



ARIZONA STATE BOARD OF PHYSICAL THERAPY
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REGULAR SESSION MEETING MINUTES
April 26, 2016

MEMBERS PRESENT:

Melinda Richardson, PT, MA; President
James E. Miller, PT, DPT, Vice President
Al D'Appollonio, PT, MBA; Secretary
Michael S. Clinton, CPA; Member
Peggy Hunter, PTA, CLT; Member
Nushka Remec, PT, MS, PCS; Member
Whitney Lawrence; Member

MEMBERS ABSENT:

N/A

OTHERS PRESENT IN PERSON:

Charles D. Brown, Executive Director
Veronica Cardoza, Licensing Administrator
Karen Donahue, Senior Investigator
Mona Baskin, Assistant Attorney General
Monica Crowley, Office Manager

- 1) **CALL TO ORDER – 8:30 a.m.;** Ms. Richardson called the meeting to order at 8:31 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 Mr. Clinton, Mr. D'Appollonio, Ms. Hunter, Ms. Remec and Ms. Lawrence.

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

- a) March 22, 2016; Regular Session Meeting Minutes

Mr. D'Appollonio requested minor changes to pages 2 & 3 of the minutes. Ms. Hunter moved the Board to approve the March 22, 2016, regular session meeting minutes with the suggested changes. Mr. Clinton seconded the motion. The motion passed.

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

Samantha Andazola	Stephanie Athanas	Wendy Balduf
Christopher Barnes	Rachel Behmer	Desmond Bernstein
Elizabeth Bissonette	Abigail Bird	Andrew Bond
Jakeb Bowyer	Marin Campbell	Nicole Carbajal
Elijah Chiang	Ellie Cobb	Sarah Cooper
Paul Cords	Courtney Dickson	Amelia Dougher
Michael Edgington	Caitlin Emery	Kirsten Fogarty
Hannah Foster	Mark Francis	Amanda Gallow
Andrea Gross	Andrew Gilligan	Cassandra Hippensteel
Michael Ingram	Lauren Higgins	Miki Kerrigan
Natsumi Kira	Kayla Janowski	Rachel Lucas
Janet Lee	Alicia LaMere	Gabrielle Martocci
Nicholas Lueck	Jamie Lewis	Daniel McGurren
Emily Mason	Geraldine Martinez	Jennifer Milroy
Beatrice McNeff	Suzanne McFarland	Stephanie Nadeau
Melinda Moore-Schnebly	Nicole Metz	Catherine O'Halloran
Ryan Niedzielko	Samantha Morigeau	Rachel Pederson
Kristi Olander	Benjamin O'Dell	Kristi Pollak
Alexa Pena	Haley Parsons	Daniel Riley
Jacquelyn Povilaitis	Morgan Perry	Ian Roltsch
Elieser Rodriguez	Lyndsey Pyc	Cara Sherlock
Mary Roth	Ashley Rogers	Deborah Smith
Kristina Siladi	Samuel Schaffer	Jahi Thompson
Kirsten Solomon	Eric Simpson	Michael Weinand
Allison Trelka	Steven Spoonemore Jr.	Matthew Wisehart

Emily White	Bethany Urquidez	Crystal Wright
Crystal Wright	Mathew Wise	Sean Wyne

Ms. Hunter pulled Beatrice McNeff from the consent agenda. Mr. D’Appollonio moved the Board approve the above applications upon Receipt of Passing Scores on the NPTE/AZLAW and Final Transcript. Ms. Remec seconded the motion. Following review and discussion the motion passed. The motion passed.

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

Beatrice McNeff

Ms. Hunter requested Ms. McNeff provide a copy of her marriage license. Ms. Richardson moved the Board approve Ms. McNeff’s application for Physical Therapist Assistant Certification upon Receipt of Passing Scores on the NPTE/AZLAW, Final Transcript and copy of marriage license. Ms. Hunter seconded the motion. Following review and discussion the motion passed.

