



ARIZONA STATE BOARD OF PHYSICAL THERAPY
4205 NORTH 7TH AVENUE, SUITE 208 PHOENIX, ARIZONA 85013
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www.ptboard.az.gov
REGULAR SESSION MEETING MINUTES
February 28, 2017

MEMBERS PRESENT:

Melinda Richardson, PT, MA; President
James E. Miller, PT, DPT, Vice President
Nushka Remec, PT, MS, PCS; Member
Peggy Hunter, PTA, CLT; Member
Whitney Lawrence; Member
Tresha D. Baldwin, PT; Member

MEMBERS ABSENT:

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 8:32 A.M. (A recording of the meeting is available through the Board Office)

Roll Call - The following Board members were present: Ms. Richardson, Dr. Miller, Ms. Remec, Ms. Hunter, Ms. Lawrence and Ms. Baldwin.

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

- a) January 24, 2017; Regular Session Meeting Minutes

Ms. Richardson moved the Board approve the January 24, 2017; Regular Session Meeting Minutes with the suggested changes. Ms. Hunter seconded the motion. Following review and discussion the motion carried.

Ms. Baldwin abstained from this agenda item because she was not present at the January 24, 2017 Board meeting.

Vote	Mr. Clinton	Ms. Baldwin	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson	Ms. Lawrence
Aye			X	X	X	X	X
Nay							

Recused							
Abstained		X					
Absent	X						

Let the record reflect that Mr. Clinton was assigned cases for agenda items 3(a)(1)(2) and has communicated with Mr. Brown that he had no questions and felt his cases could be approved.

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

Jessie Bailey	Danielle Barrett	Shelby Bartusek
Brooke Berkley	Henry Bogart	Andrew Bond
Katie Bowers	Vincent Bradley	Lauren Brill
Rachel Brooks	Erin Brunelle	Katherine Campbell
Hannah Carmen	Nicholas Chambers	Mary Chaput
Samantha Coleman	Kathleen Doyle	Emily Eiberger
Shauna Epperson	Morgan Fogel	Nellie Fokumlah
Erich Funke	Derek Garris	Kristin Hamilton
Elizabeth Hathaway	Erika Heinbaugh	Beth Horn
Shauna Hubbs	Brooke Iseler	Matthew Kilburn
Kevin Kleisler	Elaine Koskovich	Peter Kowalczyk
Ambr Kraaz	Carissa Lane	Charysse Larson
Catalina Loaiza-Vega	Erin Lynch	Lacey Morris
Kali Nordin	William O'Connell	Kristin O'Toole
Yeong Park	Megan Payne	Joshua Penny
Mikelle Peterson	Mark Pettus	Vanessa Pine
Derek Poulson	Jill Putt	Nicole Rupe
Alanna Salituro	Shannon Samluk	Elizabeth Sampey
Blake Scoresby	Jennifer Sepe	Lindsay Smith
Rene Smith	Jessica Stenehjem	Aviva Suero
Cory Tatman	Brooks Tennyson	Robert Tofte
Megan Von Gerichten	Amanda Woods	

Dr. Miller pulled Catalina Loaiza-Vega from the above consent agenda for separate consideration.

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

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

Catalina Loaiza-Vega

Dr. Miller’s concern was with what name was the applicant going to be licensed under Loaiza, Vega or both.

Ms. Cardoza explained that the Applicant wants to be licensed under Catalina Loaiza-Vega but she cannot because she has not legally changed her name. Based on the legal documents submitted, the Applicant’s name will read Catalina Loaiza Vega. See US Passport/California drivers’ license.

The Board reviewed and discussed the case.

Dr. Miller moved the Board approve Ms. Catalina Loaiza Vega’s application for Physical Therapist Licensure upon Receipt of Passing Scores on the NPTE/AZLAW. Mr. Hunter seconded the motion. Following review and discussion the motion carried.

