

JANET NAPOLITANO  
Governor



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**REGULAR SESSION MEETING MINUTES**  
**August 22, 2006**

**MEMBERS PRESENT:** Helene Fearon, P.T., President  
Joni Kalis, P.T., Vice President  
Mark Cornwall, P.T., Ph.D., Secretary  
Merlin Gossman, Member  
Randy Robbins, Member

**MEMBERS ABSENT:**

**OTHERS PRESENT:** Heidi Herbst Paakkonen, Executive Director  
Peggy Hiller, P.T., Program Compliance Specialist (Investigator)  
Carol Lopez, Licensing Administrator  
Melissa Cornelius, Assistant Attorney General

**CALL TO ORDER**

Ms. Fearon called the meeting to order at 8:30 a.m.

**1. Review and Approval of Draft Minutes:**

**July 25, 2006; Regular Session Meeting**

Ms. Fearon announced the agenda item and the Board reviewed the draft. Ms. Fearon moved the minutes be approved as drafted. Ms. Kalis seconded the motion. The motion carried by a unanimous vote.

**July 25, 2006; Executive Session Meeting**

Ms. Fearon announced the agenda item and the Board reviewed the draft. The Board noted a typographical error on line 7 of the first paragraph. Ms. Fearon moved the minutes be approved with the correction. Mr. Gossman seconded the motion. The motion carried by a unanimous vote.

**COMPLAINTS AND INVESTIGATIONS**

**2. Initial Review of Complaint**

**#05-25; Glenn Brooks, P.T.**

Ms. Fearon introduced the agenda item and announced that Ms. Hiller would provide the summary of both complaints together as some of the allegations are shared. She summarized the companion complaints filed against Mr. Brooks by Ms. Susan Stockdell, OTR/L, owner of Southwest Therapy Specialists, and Mr. Kenneth Trzecki, P.T., an employee of Ms. Stockdell who purchased the assets of Mr. Brooks' Bell Road office of Sunset Physical Therapy in May 2005. Ms. Stockdell and Mr. Trzecki alleged various improprieties by Mr. Brooks as the owner of Sunset PT relating to the management of the Bell Road office, as well as various improprieties by Ms. Cynthia Wissink, P.T., Mr. Brooks' employee and the treating therapist at Sunset Physical Therapy, relating to the standard of care, patient treatment records, and billing for services provided to Sunset Physical Therapy patients. Ms. Hiller noted that Mr. Brooks did not

treat patients at the Bell Road office. With respect to Mr. Brooks' management of the Bell Road office, the complaints alleged that patients treated at Sunset PT were treated with unsafe therapy equipment that had not been calibrated or serviced for years. The complaints alleged that Mr. Brooks violated practice standards for physical therapy including unsecured storage and transmission of confidential patient information, unsafe treatment modalities and violation of fire codes. Ms. Stockdell's complaint further alleged that Mr. Brooks advertised in a misleading manner by having a 'Chiropractor' sign at the Bell Road office when no chiropractic services had been provided at that location since February 2003. If true, these allegations may be a violation of:

- 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(19) "Failing to maintain patient confidentiality without prior written consent of the patient or unless otherwise required by law."
- A.R.S. § 32-2044(12) "Failing to adhere to the recognized standards of ethics of the physical therapy profession."
- **Code of Ethics Principle 1** "Physical therapists respect the rights and dignity of all individuals." **Guide for Professional Conduct 1.2.A** "Information relating to the physical therapist/patient relationship is confidential and may not be communicated to a third party not involved in that patient's care without the prior written consent of the patient, subject to applicable law."
- **Code of Ethics Principle 2** "Physical therapists comply with the laws and regulations governing the practice of physical therapy."
- **Code of Ethics Principle 6** "Physical therapists provide accurate information to the consumer about the profession and about those services they provide." **Guide for Professional Conduct 6.2 C.** "Physical therapists shall not use, or participate in the use of, any form of communication containing a false, plagiarized, fraudulent, misleading deceptive, unfair, or sensational statement or claim."

In his written response to the complaint, Mr. Brooks contends that Ms. Stockdell's dissatisfaction with the reduction of referrals following her purchase of the Bell Road office and the business dispute that followed was the impetus for bringing this matter to the Board. With respect to the allegation of deceptive advertising Mr. Brooks maintains that Glenn Appell, DC was a part-owner of the Bell Road office and he occasionally treated chiropractic patients at the office during evenings and weekends. The overhead sign was removed when Sunset Physical Therapy became the primary company at that office, and the "Chiropractic" sign in the window was never turned on during normal business hours. Patients who came to the office seeking chiropractic care were directed to Dr. Appell's primary office on 19<sup>th</sup> Avenue in Phoenix, and Mr. Brooks included a letter from Dr. Appell verifying his use of the Bell Road office for chiropractic patients during evenings and on weekends. Mr. Brooks asserted that all of the therapy equipment at the Bell Road office was serviced for proper calibration and appropriately maintained and included copies of maintenance and calibration records for three of the four pieces of therapy equipment identified in the complaint between March of 2006 and June of 2005. Mr. Brooks affirms that appropriate patient treatment, billing and staffing protocols were followed at both offices of Sunset Physical Therapy and he provided copies of Policies and Procedures in effect at both the Bell Road and Tempe locations of Sunset Physical Therapy. Mr.

