



MELINDA RICHARDSON, PT, MA
President

ARIZONA STATE BOARD OF PHYSICAL THERAPY
4205 NORTH 7TH AVENUE, SUITE 208 PHOENIX, ARIZONA 85013
(602) 274-0236 Fax (602) 274-1378
www.ptboard.az.gov

REGULAR SESSION MEETING MINUTES
March 28, 2017

MEMBERS PRESENT:

Melinda Richardson, PT, MA; President
James E. Miller, PT, DPT, Vice President
Nushka Remec, PT, MS, PCS; Member
Peggy Hunter, PTA, CLT; Member
Whitney Lawrence; Member
Michael S. Clinton, CPA; 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.;** Ms. Richardson called the meeting to order at 8:40 A.M. (A recording of the meeting is available through the Board Office)

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

- 2) **Board President's Review of Mission Statement and Review of Administrative and Statistical Data Related to Licensing and Certification**

Ms. Richardson read our Mission Statement and Mr. Brown provided Physical Therapist and Physical Therapist Assistant statistics related to licensing and certifications.

Active Professionals: Licensed PT's: 4,865
Certified PTA's: 1,574
18% of each category work outside of Arizona

Complaints and Discipline:

2015 Complaints: 38
2016 Complaints: 65
2017 Complaints: 8 (as of April 20, 2016)

Current on Probation: 24

Dry Needling: 682 Submissions 662 Documenting Compliance with Standards of Training and Education

Applications: 2014: PT - 565; PTA - 245;
2015: PT - 506; PTA - 225;
2016: PT - 653; PTA - 245

PT Licensure Compact: Arizona joined in 2016 with 3 other states. 5 states joined in 2017 as of March 27, 2017. Ten states are required before it takes effect.

3) Review and Approval of Draft Minutes

- a) February 28, 2017; Regular Session Meeting Minutes

Ms. Richardson moved the Board approve the February 28, 2017; Regular Session Meeting Minutes with the suggested changes. Dr. Miller seconded the motion. Following review and discussion the motion carried.

Mr. Clinton abstained from this agenda item because he was not present at the February 28, 2017 Board meeting.

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

4) CONSENT AGENDA: REVIEW, CONSIDERATION and ACTION

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

Stephanie Adib	Nicholas Alred	Kelsey Andrist
Paul Arthur	Zachary Barton	Esau Baqi
Cortney Baxter	Renee Bergeron	Rebekah Bisset
Martin Bui	Brett Burton	Candice Burton
Christin Carson	Louis Woody Jr.	Kristin Clauss
Andre Colbert	Luis Cruz	Kayla Cutruzzula
Sarah Czajkowski	Margaret Delaney	John DiLorenzo

Kara Dolny	Heather Fariss	Tyler Ferrell
Allison Field	Patrick Fitzsimmons	Kyle Freeman
Crystal Geer	Lisa Giorgi	Allison Gray
Natalie Green	Sarah Grothe	Logan Guess
Amy Hallett	Lauryn Hanna	Steven Hansen
Andrew Hawkins	James Herrero	Heather Hollinger
Lindsay Hosmer	Rachelle Holt	Curtis Howard
Marri Keller	Travis Kemper	James Kempton
Brian Kinslow	Jordan Kocher	Cylie Kuo
Danielle Johnson	Corey Langerud	Lindsay Mangan
Michael McGrath	Robyn Morton	Trenton Neil
Matthew Neufeld	Cale Nichols	Kayleigh Orozco
Timothy Otis	Julia Peairs	Kelly Pepper
Clair Powell	Kelly Reed	Andrew Ricks
Julie Sigler	Jenna Tabaczka	Tiana Tallant
Jennifer Teslevich	Anna Thompson	Katherine Thompson
Jessica Todd	Darrin Wahl	Jessica Wenz
Jennifer Wiegand	Denise Williams	Alyssa Zenner
Tara Zimmerman		

Mr. Clinton pulled Martin Bui and James Herrero from the above consent agenda for separate consideration.

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. Hunter seconded the motion. Following review and discussion the motion carried.

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

Martin Bui

Mr. Clinton’s concern with Mr. Bui’s status of legal right to work in the United States.

