



Mark Cornwall, PT, PHD, FAPTA
President

ARIZONA STATE BOARD OF PHYSICAL THERAPY
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REGULAR SESSION MEETING MINUTES
February 26, 2019

BOARD MEMBERS PRESENT:	Mark Cornwall, PT PHD, FAPTA, President Nushka Remec, PT, MS, PCS; Vice President Karen Bustillo, PT, DPT, OCS, CLT, Secretary Peggy Hunter, PTA, CLT; Professional Member Kelly King, PT, DPT, Professional Member Michael S. Clinton, CPA; Public Member Joshua Greer, Public Member
BOARD MEMBERS ABSENT:	N/A
ASSISTANT ATTORNEY GENERAL PRESENT:	Mona Baskin, Assistant Attorney General
BOARD STAFF PRESENT IN PERSON:	Karen Donahue, PT, DPT, Executive Director Monica Crowley, Licensing Administrator Veronica Cardoza, Administrative Services Officer

- 1) **CALL TO ORDER – 8:30 A.M.;** Dr. Donahue called the meeting to order at 8:42 A.M. (A recording of the meeting is available through the Board Office)

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

- 2) **Review and Approval of Draft Minutes**
A) January 22, 2019 Regular Session Meeting Minutes

The Board reviewed and discussed the minutes.

Dr. Bustillo requested minor changes to the minutes. Ms. Hunter moved the Board approve the January 22, 2019 Regular Session Meeting Minutes with the suggested changes. Mr. Clinton seconded the motion. Following review and discussion, the motion carried unanimously by roll call.

Board Meeting 2/26/19

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

B) January 22, 2019 Executive Session Meeting Minutes (A)

Ms. Hunter moved the Board approve the January 22, 2019 Executive Session Meeting Minutes (A). Mr. Clinton seconded the motion. Following review and discussion, the motion carried unanimously by roll call.

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

C) January 22, 2019 Executive Session Meeting Minutes (B)

Ms. Hunter moved the Board approve the January 22, 2019 Executive Session Meeting Minutes (B). Mr. Clinton seconded the motion. Following review and discussion, the motion carried unanimously by roll call.

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

D) January 22, 2019 Executive Session Meeting Minutes (C)

Dr. King moved the Board approve the January 22, 2019 Executive Session Meeting Minutes (C). Mr. Clinton seconded the motion. Following review and discussion, the motion carried unanimously by roll call.

Board Meeting 2/26/19

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

E) January 22, 2019 Executive Session Meeting Minutes (D)

Dr. King moved the Board approve the January 22, 2019 Executive Session Meeting Minutes (D). Mr. Clinton seconded the motion. Following review and discussion, the motion carried unanimously by roll call.

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

F) January 22, 2019 Executive Session Meeting Minutes (E)

Ms. Hunter moved the Board approve the January 22, 2019 Executive Session Meeting Minutes (E). Mr. Clinton seconded the motion. Following review and discussion, the motion carried unanimously by roll call.

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

3) CONSENT AGENDA: REVIEW, CONSIDERATION and ACTION

A) Applications for Licensure and Certification

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

Melissa Abellanida	Herbert Bairnsfather Jr.	Ashley Bella-Klepps
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Amy Ballard	Monica Barboza	John Bott
Kaitlyn Butko	Diane Carrillo	Zachary Cash
Daniel Cassmeyer	Brian Chabot	Sarah Christian
Victoria Cichocki	Caitlin Connolly	Kaleb Cruise
Bridgette Darton	Jody Franz	Michael Frasso
Bethanie Funderburk	Adam Gilman	Alayne Glass
Breunica Grace	Danielle Greenfield	Elaina Groby
Casey Hampton	Kristi Hanus	Aaron Hinton
Cole Jarrard	Madalyn Jasper	Seok Lee
Erin Tatman Maniaci	Jordan McCann	Travis McGill
Natalie Meyer	Jennifer Mikolajek	Arian Mohajer
Chelsea Needham	Houston Newman	Beena Patel
Caitlin Palmer	James Patten	Elysia Peterson
Gwen Pettit	Ryan Pope	Brandon Poulter
Stephanie Raven	Gabriella Rivera	Jennifer Rzeplinski
Jeremy Scott	Quinton Shapcott	Arlene Shi
Kathryn Swore	Christina Toone	Alix Ungaretti
Brianne Vannucci	Kelli Vaughn	Anya Vierra
Christopher White	Thomas White	Zachary White
Victoria Woo	Andrew Vander Zwaag	Sarah Sveom
Justina Valgento	Becky Sowash	Hansen, Bradley

Mr. Clinton pulled Zachary Cash from the above consent agenda for separate consideration.

