

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 December 12, 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

Monica Crowley, Administrative Services Officer

Mindy Richardson PT, Investigator

Liz Sinish PT, Investigator

BOARD STAFF 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) September 29, 2023 Regular Session

Dr. King moved, seconded by Dr. Bustillo, to **Approve** the September 29, 2023 Regular 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 | |

B) September 29, 2023 Executive Session -A

Dr. King moved, seconded by Dr. Bustillo, to **Approve** the September 29, 2023 Executive Session -A 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 | | |

4) Applications for Licensure and Certification:

- A) Review, consideration, and possible action on Physical Therapist applicants who graduated from foreign educational programs.
 - 1) Review, consideration, and possible action regarding educational equivalence, option to license or require a supervised clinical practice period and/or eligibility for NPTE/ AZLAW exams for applicants who graduated from a Non-U.S. Accredited foreign educational program.

a. Melissa Warren

Following review and discussion, Mr. Leone moved, seconded by Dr. King, to **APPROVE** Melissa Warren's education as substantially equivalent and allow her to sit for the NPTE and AZLAW, and require a Supervised Clinical Practice Period of 500 hours.

| 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:

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) Jimmy Vu

Mr. Leone moved, seconded by Dr. Bustillo, to **Approve** consent agenda item 5B. 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

11)Old Business: review, consideration, and action.

C) 23-51 Lucy Yu, PT

Review, discussion, and possible action regarding signed Consent Agreement

Ms. Chepeus provided an update to the Board regarding the receipt of a signed Consent Agreement from Ms. Yu.

Neither Ms. Yu nor her counsel Sara Stark, Esq were present.

Following review and discussion, Mr. Greer moved, seconded by Dr. King, to **Accept** the signed Consent Agreement. 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.

K) 23-88 David Castillo, PT

Review, discussion, and possible action regarding complaint

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

Mr. Castillo was present but did not address the Board.

Following review and discussion, Dr. King moved, seconded by Dr. Bustillo, to **Accept** the signed interim Consent Agreement. 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 | | |

11)Old Business: review, consideration, and action.

B) 23-73 Jennifer Luther, PT

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

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

Ms. Luther was not present.

Following review and discussion, Mr. Greer moved, seconded by Dr. King, to move case# 23-73 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.

G) 23-48 Paul Goodman, PTA

Initial review, discussion, and possible action regarding complaint

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

Mr. Goodman and his counsel Jay Rademacher, Esq were present and addressed the Board.

Following review and discussion, Mr. Greer moved, seconded by Mr. Leone, to **Dismiss** case# 23-48. 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) 22-42 Heather Goff, PTA (9:00 a.m.)

Ms. Chepeus called roll of Board members and staff. Dr. King provided a review of the proceedings and possible outcomes.

The Board introduced themselves. Ms. Goff was not present at the appointed time.

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**, A.R.S. §32-2044(5). 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 | | |

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

Nine months' **Probation** with the possibility of early termination after successful completion of the following terms:

- Nine hours of **Continuing education** in the area of Pediatric Physical Therapy
- Three hours of **Continuing education** in the area of Documentation
- Three hours of Continuing education in the area of Supervision
- Take and pass AZLAW jurisprudence examination

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 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 | | |

Ms. Goff arrived at the meeting at 9:15 AM and Dr. King provided a review of the proceedings and

Board Meeting 12/12/23 possible outcomes.

Ms. Richardson and Ms. Goff were sworn-in as witnesses.

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

Ms. Goff was present, addressed the Board, and answered questions from Board members.

Following review and discussion, Mr. Greer moved, seconded by Dr. Bustillo, to rescind the Board's previous motion and issue a Board order reflecting the same terms and conditions.

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 | | |

Mr. Barton joined the Board at 9:30 A.M.

B) 22-44 Manuella Khoshaba, PTA (9:30 a.m.)

