



ARIZONA STATE BOARD OF PHYSICAL THERAPY
4205 NORTH 7TH AVENUE, SUITE 208 PHOENIX, ARIZONA 85013
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REGULAR SESSION MEETING MINUTES
December 13, 2016

MEMBERS PRESENT:

James E. Miller, PT, DPT, Vice President
Al D'Appollonio, PT, MBA; Secretary
Melinda Richardson, PT, MA; President
Whitney Lawrence; Member
Peggy Hunter, PTA, CLT; Member

MEMBERS ABSENT:

Nushka Remec, PT, MS, PCS; Member
Michael S. Clinton, CPA; Member,

**ASSISTANT ATTORNEY GENERAL
PRESENT:**

Mona Baskin, Assistant Attorney General

BOARD STAFF PRESENT IN PERSON:

Charles D. Brown, Executive Director
Monica Crowley, Office Manager
Veronica Cardoza, Licensing Administrator
Karen Donahue, Senior Investigator

- 1) **CALL TO ORDER – 8:30 A.M.;** Ms. Richardson called the meeting to order at 8:35 A.M. (A recording of the meeting is available through the Board Office)

Roll Call - The following Board members were present: Ms. Richardson, Mr. D'Appollonio, Ms. Hunter, Ms. Lawrence and Dr. Miller

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

- a) November 15, 2016; Regular Session Meeting Minutes

Dr. Miller and Ms. Richardson requested minor changes to the minutes. Ms. Richardson moved the Board approve the November 15, 2016; Regular Session Meeting Minutes with the suggested changes. Dr. Miller seconded the motion. Following review and discussion the motion passed.

Vote	Mr. Clinton	Mr. D'Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson	Ms. Lawrence
Aye		X	X	X		X	X
Nay							
Recused							
Abstained							

Absent	X				X		
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3) CONSENT AGENDA: REVIEW, CONSIDERATION and ACTION

a) Applications for Licensure and Certification

The Board may vote to go into Executive Session pursuant to A.R.S. §38-431.03(A)(2) for purposes of discussing confidential information or §38-431.03(A)(3) to obtain legal advice.

i) Review, Consideration and Approval of Applications of Physical Therapist Licensure upon Receipt of Passing Scores on the NPTE/AZLAW and Final Transcript

Kara Azotea	Marianne Banks	Andrea Baune
Jamal Beechey	Anthony Boyle	Andrew Callan
Jerry Chen	Danielle Corapi	Alicia Case
Desiree Dennis	Anthony DiSalvo	Antwan Faraj
Jonathan Erb	Daren Flolo	Mallory Flynn
Jae Frazier	Isaac Halliday	Ellen Heath
Tori Heckendorn	Joseph Jalaf	Kristin Johnson
Meghan MacArdy	Rebecca McCullough	Katie McGonigle
Edwin Meelhuysen	Jordan Noffey	Charles Ohly
Rachael Paszko	Adam Paul	Alexa Pena
Ethan Qualey	Jody Rickfelder	Mallory Rodriguez
Melissa Salazar	Beth Schofield	Donald Schultz
Sarah Stone	Benjamin Sutphin	Rachelle Holt
Crystal Theis	Andrew Velopolcak	Nicholas Virden
Brandon Walker	Kelsey Yerkes	

Dr. Miller pulled Crystal Theis and Rachel Holt and Mr. D’Appollonio pulled Edwin Meelhuysen from the above consent agenda.

Ms. Richardson moved the Board approve the above applications for Physical Therapist Licensure upon Receipt of Passing Scores on the NPTE/AZLAW and Final Transcript. Ms. Hunter seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Mr. D’Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson	Ms. Lawrence
Aye		X	X	X		X	X
Nay							
Recused							
Abstained							
Absent	X				X		

Edwin Meelhuysen

Mr. D’Appollonio expressed concerns with Edwin Meelhuysen’s Montana license. Mr. Meelhuysen listed the license as expired but the Federation has it listed as active. The Board reviewed and discussed the case.

