



Kelly King, PT, DPT  
President

**ARIZONA STATE BOARD OF PHYSICAL THERAPY**  
1470 W. ADAMS ST., STE 2450, PHOENIX, ARIZONA 85007  
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**REGULAR SESSION MEETING MINUTES via  
Google Meet Video Conferencing  
Virtual Attendance  
September 27, 2022**

**BOARD MEMBERS PRESENT:** Kelly King, PT, DPT, President  
Karen Bustillo, PT, DPT, CLT, Vice President  
Giovanni Leone, PTA; Secretary  
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

**BOARD SAFF ABSENT:** 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) August 23, 2022, 2022 Regular Session

Dr. Bustillo moved, seconded by Mr. Leone to **Approve** the August 23, 2022 Regular Meeting Minutes. The motion passed unanimously.

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

Recused							
Abstained	X						
Absent							

**4) Applications for Licensure and Certification:**

A) Review, consideration, and possible action on Physical Therapist applicants requesting ADA accommodations.

1) Stephanie Brown

The Board reviewed and discussed the above request. Ms. Brown was not present.

Mr. Greer moved, seconded by Mr. Leone to **Deny** the request for ADA accommodations. The motion passed unanimously.

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

2) Emilee Marske

The Board reviewed and discussed the above request. Ms. Marske was present and addressed the Board.

Following review and discussion, Dr. King moved, seconded by Mr. Leone to **Approve** the request for time and a half. The motion passed.

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

3) Gabrielle Garza Rodriguez

The Board reviewed and discussed the above request. Ms. Garza Rodriguez was present and addressed the Board.

Following review and discussion, Mr. Greer moved, seconded by Mr. Barton to **Deny** the request for ADA accommodations. The motion passed.

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

**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) Gregory Anderson
- 2) Chiemeka Duru
- 3) Cara Schmidt
- 4) Garrett Smith
- 5) Jerry Garcia

**C) Cases recommended for termination of Board Order.** The Board will review, discuss, and may vote to take action on the following case(s):

- 1) 20-03, Mitchell Allen, PTA

Dr. Bustillo moved, seconded by Mr. Greer to **Approve** consent agenda items 5A and 5C. The motion passed unanimously.

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

Nay							
Recused							
Abstained							
Absent							

**End of Consent Agenda**

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

**C) 22-28 and 21-31, Steven Kempton, PT**

Review, consideration, and possible action regarding request for additional time to complete psychosexual evaluation. The Board may also consider and take possible action as it relates to Mr. Kempton’s compliance with the Interim Consent Agreement.

**Mr. Leone recused himself from this matter.**

Ms. Chepeus provided a summary to the Board. The Board reviewed and discussed the above request.

Mr. Kempton, PT and his attorney Ms. Kimberly Kent, Esq. were present and addressed the Board.

Following review and discussion, Mr. Greer moved, seconded by Dr. King to **Approve** the request for additional time, through October 10, 2022, to complete the psychosexual evaluation. The motion passed unanimously.

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

Dr. King moved, seconded by Dr. Bustillo to direct staff to obtain additional documentation related to Mr. Kempton’s compliance with the chaperone requirements of the Interim Consent Agreement. The motion passed unanimously.

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

Recused			X				
Abstained							
Absent							

**A) 21-35, Ken Baldauf, PT**

Initial review, consideration, and possible action regarding complaint

Ms. Chepeus summarized the Board’s investigation.

Mr. Baldauf was present and addressed the Board.

Following review and discussion, Dr. Bustillo moved, seconded by Mr. Greer to **Dismiss** the above case. The motion passed unanimously.

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

**B) 22-08, Charles Sobotka, PT**

Initial review, consideration, and possible action regarding complaint

Ms. Chepeus summarized the Board’s investigation.

Mr. Sobotka, PT and his attorney Mr. Flynn Carey, Esq. were present and addressed the Board.

Following review and discussion Mr. Greer moved, seconded by Dr. Bustillo to adopt the findings of fact and conclusions of law set forth in the investigative report and offer a consent agreement to include 12 months of probation with the possibility of early termination and the following terms:

- Decree of censure
- PROBE Ethics & Boundaries Program to be completed within 1 year
- 10 hours Continuing education in ethics and accept the courses previously submitted toward satisfaction of those hours.

If Mr. Sobotka does not sign the consent agreement, the case will be moved to an Informal Hearing and staff will be directed to further investigate the remainder Mr. Sobotka’s scheduled visits on February 10, 2022. The motion passed unanimously.

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

**10) Board business and reports:**

**A) PT Compact Proposed Rulemaking**

Review, consideration, and possible action regarding the proposed PT Compact rulemaking

Ms. Chepeus provided a summary of the proposed PT Compact rulemaking.

**B) Executive Director’s Report**

1) **Renewal status update**

Review and discussion regarding renewal applications from July and August 2022

a) 7,896 Licenses/Certificates Renewed

i. 5,968 Physical Therapist Licenses

ii. 1,928 Physical Therapist Assistant Certificates

Ms. Chepeus provided a summary regarding the 2022 renewal season. The Board reviewed and discussed.

2) **July & August 2022 Financials**

Review and possible discussion

Board members reviewed the financials for the months of July and August.

3) **Licenses, Certificates, and Registrations**

Review and discussion on approvals granted in August 2022

**a) 90 Licenses/Certificates Newly Issued**

- iii. 23 Physical Therapists Endorsement
- iv. 35 Physical Therapists Examination
- v. 2 Physical Therapist Universal Recognition
- vi. 0 Physical Therapist Foreign Educated
- vii. 1 Physical Therapist Military Spouse
- viii. 8 Physical Therapist Assistants Endorsement
- ix. 20 Physical Therapist Assistants Examination
- x. 1 Physical Therapist Assistant Universal Recognition
- xi. 0 Physical Therapist Assistant Military Spouse

**b) 1 Licenses/Certificates Reinstated**

- i. 1 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. 1 Newly Issued PT
- ii. 0 Newly Issued PTA

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

**11) Future Agenda Items**

N/A

**12) Adjournment**

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

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

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Abstained							
Absent							

**Meeting adjourned at 10:37 A.M.**

Prepared by,

Monica Crowley  
Licensing Administrator

Approved by,

Giovanni Leone, PTA  
Secretary