Ms. Chepeus called roll of Board members and staff. Dr. King provided a review of the proceedings and possible outcomes.

Ms. Richardson and Ms. Khoshaba were sworn-in as witnesses.

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

Ms. Khoshaba was present, addressed the Board, and answered questions from Board members.

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

- Three hours of **Continuing education** in the area of Documentation
- Three hours of **Continuing education** in the area of Supervision

Continuing education shall be completed in three months, courses must be pre-approved, may be completed online, and do not count toward renewal requirements. The Board also recommended that Ms. Khoshaba take and pass the AZLAW jurisprudence exam. 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 | | | | | | | |

12) Board business and reports:

A) Executive Director's Report

2) **2024 Prospective Board Meeting Dates**

Review, discussion, and possible action regarding the Board's potential 2024 meeting dates (*date adjustment for holiday)

- a) January 23, 2024
- b) February 27, 2024
- c) March 26, 2024
- d) April 23, 2024
- e) May 21, 2024*
- f) June 25, 2024
- g) July 23, 2024
- h) August 27, 2024
- i) September 24, 2024
- j) October 22, 2024
- k) November 19, 2024*
- 1) December 17, 2024*

Following review and discussion, Mr. Greer moved, seconded by Dr. King to **APPROVE** the 2024 Board Meeting Dates as amended:

- a) January 23, 2024
- b) February 27, 2024
- c) March 26, 2024

- d) April 23, 2024
- e) May 21, 2024
- f) June 25, 2024
- g) July 23, 2024
- h) August 27, 2024
- i) September 24, 2024
- j) October 29, 2024
- k) December 17, 2024

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 | | | | | | | |

7) Informal Hearings

C) 22-31 Gaurav Khanal, PT (10:00 a.m.)

Ms. Chepeus called roll of Board members and staff. Dr. King provided a review of the proceedings and possible outcomes.

Ms. Richardson, Mr. Khanal, and Ms. Rose DeBow, complainant, were sworn-in as witnesses.

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

Gaurav Khanal, PT and his counsel, Mr. Flynn Carey, Esq. were present and addressed the Board.

Ms. Rose DeBow, complainant, was present and addressed the Board.

Both Mr. Khanal and Ms. DeBow answered questions from 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(4), A.R.S. §32-2044(13), A.R.S. §32-2044(14), ARS 32-2044(6), A.R.S. §32-2044(12), ARS §32-2044(20) and ARS §32-2044(22). 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 | | | | | | | |

Dr. King moved, seconded by Mr. Greer, to Offer a Consent Agreement for the **Voluntary Surrender** of his license. If the Consent Agreement is not signed, the matter will be remanded to a Formal Hearing and include all of the potential violations as set forth in the investigative and supplemental report. 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 | | | | | | | |

Following review and discussion, Dr. King moved, seconded by Dr. Bustillo, to refer case# 22-31 to the Office of Inspector General regarding Medicare fraud. 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 | | | | | | | |

The Board Recessed from 11:12 A.M. to 11:22 A.M.

Roll call taken after returning back from Recess at 11:22 A.M. by Ms. Chepeus.

D) 22-45 Robert Palmer, PTA (11:00 a.m.)

Ms. Chepeus called roll of Board members and staff. Dr. King provided a review of the proceedings and possible outcomes.

Ms. Richardson and Mr. Palmer were sworn-in as witnesses.

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

Mr. Robert Palmer, PTA 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**, A.R.S. § 32-2044(5). 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 | | | | | | | |

Dr. Bustillo moved, seconded by Mr. Barton, to issue a Board Order to include:

Four months' **Probation** with the possibility of early termination after successful completion of the following terms:

- Three hours of **Continuing education** in the area of Documentation
- Three hours of Continuing education in the area of Supervision
- Take and pass AZLAW jurisprudence examination

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 | VACANT | VACANT |
|------|----------|--------------|-----------|-----------|------------|--------|--------|
| Aye | X | X | X | X | X | | |

| Nay | | | | |
|-----------|--|--|--|--|
| Recused | | | | |
| Abstained | | | | |
| Absent | | | | |

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

A) 22-34 Robert Maggio, PT

Continued initial review, discussion, and possible action regarding complaint

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

Mr. Maggio, PT and his counsel Ms. Kimberly Kent, Esq were present and addressed the Board.

