



Karen Bustillo, PT, DPT, CLT  
President

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

**REGULAR SESSION MEETING MINUTES via  
Google Meet Video Conferencing  
Virtual Attendance  
March 26, 2024**

- BOARD MEMBERS PRESENT:** Karen Bustillo, PT, DPT, CLT, President  
Kelly King, PT, DPT, Vice President  
Giovanni Leone, PTA; Secretary  
Joshua Barton, Public Member
- BOARD MEMBERS ABSENT:** Joshua Greer, Public Member  
(Arrived at 8:45 a.m.)
- ASSISTANT ATTORNEY  
GENERAL PRESENT:** Marc Harris, Assistant Attorney General
- BOARD STAFF PRESENT:** Judy Chepeus, Executive Director  
Monica Crowley, Administrative Services Officer  
Phoenix Bryant, Licensing Specialist  
Mindy Richardson PT, Investigator  
Liz Sinish PT, Investigator
- BOARD STAFF ABSENT:**

- 1) **CALL TO ORDER – 8:30 A.M.:** Dr. Bustillo called the meeting to order at 8:32 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) February 27, 2024 Regular Session

Dr. King moved, seconded by Mr. Leone, to **Approve** the February 27, 2024 Regular Session Meeting Minutes. The motion passed unanimously.

Vote	Dr. Bustillo	Dr. King	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) Morgan Kouris

Ms. Chepeus provided a summary of the above application to the Board.

Mrs. Kouris was present and address the Board.

Following review and discussion, Dr. Bustillo moved, seconded by Mr. Barton, to **grant** Mrs. Kouris request for ADA accommodations for time and one-half. The motion passed unanimously.

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

**Let the record reflect Mr. Greer joined the Board meeting at 8:45 a.m.**

C) 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

Ms. Chepeus provided a summary of the above application to the Board.

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

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

**5) Consent Agenda:**

**C) Cases recommended for termination of Board Order.**

- 1) 22-21 Jonelle Wartenberg, PTA

Following review and discussion, Dr. King moved, seconded by Dr. Bustillo, to **APPROVE** Consent Agenda item 5C. The motion passed unanimously.

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

**End of Consent Agenda**

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

- C) 23-89 Michael Webster, PT

Initial review, discussion, and possible action regarding complaint

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

Mr. Webster and his attorney Ms. Cynthia Patane, Esq were present, addressed the Board, and answered the Board’s questions.

Following review and discussion, Mr. Greer moved, seconded by Dr. Bustillo, to adopt the Findings of Fact as set forth in the investigative report in reference to violations of A.R.S. § 32-2044(10) and (12) and offer Mr. Webster a Consent Agreement to include:

- 12 months’ Probation with the possibility of early termination upon successful completion of the education requirements set forth below.
- Completion of an Intensive Professional Boundaries course similar to the PB-24 Extended course offered by PBI Education or Probe Plus course offered by Center for Personalized Education for Professionals (CPEP).

Coursework, including pre and post assignments shall be completed within twelve months. Courses must be pre-approved, may be completed online, and do not count toward renewal requirements. The motion passed unanimously.

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

**A) 23-83 Matthew Neiberg, PT**

Initial review, discussion, and possible action regarding complaint

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

Mr. Neiberg and his attorney Ms. Bivens, Esq were present and addressed the Board.

Patient 2 was present and addressed the Board.

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

**Executive Session from 10:03 A.M. to 10:13 A.M.**

Roll was called after returning from Executive Session at 10:13 A.M. by Ms. Chepeus.

Following review and discussion, Dr. King moved, seconded by Mr. Greer, to offer an **Interim Consent Agreement** that includes the following **Practice Restrictions**:

- Mr. Neiberg shall not practice in any home health or residential settings
- Mr. Neiberg shall have a Board approved chaperone present while examining, supervising, or treating all female patients in all settings.

The Board then directed staff to draft a Consent Agreement that adopts all of the measures in the Interim Consent Agreement and to add therapy with a Board approved therapist to be in place until such time that Mr. Neiberg can demonstrate that he is safe to practice. The motion passed unanimously.

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

**B) 23-84 Noah Abrahams, PT**

Initial review, discussion, and possible action regarding complaint

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

Mr. Abrahams was not present but was represented by his attorney Mr. Cody Hall, Esq. who addressed the Board.

Patient AH was present and addressed the Board.

Mr. Greer moved, seconded by Dr. Bustillo, to move case # 23-84 to an **Informal Hearing** and directed staff to review 3 additional charts of patients treated at the same time as complainant as well as at least one chart including more recent treatments. The motion passed unanimously.

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

**The Board Recessed from 10:55 A.M. to 11:07 A.M.**

Roll call taken after returning from Recess at 11:07 A.M. by Ms. Chepeus.

**D) 23-91 Angela Hall, PT**

Initial review, discussion, and possible action regarding complaint

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

Ms. Hall and her attorney Ms. Anne McClellan, Esq were present and addressed the Board.

Following review and discussion, Mr. Greer moved, seconded by Dr. Bustillo, to **issue an Advisory Letter** reminding her of her duty to report charges within ten days in accordance with A.R.S.§ 32-3208. The motion passed unanimously.

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

**E) CK**

Review, discussion, and possible action regarding opening a complaint

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

CK was present and addressed the Board.

Following review and discussion, Dr. King moved, seconded by Dr. Bustillo, to **Take No Action**. The motion passed unanimously.

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

**F) AS**

Review, discussion, and possible action regarding opening a complaint

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

AS was present and addressed the Board.

