



James E. Miller, PT, DPT
President

ARIZONA STATE BOARD OF PHYSICAL THERAPY
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REGULAR SESSION MEETING MINUTES
Held at Phoenix Biomedical Campus -Phoenix
March 27, 2018

MEMBERS PRESENT:

James E. Miller, PT, DPT, President
Michael S. Clinton, CPA; Vice President
Peggy Hunter, PTA, CLT; Secretary
Nushka Remec, PT, MS, PCS; Member
Melinda Richardson, PT, MA; Member

MEMBERS ABSENT:

N/A

**ASSISTANT ATTORNEY GENERAL
PRESENT:**

Mona Baskin, Assistant Attorney General

BOARD STAFF PRESENT IN PERSON:

Charles D. Brown, Executive Director
Monica Crowley, Office Manager
Veronica Cardoza, Licensing Administrator
Karen Donahue, Senior Investigator

- 1) **CALL TO ORDER – 8:30 A.M.;** Dr. Miller called the meeting to order at 8:42 A.M. (A recording of the meeting is available through the Board Office)

Board President welcomed the NAU Physical Therapy students attending Board Meeting.

Roll Call – The following Board members were present: Dr. Miller, Mr. Clinton, Ms. Hunter, Ms. Remec and Ms. Richardson.

2) **Review and Approval of Draft Minutes**

- a) February 27, 2018, Regular Session Meeting Minutes

The Board reviewed and discussed the minutes.

Ms. Hunter moved the Board approve the February 27, 2018, Regular Session Meeting Minutes with the suggested changes. Mr. Clinton seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson		
Aye	X	X	X	X	X		

Nay							
Recused							
Abstained							
Absent							

3) CONSENT AGENDA: REVIEW, CONSIDERATION and ACTION

a) Applications for Licensure and Certification

- i) Review, Consideration and Approval for Applications of Physical Therapist Licensure upon Receipt of Passing Scores on the NPTE/AZLAW and Final Transcript.

Christopher Adam	Austen Archibald	
Marlowe Banatao	Curtis Bierscheid	Robin Blunck
Erica Bodenbender	Erica Carps	Tanner Chitwood
Brian Connolly	Jennifer Coons	Nicole Darragh
Ashley DeRamos	Derek Eckert	Brian Egge
Klaytin Fann	Patricia Gomez-Jayne	Ashley Green
Jason Harper	Carleigh High	Jessica Johnson
Sean Johnson	Annie Kane	Kelsey Kankelfitz
Timothy Keur	Kyle Kleitsch	Cecilia Kret
Kirsten Lightfoot	Ashley Sell	Maria McDonald
Christine Meconi	Christopher Melcher	Mark Milligan
Jeffrey Mills	Johnathan Monteiro	Neal Roberts
Afam Nwambuonwo	Cerese Oakley	Michael Olney
Aimee Pelletier	Amy Peters	Alyssa Petterson
RuthAnn Quick	Adam Ross	Judy Rothman
Kyle Sanders	Bryce Schnaars	Andrea Seifert
Judy Seto	Milly Shah	Lorraine Stalcup
Allen Strzelczyk	Samantha Szczublewski	Derrick Talley
Emilie Tilson	Molly Vermillion	Brigid Walsh
Dana Warren	Wade Weisnicht	Ashley Wissink
Matthew Zollinger		

Ms. Hunter pulled Kyle Kleitsch and Ms. Richardson pulled Robin Blunck from the above consent agenda for separate consideration.

Ms. Richardson moved the Board approve Applications for Physical Therapist Licensure upon Receipt of Passing Scores on the NPTE/AZLAW and Final Transcript. Dr. Miller seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson		
Aye	X	X	X	X	X		
Nay							
Recused							
Abstained							
Absent							

Ms. Hunter pulled Kyle Kleitsch from the above application because she did not see Mr. Kleitsch provide his social security number on his application. Ms. Cardoza confirmed she received a copy of his social security card.

