



Mark Cornwall, PT, PHD, FAPTA
President

ARIZONA STATE BOARD OF PHYSICAL THERAPY
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REGULAR SESSION MEETING MINUTES
January 28, 2020

BOARD MEMBERS PRESENT: Mark Cornwall, PT PHD, FAPTA, President
Peggy Hunter, PTA, CLT; Professional Member
Michael S. Clinton, CPA; Public Member
Karen Bustillo, PT, DPT, OCS, CLT, Secretary
Nushka Remec, PT, MS, PCS; Vice President
Joshua Greer, Public Member

BOARD MEMBERS ABSENT: Kelly King, PT, DPT, Professional Member

ASSISTANT ATTORNEY GENERAL PRESENT: Mona Baskin, Assistant Attorney General

BOARD STAFF PRESENT IN PERSON: Karen Donahue, PT, DPT, Executive Director
Monica Crowley, Licensing Administrator
Veronica Cardoza, Administrative Services Officer
Mindy Richardson, PT, Investigator

1) CALL TO ORDER – 8:30 A.M.; Dr. Cornwall called the meeting to order at 9:10 A.M. (A recording of the meeting is available through the Board Office)

Roll Call – The following Board Members were present: Dr. Cornwall, Ms. Hunter, Dr. King, Mr. Clinton, Dr. Bustillo, Ms. Remec and Mr. Greer.

2) Review and Approval of Draft Minutes
A) December 17, 2019 Regular Session Meeting Minutes

The Board reviewed and discussed the minutes.

Mr. Greer moved the Board to approve the December 17, 2019 Regular Session Meeting Minutes with the suggested changes. Ms. Hunter seconded the motion. Following review and discussion, the motion carried by roll call.

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remec	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X	X		X	X	X	X
Nay							

Recused							
Abstained							
Absent			X				

B) December 17, 2019 Executive Session Meeting Minutes-A

The Board reviewed and discussed the minutes.

Ms. Hunter moved the Board to approve the December 17, 2019 Executive Session Meeting Minutes-A with the suggested changes. Mr. Clinton seconded the motion. Following review and discussion, the motion carried by roll call.

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remec	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X	X		X	X	X	X
Nay							
Recused							
Abstained							
Absent			X				

C) December 17, 2019 Executive Session Meeting Minutes-B

The Board reviewed and discussed the minutes.

Mr. Greer moved the Board to approve the December 17, 2019 Executive Session Meeting Minutes-B with the suggested changes. Mr. Clinton seconded the motion. Following review and discussion, the motion carried by roll call.

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remec	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X	X		X	X	X	X
Nay							
Recused							
Abstained							
Absent			X				

3) REVIEW, CONSIDERATION and ACTION

A) Applications for Licensure and Certification

- 1) Review, Consideration and Approval of Applications for Physical Therapist Licensure with Documentation Related to Disclosure on "Personal Information" Section of the Application.

Andrea Bell	Nathan DeMarco
Jamie Dennis	Andrew Ford
Daniel Himmerick	Scott Johnson
Alex Lechtenberg	Alex Preciado
Olivia Zeiler	

Ms. Remec moved the Board to approve the above Applications for Physical Therapist Licensure upon Receipt of Passing Scores on the NPTE/AZLAW and Final Transcript. Dr. Bustillo seconded the motion. Following review and discussion, the motion carried by roll call

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remec	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X	X		X	X	X	X
Nay							
Recused							
Abstained							
Absent			X				

B)Review of and Possible Action on the Following Applications for Physical Therapist Licensure – Foreign Educated Graduates of Programs Not U.S. Accredited.

- 1) Credential Evaluation Approval:
 - (a) Sabine Alix

The Board reviewed and discussed the application.

Dr. Bustillo moved the Board to finds Ms. Alix Foreign Educated Graduates of Programs not U.S. Accredited substantially equivalent approved physical therapist licensure. Ms. Remec seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remec	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X	X		X	X	X	X
Nay							
Recused							
Abstained							
Absent			X				

- (b) Jennifer Orr

The Board reviewed and discussed the above application.

