The board voted and unanimously approved.

Mrs. Martin reviewed the monitoring of licensees who are currently monitored for disciplinary action.

The board members use a consent order check list as a guide that helps them determine what terms to include in the Consent Order when drafting. Mrs. Martin reviewed the Employer Agreement section of the current Consent Order

Checklist and recommended that the language be included in the general terms of the Consent Order and not just for those who have a boundary or substance abuse violation. The board members agreed and authorized the revision to the checklist.

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

Currently Open (Licensees)	22
Currently Open (Non-Licensees)	0
Complaints Received	12
Informal Conferences	4
Hearings Scheduled	0
Appeals	1
Proposed Consent Order	0
Closed Cases	5
<b>Total Open Investigations:</b>	<b>22</b>

Mrs. Martin reviewed all contract agreements that the board currently has with vendors. The board reviewed the list of all contracts and discussed the services. The board members requested that HUB Enterprises, a vendor that is contracted for investigative services, attend the next board meeting. The contracted CPA firm, Russell F. Champagne representative will also attend the next board meeting.

Mrs. Martin presented the board with information from attorney interviews conducted on August 23 and 24, 2019. Secretary/Treasurer Kleinpeter moved to contract with Breazeale, Sachse, and Wilson, L.L.P. with James Raines as lead general counsel, with a three-year contract not to exceed a total of \$300,000 for three years (\$100,000 per year) at the maximum allowable attorney general rate for attorneys, law clerks and paralegal staff working with the board. Phil Page seconded the motion the board voted and unanimously approved.

## **COMMITTEE REPORTS**

### JP Exam Review

Phil Page moved to increase the number of questions immediately on the online Jurisprudence exam from 15 to 40 and require a 75% pass rate. Judith Halverson seconded the motion. The board voted and unanimously approved.

Secretary/Treasurer Kleinpeter moved to update the online Jurisprudence with the new scenario-based questions. Katie Brittain seconded the motion. The board voted and unanimously approved.

### CEU Committee

The board discussed CEU renewal requirements. Judith Halverson moved to discuss the CEU renewal process in September. Katie Brittain seconded the motion. The board voted and unanimously approved.

The CEU committee reported that 172 courses were reviewed since the last board meeting. Of these reviewed courses 171 were approved. Nine courses were hybrid courses (live and online), 75 of the approved courses were traditional (live) and 87 were web-based (online). Of the 171 courses that were approved, 161 were clinical, 8 were administrative and 2 were Ethics. 1 course was denied at the May board meeting. The average time for approval was 4.3 days.

### Opioid Prevention

Katie Brittain updated the board on the Opioid Committee's initiatives. Secretary/Treasurer Kleinpeter moved to approve Katie Brittain to attend the Opioid Summit being held in Slidell, LA. Phil Page seconded the motion. The board voted and unanimously approved.

Katie Brittain proposed three potential initiatives for the board as their regulatory role in the prevention of opioid use in Louisiana. Phil Page moved to approve to continue to explore the CEU initiative for opioid education for licensees. Secretary/Treasurer Kleinpeter seconded the motion. The board voted and unanimously approved.

## **SPECIAL PROGRAM**

The board was presented with a presentation on healthcare's role in the human trafficking epidemic.

## **NEW BUSINESS**

The board reviewed a question regarding whether applicants may take dry needling courses prior to obtaining licensure in Louisiana. The board reviewed LAC46:LIV311, discussed the language of the rule, received legal guidance and determined that applicants may take dry needling courses prior to obtaining licensure in Louisiana for the use in future practice but the coursework must comply with the rule.

The board reviewed a question from a licensee regarding a PTA following a nurse's plan of care in the home health setting. The board advised that PTAs must follow the PT's written plan of care. The board also advised that it cannot speak to the question of duplication of services as this is a billing issue and not within the board's jurisdiction.

The board reviewed an inquiry from a licensee regarding the supervision of PTAs during a service learning project in which physical therapy treatment is not provided. The board determined that supervision ratios do not apply for this type of screening, as treatment is not being provided. Licensed PTs and PTAs should use sound professional judgement and limit the number of students who are being supervised during client screening if the licensed PT or PTA is not able to provide support. This may vary based on the individual level of skill developed by the student at the time that they are participating in the service learning project. Considering that Franciscan University PTA program only allows one client per student, and in some cases two students per client, to participate in the fall prevention screening and a licensed PT or PTA should use professional judgement in determining how many students can participate under their supervision for the licensed PT or PTA professional to be able to verify safety of the client during the service learning outreach.

