



Mark Cornwall, PT, PHD, FAPTA
President

ARIZONA STATE BOARD OF PHYSICAL THERAPY
1470 W. ADAMS ST., STE 2450, PHOENIX, ARIZONA 85007
(602) 274-0236
www.ptboard.az.gov

**REGULAR SESSION MEETING MINUTES via
Hangout Meet Video Conferencing
August 25, 2020**

BOARD MEMBERS PRESENT:

Mark Cornwall, PT PHD, FAPTA, President
Nushka Remec, PT, MS, PCS; Vice President
Karen Bustillo, PT, DPT, OCS, CLT, Secretary
Peggy Hunter, PTA, CLT; Professional Member
Kelly King, PT, DPT, Professional Member
Michael S. Clinton, CPA; Public Member
Joshua Greer, Public Member

BOARD MEMBERS ABSENT:

**ASSISTANT ATTORNEY GENERAL
PRESENT:**

Marc Harris, Assistant Attorney General

BOARD STAFF PRESENT:

Karen Donahue, PT, DPT, Executive Director
Veronica Cardoza, Administrative Services Officer
Judy Chepeus, Customer Service Representative
Monica Crowley, Licensing Administrator
Mindy Richardson, PT, Investigator

- 1) CALL TO ORDER – 8:30 A.M.;** Dr. Cornwall 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: Dr. Cornwall, Dr. Bustillo, Ms. Remec, Mr. Greer, Dr. King, Ms. Hunter and Mr. Clinton.

- 2) Review and Approval of Draft Minutes**

- A) July 28, 2020 Regular Session Meeting Minutes**

The Board reviewed and discussed the above minutes.

Ms. Hunter moved the Board to approve the July 28, 2020 Regular Session Meeting Minutes. Dr. Bustillo seconded the motion. Following review and discussion, the motion carried by roll call.

Board Meeting 08/25/20

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remec	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X	X	X		X	X	X
Nay							
Recused							
Abstained							
Absent				X			

B) June 30, 2020 Executive Session -A

The Board reviewed and discussed the above minutes.

Dr. Cornwall moved the Board to approve the June 30, 2020 Executive Session- A Board Meeting Minutes. Dr. King seconded the motion. Following review and discussion, the motion carried by roll call.

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remec	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X	X	X		X	X	
Nay							
Recused							
Abstained							X
Absent				X			

C) June 30, 2020 Executive Session B

The Board reviewed and discussed the above minutes.

Ms. Hunter moved the Board to approve the June 30, 2020 Executive Session- B Board Meeting Minutes. Dr. King seconded the motion. Following review and discussion, the motion carried by roll call.

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remec	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X	X	X		X	X	
Nay							
Recused							
Abstained							X
Absent				X			

D) June 30, 2020 Executive Session C

The Board reviewed and discussed the above minutes.

Ms. Hunter moved the Board to approve the June 30, 2020 Executive Session- C Board Meeting Minutes. Mr. Greer seconded the motion. Following review and discussion, the motion carried by roll call.

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remec	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X	X	X		X	X	
Nay							
Recused							
Abstained							X
Absent				X			

3) REVIEW, CONSIDERATION and ACTION

A) Applications for Licensure and Certification

1) Review, Consideration and Approval of Applications for Physical Therapist Assistant with Documentation Related to **Disclosure on “Personal Information” Section** of the Application.

- i. Julie Henk

The Board reviewed and discussed the above application.

Ms. Hunter moved the Board to **Approve** the above Application for Physical Therapist Assistant upon Receipt of Passing Scores on the NPTE/AZLAW and Final Transcript. Dr. Bustillo seconded the motion. Following review and discussion, the motion carried by roll call.

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remec	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X	X	X		X	X	X
Nay							
Recused							
Abstained							
Absent				X			

- ii. Joseph Arzadon

The Board reviewed and discussed the above application.

Dr. King moved the Board to **Approve** the above Application for Physical Therapist Assistant upon Receipt of Passing Scores on the NPTE/AZLAW and Final Transcript. Dr. Cornwall seconded the motion. Following review and discussion, the motion carried by roll call.

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remece	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X	X	X		X	X	X
Nay							
Recused							
Abstained							
Absent				X			

iii. Adam Rae

The Board reviewed and discussed the above application.

Dr. King moved the Board to **Approve** the above Application for Physical Therapist Assistant upon Receipt of Passing Scores on the NPTE/AZLAW and Final Transcript. Ms. Hunter seconded the motion. Following review and discussion, the motion carried by roll call.

