



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
May 24, 2016

MEMBERS PRESENT:

Melinda Richardson, PT, MA; 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:

James E. Miller, PT, DPT, Vice President

OTHERS PRESENT IN PERSON:

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

- 1) CALL TO ORDER – 8:30 a.m.;** Ms. Richardson called the meeting to order at 8:30 a.m. (A recording of the meeting is available through the Board Office)

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

- 2) Review and Approval of Draft Minutes**

- a) April 26, 2016; Regular Session Meeting Minutes

Ms. Richardson requested to review page 5 Item 6(a)(i) Sara Daly minutes regarding if the Board ordered continuing education or just AZLAW. Ms. Hunter requested minor changes to page 14 of the minutes. Ms. Richardson moved the Board table April 26, 2016, Regular Session meeting minutes with the suggested changes and bring back to June 28, 2016 Board meeting for approval.

- b) April 26, 2016; Regular Session Meeting Minutes; Case #16-03; James E. Miller, PT

Ms. Hunter moved the Board to approve the April 26, 2016; Regular Session Meeting Minutes. 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
Nay							
Recused							
Abstained							
Absent				X			

c) April 26, 2016; Executive Session Meeting Minutes, Case #16-03; James E. Miller, PT

Ms. Hunter moved the Board to approve the April 26, 2016; Executive Session Meeting Minutes. 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
Nay							
Recused							
Abstained							
Absent				X			

d) April 26, 2016; Executive Session Meeting Minutes, Case #15-12; Kelly DeLong, PT

Ms. Hunter moved the Board to approve the April 26, 2016; Executive Session Meeting Minutes. 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
Nay							
Recused							
Abstained							
Absent				X			

e) April 26, 2016; Executive Session Meeting Minutes, News Letter

Ms. Hunter moved the Board to approve the April 26, 2016; Executive Session Meeting Minutes. 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
Nay							
Recused							
Abstained							
Absent				X			

3) 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

Cora Braun	Ashley Brooks	Mark Celaya
Audra Crossland	Jaclyn DeSoto	Colin DeVary
Emily Draper	Rachel Ellsworth	Matt Flanigan
Hannah Fuller	Cole Hutchens	Nicole Jacobson
Susannah Kucharski	Cara Laney	Patricia LeBlanc
Jeanette Mangano	Mary Martin	Thomas Martony
Marissa Mintz	Bryce Parker	Monica Queen
Joseph Ranalla	Ryan Connor	Emily Sauter
Leigh Scisco	Emily Smith	Matthew Spilsbury
Chioma Usuh	Charles Wang	Meghan Zayas

Ms. Hunter pulled Colin DeVary from the consent agenda. Mr. DeVary is a PTA not a PT. Ms. Richardson is removing him from the PT consent agenda and putting him in the 3ii under the PTA consent agenda.

Ms. Hunter moved the Board approve the above applications upon Receipt of Passing Scores on the NPTE/AZLAW and Final Transcript. 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
Nay							
Recused							

Abstained							
Absent				X			

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

Susan Alexander	Kaleigh Allton	John Alongi
Valerie Beuschlein	Samantha Bradley	Rebecca Brown
Colton Carbol	Destiny Davis	Daniel DePinto
Alexander Eisenfeld	Carol Emmons	William Ennist
Brittany Gray	Elizabeth Jamilkowski	James Kreicher
Karen Peck	John Pierron	Terry Puttkammer
Claudia Ramirez	Philip Smars	Aliesje Thrower
Colin DeVary		

Ms. D’Appollonio pulled Terry Puttkammer from the consent agenda.

Ms. Richardson moved the Board approve the above applications upon receipt of passing scores on the NPTE/AZLAW exams and final transcripts. 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
Nay							
Recused							
Abstained							
Absent				X			

Terry Puttkammer

Mr. D’Appollonio’s concerns were that Ms. Puttkammer had no current active license and had not been actively working for about 2 years. No other Board member had any other concerns.

Mr. D’Appollonio moved the Board approve the application 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 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							
Recused							
Abstained							
Absent				X			

Consent Agenda Ends

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

a) 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

- (1) Ethan Anderson
- (2) Harnish Ayora
- (3) Sean Fahlgren
- (4) ~~Ethan Hunke~~
- (5) Joshua Jenks
- (6) Scott Mathews
- (7) Christopher Spurlock
- (8) Dustin Turnbull
- (9) Sophia Wilkins
- (10) Joshua Youngberg

Mr. Brown pulled Ethan Hunke from the consent agenda.