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

Erin Adamczyk	Kaleigh Allton	Chase Beck
Samantha Bradley	Kylene Brill	Lacey Brimmer
Katherine Crocker	Kari Dannenberg	Christina DeAcetis
Danielle DeVito	Kristina Ducharme	Diamond Feener
Benjamin Ferguson	Eduard Goretoy	Rebecca Hawthorne
Misty Jones	Nicole Luby	Julie Luther

Gavin McSweeney	Lolanda Moore	Ricardo Plascencia
Karisa Perkins	Andrea Renteria	Allan Self
Alexander Smith	Hailey Janson	Adriana Gonzalez
Laurie Larson		

Ms. Richardson moved the Board approve the above applications upon receipt of passing scores on the NPTE/AZLAW exams and final transcripts. Ms. Remec seconded the motion. Following review and discussion the motion passed.

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

Consent Agenda Ends

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, 828;
 Certified PTA’s: 1,507
 18% of each category work outside of Arizona

Complaints and Discipline:
 2015 Complaints: 38
 2016 Complaints: 9 (as of April 202, 2016)

Current on Probation: 24

Dry Needling: 449 Submissions Documenting Compliance with Standards of Training and Education

Applications: 2014: PT - 565; PTA – 245;
 2015: PT - 506; PTA - 225
 2016: PT – 170; PTA – 69 (as of 4/20/2016)

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

- a) Review, Consideration and Approval of Applications for Physical Therapist 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
 - 1) Nicholas Hadinger
 - 2) Thomas Russell
 - 3) Celeste Scheer
 - 4) Harrison William

Dr. Miller stated applicant #4 should read Harrison William not William Harrison. Ms. Richardson moved the Board approve the above applications upon Receipt of Passing Scores on the NPTE/AZLAW and Final Transcript. Mr. Clinton seconded the motion. Following review and discussion the motion passed.

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

Consent Agenda Ends

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

- i) a) Review of and Possible Action on the Following Applications for Physical Therapist Licensure, Previous Arizona Licenses
 - (1) Sara Daly

Mr. Clinton moved the Board approve the above application upon Receipt of Passing Scores on the AZLAW. Ms. Richardson seconded the motion. Following review and discussion the motion passed.

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

ii) Substantive Review and Possible Certification for Applicant Who is the Spouse of Active Military Personnel Stationed in Arizona

(1) Andrea Thomas

Ms. Richardson moved the Board approve the above application Certification upon pending Boards receipts verification of name change through marriage license. Ms. Hunter seconded the motion. Following review and discussion the motion passed.

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

7) COMPLAINTS, HEARINGS, INVESTIGATIONS and COMPLIANCE

b) Initial Review, Discussion and Action on Complaint

i) Case #16-03; James E. Miller, PT

Dr. Miller recused himself and left the Board table. Please refer to separate Board minutes.

ii) Case #16-04; Andrew Rivera, PTA

Dr. Miller returned to the Board table. Mr. Rivera was present and was accompanied by his wife Jane Rivera. Mr. Rivera was not represented by legal counsel. Ms. Donahue provided a summary of the case for the Board. Board open complaint #14-04 following notification that Mr. Rivera failed to complete requirements of Board Order #14-55. Mr. Rivera was required to complete 6 hours continuing education specific to documentations and pass a 3 patient record audit. Mr. Rivera did not complete any aspect of his board order within the six (6) month probationary period that ended on March 26, 2016. Mr. Rivera provided a statement. The Board reviewed, discussed the investigation and asked question of Mr. Rivera. Mona Baskin, Assistant Attorney General reviewed the Board options. Ms. Richardson moved Board issue a consent agreement to include censure, nine (9) months' probation, \$500 civil penalty to be paid by the end of the nine months, complete a minimum of six (6) hours of continuing education specific to documentation and audit of three (3) randomly selected patient charts. If this is not accepted with in the normal time fame it will be referred to informal hearing Mr. D'Appollonio seconded the motion. Following review and discussion the motion passed.