Ms. Hunter moved the Board to find Ms. Orr Foreign Educated Graduates of Programs not U.S. Accredited substantially equivalent and may pursue the SCPP with Board approved physical therapist contingent upon Visa approval or social security card provided. Ms. Orr was also approved for her SCPP agreement and supervising PT's. Mr. Clinton seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remec	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X	X		X	X	X	X
Nay							
Recused							
Abstained							
Absent			X				

2) Review of and Possible Licensure of Applicant with Final CPI
 (a) Jamilla De Mayo

The Board reviewed and discussed the application.

Ms. Hunter moved the Board to approve Ms. De Mayo Final CPI and issue Licensure. Dr. Bustillo seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remec	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X	X		X	X	X	X
Nay							
Recused							
Abstained							
Absent			X				

4) COMPLAINTS, HEARINGS, INVESTIGATIONS and COMPLIANCE

D) Review, Discussion and Possible Action for Request for Modification of Consent Order:

1) Case No. 16-58; Erica VanPoorten, PT

Ms. VanPoorten was not present but was represented by Ms. McLellan. Ms. McLellan provided an opening statement to the Board.

The Board reviewed and discussed the case.

Dr. Cornwall moved the Board to Grant request for Modification of Consent Order to

Documentation- Respondent shall complete a minimum of six (6) hours of continuing education in documentation. Respondent shall request preapproval in writing. The course(s) must be preapproved in writing by Board staff and Respondent must provide documentation of completing the course to Board staff upon completion. Board staff can approve a course that is given online.

Orthopedic Diagnosis and Treatment- Respondent shall complete a minimum of six (6) hours of continuing education in Orthopedic Diagnosis and Treatment. Respondent shall request preapproval in writing. The course(s) must be preapproved in writing by Board staff and Respondent must provide documentation of completing the course to Board staff upon completion. Board staff will not approve any course that is given online.

Ms. Hunter seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remece	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X	X		X	X	X	X
Nay							
Recused							
Abstained							
Absent			X				

B) Review, Discussion and Possible Action on Informal Hearing in the following case:

- 1) Case No. 18-16; Mandy Aldous, PT (9:00am)

Ms. Aldous was present and was represented by Mr. Dennis Wilenchik. The Board members and Board staff introduced themselves. Both Ms. Aldous and Mr. Wilenchik introduced themselves. Dr. Cornwall read a summary of how the hearing would be conducted and reviewed the possible outcomes of the hearing. Dr. Donahue read the allegations against Ms. Aldous. Dr. Donahue and Ms. Aldous were both sworn-in as witnesses.

Mr. Wilenchik provided an opening statement.

The Board reviewed and discussed the case and asked questions of Ms. Aldous.

Mr. Wilenchik provided a closing statement.

The Board deliberated.

Ms. Clinton moved the Board to issue a Non-Disciplinary Order to include:

Continuing Education: Respondent shall complete continuing education courses as prescribed below within six (6) months of the effective date of this order.

Documentation- Respondent shall complete a minimum of 6 hours of continuing education specific to documentation. The course(s) must be preapproved by Board staff, may not be taken online or through any medium that does not allow live interaction with the course instructor for the entirety of the course. Respondent must provide documentation of completing the course to Board staff upon completion. Any course hours approved and credited to the fulfillment of this requirement may not be used for compliance with continuing competence requirements related to the renewal of a physical therapist license in Arizona

Dr. Bustillo seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remece	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X				X	X	X
Nay		X		X			
Recused							
Abstained							
Absent			X				

The Board Recessed from 10:45 A.M. to 11:05 A.M.

2) Case No. 19-11; Sterling Hester, PTA (10:30 am)

Mr. Hester was present and was not represented by legal counsel. The Board members and Board staff introduced themselves. Mr. Hester introduced himself. Dr. Cornwall read a summary of how the hearing would be conducted and reviewed the possible outcomes of the hearing. Dr. Donahue and Mr. Hester were both sworn-in as witnesses.

Mr. Roberts provided an opening statement. Dr. Donahue read the allegations against Mr. Hester.

The Board reviewed and discussed the case and asked questions of Mr. Hester.

Mr. Hester did not provide a closing statement.

The Board deliberated.

