



MELINDA RICHARDSON, PT, MA  
President

**ARIZONA STATE BOARD OF PHYSICAL THERAPY**  
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**REGULAR SESSION MEETING MINUTES**  
**July 18, 2017**

**MEMBERS PRESENT:**

Melinda Richardson, PT, MA; President  
James E. Miller, PT, DPT, Vice President  
Peggy Hunter, PTA, CLT; Member  
Whitney Lawrence; Member

**MEMBERS ABSENT:**

Michael S. Clinton, CPA; Secretary  
Nushka Remec, PT, MS, PCS; Member

**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 8:30 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. Hunter and Ms. Lawrence

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

- a) June 27, 2017; Regular; Regular Session Meeting Minutes

Ms. Richardson moved the Board approve the June 27, 2017; Regular Session Meeting Minutes with the suggested changes. 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	
Nay							
Recused							
Abstained							

Absent	X			X			
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**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

Stephanie Adib	Sargent Barnett	Angela Bartsch
Rae Boeckmann	Joseph Broadhead	Lucas Carr
Amanda Cecil	Jocelyn Connolly	Michael Davis
John Di Lorenzo	Stacey Drew	Aaron Evans
Ashley Fedie	<del>Erika Finn</del>	Daniel Holtgrewe
Arrianna Johnson	Shannon Jones	Andrew Kinney
Nicole Koch	Corey Langerud	Michelle LaRue
Erin Lynch	Ryan Maxfield	Justine Meyers
William Norman	Beau Renaud	Sylvester Ribaud
Melissa Rudolph	Tolupeni Salima	Mary Sampson
Jennifer Sepe	Amanda Serafini	Abby Serreyn
Nisharag Shah	Ashley Siadek	Amy Slater
Michael Stohr	Thomas Sutton	Billy Travis
Emily White	Adrienne Yamamoto	Ashley Bender
Alicia Pagnoni		

Dr. Miller pulled Erika Finn 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. 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	
Nay							
Recused							
Abstained							
Absent	X			X			

Erika Finn

DR. Miller’s concern with Ms. Finn’s program director letter it was dated 7 months prior to requesting to take exam. Ms. Cardoza explained that the program director has communicated with her that she does print

out letter way in advanced. Ms. Richardson stated that in the past they have requested staff to get a more recent letter from the program director. Mr. Brown suggested the Board could possibly set up an internal process for cases like this.

The Board reviewed and discussed the case.

Dr. Miller 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	
Nay							
Recused							
Abstained							
Absent	X			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.

Nicole Davis	Stephanie Fedy	Kimberly Knight
Krystal Buck		

Ms. Richardson stated that Mr. Clinton and Ms. Remec had no issues regarding the review of the cases.

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. 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	
Nay							
Recused							
Abstained							
Absent	X			X			

**5) COMPLAINTS, HEARINGS, INVESTIGATIONS and COMPLIANCE**

- b) Review, Discussion and Action on Compliance with A Board Order
  - i) Case No.15-38; Kim Lewis, PT; Request for Termination

Ms. Lewis was present and was not represented by legal counsel. Mr. Brown provided a summary of the case to the Board. Ms. Lewis has completed all the requirements of her Board Order within her time frame.

The Board reviewed and discussed the request for termination and asked questions of Ms. Lewis.

Dr. Miller moved the Board grant the request for Termination. 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			

**4) 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.

- I. Colin Chapman
- II. Kyle Kurashima
- III. Caitlin Turner

The Board reviewed and discussed the case.

Ms. Hunter moved the Board approve the above application for Physical Therapist Licensure upon Receipt of Passing Scores on the NPTE/AZLAW and Final Transcript. Ms. Lawrence 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			

- b) Review, Consideration and Approval of Applications for Physical Therapy 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) Physical Therapist Assistant Certification and Approval to take the NPTE and the AZLAW (Jurisprudence) Exam and Possible Certification.
    - 1. Braden Easley

The Board reviewed and discussed the case.

Ms. Richardson moved the Board approve Mr. Easley’s above application for Physical Therapist Assistant 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	
Nay							
Recused							
Abstained							
Absent	X			X			

**Consent Agendas End**

**5) COMPLAINTS, HEARINGS, INVESTIGATIONS and COMPLIANCE**

- a) Review, Discussion, and Action on Initial Review of Complaint
  - ii) Complaint #17-08; Jim Bodine, PT

Mr. Bodine was present and was represented by Ms. Anne McClellan. Ms. McClellan provide an opening statement. Mr. Bodine was there to answer any question the Board had for him.

The Board reviewed and discussed the case and asked questions of Mr. Bodine.

Ms. Hunter moved the Board Dismiss the case. 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	
Nay							
Recused							

Abstained							
Absent	X			X			

i) Complaint #17-01; Marlene Zuhl, PT

Ms. Zuhl was present and was represented by Ms. Kylie Mote.

Mr. Brown provided a summary of the case to the Board. Mr. Harland alleges that Ms. Zuhl completed patient initial evaluations, daily notes, progress notes and discharge summaries in 2016 for patients whose date of service was greater than 1 year prior. Mr. Harland states he identified over 700 occurrences of notes being completed between 4/25/16 through 11/21/16. This case was scheduled on a previous agenda but was tabled to allow the Board to review all materials.

Ms. Zuhl provided an opening statement to the Board.

The Board reviewed and discussed the case and asked questions of Ms. Zuhl. The Board watched a video provided by Ms. Zuhl. The Board asked Ms. Zuhl questions regarding the video.

Ms. Lawrence asked Ms. Zuhl if other PT’s could see the notes she entered in the Draft stage? Ms. Zuhl could not answer that. She said she did not know.