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remece	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X	X	X		X	X	X
Nay							
Recused							
Abstained							
Absent				X			

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

i. Jenna Krautkremer

The Board reviewed and discussed the above application.

Dr. Cornwall moved the Board to **Approve** the above Application for ADA Accommodations for time and half and separate room for AZ Law Exam. Dr. King seconded the motion. Following review and discussion, the motion carried by roll call.

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remece	Mr. Greer	Dr. Cornwall	Dr. Bustillo

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

ii. Amanda Posey

The Board reviewed and discussed the above application.

Ms. Hunter moved the Board to **Approve** the above Application for ADA Accommodations for time and a half. Dr. Bustillo seconded the motion. Following review and discussion, the motion **failed** by roll call.

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remec	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye		X	X				X
Nay	X				X	X	
Recused							
Abstained							
Absent				X			

The Board reviewed and discussed the above application.

Dr. Cornwall moved the Board to **Table** the above Application for ADA Accommodations to obtain additional information. Mr. Greer seconded the motion. Following review and discussion, the motion carried by roll call.

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remec	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X	X	X		X	X	X
Nay							
Recused							
Abstained							
Absent				X			

4) COMPLAINTS, HEARINGS, INVESTIGATIONS and COMPLIANCE

B) Review, Discussion and Possible Action for Initial Review:

1) Case No. 19-44; Sarah Daley, PT (Second Initial Review)

Dr. Donahue provided a summary of the case for the Board. The Board opened complaint #19-44 after review of complaint from Mr. Abernethy. Mr. Abernethy alleges that Ms. Daley billed direct patient care time that exceeded the time that the patient was in the treatment center. The Board held its initial review and discussion of Complaint #19-44 at the regular session meeting on May 26, 2020. The Board requested further investigation in order for Ms. Daley to obtain a Fitness for Duty evaluation. Ms. Daley completed the evaluation on 7/30/20.

Ms. Daley was present and was represented by Mr. Matt Skelly. Mr. Skelly provided an opening statement to the Board.

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

Ms. Hunter moved Board to offer a Consent Agreement to include one (1) year probation 8 hours of CEUs in billing and 8 hours in documentation, take and pass AZ Law Exam and have 3 chart reviews.

Ms. Hunter withdrew her 1st.

Ms. Hunter moved the Board to forward the above case to an **Informal Hearing and include additional allegations; A.R.S. §32-2044(4) and A.R.S. §32-2044(20)**. Dr. King seconded the motion. Following review and discussion, the motion carried by roll call.

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remec	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X	X	X				X
Nay					X	X	
Recused							
Abstained							
Absent				X			

A) Review, Discussion and Possible Action for Review of Informal Hearing:

1) Case No. 19-51; Natalie Meyer, PT (9am)

Ms. Meyer was present and was not represented by legal counsel. The Board members and Board staff introduced themselves. Dr. Cornwall read a summary of how the hearing would be conducted and reviewed the possible outcomes of the hearing. Ms. Richardson and Ms. Meyers were sworn-in as witnesses. Dr. Donahue read the allegations against Ms. Meyers.

Ms. Meyers provided no an opening statement.

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

Ms. Meyers provided a closing statement.

The Board deliberated.

Dr. Cornwall guided the Board through each allegation for discussion. Following discussion on the allegations Dr. King moved the Board adopt the following Findings of Fact:

1. Respondent billed and documented in patient records indicating she was a physical therapist prior to receipt of licensure.
2. Respondent failed to document treatment diagnosis in all patient records reviewed.
3. Respondent failed to perform all relevant objective tests and measures in all patient records reviewed.
4. Respondent prescribed exercises for regions of the body that were either not assessed or documented as without deficiency.
5. Respondent's billed charges for Patient CH were not supported by the documentation.
6. Respondent's documentation on flow sheets did not provide enough detail to enable another physical therapist to continue the plan of care.

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

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remec	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X	X	X		X		X
Nay						X	
Recused							
Abstained							
Absent				X			

Dr. King moved the Board adopt the following Conclusions of Law:

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

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

A.R.S. §32-2044(14): “Making misleading, deceptive, untrue or fraudulent representations in violation of this chapter or in the practice of the profession.”

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

Dr. Bustillo seconded the motion. Following review and discussion, the motion carried by roll call.