Ms. Hunter moved the Board approve Application for Physical Therapist Licensure upon Receipt of Passing Scores on the NPTE/AZLAW and Final Transcript. Ms. Remec seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson		
Aye	X	X	X	X	X		
Nay							
Recused							
Abstained							
Absent							

Robin Blunck

Ms. Richardson’s concern with the above application was Mr. Blunck’s attestation letter from Program Director was dated January 26, 2018 with graduation date of June Ms. Richardson requested Board Staff obtain an updated Program Director letter stating Mr. Blunck is on track to graduate.

Ms. Richardson moved the Board approve Application for Physical Therapist Licensure upon Receipt of Passing Scores on the NPTE/AZLAW, Final Transcript and updated Program Director letter. Ms. Remec seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson		
Aye	X	X	X	X	X		
Nay							
Recused							
Abstained							

Absent							
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- ii) Review, Consideration and Approval of Applications for Physical Therapist licensure upon Receipt of Passing Scores on the NPTE/AZLAW and Final Transcript and with documentation Related to Disclosure on “Personal Information section of the application”.

Jerry Dillon	Paul Dunn	Byron Miller
Kassidy Rogers	Leilani Skinner	James Tan

Dr. Miller pulled Leilani Skinner and Ms. Richardson pulled James Tan from the above consent agenda for separate consideration.

The Board reviewed and discussed the above applications.

Ms. Richardson moved the Board approve the above applications for Physical Therapist licensure upon Receipt of Passing Scores on the NPTE/AZLAW and Final Transcript. Ms. Remec seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson		
Aye	X	X	X	X	X		
Nay							
Recused							
Abstained							
Absent							

Leilani Skinner

Dr. Miller stated for the record that Ms. Skinner application is for Physical Therapist Assistant, not Physical Therapist.

Dr. Miller moved the Board approve the above application for Physical Therapist Assistant Certification upon Receipt of Passing Scores on the NPTE/AZLAW and Final Transcript. Ms. Remec seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson		
Aye	X	X	X	X	X		
Nay							
Recused							
Abstained							

Absent							
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James Tan

Ms. Richardson’s concern with the above application was Mr. Tan’s Program Director letter was dated January 2018 with graduation date of June 2018 Ms. Richardson requested Board Staff obtain an updated Program Director letter stating Mr. Blunck is on track to graduate.

The Board reviewed and discussed the above application.

Ms. Richardson moved the Board approve the above application for Physical Therapist licensure upon Receipt of Passing Scores on the NPTE/AZLAW, Final Transcript and updated Program Director letter. Dr. Miller seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson		
Aye	X	X	X	X	X		
Nay							
Recused							
Abstained							
Absent							

iii) Review, Consideration and Approval of Applications for Physical Therapist Assistant Certification upon Receipt of Passing Scores on the NPTE/AZLAW and Final Transcript.

Dylan Bailey	Shelby Boyer	Paula Brown
Raynani Camara	Armando Carreras	Keith Childs
Nathan Chukwulobe	Ian Cope	Ronald Eiler
Declan Fulton	Luke Gerber	Ulrica Gregg
Brandon Hancz	Janessa Hon	Esmeralda Pelayo
Antonio Posada	Morgan Rees-Fleming	Daisy Reyes
Cameron Rowland	Alheli Urquides	Eldon Woolf
Zachary Zammit	AnnaLiza Manahan	Jaclyn Gazzola

Ms. Hunter pulled Morgan Rees-Fleming from the above consent agenda for separate consideration.

The Board reviewed and discussed the applications.

Ms. Richardson moved the Board approve the above applications for Physical Therapist Assistant Certification upon Receipt of Passing Scores on the NPTE/AZLAW and Final Transcript. Mr. Clinton seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson		
Aye	X	X	X	X	X		
Nay							
Recused							
Abstained							
Absent							

Morgan Rees-Fleming

Ms. Hunter’s concern with the above application was that Ms. Rees-Fleming transcripts came in under Weatherly. Ms. Cardoza confirmed she had a name change in the middle of application process. All proper documentation was received for the name change.

The Board reviewed and discussed the application.

Ms. Hunter moved the Board approve the above application for Physical Therapist Assistant Certification upon Receipt of Passing Scores on the NPTE/AZLAW and Final Transcript. Ms. Remec seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson		
Aye	X	X	X	X	X		
Nay							
Recused							
Abstained							
Absent							

iv) Review, Consideration and Approval of Applications for Physical Therapist Assistant licensure with documentation Related to Disclosure on “Personal Information section of the application”.

