



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

REGULAR SESSION MEETING MINUTES
September 22, 2015

MEMBERS PRESENT:

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

MEMBERS ABSENT:

Al D'Appollonio, PT, MBA; Secretary

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

- 1) CALL TO ORDER – 8:32 a.m;** Ms. Richardson called the meeting to order at 8:32 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, Mr. Clinton, Ms. Hunter, and Ms. Remec. The following Board members were absent: Mr. D'Appollonio.

2) Review and Approval of Draft Minutes

- a) August 25, 2015; Regular Session Meeting Minutes

Ms. Richardson requested minor changes to page 12 of the minutes. No other changes were requested. Ms. Richardson moved the Board to approve the August 25, 2015, regular session meeting minutes with the suggested changes. Mr. Clinton seconded the motion. 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						
Abstained						

Absent		X				
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a) August 25, 2015; Executive Session Minutes

Mr. Brown requested one minor change to the executive session minutes. No other changes were requested. Ms. Richardson moved the Board to approve the August 25, 2015, executive session meeting minutes with the suggested change. Dr. Miller seconded the motion. 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						
Abstained						
Absent		X				

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

Sarah Bialik	Zachary Boente	William Buck
M'lissa Haldt	Samantha Chandler	Ryan Donaldson
Phillip Hanson	April Johnson	Brianna Jordan
Alec Levesque	Jaclyn Levesque	Joy Milani
Lauryl Murphree	Margy Owen	Michael Peronace
Michael Pipkin	Adam Stuart	Ryan Talbot
Melinda Treon	Jennifer Tschoepe	Jeffrey LaBianco
Marci Westman	Jenna White	Kate Wiens
Crystal Wright	Carlos DeJesus	

Dr. Miller moved the Board approve the applications upon receipt of passing scores on the NPTE/AZLAW exams and final transcripts. Ms. Hunter 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						
Abstained						
Absent		X				

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

(1) Stephanie Chayrez

Ms. Chayrez was present and not represented by an attorney. Ms. Hunter moved the Board approve Ms. Chayrez's application for physical therapist licensure upon receipt of passing scores on the NPTE/AZLAW and final transcript. Ms. Richardson 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						
Abstained						
Absent		X				

(2) Amanda Hodge

Ms. Hodge was not present and was not represented by an attorney. Dr. Miller moved the Board approve Ms. Hodge's application for physical therapist licensure upon receipt of passing scores on the NPTE/AZLAW and final transcript. 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
Nay						
Recused						
Abstained						
Absent		X				

(3) Bree'anna Wickey

Ms. Wickey was present and was not represented by an attorney. The item was tabled until Ms. Wickey could complete page 3 of her application and have Board staff notarize the amended application.

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

(a) Simone McEuen

Ms McEuen was not present and was not represented by an attorney. Dr. Miller moved the Board approve Ms. McEuen's request for ADA accommodations. Ms. Richardson 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						
Abstained						
Absent		X				

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

Edith Bautista	Angela Burton	Laura Buttram
Marion Ciolac	Kassie Countouriotis	Sabrina Delzer

Jeffrey Fiergang	Courtney Furnell	Aaron Gehr
David Hauskins	Quinn Mason	Victoria McLaren
Michael Laura	Matthew Murray	Hortencia Ocampo Correa
Kelly Risner	Justin Rodriguez	Maria Ruiz
Jesse Salazar	Jarryd Samonte	Jamie Schopen
Kaitlyn Shiderly	Ronnie Wigand	

Ms. Richardson moved the Board approve the applications upon receipt of passing scores on the NPTE/AZLAW exams and final transcripts. 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
Nay						
Recused						
Abstained						
Absent		X				

v) Review, Consideration and Approval of Applications for Physical Therapist 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

(a) Briana Astorga

Ms. Astorga was present and not represented by an attorney. Ms. Richardson moved the Board make a substantive request to obtain a medical assessment of anxiety by a qualified provider and, upon receipt, the application will be considered by the Board again. Ms. Hunter 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						
Abstained						
Absent		X				

(b) Maria Roush

Ms. Roush was not present and not represented by an attorney. Ms. Richardson moved the Board approve the applications upon receipt of passing scores on the NPTE/AZLAW exams and final transcripts. 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						
Abstained						
Absent		X				

- i) 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

(3) Bree'anna Wickey

Ms. Wickey returned to the meeting with her complete, notarized copy of page 3 from her application. Ms. Remec moved the Board approve Ms. Wickey's application 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 passed.

