



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
December 20, 2022**

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

BOARD SAFF ABSENT:

- 1) **CALL TO ORDER – 8:30 A.M.;** Dr. King called the meeting to order at 8:31 A.M. (A recording of the meeting is available on the Board’s website.)
- 2) **Roll Call** – See Above. Ms. Cardoza was not present at this initial roll call but joined and attended the meeting as indicated in the minutes below.
- 3) **Minutes: Review, consideration, and action:**
 - A) November 15, 2022, Regular Session

Following review and discussion, Mr. Greer moved, seconded by Dr. Bustillo to **Approve** the November 15, 2022 Regular Meeting Minutes. The motion passed.

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

Nay							
Recused							
Abstained	X				X		
Absent							

4) Applications for Licensure and Certification:

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

1) Stephanie Brown

Let the record reflect Ms. Cardoza has joined the Board meeting at 8:34 A.M.

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

Following review and discussion, Mr. Greer moved, seconded by Dr. King 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	X	X	
Nay							
Recused							
Abstained							
Absent							

2) Stuart Duersch

The Board reviewed and discussed the above request. Mr. Duersch was present along with his medical provider Dr. Monique Lowe, PhD. Both addressed the Board.

Dr. King moved, seconded by Mr. Leone to enter into **Executive Session** to discuss confidential information with Dr. Monique Lowe and Mr. Duersch. The motion passed unanimously

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

Nay							
Recused							
Abstained							
Absent							

Executive Session -A from 8:42 A.M. to 9:00 A.M.

Following review and discussion, Dr. King moved, seconded by Dr. Bustillo to **Approve** the request for ADA accommodations. The motion failed unanimously.

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

Following review and discussion, 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	Mr. Greer	Mr. Barton	Dr. Heick	VACANT
Aye	X	X	X	X	X	X	
Nay							
Recused							
Abstained							
Absent							

3) Gabrielle Olcott

The Board reviewed and discussed the above request. Ms. Olcott 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 unanimously.

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

D) Review, consideration and possible action on Physical Therapist or Physical Therapist Assistant applicants applying under A.R.S. § 32-2028

1) Jolene Knee

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

Following review and discussion, Dr. King moved, seconded by Dr. Heick to **Approve** Jolene Knee for licensure upon successful completion of the application, including receipt of transcripts, passage of the NPTE and/or AZLAW and continuing education of 6 hours in documentation and 3 hours in billing. The motion passed unanimously.

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

Let the record reflect Ms. Cardoza left the Board meeting at 9:57 A.M.

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) Sharon Harrison

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) Kelly Blasky
- 2) Aly Soro

Dr. King removed Mr. Joshua Bitton’s application from the above consent agenda for individual consideration.

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

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

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

B) 22-14 Stephanie Cottingham, PT

Initial review, consideration, and possible action regarding complaint

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

Ms. **Cottingham** and her attorney Mr. Bennett were present and addressed the Board. Mr. Newsome the complainant was also present and addressed the Board.

Dr. King moved, seconded by Dr. Bustillo to enter into **Executive Session** to obtain legal advice. The motion passed unanimously

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

Executive Session -B from 10:29 A.M. to 10:38 A.M.

Roll call taken after returning from **Executive Session** at 10:38 A.M. by Ms. Chepeus.

Following review and discussion, Mr. Greer moved, seconded by Mr. Barton to **forward the case to an Informal hearing** and provide a copy of the audio recording to Ms. Cottingham for review and a response. The motion passed unanimously. The Board asked staff to provide it with a copy of the audio recording as part of the materials it receives for the informal hearing.

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

The Board Recessed from 10:45 A.M. to 10:52 A.M.

Roll call taken after returning back from **Recess** at 10:52 A.M. by Ms. Chepeus.

5) Consent Agenda:

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) 18-39 Joshua Bitton, PT

Dr. King removed Consent Agenda item 5C, Joshua Bitton, for individual consideration.

The Board reviewed and discussed the above request. Mr. Bitton and his attorney Mr. Bell were present and addressed the Board.

Following review and discussion, Dr. Bustillo moved, seconded by Mr. Barton to **Approve** request for early termination of his Board order #18-39. The motion passed unanimously.

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

End of Consent Agenda

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

A) 22-11 Sarah Gomez, PT

Review, consideration and possible action regarding proposed monitoring contract

Mr. Leone recused himself from the above case.

Mr. Barton moved, seconded by Dr. King to **Approve** Ms. Gomez’s monitoring contract. The motion passed unanimously

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

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

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

Mr. Leone recused himself from the above case.

The Board reviewed and discussed the above case. Mr. Barton moved to continue this matter.

Mr. Greer moved, seconded by Dr. King to enter into **Executive Session** to obtain legal advice. The motion passed unanimously.

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

Executive Session -C from 11:06 A.M. to 11:28 A.M.

Roll call taken after returning from **Executive Session** at 11:28 A.M. by Ms. Chepeus.