Vote	Mr. Clinton	Mr. D'Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson	Ms. Lawrence

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

d) Initial Review (Further Investigation), Discussion and Action on Complaint

i) Case #15-24; Heather Bily, PT

Ms. Bily was present and was not represented by legal counsel. Ms. Donahue provided a summary of the case for the Board. The Board held its initial review and discussion of Complaint #15-24 at the regular session meeting on January 26, 2016. Board requested further investigation in order to obtain the intake information received from the patient record. The information was requested and received. Ms. Bily provided an oral statement. The Board reviewed, discussed the investigation and asked question of Ms. Bily. Patient DT and JT, husband of the patient, both provided an oral statement. The Board asked questions of the patient. Ms. Bily provide a closing statement. Mr. D’Appollonio moved the Board forward the complaint to informal hearing and include 32-2044(1) Violating this chapter, board rules or written board order, 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, 32-2044(20) failure to maintain adequate patient records. A.A.C R4-24-301(D) A physical therapist shall obtain a patient’s consent before examination and treatment and document the consent in the patient record. Ms. Richardson seconded the motion. Following review and discussion the motion passed by roll call.

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

The Board recessed from 11:06 am to 11:18 am

h) Review, Discussion and Action on Consideration of Compliance With Board Order

i) Case #14-45; William Adelman, PT

Mr. Adelman was present and was not represented by legal counsel. Ms. Donahue provided a summary of the case for the Board Mr. William Adelman, PT (0461) was placed under Board Order #14-45 for violations of ARS 32-2044 (4),(20); ARS 32-2043 (H); ARS 32-2043 (J); and ARS 32-2001 (8). Mr. Adelman was required

to complete six (6) hours continuing education specific to documentation and complete a three patient records audit. Mr. Adelman has completed the continuing education requirement. Mr. Adelman has requested that the Board review the three records that were randomly selected by the Investigator for the Board to determine if Mr. Adelman’s records meet the standard. If the Board decides that Mr. Adelman, PT has meet the standard, then Board Order #14-45 will terminate. Mr. Adelman provided an oral statement. Ms. Donahue stated she did not provide record audit. The Board reviewed, discussed the investigation and asked question of Mr. Adelman. Dr. Miller moved Board extend Board Order 14-45 by four (4) months with the possibility of early termination, to allow Mr. Adelman to complete another three (3) chart audit review. Ms. Donahue will provide the Board a summary of the audit for the Board to review. If he does not accept the agreement the Board will move to an infornal hearing. Ms. Richardson seconded the motion. Following review and discussion the motion passed

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

b) Initial Review, Discussion and Action on Complaint
 iv) Case #16-06; Jodi Sawicki Roberts

Ms. Roberts was present and was not represented by legal counsel. Ms. Donahue provided a summary of the case for the Board Mr. Gonzalez alleges that Agility Spine and Sport Physical Therapy, co-owned by Ms. Sawicki Roberts, advertised dry needling and equated dry needling to acupuncture in a written advertisement. Ms. Roberts provided an oral statement and explained her correction to the advertisement, which removed any reference to accupenture. The Board reviewed and discussed the investigation, and asked questions of Ms. Roberts. Ms. Richardson moved Board to dismiss case #16-06. Dr. Miller seconded the motion. Following review and discussion the motion passed

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

b) Initial Review, Discussion and Action on Complaint

iii) Case #16-05; Mark Roberts, PT

Mr. Roberts was not present and was not represented by legal counsel. Ms. Donahue provided a summary of the case for the Board. Mr. Gonzalez alleges that Agility Spine and Sport Physical Therapy, co-owned by Ms. Sawicki Roberts, advertised dry needling and equated dry needling to acupuncture in a written advertisement. The Board reviewed and discussed the investigation. Mr. D’Appollonio moved Board to dismiss case #16-05. Dr. Miller seconded the motion. Following review and discussion the motion passed.

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

e) Review, Discussion, and Action on Consent Agreement

i) Case #15-12; Kelly DeLong, PT

Ms. DeLong was present and was not represented by legal counsel. Mr. Brown provided a summary of the case for the Board. This case in a continuous review as Ms. DeLong goes though the required therapy and provides the Board with monthly reports. The Board reviewed and discussed the investigation, and asked questions of Ms. DeLong. Mr. D’Appollonio moved the Board to enter into Executives Session to review confidential records. Ms. Richardson seconded the motion. Following review and discussion the motion passed.

Executive Session from 12:02 pm to 12.22 pm.

