



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
November 15, 2022**

BOARD MEMBERS PRESENT: Karen Bustillo, PT, DPT, CLT, Vice President
Giovanni Leone, PTA; Secretary
John Heick, PT, DPT, PhD
Joshua Greer, Public Member

BOARD MEMBERS ABSENT: Kelly King, PT, DPT, President
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

BOARD SAFF ABSENT:

- 1) **CALL TO ORDER – 8:30 A.M.;** Dr. Bustillo 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) October 25, 2022, Regular Session

Following review and discussion, Mr. Greer moved, seconded by Mr. Leone to **Approve** the October 25, 2022 Regular Meeting Minutes as amended. The motion passed unanimously.

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

Recused							
Abstained							
Absent	X				X		

B) October 25, 2022, Executive Session A

Mr. Greer moved, seconded by Mr. Leone to **Approve** the October 25, 2022 Executive Session A Minutes. The motion passed unanimously.

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

4) Applications for Licensure and Certification:

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

1) Stuart Duersch

The Board reviewed and discussed the above request. Mr. Duersch was present and addressed the Board.

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

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

5) Consent Agenda:

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) Jessica Duggar

Mr. Greer moved, seconded by Mr. Leone to **Approve** consent agenda items 5B. The motion passed unanimously.

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

End of Consent Agenda

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

A) 21-24 Stacey Billyard, PT,

Initial review, consideration, and possible action regarding complaint.

Ms. Richardson provided a summary of the Board’s investigation.

Ms. Billyard and her attorney Ms. Kent were present and addressed the Board.

Following review and discussion, Dr. Bustillo moved, seconded by Mr. Greer to issue a **Non-disciplinary order** to include:

6 hours of continuing education in Documentation to be completed in 6 months; courses must be pre-approved, may be completed online, and do not count toward renewal requirements. The motion passed unanimously.

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

Recused							
Abstained							
Absent	X				X		

B) 21-31 & 22-28 Steven Kempton, PT

Review, consideration, and possible action regarding compliance with Interim Consent Agreement

E) 22-11 Sarah Gomez, PT

Review, consideration and possible action regarding proposed monitoring contract

Mr. Leone recused himself in the above cases.

The Board did not have quorum for agenda matters 9B and 9E. Cases 21-31/22-28 and 22-11 will be heard during the next regularly scheduled Board meeting.

C) 22-25 Jacob Berndl, PT

Review, consideration, and possible action regarding accepting proposed Consent Agreement and/or taking alternative disciplinary action including, but not limited to, summarily suspending the license

Ms. Chepeus provided a summary to the Board.

Mr. Greer moved, seconded by Mr. Leone to **Accept** the signed Consent Agreement. The motion passed unanimously.

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

D) 22-24 Jonelle Wartenberg, PTA

Review, consideration, and possible action regarding compliance with Interim Order

Ms. Chepeus provided a summary of Ms. Wartenberg’s compliance with her Interim Order.

Ms. Wartenberg was present and addressed the Board.

Following review and discussion, Mr. Greer moved, seconded by Mr. Leone to **Extend** the time to comply with the Interim Order by 60 days from the November 15, 2022 Board meeting and instruct staff to provide Ms. Wartenberg with the name of at least one approved provider. If Ms. Wartenberg does not comply within the allowed time the matter will be moved to a formal hearing. The motion passed unanimously.

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

10) Board business and reports:

A) Executive Director’s Report

- 1) Affirmative response to the renewal question “Have you had a malpractice judgment against you or do you have a lawsuit currently pending for malpractice?”** Review, discussion, and possible action regarding providing direction to Board staff.

Ms. Chepeus provided a summary to the Board.

Following review and discussion, Mr. Leone moved, seconded by Dr. Bustillo that in the absence of a complaint filed with the Board, all egregious matters disclosed on a renewal application in response to malpractice questions should be brought to the Board for review. The motion passed unanimously.

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

2) Continuing competence audit process update

Review and discussion regarding the current status of the 2022 continuing competence audit

Ms. Chepeus provide an update to the Board.

3) FSBPT Annual Meeting Review

Review and discussion regarding FSBPT Annual Meeting October 27 – 30, 2022

Ms. Chepeus and Mr. Greer provide an update to the Board.

4) September 2022 financials

Review and possible discussion

Materials were provided to the Board for review.

5) Licenses, Certificates, and Registrations

Review and discussion on approvals granted in October 2022

a) 80 Licenses/Certificates Newly Issued

- i. 49 Physical Therapists Endorsement
- ii. 11 Physical Therapists Examination
- iii. 5 Physical Therapist Universal Recognition
- iv. 0 Physical Therapist Foreign Educated
- v. 1 Physical Therapist Military Spouse
- vi. 4 Physical Therapist Assistants Endorsement
- vii. 9 Physical Therapist Assistants Examination
- viii. 1 Physical Therapist Assistant Universal Recognition
- ix. 0 Physical Therapist Assistant Military Spouse

b) 12 Licenses/Certificates Reinstated

- i. 9 Physical Therapists
- ii. 3 Physical Therapist Assistants

c) 0 Business Entity Registrations

- i. 0 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 October.

11) Future Agenda Items

N/A

12) Adjournment

Dr. Bustillo moved, seconded by Dr. Heick, to **Adjourn**. The motion passed unanimously.

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

Meeting adjourned at 10:33 A.M.

Prepared by,

Monica Crowley
Licensing Administrator

Approved by,

Giovanni Leone, PTA
Secretary