Mr. Barton rescinded his motion.

Ms. Richardson summarized the Board’s investigation.

Mr. Kempton was present.

Patients BO and AP were present and addressed the Board.

Following review and discussion, Dr. King moved, seconded by Mr. Greer to **forward the consolidated cases 21-31 and 22-28 to an Informal hearing** to include all the potential violations as outlined in the collective investigative reports. The motion passed.

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

Following review and discussion, Dr. King moved, seconded by Mr. Barton to Offer an amended Interim Consent Agreement to incorporate the additional recommendations outlined in the evaluation as it relates to counseling. If the amended ICA is not signed the matter will be brought back to the Board for consideration of all of its options including possible summary suspension.

Dr. King moved, seconded by Dr. Bustillo to enter into **Executive Session** to obtain legal advice. The motion passed unanimously.

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

Executive Session -D from 11:48 A.M. to 11:57 A.M.

Roll call taken after returning from **Executive Session** at 11:57 A.M. by Ms. Chepeus.

Let the record reflect Ms. Kent, attorney for Mr. Kempton, joined the meeting at 11:59 AM.

The Board repeated the motion after executive session. The Board moved to offer Mr. Kempton an amended Interim Consent Agreement to incorporate the additional recommendations outlined in the evaluation as it relates to counseling. If the amended ICA is not signed the matter will be brought back to the Board for consideration of all of its options including possible summary suspension. The motion passed unanimously.

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

Ms. Kent addressed the Board and outlined potential requests that she would make on behalf of her client, Mr. Kempton. Ms. Kent was advised to submit her requests in writing for further review.

D) 22-50 Linda Frahm, PT

Initial review, consideration, and possible action regarding complaint

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

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

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

E) AR

Review, consideration and possible action regarding proposed monitoring contract

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

Mr. Greer moved, seconded by Dr. King to **Take No Action**. The motion passed unanimously.

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

F) HJ

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

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

Mr. Greer moved, seconded by Dr. King to **Take No Action**. The motion passed unanimously.

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

10) Board business and reports:

A) Executive Director’s Report

1) Proposed 2023 Virtual Board Meeting Dates

Review, consideration, and possible action regarding adopting virtual meeting dates for 2023.

- January 24, 2023
- February 28, 2023
- March 28, 2023
- April 25, 2023
- May 23, 2023
- June 27, 2023
- July 25, 2023
- August 22, 2023
- September 26, 2023
- October 24, 2023
- November 21, 2023 (Holiday month)
- December 19, 2023 (Holiday month)

Ms. Chepeus provided a summary to the Board.

Following review and discussion, Mr. Greer moved, seconded by Dr. King to adopt the **Proposed 2023 Virtual Board Meeting Dates** eliminating the November 21st Board meeting and moving the December 19, 2023 meeting to December 12, 2023. The motion passed unanimously.

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

Recused							
Abstained							
Absent							

- 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) **PT Compact purchases**
Review, discussion, and possible action regarding providing direction to the Board pertaining to individuals who purchase a PT compact privilege prior to successful completion of the AZLAW jurisprudence exam

Ms. Chepeus provided a summary to the Board.

Following review and discussion, Mr. Barton moved, seconded by Dr. King to direct staff to authorize staff to provide a 2-week (14 days) grace period to the privilege purchaser to complete the jurisprudence exam or voluntarily surrender the compact privilege or it will be brought to the Board for further review. The letter is to include an advisory that the individual is **NOT to Practice** in AZ until all requirements have been complete. The motion passed unanimously.

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

- 4) **October 2022 financials**
Review and possible discussion

Materials were provided to the Board for review.

1) Licenses, Certificates, and Registrations

Review and discussion on approvals granted in November 2022

a) 61 Licenses/Certificates Newly Issued

- i. 27 Physical Therapists Endorsement
- ii. 17 Physical Therapists Examination
- iii. 1 Physical Therapist Universal Recognition
- iv. 1 Physical Therapist Foreign Educated
- v. 1 Physical Therapist Military Spouse
- vi. 7 Physical Therapist Assistants Endorsement
- vii. 6 Physical Therapist Assistants Examination
- viii. 1 Physical Therapist Assistant Universal Recognition
- ix. 0 Physical Therapist Assistant Military Spouse

b) 2 Licenses/Certificates Reinstated

- i. 2 Physical Therapists
- ii. 0 Physical Therapist Assistants

c) 1 Business Entity Registrations

- i. 1 Newly Issued
- ii. 0 Reinstated

d) 2 Interstate Telehealth Registrations

- i. 2 Newly Issued PT
- ii. 0 Newly Issued PTA

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

11) Future Agenda Items

N/A

12) Adjournment

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

Board Meeting 12/20/22

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

Meeting adjourned at 12:36 P.M.

Prepared by,

Monica Crowley
Licensing Administrator

Approved by,

Giovanni Leone, PTA
Secretary