



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
July 26, 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
Joshua Barton, Public Member

BOARD MEMBERS ABSENT:

**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. Mr. Barton was not present at this initial roll call but joined the meeting as indicated in the minutes below.
- 3) **Minutes: Review, consideration, and action:**
 - A) June 28, 2022 Regular Session

Dr. Bustillo moved, seconded by Mr. Leone to **Approve** the June 28, 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	

4) Applications for Licensure and Certification:

C) Review, consideration, and possible action on Physical Therapist applicants who graduated from foreign educational programs that are not U.S. Accredited.

- 1) Review, consideration, and possible action regarding educational equivalence, option to license or require a supervised clinical practice period and/or eligibility for NPTE/AZLAW exams.

a. John Fagan

Dr. King moved, seconded by Mr. Greer to **Require** a supervised clinical practice period. 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	

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

a. John Fagan

Dr. King moved, seconded by Mr. Leone to **Approve** Supervised Clinical Practice Period (SCPP) facility and supervising therapists proposed by Foreign Educated Physical Therapist applicant. 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. The Board will review, discuss, and may take action on the following applicants who provided an affirmative response to application questions related to their background.

- 1) Rachel Cantu
- 2) Jesse Reno
- 3) Aileen Yordan
- 4) John Fagan

B) Applications recommended for approval of Physical Therapist Assistant certification upon successful completion of the application, including receipt of transcripts and passage of the NPTE and/or AZLAW. The Board will review, discuss, and may take action on the following applicants who provided an affirmative response to application questions related to their background.

- 1) Zachary Siestma
- 2) Jaron Wilson

Mr. Leone moved, seconded by Dr. Bustillo to **Approve** consent agenda items 5A -5B. 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	

End of Consent Agenda

Let the record reflect Mr. Barton has joined the Board meeting at 8:41 A.M

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

A) 21-21, Jennifer Orr, PT

Initial review, consideration, and possible action regarding complaint

Dr. Bustillo recused herself from this matter.

Ms. Richardson summarized the Board's investigation.

Ms. Orr was present and addressed the Board.

Following review and discussion Mr. Leone moved, seconded by Dr. Cornwall to offer a **Non-Disciplinary** consent agreement for continuing education in the following areas to be completed within 12 months:

- 6 hours Documentation and Supervision
- 6 hours Conflict Resolution, De-escalation Strategies, and Cultural Sensitivity

The motion was amended and agreed upon by the motion maker & 2nd to include: "If the consent agreement is not signed, the Board will issue it as an 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		X					
Abstained							
Absent							

E) 22-20, John Barnes, PT

Initial review, consideration, and possible action regarding complaint

Ms. Richardson summarized the Board's investigation.

Ms. Judith Rodden, Esq, Counsel for Mr. Barnes was present.

Mr. Greer moved, seconded by Dr. Cornwall to **Dismiss** the above case. The motion passed unanimously.

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

Absent							
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Mr. Greer moved, seconded by Dr. King to **Open** complaints against the treating therapists identified in the Investigative Report:

- Robert Maggio, PT,
- Kathy Kessler, PT
- Diana Lamonte, PT

The motion passed unanimously.

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

C) 21-32, Ashley Ramirez, PT

Initial review, consideration, and possible action regarding complaint

Ms. Richardson summarized the Board's investigation.

Dr. King moved, seconded by Dr. Bustillo to **Dismiss** the above case. The motion passed unanimously.

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

The Board Recessed from 9:30 A.M. to 9:35 A.M.

Roll call taken after returning from Recess at 9:35 A.M. by Ms. Chepeus.

A) 22-28, Steven Kempton, PT

Preliminary review, consideration, and possible action regarding complaint. Possible action includes but is not limited to consolidating case 22-28 with case 21-31 and accepting Interim Consent Agreement for practice restriction and evaluation.

Mr. Leone recused himself from this matter.

Ms. Richardson summarized the Board's preliminary investigation.

Mr. Greer moved, seconded by Dr. Cornwall, to enter into Exertive Session to obtain legal advice. The motion passed unanimously.

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

Executive Session -A from 9:41 A.M. to 9:54 A.M.

Roll call taken after returning from **Executive Session** at 9:54 A.M. by Ms. Chepeus. All original members were present.

Mr. Kempton and his attorney Ms. Kent are present and Ms. Kent addressed the Board on Mr. Kempton's behalf.

Mr. Greer moved, seconded by Dr. Bustillo to consolidate case # 22-28 with case # 21-31. The motion passed unanimously.

