

STATE OF NEVADA

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BOARD MEETING MINUTES

March 6, 2026

Item 1. Call to Order, Confirmation of Quorum

Chair Michel Layman called the meeting to order at 9:03 AM. A roll call was conducted, and a quorum was present.

Board Members Present: Michael Layman, PT, Board Chair; Gina McDade, PTA, Vice-Chair/ACCC Member; Louis Hillegass, PT, Member; Joe Indrieri, PT, Member; Anita Wagner, Secretary-Treasurer/Public Member.

Members Absent: None

Board Staff: Charles Harvey, Executive Director; Deborah Dieter, PT, Board Investigator; Jennifer De Rose, Licensing Coordinator; Deanna Irby, Board Operations Support.

Board Counsel: Joseph Ostunio, Deputy Attorney General

Item 2. Board Mission and Vision Statements

Chair Layman read the Board's Mission and Vision Statements.

Item 3. Public Comment

Chair Layman opened the first public comment period. Members of the public were invited to provide comments via Microsoft Teams or telephone. No public comment was offered.

Item 4. Board Member/Committee Reports and Updates

A. Nevada Physical Therapy Association (NV APTA)

Jessie Fisher provided a report on behalf of the Nevada Physical Therapy Association: NV APTA will host a joint PT/OT/Speech conference on June 6–7, 2026, in Las Vegas. A call for papers and presentations is available on the Nevada APTA website; participation is encouraged.

B. Government Relations (Tri-Strategies)

Paul Klein of Tri Strategies provided the government relations report: No major new legislation, regulatory proposals, or direct actions directly affecting the Board occurred in February. Interim committees with indirect relevance to the Board met, including the Joint Interim Standing Committee on Health and Human Services and the Patient Protection Committee, which focused primarily on workforce and behavioral health issues. The PT Compact is active; Nevada is one of 37 jurisdictions participating, and compact privileges are currently being approved. The Public Employees' Benefits Program (PEBP) Board is discussing substantial premium increases, which may impact state-employed PTs/PTAs and some in the private sector.

C. Advisory Committee on Continuing Competency (ACCC)

Vice-Chair McDade provided the ACCC report: The Advisory Committee reviewed several very short (15-minute) continuing competency courses, prompting discussion regarding minimum course length. The Committee voted to adopt a minimum course length of one hour for approval, with defined rounding rules (e.g., 1.25 hours, 1.75 hours) when assigning contact hours. The ACCC White Paper is being revised to reflect the minimum length, rounding guidance, and a new denial code for courses not meeting Nevada's minimum length requirement.

D. Model Practice Act (MPA) Work Group

Executive Director Harvey reported: The MPA Work Group held its initial meeting on February 27, 2026. The Work Group consists of seven licensed PTs, two PTAs, one public member, the Executive Director, and a representative from FSBPT. Three internal work teams were formed and assigned specific articles of the Model Practice Act for review. The target timeline to complete the review and recommendations is approximately six months.

E. Board Legal Counsel

Deputy Attorney General Joseph Ostunio stated that he had no substantive legal updates for this meeting. He advised that a Board training on contested cases will be scheduled prior to the next meeting. Executive Director Harvey reported that the May 8, 2026, Board meeting is likely to be held at 6655 W. Sahara Ave., Suite A-200, Las Vegas, Nevada. The larger venue is intended to better accommodate contested cases and the presence of a court reporter.

Item 5. Consent Agenda Items

A. Board Operations Report

Executive Director Harvey summarized the Board Operations Report for March 6, 2026, which was included in the Board packet.

Highlights included:

- 3,734 active licenses as of March 1, 2026, approximately 74% of which are PTs.
- Average processing time for new applications and renewals is one to two business days.
- 308 active military, veteran, and spouse licenses.
- Launch of the PT Compact on January 20, 2026, with 32 compact privileges issued through February (approximately 70% PTs, 30% PTAs). Compact applicants must pass the Nevada jurisprudence exam and indicate their intended practice setting
 - i. 57% reported – “Telehealth.”
 - ii. 22% reported – “Southern Nevada.”
 - iii. 17% reported – “Northern Nevada.”
 - iv. 4% reported “Not working in Nevada.”
- Complaint investigations continue to be processed promptly.
- Financial operations remain stable; however, workers’ compensation, state IT/web hosting, and Attorney General rates have all increased and will impact the Board’s budget.
- Website redesign and both public and student outreach initiatives are ongoing.
- Board outreach report: Public Member Anita Wagner reported that she and staff visited approximately five PT clinics to deliver the public consumer notification and provide information regarding Board meetings. Several clinics agreed to post the notice, and at least one large system agreed to distribute it digitally to additional sites. Follow-up will occur to confirm posting.

