



Kelly King, PT, DPT
President

ARIZONA STATE BOARD OF PHYSICAL THERAPY
1470 W. ADAMS ST., STE 2450, PHOENIX, ARIZONA 85007
(602) 274-0236
ptboard.az.gov

**REGULAR SESSION MEETING MINUTES via
Google Meet Video Conferencing
Virtual Attendance
April 25, 2023**

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

**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 8:31 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) March 28, 2023, Regular Session

Mr. Leone moved, seconded by Mr. Barton to **Approve** the March 28, 2023 Regular Meeting Minutes. 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							
Abstained							
Absent	X						

B) March 28, 2023 Executive Session -A

Dr. Bustillo moved, seconded by Mr. Barton to **Approve** the March 28, 2023 Executive Session -A Meeting 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			X				
Abstained							
Absent	X						

C) March 28, 2023 Executive Session -B

Mr. Barton moved, seconded by Dr. Bustillo to **Approve** the March 28, 2023 Executive Session -B Meeting 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			X				
Abstained							
Absent	X						

D) March 28, 2023 Executive Session -C

Mr. Barton moved, seconded by Dr. Bustillo to **Approve** the March 28, 2023 Executive Session -C Meeting 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			X				
Abstained							
Absent	X						

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

A) 23-16 Rhonda Moriarty (8:30 am)

Initial review, consideration, and possible action regarding complaint

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

Ms. Moriarty was present and was assisted by an American Sign Language Interpreter Ms. Kathryn Montoya.

Ms. Moriarty addressed the Board.

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

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

Mr. Greer moved, seconded by Dr. Bustillo to forward the matter to the Attorney General’s office for investigation. The motion failed.

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

4) Applications for Licensure and Certification:

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

- 1) Erin Grandaw

The Board reviewed and discussed the above request. Ms. Grandaw 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	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) Ephraim Makuve

Mr. Greer moved, seconded by Mr. Leone to **Approve** consent agenda items 5A. 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							

Abstained							
Absent	X						

End of Consent Agenda

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

B) TR

Review, consideration, and possible action regarding opening a complaint

Ms. Richardson provided a summary to the Board.

TR and her attorney Mr. Michael Aaron were present and addressed the Board.

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

C) PH

Review, consideration, and possible action regarding opening a complaint

Ms. Richardson provided a summary to the Board.

PH and his attorney Mr. Jeremy Pekas were present and Mr. Pekas addressed the Board on his behalf.

Following review and discussion, Mr. Greer moved, seconded by Mr. Leone 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	
Nay							

Recused							
Abstained							
Absent	X						

D) CW

Review, consideration, and possible action regarding opening a complaint

Ms. Richardson provided a summary to the Board.

CW was present and addressed the Board.

Following review and discussion, Dr. Bustillo moved, seconded by Mr. Leone to **Take No Action At This Time**. 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	

E) PP

Review, consideration, and possible action regarding opening a complaint

Ms. Richardson provided a summary to the Board.

PP was present and addressed the Board

Following review and discussion, Mr. Greer moved, seconded by Dr. Bustillo to **Open a Complaint against Patricia Parks** to include the alleged violations A.R.S. §§ 32-2044(7) and 32-2044(8) and any other potential violation identified throughout the investigative process. 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							
Abstained							
Absent	X						

F) AG

Review, consideration, and possible action regarding opening a complaint

Ms. Richardson provided a summary to the Board.

AG was present and addressed the Board.

Following review and discussion, Mr. Barton moved, seconded by Mr. Leone to **Take No Action At This Time**. 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							
Abstained							
Absent	X						

G) AR

Review, consideration, and possible action regarding opening a complaint

Ms. Richardson provided a summary to the Board.

AR was present and addressed the Board

Following review and discussion, Mr. Greer moved, seconded by Dr. Heick to **Open a Complaint against Armando Rivas** for failure to report and include the alleged violations A.R.S. §§ 32-2044(7) and 32-2044(8) and any other potential violation identified throughout the investigative process. 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							
Abstained							
Absent	X						

The Board Recessed from 9:58 A.M. to 10:06 A.M.

Roll call taken after returning back from Recess at 10:06 A.M. by Ms. Chepeus.

H) 22-21 Jonelle Wartenberg, PTA

Initial review, consideration, and possible action regarding complaint

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

Mr. Barton stated he has a pending matter with Ms. Wartenberg’s former employer but feels he is able to remain impartial and unbiased in this matter and consider this case based on the facts presented.