**Let the record reflect Ms. Remec has arrived at the Board table at 9:35 A.M.**

Ms. Zuhl and her attorney Ms. Kylie Mote both provided a closing statement to the Board.

Dr. Miller moved the Board move to Informal Hearing. Ms. Hunter seconded the motion. Ms. Richardson request to subpoena Ms. Zuhl’s schedule and electronic footprint from the new business owner Mr. Harland.

Ms. Baskin, Assistant Attorney General provided the Board with procedural advice. The Board reviewed and discussed the case. Both Dr. Miller and Ms. Richardson withdrew their first and second motion.

Ms. Richardson moved the Board further investigates the case and request to subpoena Ms. Zuhl’s schedule (dates to include April 19, 2012, January 9, 2013, December 30, 2013, January 2, 2014, February 24, 2014, November 20, 2015 and June 20, 2016) and electronic footprint from the new business owner Mr. Harland. Ms. Remec seconded the motion. Following review and discussion the motion carried. Dr. Miller added allegation of ARS 32-2044(4).

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

Abstained							
Absent	X						

**The Board Recessed from 10:06 A.M. to 10:15 A.M**

iv) Complaint #17-15; Tammy Tomich, PTA

Ms. Tomich was present and was not represented by legal counsel. Ms. Tomich provided additional information for the Board to review. It was changes she has mad to her website.

Mr. Brown provided a summary of the case to the Board. The Board alleges that Ms. Tomich, owner and operator of 906 wellness, is exceeding the authority to perform tasks without supervision of a physical therapist, identifies and promotes herself as a PTA on her company website. Her services are specific to JF Barnes Myofascial Release and Tai Chi Instruction.

Ms. Tomich provided an opening statement to the Board.

The Board reviewed and discussed the case and asked questions of Ms. Tomich. Mr. Brown, Executive Director provided the Board options regarding possible actions the Board had regarding this case.

The Board will continue the investigation and bring back to the Board within sixty (60) days to determine whether Ms. Tomich was working beyond delegated authority.

iii) Complaint #17-14; Jacquelyn Hoagland Lockwood, PT

Let the record reflect that Dr. Miller met Ms. Hoagland Lockwood during his transitional DPT and took classes together. Dr. Miller stated he has no bias.

Ms. Hoagland Lockwood was not present and was not represented by legal counsel.

Ms. Richardson provided a summary of the case to the Board. Mr. Piccirillo, PT alleges that Ms. Hoagland Lockwood was under the influence of alcohol and/or drugs at work on May 5, 2017.

The Board reviewed and discussed the case. Dr. Miller was troubled by the employer process. Ms. Hunter believes that Ms. Hoagland Lockwood employer handled the situation poorly.

Ms. Richardson moved the Board issue an Interim Order to included fitness for duty with a qualified MD provider specializing in substance abuse to be completed within sixty (60) days. 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	

Nay							
Recused							
Abstained							
Absent	X						

c) Review, Discussion and Action on Opening of Complaint

i) Nichole Garcia, PTA

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

Ms. Richardson provided a summary of the case to the Board. Ms. Nichole Garcia, PTA notified the Board of charges of DUI on July 11, 2017. Ms. Garcia was charged on Sunday July 9, 2017. Ms. Garcia’s breath test indicated an alcohol concentration of 0.086. Ms. Garcia notify the Board within 10-day requirement. The Board can either elect to open a complaint or take no action.

The Board reviewed and discussed the case.

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	Ms. Lawrence	
Aye		X	X	X	X	X	
Nay							
Recused							
Abstained							
Absent	X						

ii) Jamie Smith, PTA

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

Ms. Richardson provided a summary of the case to the Board. Ms. Jamie Smith notified the Board 2 days following charges for DUI. DUI occurred on June 11, 2017 and the Board was notified on June 13, 2017. Ms. Smith notify the Board within 10-day requirement. The Board can either elect to open a complaint or take no action.

The Board reviewed and discussed the case.

Ms. Hunter moved the Board Dismiss the case. 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	
Nay							
Recused							
Abstained							
Absent	X						

**6) BOARD BUSINESS AND REPORTS**

- b) Review Discussion and Action on Consideration of “DPT” as A Regulatory Designation; Presentation by The Arizona Physical Therapy Association

Ms. Cynthia Driskell, PT, Mr. Blair Packard, PT and Carly Daniels were there representing AZ PTA. Mr. Jim Roush, PT was there representing himself.

They provided verbal summary on the above topics. The Board review and discussion above topics No action was taken or required.

- a) Executive Director’s Report – Discussion and Possible Action
  - i) Financial Report- Verbal Report
  - ii) Board Staff Activities- Verbal Report
    - (1) Discussion on Board Practice for Special Meetings
  - iii) Legislation- Review of written report
  - iv) Rule Activity- Review of Potential Future Rule Making Activity
    - (1) FSBPT Course Work Tool Retro Tool
    - (2) English Language Test Score
    - (3) AZLAW to Jurisprudence Assessment Model (JAM)
    - (4) Supervised Clinical Practice Period Review Tool
    - (5) Compact Privilege Fees
    - (6) Results of Executive Order 17-02 Survey
  - v) Federation of State Boards of Physical Therapy (FSBPT)- Verbal Report
  - vi) Physical Therapy Compact Commission (PTLC)- Verbal Report

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

**7) CALL TO THE PUBLIC**

Nobody came forward.

**8) ADJOURNMENT**

Meeting adjourned at 12:05 A.M.

Prepared by,

Monica Crowley  
Office Manager

Approved by,

Michael S. Clinton, CPA  
Secretary