Ms. Hunter moved the Board the approve Applications for Physical Therapist Licensure upon Receipt of Passing Scores on the NPTE/AZLAW and Final Transcript. Dr. Bustillo seconded the motion. Following review and discussion, the motion carried unanimously by roll call.

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

Zachary Cash

Mr. Clinton pulled the above application because Mr. Cash’s program directors letter has incorrect dates.

The Board reviewed and discussed the above application.

Mr. Clinton moved the Board the approve Application for Physical Therapist Licensure upon Receipt of Passing Scores on the NPTE/AZLAW, Final Transcript and corrected program directors’ letter. Mr. Greer seconded the motion. Following review and discussion, the motion carried unanimously by roll call.

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

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

Austin Daus	Ryan Cooney	
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Mr. Greer moved the Board the approve 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 unanimously by roll call.

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

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

Brian Black	Joshua Brant	Mary Campbell
Hannah Chabot	Hal Chang Jr.	Michael Henderson
Sunni Kinsey	Tryzia Lage	Jennifer Malutan
Anissa McGlory	Joanne Patten	Samuel Pitrone
Andrea Savage	Scott Keylee	David Vannucci
Ashley Watchman	Ian Williams	

Ms. Hunter 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. Bustillo seconded the motion. Following review and discussion, the motion carried unanimously by roll call.

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

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

Alejandro Garcia		
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Ms. Remec moved the Board approve the above application for Physical Therapist Assistant Certification upon Receipt of Passing Scores on the NPTE/AZLAW and Final Transcript. Dr. King seconded the motion. Following review and discussion, the motion carried unanimously by roll call.

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

Consent Agenda End

4) 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 Not U.S. Accredited.

- 1) Review and Approval of a Credential Evaluation and Possible Licensure
 - Olayinka Adeoya

Ms. Adeoya was previously before the Board and was required to complete a SCPP since she had only 5 months of work experience in the US. She’s now before the Board and has more than 9 months of work experience and is asking the Board to reconsider their previous motion.

The Board reviewed and discussed the above application.

Ms. Remec moved the Board rescind the previous motion to require Ms. Adeoya to complete a SCPP. Dr. King seconded the motion. Following review and discussion, the motion carried unanimously by roll call.

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

Dr. King moved the Board the approve Application for Physical Therapist Licensure. Mr. Greer seconded the motion. Following review and discussion, the motion carried unanimously by roll call.

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

- 2) Review of and Possible Licensure of Applicant with Final CPI
 - Marek Koziel

The Board reviewed and discussed the above application.

The Board found Mr. Koziel’s application to be complete. Mr. Greer moved the Board approve the above application for Physical Therapist Licensure. Ms. Remec seconded the motion. Following review and discussion, the motion carried unanimously by roll call.

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

- C) Review of and Possible Action on the Following Applications for Physical Therapist Licensure – Foreign Educated Graduates of Programs U.S. Accredited.
 - 1) Marian Colburn

The Board reviewed and discussed the above application.

The Board found Ms. Colburn’s application to be complete. Mr. Greer moved the Board approve the above application for Physical Therapist Licensure. Mr. Clinton seconded the motion. Following review and discussion, the motion carried unanimously by roll call.

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

5) COMPLAINTS, HEARINGS, INVESTIGATIONS and COMPLIANCE

- A) Review, Discussion and Possible Action on Informal Hearing in the following case: (9:00 a.m.)
 - 1) Case No. 18-09; Estelle Rollinson, PTA

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

A. Engaged in the performance of substandard care by a physical therapist assistant, including exceeding the authority to perform tasks selected and delegated by the supervising licensee regardless of whether actual injury to the patient is established.”

