



**ARIZONA STATE BOARD OF PHYSICAL THERAPY**  
4205 NORTH 7<sup>TH</sup> AVENUE, SUITE 208 PHOENIX, ARIZONA 85013  
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www.ptboard.az.gov

**REGULAR SESSION MEETING MINUTES**  
**August 26, 2014**

**MEMBERS PRESENT:**

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

**Members Absent**

Fredric B. Zook, Ph.D. Public Member

**OTHERS PRESENT IN PERSON:**

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

CALL TO ORDER – 8:32 a.m.

Ms. Akers called the meeting to order at 8:30 a.m. (A recording of the meeting is available through the Board Office)

Mr. D'Appollonio was present telephonically.

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

a) July 15, 2014 Regular Session Meeting Minutes

Ms. Akers moved to approve the July 15, 2014 minutes as presented. Ms. Hunter seconded the motion. Following review and discussion the motion carried by unanimous vote.

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

## 2) 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 and the NPTE/AZLAW and Final Transcript

Anderson, Christopher	Arrigoni, Justin	Baquer, Hussein
Blatter, Katherine	Bunker, Derek	Byram, Sarah
Deidiker, Crystal	Dorval, Cassie	Dumont, Alex
Elliott, Matthew	Fink, Dillon	Hennessey, Amanda
Jackson, Susan	Kuntz, Chad	Kooman, Kristin
Kukulski, Janet	McCants, Nicole	Lider, Camille
Lovelady, Lauren	Pepenelli, Patrick	Molchin, Christine
Morris, Charlesetta	Tea, Kolten	Tierney, Emily
Syler, Barbara	Winkler, Betsy	Wyatt, Gina
Wall, Meredith	Zaporowski, Kristen	

#### ii) 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.

Johnston, Carrie	Scherpf, John	
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#### iii) Review, Consideration and Approval of Applications for **Physical Therapist Assistant** Certification upon Receipt of Passing Scores on the NPTE/AZLAW and Final Transcript.

Apple, Chelsie	Armstead, Nissa	Bessey, Kyle
Conley, Christopher	Demeulenaere, Danielle	Flannery, Ahsley
Glass, Christi	Jensen, Danielle	Kriesel, Joshua
Arias, Lucy	Stahl, Tedd	Toigo, Brandon

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

Anton, Michael	Basman, Sara	Bourquin, Marcus
Fowler, Brittany	Galaktianoff, Nicole	Grzybowski, Jr. David
Macey, Joshua	Marshall, Andrew	
Preston, Alyssa		

Ms. Akers moved to accept Agenda. Ms. Richardson seconded the motion. After review and discussion the motion carried by unanimous vote.

Vote	Mr. D'Appollonio	Ms. Akers	Ms. Hunter	Dr. Zook	Dr. Miller	Ms. Richardson	Mr. Clinton
Aye	X	X	X		X	X	X
Nay							

Recused							
Abstained							
Absent				X			

Consent Agenda Ends

### 3) Review, Consideration and Action on Applications for Licensure and Certification

- a) Review of and Possible Action on the Following Applications for Physical Therapist Licensure – Foreign Educated Graduates of Programs Not U.S. Accredited.
  - iv) Review of Education, Determination of Supervised Clinical Practice Period, and Possible Licensure
    - (1) Joshi, Pooja

Ms. Joshi was not present and was not represented by legal counsel. The Board reviewed Ms. Joshi's application. Ms. Richardson moved the Board accept her education as substantially equivalent, but require a period of supervised clinical practice which cannot include a home health assignment and require her to pass the AZLAW examination. Dr. Miller seconded the motion. Following review and discussion the motion carried by unanimous vote.

