



Kelly King, PT, DPT
President

ARIZONA STATE BOARD OF PHYSICAL THERAPY
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**REGULAR SESSION MEETING MINUTES via
Google Meet Video Conferencing
Virtual Attendance
June 28, 2022**

BOARD MEMBERS PRESENT: Kelly King, PT, DPT, President
Karen Bustillo, PT, DPT, CLT, Vice President
Giovanni Leone, PTA; Secretary
Mark Cornwall, PT PHD; Professional Member
Joshua Greer, Public Member

BOARD MEMBERS ABSENT: Joshua Barton, Public Member

**ASSISTANT ATTORNEY
GENERAL PRESENT:** Marc Harris, Assistant Attorney General

BOARD STAFF PRESENT: Judy Chepeus, Executive Director
Veronica Cardoza, Administrative Services Officer
Monica Crowley, Licensing Administrator
Mindy Richardson PT, Investigator

1) **CALL TO ORDER – 8:30 A.M.;** Dr. King called the meeting to order at 8:30 A.M. (A recording of the meeting is available on the Board’s website.)

2) **Roll Call** – See Above.

3) **Minutes: Review, consideration, and action:**

A) May 24, 2022 Regular Session

Dr. King moved, seconded by Dr. Bustillo to **Approve** the May 24, 2022 Regular Meeting Minutes. The motion passed unanimously.

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

Abstained							
Absent						X	

5) Consent Agenda:

A) Applications recommended for approval of Physical Therapist licensure upon successful completion of the application, including receipt of transcripts and passage of the NPTE and/or AZLAW.

- 2) Jacob Dye
- 3) Erik Quiroz
- 4) Jennifer Yankowsky

B) Applications recommended for approval of Physical Therapist Assistant certification upon successful completion of the application, including receipt of transcripts and passage of the NPTE and/or AZLAW.

- 1) Jordan Foy
- 2) Patrick Garvey
- 3) Dustin Schroeder

C) Cases recommended for termination of Board Order.

- 1) 18-40, Tracy Hill, PT

D) Cases recommended for extension of probation.

- 1) 20-03, Mitchell Allen, PTA

Mr. Leone disclosed a professional relationship with Austin Barton and expressed his intention to recuse himself from voting on Consent Agenda item A1. Austin Barton’s application was removed from the above consent agenda items for separate consideration.

Dr. King moved, seconded by Dr. Bustillo to **Approve** consent agenda items 5A 2-4, 5B 1-3, 5C1, 5D1. The motion passed unanimously.

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

Absent						X	
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Austin Barton

Mr. Leone recused himself from this matter.

Dr. Bustillo moved, seconded by Dr. King to **Approve** agenda item 5A1. The motion passed unanimously.

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

End of Consent Agenda

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

A) 22-11, Sarah Gomez, PT

Initial review, consideration, and possible action regarding complaint

Mr. Leone recused himself from this matter.

Ms. Richardson summarized the Board’s investigation.

Ms. Gomez was present and addressed the Board. Complainant AP was present and addressed the Board.

Following review and discussion Dr. King moved, seconded by Dr. Cornwall to offer consent agreement to include 12 months of probation and the following terms:

- 6 hours Continuing education in documentation, 3 hours ethics, 12 hours pediatrics which may be completed online and are in addition to continuing education for renewal requirements
- Restricting practice to a setting where other therapists are readily available for a minimum of 6 months during the 12-month probation period
- Mentoring through clinical monitoring to occur on a monthly basis to include a minimum of 5 records monthly for a period of 6 months to assess documentation and clinical standards of care

The motion included adopting the findings contained in the investigative report which support violations of A.R.S. § 32-2044(4) and A.R.S. § 32-2044 (20). If the Consent Agreement is not accepted, the Respondent will be invited to an informal hearing. In that event, the notice will include reference to ARS § 32-2044 (20). The motion passed.

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

Mr. Leone returned to the Board proceedings.

6) Administrative Hearings

A) 22-06, Braden Easley, PTA (9:00 am)

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

Dr. King called the Administrative Hearing to Order. Roll call was taken by Ms. Chepeus. Dr. King provided a review of the proceedings and possible outcomes. All Board members were furnished with the State’s exhibits. Marc Harris, Assistant Attorney General represented the State of Arizona. Ms. Monique Coady, Assistant Attorney General, was present and served as Independent Advisor to the Board.

Ms. Richardson, PT, Investigator was sworn in as a witness. Mr. Harris provided an opening statement. Ms. Richardson provided testimony with respect to State’s Exhibits 1 through 9. The Board asked questions of Ms. Richardson. Mr. Harris moved Exhibits 1 through 9 into evidence and the Board accepted the Exhibits.

Mr. Harris provided a closing statement.

Following review and discussion by members Mr. Greer moved, seconded by Dr. King, that the Board finds that the State has demonstrated by a preponderance of the evidence the factual allegations in the Complaint and that the Board adopts these allegations, in paragraphs 1-5 of the Complaint as the Board's findings of fact. The motion passed unanimously.

Board Meeting 6/28/22

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

Following review and discussion by members Mr. Greer moved, seconded by Dr. King that the Board finds that the findings of fact constitute a violation of the statute set forth in the Complaint and adopt the alleged violation as its Conclusion of Law. The motion passed unanimously.

