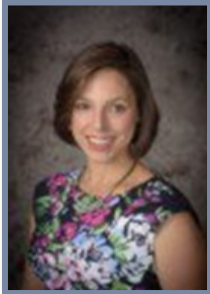




# NEWSLETTER

FALL 2020



## Message from the Director

As the calendar year comes to a close, we at the board office are already preparing for renewals. This renewal cycle, we expect to have a revised set of questions from previous renewal cycles, as well as a new link that is mandatory to complete a survey related to workforce data (La R.S. 37: 24...). The board will be discussing the revisions to the renewal form at the November board meeting. At the September 3, 2020 meeting, the board voted to temporarily suspend Rule 194.C., which requires a minimum number of continuing education credit for license renewal to be completed in-person. This temporary suspension is in effect for those renewing in 2021. The board has not made a decision about 2022 requirements. See page 5 for details. Safety is a priority as we consider opportunities to reduce the threat of spreading COVID-19. One thing that we have done differently in the past several months is that we have offered virtual attendance to our board meetings which has provided greater access for the public to attend. See page 10 for November and December board meeting dates. Live Jurisprudence offered by the Board will also be offered virtually in 2020, see page 10 for upcoming offerings.

Charlotte Martin, M.P.A.  
*Executive Director*

### CURRENT BOARD MEMBERS

| <u>Board Member</u>                         | <u>Term Expiration</u> |
|---|------------------------|
| Judith Halverson, PT<br>Chairman            | Jan 2021               |
| Kathryn Brittain, PT<br>Secretary/Treasurer | Sept 2021              |
| Meredith Warner, M.D.                       | Jan 2021               |
| Phillip Page, PT                            | Sept 2021              |
| John Marius, PTA                            | July 2023              |
| Oday Lavergne, PT                           | July 2023              |
| Tyra Mitchell, PT                           | Sept 2023              |

### FAREWELL

The Board would like to wish a fond farewell to Karl Kleinpeter. The Board thanks him for his dedicated service to the profession and for caring for the safety and wellbeing of the public.

Karl served as a Board member from September 2017 to September 2020. In 2018 and 2019, Karl served as Secretary/Treasurer and from January 2020 until the end of his term, he also served as Chairman of the Board. In his time serving, he provided wonderful guidance. During his tenure, the Board made a major overhaul of the Rules, providing for better practice with Telehealth officially included in Rule and the passage of the Physical Therapy Compact into law in the Practice Act. Karl will continue to practice physical therapy at his two privately owned clinics in the Baton Rouge area and the Board wishes him well on all of his future endeavors.

# Interim Officers 2020

The Board elected interim board officers at the September meeting to serve through the remainder of 2020.

## Chairman

Judith Halverson, PT, DPT, MHA

Judith Halverson was appointed to the Board in January, 2018 to serve a 3 year term. Judith has over 37 years of experience as a physical therapist. Judith earned her Certificate of Physical Therapy from the University of Iowa Program in Physical Therapy in 1983. In 1998, she received a Master of Health Care Administration from the Tulane University School of Public Health and Tropical Medicine. Judith received her DPT from Utica College in 2017. Her primary area of practice has been in the outpatient clinic setting. Her work experience in outpatient physical therapy has included working in the private practice environment, the Medicare Certified Rehabilitation Agency setting, which included long term care and home health, as well as the hospital-based outpatient clinic setting. In addition, Judith has had the opportunity to oversee clinicians in inpatient rehabilitation and acute care settings. Several years working in long term care facilities early in her career led to her passion for caring for the older patient. She is also passionate about teaching others, especially students, who are the future of the profession.



Judith is currently the Rehab Manager of Education for Ochsner Therapy and Wellness, the outpatient services for Ochsner Health in the New Orleans, Northshore and Baton Rouge regions. In her role, she ensures that all clinicians and support staff have the skills, education and tools to care for their patients in the most caring and effective manner.