Following review and discussion, Mr. Leone moved, seconded by Dr. King, to **Open a Complaint and issue an Advisory Letter** reminding Alexander Simeon of his duty to report charges within ten days in accordance with A.R.S.§ 32-3208. The motion passed unanimously.

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

**10)PT Compact matters: review, consideration, and action.**

**A. Emily Haw, PT**

Review, discussion, and possible action regarding compliance with jurisprudence requirements and PT Compact privileges

Following review and discussion, Dr. King moved, seconded by Mr. Leone, to direct staff to send an educational letter to Ms. Haw regarding the requirements of licensure and compact privileges as it relates to the practice in the state of Arizona. The motion passed unanimously.

Vote	Dr. Bustillo	Dr. King	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) 22-43 Ryanne (Theiss) Agustin, PTA**

Review, discussion, and possible action regarding the terms of her Non-Disciplinary Order.

Ms. Chepeus provided a summary of the above case to the Board.

Following review and discussion, Mr. Barton moved, seconded by Dr. Bustillo, to accept Ms. Agustin’s efforts in satisfaction of the terms of her Non-Disciplinary Order. The motion passed unanimously.

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

**B) 23-73 Jennifer Luther PT**

Review, discussion, and possible action regarding possible acceptance of Ms. Luther’s signed Consent Agreement for Voluntary Surrender of License.



Ms. Chepeus provided a summary of the above case to the Board.

Following review and discussion, Mr. Barton moved, seconded by Mr. Leone, to accept the signed consent agreement for the voluntary surrender of Ms. Luther’s license. The motion passed unanimously.

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

**C) 23-69 Theresa O’Malley PTA**

Review, discussion, and possible action regarding possible acceptance of Ms. O’Malley’s signed Consent Agreement for Voluntary Surrender of Certificate.

Ms. Chepeus provided a summary of the above case to the Board.

Following review and discussion, Mr. Leone moved, seconded by Dr. King, to accept the signed consent agreement for the voluntary surrender of Ms. O’Malley’s. The motion passed unanimously.

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

**D) 21-31 & 22-28 Steven Kempton, PT**

Review, discussion, and possible action regarding Mr. Kempton’s compliance with his Consent Agreement and possible modification of its terms and conditions.

**Mr. Leone recused himself from this matter.**

Ms. Chepeus provided a summary of the above case to the Board.

Mr. Kempton was present and addressed the Board.

Following review and discussion, Mr. Greer moved, seconded by Dr. Bustillo, to modify chaperone provisions of the consent agreement by approving Mr. Kempton’s proposed chaperone pending her successful completion of the PBI Chaperone training program. All other terms of the Consent Agreement remain unchanged and in full force and effect. The motion passed unanimously.

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

**Mr. Leone rejoined the Board meeting at 12:32 P.M.**

**12) Board business and reports:**

**A) Updates regarding SB1267 (and proposed amendment and edits) and SB1255**

Review, discussion, and possible action regarding SB1267 and SB1255 and current statuses.

Ms. Chepeus provided a summary and updates regarding SB1267 and SB1255.

Kayla Black, PT, DPT, State Government Affairs Chair for the Arizona Physical Therapy Association was present to provide additional information and answer the Board’s questions regarding APTA AZ sponsored SB1267. The Arizona Physical Therapy Association sponsored SB1267.

**B) Telehealth**

Review, discussion, and possible action regarding issues related to telehealth including but not limited to adopting a substantive policy statement related to the practice of physical therapy and the supervision of assistive personnel.

Ms. Richardson reviewed with the Board staff’s drafted substantive policy statement related to the the general supervision requirements of physical therapist assistants via Telehealth.

Following review and discussion, Dr. Bustillo moved, seconded by Mr. Leone, to adopt the substantive policy as drafted. The motion passed unanimously.

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

**C) Executive Director’s Report**

- 1) **Rescheduling the September 24, 2024 Regular Session Board Meeting**  
Review, discussion and possible action regarding the possible rescheduling of the Board’s September 24, 2024 Regular Session Board Meeting.

Ms. Chepeus requested the Board reschedule the September 24, 2024 Board meeting due to a scheduling conflict.

Following review and discussion, Dr. Bustillo moved, seconded by Dr. King, to Reschedule the September 24, 2024 meeting to October 1, 2024. The motion passed unanimously.

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

- 2) **February 2024 financials**  
Review and possible discussion

Board members reviewed the financial information for the month of February 2024.

- 3) **Licenses, Certificates, and Registrations**  
Review and discussion on approvals granted in February 2024

- a) **46 Licenses/Certificates Newly Issued**
  - i. 19 Physical Therapists Endorsement
  - ii. 17 Physical Therapists Examination

- iii. 0 Physical Therapist Universal Recognition
- iv. 0 Physical Therapist Foreign Educated
- v. 0 Physical Therapist Military Spouse
- vi. 1 Physical Therapist Assistants Endorsement
- vii. 9 Physical Therapist Assistants Examination
- viii. 0 Physical Therapist Assistant Universal Recognition
- ix. 0 Physical Therapist Assistant Military Spouse

**b) 2 Licenses/Certificates Reinstated and Reactivated**

- 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 February 2024.

**13) Future Agenda Items**

- Potential modification to consent agreement for 21-31 & 22-28, Steven Kempton, PT
- Requesting the Federation of State Boards of Physical Therapy (“FSBPT”) provide a presentation to the Board regarding a potential Jurisprudence Assessment Module

**14) Adjournment**

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

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

Board Meeting 3/26/24

Absent							
--------	--	--	--	--	--	--	--

**Meeting adjourned at 12:59 P.M.**

Prepared by,

Monica Crowley  
Administrator Services Officer

Approved by,

Giovanni Leone, PTA  
Secretary