



Mark Cornwall, PT, PHD, FAPTA
President

ARIZONA STATE BOARD OF PHYSICAL THERAPY
1470 W. ADAMS ST., STE 2450, PHOENIX, ARIZONA 85007
(602) 274-0236
ptboard.az.gov

**REGULAR SESSION MEETING MINUTES via
Google Meet Video Conferencing
Virtual Attendance
January 25, 2022**

BOARD MEMBERS PRESENT:

Mark Cornwall, PT PHD, FAPTA, President
Kelly King, PT, DPT, Vice President
Karen Bustillo, PT, DPT, OCS, CLT, Secretary
Giovanni Leone, PTA; Professional Member
Joshua Greer, Public Member
Joshua Barton, Public Member

BOARD MEMBERS ABSENT:

**ASSISTANT ATTORNEY GENERAL
PRESENT:**

Marc Harris, Assistant Attorney General

BOARD STAFF PRESENT:

Judy Chepeus, Interim Executive Director
Veronica Cardoza, Administrative Services Officer
Monica Crowley, Licensing Administrator
Mindy Richardson PT, Investigator

- 1) **CALL TO ORDER – 8:30 A.M.;** Dr. Cornwall called the meeting to order at 8:32 A.M. (A recording of the meeting is available on the Board's website and/or through the Board Office)
- 2) **Roll Call** – The following Board Members were present: Dr. Cornwall, Dr. King, Dr. Bustillo, Mr. Leone, Mr. Greer and Mr. Barton. The following Staff were also present: Ms. Cardoza, Ms. Richardson, Ms. Chepeus and Ms. Crowley.

4) Applications for Licensure and Certification:

- B)** Review, consideration, and possible action on Physical Therapist Assistant applicants requesting ADA accommodations.

- 1) Regina Encina

The Board reviewed the above request.

Mr. Greer moved to **Deny** the above applicant’s Request for ADA Accommodations. Dr. Cornwall seconded the motion. After discussion Mr. Greer and Dr. Cornwall both withdrew their 1st and 2nd motion.

Mr. Barton moved to **Table** discussion to next meeting and invite Ms. Encinas to attend and address and answer questions. Dr. Bustillo seconded the motion. The motion passed unanimously.

Vote	Dr. Cornwall	Dr. King	Dr. Bustillo	Mr. Greer	Mr. Leone	Mr. Barton	VACANT
Aye	X	X	X	X	X	X	
Nay							
Recused							
Abstained							
Absent							

C) Review, consideration, and possible action on Physical Therapist applicants who graduated from foreign educational programs that are not U.S. Accredited.

- 1) Review, consideration, and possible action regarding educational equivalence, option to license or require a supervised clinical practice period and/or eligibility for NPTE/ AZLAW exams.

a. Priyanka Parab

The Board reviewed the above application and finds Ms. Parab, Foreign Educated Graduates of Programs not U.S. Accredited, substantially equivalent.

Dr. Cornwall moved to approve Ms. Parab Physical Therapist license upon successful completion of the application, and passage of the NPTE / AZLAW exams and final transcripts. Dr. Bustillo seconded the motion. The motion passed unanimously.

Vote	Dr. Cornwall	Dr. King	Dr. Bustillo	Mr. Greer	Mr. Leone	Mr. Barton	VACANT
Aye	X	X	X	X	X	X	
Nay							
Recused							
Abstained							
Absent							

5) Consent Agenda:

A) Applications recommended for approval of Physical Therapist licensure upon successful

completion of the application, including receipt of transcripts and passage of the NPTE and/or AZLAW. The Board will review, discuss, and may take action on the following applicants who provided an affirmative response to application questions related to their background.

- 1) Trevor Fleischer
- 2) Kalen Meza
- 3) Daniel Swinscoe
- 4) Michelle Kesler
- 5) Douglas Allen

The Board reviewed the above applications.