Dr. Cornwall guided the Board through each allegation for discussion. Following discussion on the allegations Ms. Hunter moved the Board adopt the following Findings of Fact:

1. On March 24, 2019, Respondent was scheduled to work as a physical therapist assistant at Life Care of North Glendale.

2. Facility staff reported that they had not observed Respondent providing physical therapy services on March 24, 2019. On March 24, 2019, at 6:15 p.m. Respondent was observed for the first time documenting in the patient records.

3. Respondent affirmed that he did not know who his supervising physical therapist was on March 24, 2019, at Life Care of North Glendale. Respondent also affirmed that he did not have any communication with his supervising physical therapist on March 24, 2019.

4. Facility personnel conducted an investigation and spoke with each of the ten patients that Respondent documented providing treatment for and billed for on March 24, 2019. All ten patients were alert and oriented. All ten patients reported that Respondent had not provided physical therapy services to them on March 24, 2019.

5. Respondent submitted documentation and billing for ten patient visits on March 24, 2019, in which he did not provide physical therapy services. Respondent’s daily treatment notes for the ten patients on March 24, 2019, were primarily identical in content. Respondent documented, as evidenced by the time stamp, all ten patient visits between 8:11:45 p.m. and 8:11:46 p.m. on March 24, 2019.

Mr. Clinton seconded the motion. Following review and discussion the motion carried by roll call.

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remec	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X	X		X	X	X	X
Nay							
Recused							
Abstained							
Absent			X				

Ms. Hunter moved the Board to adopt the following Conclusions of Law:

A.R.S. §32-2044(5). “Engaging in the performance of substandard care by a physical therapist assistant, including exceeding the authority to perform tasks selected and delegated by the supervising licensee regardless of whether actual injury to the patient is established.”

A.R.S. §32-2044(13). “Charging unreasonable or fraudulent fees for services performed or not performed.”

A.R.S. §32-2044(14). “Making misleading, deceptive, untrue or fraudulent representations in violation of this chapter or in the practice of the profession.”

A.R.S. §32-2044(20). “Failing to maintain adequate patient records. For the purposes of this paragraph, “adequate patient records” means legible records that comply with board rules and that contain at a minimum an evaluation of objective findings, a diagnosis, the plan of care, the treatment record, a discharge summary and sufficient information to identify the patient.”

Mr. Greer seconded the motion. Following review and discussion the motion carried by roll call.

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remec	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X	X		X	X	X	X
Nay							
Recused							
Abstained							
Absent			X				

The Board discussed possible disciplinary action against Mr. Hester certification. Following discussion Ms. Hunter moved the Board adopt the following Order:

1. **Probation:** The Arizona Board of Physical Therapy hereby orders that Respondent, holder of Physical Therapy Certificate No. PTA-012878, is placed on probation for **twelve (12) months** from the effective date of the order. The probation may be extended or other enforcement

actions taken in the event Respondent is found in violation this Order or violates the Arizona Physical Therapy Practice Act. The Board orders Respondent to comply with the following terms and conditions:

2. **Continuing Education:** Respondent shall take and complete continuing education in the area(s) listed below within twelve (12) months from the effective date of this Order. Respondent shall submit the course description to Board staff for approval prior to beginning the continuing education course(s). Only in-person courses will be considered for pre-approval by Board Staff. Respondent shall provide documentation to Board staff that the course was completed prior to the Board's consideration of termination of probation.

- a. Respondent shall take and complete a minimum of six (6) hours of continuing education in the area of **documentation**.
- b. Respondent shall take and complete a minimum of 6 hours of continuing education in the area of **ethics**.
- c. Respondent shall take and complete a minimum of 6 hours of continuing education in the area of **geriatric treatment**.

3. **Jurisprudence Exam:** Respondent shall take and pass the Arizona Jurisprudence Examination (AZ Law).

4. **Early Termination of Probation:** It shall be Respondent's affirmative duty to seek termination of probation ordered herein. Respondent may petition the Board for termination of his probation provided he has completed or complied with the above paragraphs. Upon receiving Respondent's petition, the Board shall have sole discretion to determine whether Respondent has complied with all the terms and conditions of the Order prior to granting petition for early termination.

Dr. King seconded the motion. Following review and discussion the motion carried by roll call vote.