Robin Hillestad	Julie Melotte	Michael Ybarra
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The Board reviewed and discussed the applications.

Ms. Remec moved the Board approve the above applications for Physical Therapist Assistant Certification upon Receipt of Passing Scores on the NPTE/AZLAW and Final Transcript. Ms. Richardson seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Ms. Hunter	Dr. Miller	Ms. Remec	Ms.		
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					Richardson		
Aye	X	X	X	X	X		
Nay							
Recused							
Abstained							
Absent							

Consent Agenda End

4) Review, Consideration and Action on Applications for Licensure and Certification

a) Review of and Possible Action on the Following Applications for Physical Therapist Licensure – Foreign Educated Graduates of Programs that is U.S. Accredited.

(1) John Biggar

Mr. Biggar education is CAPTE approved but has not practiced in the U.S.

Ms. Richardson moved the Board find Mr. Biggar credential evaluation substantially equivalent and required him to complete a Supervised Clinical Practice period. Dr. Miller seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson		
Aye	X	X	X	X	X		
Nay							
Recused							
Abstained							
Absent							

(2) Andrew Lawson

Mr. Lawson received his Texas license in 2016 but has not practiced in the U.S. Mr. Lawson provided a proposed Supervised Clinical Practice agreement.

Ms. Remec moved the Board accept the proposed SCPP agreement and accept his above application. Dr. Miller seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson		
Aye	X	X	X	X	X		
Nay							

Recused							
Abstained							
Absent							

b) Review of and Possible Action on the Following Applications for Physical Therapist Licensure – Foreign Educated Graduates of Programs Not U.S. Accredited.

i) Review of Education, Determination of Supervised Clinical Practice Period, Approval of S CPP Agreement, and Possible Licensure

(1) Andrea Lopes-Sauers

Ms. Lopes-Sauers has not practiced in the U.S and provided a proposed Supervised Clinical Practice agreement. Dr. Miller requested Board staff to obtain a current AZ driver’s license and permit residency card for Ms. Lopes-Sauers. It has since expired.

Ms. Remec moved the Board find Ms. Lopes-Sauers credential evaluation substantially equivalent and approve her Supervised Clinical Practice agreement upon receipt of current AZ driver’s license and permit residency card. Dr. Miller seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson		
Aye	X	X	X	X	X		
Nay							
Recused							
Abstained							
Absent							

(2) John Selga

Ms. Richardson moved the Board find Mr. Selga’s credential evaluation substantially equivalent and approve his Supervised Clinical Practice agreement. Ms. Remec seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson		
Aye	X	X	X	X	X		
Nay							
Recused							
Abstained							
Absent							

ii) Review of and Possible Licensure of Applicant with Final CPI

(1) Channa Reema

The Board found Ms. Reema’s application to be complete. She has meet all the standards and has successfully passed her CPT.

Ms. Richardson moved the Board approve the above application for Physical Therapist Licensure. Dr. Miller seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson		
Aye	X	X	X	X	X		
Nay							
Recused							
Abstained							
Absent							

c) Review of and Possible Action on Application for Physical Therapist Licensure from Applicant Requesting ADA Accommodations.

(1) Sarah Tassinari

The Board reviewed and discussed the above application. Dr. Miller added reader to Ms. Tassinari ADA Accommodations request per her psychologist report.

Dr. Miller moved the Board approve the above applicant’s request for ADA Accommodations to include time and a half, separate room and reader and Physical Therapist Licensure upon Receipt of Passing Scores on the NPTE/AZLAW and Final Transcript. Ms. Richardson seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson		
Aye	X	X	X	X	X		
Nay							
Recused							
Abstained							
Absent							

5) COMPLAINTS, HEARINGS, INVESTIGATIONS and COMPLIANCE

- b) Review, Discussion, and Action on Board Order
 - i) Complaint #16-65; Scott Kushner, PT (Modification of Order)

Mr. Kushner was present and was not represented by legal counsel.