B. Draft Board Meeting Minutes (January 21, 2026)

The Chair confirmed that each member had reviewed the minutes.

C. Ratification of PT/PTA Licenses and ACC Course Recommendations

Motion: Move to approve the consent agenda items, including the Board Operations Report, the January 21, 2026 draft Board meeting minutes, the ratification of PT/PTA licenses approved between January and February 2026, and the ratification of ACE course recommendations from February 20, 2026; Member Wagner.

Second: Member Hillegass.

Vote: The motion passed unanimously.

Item 6. Disciplinary Matters

A. Recommendation for Dismissal and Closure of Non-Substantiated Complaint /Closure

- Complaint 122
- Complaint 118
- Complaint 112

Motion: Move to dismiss complaints 122, 118, and 112 as non-substantiated and to close the complaints; Member Indrieri.

Second: Member Wagner.

Vote: The motion passed unanimously.

Item 7. Board General Discussion & Action Items *(Taken out of Order)*

A. Request to the Nevada State Board of Veterinary Medical Examiners (NSBVME) to consider incorporating language that would authorize licensed Physical Therapist Assistants (PTAs) to perform animal physical therapy under the supervision of licensed Physical Therapists (PTs) who hold a valid certificate of registration to practice animal physical therapy in the State of Nevada.

Executive Director Harvey reported that a written request had been submitted to the Veterinary Board, which in turn requested that the Nevada PT Board appear on its agenda to present the matter. Vice-Chair McDade and Members Hillegass and Indrieri volunteered to participate in the presentation. Staff will coordinate with the Veterinary Board to schedule.

B. Hosting Board Meetings at PT/PTA School Campuses

The Board discussed holding at least one Board meeting per year at a PT or PTA education program (e.g., UNLV) to enhance student engagement and understanding of Board processes. Vice-Chair McDade referenced existing interprofessional work between CSN PTA students and UNLV DPT students and noted strong interest from UNLV faculty. The Board discussed targeting a fall date (e.g., September or November) and coordinating with multiple programs (UNLV, Touro, Hawai'i Pacific, potential UNR program) while ensuring virtual access remains available. Executive Director Harvey and staff will explore logistics, technology needs, and scheduling with program leadership and report back at a future meeting.

C. Shifting Board Meetings to Evenings to Increase Public Participation

The Board discussed whether evening or weekend meetings might increase participation by licensees who cannot attend daytime meetings. The Board acknowledged operational and staffing implications of after-hours meetings. The Board expressed interest in surveying licensees regarding preferred meeting times. Staff will develop and distribute a brief electronic survey to licensees to gauge interest and availability for evening or weekend meetings and report results to the Board.

D. Possible Expansion of Board Jurisdiction to Non-Licensees and Former Licensees

The Board discussed the concept of extending jurisdiction to non-licensees and former licensees engaged in conduct that would otherwise fall under the Board's disciplinary authority, consistent with the FSBPT Model Practice Act and certain other states. The Board noted that this topic is already included in the Model Practice Act Work Group's scope of review.

E. Primary Care Provider Language / Direct Access

The Board discussed national efforts, including in Utah, to recognize physical therapists as primary care providers for musculoskeletal conditions. The Board reaffirmed that Nevada already has direct access and diagnostic/referral authority within its existing practice act. Members discussed potential payer recognition, possible effects on reimbursement and malpractice, and the need for precise statutory language. The Board noted that this issue is being considered by the MPA Work Group as part of its broader legislative review.

F. Strategic Plan Updates

Vice-Chair McDade provided brief updates on strategic plan activities, including enhanced outreach, student engagement, and public education initiatives (e.g., consumer notification distribution).

Meeting Recessed at 9:53 AM

Meeting Reconvened at 9:58 AM

Item 6. Board Disciplinary Matters (Continued)

- A. Order to Show Cause: Alleged noncompliance with Board Order dated July 25, 2024. Licensee: Bernard Miller, PT, License No. 0801, Case 2021-15.

Deputy Attorney General Ostunio presented the Order to Show Cause regarding the Licensee's alleged failure to comply with the Board Order dated July 25, 2024. Senior Deputy Attorney General Todd Weiss served as Board Counsel.

