



Mark Cornwall, PT, PHD, FAPTA  
President

**ARIZONA STATE BOARD OF PHYSICAL THERAPY**  
1470 W. ADAMS ST., STE 2450, PHOENIX, ARIZONA 85007  
(602) 274-0236  
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**REGULAR SESSION MEETING MINUTES via  
Hangout Meet Video Conferencing  
October 27, 2020**

**BOARD MEMBERS PRESENT:**

Mark Cornwall, PT PHD, FAPTA, President  
Karen Bustillo, PT, DPT, OCS, CLT, Secretary  
Peggy Hunter, PTA, CLT; Professional Member  
Michael S. Clinton, CPA; Public Member  
Joshua Greer, Public Member

**BOARD MEMBERS ABSENT:**

Nushka Remec, PT, MS, PCS; Vice President  
Kelly King, PT, DPT, Professional Member

**ASSISTANT ATTORNEY GENERAL  
PRESENT:**

Marc Harris, Assistant Attorney General

**BOARD STAFF PRESENT:**

Karen Donahue, PT, DPT, Executive Director  
Veronica Cardoza, Administrative Services Officer  
Judy Chepeus, Customer Service Representative  
Monica Crowley, Licensing Administrator  
Mindy Richardson, PT, Investigator

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

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

**2) Review and Approval of Draft Minutes**

- A) September 22, 2020 Regular Session Meeting Minutes

The Board reviewed and discussed the above minutes.

Ms. Hunter moved the Board to approve the September 22, 2020 Regular Session Meeting Minutes. Dr. Bustillo seconded the motion. Following review and discussion, the motion carried by roll call.

Board Meeting 10/27/20

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

B) September 22, 2020 Executive Session -A

The Board reviewed and discussed the above minutes.

Dr. Bustillo moved the Board to approve the September 22, 2020 Executive Session- A Board Meeting Minutes. 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
Nay							
Recused							
Abstained							
Absent			X	X			

C) September 22, 2020 Executive Session -B

The Board reviewed and discussed the above minutes.

Dr. Bustillo moved the Board to approve the September 22, 2020 Executive Session- B Board Meeting Minutes. 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
Nay							
Recused							
Abstained							
Absent			X	X			

**3) REVIEW, CONSIDERATION and ACTION**

**A) Applications for Licensure and Certification**

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

- 1) Anthony Dixon

The Board reviewed and discussed the above application.

Ms. Hunter moved the Board to **Approve** the above Application for Physical Therapist upon Receipt of Passing Scores on the NPTE/AZLAW and Final Transcript. 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
Nay							
Recused							
Abstained							
Absent			X	X			

- 2) Chaston Pola

The Board reviewed and discussed the above application.

Dr. Bustillo moved the Board to **Approve** the above Application for Physical Therapist upon Receipt of Passing Scores on the NPTE/AZLAW and Final Transcript. 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
Nay							
Recused							
Abstained							
Absent			X	X			

- 3) Jana Richey

The Board reviewed and discussed the above application.

Dr. Cornwall moved the Board to **Approve** the above Application for Physical Therapist 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
Nay							
Recused							
Abstained							
Absent			X	X			

4) Lindsay Silverman

The Board reviewed and discussed the above application.

Ms. Hunter moved the Board to **Approve** the above Application for Physical Therapist 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
Nay							
Recused							
Abstained							
Absent			X	X			

5) Derek Smith

The Board reviewed and discussed the above application.

Dr. Bustillo moved the Board to **Approve** the above Application for Physical Therapist upon Receipt of Passing Scores on the NPTE/AZLAW and Final Transcript. 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

Nay							
Recused							
Abstained							
Absent			X	X			

2) Review of and Possible Action on Application for Physical Therapist Licensure from Applicant Requesting ADA Accommodations.

- 1) Claire Spence

The Board reviewed and discussed the above application.

Dr. Cornwall moved the Board to **Approve** the above Application for ADA Accommodations for double time and separate room for both exams. 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
Nay							
Recused							
Abstained							
Absent			X	X			

**4) COMPLAINTS, HEARINGS, INVESTIGATIONS and COMPLIANCE**

B) Review, Discussion and Possible Action for Initial Review:

- 1) Case No. 18-39; Joshua Bitton, PT

Mr. Bitton was not present and was not represented by legal counsel.