(2) Njoki, Emmah

Ms. Njoki was present and was not represented by legal counsel. Ms. Njoki addressed the Board regarding her US work experience. Ms. Akers moved to find Ms. Njoki's education substantially equivalent to a US graduate and to give Ms. Njoki 60 days to provide a letter from her previous US employer that confirms six months of full time US experience as a physical therapist. If Ms. Njoki cannot provide the proof she is required to complete a period of supervised clinical practice. Ms. Njoki must take and pass the AZLAW examination and is approved for licensure. Mr. Clinton seconded the motion, following review and discussion the motion carried by unanimous vote.

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

- v) Review of and Possible Licensure of Applicant with Final CPI
  - (1) Gaquing, Jesus

Mr. Gaquing was not present and was not represented by legal counsel. Ms. Akers moved the Board approve Mr. Gaquing's final CPI and approve licensure. Ms. Richardson seconded the motion. Following review and discussion the motion carried by unanimous vote.

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

Absent				X			
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- b) Substantive Review of Documentation Related to Disclosure on “Personal Information” Section of Application  
 (1) Physical Therapist Applications and Approval to take the AZLAW (Jurisprudence) Exam and Possible Licensure  
 (a) Young, Duane

Mr. Young was not present and was not represented by legal counsel. Ms. Akers moved the Board approve Mr. Young to take the AZLAW examination and license him upon receipt of a passing score. Ms. Richardson seconded the motion. Following review and discussion the motion carried by unanimous vote.

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

- c) Substantive Review and Possible Certification for Applicant Who is the Spouse of Active Military Personnel Stationed in Arizona  
 (1) Heim, Tommi

Ms. Heim was not present and was not represented by legal counsel. Ms. Akers moved the Board approve Ms. Heim for certification as a physical therapist assistant. S. Richardson seconded the motion. Following review and discussion the motion carried by unanimous vote.

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

#### 4) COMPLAINTS, HEARINGS, IVESTIGATIONS and COMPLIANCE

- b) Initial Review, Discussion and Action on Complaint  
 i) Complaint #14-16; Brittany Tetlow, PT

Ms. Tetlow was present and was represented by Frederik Cummings. Ms. Donahue provided a summary of the complaint allegations to the Board. Ms. Tetlow made herself available for questions from the Board. The complainant alleges that Ms. Tetlow did not perform an adequate evaluation and supplied her (the patient) with a latex elastic exercise band when her medical history indicated that she was allergic to latex. Ms. Tetlow answered questions from the Board. Ms. Richardson moved the Board issue Ms. Tetlow and non-disciplinary order for continuing education to include six hours in documentation to be preapproved by Board staff and completed in 90 days. Dr. Miller seconded the motion. Following review and discussion the motion carried by unanimous vote.

Vote	Mr. D'Appollonio	Ms. Akers	Ms. Hunter	Dr. Zook	Dr. Miller	Ms. Richardson	Mr. Clinton
Aye	X	X	X		X	X	X

Nay							
Recused							
Abstained							
Absent				X			

iii) Complaint #14-20; Jessica Gengler, PT

Ms. Gengler was present and was not represented by legal counsel. Ms. Donahue provided the Board with a summary of the allegations. The Board opened a complaint against Ms. Gengler following review of Complaint #13-45 Mike Rich. The Board alleges that Ms. Gengler failed to adequately supervise assistive personnel; did not maintain a secure electronic signature; produced inadequate patient records; failed to notify the Board of an illegal or unethical act(s) and enable his license to produce billing for services that were not provided by Ms. Gengler. Ms. Gengler made herself available for questions from the Board. Following the Board's questions, Dr. Miller moved the Board forward the complaint to an informal hearing and offer Ms. Gengler a consent agreement for a one year probation period to include continuing education six hours in documentation and billing to be preapproved by Board staff and completed in 90 days. Ms. Gengler must take and pass the AZLAW exam in 90 days. And complete the ProBe ethics course or an equivalent in six months. After the completing of the ethics course and continuing education Ms. Gengler must hire a Board approved monitor and undergo monthly reviews of a minimum of three patient charts each month for six months. Mr. Clinton seconded the motion. Following review and discussion the motion carried by unanimous vote.