- 1) Ms. Rolinson does not documented that she communicated with her supervising physical therapist on dates of service in which Ms. Rolinson documents a change in patient acuity on the following dates of service:
 - a. 3/3/17
 - b. Ms. Rolinson continues to document “L radicular patterns in C7 pattern” but does not, on each date of service in which she provides treatment interventions, document that she informed her supervision therapist of this change in symptoms.

- 2) Ms. Rolinson documents treatment interventions to regions of the body in which a physical therapist as not documented an examination on the following dates of service:
 - a. 3/3/17- thoracic spine
 - b. 3/9/17 thoracic spine
 - c. 4/20/17 thoracic spine
 - d. 4/28/17 ext carpi ulnari; left forearm
 - e. 5/11/17 forearm extensors
 - f. 5/18/17 UE wrist extensors

- 3) Ms. Rolinson documents the performance of cupping on 3/3/17 and 3/9/17. Documentation does not indicate that a physical therapist delegated cupping.

- 4) Documentation of treatment may not enable another physical therapist to assume the patient's care at any point in the therapeutic intervention on the following dates of service:
 - a. 3/3/17
 - b. 3/9/17
 - c. 3/16/17
 - d. 3/23/17
 - e. 3/30/17

B. Charged unreasonable or fraudulent fees for services performed or not performed.

- 1) Documentation does not support units billed on the following dates of service:
 - a. 3/9/17
 - b. 3/16/17
 - c. 3/23/17
 - d. 3/30/17
 - e. 4/20/17
 - f. 4/28/17
 - g. 5/11/17
 - h. 5/18/17

C. Failed 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.

- 1) The scheduled indicates that Mr. Fandry is not in the facility during the period that Ms. Rolinson provides physical therapy services. Ms. Rolinson does not document that she is being supervised by general supervision on the following Dates of service:

a. March 3, 2017

2) Documentation does not support units billed on the following dates of service:

- a. 3/9/17
- b. 3/16/17
- c. 3/23/17
- d. 3/30/17
- e. 4/20/17
- f. 4/28/17
- g. 5/11/17
- h. 5/18/17

3) Documentation of treatment may not enable another physical therapist to assume the patient's care at any point in the therapeutic intervention on the following dates of service:

- a. 3/3/17
- b. 3/9/17
- c. 3/16/17
- d. 3/23/17
- e. 3/30/17

Ms. Rolinson provided an opening statement. The Board Members asked questions of Ms. Rolinson. Following the Board's questioning of Ms. Rolinson, Ms. Rolinson provided a closing statement. Dr. Cornwall guided the Board through each allegation for discussion. Following discussion on the allegations Dr. Bustillo moved the Board adopt the following **Findings of Fact**:

1. Respondent failed to document that she communicated with her supervising physical therapist on March 3, 2017 in which Respondent documents a change in the patient acuity for patient SS.

2. Respondent documents treatment interventions to regions of the body in which a physical therapist as not documented an examination. Dates of service: 3/3/17; 3/9/17; 4/20/17; 4/28/17; 5/11/17 and 5/18/17 for patient SS.

3. Respondent documents the performance of cupping on 3/3/17 and 3/9/17 in which the documentation does not indicate that a physical therapist delegated cupping for patient SS.

4. Respondent's documentation of treatment did not enable another physical therapist to assume the patient's care at any point in the therapeutic intervention. Dates of service: 3/3/17; 3/9/17; 3/16/17; 3/23/17 and 3/30/17 for patient SS.

5. Documentation did not support units billed. Dates of service for: 3/9/17; 3/16/17; 3/23/17; 3/30/17; 4/20/17; 4/28/17; 5/11/17 and 5/18/ 17 for patient SS.

6. Respondent does not document being supervised under general supervision for patient SS on 3/3/17.

Dr. King seconded the motion. Following review and discussion, the motion carried unanimously by roll call.