Dr. Cornwall moved the Board to enter into **Executive Session** to obtain legal advice and to review confidential records. 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							
Recused							

Abstained							
Absent			X	X			

**Executive Session -A from 8:44 A.M. to 8:47 A.M.**

Roll call taken after returning back from Executive Session at 8:57 A.M. by Dr. Donahue.

Ms. Richardson provided a summary of the case for the Board. Mr. Kurtz alleges that Mr. Bitton was absent during therapy sessions, relied on untrained techs to “baby-sit” the patients he is being paid to treat, billed for three patients during the same treatment time, and was deficient in his documentation.

The Board held its initial review and discussion of Complaint #18-39 at the regular session meeting on June 30, 2020. The Board requested further investigation of Mr. Bitton’s billing practice as a contractor for Head to Toe Therapy (aka H2T Therapy). In order to determine how the billing occurred for the Physical Therapy services provided by Mr. Bitton, the Board also requested the facilities’ billing to third parties and the amount received for a given period of time.

The Board reviewed and discussed the above application.

Dr. Cornwall moved the Board to **Forward** the above case to an **Informal Hearing** and include all allegations from the original investigative and supplemental report. 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
Nay							
Recused							
Abstained							
Absent			X	X			

Ms. Hunter moved the Board to **Forward** Ms. Bridgett O’Brian to the Speech and Language Board and Attorney General’s office for investigation. Dr. Bustillo seconded the motion. Following review 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
Nay							
Recused							
Abstained							
Absent			X	X			

A) Review, Discussion and Possible Action for Review of Informal Hearing:

1) Case No. 19-50; Brian Chin, PT (9:00 am)

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

Mr. Chin provided an opening statement.

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

The Board deliberated.

Dr. Cornwall moved the Board to issue an **Advisory Letter** to include “The Board’s concerns relate to your employment at Fysical PT. The Board formally advises you to become aware and informed of the principles taught in the Arizona Jurisprudence exam should you return to practice in the State of Arizona”. 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
Nay							
Recused							
Abstained							
Absent			X	X			

2) Case No. 19-52; Kyle O’Leary, PT (9:30 am)

Mr. O’Leary was present and was not represented by legal counsel. The Board members and Board staff introduced themselves. Mr. O’Leary introduced himself. Dr. Cornwall read a summary of how the hearing would be conducted and reviewed the possible outcomes of the hearing. Ms. Richardson

and Mr. O’Leary were sworn-in as witnesses. Ms. Richardson read the allegations against Mr. O’Leary.

Mr. O’Leary provided an opening statement.

The Board reviewed and discussed the case and asked questions of Mr. O’Leary. Mr. O’Leary provided a closing statement.

The Board deliberated.

Dr. Cornwall moved the Board to issue a **Non-Disciplinary** to include “six (6) hours of Board staff pre-approved continuing education in the area(s) of **documentation and supervision.**”. 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
Nay							
Recused							
Abstained							
Absent			X	X			

B) Review, Discussion and Possible Action for Initial Review:

5) Case No. 20-18; Stephanie Murillo, PT

Dr. Donahue provided a summary of the case for the Board. Ms. Murillo failed to renew her license on or before August 31, 2020. Ms. Murillo’s license was reinstated on September 9, 2020. She states she worked 3 days (September 1-4, 2020) without a license.

Ms. Murillo was present and was not represented by legal counsel. Ms. Murillo provided an opening statement to the Board.

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

Dr. Cornwall moved Board to **Accept**

**FINDINGS OF FACT**



Respondent knew, or should have known that she was required to renew her license on or before August 31, 2020.

Respondent failed to renew her license on or before August 31, 2020.

Respondent practiced four (4) days without a license September 1, 2020- September 4, 2020.

**And**

**CONCLUSIONS OF LAW**

The conduct and circumstances as stated in the above Findings of Fact constitute a violation of A.R.S. §32-2027(A) “A licensee or certificate holder shall renew the license or certificate pursuant to board rules. Except as provided in section 32-4301, a licensee or certificate holder who fails to renew the license or certificate on or before the expiration date shall not practice as a physical therapist or physical therapist assistant in this state.”