The board reviewed an inquiry from a licensee who asked about the possibility of taking online continuing education classes about pelvic pain through Herman and Wallace's online education. The board determined that online courses would be appropriate, but that if the licensee wishes to use the courses for renewal then the licensee or the course sponsor would need to apply for course approval with the board and only board-approved courses can be used for the purpose of renewal.

## **OLD BUSINESS**

The 2019 Continuing Education Audit Results were reviewed. All licensees who were audited are considered in compliance.

The board reviewed license renewal questions in preparation for the 2020 renewal period. The board recommended changes to some questions to be reviewed again at the September board meeting.

The board reviewed the Revised Licensing with Criminal Background Check History Policy. Phil Page moved to approve the policy. Katie Brittain seconded the motion. The board voted and unanimously approved.

The board reviewed of the Military Licensing Policy. The board approved the Policy as amended.

The board reviewed Compact Privilege fee and all other licensing fees for military and their spouses. Dr. Warner moved to approve future rule language to state that active duty military and active duty military spouses licensing

fees will be waived and to approve waiving the Compact privilege fee for active duty military and active duty military spouses. Secretary/Treasurer Kleinpeter seconded the motion. The board voted and unanimously approved.

**PUBLIC COMMENT**

Advisory Committee member Jeremy Dye suggested to the board that they partner with the LPTA for a joint initiative for education and outreach opportunities when opportunities are identified.

Phil Page moved to adjourn the meeting. Secretary/Treasurer Kleinpeter seconded the motion. The board voted and unanimously approved. The board meeting was adjourned at 5:12 pm.



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

**AGENDA**  
**Regular Board Meeting**  
**September 26, 2019**

- 1:00 pm**      **Call to Order**  
Approve Minutes\*  
Approve Agenda\*
- 1:05 pm**      **Special Program**
- 1:30 pm**      **Officer Reports**  
Secretary/Treasurer (30 minutes)  
                 Penny Scruggins, Champagne & Co.  
Chairman's Report (30 minutes)  
Executive Director (30 minutes)
- 3:00 pm**      **Committee Reports**  
Continuing Education Committee  
Legislative Taskforce  
Opioid Prevention Taskforce
- 3:45 pm**      **New Business**  
Correspondences
- 4:00 pm**      **Old Business**
- 4:05 pm**      **Executive Session**  
Discuss sensitive information related to discipline and attorney client privileged information.
- 5:05 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.)

# Louisiana Physical Therapy Board

## MINUTES Regular Scheduled Board Meeting September 26, 2019

### APPROVED

Proceedings for the Louisiana Physical Therapy Board, taken in regular session on September 26, 2019 at the Louisiana Physical Therapy Board, 2110 W Pinhook Rd, Suite 202, Lafayette, LA 70508. A quorum of members were present. Board members present were: Chairman Julie Ann Harris, Secretary/Treasurer, Karl Kleinpeter, and board members Phillip "Phil" Page, Kathryn "Katie" Brittain, and Craig Prejean. Advisory Committee Members present were Nick Butler and Jeremy Dye. Charlotte Martin, Executive Director; Jessica Alwell, Assistant Executive Director; Stephanie Boudreaux, CEU Specialist; and Attorney James R Raines were present. Members of the public present were Penny Scruggins of Champagne and Company, and David Qualls, PT.

Chairman Julie Ann Harris called the meeting to order at 1:05 pm.

Phil Page moved to add a public comment section after old business on the agenda. Craig Prejean seconded the motion. The board voted and the agenda was unanimously approved as amended.

The board reviewed the minutes from the August board meeting. Phil Page moved to accept the August 29, 2019 minutes as written. Craig Prejean seconded the motion. The board voted and unanimously approved.

### SPECIAL PROGRAM

Penny Scruggins, CPA with Champagne and Company presented the board with FY 2018-2019 reports and answered questions related to the board's financials.

### OFFICER REPORTS

#### Secretary/Treasurer Report

As of August 31, 2019, cash in the bank totaled \$512,674.83 in the checking and savings accounts at Farmer's Merchant Bank. Total Income totaled \$15,960 and ordinary expenses totaled \$57,292.49.

The Certificates of Deposit at Business First Bank totaled \$986,929.20. CD #054 earned interest of \$541.76 in the month of August. The ending balance as of 08/31/2019 was \$491,200.43. CD #025 earned interest of \$1,075.57. The ending balance as of 08/31/2019 was \$495,728.77.