Ms. Cardoza explained that she received a copy of Mr. Bui’s visa but it was after the Board material had been scanned and sent to the Board members.

The Board reviewed and discussed the case.

Mr. Clinton moved the Board approve Mr. Martin Bui application for Physical Therapist Licensure upon Receipt of Passing Scores on the NPTE/AZLAW. Ms. Richardson seconded the motion. Following review and discussion the motion carried.

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

James Herrero

Mr. Clinton’s concern with Mr. Herrero’s status of legal right to work in the United States.

Ms. Cardoza explained that Mr. Herrero incorrectly filled out the Arizona Statement of Citizenship and Alien Status for State Public Benefits. Mr. Herrero is not foreign educated and has a United States Government issued picture identification.

The Board reviewed and discussed the case.

Mr. Clinton moved the Board approve Mr. James Herrero application for Physical Therapist Licensure upon Receipt of Passing Scores on the NPTE/AZLAW. Ms. Richardson seconded the motion. Following review and discussion the motion carried.

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

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

Brenda Alba	Zachary Blankenship	Martin Ciolac
Kathleen Cocoros	Daniel Colombini	Eduardo Covarrubias
Joshua Cummings	Brittany Davison	Maribel Diaz
Angelena DiLorenzo	Stephanie Fedy	Katherine Figel
Trisha Guerrero	Arianna Gutierrez	Charles Haak
Dina Habhab	Brittany Hansen	Alyssa Hopkins
Kimberly Knight	Jennifer Kraynick	Zachary Lopez
Rebecka Macias	Kate Carter	Amy McClaskey
Tanya McKenna	Jame Munsey	Elizabeth Nunn
Elena Paul	Samantha Quisenberry	Alyssa Ragan
Chelsea Reeder	Martha Shaw	Brooks Spradlin
Jeffrey Stearman	Richard Vagle	Stephanie Vogelman
Madalynne Wills		Vanessa Zepeda

Dr. Miller pulled Trisha Guerrero and pointed out an editorial correction on misspelling of applicant’s name; should be James Munsey. Mr. Clinton pulled Kate Carter and Martin Ciolac from the above consent agenda for separate consideration.

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. Ms. Hunter seconded the motion. Following review and discussion the motion carried.

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

Trisha Guerrero

Dr. Miller’s concern was with Ms. Guerrero’s application because it indicated she graduated back in March of 2015. Her transcript also showed the same graduation date of March 2015.

Ms. Cardoza confirmed the graduation date and stated she had just received a phone call from Ms. Guerrero letting her know she had received a letter from her doctor and would like to table this item until the next Board meeting to allow her the chance to submit the doctor’s letter.

The Board reviewed and discussed the case.

Dr. Miller moved the Board table Ms. Guerrero application for Physical Therapist Assistant Certification until next Board Meeting. Ms. Richardson seconded the motion. Following review and discussion the motion carried.

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

Kate Carter

Mr. Clinton’s concern was with Ms. Carter’s Arizona Statement of Citizenship and Alien Status for State Public Benefits the first page was missing and status of legal right to work in the United States.

Ms. Cardoza explained that Ms. Carter incorrectly filled out the Arizona Statement of Citizenship and Alien Status for State Public Benefits. Ms. Carter is not foreign educated and has also provided a copy of a United States Government issued picture identification. Ms. Cardoza had the two documents.

The Board reviewed and discussed the case.

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

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

Martin Ciolac

Let the record reflect agenda has him listed as Martin Ciolac; however the legal name is Marion Ciolac.

Mr. Clinton’s concern with Mr. Ciolac’s status of legal right to work in the United States.

Ms. Cardoza explained that Mr. Ciolac incorrectly filled out the Arizona Statement of Citizenship and Alien Status for State Public Benefits. Mr. Ciolac is not foreign educated and has also provided a copy of a United States Government issued picture identification.

The Board reviewed and discussed the case.

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

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

Ms. Richardson recommended the Board look at item # 5(a)(1)(a-g) separately because she had an issue with 4 out of the 5 applications regarding the timing and date of the Program Director letter. The students are scheduled to graduate in August 2017, it is too early to consider approval of licensure. Board can consider for early test in July.

