



Mark Cornwall, PT, PHD, FAPTA
President

ARIZONA STATE BOARD OF PHYSICAL THERAPY
1470 W. ADAMS ST., STE 2450, PHOENIX, ARIZONA 85007
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**REGULAR SESSION MEETING MINUTES via
Hangout Meet Video Conferencing
September 22, 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 8:36 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) August 25, 2020 Regular Session Meeting Minutes**

The Board reviewed and discussed the above minutes.

Dr. King moved the Board to approve the August 25, 2020 Regular Session Meeting Minutes. Dr. Cornwall seconded the motion. Following review and discussion, the motion carried by roll call.

Board Meeting 09/22/20

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							

B) August 25, 2020 Executive Session -A

The Board reviewed and discussed the above minutes.

Mr. Clinton moved the Board to approve the August 25, 2020 Executive Session- A Board Meeting Minutes. 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	X
Nay							
Recused							
Abstained							
Absent							

C) August 25, 2020 Executive Session -B

The Board reviewed and discussed the above minutes.

Ms. Hunter moved the Board to approve the August 25, 2020 Executive Session- B Board Meeting Minutes. 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	X
Nay							
Recused							
Abstained							
Absent							

3) REVIEW, CONSIDERATION and ACTION

A) Applications for Licensure and Certification

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

1) Shawn Danielson

The Board reviewed and discussed the above application.

Dr. King moved the Board to **Approve** the above Application for Physical Therapist 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	X
Nay							
Recused							
Abstained							
Absent							

2) Mason Hegna

The Board reviewed and discussed the above application.

Dr. King moved the Board to **Approve** the above Application for Physical Therapist 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	X
Nay							
Recused							
Abstained							
Absent							

3) Christopher Trimble

The Board reviewed and discussed the above application.

Dr. King moved the Board to **Approve** the above Application for Physical Therapist 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	X
Nay							
Recused							
Abstained							
Absent							

4) Utimio Trujllio

The Board reviewed and discussed the above application.

Ms. Hunter moved the Board to **Approve** the above Application for Physical Therapist 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. Remec	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X	X	X	X	X	X	X
Nay							
Recused							
Abstained							
Absent							

5) Jana Richey

The Board reviewed and discussed the above application.

Dr. King moved the Board to **Table** the above Application to the October 2020 Board Meeting allow Ms. Richey time to provide additional paperwork on her 2020 DUI and request she be present at the Board Meeting. 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							

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

1) Rebecca Aguilar

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	X
Nay							
Recused							
Abstained							
Absent							

2) Nina Terterova

The Board reviewed and discussed the above application.

Dr. Cornwall 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. Remec	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X	X	X	X	X	X	X
Nay							
Recused							
Abstained							
Absent							

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

- 1) Amanda Posey

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 for both exams. 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	X	X
Nay							
Recused							
Abstained							
Absent							

- 4) Review of and Possible Action on the Following Applications for Physical Therapist Licensure – Foreign Educated Graduates of Programs Not U.S. Accredited.
 - (a) Review of and Possible Licensure of Applicant with Final CPI
 - 1) Fiona Coyle

The Board found Ms. Coyle’s application to be complete. Ms. Hunter moved the Board approve the Final CPI and the above application for Physical Therapist Licensure. Dr. King seconded the motion. Following review and discussion, the motion carried unanimously 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**
 - A) Review, Discussion and Possible Action for Initial Review:
 - 1) Case No. 19-60; Melodee Assudani

Ms. Richardson provided a summary of the case for the Board. Complaint #19-60 was opened after investigation of case #19-16 Carl Malmquist. It is alleged Ms. Assudani was practicing as a physical therapist without an Arizona license.

Ms. Assudani was present and was not represented by legal counsel. Ms. Assudani provided an opening statement to the Board.