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
Nay							
Recused							
Abstained							
Absent			X	X			

Dr. Cornwall moved Board to issue a Consent Agreement to include:

**Probation:** To be placed on probation for a period of thirty (30) days 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:

**Notification to Employer(s), Patients and Third-Party Payers:** Respondent shall submit evidence of having notified her employer(s), patient(s) and payor(s) of the administrative suspension of her license from September 1, 2020 through September 2, 2020.

**Decree of Censure:** Based on the foregoing Findings of Fact and Conclusions of Law, IT IS HEREBY ORDERED the Board issues a **Decree of Censure** against Stephanie Murillo, P.T., License No. LPT-031353 in relation to Respondent’s failure to renew her license. This Decree may be considered by the Board in determining appropriate sanctions in the event a subsequent violation occurs. This Decree of Censure shall be effective on the date of entry below.

**Termination:** Respondent may petition the Board for early termination of the Order, including probation provided that Respondent has completed and complied with all requirements of the Order, or probation. Upon receiving Respondent’s petition, the Board shall have complete discretion to determine whether Respondent has completed and complied with the requirements of the Order, or probation prior to granting the petition for early termination. Respondent’s failure to petition the Board to terminate the Order, or probation, shall cause the requirements of the Order, or probation to continue beyond the period covered in the Order, or probation until the Order or probation is terminated by the Board.

If consent agreement is not accepted, case will be forwarded to an Informal Hearing.

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

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

**The Board Recessed from 10:10 A.M. to 10:12 A.M.**

A) Review, Discussion and Possible Action for Review of Informal Hearing:  
 3) Case No. 20-15; Connor Ong, PT (10:00 am)

Mr. Ong was present and was represented by Mr. Tyler Schwenke. The Board members and Board staff introduced themselves. Mr. Ong and his attorney introduced themselves. Dr. Cornwall read a summary of how the hearing would be conducted and reviewed the possible outcomes of the hearing. Dr. Donahue and Mr. Ong were sworn-in as witnesses. Dr. Donahue read the allegations against Mr. Ong.

Mr. Schwenke provided an opening statement.

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

Mr. Schwenke provided a closing statement.

The Board deliberated.

Ms. Hunter moved Board to **Dismiss** the above case. Dr. Cornwall 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
Nay							
Recused							
Abstained							
Absent			X	X			

4) Case No. 19-44; Sarah Daley, PT (10:30 am)

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

Ms. Daley provided an opening statement.

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

Ms. Daley provided a closing statement.

The Board deliberated.

Dr. Cornwall moved Board to issue a **Non-Disciplinary** to include “six (6) hours of Board staff pre-approved continuing education in the area(s) of **documentation and billing**”. Dr. Bustillo seconded the motion. Following review and discussion, the motion carried by roll call.

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

B) Review, Discussion and Possible Action for Initial Review:

2) Case No. 19-39; Drew Giardina, PT

Ms. Richardson provided a summary of the case for the Board. On September 22, 2019 the Board received complaint. Complaint #19-39 was opened on September 27, 2019. Mr. SR alleges substandard care when Mr. Giardina injured his right arm during physical therapy treatment.

Mr. Giardina was present and was represented by Susan McLellan. Ms. McLellan and Mr. Giardina both provided an opening statement to the Board. Mr. SR didn’t provide an opening statement to the Board.

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

Mr. Giardina and Mr. SR both provided a closing statement to the Board.

Dr. Cornwall moved Board to **Dismiss** the above case. Dr. Bustillo seconded the motion. Following review and discussion, the motion failed by roll call.