The Board feels that Ms. Delong is making progress. Mr. D’Appollonio and Ms. Richardson discussed the possible amendment of current Board Order. Mr. D’Appollonio moved Board amend Board Order to lift suspension, maintain probation period for twelve (12) months, and incorporate all 4 recommendations by Dr. Toma’s report.

1. Supervision with a senior physical therapist or monitored approved by the Board for a period of six (6) months, to review case to ensure safety of the community with restrictions of working in a clinical setting. No home health
2. Complete four (4) hours of continuing education in ethics to be approved by Board staff and must be taken in person to be completed within twelve (12) months.
3. To receive individual psychotherapy treatments. The therapist shall provide monthly reports for a witch will turn into quarterly reports or a length of time deemed appropriate by the therapist.
4. Ongoing psychiatric treatment and monitoring for treatment effectiveness from her PCP or from a psychiatrist suggested by her PCP

Ms. Richardson seconded the motion with a friendly amendment that on the ongoing psychiatric treatment and monitoring we receive verification that she is participating in psychiatric treatment on a regular basis as recommended by Dr. Toma. Mr. D’Appollonio accepts the friendly amendment. Dr. Miller requested a friendly amendment to have staff request a written medical opinion from Ms. DeLong’s psychiatrist before lifting suspension that she is fit for duty. Mr. D’Appollonio did not accept Dr. Miller’s friendly amendment. Dr. Miller requested advice regarding his ability to make a motion to amend Mr. D’Appollonio’s motion. Ms. Baskin requested a recess to consult with the Attorney General’s office.

Recess from 12:47 pm to 1:20 pm

Ms. Baskin spoke with the Attorney General’s office regarding the procedures. The Board currently had a motion and a second on the table. Board could continue the discussion and take a vote. If the vote fails a new motion with a 2nd could take place, with discussion and Board would continue until a decision was made. Mr. Brown summarized the motion. Following review and discussion the motion carried by roll call.

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

- j) Review, Discussion, and Action on Misleading Advertising
 - i) Dr. Ma’s Systemic Dry Needling

Sue Falsone was present and was not represented by legal counsel. Mr. Brown provided a summary of the case for the Board regarding misleading advertising for Dr. Ma’s Systemic Dry Needling. Ms. Falsone provided an oral statement and provided copies of the corrected advertisement and letter informing attendees of the error. The Board reviewed and discussed the facts and asked questions of Ms. Falsone. Ms. Richardson moved Board take no action. Ms. Hunter seconded the motion. Following review and discussion the motion passed.

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

8) BOARD BUSINESS AND REPORTS

- a) Executive Director’s Report –
 - i) Financial Report
 - ii) Review Recent Board Staff Activities
 - iii) Review of Current Legislative Activity (2016)
 - (1) HB 2501; Transfer of Health Regulatory Boards
 - (2) HB 2504; Physical Therapy Licensure Compact
 - (3) SB 1443; Health Profession Regulatory Boards
 - iv) Rule Activity- No update to provide
 - v) FSBPT- No update provided

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

9) CALL TO THE PUBLIC

Cynthia Driskell, PT with the Arizona Physical Therapy Association provided a statement regarding the support of the Physical Therapy Compact.

7) COMPLAINTS, HEARINGS, INVESTIGATIONS and COMPLIANCE

- a) Consent Agreements for Consideration in Lieu of Formal Hearings
 - i) Case #15-18; Edward Hunter, PT

Mr. Hunter was not present and was not represented by legal counsel. Mona Baskin, Assistant Attorney General provided a summary of the case for the Board. Mr. Hunter has been offered a consent agreement and has agreed to surrender his license. The Board reviewed and discussed the case. Dr. Miller moved Board to accept the consent agreement. Mr. Clinton seconded the motion. Following review and discussion the motion passed by roll call.

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

- a) Consent Agreements for Consideration in Lieu of Formal Hearings

ii) Case #15-23; Robert McEntire, PT

Ms. Richardson left Board table and recused herself from this case due to her employer connection to the case. at that facility. Mr. McEntire was not present and was not represented by legal counsel. Mona Baskin, Assistant Attorney General provided a summary of the case for the Board. This case was set for formal hearing last month in the interim the parties negotiated a consent agreement. Mr. McEntire accepted and signed the consent agreement. The Board reviewed and discussed the case. Ms. Hunter moved Board to accept the consent agreement. Ms. Lawrence seconded the motion. Following review and discussion the motion passed by roll call.