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

Mr. Greer moved the Board adopt the following **Conclusions of Law**:

A.R.S. §32-2044(5) “Engaging in the performance of substandard care by a physical therapist assistant, including exceeding the authority to perform tasks selected and delegated by the supervising licensee 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. Clinton seconded the motion. Following review and discussion, the motion carried 5/2 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		X	X				
Recused							
Abstained							
Absent							

The Board discussed possible disciplinary action against Ms. Rolinson certification. Following discussion Mr. Greer moved the Board adopt the following **Order**:

1. **Probation:** The Arizona Board of Physical Therapy hereby orders that Respondent, holder of Physical Therapy Certificate No. PTA-010682, is placed on probation for **twenty-four (24) months** from the effective date of the order. The probation may be extended or other enforcement actions taken in the event Respondent is found in violation this Order or violates the Arizona Physical Therapy Practice Act. Respondent may petition the Board for early termination of probation if the Board determines all requirements of the Order have been met. The Board orders Respondent to comply with the following terms and conditions:

2. **Continuing Education:** Respondent shall take and complete continuing education in the area(s) listed below within six (6) months from the effective date of this order. Respondent must submit the course description to Board staff for approval prior to beginning the continuing education course(s). Only in-person courses will be considered for pre-approval by Board Staff. Respondent shall provide documentation to Board staff that the course was completed prior to the Board's consideration of termination of probation.

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

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

4. **Documentation Review:** Between 90 days and 120 days of the completion of Respondent's continuing education, the Board's Investigator will perform a minimum of one review of three (3) randomly selected charts for patients treated by Respondent. Respondent must contact the Board's Investigator and provide the Investigator with a list of patients Respondent has treated during a period of time designated by the Board Investigator. The purpose of the review is to assess compliance with the Board's statutes and rules. If review of the charts described above reveal that the Respondent's records are not in compliance with the Board's statutes and rules, Respondent shall submit to additional reviews of patient charts where the Board's Investigator will perform another review of three (3) randomly selected charts for patients treated by Respondent. The purpose of the

reviews is to assess compliance with the Board's statutes and rules. Respondent may petition the Board for relief of the reviews if respondent disagrees with the Board Investigator’s findings.

5. **Costs**: Respondent shall be responsible for any and all costs associated with the terms and conditions of this Order.

6. **Obey all Laws**: Respondent shall obey all federal, state, and local laws and all rules governing the practice of physical therapy in Arizona. The Board shall consider any violation of this paragraph as a separate violation.

7. **Early Termination of Probation**: It shall be Respondent’s affirmative duty to seek termination of probation ordered herein. Respondent may petition the Board for termination of his probation provided he has completed or complied with the above paragraphs. Upon receiving Respondent’s petition, the Board shall have sole discretion to determine whether Respondent has complied with all the terms and conditions of the Order prior to granting petition for early termination.

8. This Order shall be effective thirty-five days after service of the Order.

9. This Order is conclusive evidence of the matters described herein and may be considered by the Board in determining appropriate sanctions in the event of subsequent violation occurs.

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

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

The Board Recessed from 9:48 A.M. to 10:03 A.M

5) COMPLAINTS, HEARINGS, INVESTIGATIONS and COMPLIANCE

B) Review, Discussion and Possible Action on Informal Hearing in the following case(10:00AM)

1) Case No. 18-24; John Fisher, PT

Mr. Fisher was present and was not represented by legal counsel. The Board Members and Board Staff introduced themselves. Mr. Fisher introduced himself. Dr. Cornwall read a summary of how the hearing would be conducted and reviewed the possible outcomes of the hearing. Dr. Donahue and Mr. Fisher were both sworn-in as witnesses. Dr. Donahue provided a summary and read the allegations against Mr. Fisher: Mr. Fischer identified that he has been charged with DUI on 4/15/2017. Mr. Fischer failed to notify the Board of his DUI charges and subsequent Plea Agreement within the required 10-day notification period.

A.R.S. 32-3208. Criminal charges; mandatory reporting requirements; civil penalty

- **A. A health professional who has been charged with a misdemeanor involving conduct that may affect patient safety or a felony after receiving or renewing a license or certificate must notify the health professional's regulatory board in writing within ten working days after the charge is filed.**
- **C. On receipt of this information the regulatory board may conduct an investigation.**

Mr. Fischer provided an opening statement. The Board Members asked questions of Mr. Fischer. Following the Board’s questioning of Mr. Fischer. Mr. Fischer provided a closing statement. Dr. Cornwall guided the Board through each allegation for discussion. Following discussion on the allegations Mr. Greer moved the Board adopt the following **Findings of Fact**:

1. Respondent failed to notify the Board of his April 15, 2017 DUI charges within the specified time requirements.
2. Respondent notified the Board via written response and documents on his 2018 license renewal.