Mr. Kushner provided an opening statement.

The Board reviewed his request and asked questions of Mr. Kushner.

Mr. Kushner provided a closing statement.

The Board deliberated.

Ms. Richardson would like to see something from Dr. McBride before she would be in favor of lifting restrictions.

Dr. Miller moved the Board deny motion for Modification of Board Order. Ms. Remec seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson		
Aye	X		X	X	X		
Nay		X					
Recused							
Abstained							
Absent							

ii) Complaint #17-09; Kevin Bauer, PTA (Modification of Order)

Mr. Bauer was present and was not represented by legal counsel.

Mr. Brown provided a summary of the case for the Board. Mr. Bauer requested modification of Board Oder #17-09. Mr. Bauer was disciplined for violations of A.R.S. 32-2044(9)(13) and A.R.S. 32-2023(B)(5). Mr. Bauer was placed on suspension until the following requirements were met: passage of AZ Law exam and ProBe. Mr. Bauer’s suspension was lifted by the Board on November 28, 2017. Mr. Bauer remains on probation for 1 year with the following stipulations: shall not work under general supervision: monthly monitoring and record audits. Probation is set to terminate if all requirements are met on December 12, 2018.

Mr. Bauer is requesting lifting of requirement that he cannot work under general supervision.

The Board can elect to modify Board Order #17-09 or decline the request for modification.

Mr. Bauer provided an opening statement.

The Board reviewed his request and asked questions of Mr. Bauer.

Mr. Bauer provided a closing statement.

The Board deliberated.

Ms. Remec moved the Board deny motion for Modification of Board Order. Dr. Miller seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson		
Aye	X		X	X			
Nay		X			X		
Recused							
Abstained							
Absent							

- c) Review, Discussion and Action on Consideration of Opening A Complaint
 - i) Mychal Leaupepe, PTA

Mr. Leaupepe was not present and was not represented by legal counsel.

Mr. Leaupepe, PTA was charged with DUI on Sunday, February 11, 2018. Mr. Leaupepe did notify the Board within the 10-day requirement.

The Board can elect to take no action or open a complaint.

Ms. Richardson moved the Board open a complaint. Dr. Miller seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson		
Aye	X	X	X	X	X		
Nay							
Recused							
Abstained							
Absent							

- ii) Michael Perryman

Mr. Perryman was not present and was not represented by legal counsel.

Complaint was received from Ms. B indicating that MVPPTAZ is providing physical therapy services without a physical therapist in the company. In review of the website: mvpptaz.com, Mr. Perryman identifies

himself as a Kinesiologist and does not refer to himself as a physical therapist or utilize the regulatory designation of PT. He does state on his website that he offers “physical therapy type services”.

The Board can elect to take no action or to refer to the AG’s office for investigations.

The Board reviewed and discussed the complaint.

Ms. Remec moved the Board enter into Executive Session to obtain legal advice. Ms. Richardson seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson		
Aye	X	X	X	X	X		
Nay							
Recused							
Abstained							
Absent							

Executive Session from 9:49 A.M. to 10:32 A.M.

Ms. Hunter moved the Board table complaint to the next Board meeting. Dr. Miller seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson		
Aye	X	X	X	X	X		
Nay							
Recused							
Abstained							
Absent							

iii) Kelli Arend, PT

Ms. Arend was not present and was not represented by legal counsel.

Ms. Arend, PT self-reported DUI charges that occurred on February 9, 2018. Ms. Arend did notify the Board within the 10-day requirement.

The Board can elect to take no action or open a complaint.

Ms. Richardson moved the Board take no action. Ms. Hunter seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson		
Aye	X	X	X	X	X		
Nay							
Recused							
Abstained							
Absent							

- a) Informal Hearing and Possible Action on Complaint: 10:00 a.m.
- iv) Complaint #17-19; Tricia Lish, PT

Dr. Miller recused himself and step away from the Board table at 10:35 A.M.

Ms. Lish was present and was represented by Mr. Lish.