#### Chairman Report

Chairman Harris presented the board with from notes regarding new candidates for the Advisory Committee. The board requested that the candidates attend the December board meeting to interview in person.

#### Executive Director Report

Mrs. Martin reported on the September licensing numbers. From August 19, 2019 to September 13, 2019, 17 PTs were issued a license and 1 PTA was issued a license.

Mrs. Martin reviewed the monitoring of licensees who are currently monitored for disciplinary action.

Mrs. Martin informed the board of the issues the office has experience with the company Vital Records Control which securely stores licensing files on the board's behalf. Mrs. Martin provided the board with costs associated with moving licensing files on-site at the board office and the costs for new fireproof filing cabinets. Katie Brittain motioned to allow the Executive Director to remove files from Vital Records Control and move them onsite with appropriate storage, and authorize staff to purchase fireproof file cabinets with approval of the Secretary/Treasurer. Phil Page seconded the motion. The board voted and unanimously approved.

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

Currently Open (Licensees)	17
Currently Open (Non-Licensees)	1
Complaints Received	1
Informal Conferences	4
Hearings Scheduled	0
Appeals	1
Proposed Consent Order	1
<u>Closed Cases</u>	<u>6</u>
<b>Total Open Investigations:</b>	<b>18</b>

## COMMITTEE REPORTS

### CEU Committee

The CEU committee reported that 182 courses were reviewed since the last board meeting. Of these reviewed courses 182 were approved. Seventy-five of the courses were traditional (live) and 121 were web-based (online). Of the 182 courses that were approved, 154 were clinical, 25 were administrative and 3 were Ethics. The average time for approval was 5.2 days.

The board discussed the current CEU policy for reviewing continuing education courses for board approval. Phil Page motioned to amend the CEU Policy to require applicants of clinical course types to submit 3 references of articles published in peer reviewed journal(s) related to the field of physical therapy that were published within the last ten years. Secretary/Treasurer Kleinpeter seconded the motion. The board voted and Phil Page, Chairman Harris, Secretary Treasurer Kleinpeter, and Craig Prejean voted aye while Katie Brittain voted nay. The motion was approved.

Phil Page motioned to amend the motion regarding the edits to the CEU policy to specify an effective date of January 1, 2020. Secretary/Treasurer Kleinpeter seconded the motion. The board voted and unanimously approved.

The board denied 6 CEU course applications due to lack of evidence-based support.

The board appointed Phil Page to the CEU committee.

### Opioid Prevention

Katie Brittain updated the board on the Opioid Summit that she attended in Slidell, LA.

## SPECIAL PROGRAM

The board was presented with information on HUB Enterprises regarding their services for assisting in investigations.

## **NEW BUSINESS**

Mrs. Martin presented the board with a draft of the 2020 calendar. The board will review and send necessary scheduling conflicts to Mrs. Martin prior to the next board meeting.

The board reviewed a question from a licensee regarding whether it is within a PTA's scope of practice to obtain and practice IASTM. The board discussed the drafted response from Mrs. Martin and agreed that pursuant to La R.S. 37:2407. A(3) and 37:2818.F(1) that it is within the scope of practice of the profession of physical therapy to use instrument assisted soft tissue mobilization (IASTM). If a PT delegates a plan of care to the PTA that includes the use of IASTM for a patient, a PTA who has the education, training, and experience to deliver treatment with IASTM would be acceptable practice. Even if the PTA has IASTM certification, if a PT does not delegate this service specific to the patient, which may be due to the condition of a patient or for another reason, then the PTA would be practicing outside their scope by providing IASTM to the patient whose care is ultimately the responsibility of the PT.

The board reviewed a question from a licensee asking "whether or not removal of hemovac drain lines is within the scope of practice of PT's and even PTA's. We have several post op patients in the acute care setting and wanted to clarify whether or not the removal of this with a MD order was or was not within our practice act." The board members discussed and determined that hemovac drain removal is not prohibited in the scope of practice of physical therapy by the Practice Act or Board Rules. However, for a physical therapist to perform this, the PT shall exercise sound professional judgment based upon his knowledge, skill, education, training, and experience, and shall perform only those procedures for which he is competent. If, during evaluation, reassessment or screening, the PT finds that treatment which is outside the scope of his knowledge, experience, or expertise is needed, the PT shall notify the patient or client and provide a referral to an appropriate healthcare provider (LAC LIV46:303.C). If the PT is going to delegate the plan of care to a PTA and include Hemovac drain removal, the statute (La R.S. 37:2418.F(1)) reads, "The duties assigned to the physical therapist assistant shall be commensurate with the physical therapist assistant's education, training, and experience."