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remec	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X	X		X	X	X	X
Nay							
Recused							
Abstained							
Absent			X				

3) Case No. 18-15; Thaddeus Langenwalter, PTA

Mr. Langenwalter was present and was not represented by legal counsel. The Board members and Board staff introduced themselves. Mr. Langenwalter introduced himself. Dr. Cornwall read a summary of how the hearing would be conducted and reviewed the possible outcomes of the hearing. Dr. Donahue and Mr. Langenwalter were both sworn-in as witnesses. Dr. Donahue read the allegations against Mr. Langenwalter.

Mr. Langenwalter provided additional material for the Board to review. The Board took a few minutes to review the material.

Mr. Langenwalter provided an opening statement.

The Board reviewed and discussed the case and asked questions of Mr. Langenwalter.

Mr. Langenwalter did not provide a closing statement.

The Board deliberated.

Mr. Greer moved the Board to Dismiss the case. Mr. Clinton seconded the motion. Following review and discussion the motion carried by roll call vote.

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remec	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X	X			X	X	
Nay				X			X
Recused							
Abstained							
Absent			X				

The Board Recessed from 12:30 P.M. to 12:37 P.M.

- E) Review, Discussion and Possible Action for Request for Early Termination of Probation:
 - 1) Case No. 18-06; Carla Lempert, PT

Ms. Lempert was present and was not represented by legal counsel.

The Board reviewed and discussed the case and asked questions of Ms. Lempert.

Ms. Hunter moved the Board to grant Request for Early Termination of Probation. Dr. Bustillo seconded the motion. Following review and discussion the motion carried by roll call vote.

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remec	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X	X		X	X	X	X
Nay							
Recused							
Abstained							
Absent			X				

At 12:42 P.M. Ms. Mona Baskin Assistant Attorney General stepped away from the Board table. Mr. Mark Harris, Assistant Attorney General proceeded to sit at the table and was there to advise the Board

- A) Review, Discussion and Possible Action on Formal Hearing in the following case
 - 7)Case No. 19-12; Robert McEntire, PT

Mr. McEntire was present via phone and was not represented by legal counsel. Dr. Cornwall called the formal hearing to order. The Board members introduced themselves. DR. Cornwall provided a review of the proceedings and possible outcomes. All Board members had been furnished with copies of the Complaint and Notice of Hearing. Mona Baskin, Assistant Attorney General representing the State of Arizona. Mr. Mark Harris, Assistant Attorney General, was there to advise the Board.

Ms. Baskin reviewed process by which the respondent was served with the Notice of Hearing.

Mr. McEntire entered Exhibits A through D into evidence. The Board reviewed the Exhibits.

Ms. Baskin provided an opening statement and reviewed proposed consent agreement.

Mr. Greer moved the Board to accept Mr. McEntire Exhibits A through D. Ms. Hunter seconded the motion. Following review and discussion the motion carried by roll call vote.

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remec	Mr. Greer	Dr. Cornwall	Dr. Bustillo

Aye	X	X		X	X	X	X
Nay							
Recused							
Abstained							
Absent			X				

The State had no objections.

Ms. Baskin entered Exhibits 1 through 5 into evidence.

Mr. Greer moved the Board to accept Ms. Baskins Exhibits 1 through 5. Ms. Hunter seconded the motion. Following review and discussion the motion carried by roll call vote.

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remec	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X	X		X	X	X	X
Nay							
Recused							
Abstained							
Absent			X				

Mr. McEntire has no objections.

Karen Donahue, PT Investigator was sworn in. Ms. Baskin made an opening statement.

Ms. Baskin provided a closing statement and Mr. McEntire agreed with the state.

The Board reviewed and discussed the case. Following review and discussion Mr. Greer moved the Board accept Allegations and Findings of Fact.

1. On or about May 31, 2016, the Board executed a Consent Agreement and Order for Probation in Case No. 15-23, based on documentation issues and failure to notify the Board of a change of address. Pursuant to the Order, Respondent’s license was placed on probation for six months. The terms of probation required that Respondent complete continuing education as follows: 6 hours of ethics and 6 hours of documentation.