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

Dr. King moved, seconded by Dr. Bustillo to approve an Interim Consent Agreement requiring a psychosexual evaluation and a practice restriction requiring a chaperone for evaluation and treatment of all female patients. The motion passed unanimously.

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

7) Informal Hearings

Pursuant to A.R.S. § 32-2046(A) and A.A.C. R4-24-306 the Board will conduct an informal hearing in the following matter. During the informal hearing the Board may go into executive session to discuss confidential records pursuant to A.R.S. § 38-431.03(A)(2) and/or to obtain legal advice pursuant to A.R.S. § 38-431.03(A)(3).

- a. 21-31, Steven Kempton, PT (9:30 am)

Mr. Leone recused himself from this matter.

Dr. King moved, seconded by Mr. Barton Continue the Informal Hearing. The motion passed unanimously.

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

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

F) JS

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

Ms. Richardson summarized the Board's investigation.

Mr. Greer moved, seconded by Dr. King to **Take No Action** on the above agenda item. The motion passed unanimously.

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

G) William Cluff DO, Pain and Wellness of Arizona

Review, consideration, and possible action regarding information received from insurance company

Ms. Richardson summarized the Board's investigation.

Following review and discussion, Mr. Greer moved, seconded by Dr. King to Refer the case to the AZ Board of Osteopathic Examiners. The motion passed unanimously.

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

H) 18-39, Joshua Bitton, PT

Review, consideration, and possible action regarding compliance with monitoring requirement and possible termination of monitoring

Ms. Chepeus summarized to the Board's monitoring status.

Mr. Colin Bell, Esq, Counsel for Mr. Bitton was present.

Following review and discussion, Mr. Leone moved, seconded by Dr. Bustillo to Terminate the monitoring requirement. The motion passed unanimously.

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

Aye	X	X	X	X	X	X	
Nay							
Recused							
Abstained							
Absent							

10) Board business and reports:**A) Delegate summary from the Leadership Issues Forum meeting July 23-24, 2022**

Review, consideration, and possible action regarding summary of the Federation of State Boards of Physical Therapy Leadership Issues Forum meeting July 23-24, 2022 in Alexandria, Virginia

Mr. Greer, Dr. King, and Ms. Chepeus provided the Board with an update from the Leadership Issues Forum held on July 23-24, 2022 in Alexandria VA.

9) Complaints and other disciplinary matters: review, consideration, and action.**A) 22-07, Cheryl Smith, PT**

Initial review continuation, consideration, and possible action regarding complaint

Ms. Richardson summarized the Board's investigation.

Ms. Smith was present and addressed the Board.

Following review and discussion, Mr. Greer moved, seconded by Mr. Leone to issue an advisory letter to Ms. Smith emphasizing the Board's mandatory reporting requirement and advising her to re-familiarize herself with the laws and rules governing the practice of physical therapy in Arizona. The motion passed unanimously.

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

10) Board business and reports:**B) Executive Director's Report****1) Renewal Status Update**

Review and discussion regarding the current status of PT license and PTA certificate renewal.

Ms. Chepeus updated the Board on the current status of PT license and PTA certificate renewal.

2) **Licenses, Certificates, and Registrations**

Review and discussion on approvals granted in June 2022

a) 86 Licenses/Certificates Newly Issued

- i. 9 Physical Therapists Endorsement
- ii. 64 Physical Therapists Examination
- iii. 2 Physical Therapist Universal Recognition
- iv. 0 Physical Therapist Foreign Educated
- v. 1 Physical Therapist Military Spouse
- vi. 5 Physical Therapist Assistants Endorsement
- vii. 3 Physical Therapist Assistants Examination
- viii. 2 Physical Therapist Assistant Universal Recognition
- ix. 0 Physical Therapist Assistant Military Spouse

b) 0 Licenses/Certificates Reinstated

- i. 0 Physical Therapists
- ii. 0 Physical Therapist Assistants

c) 1 Business Entity Registrations

- i. 1 Newly Issued
- ii. 0 Reinstated

d) 0 Interstate Telehealth Registrations

- i. 0 Newly Issued PT
- ii. 0 Newly Issued PTA

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

11) Future Agenda Items

N/A

12) Adjournment

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

Board Meeting 7/26/22

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

Meeting adjourned at 10:49 A.M.

Prepared by,

Monica Crowley
Licensing Administrator

Approved by,

Giovanni Leone, PTA
Secretary