



Karen Bustillo, PT, DPT, CLT
President

ARIZONA STATE BOARD OF PHYSICAL THERAPY
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**REGULAR SESSION MEETING MINUTES via
Google Meet Video Conferencing
Virtual Attendance
April 23, 2024**

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

BOARD MEMBERS ABSENT:

**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

BOARD STAFF ABSENT:

Liz Sinish PT, Investigator
(Arrived at 10:10 a.m.)

1) **CALL TO ORDER – 8:30 A.M.:** Dr. Bustillo 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.

12) Board business and reports:

C) Executive Director’s Report

2) Welcome newly appointed Board member

Introduction and discussion regarding the re-appointment of Dr. John Heick, PT, DPT, PhD.

Dr. Bustillo welcomed Dr. John Heick, PT, DPT, PhD back to the Board.

3) Minutes: Review, consideration, and action:

A) March 26, 2024 Regular Session

Mr. Barton moved, seconded by Mr. Leone, to **Approve** the March 26, 2024 Regular Session Meeting Minutes. The motion passed unanimously.

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

B) March 26, 2024 Executive Session A

Mr. Leone moved, seconded by Dr. King, to **Approve** the March 26, 2024 Executive Session -A Meeting Minutes. The motion passed unanimously.

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

4) Applications for Licensure and Certification:

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

1) Nasri Hattar

Ms. Chepeus provided a summary of the above application to the Board.
Mr. Hattar was present and address the Board.

Following review and discussion, Mr. Greer moved, seconded by Mr. Barton, to **deny** Mr. Hattar request for ADA accommodations. The motion passed unanimously.

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

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. Hebah Amireh

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

Following review and discussion, Dr. Bustillo moved, seconded by Dr. King, to **APPROVE** Hebah Amireh’s education as substantially equivalent, allow her to sit for the NPTE and AZLAW, and require a Supervised Clinical Practice Period of 500 hours. The motion passed unanimously.

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

b. Aishourya Pradhan

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

Ms. Pradhan was present and addressed the Board.

Following review and discussion, Dr. Bustillo moved, seconded by Mr. Leone, to **APPROVE** Aishourya Pradhan’s education as substantially equivalent, allow her to sit for the NPTE and AZLAW, and waive the Supervised Clinical Practice Period. The motion passed unanimously.

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

c. Ian Miguel Ayson

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

Following review and discussion, Dr. King moved, seconded by Dr. Bustillo, to **APPROVE** Ian Miguel Ayson’s education as substantially equivalent, allow her to sit for the NPTE and AZLAW, and require a Supervised Clinical Practice Period of 500 hours. The motion passed unanimously.

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

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) David Ngo
- 2) Jacob Robles

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. 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) Joanne Delenela
- 2) Rebecca Morley
- 3) Jesus Castaneda-Gomez

Following review and discussion, Mr. Barton moved, seconded by Mr. Leone, to **APPROVE** Consent Agenda items 5A and 5B. The motion passed unanimously.

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

End of Consent Agenda

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

A) 24-02 Michael Smelser, PTA

Initial review, discussion, and possible action regarding complaint

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

Mr. Smelser was not present and was not represented by counsel.

Following review and discussion, Dr. King moved, seconded by Mr. Leone, to invite Mr. Smelser to an informal hearing to include all potential violations set forth in the investigative report and to request the additional review of two patient records that reflect treatment after January 2024. The motion passed unanimously.

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

B) EM

Initial review, discussion, and possible action regarding complaint

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

EM and his counsel Ms. Sara Stark, Esq. were present and addressed the Board.

Following review and discussion, Mr. Greer moved, seconded by Dr. King to open a complaint against Eric Mirarchi, PT with potential allegations of A.R.S. §32-2044(12) “Failing to adhere to the recognized standards of ethics of the physical therapy profession.” As it relates to Principle 1: and Principle 11. The motion passed unanimously.

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

12)Board business and reports:

B) Updates regarding SB1267 and SB1255

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

Ms. Chepeus provided an update regarding SB1267 and SB1255

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

A. 23-85 Katherine Kittrell, PT

Initial review, discussion, and possible action regarding complaint

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

Ms. Kittrell and her counsel Mr. Cody Hall, Esq were present, addressed the Board, and answered questions.