The Board members and Board staff introduced themselves. Both Ms. Lish and Mr. Lish introduced themselves. Mr. Clinton read a summary of how the hearing would be conducted and reviewed the possible outcomes of the hearing. Ms. Donahue and Ms. Lish were sworn-in as witnesses. Mr. Brown read the allegations against Ms. Lish:

Let the record reflect Mr. Lish waved reading of all 54 pages of allegations. A copy can be obtained by contacting Board staff.

- A. Engaged in the performance of substandard care by a physical therapist due to a deliberate or negligent act or failure to act regardless of whether actual injury to the patient is established.**
- B. Failed to supervise assistive personnel, physical therapy students or interim permit holders in accordance with this chapter and rules adopted pursuant to this chapter.**
- C. Failed to adhere to the recognized standards of ethics of the physical therapy profession.**
- D. Made misleading, deceptive, untrue or fraudulent representations in violation of this chapter or in the practice of the profession.**
- E. Charged unreasonable or fraudulent fees for services performed or not performed.**
- F. Failed to report to the board any direct knowledge of an unprofessional, incompetent or illegal act that appears to be in violation of this chapter or board rules.**

- G. Failed to maintain adequate patient records. For the purposes of this paragraph, “Adequate patient records” means legible records that comply with board rules and that contained at a minimum an evaluation of objective findings, a diagnosis, the plan of care, the treatment record, a discharge summary and sufficient information to identify the patient.**
- H. Promoted an unnecessary device, treatment intervention or service for the financial gain of the practitioner or of a third party.**
- I. Provided treatment intervention unwarranted by the condition of the patient or treatment beyond the point of reasonable benefit.**

Mr. Lish provided an opening statement.

The Board reviewed and discussed the case and asked questions of Ms. Lish. Following the Board’s questioning of Ms. Lish Mr. Lish provided a closing statements.

Mr. Clinton guided the Board through each allegation for discussion. Following discussion on the allegations Ms. Richardson moved the Board adopt the following Findings of Fact:

- A. Engaged in the performance of substandard care by a physical therapist due to a deliberate or negligent act or failure to act regardless of whether actual injury to the patient is established.**
- B. Failed to supervise assistive personnel, physical therapy students or interim permit holders in accordance with this chapter and rules adopted pursuant to this chapter.**
- C. Failed to adhere to the recognized standards of ethics of the physical therapy profession.**
- D. Made misleading, deceptive, untrue or fraudulent representations in violation of this chapter or in the practice of the profession.**
- E. Charged unreasonable or fraudulent fees for services performed or not performed.**
- F. Failed to report to the board any direct knowledge of an unprofessional, incompetent or illegal act that appears to be in violation of this chapter or board rules.**
- G. Failed to maintain adequate patient records. For the purposes of this paragraph, “Adequate patient records” means legible records that comply with board rules and that contained at a minimum an evaluation of objective findings, a diagnosis, the plan of care, the treatment record, a discharge summary and sufficient information to identify the patient.**
- H. Promoted an unnecessary device, treatment intervention or service for the financial gain of the practitioner or of a third party.**

I. Provided treatment intervention unwarranted by the condition of the patient or treatment beyond the point of reasonable benefit.

Ms. Remec seconded the motion. Following review and discussion the motion carries by roll call.

Vote	Mr. Clinton	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson		
Aye	X	X		X	X		
Nay							
Recused			X				
Abstained							
Absent							

Ms. Richardson moved the Board adopt the following Conclusions of Law:

A.R.S. §32-2044(1) “Violating this chapter, Board rules or a written board order.”

A.R.S. 32-2044 (4) “Engaging in the performance of substandard care by a physical therapist due to a deliberate or negligent act or failure to act regardless of whether actual injury to the patient is established.”

A.R.S. 32-2044 (6) “Failing to supervise assistive personnel, physical therapy students or interim permit holders in accordance with this chapter and rules adopted pursuant to this chapter.”

A.R.S. §32-2044(12) “Failing to adhere to the recognized standards of ethics of the physical therapy profession.”

A.R.S. 32-2044 (13) “Charging unreasonable or fraudulent fees for services performed or not performed.”

A.R.S. §32-2044(17) “Failing to report to the Board any direct knowledge of an unprofessional, incompetent or illegal act that appears to be in violation of this chapter or board rules.”