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

iv) Complaint #14-21; Lesley Bludworth, PT

Mr. D'Appollonio disclosed he knows Ms. Bludworth professionally but has no bias. Ms. Bludworth was present and was not represented by legal counsel. Ms. Donahue provided a summary of the complaint for the Board. The Board opened a complaint against Ms. Bludworth following review of Complaint #13-45 Mike Rich. The Board alleges that Ms. Bludworth failed to adequately supervise assistive personnel; produced inadequate patient records; failed to notify the Board of an illegal or unethical act(s). Ms. Bludworth addressed the Board regarding the allegations and steps she has taken to improve her documentation to include taking a continuing education course on documentation. Following questions from the Board Dr. Miller moved the Board forward the complaint to an informal hearing and offer Ms. Bludworth a consent agreement for a one year probation period to include continuing education six hours in documentation and billing to be preapproved by Board staff and completed in 90 days. Ms. Bludworth must take and pass the AZLAW exam in 90 days. And complete the ProBe ethics course or an equivalent in six months. After the completing of the ethics course and continuing education Ms. Bludworth must hire a Board approved monitor and undergo monthly reviews of a minimum of three patient charts each month for six months. Ms. Hunter seconded the motion. Following review and discussion the motion carried by unanimous vote. Board staff was instructed to give Ms. Bludworth credit for the continuing education course she took regarding documentation.

Vote	Mr. D'Appollonio	Ms. Akers	Ms. Hunter	Dr. Zook	Dr. Miller	Ms. Richardson	Mr. Clinton
Aye	X	X	X		X	X	X

Nay							
Recused							
Abstained							
Absent				X			

The Board recessed at 10:20 am

The Board reentered Regular Session at 10:31 am

a) Formal Hearing and Possible Action

iv) Time: 10:00 a.m. Complaint #13-41; Robert Scott Walker, PT

Mr. Walker was not present and was not represented by legal counsel. Mr. Brown presented the Board with a consent agreement signed by Mr. Walker that if approved would accept the voluntary surrender of Mr. Walker license to practice physical therapy in Arizona. Ms. Akers moved the Board accept the consent agreement as presented. Mr. Clinton seconded the motion. Following review and discussion the motion carried by unanimous vote.

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

b) Initial Review, Discussion and Action on Complaint

ii) Complaint #14-19; Josh Sponder, PT

Mr. Sponder was not present and was not represented by legal counsel. Ms. Donahue provided the Board with a summary of the allegations in this case. The Board opened a complaint against Mr. Sponder following review of Complaint #13-45 Mike Rich. The Board alleges that Mr. Sponder failed to adequately supervise assistive personnel; did not maintain a secure electronic signature; produced inadequate patient records; failed to notify the Board of an illegal or unethical act(s) and enable his license to produce billing for services that were not provided by Mr. Sponder. Ms. Akers moved the Board forward the complaint to an informal hearing and offer Mr. Sponder a consent agreement for a one year probation period to include continuing education six hours in documentation and billing to be preapproved by Board staff and completed in 90 days. Mr. Sponder must take and pass the AZLAW exam in 90 days. And complete the ProBe ethics course or an equivalent in six months. After the completing of the ethics course and continuing education Mr. Sponder must hire a Board approved monitor and undergo monthly reviews of a minimum of three patient charts each month for six months. Dr. Miller seconded the motion. Following review and discussion the motion carried by unanimous vote.

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

viii) Complaint #14-30; Carol Dickman, PT

Ms. Dickman was present and was accompanied by her employer Jodi Roberts, PT. Ms. Donahue provided the Board with a summary of the allegations which included an allegation that Ms. Dickman performed dry needling treatment through a patients clothing. Ms. Dickman answered questions from the Board. Mr. D'Appollonio moved the Board issue a non-disciplinary advisory letter regarding Ms. Dickman's not following the standard of care when providing dry needling through clothing, but recognizing her measures to self-correct and suspending her use of the service until the Board sets standards of education related to dry needling. Ms. Richardson seconded the motion. The Board entered discussion. Mr. Clinton noted concern over not following the standard of care and stated he would be voting no. Ms. Hunter stated she agreed an advisory letter was not sufficient. Following review and discussion the motion failed.