Ms. Wartenberg was present and addressed the Board.

Following review and discussion, Mr. Greer moved, seconded by Dr. Heick to move this matter to an informal hearing and directed staff regarding additional investigation. 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							
Abstained							
Absent	X						

I) 22-36 Todd Lyonnaise, PT

Initial review, consideration, and possible action regarding complaint

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

Mr. Lyonnaise and Patient NB were present and addressed the Board

Following review and discussion, Mr. Greer moved, seconded by Dr. Heick to issue a **Non-Disciplinary Board Order** to include:

- 6 hours of **Continuing education** in Documentation
- 8 hours of **Continuing education** in Orthopedic evaluation and treatment of the hip or spine

to be completed within 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	X	
Nay							
Recused							
Abstained							
Absent	X						

10) Board business and reports:

A) Complaint Process Flow Chart

Review, discussion, and possible action regarding a complaint process flow chart

Ms. Richardson provided a summary and over view of the complaint process flow chart and explained that the Board receives complaints in two ways; submitted through the online portal or opened directly by the Board. Each complaint received is evaluated to determine if the Board has jurisdiction. If not, the complainant is notified and the matter is closed. If the Board does have jurisdiction the investigator assigns a case number, the respondent is notified of the complaint and an investigation is completed. The case is then brought to the Board as an initial review.

If the allegations of unprofessional conduct are unclear from the complaint the investigator will attempt to obtain additional information. If the possible violations remain unclear the matter will be presented to the Board as a preliminary review and the Board may choose to take no action or open a case and identify potential violations for further investigation. At the preliminary stage and until a case is opened by the Board, the matter will be agendized using initials. If a case is opened by the Board, the investigator will proceed in accordance with all applicable statutes and rules to complete a full investigation.

After discussion, the Board agreed with the processes outlined in the flow chart.

B) Executive Director’s Report

1) **Thentia Cloud software project update**

Review and discussion regarding the Thentia Cloud project and updates

2) **PT Compact Commission draft amendments to governance documents for informal comment**

Review, discussion, and possible action regarding the PT Compact Commission draft amendments

Ms. Chepeus provided an update of the 2 above agenda items.

3) **Possible rescheduling of the Board’s October 24, 2023 meeting**

Review, discussion, and possible action regarding the possible rescheduling of the Board’s October 24, 2023 meeting to October 31, 2023.

Ms. Chepeus provided a summary regarding the possible rescheduling of the Board’s October 24, 2023 meeting.

Following review and discussion, Mr. Greer moved, seconded by Dr. Bustillo to reschedule the October 24, 2023 Board’s meeting to October 31, 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	
Nay							
Recused							
Abstained							
Absent	X						

4) **March 2023 financials**

Review and possible discussion

Board members reviewed the financial information for the month of March 2023.

5) **Licenses, Certificates, and Registrations**

Review and discussion on approvals granted in March 2023

a) **36 Licenses/Certificates Newly Issued**

- i. 18 Physical Therapists Endorsement
- ii. 11 Physical Therapists Examination

- iii. 4 Physical Therapist Universal Recognition
- iv. 0 Physical Therapist Foreign Educated
- v. 0 Physical Therapist Military Spouse
- vi. 1 Physical Therapist Assistants Endorsement
- vii. 2 Physical Therapist Assistants Examination
- viii. 0 Physical Therapist Assistant Universal Recognition
- ix. 0 Physical Therapist Assistant Military Spouse

b) 3 Licenses/Certificates Reinstated

- i. 1 Physical Therapists
- ii. 2 Physical Therapist Assistants

c) 6 Business Entity Registrations

- i. 6 Newly Issued
- ii. 0 Reinstated

d) 1 Interstate Telehealth Registrations

- i. 0 Newly Issued PT
- ii. 0 Newly Issued PTA
- iii. 1 Updated (yearly)

Board members reviewed the licenses, certifications, and registrations processed in the month of March 2023.

Let the record reflect Dr. Heick has left the Board meeting at 11:45 A.M.

11) Future Agenda Items

- Potential increase in staffing.

12) Adjournment

Mr. Barton moved, seconded by Dr. Bustillo, 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							

Board Meeting 4/25/23

Recused							
Abstained							
Absent	X					X	

Meeting adjourned at 11:51 A.M.

Prepared by,

Monica Crowley
Licensing Administrator

Approved by,

Giovanni Leone, PTA
Secretary