## Secretary/Treasurer

Kathryn Brittain, PT, DPT, MBA

Kathryn Brittain was appointed by Governor John Bel Edwards on September 7, 2018 for a three-year term. Kathryn received her Doctorate of Physical Therapy degree from Duke University Medical School where she held multiple offices including serving on the medical school board of directors. She also received her MBA from Texas Woman's University and has been instrumental working with organizations in developing programs for quality improvement, strategic planning, and business development. Further, she served as CEO of a startup technology company and was responsible for the development of best practice guidelines specific to managing spine related pain. Kathryn's primary interest is a combination of utilizing her clinical depth of knowledge with the business models of cost analysis and quality improvement as it relates to medical intervention best practice and assessment of long term outcomes. Currently, Katie continues to serve primarily in the role of administrator in managing quality improvement, business development, and as a resource for best practice in the diagnosis and treatment of complex orthopedic patients. In addition, she volunteers as the Louisiana Physical Therapy Association (LPTA) Policy and Payment Committee Chair, member of the Louisiana Department of Insurance Health Care Commission, member of the Department of Insurance Pharma and Healthcare Costs Work Group, and she served on the 2017 Federation of State Boards of Physical Therapy national physical therapy exam standard setting task force.



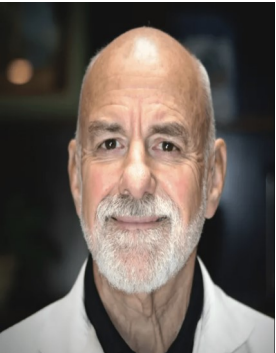
# New Board Members

It is the Board's pleasure to introduce three new Board Members in recent months.



## **John Marius, PTA**

John Reichard Marius was appointed to the board on July 17, 2020 by Governor John Bel Edwards. John has been a licensed PTA in the state of Louisiana since 1995. A native and current resident of New Orleans, John graduated from Delgado's PTA program. He currently works at University Medical Center in New Orleans and has previously worked at Charity Hospital and Touro. In addition to his professional work experience in the profession of physical therapy, John has also volunteered with the Exam Committee of the Federation of State Boards of Physical Therapy. He is excited to serve on our board and contribute to the state of Louisiana in this public service role.



## **Oday Lavergne, Jr, PT**

Oday Lavergne, Jr. was appointed to the board on July 17, by Governor John Bel Edwards. Oday graduated from the Physical Therapy program at Louisiana State University, New Orleans and has been a licensed PT in the state of Louisiana since 1978. He holds certification in functional nutrition for chronic pain. He is the founder and CEO of Agilus Health, an outpatient clinic that customizes individual recovery plans, using the most state-of-the-art technology and practices to get patients performing better than ever. Oday is eager to serve as a board member of the Louisiana Physical Therapy Board.



## **Tyra Mitchell, PT, DPT, MHA, CLT, CEAS**

Tyra Mitchell was appointed to the board on September 15, 2020 by Governor John Bel Edwards. Tyra earned a Doctor of Physical Therapy from Emory University (GA) and a Master of Health Administration from The George Washington University (DC) and brings nearly 20 years of clinical experience as a Physical Therapist and a Healthcare Administrative Leader. Her clinical practice experience includes adult, lymphedema, vestibular rehabilitation, post- concussion syndrome, geriatrics, acute care hospital, skilled nursing facilities, sports medicine, orthopedics, home health, critical care, and other clinical settings. She currently is a Professor of Practice in Exercise Science in the Kinesiology program at Tulane University, a part-time Assistant Professor in the Doctor of Physical Therapy Program at LSU Health Sciences Center- New Orleans, and a part-time Rehab Coordinator of Onboarding and Clinical Competency for Ochsner Therapy and Wellness. She serves as the Program Chair for the Health Policy and Administration section of the American Physical Therapy Association and is a member of the American College of Healthcare Executives (ACHE).

Dr. Mitchell is a native of New Orleans and lives in New Orleans with her family. In her leisure time, she travels with her family, visiting art museums and finding street art in reclaimed public spaces. Each year since 2013, Dr. Mitchell participates in Tour De Pink, a charity bike ride supporting the Young Survival Coalition (YSC).

# CHAIRMAN'S MESSAGE

## Judith Halverson, PT, Chairman of the Board

It is my pleasure to serve as the new Chairman of the Board. To this position, I bring my experience as the Secretary/Treasurer and of course that of a licensee. Recently the board welcomed new members in July and September, while bidding best wishes and many thanks to former Chairman of the Board, Karl Kleinpeter, for his service. As a result of these changes, new officers were elected in the September meeting to fulfill terms for 2020. Katie Brittain has taken the helm as Secretary/Treasurer while I assume responsibilities of Chairman of the board.