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

Consent Agenda Ends

4) 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.

i) Review of and Possible Action on the Following Applications for Physical Therapist Licensure, Previous Arizona Licenses

(1) Christina Madarang

Ms. Remec moved the Board approve Ms. Madarang’s submission of 80 hours of continuing education and application for physical therapy licensure. 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						
Abstained						
Absent		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 and with documentation Related to Disclosure on “Personal Information” section of the application

(1) John Butler Jr.

Mr. Butler was not present and was not represented by an attorney. Dr. Miller moved the Board approve Mr. Butler’s application upon receipt of passing scores on the NPTE/AZLAW exams and final transcript. Ms. Remec 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						
Abstained						
Absent		X				

(2) Lisa Flores

Ms. Flores was not present and was not represented by an attorney. Ms. Richardson moved the Board approve Ms. Flores’s application upon receipt of passing scores on the NPTE/AZLAW exams and final transcript. Ms. Remec 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						
Abstained						
Absent		X				

3) COMPLAINTS, HEARINGS, INVESTIGATIONS and COMPLIANCE

The Board may vote to go into Executive Session pursuant to A.R.S. §38-431.03(A)(2) for purposes of discussing confidential information or §38-431.03(A)(3) to obtain legal advice.

f) Review, Discussion, and Possible Action on Request for Termination of Probation

i) Case #14-39; Kurt Draper, PT

Mr. Draper was not present and was not represented by an attorney. Dr. Miller moved the Board approve Mr. Draper’s request for early termination of probation. Ms. Richardson 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						
Abstained						
Absent		X				

e) Review, Discussion, and Possible Action on Consideration of Modification of Board Order

i) Case #14-63; Tamara Galloway, PT

Ms. Galloway was not present and was not represented by an attorney. Dr. Miller moved the Board extend Ms. Galloway’s probation one month and approve termination of her probation. Ms. Remec 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						
Abstained						
Absent		X				

g) Review, Discussion, and Possible Action of Whether or Not to Open A Complaint

i) Tonya Becker, PT

Ms. Hunter moved the Board open a complaint against Ms. Becker for substandard care. Ms. Richardson 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						
Abstained						
Absent		X				

ii) Scott Kushner, PT

Ms. Richardson moved the Board take no action against Mr. Kushner. 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
Nay						
Recused						

Abstained						
Absent		X				

iii) Jason Palidino, PT

Ms. Remec moved the Board take no action against Mr. Palidino. 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						
Abstained						
Absent		X				

The Board recessed for a break at 9:00 a.m.

The Board returned from break at 9:12 a.m.

a) Informal Hearings

i) Case #15-05; Kara Koenitzer Tate, PT

Ms. Tate was present and was represented by an Anne McClellan. Board members, staff, Ms. Tate, and Ms. McClellan introduced themselves. Ms. Richardson provided a review of the proceedings and possible outcomes. Mr. Brown reviewed the allegations against Ms. Tate. Ms. Tate, Ms. Donahue, and Brett Larson were sworn in. Ms. McClellan made an opening statement. Ms. Tate answered Board member questions. Ms. Lebeck participated as a witness via speakerphone. Ms. Lebeck was sworn in and answered questions from Board members and Ms. McClellan. Mr. Duncan participated as a witness via speakerphone. Mr. Duncan was sworn in and answered questions from Board members and Ms. McClellan. Ms. McClellan made a closing statement. The Board deliberated.

Ms. Richardson moved the Board accept the Factual Allegations as listed in the informal hearing brief as Findings of Fact. Mr. Clinton seconded the motion. Following review and discussion the motion passed by roll call vote.