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

Ms. Akers moved the Board forward the complaint to an informal hearing and offer Ms. Dickman a consent agreement for a Decree of Censure. Mr. Clinton seconded the motion. Following review and discussion the motion carried.

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

ix) Complaint #14-31; Jacob La Shot, PT

Mr. La Shot was present and accompanied by his employer Julie Roberts, PT. Ms. Donahue provided a summary of the complaint allegations to the Board which included allegations Mr. La Shot provided dry needling treatment to patients through clothing. Mr. La Shot addressed the Board and made himself available for questions. Following questions from the Board Ms. Akers moved to forward the complaint to an Informal Hearing and offer Mr. La Shot a consent agreement for a decree of censure. Following review and discussion the motion carried.

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

The Board returned to Regular Session at 12:05 a.m.

v) Complaint #14-22; Kimberly Blanchard, PT

Ms. Blanchard was not present and was not represented by legal counsel. Ms. Donahue provided a summary of the complaint for the Board. The complainant alleges that Ms. Blanchard was performing outside the scope of practice when engaging in concussion evaluations at a private soccer tournament. Ms. Hunter moved the Board dismiss the complaint. Dr. Miller seconded the motion. Following review and discussion the motion carried.

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

vi) Complaint #14-25; Anna Budziszewska, PT

Ms. Budziszewska was not present and was not represented by legal counsel. Ms. Donahue provided the Board with a summary of the complaint allegations. The complainant alleges that Ms. Budziszewska was performing outside the scope of practice when engaging in concussion evaluations at a private soccer tournament. Ms. Akers moved the Board dismiss the complaint. Ms. Hunter seconded the motion. Following review and discussion the motion carried by unanimous vote.

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

vii) Complaint #14-28; Mark Nickel, PT

Mr. Nickel was not present and was not represented by legal counsel. Ms. Donahue reviewed the allegations for the Board. The complainant alleges Mr. Nickel falsified information regarding the date on the NOMNC (Notice of Medicare Non-Coverage) form for a patient. Ms. Akers moved the Board forward the complaint to an Informal Hearing. Dr. Miller seconded the motion. Following review and discussion the motion carried by unanimous vote.

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



Absent				X			
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## 5) BOARD BUSINESS AND REPORTS

- a) Executive Director's Report – Discussion and Possible Action
  - iv) Financial Report
  - v) Board Staff Activities
  - vi) Legislation
  - vii) Rule Activity
  - viii) FSBPT

Mr. Brown provided a verbal review of the Executive Director's report. No Board action was requested or taken. A copy of the report is available upon request.

- b) Review and Discussion On Pending Formal Hearings; John Tellier, Section Chief Counsel, Arizona Office of the Attorney General

Ms. Akers tabled this agenda item to a future Board meeting.

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

## 6) CALL TO THE PUBLIC

Cynthia Driskell, PT State Government Committee Chair for the Arizona Physical Therapy Association addressed the Board. Ms. Driskell stated the AzPTA has contacted the Arizona Radiation Regulatory Agency regarding some of their rules impacting physical therapists ability to register certain classes of lasers. The AzPTA will be working to have the rules updated as soon as possible and will keep the Board informed of any progress on the matter. No action was requested or taken on this agenda item.

Ms. Akers moved to adjourn the meeting. Ms. Richardson seconded the motion. After review and discussion the motion carried by unanimous vote.

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

Meeting adjourned at 12:50 PM

Regular Session Meeting  
August 26, 2014

Prepared by,

Charles D. Brown  
Executive Director

Approved by,

Michael S. Clinton, CPA  
Secretary