- Proof of Service and Default: Legal Secretary Daenna Kaapana testified regarding certified and regular mail service attempts of the Third Order to Appear and Show Cause and Notice of Hearing to Mr. Miller. Mr. Miller did not appear and was not represented.
- Motion – Sufficiency of Service

Motion: I move that the service of the Order to Appear and Show Cause and Notice of Hearing on Mr. Miller was legally sufficient, and that the factual allegations in the Order to Appear and Show Cause regarding noncompliance with the July 25, 2024, Board order be deemed admitted as true: Vice-Chair McDade.

Second: Chair Layman.

Vote: The motion passed unanimously.

- Motion – Allegations Deemed Admitted

Motion: Because the 3rd Order to Appear and Show Cause and Notice of Hearing was properly served, filed, and made part of the record, and because the respondent has failed to appear and defend against the allegations, the Board finds the factual allegations regarding noncompliance with the July 24, 2025 Order to be found as true: Vice-Chair McDade.

Second: Chair Layman.

Vote: The motion passed unanimously.

Disposition: Upon recommendation of Board counsel, the Board considered suspension of Mr. Miller's license.

- Motion – Suspension

Motion: Motion to suspend the physical therapist license of Bernard Miller, PT, for ten (10) years, with the condition that Mr. Miller may petition the Board for modification of the suspension only after full compliance with the July 25, 2024, Board order: Vice-Chair McDade.

Second: Chair Layman

Vote: The motion passed unanimously.

B. Order to Show Cause: Alleged noncompliance with Board Order dated January 24, 2025. Licensee: Bryan Black, PTA, License No. A-1295, Case 2023-09.

Deputy Attorney General Ostunio presented the Order to Show Cause regarding the Licensee's alleged failure to comply with the Board Order dated July 25, 2024. Senior Deputy Attorney General Todd Weiss served as Board Counsel.

- Proof of Service and Default: Legal Secretary Kaapana testified regarding certified mail and e-mail service of the Order to Appear and Show Cause and Notice of Hearing to Mr. Black. Mr. Black did not appear and was not represented.

- Motion – Sufficiency of Service

Motion: I move that the service of the Order to Appear and Show Cause and Notice of Hearing on Brian Black, PTA, was legally sufficient and the factual allegations regarding noncompliance with the January 24, 2025, Order be deemed admissible: Member Indrieri.

Second: Chair Layman.

Vote: The motion passed unanimously.

- Motion – Allegations Deemed Admitted

Motion: I move that due to Mr. Black's failure to appear, the factual allegations regarding noncompliance with the January 24, 2025, order be deemed admitted as true: Chair Layman.

Second: Member Indrieri.

Vote: The motion passed unanimously.

- Disposition: Following discussion with Board counsel to clarify the intent and structure of the sanction:
- Motion – Suspension with Conditions

Motion: Move to suspend the physical therapist assistant license of Bryan Black, PTA, for a period of not less than thirty (30) days and not more than ten (10) years; Require Mr. Black to complete all terms and conditions of the prior settlement agreement and Board order, including payment of all outstanding amounts and completion of required continuing competency, prior to returning to practice; and authorize Board staff to reinstate Mr. Black's license administratively upon verification that (a): all conditions are satisfied and (b): a minimum of thirty (30) days of suspension has elapsed, without requiring an additional appearance before the Board.

Second: Anita Wagner.

Vote: The motion passed unanimously.

- C. Order to Show Cause: Alleged noncompliance with Board Order dated March 28, 2025. Licensee: Andrew Hillyer, PT, License No. 0660, Case Nos. 2024-03 and 2024-04.

Deputy Attorney General Joseph Ostunio advised that Mr. Hillyer had satisfied his outstanding fine and submitted documentation of continuing education shortly before the meeting. Counsel requested that no action be taken at this time, reserving the option to return if the CE hours were later found to be deficient.

No action taken.

Item 7G Open Roundtable (*Taken out of Order*)

Executive Director Harvey provided an update on the government relations contract: The Board previously approved a two-year agreement with Tri-Strategies in September 2025, but State Purchasing required a formal RFP due to the contract amount. A six-month extension has been approved through June 30, 2026, to avoid any lapse while the RFP is developed and completed. Board members will participate in the RFP evaluation committee. If necessary, the Board may seek a further short-term extension to ensure uninterrupted legislative representation.

Item 9. Future Agenda Items

The Board identified potential items for future agendas, including:

- Updates from the Model Practice Act Work Group.
- Results of the licensee survey regarding meeting times.
- Further discussion and possible action on hosting meetings at education campuses.

Item 10. Public Comment

Chair Layman opened the second period of public comment. No public comment was offered.

Item 11. Adjournment

With no further business to come before the Board, Chair Layman adjourned the meeting at approximately 10:44 a.m.