Dr. Cornwall moved to **Approve** the Applications for Physical Therapist Licensure upon successful completion of the application, including receipt of transcripts and passage of the NPTE and/or AZLAW exams. Mr. Leone seconded the motion. The motion passed unanimously.

Vote	Dr. Cornwall	Dr. King	Dr. Bustillo	Mr. Greer	Mr. Leone	Mr. Barton	VACANT
Aye	X	X	X	X	X	X	
Nay							
Recused							
Abstained							
Absent							

B) Applications recommended for approval of Physical Therapist Assistant certification upon successful completion of the application, including receipt of transcripts and passage of the NPTE and/or AZLAW. The Board will review, discuss, and may take action on the following applicants who provided an affirmative response to application questions related to their background.

- 1) Jeni Douglas

The Board reviewed the above application.

Mr. Leone moved to **Approve** the Application for Physical Assistant Therapist Certification upon successful completion of the application, including receipt of transcripts and passage of the NPTE and/or AZLAW exams. Dr. Bustillo seconded the motion. The motion passed unanimously.

Vote	Dr. Cornwall	Dr. King	Dr. Bustillo	Mr. Greer	Mr. Leone	Mr. Barton	VACANT
Aye	X	X	X	X	X	X	
Nay							
Recused							
Abstained							
Absent							

C) Cases recommended for termination of Board Order. The Board will review, discuss, and may vote to take action on the following case(s):

- 1) 19-17, Robert McEntire, PT
- 2) 19-37, Ron Longtin, PTA

The Board reviewed the above agenda items.

Dr. Cornwall moved to **Approve** the Requests for termination of probation. Mr. Leone seconded the motion. The motion passed unanimously.

Vote	Dr. Cornwall	Dr. King	Dr. Bustillo	Mr. Greer	Mr. Leone	Mr. Barton	VACANT
Aye	X	X	X	X	X	X	
Nay							
Recused							
Abstained							
Absent							

End of Consent Agenda

9) Complaints and other disciplinary matters: review, consideration, and action.

A) 21-11, Todd Lyonnais, PT

Review, consideration, and possible action regarding continuation of initial review

This case was a continue from the initial review. Mr. Lyonnais was present and available for questions.

Mr. Greer moved to **Dismiss** the case. Dr. King seconded the motion. The motion passed unanimously.

Vote	Dr. Cornwall	Dr. King	Dr. Bustillo	Mr. Greer	Mr. Leone	Mr. Barton	VACANT
Aye	X	X	X	X	X	X	

Nay							
Recused							
Abstained							
Absent							

B) 21-12, Alyson Kiernan, PT

Review, consideration, and possible action regarding continuation of initial review

This case was a continue from the initial review. Ms. Kiernan was present and available for questions.

Mr. Greer moved to **Dismiss** the case. Dr. King seconded the motion. The motion passed unanimously.

Vote	Dr. Cornwall	Dr. King	Dr. Bustillo	Mr. Greer	Mr. Leone	Mr. Barton	VACANT
Aye	X	X		X	X	X	
Nay							
Recused							
Abstained							
Absent			X				

Let the record reflect Dr. Bustillo left the meeting at 8:56am and was absent for the vote in this matter.

The Board Recessed from 8:57 A.M. to 9:00 A.M.

Roll call taken after returning back from Recess at 9:00 A.M. by Ms. Chepeus.

7) Informal Hearings

A) 20-37, Susan Marker, PT (9:00 am)

Ms. Marker was present and was represented by Ms. Anne McClellan. The Board members and Board staff introduced themselves. Both Ms. Marker and Ms. McClellan introduced themselves. Dr. Cornwall read a summary of how the informal hearing would be conducted and reviewed the possible outcomes of the informal hearing. Ms. Richardson, Ms. Marker and patient RW were sworn-in as witnesses.

Ms. Richardson read the allegations against Ms. Marker as outlined in the investigative report.

Ms. McClellan and Ms. Marker provided an opening statement.

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

Patient RW provided an opening statement and answered questions from the Board.

Additional questions were asked of Ms. Marker after RWs testimony.