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

b) Initial Review, Discussion and Action on Complaint

v) Case #16-07; Tonya Tinney, PT

Ms. Richardson returned to Board table. Ms. Tinney was not present and was not represented by legal counsel. Ms. Donahue provided a summary of the case for the Board. Board opened complaint 16-07 after Ms. Tinney reported being arrested for suspected DUI. Ms. Tinney has not had any charges that have been filed against her regarding this incident as of April 4, 2016. The Board reviewed and discussed the case. Ms. Hunter moved Board dismiss the case. Dr. Miller seconded the motion. Ms. Richardson instructed staff to remind Ms. Tinney to self-report if she is officially charged. Following review and discussion the motion passed.

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

c) Initial Review, Discussion and Action on Complaint Including, But Not limited To, Summary Suspension or Acceptance of Consent Agreement

i) Case #16-09; Dina May, PTA

Ms. May was not present and was not represented by legal counsel. Mr. Brown provided a summary of the case for the Board. A complaint against the certificate of Ms. May was filed by her former employer which alleges Ms. May was working with patients while impaired. We have received witness statements and the results of two breath tests. We are awaiting the results of a urine tests. The two initial urine samples were not accepted by the lab. I have discussed the case with Ms. May and through work with Ms. Baskin, the attached consent agreement has been sent to Ms. May. The consent agreement indefinitely suspends Ms. May’s certificate and requires her to undergo a substance abuse evaluation. Based on the results of the evaluation, the Board will determine terms of probation and when the suspension will be lifted. While securing the consent agreement with Ms. Day, Mr. Brown also enlisted the expertise of Michael Sucher, MD. Dr. Sucher is an experienced substance abuse evaluator. Ms. May accepted and signed the consent agreement. The Board reviewed and discussed the case. Ms. Richardson moved Board to accept the consent agreement. Dr. Miller seconded the motion. Following review and discussion the motion passed by roll call.

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

d) Initial Review (Further Investigation), Discussion and Action on Complaint
 ii) Case #15-26; Jennifer Lowery, PTA

Ms. Lowery was not present and was not represented by legal counsel. Ms. Donahue provided a summary of the case for the Board Ms. Lowery self-reported DUI arrest that occurred on July 4, 2015. Police records indicate PBT of 0.286%. Ms. Lowery did report the charges within the 10 day notification period. The Board held its initial review and discussion of Complaint #15-26 at the regular session meeting on October 27, 2015 at which time Board voted to further investigation until the conclusion of her court proceedings. The Board held its second initial review and discussion of Complaint #15-26 at the regular session meeting on March 22, 2016 at which time the Board voted to further investigate for 30 days in order to obtain Ms. Lowery’s substance abuse screening information. Ms. Lowery was able to provide the Board for review two certificates of completion of Level I and level II Substance Abuse Education. The Board reviewed and discussed the case. Ms. Richardson moved Board dismiss the case. Dr. Miller seconded the motion. Following review and discussion the motion passed.

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

Nay							
Recused							
Abstained							
Absent							

d) Initial Review (Further Investigation), Discussion and Action on Complaint
 iii) Case #15-37; Eric Renshaw, PTA

Mr. Renshaw was not present and was not represented by legal counsel. Ms. Donahue provided a summary of the case for the Board. This complaint against Mr. Eric Renshaw, PTA on November 17, 2015. Mr. Renshaw notified the board of charges filed for indecent exposure and urinating in public on November 2, 2015. The Board held its initial review and discussion of Complaint #15-37 at the regular session meeting on January 26, 2016. The Board requested further investigation until such time as Mr. Renshaw’s court proceedings had concluded. Mr. Renshaw notified the Board of conclusion of court proceedings on March 30, 2016. Mr. Renshaw states that he plead guilty to disorderly conduct.