2. On or about March 22, 2019, the Board opened a complaint against Respondent’s license for noncompliance.

3. During the course of the investigation, Board staff received evidence that Respondent completed the Professional/Problem-Based Ethics Course (PROBE) on May 2-4, 2019, for a total of approximately 25.25 AMA PRA Category J Credits. The ethics continuing education was not completed within the 6-month timeframe requirement of the Consent Agreement.

4. On July 19, 2019, Respondent submitted a written response to the Board’s complaint. He explained that he had relocated to New Jersey and also admitted that he failed to complete the documentation course as required by the Board Order. Respondent provided documentation of completion of the ethics continue education course as described above.

Mr. Clinton seconded the motion. Following review and discussion the motion carried by roll call vote.

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remec	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X	X		X	X	X	X
Nay							
Recused							
Abstained							
Absent			X				

Mr. Greer moved the Board to accept as Conclusions of Law, the allegations of unprofessional conduct which include violations A.R.S. §32-2044(1) as outlined in the Allegations of Unprofessional Conduct. Mr. Clinton seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remec	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X	X		X	X	X	X
Nay							
Recused							
Abstained							
Absent			X				

Mr. moved the Board to adopt the following Order:

1. **Stayed Revocation:** Respondent's License, No. LPT-11251, is revoked. It is further ordered staying the revocation of the Respondent's license until he has submitted evidence of having complied with the requirements Paragraph 2.

2. **Probation:** The Arizona Board of Physical Therapy hereby orders that Respondent, holder of Physical Therapy License No. LPT-011251, is placed on probation for **six (6) months** from the effective date of the order. The probation may be extended or other enforcement actions taken in the event Respondent is found in violation this Order or violates the Arizona Physical Therapy Practice Act. The Board orders Respondent to comply with the following terms and conditions:

3. **Continuing Education:** Respondent shall take and complete continuing education in the area(s) listed below within six (6) months from the effective date of this order. Respondent must submit the course description to Board staff for approval prior to beginning the continuing education course(s). Only in-person courses will be considered for pre-approval by Board Staff. Respondent shall provide documentation to Board staff that the course was completed prior to the Board's consideration of termination of probation.

a. Respondent shall take and complete a minimum of six (6) hours of continuing education in the area of **documentation**.

4. **Civil Penalty:** Respondent shall pay a civil penalty of \$500.00 dollars.

5. **Costs:** Respondent shall be responsible for any and all costs associated with the terms and conditions of this Order.

6. **Early Termination of Probation:** It shall be Respondent's affirmative duty to seek termination of probation ordered herein. Respondent may petition the Board for termination of his probation provided he has completed or complied with the above paragraphs. Upon receiving Respondent's petition, the Board shall have sole discretion to determine whether Respondent has

complied with all the terms and conditions of the Order prior to granting petition for early termination.

Mr. Clinton seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remec	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X				X	X	X
Nay		X		X			
Recused							
Abstained							
Absent			X				

1)Case No. 19-21; Ashley Burton, PTA

Ms. Burton was not present and was not represented by legal counsel. The State provided an opening statement.

The Board reviewed and discussed the above case.

Mr. Greer moved the Board Dismiss the case for lack of jurisdiction. Mr. Clinton seconded the motion. Following review and discussion both the 1st and 2nd motion was withdrawn.

Ms. Remec moved the Board to enter into Executive Session to obtain legal advice and to review confidential records. Mr. Clinton seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remec	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X	X		X	X	X	X
Nay							
Recused							
Abstained							
Absent			X				

Executive Session from 1:08 P.M. to 1:17 P.M.

Mr. Greer moved the Board to Dismiss the case for lack of jurisdiction. Ms. Remec seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remec	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X	X		X	X	X	X
Nay							
Recused							
Abstained							
Absent			X				

2)Case No. 19-22; Melissa Huband, PTA

The State provided an opening statement.

Mr. Clinton moved the Board to Dismiss the above case. Mr. Greer seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remec	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X	X		X	X	X	X
Nay							
Recused							
Abstained							
Absent			X				

3)Case No. 19-23; Obiye Oloyede, PT

The State provided an opening statement.

Mr. Clinton moved the Board to Dismiss the above case. Mr. Greer seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remec	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X	X		X	X	X	X
Nay							
Recused							
Abstained							
Absent			X				

6)Case No. 19-34; Carolina Montgomery, PT

The State provided an opening statement.