Mr. D’Appollonio moved the Board approve Mr. Meelhuysen’s application for Physical Therapist Licensure upon Receipt of Passing Scores on the NPTE/AZLAW. Ms. Hunter seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Mr. D’Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson	Ms. Lawrence
Aye		X	X	X		X	X
Nay							
Recused							
Abstained							
Absent	X				X		

Crystal Theis

Dr. Miller believed Crystal Theis’ application is complete; his concern was that the Board received a document with a potential technical error. The verification received from Missouri shows an expiration date of 2011, but the Federation indicated that the Missouri license expires in 2018. Ms. Theis is currently working in Missouri. The Board reviewed and discussed the case.

Dr. Miller moved the Board approve Ms. Theis application for Physical Therapist Licensure upon verification of Missouri license and upon Receipt of Passing Scores on the NPTE/AZLAW. Ms. Richardson seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Mr. D’Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson	Ms. Lawrence
Aye		X	X	X		X	X
Nay							
Recused							
Abstained							
Absent	X				X		

Rachel Holt

Dr. Miller had an issue with early approval of Rachel Holt’s application for Physical Therapist Licensure since her graduation date is not until May 2017. The Board reviewed and discussed the case.

Ms. Richardson moved the Board approve testing for NPTE/AZLAW exam for Ms. Holt and requested that Ms. Holts provide a new updated letter from her program director to the Board for the March 2017 Board Meeting. Dr. Miller seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Mr. D'Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson	Ms. Lawrence
Aye		X	X	X		X	X
Nay							
Recused							
Abstained							
Absent	X				X		

ii) Review, Consideration and Approval of Applications for Physical Therapist Assistant Certification upon Receipt of Passing Scores on the NPTE/AZLAW and Final Transcript.

Ryanne Agustin	Mitchell Allen	Brittney Altamirano
Jessica Anderson	Suzanne Corbett	Jennifer Davis
Kimberly Dewey	Kori Gowan	Shayla Habibi
Brandee Johnson	Denise Olar	Loren Young
Lee Webber		

Ms. Richardson moved the Board approve the above applications for Physical Therapist Assistant Certification upon Receipt of Passing Scores on the NPTE/AZLAW and Final Transcript. Dr. Miller seconded the motion. Following review and discussion the motion carries.

Vote	Mr. Clinton	Mr. D'Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson	Ms. Lawrence
Aye		X	X	X		X	X
Nay							
Recused							
Abstained							
Absent	X				X		

2) Review and Approval of Draft Minutes

b) November 15, 2016; Executive Session Meeting Minutes

Mr. D'Appollonio moved the Board approve the November 15, 2016; Executive Session Meeting Minutes. Ms. Richardson seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Mr.	Ms. Hunter	Dr. Miller	Ms. Remec	Ms.	Ms. Lawrence
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		D'Appollonio				Richardson	
Aye		X	X	X		X	X
Nay							
Recused							
Abstained							
Absent	X				X		

6) COMPLAINTS, HEARINGS, INVESTIGATIONS and COMPLIANCE

b) Review, Discussion, and Action on Initial Review of Complaint

xii) Complaint #16-50; Nathan West, PT

Mr. West was present and was not represented by legal counsel. Ms. Donahue provided a summary of the case for the Board. The Board opened a complaint against Mr. West for his failure to respond to the 2014-2016 continuing education competency audit. Mr. West submitted CEU's on November 9, 2016 and found to be in compliance with the 2014-2016 continuing education requirements.

Mr. West provided an opening statement to the Board and was there to answer any questions the Board had for him. The Board reviewed and discussed the investigation, and asked questions of Mr. West.

Ms. Hunter moved the Board dismiss the case. The motion failed for no 2nd. The Board reviewed and discussed their options for discipline against Mr. West.

Ms. Hunter moved the Board issue a non-disciplinary advisory letter. The motion failed for no 2nd. The Board reviewed and discussed their options again.

Mr. D'Appollonio move the Board follow the matrix and issue a consent agreement and reduce the civil penalty to \$250. If the consent agreement is not accepted the Board will move to an informal hearing. Ms. Richardson seconded the motion. Following review and discussion the motion carries.

Vote	Mr. Clinton	Mr. D'Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson	Ms. Lawrence
Aye		X	X	X		X	X
Nay							
Recused							
Abstained							
Absent	X				X		

a) Review and Action; Informal Hearing;

i) Case No. 16-08; Scott Gilbert, PT

Mr. Gilbert was present and was not represented by legal counsel. The Board members and Board staff introduced themselves.