2020 continues to be a year where resiliency is an essential trait for all residents of Louisiana. While still coping with the impact of COVID-19 on our health and wellness, our members, office staff and the public in Southwest Louisiana weathered two hurricanes in the past two months. Our thoughts are with all who have been impacted by the storms.

Board meetings continued remotely through August to ensure the safety of all members, office staff, and the public. In September, board meetings resumed in person, while continuing a remote option for members and the public who choose not to attend in person. This option of a hybrid meeting will continue as long as necessary to ensure the safety of all.

The impact of COVID-19 required many academic adjustments by programs throughout the summer, resulting in challenges for new graduates to meet testing and graduation deadlines. The Board responded by reviewing and modifying policies that allowed for new graduates to meet licensing criteria. Opportunities for live continuing education have been limited due to the restrictions of meeting in person. In response to this challenge, the requirement of 15 live CEUs has been waived for the 2021 renewal period. Licensees renewing in 2021 are still required to obtain 30 CEUs but may obtain all of their hours online. A more detailed breakdown can be found on the Board's website [here](#).

The Board appreciates your patience and understanding as together we all navigate the daily changes 2020 has brought us. As always, should you have questions or concerns, please do not hesitate to reach out to Board staff.



Judith Halverson, PT, DPT, MHA  
Chairman of the Board

# 2021 Renewals

The authority set forth in the Governor's proclamation 111-JBE-2020, Section 6(V) provides that the Executive Director may temporarily suspend, waive, or amend a board rule or regulation that would prohibit, limit, or interfere with the licensing of healthcare professionals that are necessary to address the declared public health emergency. The Governor has instructed that "all departments, commissions, Boards, agencies and officers of the State, or any political subdivision thereof, are authorized and directed to cooperate in actions the State may take in response to the effects of this event." 111-JBE-2020, Section 11. You are hereby provided notice of a temporary suspension of LAC 46 LIV §194(C) for the 2021 renewal period. Here is the language of the Board Rule that is temporarily suspended through the 2021 renewal period:

## **LAC 46 LIV §194(C)**

### **§194. BIENNIAL REQUIREMENTS**

C. No more than 15 hours of continuing education submitted to the board shall be home study, internet or online courses or by other distance learning methods. This excludes the jurisprudence requirement, if taken online.

Licensees who are scheduled to renew their license in 2021 will not be required to submit live course hours to be in compliance with the continuing education requirements for the 2021 renewal period. All continuing education hours required may be completed by home study, internet or online courses or by other distance learning methods for the 2021 renewal period. Live, traditional coursework will also be accepted for the 2021 renewal period, but will not be required. This temporary suspension is **not** currently extended to the 2022 renewal period.

All other parts of the Biennial requirements in §194 still apply as follows:

#### *Rule 194: Biennial Requirements*

*The four types of approved courses or activities and requirement for each are:*

- (1) jurisprudence: a minimum of 2 contact hours;*
- (2) ethics or professionalism: a minimum of 2 contact hours;*
- (3) clinical/preventive: a minimum of 18 contact hours, up to 6 of which may be earned by completion of a board approved self-assessment tool*
- (4) administrative: a maximum of 8 contact hours may be applied during each renewal period. Additional clinical/preventive hours may be substituted for administrative.*

## **What's next?**

In January, the Board will send out instructions to licensees eligible to renew in 2021. There will be a dummy course required to be added by licensees renewing. The purpose of the dummy course is to bypass the online renewal application's coding which checks renewal submissions for live hours. This course will be added in addition to the licensee's required 30 CEU hours.

To review the full 2021 Renewal Information page, click [here](#).



# Public Service

Are you interested in getting involved in the regulatory side of your profession? Consider serving the board in an advisory role position. The Louisiana Physical Therapy Board is currently seeking active Physical Therapists and Physical Therapy Assistants to serve as Advisory Committee Members for 2020- 2021. Serving on a professional regulatory board can be a very rewarding experience.

