

# NEW JERSEY STATE BOARD OF PHYSICAL THERAPY EXAMINERS

## PUBLIC SESSION MINUTES July 22, 2003

A regular meeting of the New Jersey State Board of Physical Therapy Examiners was held at 124 Halsey Street, Newark, New Jersey, in the Somerset Room, 6th Floor, on Tuesday, July 22, 2003. The meeting was convened in accordance with the provisions of the Open Public Meetings Act. Barry Inglett, Chairman of the Board, called the meeting to order at 9:45 a.m. and a roll call was taken and the following attendance was recorded:

MARY B. BROWNE, P.T.	Excused
BARRY INGLETT, P.T.	Present
NANCY R. KIRSCH, P.T.	Present
DENNISE KRENCICKI, P.T.	Present
GARY SAVANDER, P.T.	Excused
JOHN WARD, P.T.	Present
KAREN E. WILK, P.T.	Present

**Also present were:** Susan H. Gartland, Executive Director; Carmen A. Rodriguez, Deputy Attorney General; Chanita R. Lucky, Assistant to the Executive Director; Lora Sellmeyer, Assistant to the Executive Director; Kathy Mairella, President-APTA-NJ; Kenneth Mailly, APTA-NJ, Jake Gertsman, Regulatory Analyst

### **I. APPROVAL OF THE MINUTES OF THE JUNE 24, 2003 BOARD MEETING**

Upon a motion made by Nancy Kirsch and seconded by Dennise Krencicki, the Board voted to accept the minutes of the June 24, 2003 Board meeting as amended. The motion carried by a unanimous vote.

### **II OLD BUSINESS:**

#### **A. NEW JERSEY REGISTER REVIEW-CHAIRMAN INGLETT**

Chairman Inglett requested a comment be prepared by Nancy Kirsch on the proposed appeal from The Department of Banking and Insurance PIP Benefits (PIP information).

In addition the proposed new rule under the State Board of Medical Examiner's the Presence of Chaperones was distributed for review which will be considered informational at the September Board meeting.

#### **B. REVIEW OF AMENDMENTS AND REGULATIONS - JAKE GERTSMAN, REGULATORY ANALYST**

The Board, along with Regulatory Analyst, Jake Gertsman, reviewed existing regulations and made recommendations for additional language and clarification of existing language.

**C. KATHLEEN K. MAIRELLA, P.T., MA , PRESIDENT, APTANJ  
RE: APPROVED RECOMMENDATIONS FOR CONTINUING EDUCATION REGULATION**

This matter was considered informational and will be referred to the Rules and Regulations Committee of the Board.

**D. CORRESPONDENCE FROM KELLY LLOYD, P.T. RE: SCHOOL BASED PHYSICAL THERAPY**

The Board considered an inquiry from Ms. Lloyd, a physical therapist, who asked if a physician's prescription was required to provide physical therapy in a school setting. The Board will advise Ms. Lloyd that effective, February 13, 2003, the amended language contained in the Physical Therapy Statute permits direct access by consumers in New Jersey to the services of a physical therapist, thereby no referral for physical therapy service is required, except for reimbursement purposes and automobile accidents.

**E. DIVISION OF ARCHIVES AND RECORDS MANAGEMENT-PROPOSED NEW RULES: N.J.A.C. 15:3**

The Board considered this matter informational.

**F. CORRESPONDENCE FROM BARRY INGLETT, CHAIRMAN  
RE: CORPORATE PRACTICE**

The Board will ask AAG Sharon Joyce to attend the next Board meeting to discuss, N.J.S.A 45:9-37.34 (d), in preparation for the Board's need to promulgate a regulation regarding corporate practice for P.T.'s in New Jersey.

**III. INFORMATIONAL:**

**A. NJ BOARD OF CHIROPRACTIC EXAMINERS-PUBLIC SESSION MINUTES-MAY 22, 2003**

The Board considered this matter informational.

**B. KENTUCKY STATE BOARD OF PHYSICAL THERAPY NEWSLETTER- JUNE 2003**

The Board considered this matter informational.

**C. FSBPT- CBT COMMENTS FOR THE MONTH OF APRIL AND MAY.**

The Board considered this matter informational.