Ms. Hunter moved the Board approve the above applications for licensure upon Receipt of Passing Scores on the NPTE/AZLAW and Final Transcript. 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
Nay							
Recused							
Abstained							
Absent				X			

Ethan Hunke

Mr. Brown stated Mr. Hunke’s application was incomplete. Ms. Richardson moved the Board to table Mr. Hunke application until additional information is received. 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
Nay							
Recused							
Abstained							
Absent				X			

b) Review, Consideration and Approval of Applications for Physical Therapist Assistant Certification 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) Gabriel Aguilar
- (2) Lauren Diegel
- (3) Sarah Martin
- (4) Sean McLeer
- (5) Kate Riley

Ms. Richardson moved the Board approve the above applications for certification upon Receipt of Passing Scores on the NPTE/AZLAW and Final Transcript. 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
Nay							
Recused							
Abstained							
Absent				X			

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

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

Ms. Richardson moved the Board approve the above application for licensure pending approval by the Board staff that Ms. Henson meets the 40 CEU requirements and upon Receipt of Passing Scores on the AZLAW. 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
Nay							
Recused							
Abstained							
Absent				X			

- b. Review of and Possible Action on the Following Applications for Physical Therapist Assistant Certification, Previous Arizona Licenses
 - (1) Anthony Mazzitello

Ms. Richardson moved the Board approve the above application for certification upon Receipt of Passing Scores on the AZLAW. 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
Nay							
Recused							
Abstained							
Absent				X			

- c. Substantive Review and Possible Licensure for Applicant Who is the Spouse of Active Military Personnel Stationed in Arizona
 - (1) Michele D’Alessandro

Ms. Richardson moved the Board approve the above application for licensure. 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

Nay							
Recused							
Abstained							
Absent				X			

- d. Review of and Possible Action on Application for Physical Therapist Assistant Certification from Applicant Requesting ADA Accommodations.
(1) Nora Beck

Mr. D’Appollonio moved the Board approve the above application for the ADA Accommodations. 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
Nay							
Recused							
Abstained							
Absent				X			

6) COMPLAINTS, HEARINGS, INVESTIGATIONS and COMPLIANCE

- a) Initial Review, Discussion and Action on Complaint
 - i) 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 was the Board’s 3rd review of the complaint. 1st initial review was at the regular session meeting on January 26, 2016. The Board held a second review and discussion of Complaint #15-37 on April 26, 2016. The Board requested further investigation to identify the charge that Mr. Renshaw had pled guilty to. The Board was able to obtain Tempe Municipal Court documents that indicate that Mr. Renshaw pled guilty to: Disorderly conduct- fighting (13-2904A1). This misdemeanor violation does not meet the moral turpitude standard for consideration. The Board reviewed and discussed the case. Mr. Brown provided the Board with options. Mona Baskin, Assistant Attorney General clarified the Board’s legal options.

Ms. Richardson moved the Board offer a consent agreement to include a \$500 civil penalty to be paid within 90 days for failure to report the criminal charges within 10 days. If this is not accepted within the 30 day 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
Nay					X		
Recused							
Abstained							
Absent				X			

b) Review, Discussion, and Action on Board Order

i) Case #14-28; Mark Nickel, PT – Request for Extension

Mr. Nickel was not present and was not represented by legal counsel. Ms. Donahue provided a summary of the case for the Board. Mr. Nickel entered into a consent agreement on July 24, 2015 for violations of A.R.S. 32-2044 (14) and (20). He was placed on nine (9) month probation and required to complete six (6) hours of continuing education specific to documentation and six (6) hours of continuing education specific to ethics. Mr. Nickel was to complete the requirements of Board Order #14-28 by April 29, 2016. Mr. Nickel sent, via e-mail, on April 29, 2016 a request for a 4 month extension of Board Order #14-28. Mr. Nickel had not completed any of the two requirements within the 9 month timeframe. Since Mr. Nickel's request was received, Mr. Nickel has completed the six (6) hour ethics continuing education requirement. Mr. Nickel has not notified the Board for approval for a documentation course.

Ms. Richardson moved Board grant new consent agreement adding a Civil Penalty of \$500 to be paid within 60 days and be signed within 30days. If this is not accepted with in the 30 day time fame, the Board will open a complaint. The Board accepted the (6) hours of continuing education specific to ethics and ordered Mr. Nickel's complete six (6) hours of continuing education specific to documentation to be completed within 4 months. Ms. Hunter seconded the motion. Following review and discussion Ms. Richardson withdrew her motion and Ms. Hunter withdrew the second.