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

Yuriy Babadzhanov	John Copley	Diana Dove
Jade Dotson	Kiley Ellanson	Alyss Filer
Benjamin Fontes	Jeremy Martinez	Leanna Morgan

Rachael Nispel	Christopher Regan	Elizabeth Shay
Joseph Sherod	Natanya –Alana Southerland	Chandra Whitten

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

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

6) COMPLAINTS, HEARINGS, INVESTIGATIONS and COMPLIANCE

- d) Review, Discussion and Action on Request To Modify Board Order
 - i) Case No. 11-60; Kimberly Deering, PT; Request for Early Termination of Probation

Ms. Deering was present and was not represented by legal counsel. Ms. Deering was present to answer any question from the Board and made a brief statement.

The Board reviewed and discussed the request for termination of probation and determined that Ms. Deering was in compliance with all of the terms of the Board Order.

Dr. Miller moved the Board grant the request for Early Termination of Probation of Ms. Deering’s Board Order #11-60. Ms. Richardson seconded the motion. Following review and discussion the motion carried.

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

4) CONSENT AGENDA: 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. 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. Tryon (Tanner) Fields
 - b. Ashley Kennedy

- 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. Yousuf Abdella
 - b. Daren Allie
 - c. Conor Isaacs
 - d. Christopher Martin
 - e. Danielle Pavsek
 - f. Jesus Salazar
 - g. William Sullivan

Ms. Hunter pulled Yousuf Abdella from the above consent agenda for separate consideration.

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

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

Yousuf Abdella

Ms. Hunter stated for the record that Mr. Abdella is an applicant for certification as a Physical Therapist Assistant and not a Physical Therapist as stated on his application. Mr. Abdella originally submitted the wrong application, which was later corrected

The Board reviewed and discussed the case.

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

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

Consent Agendas End

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

- a) Review of and Possible Action on the Following Applications for Physical Therapist Licensure – Foreign Educated Graduates of Programs U.S. Accredited.
 - a. Eamon Campion

The Board reviewed and discussed the case.

Ms. Richardson moved the Board approve a Supervised Clinical Practice Period and testing of AZLaw. Board Staff to verify the legal right to work in the United States. Ms. Remec seconded the motion. Following review and discussion the motion carried.

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

- b. Kylie Smillie

The Board reviewed and discussed the case.

Ms. Richardson moved the Board approve a Supervised Clinical Practice Period and testing of AZLaw. Board Staff to verify the legal right to work in the United States. Ms. Remec seconded the motion. Following review and discussion the motion carried.

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

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

Dr. Miller moved the Board find Ms. Bharatan’s credential evaluation substantially equivalent and required her to submit to a Supervised Clinical Practice period. Ms. Hunter seconded the motion. Following review and discussion the motion carried.

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

- c) Review of and Possible Action on the Following Applications for Physical Therapist Licensure – Foreign Educated Graduates of Programs Not U.S. Accredited. Approval of SCPP Proposal
 - a. Maryam Arastoo

Ms. Richardson moved the Board accept the proposed SCPP supervisors and her submission. Ms. Remec seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Ms. Baldwin	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson	Ms. Lawrence
Aye		X	X	X	X	X	X
Nay							
Recused							

Abstained							
Absent	X						

- d) Review of and Possible Action on Application for Physical Therapist Licensure from Applicant Requesting ADA Accommodations.
 - a. Jess Crozier

As previously stated by Dr. Miller, Mr. Crozier is a Physical Therapist Assistant not a Physical Therapist.

Ms. Hunter moved the Board approve the above applicant’s request for ADA Accommodations and Physical Therapy Assistant Certification upon Receipt of Passing Scores on the NPTE/AZLAW and Final Transcript. Board staff to verify appropriate documentation and verification of citizenship right work in the US and have Mr. Crozier update the professional experience on his application. Ms. Remec seconded the motion. Following review and discussion the motion carried.

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

- b. Michelle Stallings

Ms. Hunter moved the Board approve the above applicant’s request for ADA Accommodations only. Ms. Remec seconded the motion. Following review and discussion the motion carried.

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

6) COMPLAINTS, HEARINGS, INVESTIGATIONS and COMPLIANCE

- a) Review and Action; Informal Hearing;
 - i) Case No. 16-23; Amy Caudillo, PT 9:00 a.m.

9:15 A.M. Ms. Caudillo was not present and was not represented by legal counsel. Mr. Brown, Executive Director stated that Ms. Caudillo would not be attending and would not be available by phone.