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

Mr. Greer moved, seconded by Dr. King to **REVOKE** Respondent’s PTA certificate which enables him to work as a physical therapist assistant in the State of Arizona upon the effective date of the Order. The motion passed unanimously.

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

7) Informal Hearings

A) 21-19, Monica Norfleet, PT (9:30 am)

Dr. King read a summary of how the informal hearing would be conducted and reviewed the possible outcomes of the informal hearing.

Ms. Richardson, Ms. Norfleet and MN, the complainant, were sworn-in as witnesses.

Ms. Richardson summarized the Board’s investigation against Ms. Norfleet as outlined in the investigative report.

Ms. Norfleet and her attorney, Ms. Kimberly Kent, were present and addressed the Board. Complainant, MN, was present and addressed the Board.

The Board questioned the witnesses and closing statements were made by Ms. Norfleet and Ms. Kent.

After review and discussion, the Board found that the information contained in the Investigative Report and parties testimony indicated lapses of A.R.S. §§ 32-2044(4), 32-2044(20), and A.A.C. R4-24-304(C)

Mr. Greer moved, seconded by Dr. King to issue a **Non-Disciplinary Consent Agreement** for continuing education to include 6 hours of documentation and supervision, and 3 hours billing to be completed within 12 months. The CE may be completed online. The CE required is reflective of the investigative report and testimony that identified lapses in documentation, delegation and billing. If the consent agreement is not accepted, the consent agreement will be issued as a Board Order.

The motion passed unanimously.

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

Let the record reflect Mr. Greer has left the Board meeting at 11:47 A.M.

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

B) JW

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

Ms. Richardson provided a summary of the issue before the Board.

Dr. Cornwall moved, seconded by Dr. Bustillo to open a complaint. The motion passed unanimously

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

Dr. King moved, seconded by Dr. Bustillo to issue an Interim Order to undergo a substance abuse evaluation by a qualified medical provider, approved by the Board, within 60 days. The motion passed unanimously

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

C) JB

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

Ms. Richardson provided a summary of the issue before the Board.

Dr. Cornwall moved, seconded by Dr. Bustillo to open a complaint. The motion passed unanimously

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

Dr. Cornwall moved, seconded by Dr. Bustillo to issue an Interim Order to undergo a substance abuse

evaluation by a qualified medical provider, approved by the Board, within 60 days. The motion passed unanimously

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

10) Board business and reports:

A) Discussion topics for presentation at the Leadership Issues Forum meeting July 23-24, 2022

The Board identified the following potential topics as discussion points for the Arizona delegates to bring forth at the Leadership Issues Forum

- PT Compact concerns based on AZ experiences
- Routine task delegation to an Aide
- PTA providing supervision to an Aide
- Wellness, definition, considerations

B) Executive Director’s Report

1) **Administrative decision regarding granting of testing eligibility**

Review, discussion, and possible action regarding the administrative decision to grant testing eligibility to a PTA applicant with an affirmative answer to an application background question.

Ms. Chepeus reviewed with the Board an issue associated with an application and how staff handled it. The applicant misunderstood a question and provided information that did not need to be disclosed. As a result, this could have resulted in the applicant missing a testing opportunity. Staff identified applicant’s mistake and allowed her to test. The Board did not have any questions.

2) **General agency updates**

Review and discussion regarding the following items

- a) Website
- b) Renewal 2022 preparation

Ms. Chepeus provided the Board with updates regarding the recently launched agency website and staff

efforts to prepare for the upcoming renewal season.

- 3) **May 2022 Financials**
Review and possible discussion

Materials were provided to the Board for review.

- 4) **Licenses, Certificates, and Registrations**
Review and discussion on approvals granted in May 2022
 - a) **56 Licenses/Certificates Newly Issued**
 - i. 10 Physical Therapists Endorsement
 - ii. 25 Physical Therapists Examination
 - iii. 2 Physical Therapist Universal Recognition
 - iv. 0 Physical Therapist Foreign Educated
 - v. 0 Physical Therapist Military Spouse
 - vi. 6 Physical Therapist Assistants Endorsement
 - vii. 12 Physical Therapist Assistants Examination
 - viii. 0 Physical Therapist Assistant Universal Recognition
 - ix. 1 Physical Therapist Assistant Military Spouse
 - b) **1 Licenses/Certificates Reinstated**
 - i. 1 Physical Therapists
 - ii. 0 Physical Therapist Assistants
 - c) **0 Business Entity Registrations**
 - i. 0 Newly Issued
 - ii. 0 Reinstated
 - d) **1 Interstate Telehealth Registrations**
 - i. 1 Newly Issued PT
 - ii. 0 Newly Issued PTA

Board members reviewed the licenses, certifications, and registrations processed in the month of May.

11) Future Agenda Items

- Defining routine task to delegate to Aide or Technician
- PTA supervision of Aide or Technician

12) Adjournment

Dr. King moved, seconded by Mr. Leone, to **Adjourn**. The motion passed unanimously.

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

Meeting adjourned at 12:21 P.M.

Prepared by,

Monica Crowley
Licensing Administrator

Approved by,

Giovanni Leone, PTA
Secretary