Mr. D'Appollonio moved Board deny Mr. Nickel's 4 month extension request. Notice Mr. Nickel for consideration of lifting the Stay of his \$2,000 Civil Penalty in Order #14-28; and open a new complaint for non-compliance with a Board Order. 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
Nay							
Recused							
Abstained							

Absent				X			
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ii) Case #14-52; Patricia Manville, PT – Request for Termination

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 has completed the documentation CE. Board approved records to be reviewed at its regular session meeting held on April 26, 2016. Board staff has determined that Ms. Manville’s records meet the minimum standard.

Mr. D’Appollonio moved Board grant Ms. Manville’s request for early termination of Board Order #14-52. 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
Nay							
Recused							
Abstained							
Absent				X			

iii) Case #15-06; Nichole Stavale, PT – Request for Early Termination

Ms. Stavale was not present and was not represented by legal counsel. Ms. Donahue provided a summary of the case for the Board. Ms. Nicole Stavale, PT (9759) requests early termination of probation for Board Order #15-06. Ms. Stavale was placed on probation for violations of A.R.S. 2044 (1), (4), (6), (12), (20) and (22). Ms. Stavale was required to pass AZ Jurisprudence examination and undergo 3 months of monitoring. Ms. Stavale has completed all requirements of Board Order #15-06 and requests early termination.

Mr. D’Appollonio moved Board grant Ms. Stavale’s request for early termination of Board Order #15-06. 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
Nay							

Recused							
Abstained							
Absent				X			

- c) Review, Discussion, and Action on Consideration of Opening Complaints
 - i) Julia Goodwin, PT

Ms. Goodwin was not present and was not represented by legal counsel. Ms. Donahue provided a summary of the case for the Board. Ms. Goodwin, PT notified the Board of her charges filed for shoplifting on May 10, 2016. Ms. Goodwin did notify the Board of her charges within the required 10 days as required by A.R.S. § 32-3208.

Ms. Richardson moved Board open a complaint against Ms. Goodwin. 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
Nay							
Recused							
Abstained							
Absent				X			

7) BOARD BUSINESS AND REPORTS

The Board may vote to go into Executive Session pursuant to A.R.S. §38-431.03(A)(3) to obtain legal advice.

- a) Executive Director’s Report –Verbal Report
 - i) Financial Report- Verbal Report
 - ii) Review Recent Board Staff Activities - Verbal Report
 - iii) Review of Current Legislative Activity (2016) - Verbal Report - No Action requested.
 - 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.

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

Ms. Richardson moved Board appoint Ms. Hunter as the Delegates, Ms. Richardson as the Alternate and Ms. Donahue as the 2nd Alternate for the 2016 Federation of State Boards of Physical Therapy Annual Meeting.

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
Nay							
Recused							
Abstained							
Absent				X			

c) Review, Discussion and Approval of News Letter

Ms. Richardson moved Board table the Newsletter until next Board Meeting in June to include Dry needling and Registration of Business Entities. 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
Nay							
Recused							
Abstained							
Absent				X			

8) CALL TO THE PUBLIC

Wade Dowling addressed the Board. Mr. Dowling a student at A.T. Still University submitted his Physical Therapy licensure application in a timely manner. The only thing missing was the Letter of Good Standing from his Program Director. His Program Director sent that letter the night before; May 24, 2016 Board Meeting. Mr. Dowling application was not on the Agenda for review. Mr. Dowling requested to be approved to take the exam in July.

Peggy Hiller, PT addressed the Board. Ms. Hiller stated she is frequent attendee of our Board Meetings and discussed ARS § 32-2003(A)(15).

A. The Board Shall

15. Publish, at least annually, board ruling, opinions and interpretations of statutes or rules in order to guide persons regulated pursuant to this chapter.

Ms. Hiller encourages the Board to support Board staff and communicate to the profession.

9) ADJOURNMENT

Mr. Clinton moved to adjourn the meeting. Mr. D’Appollonio 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
Nay							
Recused							
Abstained							
Absent				X			

Meeting adjourned at 9:55 a.m.

Prepared by,

Monica Crowley
Office Manager

Approved by,

Al D’Appollonio, PT, MBA