Mr. Gilbert introduced himself. Ms. Richardson read a summary of how the hearing would be conducted and reviewed the possible outcomes of the hearing. Ms. Donahue and Mr. Gilbert were sworn-in as witnesses. Mr. Brown read the allegations against Mr. Gilbert:

A.R.S. §32-2044(1) “Violating this chapter, Board rules or a written board order.”

A.R.S. §32-2044(4) “Engaging in the performance of substandard care by a physical therapist due to a deliberate or negligent act or failure to act regardless of whether actual injury to the patient is established.”

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. Gilbert stated that the allegation Mr. Brown read off were not the correct allegations. Ms. Richardson moved the Board recessed. Ms. Hunter seconds the motion. The motions carries.

Vote	Mr. Clinton	Mr. D’Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson	Ms. Lawrence
Aye		X	X	X		X	X
Nay							
Recused							
Abstained							
Absent	X				X		

The Board Recessed from 9:07 A.M. to 9:11 A.M

Ms. Richardson stated that Mr. Gilbert was noticed with the correct allegations but would like the Board to have time to review the correct allegations.

Ms. Richardson moved the Board table this case to the January Board meeting. Mr. D’Appollonio seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Mr. D’Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson	Ms. Lawrence
Aye		X	X	X		X	X

Nay							
Recused							
Abstained							
Absent	X				X		

b) Review, Discussion, and Action on Initial Review of Complaint

ii) Complaint #16-25; David Dorland, PT

Ms. Hunter recused herself from the above case and step away from the Board table. Ms. Donahue provided a summary of the case for the Board. The Board opened complaint #16-25 following review of Complaint # 15-17 Darren Permenter, PTA. The Board alleges that Mr. Dorland engaged in substandard care, inappropriate supervision of aide Clay Bannister violated the Code of Ethics, charged fraudulent fees, made misleading , deceptive untrue or fraudulent representations, aided and abetted Clay Banister who is not licensed or certified who directly or indirectly performed activities requiring a license or certificate and failed to maintain adequate patient records.

Mr. Dorland was present and was represented by David Morrison. Mr. Morrison provided an opening statement to the Board and stated Mr. Dorland was there to answer any questions the Board had for him. The Board reviewed, discussed the investigation, and asked questions of Mr. Dorland.

Mr. Morrison provided a closing statement

Dr. Miller moved the Board offer a consent agreement to include four (4) years’ probation with the possibility of early termination after two (2) years, \$2,500 civil penalty, take and successfully pass the AZLAW exam, participate in eight (8) hours of CEU’s in ethics, eight (8) hours in cardio pulmonary, eight (8) hours in billing, eight (8) hours in orthopedic and six (6) hours in documentation to be completed within 6 months. All continuing education must be preapproved by Board staff and taken in person. Monitoring to begin 30 days after CEU’s are completed. Mr. Dorland must undergo a minimum of six (6) months of Board approved monitoring with possibility for early termination after three (3) consecutive months of successful completion of monitoring. Monitoring shall consist of 5 randomly selected charts. If the consent agreement is not accepted the case will be forwarded to an informal hearing. Mr. D’Appollonio seconded the motion. Following review and discussion Mr. D’Appollonio requested a friendly amendment to include that if consent agreement is not accepted the case will be forwarded to a formal hearing. Dr. Miller accepts the friendly amendment. Following review and discussion the motion carried.

Vote	Mr. Clinton	Mr. D’Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson	Ms. Lawrence
Aye		X		X		X	X
Nay							
Recused			X				
Abstained							
Absent	X				X		

At 10:07 AM, Ms. Hunter returned to the Board table.

iii) Complaint #16-26; Kaja Kilburn, PT

Ms. Kilburn was present and was represented by David Morrison. Ms. Donahue provided a summary of the case for the Board. The Board opened complaint #16-26 following review of Complaint #15-17 Darren Permenter, PTA. Board alleges that Ms. Kilburn engaged in substandard care, inappropriate supervision of aide Clay Bannister violated the Code of Ethics, charged fraudulent fees, made misleading, deceptive, untrue or fraudulent representations, aided and abetted Clay Banister who is not licensed or certified who directly or indirectly performed activities requiring a license or certificate and failed to maintain adequate patient records. Ms. Kilburn was present and was represented by David Morrison.

