



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
June 27, 2023**

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 Barton, Public Member

BOARD MEMBERS ABSENT: Joshua Greer, 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. 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) May 23, 2023, Regular Session

Dr. King moved, seconded by Dr. Bustillo to **Approve** the May 23, 2023, 2023 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					X		
Absent				X			

B) May 23, 2023, Executive Session A

Mr. Leone moved, seconded by Dr. Bustillo to **Approve** the May 23, 2023, 2023 Executive Session A 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					X		
Absent				X			

4) Applications for Licensure and Certification:

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

1) Richard Flores

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

Following review and discussion, Dr. Bustillo moved, seconded by Dr. King to **Approve** 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			

2) Erin Ann Miller

The Board reviewed and discussed the above request. Mrs. Miller was present and addressed the Board.

Following review and discussion, Mr. Leone moved, seconded by Dr. Heick to **Approve** 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			

3) Joseph Mack

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

Following review and discussion, Dr. Bustillo 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	
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.

- 1) Amber Bratcher
- 2) Nicole Elms
- 3) Daniel Casey
- 4) Allison McCabe

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.

- 1) Kelly Blasky

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) 23-07 Sanford Goldstein, PT
- 2) 23-23 Adam Stehlin, PT
- 3) 21-07 John LaDouceur, PTA

Dr. King moved, seconded by Dr. Bustillo to **Approve** consent agenda items 5A, 5B and 5C. 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.

A) 22-34 Robert Maggio, PT

Initial review, consideration, and possible action regarding complaint

Ms. Richardson provided a summary of the Board’s investigation for cases #22-33, #22-34 and #22-35.

Mr. Maggio, PT and his attorney Ms. Kent, were present and addressed the Board.

Following review and discussion, Dr. King moved, seconded by Dr. Bustillo to continue this matter and request additional investigation to include three patient charts that include Initial evaluations and subsequent treatment for patients initiating visits on or after 6/27/2023. 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			

B) 22-35 Kathryn Kessler, PT

Initial review, consideration, and possible action regarding complaint

Ms. Kessler, PT and her attorney Ms. Kent, were present and addressed the Board.

Following review and discussion, Dr. King moved, seconded by Mr. Leone to continue this matter and request additional investigation to include three patient charts that include Initial evaluations and subsequent treatment for patients initiating visits on or after 6/27/2023. 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			

C) 22-33 Diana Lomonte, PT

Initial review, consideration, and possible action regarding complaint

Ms. Lomonte, PT and her attorney Ms. Kent, were present and addressed the Board.

Following review and discussion, Dr. King moved, seconded by Dr. Heick to issue a **Non-Disciplinary** order to include six hours of continuing education in the areas of Documentation and Billing to be completed within 6 months. The continuing education 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			

The Board Recessed from 11:08 A.M. to 11:19 A.M.

Roll call taken after returning from Recess at 11:19 A.M. by Ms. Chepeus.

D) 22-58 Ashley Kohl, PTA

Initial review, consideration, and possible action regarding complaint

Ms. Kohl, PTA was not present.

Following review and discussion, Mr. Barton moved, seconded by Dr. Heick to Offer a **Consent Agreement** for the voluntary surrender of Ms. Kohl’s PTA certificate and adopt the findings of fact and conclusions of law as outlined in the investigative report. If the agreement is not signed the matter will be remanded to 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	X	
Nay							
Recused							
Abstained							
Absent				X			

E) 23-06 Randy Hogue, PTA

Initial review, consideration, and possible action regarding complaint

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

Mr. Hogue was present.

Following review and discussion, Dr. King moved, seconded by Mr. Barton to Offer a **Consent Agreement** for the voluntary surrender of Mr. Hogue’s PTA certificate and adopt the findings of fact and conclusions of law as outlined in the investigative report. If the agreement is not signed the matter will be remanded to 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	X	
Nay							
Recused							
Abstained							
Absent				X			

F) 23-19 Mark Morelli, PTA

Initial review, consideration, and possible action regarding complaint

Dr. Bustillo moved, seconded by Mr. Leone to forwarded Mr. Morelli case # 23-19 to an Informal hearing and include all potential violations as referenced in the investigative report. 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			

H) 23-50 Stephanie Dale, PTA

Initial review, consideration, and possible action regarding complaint

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

Ms. Dale was present and addressed the Board.

Following review and discussion, Dr. King moved, seconded by Mr. Barton to issue an **Advisory Letter** to remind Ms. Dale to review the laws and rules governing her work as a physical therapist assistant in Arizona, including her responsibility to report within required timeframes pursuant to A.R.S. § 32-3208. 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) 23-25 Octavia Richardson, PTA

Initial review, consideration, and possible action regarding complaint

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

Ms. Richardson was not present but was represented by her attorney Mr. Ramos. Mr. Ramos addressed the Board.