- Unsupervised probation for 12 months
- Pay fine of \$1,167.00
- Order to not initiate any contact of any nature with Starbucks on W. Washington

The Board reviewed and discussed the case. Ms. Richardson moved Board dismiss the case. Dr. Miller seconded the motion. Following review and discussion Ms. Richardson withdrew her motion and Dr. Miller withdrew the 2nd. The Board did not have a legible court document. Ms. Richardson moved Board continue the case to obtain more information related to the pleading document that outlines his plea agreement. Dr. Miller seconded the motion. Following review and discussion the motion passed.

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

f) Review, Discussion, and Action on Modification of Consent Agreement
 i) Case #11-60; Kim Deering, PT

Ms. Deering was not present and was not represented by legal counsel. Ms. Donahue provided a summary of the case for the Board. Ms. Kimberly Deering, PT request modification of Board Order #11-60 to reduce the monitoring requirement from monthly to quarterly. Ms. Deering was placed on probation for violations of

A.R.S. 32-2044 (1), (5),(6),(13) and (14). Ms. Deering’s previous 2 monthly reports are attached for Board Review. Ms. Deering has completed ProBe, continuing education and AZ Law requirements. Ms. Deering’s Board Order is scheduled to terminate January 2, 2020. The Board is to decide if they will grant Ms. Deering a reduction in monitoring from monthly to quarterly. The Board expressed a desire for Ms. Deering to demonstrate a longer period of improvement. The Board reviewed and discussed the case. Ms. Richardson moved Board reduce monitoring from monthly to quarterly. Ms. Hunter seconded the motion. Following review and discussion Ms. Richardson withdrew her motion and Ms. Hunter withdrew the 2nd. Ms. Richardson moved Board deny to request to reduce monitoring from monthly to quarterly. Mr. D’Appollonio seconded the motion. Following review and discussion the motion passed.

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

g) Review, Discussion, and Action on Consideration of Termination of Probation

i) Case #14-51; Lisa Brady, PT

Ms. Brady was not present and was not represented by legal counsel. Ms. Donahue provided a summary of the case for the Board. Ms. Lisa Brady, PT (5527) requests termination of Board Order #14-51. Ms. Brady was placed on probation for violations of A.R.S. 32-2044 (1), (4), (6), (12), (14) and (20). Ms. Brady was required to engage a monitor for a minimum of six (6) months. The Board reviewed all 6 monitoring reports last regular session Board meeting on March 22, 2016 and determined that Ms. Brady would require a minimum of one additional month of monitoring. Ms. Brady has completed the 7th monitoring visit and requests termination of probation. Board order #14-51 is set to terminate on August 29, 2016. The Board is to determine if Board Order #14-51 will be granted early termination or if continued monitoring is required. The Board reviewed and discussed the case. Dr. Miller moved Board granted early termination of probation. Mr. D’Appollonio seconded the motion. Following review and discussion the motion passed.

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

g) Review, Discussion, and Action on Consideration of Termination of Probation
 ii) Case #14--52; Patricia Manville, PT

Ms. Manville was not present and was not represented by legal counsel. Ms. Donahue provided a summary of the case for the Board. Ms. Manville, PT (2886) seeks termination of Board Order #14-52. Ms. Manville was ordered to complete 6 hour CE specific to documentation and undergo a three (3) patient record audit. Ms. Manville was under Board Order #14-52 for violations of ARS 32-2044 (1) and (20). She was required to complete all the terms of her Board Order by December 26, 2015. Ms. Manville is not employed full time and was unable to submit three complete patient records. As a result, Board staff requested documentation of multiple patients in which she has produced partial record documentation. Those records are attached for review. Ms. Manville has completed the documentation CE. The Board is to determine if Ms. Manville’s documentation is sufficient to warrant termination of Board Order #14-52. Mr. Brown provided options to the Board. The Board reviewed and discussed the case. Ms. Donahue stated when she reviewed the initial evaluations she believed it met the minimum standards. Ms. Richardson moved Board accept records for an audit and request a summary of the audit be provided to the Board to determine if Ms. Manville’s documentation is sufficient to warrant termination of Board Order #14-52. Dr. Miller seconded the motion. Following review and discussion the motion passed.