Mr. Clinton moved the Board to Dismiss the above case. Mr. Greer seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remece	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X	X		X	X	X	X
Nay							
Recused							
Abstained							
Absent			X				

4)Case No. 19-41; Sharon McCallum, PT

The State provided an opening statement.

Mr. Clinton moved the Board to Dismiss the above case. Mr. Greer seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remece	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X	X		X	X	X	X
Nay							
Recused							
Abstained							
Absent			X				

5)Case No. 19-16; Carl Malmquist, PT

Ms. Hunter moved the Board enter into Executive Session to obtain legal advice and to review confidential records. Mr. Clinton seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remece	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X	X		X	X	X	X
Nay							
Recused							
Abstained							
Absent			X				

Executive Session from 1:26 P.M. to 1:30 P.M.

The State provided an opening statement. The Board reviewed and discussed the case and asked questions of Ms. Baskin.

Ms. Remec moved the Board to accept the consent agreement for Mr. Malmquist to voluntary surrender his license. Mr. Clinton seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remec	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X	X		X	X	X	X
Nay							
Recused							
Abstained							
Absent			X				

Mr. Mark Harris, Assistant Attorney General left the Board table at 1:42 P.M. and Ms. Baskin, Assistant Attorney General returned to the Board table at 1:42 P.M.

- C) Review, Discussion and Possible Action for Review of Initial Review:
 - 3)Case No. 19-28; Jaclyn Kleman, PT

Ms. Kleman was present and was not represented by legal counsel. Ms. Kleman provided an opening statement.

The Board reviewed and discussed the case and asked questions of Ms. Kleman.

Dr. Cornwall moved the Board to Dismiss the above case. Mr. Greer seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remec	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X			X	X	X	X
Nay		X					
Recused							
Abstained							
Absent			X				

- 1)Case No. 19-42; Gregory Bustamante, PTA

Mr. Bustamante was not present and was not represented by legal counsel. The Board reviewed and discussed the case.

Mr. Greer moved the Board to offer Mr. Bustamante a consent agreement to include:

1. **Probation:** The Arizona State Board of Physical Therapy hereby orders that Respondent, holder of Certificate No. PTA-007645, be placed on probation for a period of **twelve (12) months** to commence upon the effective date of this Order. Failure to comply with the terms of probation shall be subject to the Noncompliance term of the Order. The Board orders Respondent to comply with the following terms and conditions of probation:

2. **Jurisprudence Exam:** Respondent shall take and pass the Arizona Jurisprudence Examination (AZ Law).

3. **Continuing Education:** Respondent shall take and complete continuing education for a total of 6 hours from the effective date of this order. Respondent shall provide documentation to Board staff that the course(s) were completed within the probation time period, prior to any termination of probation is considered.

a. **Ethics-** Respondent shall complete a minimum of six (6) hours of continuing education specific to Ethics. Respondent shall request preapproval in writing. The course(s) must be preapproved in writing by Board staff and Respondent must provide documentation of completing the course to Board staff upon completion. Board staff will not approve any course that is given online.

If not accepted the case will be forwarded to an Informal Hear. Mr. Clinton seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remec	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X	X			X	X	X
Nay				X			
Recused							
Abstained							
Absent			X				

2)Case No. 19-56; Amberly Brown, PTA

Ms. Brown was not present and was not represented by legal counsel. The Board reviewed and discussed the case.

Mr. Greer moved the Board to instruct staff to contact Ms. Brown to see if she would like to voluntarily surrender her PT compact privilege. Ms. Hunter seconded the motion. Following review and discussion Ms. Hunter withdrew her 2nd. Motion failed for no 2nd

Ms. Hunter moved the Board to forward the above case to a Formal Hearing. Ms. Remec seconded the motion. Following review and discussion the motion failed.

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remec	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye		X					
Nay	X			X	X	X	X
Recused							
Abstained							
Absent			X				

Dr. Cornwall moved the Board to instruct Staff to contact Ms. Brown and advise her to voluntarily surrender her PT compact privilege or go the case will be forward to a Formal Hearing within 30 days. Ms. Remec seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remec	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X	X		X	X	X	X
Nay							
Recused							
Abstained							
Absent			X				

4)Case No. 18-33; Christopher Bowers, PT

Mr. Bowers was not present and was not represented by legal counsel. The Board reviewed and discussed the case.