A.R.S. 32-2044 (20) “Failing to maintain adequate patient records. For the purposes of this paragraph, “adequate patient records” means legible records that comply with board rules and that contain at a minimum an evaluation of objective findings, a diagnosis, the plan of care, the treatment record, a discharge summary and sufficient information to identify the patient.”

A.R.S. §32-2044(21) “Promoting an unnecessary device, treatment intervention or service for the financial gain of the practitioner or of a third party.”

A.R.S. §32-2044(22) “Providing treatment intervention unwarranted by the condition of the patient or treatment beyond the point of reasonable benefit.”

Ms. Hunter seconded the motion. Following review and discussion the motion carries by roll call.

Vote	Mr. Clinton	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson		
Aye	X	X		X	X		
Nay							
Recused			X				
Abstained							
Absent							

The Board discussed possible disciplinary action against Ms. Lish license. Following discussion Ms. Hunter moved the Board move to a Formal Hearing. Ms. Remec seconded the motion. There is no prior discipline. Ms. Baskin, Assistant Attorney General provided the Board with options. Following review and discussion the motion failed.

Vote	Mr. Clinton	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson		
Aye		X					
Nay	X			X	X		
Recused			X				
Abstained							
Absent							

Following discussion Ms. Remec moved the Board adopt the following Order:

Ms. Lish be placed on probation for twelve months. Ms. Lish shall complete six (6) hours of continuing education in documentation, six (6) hours in orthopedic, with clinical decision making, six (6) hours in billing with Medicare component, six (6) hours in ethics, shall take and pass the Arizona Physical Therapy jurisprudence examination within six (6) months. All continuing education must be preapproved by Board staff. CEU’s will not count towards renewal and cannot be completed online. After returning to work Ms. Lish must undergo minimum of six (6) months period of Board approved monitoring. Monitoring shall consist of 3 randomly selected charts 2 visits per month with the possibility for early termination.

Mr. Clinton seconded the motion. Following review and discussion Ms. Hunter requested a friendly amendment to include a \$4,500 civil penalty and 3 years’ probation with the possibility for early termination once everything has been completed. Following review and discussion both Ms. Remec and Mr. Clinton withdrew their first and second motion.

Ms. Remec moved the Board adopt the following Order:

Ms. Lish be placed on probation for 3 years with the possibility for early termination. Ms. Lish shall complete six (6) hours of continuing education in documentation, six (6) hours in orthopedic with clinical decision making, six (6) hours in billing with Medicare component, six (6) hours in ethics ProBe, shall take and pass the Arizona Physical Therapy jurisprudence examination to be completed within twelve (12) months. All continuing education must be preapproved by Board staff. CEU’s will not count towards renewal and cannot be completed online. Ms. Lish is to pay a \$4,500 civil penalty.

Upon Ms. Lish returning to work she must undergo twelve (12) months period of Board approved monitoring. Monitoring shall consist of 3 randomly selected charts 2 visits per month.

Mr. Clinton seconded the motion. Following review and discussion Ms. Richardson requested a friendly amendment to include the possibility for early termination regarding of Board approved monitoring and Ms. Lish will have 3 years to pay her \$4,500 civil penalty. Ms. Remec and Mr. Clinton both accepts the friendly amendment.

Ms. Richardson move the Board amend Board Order and change civil penalty from \$4,500 to \$1,000. Mr. Clinton seconded the motion. Following review and discussion the motion carried by roll call vote.

Vote	Mr. Clinton	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson		
Aye	X	X		X	X		
Nay							
Recused			X				
Abstained							
Absent							

Ms. Remec moved the Board adopt the following Order:

Ms. Lish be placed on probation for 3 years with the possibility for early termination. Ms. Lish shall complete six (6) hours of continuing education in documentation, six (6) hours in orthopedic with clinical decision making, six (6) hours in billing with Medicare component, six (6) hours in ethics ProBe or PBI, shall take and pass the Arizona Physical Therapy jurisprudence examination to be completed within twelve (12) months. All continuing education must be preapproved by Board staff. CEU’s will not count towards renewal and cannot be completed online. Ms. Lish is to pay a \$1,000 civil penalty and will have 3 years to pay it.