Following review and discussion, Mr. Greer moved, seconded by Dr. Bustillo to offer a consent agreement consistent with the Board’s unlawful practice disciplinary matrix for the time in which Ms. Kittrell practiced in Arizona as a PT Compact privilege holder after establishing Arizona residence in violation of 32-2044(2) to include 90 days Probation with the possibility of early termination upon successful completion of the following terms:

- Successful passing of the AZLAW jurisprudence examination
- Civil penalty of \$460
- Notification to Employer/Payer/Patients
- Six hours of Continuing education in the area of Ethics

Continuing education 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	Dr. Heick	VACANT
Aye	X	X	X	X	X	X	
Nay							
Recused							
Abstained							
Absent							

12) Board business and reports:

C) Executive Director’s Report

- 1) **Trauma Informed Interviewing as Investigator Position Requirement**
Review, discussion and possible action regarding including Trauma Informed Interviewing within the position requirements for Board investigators.

Ms. Chepeus provided an update regarding Trauma Informed Interviewing as a potential Investigator Position Requirement.

Following review and discussion, Mr. Barton moved, seconded by Mr. Leone to direct staff to add training to the Investigator position description to include coursework such as trauma informed interviewing. The motion passed unanimously.

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

The Board Recessed from 10:03 A.M. to 10:10 A.M.

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

Let the record reflect Ms. Sinish joined the Board meeting at 10:10 A.M.

7) Informal Hearings

A) 23-77 Jillane Floryance, PTA (9:30 a.m.)

Dr. Bustillo provided a review of the proceedings and possible outcomes.

Ms. Sinish and Ms. Floryance were sworn in as witness.

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

Ms. Floryance was present, addressed the Board, and answered the Board’s questions.

The Board deliberated.

Following review and discussion, Mr. Leone moved, seconded by Dr. King to **Dismiss** case# 23-77, Jillane Floryance, PTA. The motion passed unanimously.

Vote	Dr. Bustillo	Dr. King	Mr. Leone	Mr. Greer	Mr. Barton	Dr. Heick	VACANT
Aye	X	X	X	X	X	X	

Nay							
Recused							
Abstained							
Absent							

Mr. Barton moved, seconded by Dr. King to open a complaint against Lee Holland, PT for substandard care and to include in the investigation a minimum of 3 records that involve cases in which the patient was seen by the PT and interventions delegated to a PTA. The motion passed unanimously.

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

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

A) 23-89 Michael Webster, PT

Review, discussion, and possible action regarding previous Board action regarding this matter.

Dr. Bustillo moved, seconded by Dr. King to enter into **Executive Session** to obtain legal advice. The motion passed unanimously.

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

Executive Session from 11:08 A.M. to 11:27 A.M.

Roll was called after returning from Executive Session at 11:27 A.M. by Ms. Chepeus.

Ms. Chepeus provided a summary of the Board’s previous action regarding case 23-89, Michael Webster, PT.

Mr. Webster was not present but was represented by his counsel Ms. Cynthia Patane, Esq who addressed the Board.

Following review and discussion, Mr. Barton moved, seconded by Dr. King to **Table** this matter until the Board’s next meeting. The motion passed unanimously.

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

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

Review, discussion, and possible action regarding Mr. Kempton’s compliance with his Consent Agreement. Action could include lifting the stay of revocation and/or modifying the Consent Agreement.

Mr. Leone recused himself from this matter.

Ms. Chepeus provided a summary.

Mr. Kempton was present and addressed the Board.

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

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

Let the Record reflect Mr. Leone rejoined the Board meeting

12) Board business and reports:

A) Sci-fit

Review and discussion pertaining to information received regarding services provided by the entity.

Ms. Richardson provided a summary to the Board.

Ms. Leora Perkowski, Esq. appeared on behalf of Sci-fit and addressed the Board.

Mr. Jefferson Holm, PT presented his concerns regarding Sci-fit's website descriptions.

The Board encouraged Mr. Holm and Sci-fit representatives to meet and further discuss concerns.

C) Executive Director's Report

- 3) **March 2024 financials**
Review and possible discussion

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

- 4) **Licenses, Certificates, and Registrations**
Review and discussion on approvals granted in March 2024

a) 69 Licenses/Certificates Newly Issued

- i. 30 Physical Therapists Endorsement
- ii. 24 Physical Therapists Examination
- iii. 1 Physical Therapist Universal Recognition
- iv. 0 Physical Therapist Foreign Educated
- v. 1 Physical Therapist Military Spouse
- vi. 4 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) 4 Business Entity Registrations

- i. 4 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 March 2024.

13) Future Agenda Items

- Informed Consent Task Force updates from Dr. King
- Mr. Kempton’s compliance with his Consent Agreement
- Discussion regarding PT Compact privileges to include Frequently Asked Questions and How To instruction.

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							
Absent							

Meeting adjourned at 12:29 P.M.

Prepared by,

Monica Crowley
 Administrator Services Officer

Approved by,

Board Meeting 4/23/24

Giovanni Leone, PTA
Secretary