

1740 W. Adams Street, Suite 2450 Phoenix, AZ 85007 (602) 274 – 0236 <u>ptboard.az.gov</u>

KATIE HOBBS Governor

JUDY CHEPEUS Executive Director

ARIZONA 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 April 22, 2025

BOARD MEMBERS PRESENT:

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

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, MA, Investigator Liz Sinish PT, DPT, Investigator

BOARD STAFF ABSENT:

- 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.
- 3) Minutes: Review, consideration, and action: Consent Agenda:
 - A) March 25, 2025 Regular Session
 - B) March 25, 2025 Executive Session A

Mr. Barton moved, seconded by Mr. Leone, to approve the consent agenda consisting of the regular session and executive session A meeting minutes from the March 25, 2025 Board meeting. The motion passed unanimously.

| Vote | Dr. Bustillo | Mr. Leone | Dr. Heick | Mr. Greer | Mr. Barton | Dr. King | VACANT |
|-----------|--------------|-----------|-----------|-----------|------------|----------|--------|
| Ауе | Х | Х | Х | Х | Х | | |
| Nay | | | | | | | |
| Recused | | | | | | | |
| Abstained | | | | | | Х | |
| Absent | | | | | | | |

End of Consent Agenda

4) Applications for Licensure:

- **B)** Physical Therapist applicants who graduated from a foreign educational program
 - 4) Review, consideration, and possible action regarding the completed Supervised Clinical Practice Period (SCPP) and possible licensure of Foreign Educated Physical Therapist applicant.
 - a) Hebah Amireh

Dr. Bustillo moved, seconded by Dr. King, to accept Hebah Amireh's completed supervised clinical practice period reports and approve her Arizona Physical Therapist application for licensure. The motion passed unanimously.

| Vote | Dr. Bustillo | Mr. Leone | Dr. Heick | Mr. Greer | Mr. Barton | Dr. King | VACANT |
|-----------|--------------|-----------|-----------|-----------|------------|----------|--------|
| Ауе | Х | Х | Х | Х | Х | Х | |
| Nay | | | | | | | |
| Recused | | | | | | | |
| Abstained | | | | | | | |
| Absent | | | | | | | |

b) Phillip Edmundson

Following review and discussion, Dr. Bustillo moved, seconded by Mr. Barton, to accept Phillip Edmundson's completed supervised clinical practice period reports and approve his Arizona Physical Therapist application for licensure. The motion passed unanimously.

| Vote | Dr. Bustillo | Mr. Leone | Dr. Heick | Mr. Greer | Mr. Barton | Dr. King | VACANT |
|-----------|--------------|-----------|-----------|-----------|------------|----------|--------|
| Ауе | Х | Х | Х | Х | Х | Х | |
| Nay | | | | | | | |
| Recused | | | | | | | |
| Abstained | | | | | | | |

| Absent |
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|--------|

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) Thomas Tardif
 - 2) Andrea Malagon

Mr. Leone moved, seconded by Mr. Greer, to approve consent agenda items 5A. The motion passed unanimously.

| Vote | Dr. Bustillo | Mr. Leone | Dr. Heick | Mr. Greer | Mr. Barton | Dr. King | VACANT |
|-----------|--------------|-----------|-----------|-----------|------------|----------|--------|
| Ауе | Х | Х | Х | Х | Х | Х | |
| Nay | | | | | | | |
| Recused | | | | | | | |
| Abstained | | | | | | | |
| Absent | | | | | | | |

End of Consent Agenda

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

A) 24-26 Allan Ralston, PTA

Initial review, discussion, and possible action regarding case

Dr. Sinish provided a summary of the Board's investigation.

Mr. Ralston was present and addressed the Board.

Following review and discussion, Dr. King moved, seconded by Mr. Leone, to dismiss case # 24-26. The motion passed unanimously.

| Vote | Dr. Bustillo | Mr. Leone | Dr. Heick | Mr. Greer | Mr. Barton | Dr. King | VACANT |
|-----------|--------------|-----------|-----------|-----------|------------|----------|--------|
| Ауе | Х | Х | Х | Х | Х | Х | |
| Nay | | | | | | | |
| Recused | | | | | | | |
| Abstained | | | | | | | |
| Absent | | | | | | | |

Let the record reflect Mr. Greer left the Board meeting at 8:55 a.m.

