



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
December 21, 2021**

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 Barton, Public Member

BOARD MEMBERS ABSENT: Joshua Greer, Public Member

**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 8:30 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 and Mr. Barton. The following Staff were also present: Ms. Cardoza, Ms. Richardson, Ms. Chepeus and Ms. Crowley.
- 3) **Minutes: Review, consideration, and action:**

A) October 26, 2021 Regular Session

The Board reviewed the above minutes.

Dr. Cornwall moved to **Approve** the October 26, 2021 Regular Meeting Minutes with the suggested changes. Dr. Bustillo seconded the motion.

Vote	Dr. Cornwall	Dr. King	Dr. Bustillo	Mr. Greer	Mr. Leone	Mr. Barton	VACANT
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Board Meeting 12/21/21

Aye	X	X	X		X	X	
Nay							
Recused							
Abstained							
Absent				X			

Mr. Harris reminded the Board that if members were absent from its October 26, 2021 meeting, reading the minutes and listening to the audio recording of that meeting were recommended prior to voting to adopt the minutes.

The Board re-cast their votes. The motion passed.

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

B) October 26, 2021 Executive Session A

The Board reviewed the above minutes.

Dr. Cornwall moved to **Approve** the October 26, 2021 Executive Session-A Meeting Minutes with the suggested changes. 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				
Nay							
Recused							
Abstained					X	X	
Absent				X			

C) October 26, 2021 Executive Session B

The Board reviewed the above minutes.

Dr. Cornwall moved to **Approve** the October 26, 2021 Executive Session-B Meeting Minutes with the suggested changes. 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				
Nay							
Recused							
Abstained					X	X	
Absent				X			

D) November 30, 2021 Regular Session

The Board reviewed the above minutes.

Dr. Bustillo moved to **Approve** the November 30, 2021 Regular Session Meeting Minutes. Mr. Leone seconded the motion. The motion passed.

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

4) Applications for Licensure and Certification:

A) Review, consideration, and possible action on Physical Therapist applicants requesting ADA accommodations.

1) Kathryn Berry

Ms. Kathryn Berry provided a statement to the Board. The Board reviewed the above request and asked questions of Ms. Berry.

Dr. King moved to **Approve** the above applicant’s Request for ADA Accommodations. Dr. Cornwall seconded the motion. The motion failed unanimously.

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

Aye							
Nay	X	X	X		X	X	
Recused							
Abstained							
Absent				X			

Dr. King moved to reaffirm prior Board decision to **Deny** the above applicant’s Request for ADA Accommodations. 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	
Nay							
Recused							
Abstained							
Absent				X			

2) Nicole Kanefsky

The Board reviewed the above request.

Mr. Leone moved to **Deny** the above applicant’s Request for ADA Accommodations. 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			

3) Courtney Marley

The Board reviewed the above request.

Dr. Cornwall moved to **Deny** the above applicant’s Request for ADA Accommodations. 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	
Nay							
Recused							
Abstained							
Absent				X			

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. Erini Guirguis

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

Dr. Bustillo moved to approve Ms. Guirguis Physical Therapist license upon successful completion of the application, and passage of the NPTE / AZLAW exams and final transcripts. 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	
Nay							
Recused							
Abstained							
Absent				X			

- 2) Review, consideration, and possible action regarding approving the Supervised Clinical Practice Period (SCPP) facility and supervising therapists proposed by Foreign Educated Physical Therapist applicant.

a. Apeksha Beseekar

Ms. Beseekar was present and provide an opening statement to the Board. The Board reviewed the above application.

Dr. Cornwall moved to **Approve** the proposed Supervised Clinical Practice Period (SCPP) facility and supervising therapists. 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			

5) Consent Agenda:

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) Verbena Coffin
- 2) Alejandro Garcia

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) 17-21, Dale Bryan, PT
- 2) 19-42, Gregory Bustamante, PTA
- 3) 19-51, Natalie Meyer, PT

The Board reviewed the above agenda items.