Upon Ms. Lish returning to work she must undergo twelve (12) months period of Board approved monitoring with the possibility for early termination. Monitoring shall consist of 3 randomly selected charts 2 visits per month.

Mr. Clinton seconded the motion. Following review and discussion the motion carried by roll call vote.

Vote	Mr. Clinton	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson		
Aye	X	X		X	X		
Nay							
Recused			X				
Abstained							
Absent							

Dr. Miller returned to the Board Table at 11:59 A.M.

The Board Recessed from 11:59 A.M. to 12:15 P.M.

Dr. Miller recused himself and step away from the Board table at 12:15 P.M.

5) COMPLAINTS, HEARINGS, INVESTIGATIONS and COMPLIANCE

- a) Informal Hearing and Possible Action on Complaint: 10:00 a.m.
- i) Complaint #17-16; Keith Fandry, PT

Mr. Fandry and his legal counsel, Charles Struble were not present but requested to move to a Formal Hearing.

Ms. Richardson moved the Board forward case to Formal Hearing. Ms. Remec seconds the motion. Following review and discussion the motion carried by roll call.

Vote	Mr. Clinton	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson		
Aye	X	X		X	X		
Nay							
Recused			X				
Abstained							
Absent							

- ii) Complaint #17-17; Kinga Laskay, PTA

Ms. Laskay and her legal counsel, Charles Struble were not present but requested to move to a Formal Hearing.

Mr. Clinton moved the Board forward case to Formal Hearing. Ms. Hunter seconds the motion. Following review and discussion the motion carried by roll call.

Vote	Mr. Clinton	Ms. Hunter	Dr. Miller	Ms. Remec	Ms.		

					Richardson		
Aye	X	X		X	X		
Nay							
Recused			X				
Abstained							
Absent							

iii) Complaint #17-18; Harold Nathan Hoffman, PT

Mr. Hoffman and his legal counsel, Charles Struble were not present but requested to move to a Formal Hearing.

Mr. Clinton moved the Board forward case to Formal Hearing. Ms. Hunter seconds the motion. Following review and discussion the motion carried by roll call.

Vote	Mr. Clinton	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson		
Aye	X	X		X	X		
Nay							
Recused			X				
Abstained							
Absent							

Dr. Miller returned to the Board Table at 12:24 P.M.

6) BOARD BUSINESS AND REPORTS

The Board may vote to go into Executive Session pursuant to A.R.S. §38-431.03(A)(2) for purposes of discussing confidential information or §38-431.03(A)(3) to obtain legal advice.

- a) Executive Director’s Report – Discussion and Possible Action
 - i) Financial Report
 - ii) Board Staff Activities
 - iii) Legislation
 - (1) SB1436 People with criminal histories can get a Board opinion on whether a criminal history blocks licensure before a person has met any licensing requirements.
 - (2) HB2062 Denial of license, rules of evidence, burden of proof on the Board.
 - (3) HB2197 Health professionals; workforce data.
 - (4) HB2207 Board meetings must be covered by audio/visual means; posted within 5 days.
 - (5) HB2238 Administrative decisions
 - (6) SB1273 Public can appeal licensing requirements to GRRC, GRRC and may eliminate a licensing requirement in response.
 - iv) Rule Activity

- (1) Review of Executive Order 2018-02, Internal Review of Administrative Rules; Moratorium to Promote Job Creation and Customer-Service-Oriented Agencies
- v) FSBPT
 - (1) Review and Discussion and Possible Action on FSBPT Model Board Action Guidelines

Mr. Brown provided verbal summary on the above topics No action was needed or taken.

7) CALL TO THE PUBLIC

No one came forward.

8) ADJOURNMENT

Mr. Clinton moved the Board adjourn. Ms. Hunter seconded the motion. Following review and discussion the motion carried.

Meeting adjourned at 12:47 P.M.

Vote	Mr. Clinton	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson		
Aye	X	X	X	X	X		
Nay							
Recused							
Abstained							
Absent							

Prepared by,

Monica Crowley
Office Manager

Approved by,

Peggy Hunter, PTA
Secretary