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remec	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X	X	X				X
Nay					X	X	
Recused							
Abstained							
Absent				X			

The Board discussed possible disciplinary action against Ms. Meyers license. Following discussion Dr. King moved the Board adopt the following Order:

Probation: The Arizona Board of Physical Therapy hereby orders that Respondent, holder of Physical Therapy License No. LPT-030631, is placed on probation for **twenty-four (24) months** from the effective date of the order. The probation may be extended or other enforcement actions taken in the event Respondent is found in violation this Order or violates the Arizona Physical Therapy Practice Act. The Board orders Respondent to comply with the following terms and conditions:

Continuing Education: Respondent shall take and complete continuing education in the area(s) listed below within six (6) months from the effective date of this order. Respondent must submit the course description to Board staff for approval prior to beginning the

continuing education course(s). Respondent shall provide documentation to Board staff that the course was completed prior to the Board's consideration of termination of probation.

- a. Respondent shall take and complete a minimum of six (6) hours of continuing education in the area of **documentation**.
- b. Respondent shall take and complete a minimum of 6 hours of continuing education in the area of **billing and coding**.

Monitoring: Within thirty (30) days of completion of the continuing education requirements of this Order, Respondent shall enter into an agreement with a neutral and objective Board-approved monitor ("Monitor") and shall submit a copy of the agreement to the Monitor. The Monitor shall provide monitoring services such as those offered by Arizona Professional Monitoring, Inc. or another Board Staff approved monitor. The Monitor shall not be owned by or employ any person who (a) is related to Respondent by blood or marriage, (b) has had a social or professional relationship with Respondent prior to the execution of this order, (c) receives compensation of any nature from Respondent except payment for monitoring services, or (d) otherwise has a conflict-of-interest as determined by the Board.

The Board-approved monitor's recommendations for monitoring of Respondent shall be unilaterally incorporated into this Order and Respondent shall promptly comply with any recommendations that the Board-approved monitor states in writing. Should the Board-approved monitor make recommendations to change Respondent's practice activities, the change will take place within ten (10) days of notice of the recommendation. Respondent may protest the recommendations to the Board; however, such Protest must be submitted to the Board, in writing, within ten (10) days of notice of the recommendations. The Board will determine if the recommendations should be implemented. If Respondent fails to implement the recommended changes or file protest with the Board within ten (10) days, Respondent may be found in violation of the Board order.

Respondent shall cause the Board-approved monitor to send monthly reports of Respondent’s compliance with this Order and the Board-approved monitor’s recommendations to the Board, which must be received by the Board by the 10th of each month.

If Respondent fails to contact and enter into an agreement with a Board-approved monitor within thirty (30) days from the completion of the continuing education requirements, the Board may determine that Respondent has violated this Order and may take additional disciplinary action.

At a minimum, monitoring of Respondent shall include the following:

A. Notification of Employment/Practice Restriction: Within five (5) calendar days of Respondent’s date of any hire to perform physical therapy services, Respondent must notify the Board in writing of the name and address of his employer.

B. Documentation Review: During the first three months of monitoring, the Monitor shall review Respondent’s charts and billing records on a monthly basis: The purpose of the review is to assess compliance with the Board’s statutes and rules regarding billing and coding and medical services documentation. After the Monitor has completed three (3) months of chart review and the evidence shows that Respondent is in compliance with the Board’s statutes and rules, the Respondent may petition the for early termination.

Early Termination of Probation: It shall be Respondent’s affirmative duty to seek termination of probation ordered herein. Respondent may petition the Board for termination of his probation provided he has completed or complied with the above paragraphs. Upon receiving Respondent’s petition, the Board shall have sole discretion to determine whether Respondent has complied with all the terms and conditions of the Order prior to granting petition for early termination.

Dr. Cornwall seconded the motion. Following review and discussion, the motion carried by roll call.

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remec	Mr. Greer	Dr. Cornwall	Dr. Bustillo
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Aye	X	X	X		X	X	X
Nay							
Recused							
Abstained							
Absent				X			

2) Case No. 19-53; Mitali Patel, PT (9:30am)

Ms. Patel was present and was not represented by legal counsel. The Board members and Board staff introduced themselves. Dr. Cornwall read a summary of how the hearing would be conducted and reviewed the possible outcomes of the hearing. Ms. Richardson and Ms. Patel were sworn-in as witnesses. Dr. Donahue read the allegations against Ms. Patel.

Ms. Patel provided no an opening statement.

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

Let the record reflect that Ms. Remec joined the Board Meeting at 10:13 A.M.