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

Absent			X	X			
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Mr. Greer moved Board to **Forward** the above case to an **Informal Hearing** to include **A.R.S. §32-2044(4)(12)(14)(20) and R4-24-304 A-E**. 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
Nay							
Recused							
Abstained							
Absent			X	X			

Ms. Hunter moved Board to **open a Complaint** against **Jeffrey Lace** to include **A.R.S. §32-2044(4)(20) and R4-24-303**. 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
Nay							
Recused							
Abstained							
Absent			X	X			

3) Case No. 19-64; Louis Bartlo, PT

Ms. Richardson provided a summary of the case for the Board. Board opened complaint #19-64 after review of complaint from Mr. Patel. Mr. Patel states that he was hired by Independence Rehab as a Physical Therapy technician but had no supervision by Mr. Bartlo of the patient care he was providing to residents of Haven of Phoenix. Mr. Patel alleges that was he conducting and charting active and passive range of motion and bed mobility activities with no supervision.

Mr. Bartlo was present and was represented by James Bennett. Mr. Bennett provided an opening statement to the Board.

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

Ms. Hunter moved Board to **Forward** the above case to an **Informal Hearing** to include **A.R.S. §32-2044(4)(6)(20)**. 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
Nay							
Recused							
Abstained							
Absent			X	X			

Ms. Hunter moved Board to **open a Complaint** against **Mariana Calderin** to include **A.R.S. §32-2044(5)** and **Arlene Phillips** to include **A.R.S. §32-2044(5)(13)**. 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
Nay							
Recused							
Abstained							
Absent			X	X			

4) Case No. 20-17; Kaylee Menk, PTA

Dr. Donahue provided a summary of the case for the Board. Ms. Menk failed to pass the AZ Jurisprudence exam prior to obtainment of her Compact Privilege CP3145A. While concurrently holding an Arizona PTA certification, Ms. Menk, applied for and obtain her compact privilege on 7/15/20. Ms. Mink last passing score on the AZ Jurisprudence exam was 5/1/2018.

Ms. Menk was present and was represented by Sarah Stark. Ms. Stark provided an opening statement to the Board.

The Board reviewed and discussed the above case.

Mr. Greer moved Board to **Dismiss** the above case. Dr. Cornwall 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
Nay							
Recused							
Abstained							
Absent			X	X			

6) Case No. 20-19; Ty McLaughlin, PT

Mr. McLaughlin, PT failed to renew his license on or before August 31, 2020. Mr. McLaughlin’s license was reinstated on September 8, 2020. He reports that he worked 2 days (September 1-2, 2020) without a license.

The Board reviewed and discussed the above case.

Mr. Greer moved Board to **Accept**

**FINDINGS OF FACT**

Respondent knew, or should have known that he was required to renew his license on or before August 31, 2020.

Respondent failed to renew his license on or before August 31, 2020.

Respondent practiced two (2) days without a license.

**And**

**CONCLUSIONS OF LAW**

The conduct and circumstances as stated in the above Findings of Fact constitute a violation of A.R.S. §32-2027(A) “A licensee or certificate holder shall renew the license or certificate pursuant to board rules. Except as provided in section 32-4301, a licensee or certificate holder who fails to renew the license or certificate on or before the expiration date shall not practice as a physical therapist or physical therapist assistant in this state.”

**issue a Consent Agreement to include:**

**Probation:** The Arizona State Board of Physical Therapy hereby orders that Respondent, holder of License No. LPT-009936, be placed on probation for a period of thirty (30) days 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:

**Notification to Employer(s), Patients and Third-Party Payers:** Respondent shall submit evidence of having notified his employer(s), patient(s) and payor(s) of the administrative suspension of his license from September 1, 2020 through September 2, 2020.

**Decree of Censure:** Based on the foregoing Findings of Fact and Conclusions of Law, IT IS HEREBY ORDERED the Board issues a **Decree of Censure** against Ty McLaughlin, P.T., License No. LPT-009936 in relation to Respondent's failure to renew her license. This Decree may be considered by the Board in determining appropriate sanctions in the event a subsequent violation occurs. This Decree of Censure shall be effective on the date of entry below.

**Continuing Education:** Respondent shall take and complete continuing education in the areas listed below within thirty (30) days from the effective date of this order. Respondent must submit to Board staff for approval prior to beginning the continuing education courses, a syllabus of each course. Respondent shall provide documentation to Board staff that the course was completed prior to any termination of probation is considered.