The time commitment for Advisory Committee Members varies depending on the board activities delegated by the Board. It is required that advisory committee members attend two (2) board meetings per year, at minimum, in Lafayette, LA.

**The board is specifically seeking individuals in the geographic regions of Lafayette, or in the workplace settings of acute care or schools.**

## Advisory Committee Delegated Duties

The Advisory Committee **shall** assist the Board in:

1. Provide advice and recommendations to the Board regarding the modification amendment and supplementation of rules and regulations, standards, policies, and procedures regarding physical therapy licensure and practice;
2. Assist in investigations under the guidance and direction of the Executive Director and/or Board member; advisory committee members may be requested to participate in open/pending cases beyond term limits and continue to receive compensation for services;
3. Attend a minimum of two (2) Board meetings per year. Advisory Committee members shall demonstrate commitment to the state and the board by attendance at and participation in Board meetings and functions.

## Prohibitions

Advisory Committee Members **shall not**:

1. Interpret law or rules and regulations;
2. Represent the board in any forum except when officially approved by the Board; and
3. Answer any question or render any opinions on behalf of the Board.

If you or a fellow licensed Physical Therapist or Physical Therapy Assistant are interested in serving as an Advisory Committee Member of the Board, please submit a resume to [Jessica@laptboard.org](mailto:Jessica@laptboard.org). The deadline for submitting a resume is January 31, 2020.

## Consumer Member

**Know someone who may be interested in public service? The Consumer Member position is currently open.**

The consumer member must possess the following qualifications: be a United States citizen, never have been licensed by any licensing boards pursuant to R.S. 36:259(A), nor can their spouse ever have been licensed by any boards, have no felony convictions, and can have no material financial interest in any healthcare profession. If you know someone who may be interested in the Consumer Member vacancy and meets the above qualifications, please direct them [here](#). To request a job description, potential applicants may contact [info@laptboard.org](mailto:info@laptboard.org).

# RULES

## The Board wants to hear from you!

The Rules Revision committee is reviewing the current rules. If any licensee has a rule that they would like to bring to the committee's attention, they may submit their statement in writing to [info@laptboard.org](mailto:info@laptboard.org). Please include the full rule citation. All inquiries will be reviewed by the committee and discussed.

## RECENT BOARD ACTION

Ryan Nogot, P. T. LTCENSE NO. 06835F, Lafayette, LA, Administrative Complaint No. 2020-I-004. Mr. Nogot documented services for a patient which were not provided as documented and was found in violation of Board Rules and Practice Act. Ryan Nogot is placed on probation for one-year subject to conditions: cooperate with random monitoring visits, provide copy of his consent order to employers, direct supervisors, and any physical therapists, physical therapy assistants, or technicians who are supervised by, work for, or contract with Mr. Nogot at any facility/business, and complete professional boundaries and ethics course.

Benjamin Tull, PTA, License No. A2001G, Hornbeck, LA , Administrative Complaint No. 2020-I-013. Mr. Tull documented services for a physical therapy nursing home patient which were not provided as documented and was found in violation of Board Rule and Practice Act. Effective 9/24/2020. Mr. Tull's license is placed on probation for a period of a minimum of three years. Mr. Tull shall participate in random monitoring visits, as well as provide a copy of his consent order to any and all employers and professionals he works with to acknowledge his consent order with the board. Mr. Tull must complete additional continuing education credits related to ethical practices related to documentation and billing.

# Legal Corner



In an initial application for licensure and in renewal applications thereafter, applicants are asked questions about their personal history, including, but not limited to, questions about their criminal history, substance abuse, and professional discipline. The Board is currently in the process of revising the set of questions asked of applicants. Applications for licensure as a physical therapist or physical therapy assistant must meet the requirements of the Physical Therapy Practice Act. One of the primary requirements of the application is that the information provided must be truthful. Indeed, applicants are required to execute and sign the Applicant's Oath, which involves certifying that all statements made in the application are true and correct to the best of the applicant's knowledge. No application will be accepted unless such oath is executed and notarized by the applicant. LAC 46:LIV, §151(M).