Ms. Patel provided a closing statement.

The Board deliberated.

Dr. Cornwall guided the Board through each allegation for discussion. Following discussion on the allegations Dr. King moved the Board adopt the following Findings of Fact:

1. Respondent demonstrated substandard care when re-evaluation for patient SF and MR were incomplete with relevant objective evaluation findings not documented.
2. Treatment flow-sheets did not provide enough detail to enable another physical therapist to resume care.
3. For patient AG, Respondents billed charges are not supported by the documentation.
4. Respondent failed to update goals for patient MR.

Dr. Bustillo seconded the motion. Following review and discussion, the motion carried by roll call.

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remece	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X	X	X		X	X	X
Nay							
Recused							
Abstained				X			
Absent							

Dr. King moved the Board adopt the following Conclusions of Law:

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

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

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

Dr. Bustillo seconded the motion. Following review and discussion, the motion carried by roll call.

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remece	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X	X	X		X	X	X
Nay							
Recused							
Abstained				X			
Absent							

The Board discussed possible disciplinary action against Ms. Patel’s license. Following discussion Dr. King moved the Board adopt the following Order:

Probation: The Arizona Board of Physical Therapy hereby orders that Respondent, holder of Physical Therapy License No. LPT-030631, is placed on probation for **twenty-four (24) months** from the effective date of the order. The probation may be extended or other

enforcement actions taken in the event Respondent is found in violation this Order or violates the Arizona Physical Therapy Practice Act. The Board orders Respondent to comply with the following terms and conditions:

Continuing Education: Respondent shall take and complete continuing education in the area(s) listed below within six (6) months from the effective date of this order. Respondent must submit the course description to Board staff for approval prior to beginning the continuing education course(s). Respondent shall provide documentation to Board staff that the course was completed prior to the Board's consideration of termination of probation.

- a. Respondent shall take and complete a minimum of six (6) hours of continuing education in the area of **documentation**.
- b. Respondent shall take and complete a minimum of 6 hours of continuing education in the area of **billing and coding**.

Monitoring: Within thirty (30) days of completion of the continuing education requirements of this Order, Respondent shall enter into an agreement with a neutral and objective Board-approved monitor ("Monitor") and shall submit a copy of the agreement to the Monitor. The Monitor shall provide monitoring services such as those offered by Arizona Professional Monitoring, Inc. or another Board Staff approved monitor. The Monitor shall not be owned by or employ any person who (a) is related to Respondent by blood or marriage, (b) has had a social or professional relationship with Respondent prior to the execution of this order, (c) receives compensation of any nature from Respondent except payment for monitoring services, or (d) otherwise has a conflict-of-interest as determined by the Board.

The Board-approved monitor's recommendations for monitoring of Respondent shall be unilaterally incorporated into this Order and Respondent shall promptly comply with any recommendations that the Board-approved monitor states in writing. Should the Board-approved monitor make recommendations to change Respondent's practice activities, the change will take place within ten (10) days of notice of the recommendation. Respondent

may protest the recommendations to the Board; however, such Protest must be submitted to the Board, in writing, within ten (10) days of notice of the recommendations. The Board will determine if the recommendations should be implemented. If Respondent fails to implement the recommended changes or file protest with the Board within ten (10) days, Respondent may be found in violation of the Board order.

Respondent shall cause the Board-approved monitor to send monthly reports of Respondent's compliance with this Order and the Board-approved monitor's recommendations to the Board, which must be received by the Board by the 10th of each month.

If Respondent fails to contact and enter into an agreement with a Board-approved monitor within thirty (30) days from the completion of the continuing education requirements, the Board may determine that Respondent has violated this Order and may take additional disciplinary action.

At a minimum, monitoring of Respondent shall include the following:

A. Notification of Employment/Practice Restriction: Within five (5) calendar days of Respondent's date of any hire to perform physical therapy services, Respondent must notify the Board in writing of the name and address of his employer.

B. Documentation Review: During the first three months of monitoring, the Monitor shall review Respondent's charts and billing records on a monthly basis: The purpose of the review is to assess compliance with the Board's statutes and rules regarding billing and coding and medical services documentation. After the Monitor has completed three (3) months of chart review and the evidence shows that Respondent is in compliance with the Board's statutes and rules, the Respondent may petition the for early termination.