Mr. Barton moved to **Approve** recommendations as listed in Consent Agenda items 5B and 5C on the agenda. 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			

End of Consent Agenda

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

A) 20-20 Nicole Raymond, PT

Review, consideration, and possible action regarding compliance with Board Order

Ms. Richardson provided a summary of the case for the Board. Ms. Raymond’s Board Order expired on 9/3/21. Ms. Raymond was contacted on 11/24/21 regarding supplying evidence that employers and 3rd party payors were notified per the Board Order and reasons for the delay in passing of the AZ Law exam.

Ms. Raymond provided written response on 12/13/21.

The Board reviewed the case.

Dr. King moved to **Terminate** Board Order #20-20. 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	
Nay							
Recused							
Abstained							
Absent				X			

B) 20-40 Melinda Kane aka Coy, PTA

Review, consideration, and possible action regarding compliance with Board Order

Ms. Richardson provided a summary of the case for the Board. Ms. Kane’s Board Order expired on 10/28/21. Ms. Kane was contacted on 11/26/21 regarding status of completing Board ordered requirements. Her response on 12/1/21 was provide to the Board. On 12/11/21 Ms. Kane was called to discuss status further and answer questions she had. Ms. Kane states that she did not make any contact with the Board since signing her Board Order on 4/28/21 and was aware that her Board Order had expired. Ms. Kane has not practiced in Physical Therapy since giving birth in 2019 and has experienced health problems which she states prevented her from completing her board ordered requirements.

Ms. Kane provided additional information on 12/15/21

Dr. Cornwall moved to enter into **Executive Session** to obtain legal advice. 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			

Executive Session -A from 9:17 A.M. to 9:23 A.M.

Roll call taken after returning back from **Executive Session -A** at 9:23 A.M. by Ms. Chepeus.

The Board reviewed the case.

Mr. Leone moved to extend probation for a period of 6 months. Dr. King seconded the motion. After discussion both Mr. Leone and Dr. King agreed to a friendly amendment and revised motion to offer consent agreement to extend probation for 9 months to comply with Board order for case 20-40. 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			

C) 20-47 Yocelin Tepezano, PTA

Review, consideration, and possible action regarding compliance with Board Order

Ms. Richardson provided a summary of the case for the Board. Ms. Tepezano’s Consent Agreement expired on 9/21/21. Ms. Tepezano was contacted on 11/28/21 regarding the status of and compliance with her consent agreement. It was requested that she provide a written response for the Board to consider regarding her compliance with the consent agreement. As of 12/17/21, she has not responded.

Dr. Cornwall moved to offer new consent agreement to extend probation for 9 months. Mr. Leone seconded the motion. After discussion Dr. Cornwall and Mr. Leone both withdrew their 1st and 2nd motion.

Dr. Cornwall moved to remand case #20-47 to formal hearing. 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	

Nay							
Recused							
Abstained							
Absent				X			

D) 21-13 Heidi Erpelding, PT

Initial review, consideration, and possible action regarding complaint

Mr. Leone recused himself from the above case.

Ms. Richardson provided a summary of the case for the Board. The Board opened Complaint #21-13 after review of complaint from a patient, FH. FH alleges that Ms. Erpelding engaged in substandard care by only treating her shoulder and not her knee and back as the doctor had ordered, and HIPAA privacy violations.

The Board reviewed the case.

Dr. Bustillo moved to **Dismiss** complaint. Dr. King seconded the motion. After discussion Dr. Bustillo and Dr. King both withdrew their 1st and 2nd motion.

Mr. Barton moved to issue a Non-disciplinary order to include 3 hours of continuing education for documentation; to be completed within 6 months; courses may be completed online with the possibility of early termination. 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	
Nay							
Recused					X		
Abstained							
Absent				X			

E) 21-30 Timothy Charleston, PT

Initial review, consideration, and possible action regarding complaint

Ms. Richardson provided a summary of the case for the Board. Mr. Charleston obtained Compact Privilege No.: 008325T on 10/7/21 prior to passing the AZ Law exam. Mr. Charleston has not taken the AZ Law exam as of 12/17/21.