**D. CHANGE OF MEETING DATE- OCCUPATIONAL THERAPY ADVISORY COUNCIL- JULY 10, 2003**

The Board considered this matter informational.

**E. NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS- OPEN AGENDA DISCIPLINARY MATTERS PENDING CONCLUSION- JULY 9, 2003**

The Board considered this matter informational.

**F. NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS- OPEN BOARD MINUTES- MAY 14, 2003**

The Board considered this matter informational.

**G. NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS- OPEN BOARD AGENDA- JULY 9,**

**2003**

The Board considered this matter informational.

**H. NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS- OPEN MINUTES DISCIPLINARY MATTERS PENDING CONCLUSION- APRIL 9, 2003**

The Board considered this matter informational.

**I. NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS- DISCIPLINARY MATTERS PENDING CONCLUSION- MAY 14, 2003**

The Board considered this matter informational.

**APPEARANCES:**

**T.O.E.F.L. WAIVERS:**

**1. Jose Villanueva**

Jose Villanueva appeared before the Board to request a waiver of the TOEFL requirement for foreign-educated individuals applying for licensure. Mr. Villanueva is applying for licensure by examination in the State of New Jersey. He was educated in the Philippines and received his professional as well as undergraduate education in the English language. Mr. Villanueva has plans to work in New Jersey.

Upon a motion made by Nancy Kirsch and seconded by Karen Wilk, the Board voted to grant Mr. Villanueva a waiver of the TOEFL requirement based upon the fact that his professional as well as undergraduate education was conducted in the English language and he demonstrated a proficiency in the English language. The motion carried by a unanimous vote.

**2. Milton John Modesto**

Milton John Modesto appeared before the Board to request a waiver of the TOEFL requirement for foreign-educated individuals applying for licensure.

Mr. Modesto is applying for licensure by examination in the State of New Jersey. He was educated in the Philippines and received his professional as well as undergraduate education in the English language. He passed the TOEFL in 1997 with a score of 587. Mr. Modesto has plans to work in New Jersey.

Upon a motion made by Nancy Kirsch and seconded by Karen Wilk, the Board voted to grant Mr. Modesto a waiver of the TOEFL requirement based upon the fact that his professional as well as undergraduate education was conducted in the English language and he demonstrated a proficiency in the English language. The motion carried by a unanimous vote.

**3. Agnes Mendoza**

Agnes Mendoza appeared before the Board to request a waiver of the TOEFL requirement for foreign-educated individuals applying for licensure.

Ms. Mendoza is applying for licensure by examination in the State of New Jersey. She was educated in the Philippines and received her professional as well as undergraduate education in the English language. She took the TOEFL in May of 2003 and received a score of 207 (213 is passing score). Ms. Mendoza has plans to work in New Jersey. Upon a motion made by Nancy Kirsch and seconded by Karen Wilk, the Board voted to grant Ms. Mendoza a waiver of the TOEFL requirement based upon the fact that her professional as well as undergraduate education was conducted in the English language and she demonstrated a proficiency in the English language.

The motion carried by a unanimous vote.

#### **4. Angelo Santos**

Angelo Santos appeared before the Board to request a waiver of the TOEFL requirement for foreign-educated individuals applying for licensure.

Mr. Santos is applying for licensure by endorsement in the State of New Jersey. He was educated in the Philippines and received his professional as well as undergraduate education in the English language. Mr. Santos is licensed in New York and has plans to work in New Jersey.

Upon a motion made by Nancy Kirsch and seconded by Karen Wilk, the Board voted to grant Mr. Santos a waiver of the TOEFL requirement based upon the fact that his professional as well as undergraduate education was conducted in the English language and he demonstrated a proficiency in the English language. The motion carried by a unanimous vote.

#### **5. Helen Hoi**

Helen Go Ong Hoi appeared before the Board to request a waiver of the TOEFL requirement for foreign-educated individuals applying for licensure.

Ms. Ong Hoi is applying for licensure by endorsement in the State of New Jersey. She was educated in the Philippines and received his professional as well as undergraduate education in the English language. Ms. Hoi is licensed in New York and has plans to work in New Jersey.

