

Minutes of the September 28, 2015 Board of Physical Therapy Meeting

CALL TO ORDER

Scott Edwards, Chairperson called the meeting of the Board of Physical Therapy to order on Monday, September 28, 2015 at 8:59 a.m. in the Lower Level B Conference Room, Nebraska State Office Building, 301 Centennial Mall South, Lincoln, Nebraska. The meeting was duly publicized by distribution of the Notice of Meeting and Agenda at least ten (10) days prior to the meeting and posting the agenda at the entrance of the Department of Health and Human Services Division of Public Health at least twenty-four (24) hours prior to the meeting.

Mr. Edwards announced that this is a public meeting and the Open Meetings Law is posted.

The following Board members and Department Staff were present at the meeting: Scott Edwards, Natalie Harms, Rachel Reiman, Tom Victor, Rene' Tiedt, Program Manager, Jacye LaFayette-Dymacek, Health Licensing Coordinator, Ed Vierk, Assistant Attorney General, Suzanna Glover-Ettrich, Department Legal Counsel, and Investigators Jeff Newman and Laura Weber.

Ms. Harms moved, seconded by Ms. Reiman to adopt the revised agenda. Voting aye: Edwards, Harms, Reiman, and Victor. Voting nay: None. Motion carried.

Ms. Reiman moved, seconded by Mr. Victor to approve the minutes from the June 8, 2015 meeting as presented. Voting aye: Edwards, Harms, Reiman, and Victor. Voting nay: None. Motion carried.

CLOSED SESSION

Ms. Harms moved, seconded by Mr. Victor to go into closed session at 9:00 a.m. to hear discussions regarding confidential information and to protect the reputation of individuals named or referenced in such discussions. Voting aye: Edwards, Harms, Reiman, and Victor. Voting nay: None. Motion carried.

OPEN SESSION

Ms. Harms moved, seconded by Ms. Reiman to return to open session at 11:00 a.m. Voting aye: Edwards, Harms, Reiman, and Victor. Voting nay: None. Motion carried.

DECISIONS

Ms. Harms moved, seconded by Mr. Victor to offer James Frey a two-year probationary license to practice as a Physical Therapist upon completion of all certification requirements. This offer is based on Mr. Frey's recent criminal conviction and court ordered probation. Voting aye: Edwards, Harms, Reiman, and Victor. Voting nay: None. Motion carried.

SCOPE OF PRACTICE

After discussion, Ms. Harms moved, seconded by Ms. Reiman to table the scope of practice question regarding providing extracorporeal shock wave therapy to patients with plantar fasciitis for further research by the Board. This question will be placed on a future agenda for review. Voting aye: Edwards, Harms, Reiman, and Victor. Voting nay: None. Motion carried.

After discussion, the Board declined to render an opinion regarding the definition of re-evaluation and what tasks or role a Physical Therapy Assistant can have as the answers can be found in the statutes, rules, and regulations.

After discussion, the Board declined to render an opinion on whether a Physical Therapy Assistant can complete the documentation for a discharge assessment and if it should be signed by the PTA and PT as the answers can be found in the statutes, rules, and regulations.

After discussion, the Board declined to render an opinion on whether a Physical Therapy Assistant can issue HEP written materials under their own credential and signature as the answer can be found in the statutes, rules, and regulations.

MISCELLANEOUS

The Board discussed the interstate licensure compact for physical therapy that has been developed by the Federation of State Boards of Physical Therapy (FSBPT). Discussion focused on the language of the compact, advantages and disadvantages for Nebraska, whether we would be interested in participating, and how to go about it if we did.

The Board discussed the 2015 FSBPT Annual Meeting & Delegate Assembly being held in Orlando, Florida on October 15-17, 2015. Mr. Edwards, Mr. Victor, and Ms. LaFayette-Dymacek will be attending this conference.

Ms. Glover-Ettrich and Mr. Vierk shared information regarding the North Carolina Board of Dental Examiners vs. Federal Trade Commission ruling.

Ms. Tiedt provided the Board with a copy of the Computer Based Testing Report. This report was provided for informational purposes only.

Ms. Tiedt presented the Department's Application Processing Report since June 8, 2015. This report was provided for informational purposes only.

The next meeting is scheduled for January 25, 2016 at 9:00 a.m.

Ms. Tiedt provided a brief recap of the topics covered during the meeting.

Adjournment

There being no further business, the meeting was adjourned at 12:07 p.m.

Respectfully submitted by:

*****signature available upon request*****

Tom Victor, Secretary

Prepared by: Jacye LaFayette-Dymacek, Health Licensing Coordinator