Mr. Morrison provided an opening statement to the Board and stated Ms. Kilburn was there to answer any questions the Board had for her. The Board reviewed, discussed the investigation, and asked questions of Ms. Kilburn. Mr. Morrison provided a closing statement.

Dr. Miller moved the Board offer a consent agreement to include four (4) years' probation with the possibility of early termination after two (2) years, \$2,500 civil penalty, take and successfully pass the AZLAW exam, participate in eight (8) hours of CEU's in ethics, eight (8) hours in cardio pulmonary, eight (8) hours in billing, eight (8) hours in orthopedic and six (6) hours in documentation. All continuing education must be preapproved by Board staff and taken in person. Monitoring to begin 30 days after CEU's are completed. Ms. Kilburn must undergo a minimum of six (6) months of Board approved monitoring with possibility for early termination after three (3) consecutive months of successful completion of monitoring. Monitoring shall consist of 5 randomly selected charts. If consent agreement is not accepted the case will be forwarded to a formal hearing. Mr. D'Appollonio seconded the motion. Following review and discussion Mr. D'Appollonio requested a friendly amendment to give Ms. Kilburn twelve months to complete 38 hours of CEU's. Dr. Miller accepts the friendly amendment. Following review and discussion the motion carried.

Vote	Mr. Clinton	Mr. D'Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson	Ms. Lawrence
Aye		X	X	X		X	X
Nay							
Recused							
Abstained							
Absent	X				X		

The Board Recessed from 10:50 A.M. to 11:05 A.M

i) Complaint #15-35; Christopher Harten, PT

Ms. Donahue provided a summary of the case for the Board. The Board opened a complaint against Mr. Harten following notification of his charges for aggravated assault with a deadly weapon and disorderly conduct with a weapon on October 2, 2015. Mr. Harten was present and was represented by David Lish.

Mr. Lish provided an opening statement to the Board and stated he had additional information for the Board to review and consider. Mr. Harten was there to answer any questions the Board had for him .The Board reviewed, discussed the investigation, and asked questions of Mr. Harten.

Ms. Richardson moved the Board dismiss the case. Dr. Miller seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Mr. D'Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson	Ms. Lawrence
Aye		X	X	X		X	X
Nay							
Recused							
Abstained							
Absent	X				X		

4) CONSENT AGENDA: Review, Consideration and Action on Applications for Licensure and Certification

a) Substantive Review of Documentation Related to Disclosure on “Personal Information” Section of Application

(1) Physical Therapist Licensure Applications and Approval to take the NPTE and the AZLAW (Jurisprudence) Exam and Possible Licensure.

(a) Joshua Greenway

Ms. Richardson moved the Board approve the above applications for Physical Therapist Licensure upon Receipt of Passing Scores on the NPTE/AZLAW and Final Transcript. Mr. D'Appollonio seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Mr. D'Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson	Ms. Lawrence
Aye		X	X	X		X	X
Nay							
Recused							
Abstained							
Absent	X				X		

- b) Review, Consideration and Approval of Applications for Physical Therapy Assistant Certification upon Receipt of Passing Scores on the NPTE/AZLAW and Final Transcript and with documentation Related to Disclosure on “Personal Information” section of the application.

(1) Physical Therapist Assistant Certification and Approval to take the NPTE and the AZLAW (Jurisprudence) Exam and Possible Certification.

- (a) Arturo Colazo

Ms. Richardson moved the Board approve the above applications for Physical Therapist Assistant Certification upon Receipt of Passing Scores on the NPTE/AZLAW and Final Transcript. Mr. D’Appollonio seconded the motion. Following review and discussion the motion carries.

Vote	Mr. Clinton	Mr. D’Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson	Ms. Lawrence
Aye		X	X	X		X	X
Nay							
Recused							
Abstained							
Absent	X				X		

- (b) April-Lashon Smith

Ms. Richardson moved the Board approve the above applications for Physical Therapist Assistant Certification upon Receipt of Passing Scores on the NPTE/AZLAW and Final Transcript. Dr. Miller seconded the motion. Following review and discussion the motion carries.