Mr. Brown provided a summary of the case for the Board. The Board opened complaint against Ms. Caudillo for failure to notify the Board within 10 days of her charges for DUI that occurred on April 15, 2016. The Board received court information regarding the final outcome of the criminal DUI case. The Board had previously offered Ms. Caudillo a consent agreement to resolve the case for failure to notify the Board within 10 days. If consent agreement was not accepted the case would move to an Informal Hearing. Ms. Caudillo did not respond to the consent agreement so the case was forwarded to the Informal Hearing. The Board has had no contact since the initial court information was submitted by Ms. Caudillo. Last known address is she is living in Alaska.

The Board reviewed and discussed the investigation.

Dr. Miller moved the Board offer a Non-Disciplinary order to include Six (6) hours of continuing education in Ethics to be completed in six (6) months. Ms. Remec seconded the motion. Following review and discussion the motion carried by roll call.

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

- d) Review, Discussion and Action on Request To Modify Board Order
 - iii) Case No. 15-11; Blain Packard, PTA; Review of Monitoring

Mr. Packard was present and was not represented by legal counsel. Mr. Brown provided a summary of the case for the Board. Ms. Packard is serving a period of probation and monitoring of his activities on a monthly basis. Board staff has meet with Mr. Packard, his staff and the monitoring company twice over the course of the case. In reviewing of monitoring reports Mr. Packard has had some struggles on meeting all the requirements according to the standards listed on the reports. Board staff felt like they need to give to Mr. Packard feedback regarding the monitoring reports to help him successfully meet all requirements of his Board Order.

The Board reviewed and discussed the investigation.

Mr. Packard stated he was not comfortable continuing without his legal counsel, Mr. Scott King. Mr. King was not present. Mr. King was unable to appear due to an illness that required hospitalization.

Ms. Richardson tabled this case to next Board meeting to allow Mr. Packard’s attorney to be present.

v) Case No. 15-30; Michelle Bambenek, PT; Request For Early Termination of Probation

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

Ms. Donahue provided a summary of the case for the Board. Ms. Michelle Bambenek, PT (7824) requests early termination of Board Order #15-30. Ms. Bambenek was found in violation of A.R.S. 32-2044 (1,4,6,13 and 20). She was required to complete 6 hours of continuing competency in each of the following areas: Cardio-Pulmonary Evaluation, documentation and billing; pass the AZLaw exam and engage in monthly monitoring. Ms. Bambenek has completed all requirements and continues to undergo monthly monitoring. Board Order #15-30 is set to terminate on April 24, 2017.

Board can either elect to grant early termination of Board Order #15-30 or continue with monthly monitoring until the termination date.

Ms. Bambenek provided an opening statement to the Board and was there to ask any question the Board had.

Mr. Brown asked Ms. Bambenek if Mr. Scott King was also her attorney and Ms. Bambenek stated that Mr. King was her attorney in the matter.

Mr. King was unable to appear due to an illness that required hospitalization. Ms. Bambenek stated she felt comfortable continuing without her attorney. Ms. Baskin, Assistant Attorney General advised Board to continue the case until Mr. King was available to represent Ms. Bambenek.

Ms. Richardson tabled this case to next Board meeting to allow Mr. Bambenek's attorney to be present.

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

iii) Complaint #16-53; Jeff Carr, PT

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

Ms. Donahue provided a summary of the case for the Board. Mr. Carr entered into a consent agreement for Complaints 14-47 and 12-08 on November 2, 2015. Mr. Carr was required to complete 6 hours of continuing education specific to documentation, pay a civil penalty of \$500 and pass the AZLaw exam within 6 months. Mr. Carr was granted a three (3) month extension of probation on July 20, 2016, for completion of the requirements by September 27, 2016. Mr. Carr, PT failed to complete the continuing education specific to documentation and/or pass the AZLaw exam within the time requirements.

Mr. Carr provided an opening statement to the Board and was there to ask any question the Board had.

The Board reviewed and discussed the investigation and asked question of Mr. Carr. Ms. Baskin, Assistant Attorney General reviewed Board options regarding the option to open a new complaint for non-compliance.