Dr. King moved to Table the above case to allow Mr. Charleston the opportunity to voluntarily surrender his AZ compact privilege within 30 days or case will be forwarded to an Informal Hearing. Dr. Cornwall seconded the motion but then withdrew his second. 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	X						
Recused							
Abstained							
Absent				X			

F) JZ

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

Mr. Leone recused himself from the above case.

Ms. Richardson provided a summary of the case for the Board.

The Board reviewed the case.

Dr. Bustillo moved to **Take No Action**. 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	
Nay							
Recused					X		
Abstained							
Absent				X			

7) Board business and reports:

A) Arizona Physical Therapy Association Presentation Regarding Current Events/Topics

Dr. Cornwall reminded the Board that this is a presentation, no motions or discussion will occur. Questions may be asked for clarification purposes. Any discussion must be agendaized for a future meeting:

Mr. Brian Schmitz provided information for the following topics:

- Insurance payment issues when services are provided by Compact privilege holders
- Change in regulatory designation from PT to DPT
- Medical image and referral rights (order imaging studies)30-672G – requesting a formal opinion to determine if there are any prohibitions that would preclude physical therapists from referring patients

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for imaging.

C) PT Compact Designation

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	
Nay							
Recused							
Abstained							
Absent				X			

Executive Session -B from 10:36 A.M. to 10:46 A.M.

Roll call taken after returning back from **Executive Session** at 10:46 A.M. by Ms. Chepeus.

Ms. Chepeus provided a summary to the Board. The Board reviewed the above agenda item.

Mr. Barton moved to not designate PT Compact as an “association of licensed health professionals” pursuant to A.R.S. § 32-3226. 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	
Nay							
Recused							
Abstained							
Absent				X			

B) Executive Director Position

The ADOA-HR representative was not in attendance.

Mr. Barton moved to table discussion to the January 2022 Board meeting. 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	

Nay							
Recused							
Abstained							
Absent				X			

D) Pending AZ Auditor General Financial Audit

Ms. Chepeus provided summary to the Board.

E) Proposed 2022 Virtual Board Meeting Dates

Review, consideration, and possible action regarding adopting virtual meeting dates for 2022.

January 25, 2022

February 22, 2022

March 22, 2022

April 26, 2022

May 24, 2022

June 28, 2022

July 26, 2022

August 23, 2022

September 27, 2022

October 25, 2022

November 15, 2022 (Holiday month)

December 20, 2022 (Holiday month)

Dr. Cornwall moved to adopt Proposed 2022 Virtual Board Meeting Dates with option for date adjustments as necessary. 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	
Nay							
Recused							
Abstained							
Absent				X			

F) November 2021 Financials

Review and possible discussion

Ms. Chepeus provided an update.

G) Licenses / Certificates

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

- 1) 43 Individuals Licensed/Certified November 1, 2021- November 30, 2021
 - a. 16 Physical Therapists Endorsement
 - b. 12 Physical Therapists Examination
 - c. 2 Physical Therapist Universal Recognition
 - d. 0 Physical Therapist Foreign Educated
 - e. 0 Physical Therapist Military Spouse
 - f. 2 Physical Therapist Assistants Endorsement
 - g. 11 Physical Therapist Assistants Examination
 - h. 0 Physical Therapist Assistant Universal Recognition
 - i. 0 Physical Therapist Assistant Military Spouse

Ms. Chepeus provided an update.

8) Future Agenda Items

Agendize discussions of the following on individual future meetings

- Medical imaging (APTA presentation)
- Professional designation (APTA presentation)
- Insurance payments (APTA presentation)

9) Adjournment

Dr. King 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	
Nay							
Recused							

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Abstained							
Absent				X			

Meeting adjourned at 11:12 A.M.

Prepared by,

Monica Crowley
Licensing Administrator

Approved by,

Karen Bustillo, PT, DPT, OCS, CLT
Secretary