Vote	Mr. Clinton	Mr. D’Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson	Ms. Lawrence
Aye		X	X	X		X	X
Nay							
Recused							
Abstained							
Absent	X				X		

Consent Agendas End

5) Review, Consideration and Action on Applications for Licensure and Certification

The Board may vote to go into Executive Session pursuant to A.R.S. §38-431.03(A)(2) for purposes of discussing confidential information or §38-431.03(A)(3) to obtain legal advice.

- a) Review of and Possible Action on Application for Physical Therapist Licensure from Applicant Requesting ADA Accommodations.
 - 1) Justin Royer

Ms. Richardson moved the Board approve the above application for ADA Accommodations. Mr. D’Appollonio seconded the motion. Following review and discussion the motion carries.

Vote	Mr. Clinton	Mr. D’Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson	Ms. Lawrence
Aye		X	X	X		X	X
Nay							
Recused							
Abstained							
Absent	X				X		

- b) Review of and Possible Action on the Following Applications for Physical Therapist Assistant Certification –Military Spouse.
 - 1) Karen Mathers

Ms. Richardson moved the Board approve the above applications for Physical Therapist Assistant Certification-Military Spouse. Dr. Miller seconded the motion. Following review and discussion the motion carries.

Vote	Mr. Clinton	Mr. D’Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson	Ms. Lawrence
Aye		X	X	X		X	X
Nay							
Recused							
Abstained							
Absent	X				X		

- c) Review of and Possible Action on Physical Therapists Previously Licensed in the State of Arizona.
 - 1) Tanya Gnewuch

Ms. Richardson moved the Board approve the above application for Physical Therapist Licensure upon Board staff review of completion of the 120 hours of CEU’s and successfully pass the AZLAW. Dr. Miller seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Mr. D’Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson	Ms. Lawrence

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

- d) Review of and Possible Action on the Following Applications for Physical Therapist Licensure – Foreign Educated Graduates of Programs Not U.S. Accredited.
 (1) Ritula Kohli

Ms. Kohli’s education was determined to be substantially equivalent. Ms. Richardson moved the Board finds Ms. Kohli’s education substantially equivalent and must complete the SCPP. Dr. Miller seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Mr. D’Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson	Ms. Lawrence
Aye		X	X	X		X	X
Nay							
Recused							
Abstained							
Absent	X				X		

- e) Review of and Possible Action on the Following Applications for Physical Therapist Licensure – Foreign Educated Graduates of Programs U.S. Accredited
 (1) Maryam Arastoo

The Board reviewed and discussed the application. Ms. Richardson tabled this application to properly notice Ms. Arastoo to submit to a coursework tool to consider the issuance of her Physical Therapist Licensure. The Board also requested Ms. Arastoo provide a work history.

- (2) Helene Bouchard

The Board reviewed and discussed the application. Ms. Richardson moved the Board find Ms. Bouchard education substantially equivalent and must complete the SCPP. Ms. Hunter seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Mr. D’Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson	Ms. Lawrence
Aye		X	X	X		X	X

Nay							
Recused							
Abstained							
Absent	X				X		

f) Review of Education, Determination of Supervised Clinical Practice Period -**Midterm** Report.
 1) Lindsay Cota

Ms. Richardson moved the Board to have Ms. Cota continue her SCPP. Dr. Miller seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Mr. D'Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson	Ms. Lawrence
Aye		X	X	X		X	X
Nay							
Recused							
Abstained							
Absent	X				X		

6) COMPLAINTS, HEARINGS, INVESTIGATIONS and COMPLIANCE

iv) Complaint #16-34; Gary Smith, PT

Ms. Donahue provided a summary of the case for the Board. Ms. AM alleges that Mr. Smith engaged in substandard and inappropriate care in the treatment of her disabled sister LC and billed for a DOS in which LC did not attend. Mr. Smith was not present and was not represented by legal counsel.

The Board reviewed and discussed the case.

Ms. Richardson moved the Board move this case to an informal hearing and include statues A.R.S. §32-2044(6), A.R.S. §32-2044(12), A.R.S. §32-2044(13), A.R.S. §32-2044(14), A.R.S. §32-2044(20) and rule R4-24-301(e), R4-24-304(1)(c). Dr. Miller seconded the motion. Following review and discussion the motion carries.