5) CONSENT AGENDA: Review, Consideration and Action on Applications for Licensure and Certification

- a) Substantive Review of Documentation Related to Disclosure on “Personal Information” Section of Application
 - (1) Physical Therapist Licensure Applications and Approval to take the NPTE and the AZLAW (Jurisprudence) Exam and Possible Licensure.
 - (a) Joshua Brazelton

The Board reviewed and discussed the above application.

Ms. Richardson moved the Board approve Mr. Joshua Brazelton for Physical Therapist Licensure upon Receipt of Passing Scores on the NPTE/AZLAW. Ms. Hunter seconded the motion. Following review and discussion the motion carried.

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

					Richardson		
Aye	X	X	X	X	X	X	
Nay							
Recused							
Abstained							
Absent							

(b) Colin Chapman

Mr. Chapman graduates in August 2017 but received a letter dated February 2017 from the Program Director for approval for possibility of early testing and licensure.

The Board reviewed and discussed the above application.

Ms. Richardson moved the Board approve Mr. Chapman to take the NPTE and the AZLAW (Jurisprudence) Exam only. Application to be brought back in June for final review and approval for licensure with an updated Program Director letter stating he is in good academic standing. Ms. Remec seconded the motion. Following review and discussion the motion carried.

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

(c) Jerry Dillon

Mr. Dillon graduates in August 2017 but received a letter dated February 2017 from the Program Director for approval for possibility of early testing and licensure.

The Board reviewed and discussed the above application.

Ms. Richardson moved the Board approve Mr. Dillon to take the NPTE and the AZLAW (Jurisprudence) Exam only. Application to be brought back in June for final review and approval for licensure with an updated Program Director letter stating he is in good academic standing. Dr. Miler seconded the motion. Following review and discussion the motion carried.

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

(d) Kyle Flood

Mr. Flood graduates in August 2017 but received a letter dated February 2017 from the Program Director for approval for possibility of early testing and licensure.

The Board reviewed and discussed the above application.

Ms. Richardson moved the Board approve Mr. Flood to take the NPTE and the AZLAW (Jurisprudence) Exam only. Application to be brought back in June for final review and approval for licensure with an updated Program Director letter stating he is in good academic standing. Dr. Miler seconded the motion. Following review and discussion the motion carried

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

(e) David Higbee

The Board reviewed and discussed the above application.

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

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

Absent							
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(f) Kyle Kurashima

Mr. Kurashima graduates in August 2017 but received a letter dated February 2017 from the Program Director for approval for possibility of early testing and licensure.

The Board reviewed and discussed the above application.

Ms. Richardson moved the Board approve Mr. Kurashima to take the NPTE and the AZLAW (Jurisprudence) Exam only. Application to be brought back in June for final review and approval for licensure with an updated Program Director letter stating he is in good academic standing. Dr. Miler seconded the motion. Following review and discussion the motion carried

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

(g) Sylvester Ribaldo

The Board reviewed and discussed the above application.

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

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

6) 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 Not U.S. Accredited.

(1) Roi Cayetano

The Board reviewed and discussed the application.

Mr. Cayetano was determined to be substantially equivalent. Ms. Richardson moved the Board Approval Mr. Cayetano’s Application for Physical Therapist Licensure – Foreign Educated Graduates of Programs Not U.S. Accredited and wave clinical practice. Ms. Hunter seconded the motion. Following review and discussion the motion carried

Vote	Mr. Clinton	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson	Ms. Lawrence	
Aye	X	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 Appeal of an issued Supervised Clinical Practice Period, and Possible Licensure.

(1) Rajitha Bharatan

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

Last month the Board decided Ms. Bharatan’s work experience was not significant enough to wave the SCPP. Ms. Bharatan has since submitted additional information to reconsider.

The Board reviewed and discussed the application.

Dr. Miller moved the Board affirm last month’s Board decision to have Ms. Bharatan submit to a SCCPP. Ms. Remec seconded the motion. Following review and discussion the motion carried

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

ii) Review of and Possible Licensure/Certification of Applicant with Final SCPP

(1) Donna Macias

Ms. Macias was present and was not represented by legal counsel. Ms. Macias provided a statement to the Board and was there to answer any questions the Board had for her.

The Board reviewed and discussed the Final SCPP.