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

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

Mr. Greer moved the Board adopt the following **Conclusions of Law**:

A.R.S. §32-3208(A)(C). “A health care professional who has been charged with a misdemeanor involving conduct that may affect patient safety or a felony after receiving or renewing a license or certificate must notify the health professional’s regulatory board in writing within 10 working days after the charge is filed. On receipt of this information, the regulatory Board may conduct an investigation.”

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

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

The Board discussed possible disciplinary action against Mr. Fischer license. Following discussion Mr. Greer moved the Board adopt the following **Order**:

Decree of censure, **sixty (60) days** probation with the possibility of early termination and civil penalty of \$500.00 dollars be made over the course of the sixty (60) day probation.

Ms. Remec seconded the motion. Following review and discussion, the motion carried 5/2 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	X	X					
Recused							

Abstained							
Absent							

Ms. Remec recused herself and stepped away from the Board table at 10:24 A.M

4) REVIEW, CONSIDERATION AND ACTION ON APPLICATIONS FOR LICENSURE AND CERTIFICATION

B) Review and discussion of applicants tabled at January 22, 2019 Regular Session Board Meeting for Review, Consideration and Approval of Applications of Physical Therapist Licensure upon Receipt of Passing Scores on the NPTE/AZLAW and Final Transcript.

1) Scott Manecke

Mr. Manecke was present and was not represented by legal counsel. Mr. Manecke provided an opening statement.

The Board reviewed and discussed the above application and asked questions of Mr. Manecke.

Ms. Hunter moved the Board the approve Application for Physical Therapist Licensure upon Receipt of Passing Scores on the NPTE/AZLAW and Final Transcript. Mr. Greer seconded the motion. Following review and discussion, the motion carried unanimously by roll call.

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

2) Travis Neuhaus

Mr. Neuhaus was present and was not represented by legal counsel. Mr. Neuhaus provided an opening statement.

The Board reviewed and discussed the above application and asked questions of Mr. Neuhaus.

Dr. Cornwall moved the Board the approve Application 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 unanimously by roll call.

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

Ms. Remec returned to the Board table at 10:46 A.M

5) COMPLAINTS, HEARINGS, INVESTIGATIONS and COMPLIANCE

C) Review, Discussion and Possible Action on Request for Modification of Board Order for On-Line Education:

1) Case No. 18-08; Antwan Faraj, PT

The Board reviewed and discussed the above case.

Mr. Greer moved the Board approve Modification of Board Order# 18-08 to allow 6 hours in person and the remaining 2 hours of On-Line Continuing Education. Dr. Cornwall seconded the motion. Following review and discussion, the motion carried 6/1 by roll call.

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

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

1) Elizabeth Linssen, PT

Mr. Greer moved the Board Take No Action. Dr. King seconded the motion. Following review and discussion, the motion carried unanimously by roll call.

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

2) Rebecca Wong, PT

Ms. Hunter moved the Board Take No Action. Dr. Bustillo seconded the motion. Following review and discussion, the motion carried unanimously by roll call.

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

3) Jaree Price, PT

Dr. King moved the Board Open a Complaint and add allegation **A.R.S. §32-2044(10)**. Ms. Hunter seconded the motion. Following review and discussion, the motion carried unanimously by roll call.

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

Dr. King recused herself and stepped away from the Board table at 10:57 A.M.

4) Shawn Horodecki, PT

Mr. Greer moved the Board Open a Complaint and add allegation **A.R.S. §32-2044(8)**. Ms. Remec seconded the motion. Following review and discussion, the motion carried unanimously by roll call.

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

Dr. King returned to the Board table at 10:59 A.M.

5) Stephen Sorensen, PTA

Mr. Greer moved the Board Open a Complaint. Ms. Remec seconded the motion. Following review and discussion, the motion carried unanimously by roll call.