Vote	Mr. Clinton	Mr. D'Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson	Ms. Lawrence
Aye		X	X	X		X	X
Nay							
Recused							
Abstained							

Absent	X				X		
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v) Complaint #16-35; Jacob Webb, PT

Mr. Webb was not present and was not represented by legal counsel. Ms. Donahue provided a summary of the case for the Board. Board opened complaint #16-35 following review of Complaint #16-11; Amanda Patnaud, PTA. The Board alleges that Mr. Webb engaged in the performance of substandard care and failed to adequately supervise assistive personnel when providing physical therapy services to patient MT.

The Board reviewed and discussed the case. Mr. Brown the Executive Director reviewed the Board options.

Dr. Miller moved the Board offer a consent agreement to include one (1) year probation with the possibility of early termination, complete six (6) hours of CEU's in ethics, six (6) hours in orthopedic differential diagnostic and six (6) hours in documentation. All continuing education must be preapproved by Board staff and CEU's will not count towards renewal and cannot be completed online. Ms. Richardson seconded the motion. If the consent agreement is not accepted the case will be forwarded to an informal hearing. Following review and discussion the motion carried.

Vote	Mr. Clinton	Mr. D'Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson	Ms. Lawrence
Aye		X	X	X		X	X
Nay							
Recused							
Abstained							
Absent	X				X		

vi) Complaint #16-38; Kendall Wilde, PT

Ms. Wilde was not present and was not represented by legal counsel. Ms. Donahue provided a summary of the case for the Board. Ms. Wilde failed to renew her license on or before August 31, 2016 and practiced from September 1, 2016, through September 21, 2016. Ms. Wilde reinstated on September 22, 2016.

Ms. Richardson move the Board follow the matrix and offer a consent agreement to include a ninety (90) day probation with the possibility of early termination, a \$150 civil penalty, take and successfully pass the AZLAW exam and notify employers, all patients and third party payers that she worked on an expired licensed. If consent agreement is not accepted the case will be forwarded to an informal hearing. Dr. Miller seconded the motion. Following review and discussion the motion carries.

Vote	Mr. Clinton	Mr. D'Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson	Ms. Lawrence

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

vii) Complaint #16-39; Deborah, Mordhorst, PT

Ms. Mordhorst was not present and was not represented by legal counsel. Ms. Donahue provided a summary of the case for the Board. Ms. Mordhorst, PT affirmed when she renewed that she had completed the continuing competency requirements for the 2014-2016 compliance period. Ms. Mordhorst was randomly selected for audit. Ms. Mordhorst was deficient 8 hours.

Ms. Richardson move the Board follow the matrix and offer a consent agreement to include Six (6) months probation, a \$300 civil penalty, take and successfully pass the AZLAW exam and complete six (6) hours of CEU's in ethics to be completed within 6 months. If consent agreement is not accepted the case will be forwarded to an informal hearing. Mr. D'Appollonio seconded the motion. Following review and discussion the motion carries.

Vote	Mr. Clinton	Mr. D'Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson	Ms. Lawrence
Aye		X	X	X		X	X
Nay							
Recused							
Abstained							
Absent	X				X		

viii) Complaint #16-42; Robert DiStefano, PT

Mr. DiStefano was not present and was not represented by legal counsel. Ms. Donahue provided a summary of the case for the Board. The Board opened complaint against Mr. DiStefano for his failure to complete the required continuing competency hours for the 2014-2016 compliance period. Mr. DiStefano was found to be deficient 20 hours.

Ms. Richardson move the Board follow the matrix and offer a consent agreement to include Six (6) months probation, a \$500 civil penalty, take and successfully pass the AZLAW exam and complete six (6) hours of CEU's in ethics to be completed within 6 months. If the consent agreement is not accepted the Board will

move to an informal hearing. Dr. Miller seconded the motion. Following review and discussion the motion carries.

Vote	Mr. Clinton	Mr. D'Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson	Ms. Lawrence
Aye		X	X	X		X	X
Nay							
Recused							
Abstained							
Absent	X				X		

ix) Complaint #16-43; Kira Doll, PT

Ms. Doll was not present and was not represented by legal counsel. Ms. Donahue provided a summary of the case for the Board. Ms. Doll was arrested for an extreme DUI on October 11, 2016. Ms. Doll did report the charges within the 10 day requirement.

