



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
September 29, 2023**

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

BOARD MEMBERS ABSENT: 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
Mindy Richardson PT, Investigator

BOARD SAFF ABSENT: Monica Crowley, Licensing Administrator

1) **CALL TO ORDER – 7:30 A.M.:** Dr. King called the meeting to order at 7:42 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 22, 2023, Regular Session

Dr. King moved, seconded by Dr. Bustillo to **Approve** the August 22, 2023 Regular Meeting Minutes. The motion passed unanimously.

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

Absent					X		
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B) August 22, 2023 Special Session

Dr. Bustillo moved, seconded by Mr. Greer to **Approve** the August 29, 2023, Special Session Meeting Minutes. The motion passed unanimously.

Vote	Dr. King	Dr. Bustillo	Mr. Leone	Mr. Greer	Mr. Barton	VACANT	VACANT
Aye	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) Patrick Klass
- 2) David Gray
- 3) Sean Ogata
- 4) Mark Winchell

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.

- 1) 22-08 Charles Sobotka, PT
- 2) 23-24 Lisa Schultz, PTA

Mr. Greer 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	VACANT	VACANT
Aye	X	X	X	X			
Nay							
Recused							
Abstained							
Absent					X		

End of Consent Agenda

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

A) 22-42 Heather Goff, PTA

Initial review, consideration, and possible action regarding complaint

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

Following review and discussion, Dr. Bustillo moved, seconded by Mr. Leone to forward case #22-42 to an **Informal Hearing**. The motion passed unanimously.

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

B) 22-43 Ryanne Agustin, PTA

Initial review, consideration, and possible action regarding complaint

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

Ms. Agustin was present and addressed the Board.

Following review and discussion, Dr. Bustillo moved, seconded by Mr. Leone to adopt the allegations, and potential violations, as set forth in the investigative report, as **Findings of Fact and Conclusions of Law**. The motion failed.

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

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

- Three hours of **Continuing education** in the areas of Record Keeping
- Three hours of **Continuing education** in the areas of Supervision specific to Arizona or the Model Practice Act

Continuing education shall 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	VACANT	VACANT
Aye	X	X	X	X			
Nay							
Recused							
Abstained							
Absent					X		

C) 22-44 Manuella Khoshaba, PTA

Initial review, consideration, and possible action regarding complaint

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

Following review and discussion, Dr. King moved, seconded by Mr. Leone to forward case# 22-44 to an **Informal Hearing**. The motion passed unanimously.

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

D) 23-30 Jiten Dungarani, PT

Initial review, consideration, and possible action regarding complaint

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

Dr. Dungarani, PT and his counsel Ms. Leah Schachar, Esq. were present and addressed the Board.

Complainant CA was present and addressed the Board.

Following review and discussion, Mr. Greer moved, seconded by Mr. Leone to forward case #23-30 to an **Informal Hearing** and request additional investigation to include obtaining CA’s follow-up care medical records as well as a minimum of 3 additional treatment records from Dr. Dungarani. The motion passed unanimously.

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

7) Informal Hearings

A) 23-45 Armando Rivas, PTA (9:00 a.m.)

Mr. Rivas informed staff on 9/28/2023 that he would be unable to attend his Informal Hearing.

Following review and discussion, Dr. King moved, seconded by Dr. Bustillo to **Continue** the Informal Hearing to the Board’s next regularly scheduled meeting and in the event that Mr. Rivas is unable to

attend, the matter will be remanded to a Formal Hearing. The motion passed unanimously.

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

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

E) 23-43 Hetal Gajjar, PT

Initial review, consideration, and possible action regarding complaint

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

Ms. Gajjar was present and addressed the Board.

Following review and discussion, Dr. King moved, seconded by Dr. Bustillo to adopt the allegations, and potential violations, as set forth in the investigative report, as **Findings of Fact and Conclusions of Law** including A.R.S. §§ 32-2044(13) and 32-2014 (14). The motion passed.

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

Dr. King moved, seconded by Dr. Bustillo to offer a Consent Agreement to include:

Six months’ **Probation** with the possibility of early termination after successful completion of the following terms:

- Successfully pass the AZLAW jurisprudence exam
- Three hours of **Continuing education** in the areas of Documentation

- Three hours of **Continuing education** in the areas of Billing and Coding

The continuing education courses must be pre-approved, may be completed online, and do not count toward renewal requirements. If the consent agreement is not signed, Ms. Gajjar will be invited to an **Informal Hearing**. The motion passed.

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

The Board Recessed from 9:33 A.M. to 9:43 A.M.

Roll call taken after returning back from Recess at 9:43 A.M. by Ms. Chepeus.

F) 23-44 Patricia Parks, PT

Initial review, consideration, and possible action regarding complaint

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	VACANT	VACANT
Aye	X	X	X	X			
Nay							
Recused							
Abstained							
Absent					X		

Executive Session -A from 9:46 A.M. to 9:57 A.M.

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

Ms. Parks was not present. The Board expressed concern regarding the allegations and Ms. Parks ability to safely and effectively practice physical therapy.

Following review and discussion, Mr. Greer moved, seconded by Dr. King seconded to offer an **Interim Consent Agreement** to not practice under her license and to undergo a substance abuse evaluation from an approved provider in 45 days and return to the Board in 60 days.

If the Interim Consent Agreement is not signed within 7 days, the Board will issue an **Order for a substance abuse evaluation** to be completed within 60 days of the Order. The motion passed unanimously.