Dr. Miller moved the Board offer Ms. Carr a consent agreement to include a six (6) month probation, complete six (6) hours continuing education in Ethics, to be taken in person, successfully take and pass AZLaw and pay a \$500 civil penalty. Board accepted Mr. Carr’s six (6) hour continuing education in Documentation previously taken in Memphis, TN on February 12, 2017. If the consent agreement is not accepted the Board will forward case to Informal Hearing. Ms. Richardson seconded the motion. Following review and discussion the motion carried.

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

The Board Recessed from 10:00 A.M. to 10:10 A.M

i) Complaint #16-33; Gabriel Morgan, PT

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

Ms. Donahue provided a summary of the case for the Board. Board opened complaint following Mr. Morgan’s self-report of DUI charges which occurred on August 21, 2016. Mr. Morgan did notify the Board of the charges within the 10 day requirement. The Board had previously asked Staff to hold case until the conclusion of his legal court hearing; which has occurred.

The Board reviewed and discussed the investigation.

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

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

ii) Complaint #16-41: Andrew Gamboa, PTA

Mr. Gamboa was not present and was represented by legal counsel, Mr. J. Blake Mayes. Mr. Mayes was not present but Mr. Faisal Ullah an associate of the firm was there observing the proceeding.

Ms. Donahue provided a summary of the case for the Board. Ms. Fisher alleges that Mr. Gamboa engage in monetary theft when offering services for cash payments directly to Mr. Gamboa.

The Board reviewed and discussed the investigation.

Ms. Hunter moved the Board forward case to Informal Hearing and add A.R.S. §32-2044(5). Dr. Miller seconded the motion.

Following review and discussion the motion carried.

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

iv) Complaint #16-58; Erica VanPoorten, PT

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

Ms. Donahue provided a summary of the case for the Board. The Board issued Non-Disciplinary Board Order #15-13 on April 4, 2016 in which Ms. VanPoorten was required to complete six (6) hours of continuing education specific to documentation and orthopedic diagnosis and treatment. Ms. VanPoorten’s deadline for completion was October 9, 2016. Ms. VanPoorten failed to complete the requirements within the specified timeframe.

The Board reviewed and discussed the investigation.

Dr. Miller moved the Board offer Ms. VanPoorten a consent agreement to include six (6) month probation, complete six (6) hours continuing education in Documentation, to be completed in person, six (6) hours Orthopedic Diagnosis and Treatment and pay a \$500 civil penalty to be completed within six (6) months. If consent agreement is not accepted the Board will forward case to Informal Hearing. Ms. Richardson seconded the motion. Following review and discussion the motion carried.

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

v) Complaint #16-60; Darrin Permenter, PTA

Mr. Permenter was present but did not want to address the board. Mr. Permenter was not represented by legal counsel.

Ms. Donahue provided a summary of the case for the Board. Patient JL alleges substandard care by Mr. Permenter, PTA on October 27, 2016.

The Board reviewed and discussed the investigation.

Ms. Hunter moved the Board Dismiss the case. Dr. Miller seconded the motion. Following review and discussion the motion carried.

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

Ms. Hunter moved the Board open a complaint against Ms. Robin Swanigan, PT to include A.R.S. §32-2044(1), A.R.S. 32-2044 (4) and A.R.S. 32-2044 (20). Dr. Miller seconded the motion. Following review and discussion the motion carried.

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

vi) Complaint #16-63; 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. Cruz was arrested on charges of DUI on November 11, 2016. Mr. Cruz did notify the Board within the 10-day requirement.

The Board reviewed and discussed the investigation.

Ms. Richardson moved the Board continue the investigation until Mr. Cruz’s legal court hearing has been completed. Dr. Miller seconded the motion. Following review and discussion the motion carried.

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

vii) Complaint #17-05; Justin Gonzales, PTA

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

Ms. Donahue provided a summary of the case for the Board. Mr. Gonzales notified the Board of his charges for DUI which occurred on July 29, 2016 on January 25, 2017. Mr. Gonzales failed to notify the Board within the required 10-day notification period.

The Board reviewed and discussed the investigation.

Dr. Miller moved the Board offer a non-disciplinary consent agreement to include six (6) hours continuing education in Ethics to be completed in six (6) months. Ms. Remec seconded the motion. Following review and discussion the motion carried.

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

c) Review, Discussion and Action on Request To Modify Board Offered Consent Agreement

i) Case #16-27; Aubrey Stanley, PTA

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

This request is to modify Board Order because certificate holder has moved out of state and monitoring could not be done.