Following review and discussion, Mr. Greer moved, seconded by Dr. Bustillo, to issue an **Advisory Letter** to Mr. Maggio. The letter should advise Mr. Maggio to continue to implement and adhere to the practice modifications he has made and remind him that it is his responsibility to ensure that he is always practicing in accordance with the laws and rules governing the practice of physical therapy in Arizona. 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 | | | | | | | |

B) 22-35 Kathryn Kessler, PT

Continued initial review, discussion, and possible action regarding complaint

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

Ms. Kessler, PT and her counsel Ms. Kimberly Kent, Esq were present and addressed the Board.

Dr. King moved, seconded by Mr. Leone, to issue an **Advisory Letter** to Ms. Kessler. The letter should advise Ms. Kessler to continue to implement and adhere to the practice modifications she has made and remind her that it is her responsibility to ensure that she is always practicing in accordance with the laws and rules governing the practice of physical therapy in Arizona. 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 | | | | | | | |

C) 22-39 Ritu Dungarani, PT

Initial review, discussion, and possible action regarding complaint

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

Ms. Dungarani, PT was present and addressed the Board.

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

- Two hours of **Continuing education** in the area of Documentation
- Three hours of **Continuing education** in the area of Supervision

To be completed within four months; 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 | VACANT | VACANT |
|-----------|----------|--------------|-----------|-----------|------------|--------|--------|
| | | | | | | | |
| Aye | X | X | X | X | | | |
| Nay | | | | | | | |
| Recused | | | | | | | |
| Abstained | | | | | | | |
| Absent | | | | | X | | |

Let the record reflect Mr. Barton experienced technical difficulties during the motion process and did not vote in this matter.

D) 22-46 Jamie Grom, PTA

Initial review, discussion, and possible action regarding complaint

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

Ms. Grom left the meeting at 10:45 a.m.

Following review and discussion, Mr. Greer moved, seconded by Mr. Barton, to invite Ms. Grom to an informal hearing for case# 22-46. 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 | | | | | | | |

E) 23-41 Paige Johnson, PT

Initial review, discussion, and possible action regarding complaint

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

Ms. Johnson was present and addressed the Board.

Following review and discussion, Dr. Bustillo moved, seconded by Mr. Greer, to dismiss case # 23-41. 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 | | | | | | | |

F) 23-42 Megan Bardach, PT

Initial review, discussion, and possible action regarding complaint

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

Ms. Bardach, PT and her counsel Ms. Leah Schachar, Esq were present and addressed the Board.

Following review and discussion, Mr. Greer moved, seconded by Dr. Bustillo, to dismiss case# 23-42. 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 | | | | | | | |

H) 23-49 Kristin Stewart, PT

Initial review, discussion, and possible action regarding complaint

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

Ms. Stewart and her counsel Mr. Jay Rademacher, Esq were present and addressed the Board.

Following review and discussion, Dr. Bustillo moved, seconded by Dr. King to issue an **Advisory Letter** to Ms. Stewart. The letter should advise Ms. Stewart that it is her responsibility to ensure that she is always practicing in accordance with the laws and rules, particularly those regarding documentation and that it is her responsibility to timely report any changes to her contact information. 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 | | | | | | | |

3) Minutes: Review, consideration, and action:

C) October 31, 2023 Regular Session

Dr. King moved, seconded by Dr. Bustillo, to **Approve** the October 31, 2023 Regular 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 | | | X | | | | |
| Absent | | | | | | | |