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

G) 23-73 Jennifer Luther, PT

Initial review, consideration, and possible action regarding complaint

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

Ms. Luther was not present. The Board expressed concern regarding the allegations and Ms. Luther’s ability to safely and competently practice physical therapy.

Following review and discussion, Dr. King moved, seconded by Dr. Bustillo to offer an **Interim Consent Agreement** to not practice under her license and to undergo a fitness for duty evaluation from an approved provider in 45 days and return to the Board in 60 days.

If the Interim Consent Agreement is not signed within 7 days, the Board will issue an **Order for a fitness for duty** evaluation to be completed within 60 days of the Order. The motion passed unanimously.

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

H) 23-75 Paul Morada, PTA

Initial review, consideration, and possible action regarding complaint

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

Dr. King stated she knew Mr. Morada but that it would not prevent her from being impartial and participating in this matter.

Following review and discussion, Mr. Greer moved, seconded by Dr. King to issue an **Advisory Letter** advising him of his duty to report in accordance with A.R.S. § 32-3208. The motion passed unanimously.

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

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

Review, consideration, and possible action regarding monitoring report, compliance with Consent Agreement including the possibility of lifting the Stay of Revocation

The Board lost quorum in this matter. It will be rescheduled for the October Board meeting

J) 22-57 David Curtis, PT

Review, consideration, and possible action regarding probation termination request and compliance with Board Order

Ms. Chepeus provided a summary of Mr. Curtis’ request for termination of probation and compliance with his Board Order.

Mr. Curtis was present.

Following review and discussion, Mr. Greer moved, seconded by Dr. King to **Terminate** Board Order #22-57. The motion passed unanimously.

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

4) Applications for Licensure and Certification:

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

- 1) Jeanna Beard

The Board reviewed and discussed the above request.

Ms. Beard was present and addressed the Board.

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	VACANT	VACANT
Aye	X	X	X	X			
Nay							
Recused							
Abstained							
Absent					X		

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

- 1) Aileigh Wilken

The Board reviewed and discussed the above request.

Ms. Wilken was present and addressed the Board.

Following review and discussion, Dr. King 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	VACANT	VACANT
Aye	X	X	X	X			
Nay							
Recused							
Abstained							
Absent					X		

2) Hailey Persons

The Board reviewed and discussed the above request. Clarification for the record that Ms. Persons is a PT applicant.

Ms. Persons was present and addressed the Board.

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

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

3) Natalie Thomas

The Board reviewed and discussed the above request.

Ms. Thomas was present and addressed the Board.

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

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

C) Review, consideration, and possible action on Physical Therapist applicants who graduated from foreign educational programs.

3) Review, consideration, and possible action regarding approving the Supervised Clinical Practice Period (SCPP) facility and supervising therapists proposed by Foreign Educated Physical Therapist applicant.

a. Nieves Zaragoza Barrera

Dr. King moved, seconded by Dr. Bustillo to **Approve** the proposed Supervised Clinical Practice Period (SCPP) facility and supervising therapists. The motion passed unanimously.

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

Let the record reflect Ms. Cardoza left the Board meeting at 10:37 A.M.

10) Board business and reports:

A) Executive Director’s Report

1) **Update regarding Sunset response factors submission**
 Review and discussion regarding the Sunset response factors submission

Ms. Chepeus provided an update regarding the Board’s Sunset Review Factors submission.

- 2) **Update regarding Fiscal Year 2025 Budget Submission and Strategic Plan**
Review and discussion regarding the FY25 Budget submission and Strategic Plan

Ms. Chepeus provided an update regarding the Board's FY 2025 Budget Submission and Strategic Plan.

- 3) **Update regarding Business Entity Renewals**
Review and discussion regarding the Business Entity Renewal Season

Ms. Chepeus provided an update regarding the Business Entity Renewal Season

- 4) **Update regarding Thentia Cloud**
Review and discussion regarding the software migration to Thentia Cloud

Ms. Chepeus provided an update regarding the Board's planned software migration to Thentia Cloud.

- 5) **July and August 2023 financials**
Review and possible discussion

Board members reviewed the financial information for the months of July and August 2023.

- 6) **Licenses, Certificates, and Registrations**
Review and discussion on approvals granted in August 2023

- a) **144 Licenses/Certificates Newly Issued**

- i. 33 Physical Therapists Endorsement
- ii. 86 Physical Therapists Examination
- iii. 2 Physical Therapist Universal Recognition
- iv. 0 Physical Therapist Foreign Educated
- v. 0 Physical Therapist Military Spouse
- vi. 2 Physical Therapist Assistants Endorsement
- vii. 21 Physical Therapist Assistants Examination
- viii. 0 Physical Therapist Assistant Universal Recognition
- ix. 0 Physical Therapist Assistant Military Spouse

- b) **10 Licenses/Certificates Reinstated**

- i. 6 Physical Therapists
- ii. 4 Physical Therapist Assistants

- c) **8 Business Entity Registrations**

- i. 8 Newly Issued
- ii. 0 Reinstated

d) 3 Interstate Telehealth Registrations

- i. 3 Newly Issued PT
- ii. 0 Newly Issued PTA

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

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	Mr. Greer	Mr. Barton	VACANT	VACANT
Aye	X	X	X	X	X		
Nay							
Recused							
Abstained							
Absent							

Meeting adjourned at 10:51 A.M.

Prepared by,

Monica Crowley
Licensing Administrator

Approved by,

Giovanni Leone, PTA
Secretary