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



**Termination:** Respondent may petition the Board for early termination of the Order, including probation provided that Respondent has completed and complied with all requirements of the Order, or probation. Upon receiving Respondent’s petition, the Board shall have complete discretion to determine whether Respondent has completed and complied with the requirements of the Order, or probation prior to granting the petition for early termination. Respondent’s failure to petition the Board to terminate the Order, or probation, shall cause the requirements of the Order, or probation to continue beyond the period covered in the Order, or probation until the Order or probation is terminated by the Board.

If consent agreement is not accepted, case will be forwarded to an Informal Hearing.

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
Nay							
Recused							
Abstained							
Absent			X	X			

**5) BOARD BUSINESS AND REPORTS**

A) Review, Discussion and Possible Action: PTA Disciplinary Matrix for Continuing Competency

The Board reviewed and discussed the above agenda item.

Mr. Greer moved the Board to **Accept and Adopt** PTA Disciplinary Matrix for Continuing Competency. 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
Nay							

Recused							
Abstained							
Absent			X	X			

7) Case No. 20-30; Brandon Rainwater, PTA

Mr. Rainwater failed to complete 10 hours of continuing competency hours for the 2018-2020 compliance period within the specified timeframe.

The Board reviewed and discussed the above case.

Mr. Greer moved Board to **Accept**

**FINDINGS OF FACT**

Respondent knew, or should have known, the continuing education requirements for the 2018-2020 compliance period.

Respondent was selected, at random, for audit of the continuing education competency for the 2018-2020 compliance period.

Respondent failed to complete ten (10) hours of required continued education competencies for the 2018-2020 compliance period.

**And**

**CONCLUSIONS OF LAW**

The conduct and circumstances as stated in the above Findings of Fact constitute a violation of A.R.S. §32-2044(24) “Failing to complete continuing competency requirements as established by the Board by rule.”

**issue a Consent Agreement to include:**

**Probation:** The Arizona State Board of Physical Therapy hereby orders that Respondent, holder of Certificate No. PTA-012643, be placed on probation for a period of six (6) 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:

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

**Continuing Education:** Respondent shall take and complete continuing education in the areas listed below within six (6) months from the effective date of this order. Respondent must submit to Board staff for approval prior to beginning the continuing education courses, a syllabus of each course. Respondent shall provide documentation to Board staff that the course was completed prior to any termination of probation is considered.

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

**Civil Penalty:** Respondent shall pay a civil penalty of \$150.00 dollars.

**Termination:** Respondent may petition the Board for early termination of the Order, including probation provided that Respondent has completed and complied with all requirements of the Order, or probation. Upon receiving Respondent's petition, the Board shall have complete discretion to determine whether Respondent has completed and complied with the requirements of the Order, or probation prior to granting the petition for early termination. Respondent's failure to petition the Board to terminate the Order, or probation, shall cause the requirements of the Order, or probation to continue beyond the period covered in the Order, or probation until the Order or probation is terminated by the Board.

If consent agreement is not accepted, case will be forwarded to an Informal Hearing.

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
Nay							
Recused							
Abstained							
Absent			X	X			

8) Case No. 20-12; Kim Lewis, PT

Dr. Donahue provided a summary of the case for the Board.

Ms. Lewis was present and was not represented by legal counsel. Ms. Lewis provided the Board with an update of the plea agreement she will be entering with the Maricopa County Superior Court on November 2, 2020.

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

Dr. Cornwall moved Board to **Dismiss** the above case. 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
Nay							
Recused							
Abstained							
Absent			X	X			

**4) COMPLAINTS, HEARINGS, INVESTIGATIONS and COMPLIANCE**

C) Review, Discussion and Possible Action for Potential Opening of Complaint:

1) BB, PT

Dr. Donahue provided a summary of the above agenda item. Mr. BB, PT reported arrest for DUI August 4, 2020. Mr. BB did report within the 10-day reporting timeframe. The Board can elect to take no action or open a complaint.

Dr. Cornwall moved Board to **Take No Action** the above agenda item. 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
Nay							
Recused							
Abstained							
Absent			X	X			

2) SW, PT

Dr. Donahue provided a summary of the above agenda item. Mr. SW, PT reported disciplinary action taken by the Arizona Regulatory Board of Physician Assistants on May 27, 2020 on his renewal PT license application. The Board can elect to take no action or open a Complaint.