D) October 31, 2023 Executive Session A

Mr. Barton moved, seconded by Dr. King, to **Approve** the October 31, 2023 Executive Session A 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 | | | X | | | | |
| Absent | | | | | | | |

E) December 1, 2023 Special Session

Dr. King moved, seconded by Mr. Leone, to **Approve** the December 1, 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 | | X | | | | | |
| Absent | | | | | | | |

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

I) 23-69 Theresa O'Malley, PTA Initial review, discussion, and possible action regarding complaint

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

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**. 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 | | | | | | | |

Dr. King moved, seconded by Mr. Leone, to offer a **Consent Agreement** to include: Nine months' **Probation** with the possibility of early termination after successful completion of the following terms:

- Six hours of **Continuing education** in the area of Documentation
- Three hours of **Continuing education** in the area of Billing
- Three hours of **Continuing education** in the area of Supervision focusing specifically on the PT and PTA relationship

To be completed within 9 months; courses must be pre-approved, may be completed online, and do not count toward renewal requirements.

If the Consent Agreement is not signed Ms. O'Malley will be invited 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 | | |

Let the record reflect Mr. Barton experienced technical difficulties during the motion process and did not vote in this matter.

J) 23-82 Karyn Angulo, PT

Initial review, discussion, and possible action regarding complaint

Dr. Bustillo stated that she knew Ms. Angulo but that it would not prevent her from being impartial and participating in this matter.

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

Dr. King moved, seconded by Mr. Leone, to adopt the proposed Consent Agreement for case # 23-82. If Ms. Angulo does not accept the Consent Agreement the matter will be remanded to Formal Hearing. 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 | | | | | | | |

11)Old Business: review, consideration, and action.

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

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

Ms. Chepeus provided a summary of Mr. Kempton's compliance to date.

Mr. Kempton was present and addressed the Board.

Following review and discussion, Dr. King moved, seconded by Dr. Bustillo, to continue this matter to the February 2024 Regular Board meeting. At the meeting the Board will continue its review of Mr. Kempton's compliance with the Consent Agreement. The motion passed unanimously.

| Vote | Dr. King | Dr. Bustillo | Mr. Leone | Mr. Greer | Mr. Barton | VACANT | VACANT |
|------|----------|--------------|-----------|-----------|------------|--------|--------|
| | | | | | | | |

| Aye | X | X | | X | X | |
|-----------|---|---|---|---|---|--|
| Nay | | | | | | |
| Recused | | | X | | | |
| Abstained | | | | | | |
| Absent | | | | | | |

Let the record reflect Dr. King let the Board meeting at 1:34 P.M.

12) Board business and reports:

A) Executive Director's Report

1) Update regarding Thentia Cloud

Review and discussion regarding the software migration to Thentia Cloud

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

3) October 2023 financials

Review and possible discussion

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

4) Licenses, Certificates, and Registrations

Review and discussion on approvals granted in October 2023

a) 53 Licenses/Certificates Newly Issued

- i. 29 Physical Therapists Endorsement
- ii. 1 Physical Therapists Examination
- iii. 5 Physical Therapist Universal Recognition
- iv. 0 Physical Therapist Foreign Educated
- v. 0 Physical Therapist Military Spouse
- vi. 5 Physical Therapist Assistants Endorsement
- vii. 12 Physical Therapist Assistants Examination
- viii. 1 Physical Therapist Assistant Universal Recognition
 - ix. 0 Physical Therapist Assistant Military Spouse

b) 3 Licenses/Certificates Reinstated

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

c) 7 Business Entity Registrations

- i. 6 Newly Issued
- ii. 1 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 2023.

13) Future Agenda Items

• Discussion regarding providing a link to the APTA Documentation Self-Assessment tool on the Board's website as a resource

14) Adjournment

Mr. Barton 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 1:41 P.M.

Prepared by,

Monica Crowley Administrator Services Officer

Approved by,

Giovanni Leone, PTA Secretary