Upon a motion made by Nancy Kirsch and seconded by Karen Wilk, the Board voted to grant Ms. Hoi a waiver of the TOEFL requirement based upon the fact that her professional as well as undergraduate education was conducted in the English language and she demonstrated a proficiency in the English language. The motion carried by a unanimous vote.

### **IV NEW BUSINESS:**

#### **A. INQUIRY FROM JOHN CINTINEO, P.T. RE: LASER THERAPY PERFORMED BY PT**

The Board considered an inquiry from Mr. Cintineo, a physical therapist who wrote to the Board regarding his purchase of a "low level" laser used to treat carpal tunnel syndrome. The Board will advise Mr. Cintineo that after the initial evaluation done by the P.T. has been completed the P.T. must determine the appropriate plan of care for the patient and if the laser treatment is part of that plan of care then the P.T. may administer that physical modality to that particular patient.

#### **B. INQUIRY FROM PATRICIA B. TAYLOR, L.P.T.A. RE: PTA'S ABILITY TO SIGN INSURANCE CHARGE BILLS**

Ms. Taylor wrote to inquire as to whether PTA's could sign insurance billing forms for physical therapy completed. While nothing prevents a PTA from signing an insurance billing form a P.T. must always co-sign according to N.J.A.C. 13:39A-3.4 (e) . Also as per N.J.A.C. 13:39A-3.4 (e) a licensed PT shall include on all bills submitted to a patient or third party payor the licensee's license number, which in this case would be the P.T.A. and the P.T.

#### **C. INQUIRY FROM TIM O'KAY, PT RE: STANDARDS OF PROFESSIONAL BEHAVIOR**

The Board will send a letter to Mr .Tim O'Kay thanking him for the information he supplied regarding the need for N.J.P.T. law to contain standards of professional behavior and will take it into consideration.

**D. CORRESPONDENCE FROM SUE LINDEBLAD, PT- DIRECTOR CREDENTIALING SERVICES  
RE: COURSE WORK EVALUATION TOOL FOR FOREIGN EDUCATED PT'S 4TH EDITION**

The Board considered this matter informational.

**E. INQUIRY FROM KEITH RENNAR RE: ELECTRO MEDICAL STIM FLEX 400**

The Board reviewed Mr. Rennar's inquiry regarding the use of Electro Therapy. Mr. Rennar will be notified that any procedure involving the use of a laser can only be done in New Jersey by a licensed healthcare practitioner within the scope of their practice.

**F. INQUIRY FROM CAROLYN J. YOUNG RE: DIRECT ACCESS**

The Board reviewed Ms. Young's inquiry about the need for a prescription in a school based setting and will respond stating that she herself can require a prescription however it is no longer a requirement to practice physical therapy in New Jersey.

**G. INQUIRY FROM SHARRIE RAPAGNA, PT RE: VERBAL DIRECTION**

The Board reviewed the inquiry from Ms. Rapagna and will respond stating that you do not need verbal or written direction from a physician to treat but if needed for reimbursement in Motor Vehicle cases it can be obtained from a physician. Ms. Rapagna needs to refer back to hospital policy on verbal orders.

**APPLICATIONS APPROVED BY THE BOARD:**

1. Ian Pat Cabilan- PT Exam Only
2. Clarito C. Celeste, JR.- PT Exam Only
3. Jane Frances Y. Young- PT Exam Only
4. Cesario Ponce De Leon Daug, JR.-PT Exam Only
5. McGucken M. De Leon- PT Exam Only
6. Cheryl Ann H. Estacio- PT Exam Only

**APPLICATIONS NOT APPROVED BY THE BOARD:**

1. Beatriz Cecilia Abdullah

**ADJOURNMENT:**

Upon a motion made by Nancy Kirsch and seconded by Karen Wilk, the Board voted to adjourn Public Session and to go into Executive Session to discuss the following matters involving investigations or violations of the Board's enabling act, the Uniform Enforcement Act and/or Board regulations.

1. One complaint or matter filed with the Board which requires review and additional recommendations with regard to investigations and/or actions.
2. Six matters where additional information has been submitted to the Board concerning pending investigations.

Respectfully submitted,

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Susan H. Gartland, Executive Director

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