



ARIZONA STATE BOARD OF PHYSICAL THERAPY
4205 NORTH 7TH AVENUE, SUITE 208 PHOENIX, ARIZONA 85013
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REGULAR SESSION MEETING MINUTES
April 21, 2015

MEMBERS PRESENT:

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

MEMBERS ABSENT:

None

OTHERS PRESENT IN PERSON:

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

CALL TO ORDER – 8:35 a.m.

Ms. Richardson called the meeting to order at 8:35 a.m. (A recording of the meeting is available through the Board Office)

2) Board President's Review of Mission Statement and Review of Administrative and Statistical Data Related to Licensing and Certification

Ms. Richardson reviewed the Board's mission statement and statistical data related to licensing and certification.

Currently Licensed PTs – 4,376
Currently Licensed PTAs – 1,319
PT's Renewed in 2014 – 4,119
PTA's Renewed in 2014 – 1,206
Initial Applications:
2014 PT – 565
2014 PTA – 245
2014 Total – 810
2015 Total (January-March) – 170
2013 Total - 737

3) Review and Approval of Draft Minutes

a) February 24, 2015, Regular Session Meeting Minutes

Mr. D'Appollonio moved to approve the March 24, 2015, regular session meeting minutes, as amended. Dr. Miller seconded the motion. The motion carried by unanimous vote.

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

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 Acuna	Kaitlyn Bogart	Sarah Chapman
Bernadette Connor	Layne Cooper	James Corcoran
Roberta Cote	James Curtis	Ryan Hamic
Jaime Howard	Alicia Krause	Nicole Lee
Vadney Loda	Ellen Lepore	April Monastrial
Cory Newman	Ashley Olsen	Jeremy Pace
Michelle Perry	Julian Rivera	Mark Rolwes
Alicia Shoup	Jaclyn Troy	Matthew Windmoeller
Nikki Robinett		

Board members requested the removal of Jeremy Pace. Ms. Richardson moved the Board approve the remaining applicants for licensure or certification upon receipt of passing scores and final transcripts. Mr. D'Appollonio seconded the motion. Following review and discussion the motion carried by unanimous vote.

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

Jeremy Pace

Ms. Cardoza clarified that the incorrect first name was entered on the summary sheet by Board staff and will be corrected. Ms. Hunter moved the Board approve Jeremy Pace for licensure or certification upon receipt of passing scores and final transcripts. Dr. Miller seconded the motion. Following review and discussion the motion carried by unanimous vote.

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

Recused						
Abstained						
Absent						

- 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

Thomas Bellama	Brent Perdrizet	Graham Cawley
Tyler Marshall		

Ms. Richardson moved the Board approve all applicants for licensure or certification upon receipt of passing scores and final transcripts. Dr. Miller seconded the motion. Following review and discussion the motion carried by unanimous vote.

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

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

Misty Compton	Tanya Crossman	Brian Johnson
Rashelle Johnson	Jennifer Smith	Whitney Webster
Rachel Brodie		

Ms. Richardson moved the Board approve all applications listed upon receipt of passing scores on the NPTE/AZLAW and final transcript. Dr. Miller seconded the motion. Following review and discussion the motion carried by unanimous vote.

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

- b) Review of and Possible Action on Application for Physical Therapist Assistant Certification from Applicant Requesting ADA Accommodations.

- i) Nicole Weitzman

Dr. Miller moved the Board approve the request. Mr. D'Appollonio seconded the motion. Following review and discussion the motion carried by unanimous vote.

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

Recused						
Abstained						
Absent						

Consent Agenda End

3) 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 Applications and Approval to take the NPTE and the AZLAW (Jurisprudence) Exam and Possible Certification.

(a) Ann Hogan Patriquin

Ms. Hogan Patriquin was present and was not represented by legal counsel. Mr. Brown provided a summary for the Board. Ms. Hogan Patriquin answered questions from the Board. Mr. D’Appollonio moved the Board approve Ms. Hogan Patriquin’s application. Dr. Miller seconded the motion. After review and discussion, Mr. D’Appollonio withdrew his motion. Dr. Miller withdrew his second. After further questions and discussion, Mr. D’Appollonio moved the Board postpone consideration of Ms. Hogan Patriquin’s application pending final resolution of the California Board action. Dr. Miller seconded the motion. Following review and discussion the motion carried by unanimous vote.

Vote	Mr. Clinton	Mr. D’Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

The Board recessed for a break at 9:21 a.m.

The Board returned from break at 9:28 a.m.

b) Substantive Review of Documentation Related to Disclosure on “Personal Information” Section of Application

(1) Physical Therapist Assistant Applications and Approval to take the NPTE and the AZLAW (Jurisprudence) Exam and Possible Certification.

(a) Toben Squires

Dr. Miller moved the Board approve the application. Ms. Hunter seconded the motion. Following review and discussion the motion carried by unanimous vote.

Vote	Mr. Clinton	Mr. D’Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

(b) Kevin Bauer

Ms. Hunter moved the Board approve and issue a consent agreement to include probation for one year, onsite supervision for one year, completion of the ProBe ethics course or an equivalent within six months, and monitoring for billing accuracy for six months according to the Board's standard practices. If Mr. Bauer does not accept the consent agreement within 30 days of receipt, licensure would be denied according to A.R.S. §32-2044(9), A.R.S. §32-2044(13), and A.R.S. §32-2023(B)(5). Dr. Miller seconded the motion. Following review and discussion the motion carried by unanimous vote.

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

- (2) Review of and possible action on a request for an appeal of a decision made at the March 25, 2014 meeting and waiving of her SCPP.