The Board reviewed and discussed the case.

Ms. Richardson moved the Board to pend this case until Ms. Doll's court proceedings are completed. Ms. Doll is to provide those additional court documents to the Board. Dr. Miller seconded the motion. Following review and discussion the motion carries.

Vote	Mr. Clinton	Mr. D'Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson	Ms. Lawrence
Aye		X	X	X		X	X
Nay							
Recused							
Abstained							
Absent	X				X		

x) Complaint #16-44; Michele Page, PT

Ms. Page was not present and was not represented by legal counsel. Ms. Donahue provided a summary of the case for the Board. Ms. Page failed to renew her license on or before August 31, 2016 and practiced September 1, 2016 through October 5, 2016. Ms. Page reinstated on October 7, 2016.

Ms. Richardson move the Board follow the matrix and offer a consent agreement to include ninety (90) day probation with the possibility of early termination, a \$250 civil penalty, take and successfully pass the

AZLAW exam, notify employers, all patients, third party payers and complete 10 hours of community service preapproved by Board staff. If consent agreement is not accepted the case will be forwarded to an informal hearing. Dr. Miller seconded the motion. Following review and discussion the motion carries.

Vote	Mr. Clinton	Mr. D'Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson	Ms. Lawrence
Aye		X	X	X		X	X
Nay							
Recused							
Abstained							
Absent	X				X		

The Board Recessed from 12:10 P.M. to 12:23 P.M

6) BOARD BUSINESS AND REPORTS

The Board may vote to go into Executive Session pursuant to A.R.S. §38-431.03(A)(3) to obtain legal advice.

- a) Executive Director’s Report –Verbal Report
 - i) Financial Report- Verbal Report
 - ii) Review Recent Board Staff Activities –Verbal Report
 - iii) Review of Current Legislative Activity (2016) – Verbal Report
 - iv) Rule Activity- No Report
 - v) FSBPT- Discussion of Executive Director Serving on FSBPT Board of Directors
 - vi) Pending Formal Hearing Update- Verbal Update

Mr. Brown provided verbal summary on the above topics. No action was taken or required. Ms. Cynthia Driskell, PT provided an update of Current Legislative Activity (2016).

- b) Review, Discussion and Possible Action on 2017 Board Meeting Schedule.

The Board agreed to approve April to December Board Meeting schedule 2017.

- c) Report From Delegate and Alternate Delegate at Federation of State Boards of Physical Therapy Annual Meeting

Ms. Hunter, Ms. Donahue and Mr. Brown all provided a verbal summary on the above topics. No action was taken or required.

Mr. Brown excused himself from the rest of the proceedings and left the table.

6) COMPLAINTS, HEARINGS, INVESTIGATIONS and COMPLIANCE

xi) Complaint #16-49; Robyn Lynn Wilcoxson, PT

Ms. Wilcoxson was not present and was not represented by legal counsel. Dr. Miller stated he know Ms. Wilcoxson and has no bias. Ms. Donahue provided a summary of the case for the Board. The Board opened complaint against Ms. Wilcoxson for her failure to respond to the 2014-2016 continuing education competency audit. Ms. Wilcoxson submitted CEU’s on November 7, 2016 and found to be in compliant with the 2014-2016 continuing education requirements.

Ms. Richardson move the Board follow the matrix and offer a consent agreement to include Six (6) months probation, a \$500 civil penalty, If the consent agreement is not accepted the Board will move to an informal hearing. Dr. Miller seconded the motion. Following review and discussion the motion carries.

Vote	Mr. Clinton	Mr. D’Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson	Ms. Lawrence
Aye		X	X	X		X	X
Nay							
Recused							
Abstained							
Absent	X				X		

xiii) Complaint #16-51; George Wertz, PT

Mr. Wertz was not present and was not represented by legal counsel. Ms. Donahue provided a summary of the case for the Board. Board opened complaint against Mr. Wertz for his failure to respond to the 2014-2016 continuing education competency audit. Mr. Wertz submitted CEU’s on November 8, 2016 and found to be in compliant with the 2014-2016 continuing education requirements.