Early Termination of Probation: It shall be Respondent's affirmative duty to seek termination of probation ordered herein. Respondent may petition the Board for termination of his probation provided he has completed or complied with the above paragraphs. Upon

receiving Respondent’s petition, the Board shall have sole discretion to determine whether Respondent has complied with all the terms and conditions of the Order prior to granting petition for early termination.

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

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remec	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X	X	X		X	X	X
Nay							
Recused							
Abstained				X			
Absent							

The Board Recessed from 10:38 A.M. to 10:43 A.M.

3) Case No. 19-48; Branden Easley, PTA (10am)

Dr. Cornwall move the Board to **Table** the above case to the September 22, 2020 Board Meeting. Ms. Remec seconded the motion. Following review and discussion, the motion carried by roll call.

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remec	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X	X	X	X	X	X	X
Nay							
Recused							
Abstained							
Absent							

4) COMPLAINTS, HEARINGS, INVESTIGATIONS and COMPLIANCE

2) Case No. 19-57; Rodrigo Salcido

Ms. Richardson provided a summary of the case for the Board. Complaint #19-57 was opened after investigation of case #19-16 Carl Malmquist. It is alleged Mr. Salcido was practicing as a physical therapist without an Arizona license.

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

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

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remec	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X	X	X	X	X	X	X
Nay							
Recused							
Abstained							
Absent							

Executive Session -A from 10:51 A.M. to 11:03 A.M.

Roll call taken after returning back from Executive Session at 12:12 P.M. by Dr. Donahue.

Dr. Cornwall moved the Board to forward this case to the Attorney General Office. Ms. Hunter seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remec	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X	X	X		X	X	X
Nay							
Recused							
Abstained				X			
Absent							

3) Case No. 19-58; Claudia Bermudez

Ms. Richardson provided a summary of the case for the Board. Complaint #19-58 was opened after investigation of case #19-16 Carl Malmquist. It is alleged Ms. Bermudez was practicing as a physical therapist without an Arizona license.

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

Dr. King moved the Board to forward this case to the Attorney General Office. Dr. Bustillo seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remec	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X	X	X	X	X	X	X

Nay							
Recused							
Abstained							
Absent							

4) Case No. 19-59; Nadia Robles

Dr. Donahue stated that Ms. Robles attorney requested an extension; and the extension was granted.

Mr. Greer moved the Board to **Table** the above case to September 22, 2020 Board meeting per Ms. Robles granted extension. Mr. Clinton seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remec	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X	X	X	X	X	X	X
Nay							
Recused							
Abstained							
Absent							

5) Case No. 20-12; Kim Lewis, PT

Dr. Donahue provided a summary of the case for the Board. Ms. Lewis disclosed to the Board that she was charged 6 Felony Counts: 4 Counts Aggravated Assault- Deadly Weapon Felony 3rd and 2 counts: DUI Aggravated with Drive Lic Restriction-1st- Felony 4 for a incident involving driving the wrong way on a freeway while impaired on February 2, 2018. Ms. Lewis was notified by mail of her court appearance on May 15, 2020.

Ms. Lewis was present and was not represented by legal counsel. Ms. Lewis provided an opening statement. The Board reviewed and discussed the case and asked questions of Ms. Lewis.

Mr. Greer 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. King	Ms. Remec	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X	X	X	X	X	X	X
Nay							

Recused							
Abstained							
Absent							

Executive Session -B from 11:35 A.M. to 12:12 P.M.

Roll call taken after returning back from Executive Session at 12:12 P.M. by Dr. Donahue.

Mr. Greer moved the Board to **Table** the above case until the September 22, 2020 Board meeting pending the outcome of Ms. Lewis Superior Court initial pretrial conference on September 21, 2020. Dr. Bustillo seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remec	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X	X	X	X	X	X	X
Nay							
Recused							
Abstained							
Absent							

6) Case No. 20-15; Connor Ong, PT

Dr. Donahue provided a summary of the case for the Board. Mr. Ong was issued a provisional license on April 17, 2020. He was notified via letter enclosed in the provisional license that his license will become inactive 20 days after Prometric Testing centers opened, per Governor Executive Order. Mr. Ong practiced as a physical therapist from May 25, 2020 until June 2, 2020 after his license was placed in inactive status.

Ms. Remec stated Mr. Ong was a student of her and has no bias to hear the case.