Ms. McClellan provided a closing statement.

The Board deliberated.

Dr. King moved to issue a Non-disciplinary order to include 5.75 hours of documentation; 6 hours of orthopedic assessment and treatment of the cervical spine; all to be pre-approved and to be completed within 6 months; courses may be completed online. Ms. Marker may submit CE already competed to meet these requirements. Mr. Greer seconded the motion. The motion passed.

Vote	Dr. Cornwall	Dr. King	Dr. Bustillo	Mr. Greer	Mr. Leone	Mr. Barton	VACANT
Aye	X	X	X	X	X	X	
Nay							
Recused							
Abstained							
Absent							

The Board Recessed from 10:19 A.M. to 10:25 A.M.

Roll call taken after returning back from Recess at 10:25 A.M. by Ms. Chepeus.

8) Rehearing or Reviews

A) 21-08, Sean Flannagan, PT (9:30 am)

Dr. Cornwall read a summary of how the rehearing would be conducted and reviewed the possible outcomes of the rehearing.

Dr. Flannagan is present and represented by Mr. Scott King, Esq.

Mr. King addressed the Board outlining the Request for Rehearing or Review. Mr. Flannagan addressed the Board.

The Board reviewed and disused the information.

Based upon its deliberations, Mr. Greer moved to **Deny** motion for rehearing or review. Dr. King seconded the motion. The motion carried.

Vote	Dr. Cornwall	Dr. King	Dr. Bustillo	Mr. Greer	Mr. Leone	Mr. Barton	VACANT
Aye	X	X		X		X	

Nay			X		X		
Recused							
Abstained							
Absent							

10) Board business and reports:

A) Superior Court Case No. CV 2021-091960 – Jane Roe v. Arizona State Board of Physical Therapy, et al: (10:00 am)

Review, discussion and possible action.

- 1) Upon motion and vote the Board may hold an executive session to receive legal advice from its attorneys pursuant to A.R.S. §§ 38-431.03(A)(3) [Discussion or consultation for legal advice with the attorney or attorneys of the public body.] and/or 38-431.03(A)(4) [Discussion or consultation with the attorneys of the public body in order to consider its position and instruct its attorneys regarding the public body's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation.]

Dr. Cornwall moved to enter into **Executive Session** to obtain legal advice. Mr. Barton seconded the motion. The motion passed unanimously.

Vote	Dr. Cornwall	Dr. King	Dr. Bustillo	Mr. Greer	Mr. Leone	Mr. Barton	VACANT
Aye	X	X	X	X	X	X	
Nay							
Recused							
Abstained							
Absent							

Executive Session -A from 11:10 A.M. to 11:34 A.M.

Roll call taken after returning from **Executive Session -A** at 11:34 A.M. by Ms. Chepeus.

Mr. Barton moved to **Approve** settlement agreement in matter of Superior Court Case No. CV 2021-091960 Jane Roe v. Arizona State Board of Physical Therapy, et al and authorized President elect to take any action necessary in this proceeding. Mr. Greer seconded the motion. The motion passed unanimously.

Vote	Dr. Cornwall	Dr. King	Dr. Bustillo	Mr. Greer	Mr. Leone	Mr. Barton	VACANT

Aye	X	X	X	X	X	X	
Nay							
Recused							
Abstained							
Absent							

9) Complaints and other disciplinary matters: review, consideration, and action.

C) 21-30, Timothy Charleston, PT

Review, consideration, and possible action regarding Compact privilege

Ms. Chepeus provided a summary of the case for the Board. Mr. Charleston contacted the PT Compact on 12/30/2021 to voluntarily surrender his privilege. Mr. Charleston was informed by the Compact Administrator that his AZ Compact Privilege expired 12/31/2021. Mr. Charleston has never worked in Arizona, nor does he have an active Compact Privilege.

Mr. Greer moved to **Dismiss** the case. Mr. Leone seconded the motion. The motion passed unanimously.