(a) Menaka Thevathasan

Ms. Remec recused herself from the consideration and possible action of this case. Ms. Cardoza summarized the request. Ms. Thevathasan was present and answered questions from the Board. Ms. Hunter moved the Board waive Ms. Thevathasan's SCCP. Dr. Miller seconded the motion. Following review and discussion, the motion passed.

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

Ms. Remec returned to the table following the Board's decision regarding Ms. Thevathasan.

5) COMPLAINTS, HEARINGS, INVESTIGATIONS and COMPLIANCE

a) Initial Review, Discussion and Action on Complaint

i) Complaint #14-61; Michael Heinrich, PT

Mr. Heinrich was present and not represented by legal counsel. Ms. Donahue provided a summary of the complaint. The Board asked questions of Mr. Heinrich. Ms. Hunter moved the Board dismiss the complaint. Ms. Remec seconded the motion. Following review and discussion the motion passed by unanimous vote.

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

Absent						
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Ms. Hunter moved the Board open a complaint against Lori Francoeur for violation of A.R.S. §32-2044(22). Ms. Richardson seconded the motion. The motion passed by roll call vote.

ii) Complaint #15-03; Keith Fisher, PT

Mr. Fisher was present and was not represented by legal counsel. Mr. Fisher made an opening statement and answered questions from the Board. Mr. Fisher stated that the complainant was not his patient, nor did he witness the care of the patient. Ms. Richardson moved the Board dismiss the complaint. Dr. Miller seconded the motion. Following review and discussion the motion passed by unanimous vote.

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

Ms. Richardson moved the Board open a complaint against Erica VanPoorten for violation of A.R.S. §32-2044(4), A.R.S. §32-2044(6) A.R.S. §32-2044(13) A.R.S. §32-2044(20). Ms. Hunter seconded the motion. The motion passed by unanimous vote.

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

iii) Complaint #15-04; Kimberly Gardner, PT

Ms. Gardner was not present and was not represented by legal counsel. Ms. Donahue provided a summary of the complaint. Dr. Miller moved the Board further investigate by requesting court documents before moving to an informal hearing. 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
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

iv) Complaint #15-07; Jodi Proctor, PTA

Ms. Proctor was not present and was not represented by legal counsel. Ms. Donahue provided a summary of the complaint. Mr. Clinton moved the issue a consent agreement to include a \$500 civil penalty to be paid within six months of acceptance. If Ms. Proctor does not accept the consent agreement, the case will move to an informal hearing. Ms. Hunter seconded the motion. Following review and discussion the motion passed.

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

v) Complaint #15-08; Michael Duncan, PT

Mr. Duncan was not present and was not represented by legal counsel. Ms. Donahue provided a summary of the complaint. Ms. Richardson moved the Board offer a Mr. Duncan a consent agreement to surrender his Arizona license. If Mr. Duncan declines, the case will move to a formal hearing. Dr. Miller seconded the motion. Following review and discussion the motion passed by unanimous vote.

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

vi) Complaint#15-09; Joseph Faia, PT

Mr. Faia was not present and was not represented by legal counsel. Ms. Donahue provided a summary of the complaint. Ms. Hunter moved the Board dismiss the complaint. Mr. D'Appollonio seconded the motion. Following review and discussion the motion passed by unanimous vote.

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

b) Review, Discussion and Action on Complaint and Interim Board Order

i) Complaint #14-35; James Bogie, PT

Mr. Bogie was not present and was not represented by legal counsel. Mr. Brown provided a review of the complaint. Dr. Miller moved the Board amend the current consent agreement for continuing education to require Mr. Bogie submit documentation within six months that he has completed the 12-week therapy program as outlined in his counseling record provided to the Board. Upon acceptance of the amended consent agreement, the interim order restricting his practice will be lifted. Ms. Richardson seconded the amendment. Following review and discussion the motion passed by unanimous vote.

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

c) Review, Discussion and Action on Consideration of Opening A Complaint

i) Raul Sanchez, PTA

Mr. Sanchez was not present and was not represented by legal counsel. Ms. Donahue provided a summary of the situation. Ms. Hunter moved the Board take no action. Dr. Miller seconded the amendment. Following review and discussion the motion passed by unanimous vote.

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

The Board recessed for a break at 10:50 a.m.

The Board returned from break at 11:03 a.m.

6) BOARD BUSINESS AND REPORTS

a) Executive Director's Report – Discussion and Possible Action

- i) Financial Report
- v) Board Staff Activities
- vi) Legislation
- vii) Rule Activity
- viii) FSBPT
- ix) Update of Formal Hearing Discussion With The Office of The Attorney General

Mr. Brown reviewed the written report for the Board. No action was requested or taken on the Executive Director report.

b) Review and Discussion, Possible Action on Board Appointment of Delegate and Alternate Delegates for the 2015 Federation of State Board of Physical Therapy Annual Meeting

Ms. Richardson moved the Board appoint Mr. D'Appollonio as the voting delegate, Ms. Remec as the alternate delegate, and Ms. Hunter as the second alternate delegate. Mr. Clinton seconded the motion. The motion passed by unanimous vote.

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

c) Review, Discussion and Possible Action on Changing the June 23, 2015 Board Meeting to June 16, 2015 or June 30, 2015

Ms. Richardson moved the Board change the June meeting from June 23, 2015, to June 16, 2015. Mr. D'Appollonio seconded the motion. The motion passed by unanimous vote.

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

6) CALL TO THE PUBLIC

No public figure came forward to address the Board.

Ms. Richardson moved to adjourn the meeting. Dr. Miller seconded the motion. The motion carried by unanimous vote.

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

Meeting adjourned at 11:19 a.m.

Prepared by,

Charles D. Brown
Executive Director

Approved by,

Al D'Appollonio, PT, MBA
Secretary