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

Dr. Cornwall moved the Board to forward the above case to an **Informal Hearing**. Dr. King seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remec	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X	X	X	X	X	X	X
Nay							
Recused							

Abstained							
Absent							

7) Case No. 19-52’ Kyle O’Leary, PT

Dr. Donahue provided a summary of the case for the Board. The Board opened complaint #19-52 after review of complaint #19-16 Carl Malmquist. The Board alleges that Mr. O’Leary engaged in substandard care, made misleading/deceptive/untrue or fraudulent representations, aided and/or abetted a person who is not licensed or certified in this state and who directly or indirectly performed activities requiring a license or certificate, failed to report to the board any direct knowledge of an unprofessional, incompetent or illegal act, and failed to maintain adequate records.

The Board held its initial review and discussion of Complaint #19-52 at the regular session meeting on June 30, 2020. The Board requested further investigation in order for additional medical records to be reviewed as it relates to substandard care and adequacy of the patient record. Additional patient records were received and reviewed with the summary provided below.

Mr. O’Leary was not present and was not represented by legal counsel.

Dr. King moved the Board to forward the above case to an **Informal Hearing**. Ms. Remec seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remec	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X	X	X	X	X	X	X
Nay							
Recused							
Abstained							
Absent							

8) Case No, 19-50; Brian Chin, PT

Dr. Donahue provided a summary of the case for the Board. The Board opened complaint #19-50 after review of complaint #19-16 Carl Malmquist. The Board alleges that Mr. Chin engaged in substandard care, made misleading/deceptive/untrue or fraudulent representations, aided and/or abetted a person who is not licensed or certified in this state and who directly or indirectly performed activities requiring a license or certificate, failed to report to the board any direct knowledge of an unprofessional, incompetent or illegal act, and failed to maintain adequate records.

The Board held its initial review and discussion of Complaint #19-50 at the regular session meeting on June 30, 2020. The Board requested further investigation in order for additional medical records to be reviewed as it relates to substandard care and adequacy of the patient record. Additional patient records were received and reviewed with the summary provided below.

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

Dr. Cornwall moved the Board to forward the above case to an **Informal Hearing**. Dr. king seconded the motion. Following review and discussion the motion carried.

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remec	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X	X	X	X	X	X	X
Nay							
Recused							
Abstained							
Absent							

5) BOARD BUSINESS AND REPORTS

A) Review, Discussion

- 1) Renewal 2020 (as of 8/14/20)
 - (1) 5,092 individuals have renewed
 - (a) 3914/6176 Physical Therapists (63%)
 - (b) 1178/1991 Physical Therapist Assistants (59%)

B) Review and Discussion:

- 1) Provisional Licensure/Certification (As of August 14, 2020)
 - (1) 46 Provisional licenses have been modified to Active Status
 - (2) 28 Provisional Licenses remain in Inactive Status
- 2) 115 Individuals Licensed July 1- July 31, 2020
 - (1) 28 Physical Therapists Endorsement
 - (2) 54 Physical Therapists Examination
 - (3) 1 Physical Therapist Foreign Educated
 - (4) 1 Physical Therapist Universal Recognition
 - (5) 5 Physical Therapist Assistants Endorsement
 - (6) 23 Physical Therapist Assistants Examination
 - (7) 3 Business Entities
- 3) September 1, 2018 through August 14, 2020 Application Statistics: (average days from submission of application to approval)
 - (1) Overall PT: 85.3 Days
 - (a) PT Endorsement: 66.7 days
 - (b) PT Exam: 99.2 days

- (c) PT Foreign Educated: 172.9
- (d) PT Military Spouse: 25.3 days
- (e) PT Universal Recognition: 68.2
- (2) Overall PTA: 146 days
 - (a) PTA Endorsement: 81.2 days
 - (b) PTA Exam: 101.8
 - (c) PTA Military Spouse: 36 days
 - (d) PTA Universal Recognition: 33.8 days

Dr. Donahue provided an updated of the above topic. No action was needed or taken. Mr. Greer requested to agenzized a Confidential Substance Abuse Program for future Board discussion.

6) ADJOURNMENT

Dr. Bustillo moved the Board to **Adjourn**. Ms. Hunter seconded the motion. Following review and discussion, the motion carried by roll call.

Vote	Mr. Clinton	Ms. Hunter	Dr. King	Ms. Remec	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X	X	X	X	X	X	X
Nay							
Recused							
Abstained							
Absent							

Meeting adjourned at 12:41 P.M.

Prepared by,

Monica Crowley
Licensing Administrator

Approved by,

Karen Bustillo, PT, DPT, OCS, CLT
Secretary