

STATE OF NEVADA

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Board Investigator

PHYSICAL THERAPY BOARD

3291 North Buffalo Drive, Suite 100
Las Vegas, NV 89129

BOARD MEETING MINUTES

May 10, 2024

Item 1. Call to Order, Confirmation of Quorum

Chair Laymon convened the meeting at 9:00 AM for roll call.

Board Members Present: Michael Laymon, PT, Chair; Gina McDade, PTA, Vice Chair; Jennifer Nash, PT; Aaron Stevens, Public Member.

Board Members Absent: Jessie Fisher

Staff: Gabriella Fuentes, Board Operations Support Specialist; Muriel Morin Mendes, Licensing Coordinator; Deborah Dieter, Board Investigator.

Staff Absent: Executive Director Harvey

Legal Counsel: Todd Weiss, Senior Deputy Attorney General.

Item 2. Public Comment

- A. Janelle Lauchman, Physical Therapist, License No. 1847.
I want to thank the Board for getting the NAC changes through the LCB and for all your hard work. I have a few comments on the agenda for today. For item number 14A, I would like to express my wholehearted support behind a two-year license renewal and that it stays the same based on the Board's finances. I think the Board should give a good reason why they would need to increase the price going to two years because it would save on administrative costs, plus what the board has in reserves, I think should cover that. On agenda item 14B, if there is going to be a new JAM for those of us

who are getting ready to be licensed renewal in July, how much of a notice? Can you give us as much notice as possible so we can go through it? Because the current version is a little clunky to read and review. Another comment for item 14D on Dry Needling. I'm wondering if the board would consider just us posting the precautions of dry needling and maybe just having it within the consent that we currently have or having two consent forms because when I Dry Needle somebody's foot and they see pneumothorax, it's a whole bigger discussion since we're not needling the thorax. If we can have two separate consent forms, it might be better for the public to understand what dry needling is and the risks and benefits. And then item 14E, I am currently going through the University of Tennessee's Animal Canine Rehab program and equine. I have researched the 2004 language that was discussed with the Veterinarian Board. So if there's going to be large changes to that, I'm hoping you're also going to do a small business impact report with that. And then for consideration for a future meeting for the board's discussion, can we also maybe look at handicap placards being given by PTs? Because I think we give better input on those than some of the physicians because I know when I have patients that require either depth of driving or Handicap Placards. The doctors are asking me for my advice on those. Then on item 14J, number 2 is very concerning as a PT that this would be on the agenda as is, that PTs do not understand that PTAs cannot do an assessment or a progress note. I'm hoping there's a lot of education that's going to be going on about that one. That's all my comments for today. Thank you very much.

- A. Bernard Miller, Physical Therapist, License No. 0801.
I was on the agenda for last month, and then subsequently, I was not on the agenda for this month, and I do not understand. Furthermore, I don't know why the attorney general does not respond to any of my emails. Can you answer that? And if not, can you suggest any options?

Discussion between Deputy Attorney General Weiss and Mr. Miller concerning the reason the Board could not proceed with his hearing today, and the rescheduling of timely notification of his hearing before the Board.

Item 3. Report from the Nevada Physical Therapy Association (APTA NV)
(Informational Only).

Pamela Smith: APTA NV Secretary.

I just wanted to thank everyone for their hard work on getting the regulations through and we're looking forward to diving in on some new things, some of it on the agenda today. Our President, Susan Priestman, is still working on imaging for Nevada PTs. Thank you.

- Item 4. Review and Consideration of March 15, 2024, Board Meeting Minutes (*For Possible Action*).

Motion: Motion to approve as written: Vice Chair McDade

Second: Member Nash

Motion Passes Unanimously

- Item 5. Legislative Services Update (*Informational Only*).

My name is Paul Klein. On the line with me is Ricky Gurier, and of course you all have met Eddie Abel. We are Tri-Strategies, and we're thrilled to be here. This is our first report as your legislative affairs partner. This won't take long, and we've also provided this pdf for you all to review later. As you know, we're in the 2024 interim session. The interim is about interim committees meeting and receiving reports. They start to address policy issues and gather information or a case to make recommendations to the legislature, and then, of course, the regulation setting that you all have participated in, and the powers to enforce the legislation and really improve and define. The timeframe for that submission is September 1st. So if your subcommittee decided they wanted to move forward with a piece of legislation, such as the compact or anything else, and we were able to look towards that week and wanted to seek a committee to request they move it forward as one of their 10 BDRs. Then the recommendation for that would be due June 20th, and then all other Board's legislative BDRs are due by about December 10th, and there's some leeway on that they can submit some after that, but these are some timeframes to think about. Thank you, that's it for us. I'm here if you have any questions.

- Item 7. Update on Adopted Administrative Regulations (NAC 640) (*Informational Only*).

Vice Chair McDade provided clarification that the 2,000-hour requirement contained in NAC 640.592 (1)(c) is no longer in effect. This pertains to PTAS actively under the 2,000 supervisory requirements, as well as new PTAs going forward.

- Item 8. Selection of Board Legislative Committee for the 83rd (2025) Session of the Nevada Legislature. (*For Possible Action*).