## **OLD BUSINESS**

Jessica Alwell gave the board an update on the website. Secretary/Treasurer Kleinpeter agreed to allow Phil Page to replace him on the Website Review Committee.

Phil 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. Katie Brittain seconded the motion. The board members were all in favor to move into Executive Session.

The board exited Executive Session.

Phil Page moved to accept the interim consent agreement and board order for Phillip Veeters. Secretary/Treasurer Kleinpeter seconded the motion. The board voted an unanimously agreed.

## **PUBLIC COMMENT**

No public comment.

Phil Page moved to adjourn the meeting. Secretary/Treasurer Kleinpeter seconded the motion. The board voted and unanimously approved. The board meeting was adjourned at 6:16 pm.



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

**AGENDA**  
**Regular Board Meeting**  
**December 11, 2019**

- 2:00 pm**      **Call to Order**  
Approve Minutes\*  
Approve Agenda\*
- 2:05 pm**      **Officer Elections**
- 2:15 pm**      **Executive Session**  
Discuss sensitive information related to discipline and attorney client privileged information.
- 2:45 pm**      **Exit Interview**
- 3:00 pm**      **Advisory Committee Applicant Interviews**
- 4:00 pm**      **Officer Reports**  
Chairman's Report  
Secretary/Treasurer  
Executive Director
- 4:30pm**      **Legal Report**
- 5:00 pm**      **Committee Reports**  
Continuing Education Committee  
Legislative Taskforce  
Website Review
- 6:00 pm**      **New Business**  
Correspondences
- 6:45 pm**      **Old Business**
- 7:00 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 & Administrative Hearing December 11, 2019 & December 12, 2019

#### APPROVED

Proceedings for the Louisiana Physical Therapy Board, taken in regular session on December 11, 2019 at the Louisiana Physical Therapy Board, 2110 W Pinhook Rd, Suite 202, Lafayette, LA 70508. A quorum of members was present. Board members present were: Chairman Julie Ann Harris, Secretary/Treasurer, Karl Kleinpeter, and board members Phillip “Phil” Page, Kathryn “Katie” Brittain, and Judith Halverson. Advisory Committee Members present were Marie Vazquez. Charlotte Martin, Executive Director; Jessica Alwell, Assistant Executive Director; Stephanie Boudreaux, CEU Specialist; and Attorney James R Raines were present.

Chairman Julie Ann Harris called the meeting to order at 2:04 pm.

Judith Halverson moved to approve the agenda. Phil Page seconded the motion. The board voted and the agenda was unanimously approved.

The board reviewed the minutes from the September board meeting. Phil Page moved to accept the September 26, 2019 minutes as written. Secretary/Treasurer Kleinpeter seconded the motion. The board voted and unanimously approved.

#### OFFICER ELECTIONS

Phil Page nominated Secretary/Treasurer Kleinpeter to be the new chairman for 2020. Secretary/Treasurer Kleinpeter was appointed as the new chairman for 2020.

Katie Brittain nominated Judith Halverson to be the new secretary/treasurer for 2020. Judith Halverson was appointed as the new secretary/treasurer for 2020.

Phil Page moved to move into Executive Session. Judith Halverson seconded the motion. The board moved into Executive Session.

Phil Page moved to exit Executive Session. Judith Halverson seconded the motion. The board exited Executive Session.

Judith Halverson moved to accept the participation agreement as written and signed for J.S. Phil Page seconded the motion. The board voted and unanimously approved.

Phil Page moved to accept the participation agreement as written and signed for J.C. Judith Halverson seconded the motion. The board voted and unanimously approved.

The board reviewed proposed change to the board's participation agreement template and moved to continue the discussion at the January meeting.

The board conducted an exit interview for monitored licensee Ryan Roussel. The board decided that Mr. Roussel successfully completed all of the terms of his Consent Order agreement with the board. The board authorized the administrative staff of the board to change Mr. Roussel's license status from "probation" to "active" on December 17, 2019, which is the official end date of his probationary period.

The board conducted interviews to fill open Advisory committee positions for 2020. Phil Page moved to select Benjamin McRae and Michael Hildebrand to be appointed by the board to the Advisory Committee. Judith Halverson seconded the motion. The board voted and unanimously approved.

The board requested staff to send another request out to licensees to fill other Advisory Committee positions, specifically to represent either the geographic locations of Alexandria and Lafayette or workplace settings of acute care and rehab.