Vote	Dr. Cornwall	Dr. King	Dr. Bustillo	Mr. Greer	Mr. Leone	Mr. Barton	VACANT
Aye	X	X	X	X	X	X	
Nay							
Recused							
Abstained							
Absent							

D) 19-48, Braden Easley, PTA

Review, consideration, and possible action regarding compliance with non-disciplinary order

Ms. Richardson provided a summary of the case for the Board. Mr. Braden Easley’s Non-Disciplinary Order expired on 3/24/21. Attempts were made to contact Mr. Easley on 12/27/21 and 1/10/22 without success. As of 1/14/22, he has not responded.

Mr. Greer moved to **Open Complaint for Non-Compliance** with a Board Order #19-48. Mr. Leone seconded the motion. The motion passed unanimously.

Vote	Dr. Cornwall	Dr. King	Dr. Bustillo	Mr. Greer	Mr. Leone	Mr. Barton	VACANT
Aye	X	X	X	X	X	X	
Nay							

Recused							
Abstained							
Absent							

E) CRS

Review, consideration, and possible action regarding opening a complaint and possible final action

Ms. Richardson provided a summary of the case for the Board. CRS was licensed in Arizona through 8/31/2020 and had 10 days to report charges to the Board after a charge is filed. The incident was included in an application for re-instatement of license on 12/21/21.

Mr. Greer moved to **Open** a complaint against CRS for failure to report. Dr. Cornwall seconded the motion. The motion passed unanimously.

Vote	Dr. Cornwall	Dr. King	Dr. Bustillo	Mr. Greer	Mr. Leone	Mr. Barton	VACANT
Aye	X	X	X	X	X	X	
Nay							
Recused							
Abstained							
Absent							

10) Board business and reports:

B) APTA Practice Committee Presentation Regarding Wellness

Lora Davis and Christopher Hanson, APTA Practice Committee

Ms. Davis provided information regarding wellness within the scope of practice.

Mr. Leone moved to place a discussion regarding wellness within the scope of practice on a future agenda. Dr. Bustillo seconded the motion. After discussion Mr. Leone and Dr. Bustillo both withdrew their 1st and 2nd motion.

No action was taken.

C) Personnel Matters

1) **Executive Director Position**

Review, consideration, and possible action regarding adopting a hiring process for the position of Executive Director.

Mr. Shawn McConnell ADOA-HR provided a summary of the options including direct hire or competitive hire and answered Board questions.

Dr. Bustillo moved to pursue a direct hire to fill the Executive Director position Dr. King seconded the motion. The motion passed unanimously.

Vote	Dr. Cornwall	Dr. King	Dr. Bustillo	Mr. Greer	Mr. Leone	Mr. Barton	VACANT
Aye	X	X	X	X	X	X	
Nay							
Recused							
Abstained							
Absent							

Dr. King moved to pursue a direct hire of Judy Chepeus to be agendized at the next regularly scheduled board meeting. Dr. Bustillo seconded the motion. The motion passed unanimously.

Vote	Dr. Cornwall	Dr. King	Dr. Bustillo	Mr. Greer	Mr. Leone	Mr. Barton	VACANT
Aye	X	X	X	X	X	X	
Nay							
Recused							
Abstained							
Absent							

D) Board Elections (President, Vice-President, Secretary)

Review, consideration, and possible action regarding Board Elections pursuant to A.A.C. R4-24-103

Dr. Bustillo moved to nominate Dr. King as Board President. Mr. Greer seconded the motion. Dr. King accepted the nomination. The motion passed unanimously.

Vote	Dr. Cornwall	Dr. King	Dr. Bustillo	Mr. Greer	Mr. Leone	Mr. Barton	VACANT
Aye	X	X	X	X	X	X	
Nay							
Recused							
Abstained							
Absent							

Mr. Leone moved to nominate Dr. Bustillo as Board Vice-President. Mr. Greer seconded the motion. Dr. Bustillo accepted the nomination. The motion passed unanimously.