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

g) Review, Discussion, and Action on Consideration of Termination of Probation
 iii) Case #15-53; Nicole Marr, PTA

Ms. Marr was not present and was not represented by legal counsel. Ms. Donahue provided a summary of the case for the Board. Ms. Nichole Marr, PTA (8007A) requests termination of Board Order #14-53. Ms. Marr was placed on probation for violations of A.R.S. 32-2044 (1), (5) and (20). Ms. Marr was required to engage a monitor for a minimum of six (6) months. The Board reviewed all 6 monitoring reports last regular session Board meeting on March 22, 2016 and determined that Ms. Marr would require a minimum of one additional month of monitoring. Ms. Marr has completed the 7th monitoring visit and requests termination of probation. Board Order #14-53 is set to terminate on August 29, 2016. The Board is to determine if Ms. Marr’s Board Order will be granted early termination or if continued monitoring is required. The Board reviewed and discussed the case. Dr. Miller moved Board granted early termination of probation of Board Order #14-53. Ms. Hunter seconded the motion. Following review and discussion the motion passed.

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

		D'Appollonio				Richardson	
Aye	X	X	X	X	X	X	X
Nay							
Recused							
Abstained							
Absent							

- i) Review, Discussion, and Action on Consideration of Opening A Complaint
 - i) Armondo Cruz, PTA

Mr. Cruz was not present and was not represented by legal counsel. Ms. Donahue provided a summary of the case for the Board. Mr. Cruz, PTA was arrested on August 21, 2014 with a charge of Facilitation to Sell a Dangerous Drug. Mr. Cruz entered a judgement of guilty and was sentenced on January 25, 2015. He plead guilty to amended Count one: Facilitation to Sell a Dangerous Drug Methylenedioxymethamphetamine (“Molly”). He was sentence to 18 months’ probation, 100 hours of community service, cognitive skills class and random drug screening. His probation and court order was granted early termination and discharged on January 16, 2016 and his charges were reduced to a class one misdemeanor. Mr. Cruz renewed his physical therapist assistant certificate on July 21, 2014 and thus was not required to report on his 2014 renewal. Mr. Cruz did not notify the Board of his charges with in the 10 days requirement. The committed offense did meet the moral turpitude requirement. Dr. Miller moved Board open a complaint. Ms. Richardson seconded the motion. Following review and discussion the motion passed.

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

- i) Review, Discussion, and Action on Consideration of Opening A Complaint
 - ii) Dawn Rossi, PTA

Ms. Rossi was not present and was not represented by legal counsel. Ms. Donahue provided a summary of the case for the Board. Ms. Rossi, PTA self-reported disciplinary action taken by State of Alaska Board of Physical Therapy for failing to submit proof of completion of continued competency requirements. The state of Arizona does not require continued competency requirements for physical therapist assistants. The Board is to decide whether to open a complaint or take action. Dr. Miller moved Board take no action. Ms. Richardson seconded the motion. Following review and discussion the motion passed.

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

8) BOARD BUSINESS AND REPORTS

b) Board Appointment of Delegate and Alternate Delegates for the 2016 Federation of State Boards of Physical Therapy Annual Meeting

This Board item has been tabled until next Board Meeting on May 24, 2016

c) Review, Discussion and Approval of News Letter

The Board review and discussion the News Letter. Ms. Baskin, Assistant Attorney General advised Board if they wanted to proceed with the approval of the News Letter that they enter into executive session for legal advice. Ms. Richardson moved Board enter into Executive Session for legal advice regarding approval of the News Letter. Mr. D'Appollonio seconded the motion. Following review and discussion the motion passed.

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

Entered into Executive Session 2:47 pm to 2:52 pm

Ms. Richardson moved Board to remove case study from News Letter and resubmit for discussion at the next Board Meeting. Mr. Clinton seconded the motion. Following review and discussion the motion passed.

Vote	Mr. Clinton	Mr. D'Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson	Ms. Lawrence
Aye	X	X	X	X	X	X	X
Nay							

Recused							
Abstained							
Absent							

10) ADJOURNMENT

Ms. Richardson moved to adjourn the meeting. Ms. Hunter seconded the motion. The motion carried.

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

Meeting adjourned at 2:53 p.m.

Prepared by,

Monica Crowley
Office Manager

Approved by,
Al D'Appollonio, PT, MBA