Ms. Richardson moved the Board follow recommendation to have Ms. Macias continue her SCPP for an additional 300 hours. If Ms. Macias wants to change her supervised setting, she will need to submit a new supervisory plan for Board approval. Dr. Miller seconded the motion. Following review and discussion the motion carried.

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

c) Review of and Possible Action on Physical Therapists Assistant Previously Licensed in the state of Arizona.

(1) Kevin Massey

Mr. Massey was not present and was not represented by legal counsel. Mr. Massey last worked in 2013. PTA’s have no mandatory CEU’s in Arizona. Ms. Richardson discussed possible SCPP or a modification of SCPP as an option.

Ms. Hunter moved the Board approve Mr. Massey application for Physical Therapists Assistant. Motion failed for no second.

Mr. Brown, Executive Director advised the Board of their options. The Board reviewed and discussed the application.

Ms. Richardson moved the Board enter into Executives Session to obtain legal advice and to review confidential records. Mr. Clinton seconded the motion. Following review and discussion the motion carried.

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

Abstained							
Absent							

Executive Session from 9:35 A.M. to 9:55 A.M.

Dr. Miller moved the Board require Mr. Massey to complete 500 hours of SCPP under supervising PT after successfully passing the AZLAW (Jurisprudence) Exam. Ms. Hunter seconded the motion. Following review and discussion the motion carried.

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

- d) Substantive Review of Documentation Related to Disclosure on “Personal Information” Section of Application
 - (1) Physical Therapist Assistant Applications and Approval to take the NPTE and the AZLAW (Jurisprudence) Exam and Possible Certification.
 - (a) Kevin Bauer

Mr. Bauer was present and was not represented by legal counsel and was there to answer any question the Board had for him.

The Board reviewed and discussed the application and asked questions of Mr. Bauer. Ms. Baskin, Assistant Attorney General, provided options to the Board.

Mr. Clinton moved the Board grant Mr. Bauer a consent agreement to include Physical Therapist Assistant certification with immediate suspension, complete Probe Couse, take and successfully pass the AZLAW (Jurisprudence) Exam and come back to the Board to lift suspension after requirements have been met. Ms. Bauer will be placed on twelve (12) month probation and practice under direct supervision and be placed on Board approved Monitoring within thirty (30) days of the effective date of probation term. At a minimum, monitoring of Applicant shall include the following: Documentation Review: During the period of probation, the Monitor shall review Applicant’s charts and billing records on a monthly basis. The reviews shall include a minimum of three (3) randomly selected patient charts with a minimum of four treatments since the previous chart review. Applicant may petition the Board for early termination of the Order, including probation provided that Applicant has completed and complied with all requirements of the Order, or probation. If the consent agreement is not signed within 20 days the motion for Physical Therapist Assistant Certification will be denied. Ms. Richardson seconded the motion. Following review and discussion Ms. Richardson added a friendly amendment to require Mr. Bauer to complete a continuing

education course in documentation within six (6) months from the effective term of probation. Mr. Clinton accepts the friendly amendment. Following review and discussion the motion carried by roll call.

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

8) COMPLAINTS, HEARINGS, INVESTIGATIONS and COMPLIANCE

- b) Initial Review, Discussion and Action on Complaint
 - i) Complaint #16-40; Mandy Aldous, PT

Ms. Donahue provided a summary of the case for the Board. Ms. NB alleges that Ms. Aldous provided treatment to her ankle without an evaluation of the ankle and falsified her medical records.

Ms. Aldous was present and was represented by Mr. Jack Wilenchik, Esq. Both Ms. Aldous and her attorney Mr. Wilenchik provided an opening statement to the Board.

The Board reviewed and discussed the case and asked questions of Ms. Aldous.

Patient NB, Mr. Alan Boerboom, husband and Mr. Norman Hupp, patient NB’s father were present and all three provided an opening statement to the Board.

The Board reviewed and discussed the case and asked questions of patient NB. Patient NB provided closing statements to the Board.

The Board asked more questions of Ms. Mandy Aldous, PT.

Ms. Aldous and her attorney Mr. Wilenchik both provided closing statements to the Board.

Ms. Richardson moved the Board forward this case to an Informal Hearing.