Board Meeting 1/25/22

Vote	Dr. Cornwall	Dr. King	Dr. Bustillo	Mr. Greer	Mr. Leone	Mr. Barton	VACANT
Aye	X	X	X	X	X	X	
Nay							
Recused							
Abstained							
Absent							

Dr. King moved to nominate Mr. Leone as Board Secretary. Dr. Bustillo seconded the motion. Mr. Leone accepted the nomination. The motion passed unanimously.

Vote	Dr. Cornwall	Dr. King	Dr. Bustillo	Mr. Greer	Mr. Leone	Mr. Barton	VACANT
Aye	X	X	X	X	X	X	
Nay							
Recused							
Abstained							
Absent							

E) FSBPT Delegate Election (Delegate and Alternate)

- 1) Leadership Issues Forum (LIF) July 23-24, 2022; Alexandria, VA
- 2) Annual Meeting October 27-29; Orange County, CA

Dr. King moved to reelect Mr. Greer as the FSBPT delegate. Mr. Barton seconded the motion. Mr. Greer accepted the nomination. The motion passed unanimously.

Vote	Dr. Cornwall	Dr. King	Dr. Bustillo	Mr. Greer	Mr. Leone	Mr. Barton	VACANT
Aye	X	X	X	X	X	X	
Nay							
Recused							
Abstained							
Absent							

Dr. Cornwall moved to elect Mr. Leone as the FSBPT Alt delegate. Mr. Barton seconded the motion. Mr. Leone accepted the nomination. The motion passed unanimously.

Vote	Dr. Cornwall	Dr. King	Dr. Bustillo	Mr. Greer	Mr. Leone	Mr. Barton	VACANT
Aye	X	X	X	X	X	X	

Nay							
Recused							
Abstained							
Absent							

F) Medical Imaging

Discussion regarding medical imaging as presented December 21, 2021 by Brian Schmitz, President, Arizona Physical Therapy Association

The Board discussed the above agenda item.

Dr. Cornwall moved to enter into **Executive Session** to obtain legal advice. Dr. Bustillo seconded the motion. The motion passed.

Vote	Dr. Cornwall	Dr. King	Dr. Bustillo	Mr. Greer	Mr. Leone	Mr. Barton	VACANT
Aye	X	X			X	X	
Nay							
Recused							
Abstained							
Absent							

Executive Session -B from 12:38 P.M. to 12:52 P.M.

Let the record reflect Mr. Greer and Dr. Bustillo both voted Aye to go into Executive Session.

Roll call taken after returning back from **Executive Session** at 12:52 P.M. by Ms. Chepeus.

Dr. Cornwall encourages the APTA to proceed forward with their process.

G) December 2021 Financials

Review and possible discussion

No action was taken.

H) Licenses / Certificates

Review and discussion on new licenses/certifications processed in December 2021

- 1) 85 Individuals Licensed/Certified December 1, 2021- December 31, 2021
 - a. 25 Physical Therapists Endorsement
 - b. 44 Physical Therapists Examination
 - c. 3 Physical Therapist Universal Recognition
 - d. 0 Physical Therapist Foreign Educated

- e. 0 Physical Therapist Military Spouse
- f. 5 Physical Therapist Assistants Endorsement
- g. 8 Physical Therapist Assistants Examination
- h. 0 Physical Therapist Assistant Universal Recognition
- i. 0 Physical Therapist Assistant Military Spouse

No action was taken.

11) Future Agenda Items

N/A

12) Adjournment

Mr. Barton moved to **Adjourn**. Dr. Bustillo seconded the motion. The motion passed unanimously.

Vote	Dr. Cornwall	Dr. King	Dr. Bustillo	Mr. Greer	Mr. Leone	Mr. Barton	VACANT
Aye	X	X	X	X	X	X	
Nay							
Recused							
Abstained							
Absent							

Meeting adjourned at 12:58 P.M.

Prepared by,

Monica Crowley
Licensing Administrator

Approved by,

Karen Bustillo, PT, DPT, OCS, CLT
Secretary