In fact, failing to answer truthfully on an application for licensure can, alone, be grounds to deny the application. Under La. R.S. 37:2420(A), the Physical Therapy Board may refuse to license an applicant, or refuse to renew the license of any licensee, if the individual "attempted to or obtained a license by fraud or misrepresentation." Additionally, LAC 46:LIV, §153(D) provides that "an applicant who submits false information may be denied licensure by the board." Thus, providing false statements or false information may lead the Board to deny an application, even if all other requirements for licensure are met. This can occur, for example, if you state on your application that you have never been convicted of a felony, but the Board learns during the licensure process that you have had such a conviction.

Moreover, not only can providing false information result in a denial of licensure, but it can also result in discipline by the Board if the misrepresentation is discovered after you have been licensed. For example, if your application is accepted and you are licensed, but the Board later learns that you provided false information on your application, the Board can discipline you by restricting, suspending, or revoking your license.

Finally, providing false information on your application for licensure can result in criminal penalties. Under La. R.S. 37:2421, if a person falsely obtains a physical therapy license, they can be charged with a misdemeanor. Conviction can result in a fine and/or imprisonment. Further, each misrepresentation on an application constitutes a separate offense, which can subject the individual to increased fines and/or an increased jail sentence.

It is imperative that applicants for licensure are entirely candid and honest with the Board throughout the licensure process. Not only can providing false information and/or responses lead to a denial of your application, but it can also lead to future discipline by the Board, and potentially criminal ramifications.

James R. Raines, J.D., M.S., M.M.F.T.  
*General Counsel*



## ADVISORY COMMITTEE MEMBERS

**Chris Franks, PT**  
Lake Charles

**Marie Morgan, PT**  
Shreveport

**Michael Hildebrand, PT**  
Monroe

**Jason Douglas, PT**  
Larose

**Ben McRae, PTA**  
Monroe

**Jeremy Dye, PT**  
Shreveport

**Shaina Goudeau, PT**  
Pineville

## Staff Members

**Charlotte Martin, MPA**  
Executive Director  
[Charlotte@laptboard.org](mailto:Charlotte@laptboard.org)

**Danielle Linzer**  
Licensing Analyst 2  
[Danielle@laptboard.org](mailto:Danielle@laptboard.org)

**Jessica Alwell, MHRE**  
Assistant Executive Director  
[Jessica@laptboard.org](mailto:Jessica@laptboard.org)

**Stephanie Boudreaux**  
Compliance Officer & CEU Specialist  
[Stephanie@laptboard.org](mailto:Stephanie@laptboard.org)

### FILE A COMPLAINT ON THE BOARD

Individuals may file a complaint about board actions or procedures with one or more of the following:

1. LPTB, 2110 W. Pinhook Rd, Ste. 202; 337-262-1043; [info@laptboard.org](mailto:info@laptboard.org);
2. House & Gov Affairs; P.O. Box 94062, Baton Rouge, LA 70804, 225-342-2403, [h&ga@legis.la.gov](mailto:h&ga@legis.la.gov)
3. Senate & Gov Affairs; P.O. Box 94183, Baton Rouge, LA 70804, 225-342-9845; [s&g@legis.la.gov](mailto:s&g@legis.la.gov)

## UPCOMING EVENTS



### BOARD MEETINGS 2020 SCHEDULE

Thursday-Friday, November 19-20, 2020

Thursday, December 3, 2020

*Board Meeting time and dates are subject to change.  
Check our website for the most up-to-date information.  
[www.laptboard.org/Meetings](http://www.laptboard.org/Meetings)*

### LIVE JURISPRUDENCE 2020 SCHEDULE

To register for a Live Jurisprudence Seminar, email your name, license number, and desired Jurisprudence location to [ceu@laptboard.org](mailto:ceu@laptboard.org). Your certificate will be emailed to you following the completion of the seminar.

December 10, 2020 5-7pm  
Via Zoom

*Jurisprudence dates and locations are subject to change. Check our website for the most up-to-date information.*

[Click here to view the 2020 Schedule](#)

## Louisiana Physical Therapy Board

2110 W PINHOOK RD SUITE 202 | LAFAYETTE, LOUISIANA 70508

PHONE (337) 262-1043 | FAX (337) 262-1054

[WWW.LAPTBOARD.ORG](http://WWW.LAPTBOARD.ORG) | [INFO@LAPTBOARD.ORG](mailto:INFO@LAPTBOARD.ORG)