B) 24-28 Niveditha Krishnamurthy, PT Initial review, discussion, and possible action regarding case

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

Ms. Krishnamurthy 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(4) and A.R.S. § 32-2044(20) as it relates to A.A.C. R4-24-304. The motion passed unanimously.

| Vote | Dr. Bustillo | Mr. Leone | Dr. Heick | Mr. Greer | Mr. Barton | Dr. King | VACANT |
|-----------|--------------|-----------|-----------|-----------|------------|----------|--------|
| Ауе | Х | Х | Х | | Х | Х | |
| Nay | | | | | | | |
| Recused | | | | Х | | | |
| Abstained | | | | | | | |
| Absent | | | | | | | |

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

Probation for 12 months with the possibility of early termination after successful completion of the following terms:

Continuing education which shall be completed in 12 months; courses must be pre-approved, may be completed online, and do not count toward renewal requirements. Continuing education shall be completed in the areas of:

- Eight hours of cervical evaluation and treatment
- Eight hours of vestibular evaluation and treatment
- Three hours of documentation specific to initial evaluations

Clinical monitoring to include a minimum of 2 records every 2 months for a period of 6 months to assess initial evaluations and ongoing treatment for patients with cervicogenic and vestibular treatment. The monitor should report to the Board any instances where the documentation does not meet requirements.

If the consent agreement is not signed, Dr. Krishnamurthy will be invited to an Informal Hearing. The motion passed unanimously.

| Vote | Dr. Bustillo | Mr. Leone | Dr. Heick | Mr. Greer | Mr. Barton | Dr. King | VACANT |
|-----------|--------------|-----------|-----------|-----------|------------|----------|--------|
| Ауе | Х | Х | Х | | Х | Х | |
| Nay | | | | | | | |
| Recused | | | | Х | | | |
| Abstained | | | | | | | |

| Absent | | | | |
|--------|--|------|------|--|
| | | | | |

Mr. Greer returned to the meeting at 9:20 a.m. and abstained from voting due to his brief absence.

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

 A) 23-83 Matthew Neiberg, PT Review, discussion, and possible action regarding compliance with Consent Agreement

Ms. Richardson provided a summary for the Board.

Mr. Neiberg and his attorney, Mr. Flynn Carey, Esq. were present and address the Board.

Following review and discussion, Dr. King moved, seconded by Dr. Heick, to enter into executive session to discuss and consider records exempt by law from public inspection pursuant to A.R.S. § 38-431.03(A)(2). The motion passed unanimously.

| Vote | Dr. Bustillo | Mr. Leone | Dr. Heick | Mr. Greer | Mr. Barton | Dr. King | VACANT |
|-----------|--------------|-----------|-----------|-----------|------------|----------|--------|
| Ауе | Х | Х | Х | Х | Х | Х | |
| Nay | | | | | | | |
| Recused | | | | | | | |
| Abstained | | | | | | | |
| Absent | | | | | | | |

Executive Session -A from 10:00 a.m. to 10:12 a.m.

Roll call taken after returning from executive session at 10:12 a.m. by Ms. Chepeus.

Following the executive session, Dr. Bustillo moved, seconded by Dr. King, to take no further action and allow Mr. Neiberg to continue to practice in accordance with the terms and conditions set forth in his Consent Agreement. The motion passed unanimously.

| Vote | Dr. Bustillo | Mr. Leone | Dr. Heick | Mr. Greer | Mr. Barton | Dr. King | VACANT |
|-----------|--------------|-----------|-----------|-----------|------------|----------|--------|
| Ауе | Х | Х | Х | Х | Х | Х | |
| Nay | | | | | | | |
| Recused | | | | | | | |
| Abstained | | | | | | | |
| Absent | | | | | | | |

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

C) 24-30 Dakota Kay, PT

Initial review, discussion, and possible action regarding case

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

Mr. Kay was present and addressed the Board.

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

| Vote | Dr. Bustillo | Mr. Leone | Dr. Heick | Mr. Greer | Mr. Barton | Dr. King | VACANT |
|-----------|--------------|-----------|-----------|-----------|------------|----------|--------|
| Ауе | Х | Х | Х | Х | Х | Х | |
| Nay | | | | | | | |
| Recused | | | | | | | |
| Abstained | | | | | | | |
| Absent | | | | | | | |

The Board Recessed from 10:26 a.m. to 10:32 a.m.

Roll call taken after returning from Recess at 10:32 a.m. by Ms. Chepeus.

D) 25-04 Katherine Zwanziger, PT Initial review, discussion, and possible action regarding case

Dr. Sinish provided a summary of the Board's investigation

Ms. Zwanziger and her attorney, Mr. Cody Hall, Esq. were present and addressed the Board.

Following review and discussion, Mr. Leone moved, seconded by Dr. King, to issue Ms. Zwanziger an Advisory Letter regarding the importance of making sure that she answers the questions on her renewal application truthfully and to proactively seek guidance when necessary. The motion passed unanimously.

| Vote | Dr. Bustillo | Mr. Leone | Dr. Heick | Mr. Greer | Mr. Barton | Dr. King | VACANT |
|-----------|--------------|-----------|-----------|-----------|------------|----------|--------|
| Ауе | Х | Х | Х | Х | Х | Х | |
| Nay | | | | | | | |
| Recused | | | | | | | |
| Abstained | | | | | | | |
| Absent | | | | | | | |

 E) 25-09 Michael Mossor, PTA Initial review, discussion, and possible action regarding case

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

Mr. Mossor was not present.