Motion: Motion to appoint Vice Chair McDade and Member Fisher: Member Stevens

Second: Vice Chair McDade

Motion Passes Unanimously

- Item 9. Cases recommended for termination of probation (*For Possible Action*). The Board will review, discuss, and may vote to take action on the following case:

A. Gisele David, PT, License Number 6210

Motion: Motion to discontinue probation as the licensee has completed all required items, and allow Giselle David to have full licensure: Member Nas
Second: Vice Chair McDade
Motion Passes Unanimously

Item 10. Report from Board Legal Counsel *(Informational Only)*

Senior Deputy Attorney General Wiess reported that he is working with the Board Investigator and Executive Director to clear some of the older disciplinary matters.

Item 11. Disciplinary Matters *(For Possible Action)*.

- A. The Board will hold formal hearings wherein it may impose disciplinary action or accept a stipulated settlement agreement, if one is presented, in the following case:
 - i. None at this time.
- B. Recommendation for Case Dismissal. The Board will review and possibly approve action regarding the dismissal of the following cases:
 - i. None at this time.

Item 11. Advisory Committee on Continuing Competence (ACCC) Update *(For Possible Action)*.

- A. Consideration of recommendations for continuing competence courses reviewed at the April 5, 2024, ACCC Meeting.

Motion: Motion to approve continuing competency courses reviewed at the April 5, 2024, ACCC meeting: Member Nash
Second: Member Stevens
Motion Passes Unanimously

- B. Recommended Changes to the White Paper, for Board approval.

Item tabled.

Item 12. Board Operations

- A. License Ratifications *(For Possible Action)*. The Board will review, and approve licenses issued by the authority of the Board pursuant to NRS 640.090, NRS 640.146, NRS 640.240, and NRS 640.250.

Motion: Motion to approve the licenses issued within the Dropbox pertaining to these NRS codes: Member Nash
Second: Vice Chair McDade
Motion Passes Unanimously

- B. Board Operations Report *(Informational Only)*.

No discussion.

- Item 13. Review and Discussion on Draft Advisory Opinion regarding physical therapist-patient referrals for diagnostic imaging studies.

Motion: Motion to approve the draft advisory opinion regarding physical therapist-patient referrals for diagnostic imaging studies: Member Nash

Second: Member Stevens

Motion Passes Unanimously

- Item 14. Board General Discussion Items *(For Possible Action)*.

A. License Renewals relating to NRS 640.150(1) and NAC 640.400.

- I. Review and discussion on extending the licensure period from one to two years.

Motion: Motion to seek statutory changes to move licensure from one to two years: Vice Chair McDade

Second: Member Stevens

Motion Passes Unanimously

- II. Review and discussion on expanding the continuing competence requirement from 15 to 30 units of continuing competence for a two-year licensure period.

Motion: Motion to pursue changes statutory changes to expand the continuing competency requirement from 15 to 30 units for the two-year licensure period: Vice Chair McDade.

Second: Member Nash

Motion Passes Unanimously

- III. Review and discussion on changing license renewal dates from the current model to more evenly distribute the renewal workload over the year.

Motion: Motion to change license renewal dates from the current model to a birthday model to more evenly distribute renewal workloads over the year: Member Nash

Second: Vice Chair McDade

Motion Passes Unanimously

B. Nevada Jurisprudence Exam relating to NAC 640.040(2).

- I. Review and discussion on the requirements for initial licensure and annual license renewal.

- II. The recently adopted regulation contains the requirement for an annual jurisprudence exam for license renewal. Staff is working the licensing vendor to incorporate the jurisprudence exam in the license renewal process.

C. Online Licensure Process relating to NRS 640.090.

No discussion.

- D. Dry Needling Requirements relating to NRS 640.050(3).
- I. Review and discussion on the requirements to perform Needling in the State of Nevada.

No action was taken.

- E. Animal Physical Therapy Language.

Discussion by Vice Chair McDade. This item will be revisited at a future board meeting.

- F. Simple Finger Stick for Blood Sugar, Lactic Acid, etc. for patient safety on diabetes.

Discussion by Chair Laymon. This item will be revisited at a future board meeting.

- G. Board Diversity, Equity, and Inclusion Efforts

- I. Review and discussion on the continuation of diversity, equity, and inclusion (DEI) initiatives.

No action was taken.

- H. In-person Meetings.

- I. Review and discussion on in-person meetings and a future strategic planning board retreat.

Chair Laymon would like to conduct several in-person meetings. Staff were asked to look at options for a strategic planning retreat.

- I. Supervision and verification of students enrolled in a curriculum approved by the Board for physical therapist assistants, regarding clinical education. (NAC 640.593).

Discussion by Vice Chair McDade. This item will be revisited at a future board meeting.

- J. Progress notes relating to NAC 640.592.

- I. Are PTAs able to initiate progress notes if the supervising PT signs that document?
- II. Is a physical therapist assistant allowed to complete a progress report without the signature of the supervising physical therapist?

Discussion by Vice Chair McDade. This item will be revisited at a future board meeting.

15. Report from Board Chair and Members *(Informational Only)*.

16. Discussion of Future Agenda Items (*Informational Only*).

- a. Strategic Planning
- b. Jurisprudence
- c. Supervision of Students
- d. Moving PT Compact Bill forward
- e. Disciplinary Hearing

17. Public Comment

None.

18. Adjournment

10:54 AM