Following review and discussion, Mr. Barton moved, seconded by Dr. King to **Table** this matter until the Board’s September 2023 Regular Session Meeting so Ms. Richardson may attend and that Mr. Ramos provide any additional documentation, probationary or otherwise for Board review. 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) 23-18 Jonathan Ryan Dugan, PT

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

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

Mr. Dugan, PT was present and addressed the Board.

Following review and discussion, Dr. King moved, seconded by Mr. Leone to open a complaint and issue a **Non-Disciplinary** order to include three hours of continuing education in Ethics to be completed within six months. The continuing education 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				
Nay					X	X	
Recused							
Abstained							
Absent				X			

J) 22-57 David Curtis, PT

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

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

Mr. Curtis, PT was present and addressed the Board.

Following review and discussion, Dr. King moved, seconded by Mr. Leone to open a complaint and issue a **Non-Disciplinary** order to include three hours of continuing education in Ethics to be completed within six months. The continuing education courses must be pre-approved, may be completed online, and do not count toward renewal requirements.

Following review and discussion that clarified Mr. Curtis’ existing Consent Agreement is still active, both Dr. King and Mr. Leone withdrew their 1st and 2nd motion allowing Mr. Curtis the opportunity to seek pre-approval for his ordered continuing education to comply with the terms of his existing Consent Agreement.

I) 23-18 Jonathan Ryan Dugan, PT

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

Following review and discussion, and based on the similarities between cases 23-57 and 23-18, both Dr. King and Mr. Leone moved to rescind the Board’s prior motion and directed Board staff to contact Mr. Dugan and inform him of the rescinded motion and the opportunity to seek pre-approval for his ordered continuing education to comply with the terms of his existing 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	X	

Nay							
Recused							
Abstained							
Absent				X			

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

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

Mr. Leone recused himself from the above case.

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

Mr. Kempton, PT was present and addressed the Board.

Following review and discussion, Dr. King moved, seconded by Dr. Bustillo to enter into **Executive Session** to discuss confidential information. 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			

Executive Session -A from 1:19 P.M. to 1:32 P.M.

Roll call taken after returning from **Executive Session** at 1:32 P.M. by Ms. Chepeus.

Dr. King moved, seconded by Dr. Bustillo to continue the discussion of Mr. Kempton’s compliance with his Consent Agreement until the Board’s July 25, 2023 meeting. 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			

L) BP

Review, consideration, and possible action regarding opening a complaint

Mr. Leone recused himself from the above case.

Ms. Richardson provided a summary to the Board.

Following review and discussion, Dr. King moved, seconded by Dr. Heick to **open a Complaint** against Brandon Poulter, PT, citing a potential violation of A.R.S. § 32-2044(4). The motion passed.

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

M) SC

Review, consideration, and possible action regarding opening a complaint

Mr. Leone recused himself from the above case.

Ms. Richardson provided a summary to the Board.

Following review and discussion, Mr. Barton 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	
Nay							
Recused			X				
Abstained							
Absent				X			

N) JO

Review, consideration, and possible action regarding opening a complaint

Ms. Richardson provided a summary to the Board.

Following review and discussion, Mr. Barton 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	
Nay							
Recused							
Abstained							
Absent				X			

O) KS

Review, consideration, and possible action regarding opening a complaint

Ms. Richardson provided a summary to the Board.

Following review and discussion, Dr. King 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			

10) Board business and reports

A) Executive Director’s Report

- 1) **May 2023 financials**
Review and possible discussion

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

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

Review and discussion on approvals granted in May 2023

a) 98 Licenses/Certificates Newly Issued

- i. 27 Physical Therapists Endorsement
- ii. 37 Physical Therapists Examination
- iii. 3 Physical Therapist Universal Recognition
- iv. 0 Physical Therapist Foreign Educated
- v. 1 Physical Therapist Military Spouse
- vi. 7 Physical Therapist Assistants Endorsement
- vii. 23 Physical Therapist Assistants Examination
- viii. 0 Physical Therapist Assistant Universal Recognition
- ix. 0 Physical Therapist Assistant Military Spouse

b) 2 Licenses/Certificates Reinstated

- i. 1 Physical Therapists
- ii. 1 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 May 2023.

11) Future Agenda Items

- Update on process for Alternate Approval Pathway
- Model practice act update from FSBPT LIF meeting

12) Adjournment

Dr. King moved, seconded by Mr. Barton, 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	X	
Nay							
Recused							
Abstained							
Absent				X			

Meeting adjourned at 2:22 P.M.

Prepared by,

Monica Crowley
Licensing Administrator

Approved by,

Giovanni Leone, PTA
Secretary