## **OFFICER REPORTS**

### Chairman Report

Chairman Harris notified the board of the resignations of consumer board member Melissa Cox and Advisory Committee member Nick Butler, PT.

### Secretary/Treasurer Report

As of September 30, 2019, cash in the bank totaled \$484,783.75 in the checking and savings accounts at Farmer's Merchant Bank. Total Income totaled \$362,578.00 and ordinary expenses totaled \$48,774.66. Of the total income, \$335,300.00 was a debit to transfer "Unearned Revenue" received as second year renewal fees in the previous fiscal year to income in the current fiscal year. The ordinary income for the month of September 2019, excluding the "unearned revenue" accounting from the total income, is \$27,278.00

The Certificates of Deposit at Business First Bank totaled \$988,549.47. CD #054 earned interest of \$542.36 in the month of September. The ending balance as of 09/30/2019 was \$491,742.79. CD #054 is on a 12-month certificate term at a 1.3% interest rate. The CD will mature on 05/25/2020.

CD #025 earned interest of \$1,077.91. The ending balance as of 09/30/2019 was \$496,806.68. CD #054 is on a 12-month certificate term at a 2.56% interest rate. The CD will mature on 12/18/2019.

As of October 31, 2019, cash in the bank totaled \$466,492.70 in the checking and savings accounts at Farmer's Merchant Bank. Total Income totaled \$50,419.00 and ordinary expenses totaled \$73,022.95.

The Certificates of Deposit at Business First Bank totaled \$990,120.31. CD #054 earned interest of \$525.44 in the month of October. The ending balance as of 10/31/2019 was \$492,268.23. CD #054 is on a 12-month certificate term at a 1.3% interest rate. The CD will mature on 05/25/2020

CD #025 earned interest of \$1,045.40. The ending balance as of 10/31/2019 was \$497,852.08. CD #025 is on a 12-month certificate term at a 2.56% interest rate. The CD will mature on 12/18/2019

Phil Page moved to reinvest CD #025 at the maturity in the amount of the ending balance (estimated to be \$500,211.88) in a 12-month CD in Business First Bank at the best interest rate offered at that time. Judith Halverson seconded the motion. The board voted and unanimously approved.

### Executive Director Report

Mrs. Martin presented the licensing report. Between September 14, 2019 and November 29, 2019, 84 licenses were issued. Of the 84 licenses issued, 37 were PTs receiving a license in Louisiana for the first time, and 44 are PTAs receiving a license in Louisiana for the first time. Two were PTs reinstating a lapsed license and 1 was a PTA reinstating a lapsed license.

Mrs. Martin updated the board on the latest meeting with Covalent Logic. The board agreed with working with Covalent Logic to address website fixes on the current website and database.

Mrs. Martin updated the board on the addition of Accessibe to the board's website in order to make the site ADA compliant for all visitors.

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

Currently Open (Licensees)	13
Currently Open (Non-Licensees)	0
Complaints Received	2
Informal Conferences	4
Hearings Scheduled	1
Appeals	1
Proposed Consent Order	0
<u>Closed Cases</u>	<u>5</u>

Mrs. Martin presented the monitoring report of licensees who are currently being monitored by the board.

Mrs. Martin presented a drafted letter to be sent to all PT and PTA program in Louisiana clarifying the rules regarding provisional license qualifications. The board reviewed the letter and approved it to be sent to the programs.

Jessica Alwell informed the board of the non-compliance of Compact holder Nigelle Williams. Ms. Williams was determined to be non-compliant with the jurisprudence exam requirement for Compact holders. Phil Page moved to empower board staff to contact the Compact Commission to notify of non-compliant Compact applicants who did not complete the jurisprudence within 24 hours to issue a hold on their privilege. Judith Halverson seconded the motion. The board voted and unanimously approved.

## **LEGAL REPORT**

Mr. Raines presented the board with two legal opinions regarding the topics of social media and education and outreach.

## **COMMITTEE REPORTS**

### CEU Committee

The CEU committee reported that 313 courses were reviewed since the last board meeting. Of these reviewed courses 312 were approved. One hundred two of the courses were traditional (live) and 209 were web-based (online), and 1 was hybrid-based (live and online). Of the 312 courses that were approved, 291 were clinical, 17 were administrative and 4 were Ethics. The average time for approval was 4.54 days.