Mr. Greer moved the Board to Dismiss the above case. Dr. Bustillo seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remec	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X	X		X	X	X	X
Nay							
Recused							
Abstained							

Absent			X				
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5)Case No. 19-26; Sarah Bade, PT

Ms. Bade was not present and was not represented by legal counsel. The Board reviewed and discussed the case.

Dr. Cornwall moved the Board to Dismiss the above case. Ms. Remec seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remec	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X	X		X	X	X	X
Nay							
Recused							
Abstained							
Absent			X				

6)Case No. 19-35; Talmadge Mills, PTA

Mr. Mills was not present and was not represented by legal counsel. The Board reviewed and discussed the case.

Mr. Greer moved the Board to Dismiss the above case. Motion failed for no 2nd.

Ms. Hunter moved the Board to forward the case to an Informal Hearing. Ms. Remec seconded the motion. Following review and discussion the motion failed.

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remec	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X	X					
Nay				X	X	X	X
Recused							
Abstained							
Absent			X				

Mr. Greer moved the Board to Dismiss the above case. Dr. Bustillo seconded the motion. Following review and discussion the motion failed.

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remec	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye					X	X	X

Nay	X	X		X			
Recused							
Abstained							
Absent			X				

Ms. Remec moved the Board to issue and Advisory Letter. Ms. Hunter seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remec	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye		X		X	X	X	X
Nay	X						
Recused							
Abstained							
Absent			X				

F) Review, Discussion and Possible Action for Potential Opening of Complaint
 1) AR, PTA

The Board reviewed and discussed the above agenda item.

Ms. Remec moved the Board to Take No Action. Dr. Bustillo seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remec	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X	X		X	X	X	X
Nay							
Recused							
Abstained							
Absent			X				

The Board Recessed from 2:29 P.M. to 2:46 P.M.

Mr. Greer has left the Board table and Board meeting at 2:46 P.M.

5) BOARD BUSINESS AND REPORTS

- A) Review and Discussion and Possible Approval:
 1) CE Brokers Presentation (1:00pm) Donald Olivia- presenter

Mr. Olivia provided a presentation of the above agenda item.

Dr. Cornwall move the Board to tentatively approved the CE Brokers as an option. Ms. Remec seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remec	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X	X		X	X	X	X
Nay							
Recused							
Abstained							
Absent			X				

B) Review and Discussion Governor’s Executive Order

Dr. Donahue provided an updated of the above topic. No action was needed or taken.

C) Review and Discussion HB 2536: Telemedicine

Ms. Driskill, PT representing the Az PTA provided an updated of the above topic. No action was needed or taken.

D) Review and Discussion:

1) Applications Submitted December 2019

- a) 69 Applications Submitted
 - i. 2 Business Entity
 - ii. 20 PT by Endorsement
 - iii. 35 PT by Examination
 - iv. 2 PT Universal Recognition
 - v. 1 PTA Universal Recognition
 - vi. 4 PTA by Endorsement
 - vii. 5 PTA by Examination

2) PT Licensure/ PTA Certification December 2019

- a) 58 Applications Approved
 - i. 1 Business Entity
 - ii. 24 PT by Endorsement
 - iii. 29 PT by Examination
 - iv. 1 PTA by Endorsement
 - v. 3 PTA by Examination

- E) Review and Discussion
 - 1) Proposed FY2021 Budget
 - 2) December 2019 Financials

Dr. Donahue provided an updated of the above topic. No action was needed or taken.

6) CALL TO THE PUBLIC

No one came forward.

7) ADJOURNMENT

Ms. Remec moved the Board to adjourn. Mr. Clinton seconded the motion. Following review and discussion, the motion carried by roll call.

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remec	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X	X		X	X	X	X
Nay							
Recused							
Abstained							
Absent			X				

Meeting adjourned at 3:26 P.M.

Prepared by,

Monica Crowley
Licensing Administrator

Approved by,

Karen Bustillo, PT, DPT, OCS, CLT
Secretary