Findings of Fact

1. Respondent Engaged 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. DOS in which documentation indicates that treatment was performed to regions of the body that were not assessed by a physical therapist: **R P** (patient presents today about one month out from surgery to release/lengthen the right psoas tendon. She has a history of THA on this side_ Pain today is 7/10 at right hip and 6/10 at low back) 1/5/13 initial evaluation

i. 7/5/13- foot (foot evaluation performed on 7/9/13 indicates Pt presents with acute L metatarsal fx with complicated history of lumbar disc replacement, R. total hip replacement and psoas release, extensive tightness and weakness throughout the right LE)

ii. 7/25/13: shoulder

iii. 10/11/13 shoulder/cervical spine

iv. 10/18/13 shoulder

v. 10/25/13 upper trapezius, upper body

vi. 11/15/13 cervical, left forearm and elbow

b. DOS in which documentation indicates that treatment was performed to regions of the body that were not assessed by a physical therapist: **K C** (DX 3/7/12 Right sided low back pain, right hip pain)

i. 6/18/13 STM trapezius, rhomboids

ii. 7/25/13 STM SI joint

iii. 9/10/13: STM entire shoulder girdle focus on trapezius/rhomboids

iv. 9/16/13: enhance breath work for more meditative pose

v. 9/24/13: STM cervical spine muscles

vi. 10/22/13: STM posterior shoulder girdle and cervical area

vii. 10/25/13: shoulders

viii. 11/20/13: shoulders

c. DOS in which it appears that general massage, not specific to the identified diagnosis may have been performed:

a. Kris Curtin (DX 3/7/12 Right sided low back pain, right)

i. 6/18/13: STM soft tissue mobilization on traps, rhomb;

ii. 8/15/13: STM periscapulars left and right

iii. 9/10/13: STM entire shoulder girdle

iv. 9/24/13: STM to cervical spine muscles

v. 10/22/13: STM posterior shoulder girdle and cervical area

4. Respondent failed to supervise assistive personnel, physical therapy students or interim permit holders in accordance with this chapter and rules adopted pursuant to this chapter.

Respondent states in her response: "I provided specific instructions to the manual therapist regarding the focus area of the treatment and purpose of the manual therapy. Respondent also states that the aides would perform treatment to regions of the body in which she did not delegate."

a. Performance of physical therapy interventions to regions of the body in which an evaluation by a physical therapist was not conducted.

i. R P: (DX Right Hip and Foot pain)

1. 10/11/13: STM to shoulders/neck

2. 10/25/13: STM to upper body

3. 11/15/13: STM to arm and neck

ii. K C (DX 3/7/12 Right sided low back pain, right)

1. 6/18/13: STM soft tissue mobilization on traps, rhomb;

2. 8/15/13: STM periscapulars left and right

3. 9/10/13: STM entire shoulder girdle

4. 9/24/13: STM to cervical spine muscles

5. 10/22/13: STM posterior shoulder girdle and cervical area

5. Respondent failed to adhere to the recognized standards of ethics of the physical therapy profession.

a. Respondent violated the Code of Ethics when she engaged in practice policy and procedures in which Respondent continued with provision of services unwarranted by the condition and past the point of reasonable benefit.

i. 1.1 A physical therapist shall place the patient's/client's interests above those of the physical therapist.

ii. 4.1 A physical therapist shall make professional judgments that are in the patient's/client's best interest.

iii. 4.1(B) A physical therapist has primary responsibility for the physical therapy care of a patient and shall make independent judgments regarding that care consistent with accepted professional standards.

iv. 4.1(H) A physical therapist shall determine when a patient/client will no longer benefit from physical therapy services.

v. 4.2(A) A physical therapist has primary responsibility for the physical therapy care rendered to a patient/client.

vi. 4.2(B) A physical therapist shall not delegate to a less qualified person any activity that requires the professional skill, knowledge, and judgment of the physical therapist.

vii. 7.1(D) A physical therapist shall avoid overutilization of physical therapy services.

9.1(C) A physical therapist shall report any conduct that appears to be unethical, incompetent or illegal.