Ms. Hunter moved Board to **Take No Action** the above agenda item. Ms. 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
Nay							
Recused							
Abstained							
Absent			X	X			

D) Review, Discussion and Possible Action for Request for Early Termination of Probation:

1) Board Order 19-31; Shari Allen, PT

Ms. Allen, PT (LPT-005591) requests early termination of Board Order 19-31. She was issued a non-disciplinary order on July 13, 2020 and required to complete six (6) hours ethics and six (6) hours geriatric treatment. She has completed all CE requirements. Her Order is set to expire on December 13, 2020.

The Board can elect to approve or deny the request.

The Board reviewed and discussed the above case.

Ms. Hunter moved Board to **Grant** requests for early termination of Board Order 19-31. 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
Nay							
Recused							
Abstained							
Absent			X	X			

E) Review, Discussion and Possible Action for Request for Modification of Board Order:

1) Board Order 19-37; Ron Longtin, PTA

Mr. Ron Longtin, PT A (PTA-00603 7) requests modification of Board order # 19-3 7 to enable on-line courses to fulfill Board Order requirements. Mr. Longtin was placed on probation for violations of A.R.S§32-2044(1)(17). He was required to obtain 6 hours of CEU specific to documentation and pass the Arizona Law Exam. Mr. Longtin's Board Order is to terminate on April 13, 2021.

The Board can elect to approve or deny the request.

The Board reviewed and discussed the above case.

Dr. Cornwall moved Board to **Grant** requests for Modification of Board Order. 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
Nay							
Recused							
Abstained							
Absent			X	X			

**The Board Recessed from 12:41 P.M. to 12:51 P.M.**

Roll call taken after returning back from **Recesses** at 12:51 P.M. by Dr. Donahue.

F) Review, Discussion and Possible Action for Request for Rehearing:  
 1) Complaint 19-53; Mitali Patel, PT

Ms. Patel was not present and was represented by Priyanka Desai. Dr. Cornwall read a summary of the possible outcomes / options the Board had. Ms. Desai introduced herself as Ms. Patel.

Ms. Desai provided an opening statement.

Dr. Cornwall moved the Board to enter into **Executive Session** to obtain legal advice and to review confidential records. 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							
Recused							
Abstained							
Absent			X	X			

**Executive Session -B from 1:02 P.M. to 1:21 P.M.**

The Board reviewed and discussed the case.

Dr. Cornwall moved Board to **Deny** request for Rehearing. 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
Nay							
Recused							
Abstained							
Absent			X	X			

**5) BOARD BUSINESS AND REPORTS**

- B) Board In-service and discussion: “Practice Management: Supervision” (30 minutes)
  - 1) Peg Hiller, PT

Mr. Greer moved Board to **Table** the above agenda item to the November Board Meeting. 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
Nay							
Recused							
Abstained							
Absent			X	X			

C) Discussion: Informative Video(s) posted on PT Board Website

Dr. Cornwall moved Board to **Table** the above agenda item to the November Board Meeting. 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
Nay							
Recused							
Abstained							
Absent			X	X			

D) Review and Discussion:

1) Provisional Licensure/Certification (As of October 19, 2020)

- (1) 48 Provisional licenses have been modified to Active Status
- (2) 26 Provisional Licenses remain in Inactive Status

2) 38 Individuals Licensed September 1- September 30, 2020

- (1) 17 Physical Therapists Endorsement
- (2) 9 Physical Therapists Examination
- (3) 1 Physical Therapist Universal Recognition
- (4) 5 Physical Therapist Assistants Endorsement
- (5) 4 Physical Therapist Assistants Examination
- (6) 1 Business Entity
- (7) 1 PT Foreign Educated



E) 1<sup>st</sup> Quarter Financials

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

**6) ADJOURNMENT**

Dr. Cornwall moved the Board to **Adjourn**. Ms. Hunter seconded the motion. Following review and discussion, the motion carried by roll call.

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

**Meeting adjourned at 1:35 P.M.**

Prepared by,

Monica Crowley  
Licensing Administrator

Approved by,

Karen Bustillo, PT, DPT, OCS, CLT  
Secretary