The CEU committee presented the course Stress Management: Personal and Professional Solutions for Well-being for consideration. Judith Halverson moved for the course to be denied. Phil Page seconded the motion. The board voted and unanimously approved the denial.

The board discussed the current process of denying course applications and discussed whether the CEU committee must bring all course denials before the board. The CEU committee should approve and deny courses according to the board-approved CE policy. If the committee is unsure if the course meets the board-approved CEU policy criteria for approval, the committee may bring the course before the board for discussion. Judith Halverson moved to authorize the CEU committee to deny applications that do not qualify for approval based on the board-approved CEU policy. Phil Page seconded the motion. The board voted and unanimously approved.

#### LTF

Secretary/Treasurer Kleinpeter gave a brief update on all current topics in legislature.

#### Opioid Prevention

Katie Brittain requested the addition of new members to the committee. Judith Halverson was added to the committee.

#### **NEW BUSINESS**

The board reviewed requests from monitored licensees. The board determined Tomas may complete home assessments for patients while on probation. The board determined that it would be acceptable to average 80 hours worked per month for Mr. Bryant to remain in compliance with the minimum 20 hours per week requirement of his Consent Order agreement.

The board approved of Gretchen Duplantis' request to work in an inpatient and outpatient setting.

The board reviewed the board monitoring assignments for monitored licensees.

Mrs. Martin informed the board of the upcoming LPTA symposium. Katie Brittain moved to authorize the board staff to purchase a booth at the spring and fall LPTA meetings indefinitely. Phil Page seconded the motion. The board voted and unanimously approved.

The board reviewed a question asking "Can a PTA document the new meds found in a patient's home and update the med list in the clinical record?". The board members discussed and agreed that the level of responsibility delegated to the PTA is at the discretion of the PT who is ultimately responsible for the care of the patient (LAC 46: LIV §333.B(1)). The PTA performs such patient-related activities assigned by a physical therapist which are commensurate with the physical therapist assistant's education, training, and experience (La R.S. 37: §2407.A.(3)).

The board reviewed a question asking “Could you please clarify for me the board’s stance on use of billing code 97140 for dry needling?” The board members discussed and agreed that the board does not advise licensees on billing. The Board advises that licensees contact the APTA or the state chapter of the association or the payment providers for guidance.

The board reviewed a question asking “Can a PT technician perform transfers and transport of a patient without a clinician of any sort present? Is it within the scope of physical therapy to make recommendations for discharge for equipment and location?” The board discussed the questions and requested that Judith Halverson reach out to the licensee to request more information prior to giving any guidance.

The board reviewed a question asking “My question is regarding our marketing efforts to the public, and it is this: In our patient referral program to friends and family, we’re looking to include some “thank you” for our patients for the referral of a friend or family member that makes at least 3 appointments, such as a \$10 gift card to a local business, or a T-shirt with our logo, or something like that as incentive. Is this ok to do?” The board reviewed this question and asked Jim Raines, General Counsel if the board could respond. He stated that this is not something that the board can answer and advised that the licensee will need to seek advice from a healthcare attorney.

The board reviewed a question asking “I’m a bit perplexed: Tai chi and Qigong as well as cupping have enough evidence based standards for board approval? Please explain the rationale.” The board asked Mrs. Martin to send a response to the licensee notifying this licensee that the course application now requires submission of three reference articles published in peer reviewed journal(s) related to the field of physical therapy that were published within the last ten years.

The board reviewed a question asking “We just have a nursing leader reach out to our department in regards to the Mayo Clinic having PT/OT use the MIST machine for non-contact low frequency ultrasound treatments. She stated that nursing cannot bill for this service, but PT/OT can; however, I’m unsure how this is relevant as we are in the acute setting and paid on DRG. Do you have any insight into this?” The board discussed and agreed that the board does not advise licensees on billing. The board advises that licensees contact the APTA or the state chapter of the association or payment providers for guidance.

## **OLD BUSINESS**

The board reviewed and approved the 2020 board meeting schedule.

## **PUBLIC COMMENT**

No public comment.

Phil Page moved to adjourn the meeting. Judith Halverson seconded the motion. The board voted and unanimously approved. The board meeting was adjourned at 7:01.

## **PUBLIC HEARINGS**

Julie Harris called the meeting to order at 8:00am on December 12, 2019. The board hearing conducted was to consider license application for Marshall Peak and Carla Russell. The board held an administrative

hearing for Administrative Case 2018I031 in the matter of licensee Brant Landry. Court transcripts are available for all three hearings upon request. The Board will consider the orders at the January meeting.