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

Dr. Cornwall moved Board to **Dismiss** the above case. 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							

A) Review, Discussion and Possible Action for Review of Informal Hearing:
 1) Case No. 19-48; Braden Easley, PTA

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

Mr. Easley provided an opening statement.

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

Mr. Easley provided a closing statement. The Board deliberated.

Dr. King moved the Board issue **Non-Disciplinary** order to include **six (6)** hours of continuing education in **Documentation** and **three (3)** hours in **Coding** and **Billing** to be completed within six (6) months, with the possibility of early termination. The course(s) must be preapproved by Board staff, may be taken online. 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	X						
Recused							
Abstained							
Absent							

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

1) Case No. 19-59; Nadia Robles

Ms. Richardson provided a summary of the case for the Board. Complaint #19-59 was opened after investigation of case #19-16 Carl Malmquist. It is alleged that Ms. Robles was practicing as a physical therapist without an Arizona license.

Ms. Robles was not present and was represented by Ms. Sara Stark. Ms. Stark provided an opening statement to the Board and stated she was there to answer any question on behalf of her client, Ms. Robles.

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

Dr. King moved the Board to 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 9:55 A.M. to 10:03 A.M.

The Board Recessed from 10:04 A.M. to 10:10 A.M.

Roll call taken after returning back from Recesses at 10:10 A.M. by Dr. Donahue.

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							

2) Case No. 19-36; Thomas Bratcher, PT

Ms. Richardson provided a summary of the case for the Board. Complaint #19-36 was opened on September 16, 2019 after receiving NPDB report dated 8/19/19. A \$15,000 settlement was paid for “failure to monitor” patient during physical therapy treatment “resulting in shoulder burns.”

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

Mr. Bratcher provided an opening statement to the Board.

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

Mr. Greer moved the Board to **Dismiss** the above case. 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
Nay	X	X				X	
Recused							
Abstained							
Absent							

3) Case No. 19-46; Joshua Brant, PTA

Ms. Richardson provided a summary of the case for the Board.

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

Mr. Brant provided an opening statement to the Board.

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

Mr. Brant provided a closing statement.

Dr. King moved the Board to **forward** the above case to an **Informal Hearing**. Mr. Clinton seconded the motion. Following review and discussion; Ms. Hunter moved the Board to 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. Remece	Mr. Greer	Dr. Cornwall	Dr. Bustillo
Aye	X	X	X	X	X	X	X
Nay							
Recused							
Abstained							
Absent							

Executive Session -B from 10:53 A.M. to 10:58 A.M.

Roll call taken after returning back from **Executive Session** at 10:58 A.M. by Dr. Donahue.

Following review and discussion to **forward** the above case to an **Informal Hearing**; the motion failed.

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

Ms. Hunter moved the Board to issue a **Non-Disciplinary** order to include **six (6)** hours of continuing education in **Documentation** and **three (3)** hours in **Billing** and **Coding** to be completed within six (6) months, with the possibility of early termination. The course(s) must be preapproved by Board staff, may be taken online. Ms. Remece 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							

Dr. King moved the Board to open a complaint against Rodney Thomas, Kyle Hiller and Connor Meppen. 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							

5) Case No. 19-61; Lamont Hutchinson, PTA

Dr. Donahue provided a summary of the case for the Board. The Board opened complaint #19-16 after notification of Suspension of Fingerprint Clearance Card from DPS due to arrest for Misdemeanor Disorderly Conduct Involving Domestic Violence (ARS 13-3601) on or about November 2, 2019. Mr. Hutchinson did not notify the Board within the required 10-day notification period. Mr. Hutchinson did not respond to the complaint after numerous e-mail and mail communications. Mr. Hutchinson was notified again electronically, following renewal of his license on 9/11/20 after updating both is mailing address and e-mail during renewal.

Mr. Hutchinson was present and was not represented by legal counsel. Mr. Hutchinson provided an opening statement to the Board.