6. Respondent charged unreasonable fees for services performed or not performed.

a. The following DOS may indicate instances in which the services provided did not document skilled services, provided treatment interventions to regions of the body unrelated to the diagnosis nor evaluated by a physical therapist.

i. K C: 6/18/13;7/24/13;7/25/13;7/26/13;7/29/13;8/5/13;8/12/13;8/14/13;8/15/13;8/28/13;
9/10/13;9/13/13;9/16/13;9/24/13;9/27/13;10/4/13;10/11/13;10/14/13;10/22/13;10/25/13;
11/20/13;12/2/13

7. Respondent failed 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.

a. Respondent affixed co-signature for DOS for the identified patient records in which she delegated the entire DOS documentation to physical therapy aides. The DOS/ patient records reviewed failed to meet the standards for adequate patient records as specifically identified in the review for each patient reviewed for the following patient visits:

i. K C: 6/18/13;7/24/13;7/25/13;7/26/13;7/29/13;8/5/13;8/12/13;8/14/13;8/15/13;8/28/13;
9/10/13;9/13/13;9/16/13;9/24/13;9/27/13;10/4/13;10/11/13;10/14/13;10/22/13;10/25/13;
11/20/13;12/2/13

b. Respondent's re-evaluations did not meet the minimal standard of the law for the following DOS:

i. KC: 7/25/13; 12/31/13

8. Provided treatment intervention unwarranted by the condition of the patient or treatment beyond the point of reasonable benefit.

a. Respondent participated in and assumed responsibility for patient care when she affixed co-signatures to assistive personnel documentation, delegated physical therapy services after review of the patient record in which re-evaluations had not been documented in a timely manner, co-signed for physical therapy interventions for regions of the body in which a physical

therapist had not evaluated and failed to assess/ determine discharge for patient’s in which treatment had continued beyond the point of reasonable benefit.

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

Ms. Richardson moved the Board accept A.R.S. §32-2044(1), A.R.S. §32-2044(4), A.R.S. §32-2044(6), A.R.S. §32-2044(12), A.R.S. §32-2044(13), A.R.S. §32-2044(20), and A.R.S. §32-2044(22) as Conclusions of Law. Ms. Hunter seconded the motion. Following review and discussion the motion passed by roll call vote.

9. The conduct and circumstances explained in the Findings of Fact above constitute a violation of A.R.S. §32-2044(1): “Violating this chapter, board rules or a written board order.”

10. The conduct and circumstances explained in the Findings of Fact above constitute a violation of 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.”

11. The conduct and circumstances explained in the Findings of Fact above constitute a violation of A.R.S. §32-2044(6) “Failing to supervise assistive personnel, physical therapy students or interim permit holders in accordance with this chapter and rules adopted pursuant to this chapter.

12. The conduct and circumstances explained in the Findings of Fact above constitute a violation of A.R.S. §32-2044(12) “Failing to adhere to the recognized standards of ethics of the physical therapy profession.”

13. The conduct and circumstances explained in the Findings of Fact above constitute a violation of A.R.S. §32-2044(13) “Charging unreasonable or fraudulent fees for services performed or not performed.”

14. The conduct and circumstances explained in the Findings of Fact above constitute a violation of 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.”

9. The conduct and circumstances explained in the Findings of Fact above constitute a violation of A.R.S. §32-2044(22): “Providing treatment intervention unwarranted by the condition of the patient or treatment beyond the point of reasonable benefit.”

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

Dr. Miller moved the Board offer Ms. Tate a consent agreement to including one year of probation, an eight hour continuing education course on documentation and supervision which Ms. Tate has has already taken, successful completion of the AZLAW exam within 90 days, and three months of monitoring by a Board approved monitor, including five charts reviewed for documentation, supervision, and billing. Ms. Tate will be eligible for early termination of probation. Following review and discussion the motion passed by roll call vote 4-1.

Vote	Mr. Clinton	Mr. D’Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson

Aye	X		X	X		X
Nay					X	
Recused						
Abstained						
Absent		X				

The Board recessed for a break at 12:00 p.m.