Following review and discussion, Mr. Leone moved, seconded by Dr. King, to table the matter until the Board's next meeting and to direct staff to encourage Mr. Mossor to attend that meeting. The motion passed unanimously.

| Vote | Dr. Bustillo | Mr. Leone | Dr. Heick | Mr. Greer | Mr. Barton | Dr. King | VACANT |
|-----------|--------------|-----------|-----------|-----------|------------|----------|--------|
| Ауе | Х | Х | Х | Х | Х | Х | |
| Nay | | | | | | | |
| Recused | | | | | | | |
| Abstained | | | | | | | |
| Absent | | | | | | | |

F) BH

Review, discussion, and possible action regarding opening a complaint

Ms. Richardson provided a summary for the Board.

BH was present and addressed the Board

Patient RS was not present.

Following review and discussion, Mr. Barton moved, seconded by Mr. Leone, to take no action. The motion passed unanimously.

| Vote | Dr. Bustillo | Mr. Leone | Dr. Heick | Mr. Greer | Mr. Barton | Dr. King | VACANT |
|-----------|--------------|-----------|-----------|-----------|------------|----------|--------|
| Ауе | Х | Х | Х | Х | Х | Х | |
| Nay | | | | | | | |
| Recused | | | | | | | |
| Abstained | | | | | | | |
| Absent | | | | | | | |

G) RP

Review, discussion, and possible action regarding opening a complaint

Ms. Richardson provided a summary for the Board.

RP was present and addressed the Board.

Following review and discussion, Mr. Greer moved, seconded by Mr. Leone, to take no action at this time. The motion passed unanimously.

| Vote | Dr. Bustillo | Mr. Leone | Dr. Heick | Mr. Greer | Mr. Barton | Dr. King | VACANT |
|------|--------------|-----------|-----------|-----------|------------|----------|--------|
| Ауе | Х | Х | Х | Х | Х | Х | |
| Nay | | | | | | | |

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

H) TR

Review, discussion, and possible action regarding opening a complaint

Dr. Sinish provided a summary for the Board.

TR was present and addressed the Board.

Complainant AV was not present.

Mr. Greer moved, seconded by Mr. Leone, to take no action. The motion passed unanimously.

| Vote | Dr. Bustillo | Mr. Leone | Dr. Heick | Mr. Greer | Mr. Barton | Dr. King | VACANT |
|-----------|--------------|-----------|-----------|-----------|------------|----------|--------|
| Ауе | Х | Х | Х | Х | Х | Х | |
| Nay | | | | | | | |
| Recused | | | | | | | |
| Abstained | | | | | | | |
| Absent | | | | | | | |

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

B) 25-22 April Ward, PTA

Review, discussion, and possible action regarding continuing competence audit compliance and offered consent agreement

Ms. Chepeus provided a summary for the Board.

Ms. Ward was present and addressed the Board.

Following review and discussion, Dr. Bustillo moved, seconded by Mr. Leone, to rescind the Board's previous motion to offer Ms. Ward a consent agreement and instead issue her an Advisory Letter regarding the importance of being responsive, when requested, to Board communications. The motion passed unanimously.

| Vote | Dr. Bustillo | Mr. Leone | Dr. Heick | Mr. Greer | Mr. Barton | Dr. King | VACANT |
|-----------|--------------|-----------|-----------|-----------|------------|----------|--------|
| Ауе | Х | Х | Х | Х | Х | Х | |
| Nay | | | | | | | |
| Recused | | | | | | | |
| Abstained | | | | | | | |
| Absent | | | | | | | |

12) Board business and reports:

A) Physical therapist assistants and patient abandonment Review, discussion, and possible action regarding patient abandonment and whether it applies to physical therapist assistants.

Board members engaged in a discussion regarding patient abandonment as it relates to physical therapist assistants.

Following review and discussion, Mr. Greer moved, seconded by Mr. Barton, to enter into executive session B to obtain legal advice pursuant to A.R.S. § 38-431.03(A)(3). The motion passed unanimously.

| Vote | Dr. Bustillo | Mr. Leone | Dr. Heick | Mr. Greer | Mr. Barton | Dr. King | VACANT |
|-----------|--------------|-----------|-----------|-----------|------------|----------|--------|
| Ауе | Х | Х | Х | Х | Х | Х | |
| Nay | | | | | | | |
| Recused | | | | | | | |
| Abstained | | | | | | | |
| Absent | | | | | | | |

Executive Session -B from 11:29 a.m. to 11:45 a.m.