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

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

Nay							
Recused							
Abstained							
Absent							

Executive Session from 11:35 A.M. to 11:50 A.M.

Ms. Remec seconded the motion. Following review and discussion. Ms. Richardson added a friendly amendment to include A.R.S. §32-2044(1), A.R.S. §32-2044(4), A.R.S. §32-2044(12), A.R.S. §32-2044(14), A.R.S. §32-2044(20). Ms. Remec accepts the friendly amendment. Following review and discussion the motion carried.

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

- a) Informal Hearing and Possible Action on Complaint: 9:00 a.m.
 - i) Complaint #16-55; Keith Fisher, PT

Mr. Brown provided a summary of the case for the Board. This complaint against Mr. Fisher was moved to informal hearing for failing to meet continuing competence audit within the specified timeframe.

Mr. Fisher, in response to the notification of Informal hearing provided additional documentation that indicated that he had forwarded his Dry Needling Certificate of Completion within the specified timeframe.

Mr. Fisher was required to comply with the Continuing Competency Audit by November 8, 2016. Mr. Fisher identified, and the investigator confirmed, an e-mail communication on October 14, 2016 in which Mr. Fisher attached his Certificate of Completion for Dry Needling for 27 hours. As a result, Mr. Fisher was in compliance with the Request for Audit and this complaint should be dismissed.

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

Ms. Richardson moved the Board dismiss Complaint #16-55. Dr. Miller seconded the motion. Following review and discussion the motion carried.

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

Aye	X	X	X	X	X	X	
Nay							
Recused							
Abstained							
Absent							

- b) Initial Review, Discussion and Action on Complaint
 - iv) Complaint #17-03; Harold Hoffman, PT

Ms. Donahue provided a summary of the case for the Board. Ms. PK alleges improper billing for services rendered on November 10, 2015.

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

Dr. Miller moved the Board issue non-disciplinary order to include six (6) hours of continuing education in documentation to be completed within six (6) months. Ms. Richardson seconded the motion. Following review and discussion Ms. Richardson added a friendly amendment to include eight (8) hours of continuing education in Evaluation and Treatment of Vestibular Disorders specific to BPPV. Dr. Miller accepted the friendly amendment. Following review and discussion the motion carried by roll call.

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

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

- d) Substantive Review of Documentation Related to Disclosure on “Personal Information” Section of Application
 - (1) Physical Therapist Assistant Applications and Approval to take the NPTE and the AZLAW (Jurisprudence) Exam and Possible Certification.
 - (b) Angel Lopez

The Board reviewed and discussed the above application.

Ms. Remec moved the Board approve the above applications for Physical Therapist Assistant Certification upon Receipt of Passing Scores on the NPTE/AZLAW (Jurisprudence) Exam. Dr. Miller seconded the motion. Following review and discussion the motion carried.

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

- e) Review of and Possible Action on Application for Physical Therapist Licensure from Applicant Requesting ADA Accommodations.
 - (a) Traci Nelson

The Board reviewed and discussed the above application.

Ms. Richardson moved the Board approve the above applicant’s request for ADA Accommodations and 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	Ms. Lawrence	
Aye	X	X	X	X	X	X	
Nay							
Recused							
Abstained							
Absent							

- (b) Holly Reid

The Board reviewed and discussed the above application.

Ms. Richardson moved the Board approve the above applicant’s request for ADA Accommodations and Physical Therapist Licensure 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	Ms. Lawrence	
Aye	X	X	X	X	X	X	
Nay							
Recused							
Abstained							

Absent							
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(c) Winn Workman

The Board reviewed and discussed the above application.

Ms. Richardson moved the Board approve the above applicant’s request for ADA Accommodations only. Board Staff to request a letter from Mr. Workman regarding an explanation of academic probation and be brought back to the Board for final licensure approval. Dr. Miller seconded the motion. Following review and discussion the motion carried.

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

7) Review, Consideration and Action on Applications for Licensure and Certification
 b) Reinstatement of Certification
 i) Jane Purcell (Carter), PTA

Dr. Miller moved the Board approve the above applicant’s request for Reinstatement of Certification. Ms. Hunter seconded the motion. Following review and discussion the motion carried.