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

The Board Recessed from 11:00 A.M. to 11:12 A.M.

E) Review, Discussion and Possible Action for Review of Initial Review:

1) Case No. 18-07; Andrew Roberts, PT

Mr. Roberts was present via phone and was represented by Ms. Priyanka Desai via phone. Both Mr. Roberts and his attorney introduced themselves. Mr. Roberts provided an opening statement.

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

Ms. Hunter moved the Board forward this case to an Informal Hearing. Dr. King seconded the motion. Following review and discussion, the motion carried unanimously by roll call.

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

2) Case No. 18-41; Keith Fandry, PT

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

The Board reviewed and discussed the above case.

Mr. Clinton moved the Board forward this case to an Informal Hearing. Ms. Hunter seconded the motion. Following review and discussion, the motion carried unanimously by roll call.

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

3) Case No. 18-29; Mark Boynton, PTA

The Board reviewed and discussed the above case.

Mr. Greer moved the Board table this agenda item until after the discussion and Review, Consideration and Action on Revised Continuing Education Disciplinary Matrix and Unlawful Practice. Dr. Bustillo seconded the motion. Following review and discussion, the motion carried unanimously by roll call.

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

7) **Review, Consideration and Action on Revised Continuing Education Disciplinary Matrix and Unlawful Practice Matrix.**

The Board reviewed and discussed the above agenda item.

**Continuing Education Disciplinary Matrix
(Adopted February 2019)**

Responds to Audit deadline, but does not meet the 20-hour requirement.

Deficiency

<i>1-3 CE Hours</i>	<i>\$100 Civil Penalty; AZ Law Exam</i>
<i>3-10 CE Hours</i>	<i>\$150 Civil Penalty; AZ Law Exam; 6 hours Ethics</i>
<i>10-15 CE Hours</i>	<i>\$200 Civil Penalty; AZ Law Exam; 6 hours Ethics</i>
<i>15-20 CE Hours</i>	<i>\$250 Civil Penalty; AZ Law Exam; 6 hours Ethics</i>

Does Not Respond to audit by deadline: add \$200 Civil Penalty to the above matrix

And

**Arizona Board of Physical Therapy
Disciplinary Matrix for Unlawful Practice Cases (2019)**

Duration of Unlawful Practice	Probation Term	Civil Penalty	Jurisprudence Exam	Provide Evidence of Having Notified Employer/Payers/Patients	Ethics
1-2 days	Decree of Censure	None	None	Yes	Yes
3-14 days	90 days with early termination option	\$260 (PT) \$105 (PTA)	Yes	Yes	Yes
15-30 days	90 days with early termination option	\$360 (PT) \$210 (PTA)	Yes	Yes	Yes
31-90 days	90 days with early termination option	\$460 (PT) \$315 (PTA)	Yes	Yes	Yes
91 days or > All cases must go before the Board for initial review					

Mr. Greer moved the Board adopt the Revised Continuing Education Disciplinary Matrix and Unlawful Practice. Ms. Hunter seconded the motion. Following review and discussion, the motion carried unanimously by roll call.

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

5) COMPLAINTS, HEARINGS, INVESTIGATIONS and COMPLIANCE

E) Review, Discussion and Possible Action for Review of Initial Review:

3) Case No. 18-29; Mark Boynton, PTA

Mr. Boynton, PTA engaged in the delivery of physical therapy services without renewal of his PTA certification for 50 days between September 1, 2018 and October 21, 2018.

The Board reviewed and discussed the above case.

Mr. Greer moved the Board offer consent agreement with the new 2019 Revised Unlawful Practice Matrix. If not accepted Board will forward case to an Informal Hearing. Ms. Hunter seconded the motion. Following review and discussion both Mr. Greer and Ms. Hunter withdrew their first and second.

The Board reviewed and discussed the above case.

Mr. Greer moved the Board forward this case to an Informal Hearing. Ms. Hunter seconded the motion. Following review and discussion, the motion carried unanimously by roll call.

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

4) Case No. 18-32; John Butler, PTA

Mr. Butler failed to report to the Arizona State Board of Physical Therapy DUI charges within the required 10-day time period following the incidence.