Roll call taken after returning from executive session at 11:45 a.m. by Ms. Chepeus.

Following the executive session, the Board continued its discussion and noted, as it does in all cases, that it will review and decide each case on its specific set of facts.

- **B)** Executive Director's Report
 - 1) Legislative update

Review, discussion, and possible action regarding proposed legislation and legislative committee actions including but not limited to HB2583, SB1346, HB2173, HB2927, SB1037, SB1235, SB1237, SB1372, SB1527, and SB1656

Ms. Chepeus provided a summary of proposed legislation and legislative committee actions.

2) ADA Accommodation request processing through the Alternate Approval Pathway and potential Jurisprudence Exam updates

Ms. Chepeus provided the Board with updated information regarding FSBPT's processing of ADA accommodation as an Alternate Approval Pathway member state. The Board also discussed potential future updates to its jurisprudence exam.

Following review and discussion, Dr. King moved, seconded by Mr. Greer, to direct staff to pursue addendums to its FSBPT agreements to allow for FSBPT processing of ADA accommodation requests and online jurisprudence examination modules. The motion passed unanimously.

| Vote | Dr. Bustillo | Mr. Leone | Dr. Heick | Mr. Greer | Mr. Barton | Dr. King | VACANT |
|-----------|--------------|-----------|-----------|-----------|------------|----------|--------|
| Ауе | Х | Х | Х | Х | Х | Х | |
| Nay | | | | | | | |
| Recused | | | | | | | |
| Abstained | | | | | | | |
| Absent | | | | | | | |

 PT Compact contingent delegate Review, discussion, and possible action regarding a contingent delegate for the PT Compact.

Board members reviewed the PT Compact Commission's request to name a contingent delegate to serve if the Board's originally appointed delegate is unable to serve.

Following review and discussion, Mr. Barton moved, seconded by Dr. Bustillo, to appoint Dr. King as contingent delegate to the PT Compact Commission. The motion passed unanimously.

| Vote | Dr. Bustillo | Mr. Leone | Dr. Heick | Mr. Greer | Mr. Barton | Dr. King | VACANT |
|-----------|--------------|-----------|-----------|-----------|------------|----------|--------|
| Ауе | Х | Х | Х | Х | Х | Х | |
| Nay | | | | | | | |
| Recused | | | | | | | |
| Abstained | | | | | | | |
| Absent | | | | | | | |

4) Thentia Cloud migration update

Review, discussion, and possible action regarding the Board's migration to Thentia Cloud.

Ms. Chepeus provided an update regarding the Board's completed migration to the Thentia Cloud platform.

5) March 2025 Financials Review and possible discussion

Board members reviewed the March 2025 financials.

- 6) Licenses and Registrations
 Review and discussion on approvals granted in March 2025
 - a) 30 Licenses Newly Issued
 - i. 11 Physical Therapists Endorsement
 - ii. 5 Physical Therapists Examination
 - iii. 2 Physical Therapist Universal Recognition

- iv. 1 Physical Therapist Foreign Educated
- v. 0 Physical Therapist Military Spouse
- vi. 2 Physical Therapist Assistants Endorsement
- vii. 6 Physical Therapist Assistants Examination
- viii. 3 Physical Therapist Assistant Universal Recognition
- ix. 0 Physical Therapist Assistant Military Spouse
- b) 3 Licenses Reinstated and Reactivated
 - i. 3 Physical Therapists
 - ii. 0 Physical Therapist Assistants
- c) 2 Business Entity Registrations

| i. | 2 | Newly Issued |
|-----|---|--------------|
| ii. | 0 | Reinstated |

d) 2 Interstate Telehealth Registrations

| i. | 2 | Newly Issued PT |
|-----|---|------------------|
| ii. | 0 | Newly Issued PTA |

Board members reviewed the licenses and registrations processed in the month of March 2025.

13) Future Agenda Items

• Continuing competence and the possibility of requiring renewal applicants to submit certificates of completion as part of their renewal application.

14) Adjournment

Mr. Barton moved, seconded by Mr. Greer, to Adjourn. The motion passed unanimously.

| Vote | Dr. Bustillo | Mr. Leone | Dr. Heick | Mr. Greer | Mr. Barton | Dr. King | VACANT |
|-----------|--------------|-----------|-----------|-----------|------------|----------|--------|
| Ауе | Х | Х | Х | Х | Х | Х | |
| Nay | | | | | | | |
| Recused | | | | | | | |
| Abstained | | | | | | | |
| Absent | | | | | | | |

Meeting adjourned at 12:21 p.m.

Prepared by, Monica Crowley Administrator Services Officer Approved by, John Heick, PT, DPT, PhD Secretary