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

8) COMPLAINTS, HEARINGS, INVESTIGATIONS and COMPLIANCE
 c) Review, Discussion, and Action on Board Order
 i) Complaint #16-47; Sarah Hanna, PT; Modified Consent Agreement; Consideration

Mr. Brown provided a summary of the case for the Board. On February 28, 2017, the Board conducted the initial review of Complaint #16-47 involving Sarah Hanna, PT. The Board offered Ms. Hanna a consent agreement or the case would be forwarded to an Informal Hearing.

Ms. Hannah has accepted a consent agreement; however, it is modified at her request in the areas of the Findings of Fact from my original draft. The original draft was based on the investigation analysis as presented to the Board. Ms. Hanna and Board Staff reviewed the draft over the phone on two occasions line by line while reviewing the patient record. The final draft is the results of those reviews. The Board is requested to approve the final draft of the consent agreement.

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

The Board reviewed and discussed the case and asked questions of Ms. Hanna.

Dr. Miller moved the Board approve Ms. Hanna’s final draft of the consent agreement. Mr. Clinton seconded the motion. Following review and discussion the motion carried.

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

- b) Initial Review, Discussion and Action on Complaint
 - ii) Complaint #16-65; Scott Kushner, PT

Ms. Richardson stated that at the start of the day the Board received notice that Mr. Kushner was not going to be able to attend his Initial Review.

Mr. Donahue provided a summary of the case for the Board. Ms. Carmichael received a phone call from home health patient JF who alleged the Mr. Kushner personally texted her, from his personal phone, multiple times with explicit sexual messaging while she was a patient receiving care by Mr. Kushner.

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

The Board reviewed and discussed the case.

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

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

Nay							
Recused							
Abstained							
Absent							

Executive Session from 12:37 P.M. to 12:49 P.M.

Let the record reflect that Ms. Remec has stepped away from the Board table at 12:50 P.M.

Ms. Richardson moved the Board offer a Consent Agreement for licensure with suspension and a psychological evaluation from a Board approved evaluator, who is Arizona licensed psychologist or psychiatrist. The evaluator shall have expertise in evaluating sexual boundary violations by healthcare providers. Within 45 days Respondent shall, obtain and schedule an appointment with a Board approved evaluator to obtain a psychological evaluation to evaluate Respondent’s mental health, fitness for duty, safety to practice and recommendations for treatment and practice restrictions. Ms. Kushner will have 10 days to consider the consent agreement and if not accepted Board will move to an expedited Formal Hearing. Mr. Clinton seconded the motion. Following review and discussion the motion carried.

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

At 12:53 P.M let the record reflect that Ms. Richardson turned over the proceeding to Dr. Miller and Ms. Richardson left the Board table.

iii) Complaint #17-02; Stephen Hinkle, PT

Ms. Donahue provided a summary of the case for the Board. Mr. Hinkle reported to the Board within the 10 day notification period of his summons to appear at Sahuarita municipal Court on January 24, 2017 for charges of Aggravated Assault/Domestic Violence, a Class One Misdemeanor and a Crime of Domestic Violence on December 28, 2016.

Mr. Hinkle was no present and was not represented by legal counsel.

The Board reviewed and discussed the case.

Dr. Miller moved the Board dismiss Complaint #17-02. Ms. Hunter seconded the motion. Following review and discussion the motion carried.

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

9) BOARD BUSINESS AND REPORTS

- a) Executive Director’s Report – Discussion and Possible Action
 - i) Financial Report- Review of written report.
 - ii) Board Staff Activities- Review of written report
 - iii) Legislation- Review of written report
 - (1) HB 2271- Occupational Licensing, Military Members
 - (2) HB 2290 & SB 1071- Provisional Licenses, Criminal Convictions
 - (3) SB1437- Agencies; Review; GRRC; Occupational Regulation
 - (4) SB 1452- Health Profession Regulatory Boards
 - iv) Rule Activity- Review of written report
 - v) FSBPT- Review of written report

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

10) CALL TO THE PUBLIC

Nobody came forward.

11) ADJOURNMENT

Meeting adjourned at 1:02 P.M.

Prepared by,

Monica Crowley
Office Manager

Approved by,

Michael S. Clinton, CPA
Secretary