Ms. Richardson moves the Board follow the matrix and offer a consent agreement to include ninety (90) day probation and a \$500 civil penalty. If consent agreement is not accepted the case will be forwarded to an informal hearing. Dr. Miller seconded the motion. Following review and discussion the motion carries.

Vote	Mr. Clinton	Mr. D’Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson	Ms. Lawrence
Aye		X	X	X		X	X
Nay							
Recused							
Abstained							
Absent	X				X		

xiv) Complaint #16-52; Jessica Midkiff, PT

Dr. Miller stated he know Ms. Midkiff and has no bias. Ms. Midkiff was not present and was not represented by legal counsel. Ms. Donahue provided a summary of the case for the Board. The Board opened complaint against Ms. Midkiff for her failure to respond to the 2014-2016 continuing education competency audit. Ms. Midkiff submitted CEU’s on November 7, 2016 and found to be in compliant with the 2014-2016 continuing education requirements.

Ms. Richardson moves the Board follow the matrix and offer a consent agreement to include ninety (90) day probation and a \$500 civil penalty. If consent agreement is not accepted the case will be forwarded to an informal hearing. Dr. Miller seconded the motion. Following review and discussion the motion carries.

Vote	Mr. Clinton	Mr. D’Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson	Ms. Lawrence
Aye		X	X	X		X	X
Nay							
Recused							
Abstained							
Absent	X				X		

xv) Complaint #16-55; Keith Fisher, PT

Mr. Fisher was not present and was not represented by legal counsel. Ms. Donahue provided a summary of the case for the Board. The Board opened complaint against Mr. Fisher for his failure to respond to the 2014-2016 continuing education competency audit. Mr. Fisher submitted CEU’s on November 18, 2016 and found to be in compliant with the 2014-2016 continuing education requirements.

Ms. Richardson moves the Board follow the matrix and offer a consent agreement to include ninety (90) day probation and a \$500 civil penalty. If consent agreement is not accepted the case will be forwarded to an informal hearing. Dr. Miller seconded the motion. Following review and discussion the motion carries.

Vote	Mr. Clinton	Mr. D’Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson	Ms. Lawrence
Aye		X	X	X		X	X
Nay							
Recused							
Abstained							
Absent	X				X		

c) Review, Discussion, and Action on Board Consideration of Opening A Complaint
 i) Armando Cruz, PTA

Mr. Cruz was not present and was not represented by legal counsel. Ms. Donahue provided a summary of the case for the Board. Mr. Armando Cruz, PTA notified Board Staff of charges of DUI on November 13, 2016. Mr. Cruz was charged on November 10, 2016. Mr. Cruz sent a letter of explanation as well as a copy of his arrest documentation. Mr. Cruz, PTA did notified the Board within the 10 day requirement.

Ms. Richardson moved the Board open a complaint against Mr. Cruz. Mr. D’Appollonio seconded the motion. Following review and discussion the motion carries.

Vote	Mr. Clinton	Mr. D’Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson	Ms. Lawrence
Aye		X	X	X		X	X
Nay							
Recused							
Abstained							
Absent	X				X		

ii) Todd Lyonais, PT

Mr. Lyonais was not present and was not represented by legal counsel. Ms. Donahue provided a summary of the case for the Board. Patient S filed a complaint against Mr. Lyonais, PT regarding substandard care. The Board Investigator was unable to determine potential violations as physical therapist are not authorized to order MRI and the diagnosis of Fibromatosis is located as the descriptor for the ICD-10 code. Board will determine whether to open a complaint or take no action.

Dr. Miller moved the Board take no action. Mr. D’Appollonio seconded the motion. Following review and discussion the motion carries.

Vote	Mr. Clinton	Mr. D’Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson	Ms. Lawrence
Aye		X		X		X	X
Nay			X				
Recused							
Abstained							
Absent	X				X		

8) CALL TO THE PUBLIC

Nobody came forward.

9) ADJOURNMENT

Ms. Richardson moved to adjourn the meeting. Dr. Miller seconded the motion. The motion carried.

Vote	Mr. Clinton	Mr. D'Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson	Ms. Lawrence
Aye	X	X		X		X	X
Nay							
Recused							
Abstained							
Absent			X		X		

Meeting adjourned at 1:15 P.M.

Prepared by,
Monica Crowley
Office Manager

Approved by,
Al D'Appollonio, PT, MBA