The Board returned from break at 12:12 p.m.

ii) Case #15-06; Nicole Stavale, PT

The information hearing for Ms. Stavale was tabled until the next meeting so that Mr. Brown could work on a possible consent agreement with Ms. Stavale and Ms. McClellan.

b) Formal Hearings

i) Case #14-19; Josh Sponder, PT

Mr. Sponder was not present and was represented by his attorney, John Starkey. Mr. Starkey and Ms. Baskin introduced themselves. Mr. Starkey made an opening statement, asking the Board to accept the consent agreement that was drafted by Mr. Starkey and Mr. Brown. Ms. Baskin stated that the consent agreement includes one year of probation, continuing education, a requirement to take the ProBE exam in Colorado, and a civil penalty of \$500. If Mr. Sponder returns to Arizona and practice during probation, the Board could have record audits done. Ms. Baskin urged the Board to accept the consent agreement in lieu of a formal hearing. Mr. Starkey asked the Board to confirm that the eligibility of early termination of probation was in the agreement. Ms. Baskin confirmed that the early termination provision is included. Ms. Richardson moved the Board accept the consent agreement as presented. Mr. Clinton seconded the motion. Following review and discussion the motion passed by roll call vote 5-0.

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

c) Case Forwarded To Formal Hearing; Request For Re-examination of Case

i) Case #11-50; Lowell Hicks, PT

Mr. Hicks was not present and was represented by his attorney, Teresa Sanzio. Ms. Hunter recused herself from the case. John Tellier from the Attorney General’s office was present. Assistant Attorney General, Christopher Munns made a statement. Mr. Tellier and Ms. Hunter made statements. The Board discussed the case. Mr. Munns gave options for Board action. Mr. Clinton, Ms. Remec, Dr. Miller, Ms. Richardson expressed interest in offering a consent agreement with discipline. Dr. Miller moved the Board direct Board staff to work with Mr. Tellier and Ms. Sanzio to craft a consent agreement to include continuing education in ethics, some sort of law-based requirement such as re-taking the AZLAW exam, and an auditing provision.

d) Initial Review, Discussion and Action on Complaint

i) Complaint #15-10; Lonny Nenodovich, PT

Mr. Nenodovich was present and was represented by Michelle Thompson. Ms. Donahue provide a summary of the case. Ms. Thompson made an oral statement. Mr. Nenodovich answered Board member questions. Ms. Richardson moved the Board dismiss the complaint against Mr. Nenodovich. Ms. Remec 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						
Abstained						
Absent		X				

ii) Complaint #15-22; Shawn Gorsline, PT

Mr. Gorsline was present and was not represented by an attorney. Jeff Peterson, PT, was present to answer Board member questions. Mr. Gorsline and Mr. Peterson made statements. Ms. Hunter moved the Board dismiss the complaint against Mr. Gorsline. 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						
Abstained						
Absent		X				

The Board recessed for a break at 1:32 p.m.

The Board returned from break at 1:40 p.m.

6) BOARD BUSINESS AND REPORTS

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

- i) Financial Report
 - ii) Review Recent Board Staff Activities
 - iii) Review of Current Legislative Activity- No update to provide.
 - iv) Rule Activity- No update to provide
 - v) FSBPT- Verbal Report on FSBPT Leadership Issues Forum
 - vi) 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’s report.

7) CALL TO THE PUBLIC

No public figures came forward to address the Board.

6) BOARD BUSINESS AND REPORTS

b) Board Training

- i) Practice Tips for Board Members in Conducting More Effective Board Meetings
Ms. Baskin conducted Board member training.

Mr. Brown left the meeting at 2:25 p.m.

7) ADJOURNMENT

Ms. Remec moved to adjourn the meeting. Ms. Hunter seconded the motion. The motion carried.

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

Board Meeting 9/22/2015

ADJOURNMENT

Meeting adjourned at 2:38 p.m.

Prepared by,

Charles D. Brown
Executive Director

Approved by,

Al D'Appollonio, PT, MBA
Secretary