The Board reviewed and discussed the investigation.

Ms. Remec moved the Board amend Board Order removing monitoring and adding six (6) hours of continuing education in Billing/Coding, must be taken in person. If changes are not accepted the Board will forward case to Informal Hearing. Ms. Stanley may appear telephonically. Ms. Richardson seconded the motion. Following review and discussion the motion carried.

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

d) Review, Discussion and Action on Request To Modify Board Order

ii) Case No. 12-60; Emmerson Salamat, PT; Lifting of Suspension

Mr. Salamat was present and was represented by legal counsel, Ms. Tracy Lyons.

Mr. Brown provided a summary of the case for the Board. This matter is before the Board for consideration of lifting the suspension on Mr. Salamat’s license. If the suspension is lifted, Mr. Salamat’s license will be placed on probation for a period of twelve months. Mr. Salamat will be required to contract with an approved monitoring company and undergo monthly reviews of three randomly selected charts of patient seen since the previous monitoring visit. In addition, the monitor must conduct a completed review of three full charts and billing records every six months. The six month reviews are of patients seen through an entire episode of care. Mr. Brown suggested Mr. Salamat provide documentation of his continuing competence activities for the 2012-2014 and 2014-2016 compliance periods to assist the Board in their review. Mr. Salamat provided the Board with copies.

Mr. Salamat and his attorney Ms. Lyons both provided an opening statement. In addition Ms. Lyons provided additional information to the Board to consider.

The Board reviewed and discussed the investigation and asked questions of Mr. Salamat.

Dr. Miller moved the Board approved the request to lift the suspension on Mr. Salamat’s license. Ms. Richardson seconded the motion. Following review and discussion the motion carried.

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

iv) Case No. 15-17; Darrin Permenter, PTA; Request for Extension of Term of Probation.

Mr. Permenter was present but did not want to address the board. Mr. Permenter was not represented by legal counsel.

Ms. Donahue provided a summary of the case for the Board. Mr. Darren Permenter requests a two (2) month extension of Board Order #15-17. Ms. Permenter has been in constant contact with Board Staff.

The Board reviewed and discussed the investigation.

Dr. Miller moved the Board grant two (2) month extension of Board Order #15-17. Ms. Hunter seconded the motion. Following review and discussion the motion carried.

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

vi) Case No. 16-36; Angela Ciminello, PT; Request for Early Termination of Probation

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

Ms. Donahue provided a summary of the case for the Board. Ms. Angela Ciminello, PT; request for early termination of probation of Board Order #16-36. Ms. Ciminello has completed all continuing competency requirements and paid the civil penalty. Board Order #16-36 is set to terminate on June 3, 2017.

The Board reviewed and discussed the investigation.

Dr. Miller moved the Board approve request of early termination of probation of Board Order #16-36. Ms. Hunter seconded the motion. Following review and discussion the motion carried.

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

- e) Review, Discussion, and Action on Request for Rehearing
 - i) Case #16-22; Chad Reilly, PT

Mr. Reilly was not present and was represented by legal counsel, Mr. Robert Chelle. Mr. Shelle was not present.

Mr. Reilly and his attorney Mr. Shelly requested for possibility of Rehearing. Ms. Brown stated that Mr. Reilly’s attorney Mr. Shelly was unable to attend the Board meeting and requested a continece until March 28, 2017 Board Meeting. Mr. Brown asked the Board to grant his request. All time frames have been met.

The Board reviewed and discussed the investigation.

Ms. Richardson moved the Board grant request of continece until March 28, 2017 Board Meeting. Dr. Miller seconded the motion. Following review and discussion the motion carried.

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

7) 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) Review and Discussion, and Action On Executive Order 2017-02; Internal Review of Administrative Rules; Moratorium to Promote Job Creation and Customer-Service Oriented Agencies

Mr. Brown provided verbal summary on the above topic. No action was taken or required.

8) CALL TO THE PUBLIC

Nobody came forward.

9) ADJOURNMENT

Meeting adjourned at 11:29 A.M.

Prepared by,
Monica Crowley
Office Manager

Approved by,
Michael S. Clinton, CPA