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

Dr. Cornwall moved the Board to issue an **Advisory Letter** to include:

“The Board’s concerns relate to your failure to respond to the Notification of Complaint and failure to update your contact information with the Board. The Board formally advises you to

pay attention to the rules and statutes and timely report all changes in your contact information”

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	X
Nay							
Recused							
Abstained							
Absent							

Let the record reflect Ms. Richardson left the Board meeting at 11:33 A.M.

C) Review, Discussion and Possible Action for Modification of Board Order:

- 1) Board Order 18-21; Christopher Martin, PTA

The Board reviewed and discussed the above case.

Dr. King moved the Board to **Approve** request to Modification of Board Order to allow online CEU courses. 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		X					
Recused							
Abstained							
Absent							

- 2) Board Order 18-47; Sarah Nuckles, PT

The Board reviewed and discussed the above case.

Dr. Cornwall moved the Board to **Approve** request to Modification of Board Order to allow online CEU courses. 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	X
Nay		X					
Recused							
Abstained							
Absent							

D) Review, Discussion and Possible Action for Request for Early Termination of Probation:

- 1) Board Order 19-17; Nicholette Owens, PT

The Board reviewed and discussed the above case.

Dr. Cornwall moved the Board to **Approve** request for Early Termination of Probation. 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							

5) BOARD BUSINESS AND REPORTS

- A) Review, Discussion and Possible Action Guidelines/Criteria for Substance Abuse Recovery Program §A.R.S. 32-2044(8)

The Board reviewed and discussed the above Guidelines/Criteria for Substance Abuse Recovery Program.

Let the record reflect Ms. Remec has left the Board meeting at 11:47 A.M.

Dr. Cornwall moved the Board to **Accept** the eligibility guidelines for Substance Abuse Recovery Program. 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	X

Nay							
Recused							
Abstained							
Absent				X			

4) COMPLAINTS, HEARINGS, INVESTIGATIONS and COMPLIANCE

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

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

Dr. Donahue provided a summary of the case for the Board. The above case was **Table** from last Board meeting pending the outcome of Ms. Lewis Superior Court initial pretrial conference on September 21, 2020

Ms. Lewis was present and was not represented by legal counsel. Ms. Lewis provided an update of the outcome of Superior Court initial pretrial conference on September 21, 2020

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

Dr. Cornwall moved the Board to **Table** the Ms. Lewis case to the October 27th Board Meeting. 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	X
Nay							
Recused							
Abstained							
Absent				X			

5) BOARD BUSINESS AND REPORTS

B) Board In-service: “Legal Obligations/ Practice Management” (30 minutes)

Presenter: Peg Hiller, PT

Ms. Hiller provided a 30-minute presentation.

The Board reviewed and discussed the above agenda item.

Dr. Cornwall directed Dr. Donahue to aggrandize for future Board meeting to Review and Discuss possible posting of Educational Modules to our Board website.

C) Review and Discussion:

- 1) Provisional Licensure/Certification (As of September 14, 2020)
 - (1) 47 Provisional licenses have been modified to Active Status
 - (2) 27 Provisional Licenses remain in Inactive Status

- 2) 128 Individuals Licensed July 1- July 31, 2020
 - (1) 23 Physical Therapists Endorsement
 - (2) 66 Physical Therapists Examination
 - (3) 1 Physical Therapist Military Spouse
 - (4) 1 Physical Therapist Universal Recognition
 - (5) 1 Physical Therapist Assistant Universal Recognition
 - (6) 2 Physical Therapist Assistants Endorsement
 - (7) 34 Physical Therapist Assistants Examination
 - (8) 4 Business Entity

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

6) ADJOURNMENT

Mr. Greer moved the Board to **Adjourn**. 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			

Meeting adjourned at 12:43 P.M.

Prepared by,

Monica Crowley
Licensing Administrator

Approved by,

Board Meeting 09/22/20

Karen Bustillo, PT, DPT, OCS, CLT
Secretary