The Board reviewed and discussed the above case.

Mr. Clinton moved the Board table case to next month’s Board meeting to correct allegations. Dr. Cornwall seconded the motion. Following review and discussion, the motion carried unanimously by roll call.

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

Absent							
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5) Case No. 19-02; Amanda Appleberry, PT

Board opened complaint 19-02 after receipt of information from NPDB indicating that Ms. Appleberry had had her South Carolina License Suspended.

The Board reviewed and discussed the above case.

Mr. Greer moved the Board offer Ms. Appleberry a consent agreement to Voluntary Surrender her Physical Therapy license. If not accepted the Board will forward case to Informal Hearing. Ms. Hunter seconded the motion. Following review and discussion, the motion carried unanimously by roll call.

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

Mr. Greer recused himself and stepped away from the Board table at 11:46 A.M.

3) CONSENT AGENDA: REVIEW, CONSIDERATION and ACTION

A) Applications for Licensure and Certification

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

Austin Daus

Dr. Cornwall moved the Board rescind their prior motion regarding Austin Daus. Ms. Remec seconded the motion. Following review and discussion, the motion carried unanimously by roll call.

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

Absent							
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Dr. Cornwall moved the Board the approve Application for Physical Therapist Licensure upon Receipt of Passing Scores on the NPTE/AZLAW and Final Transcript. Mr. Clinton seconded the motion. Following review and discussion, the motion carried unanimously by roll call.

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

Mr. Greer returned to the Board table at 11:48 A.M.

6) Review, Consideration and Action on Legislation 2019 Collection of Workforce Data of SB 1096.

Ms. Cynthia Driskell was there on behalf of the Arizona Physical Therapy Association and provided a summary of the above agenda item. The Board asked questions of Ms. Driskell.

Dr. Cornwall moved the Board the support Legislation 2019 Collection of Workforce Data of SB 1096. Ms. Hunter seconded the motion. Following review and discussion, the motion carried unanimously by roll call.

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

8) BOARD BUSINESS AND REPORTS

A) Executive Director’s Report – Review, Discussion and Possible Action

- 1) Financials – Update
- 2) Rules Update
 - a) Compact rules approved on February 5, 2019. Effective 60 days after filing.
- 3) Investigator Position
 - a) Mindy Richardson, PT

4) Initiate 5-Year Rule Review as required by A.R.S.§ 41-1056(A).

Dr. Donahue provided and updated of the above topics. No action was needed or taken.

5) Election of FSBPT Delegate and Alternate

- a) Leadership Issues Forum July 13-14, 2019 Alexandria, VA
- b) Annual Meeting October 24-26, 2019 Oklahoma City, OK

Mr. Greer moved the Board nominate Dr. Cornwall as Delegate and nominate Dr. Bustillo as the Alternate. Ms. Hunter seconded the motion. Both Dr. Cornwall and Dr. Bustillo accepted the nomination. Following review and discussion, the motion carried unanimously by roll call.

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

6) Regulatory Training for Member and Board Staff

- a) August 16-18, 2019 Alexandria, VA
 - i) Karen Bustillo PT, DPT
 - ii) Kelly King PT, DPT
 - iii) Interested Board Members

Dr. Donahue provided a summary of the above topic. Mr. Greer is interested as the 3rd Board Member to attend August 16-19, 2019 Regulatory Training for Member and Board Staff.

7) 2019 Legislative Update

- a) S.B. 1086 Health Professions; Temporary Licensure
- b) H.B. 2118 Unauthorized Practice; Health Professions

8) Board Photo for website/newsletter

Dr. Donahue provided a summary of the above topic and Board took photo for the website/newsletter.

9) CALL TO THE PUBLIC

No one came forward. No action was taken or needed.

10) ADJOURNMENT

Ms. Hunter moved the Board adjourn. Ms. Remec seconded the motion. Following review and discussion, the motion carried unanimously by roll call.

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

Meeting adjourned at 12:19 P.M.

Prepared by,

Monica Crowley
Office Manager

Approved by,

Karen Bustillo, PT, DPT, OCS, CLT
Secretary