Brooks affirmed that confidential patient files were customarily stored in locking metal file cabinets up until the sale of the Bell Road office, at which time the patient files were transferred into boxes in preparation for moving. These boxes were kept in a “private” storage room at the back of the office prior to their removal in May 2005. He asserts that an “active” fire extinguisher was mounted on a visible wall in the office. Mr. Brooks was granted permission to address the Board’s questions relative to how physical services were billed. He explained that he has a Medicare group number and that his billing identifies the treating physical therapist by his or her own provider number. The Board questioned Mr. Brooks concerning whether the equipment was checked and calibrated annually. He responded that some of the equipment belonged to Dr. Appell, but he recalled that the maintenance on the equipment was performed annually and confirmed that he was responsible for ensuring this was accomplished. He also confirmed that Dr. Appell treated patients in the Bell Road office during evenings and weekends up until the business was sold. Mr. Brooks explained how care was provided to patients while the sale of the business was in process: Ms. Stockdell was treating patients in the office during the transition, patient files were in the process of being transferred, and the chiropractor sign came down within a few weeks of the transition. The Board discussed the allegation relating to misleading advertising; Dr. Cornwall moved to dismiss that allegation and the possible jurisdiction of A.R.S. §32-2044(14). Mr. Gossman seconded the motion. The motion carried by a unanimous vote. Ms. Fearon moved to invite Mr. Brooks to an informal hearing and to add the jurisdiction of A.R.S. §32-2044(13), fraudulent billing. Ms. Kalis seconded the motion. The motion carried by a unanimous vote. The Board requested Mr. Brooks submit to the Board office in advance of the hearing the history of the maintenance and calibration of the equipment, and complete policies and procedures of the former Bell Road office of Sunset Physical Therapy that include how patients are scheduled, treatment documentation is recorded, and how billing was prepared.

### **3. Initial Review of Complaint**

#### **#05-26; Cynthia Wissink, P.T.**

Ms. Hiller summarized the complaint allegations concerning Ms. Wissink as the treating physical therapist at the Bell Road office of Sunset Physical Therapy relating to her treatment of thirteen patients in May 2005 at the time of the purchase of the practice by Ms. Susan Stockdell. The complaints alleged that Ms. Wissink failed to maintain adequate patient records (lacking progress notes and discharge summaries) and that she failed to advise the patients of her departure or their transfer of care to another provider. Ms. Stockdell’s complaint alleged that Ms. Wissink may have billed fraudulently for services provided to Sunset Physical Therapy patients. If true, these allegations may be a violation of:

- **A.R.S. § 32-2044 (1)** “Violating this chapter, board rules or a written board order.”
- **A.R.S. § 32-2051. Rights of consumers E.** “A physical therapist shall ensure that each patient understands that the patient has freedom of choice in services and products.”
  - ***Code of Ethics Principle 1*** “Physical therapists respect the rights and dignity of all individuals.” ***Guide for Professional Conduct 1.1.B*** “Physical therapists are to be guided at all times by concern for the physical, psychological, and socioeconomic welfare of those individuals entrusted to their care.”
  - ***Code of Ethics Principle 3*** “Physical therapists accept responsibility for the exercise of sound judgment.” ***Guide for Professional Conduct 3.3.A.*** “Physical therapists shall recognize the individual’s freedom of choice in selection of physical therapy services.”

- **A.R.S. § 32-2044(13)** “Charging unreasonable or fraudulent fees for services performed or not performed.”
  - ***Code of Ethics Principle 5*** “Physical therapists seek remuneration for their services that is deserved and reasonable.” ***Guide for Professional Conduct 5.1*** “Physical therapists shall never place their own financial interest above the welfare of individuals under their care.”
- **A.R.S. § 32-2-44(20)** “Failing to maintain adequate patient records. For the purposes of this subsection, “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.”
  - ***Code of Ethics Principle 3*** “Physical therapists accept the responsibility for the exercise of sound judgment.” ***Guide for Professional Conduct 3.1*** “Upon accepting a patient/client for provision of physical therapy services, physical therapists shall assume the responsibility for...re-examination and modification of the plan of care; and maintaining adequate records of the case including progress reports.”
- **A.R.S. § 32-2044(12)** “Failing to adhere to the recognized standards of ethics of the physical therapy profession.”

Ms. Hiller advised the Board that in her response to the complaint Ms. Wissink informed Sunset Physical Therapy that she would be resigning effective May 13, 2005 and that she met with Ms. Stockdell about a week before leaving and offered to assist with the transition of necessary. She further stated that she was contacted by Ms. Stockdell on many occasions over the next several months with questions or concerns and that Ms. Stockdell did not mention any of the concerns contained in this complaint during their discussions. Ms. Wissink also maintains that the patient scheduling, billing, and treatment documentation support the appropriateness of her charges for therapy services, and she affirms that a review of the thirteen patient records referenced in the complaint reflects that her practices are within the standards set forth in statutes and rules. Ms. Hiller called to the Board’s attention her investigative findings which include a finding that none of the patient records contain any mention of transfer of care in the final treatment notes, and none of the patients were scheduled for follow-up visits after May 11, 2005, the treatment records do not contain sufficient information to support billings for multiple units of timed procedures, there is insufficient detail to ascertain Ms. Wissink’s direct involvement in exercise programs, and exercises marked on the patients’ flow sheets may have been performed by a physical therapy aide which may be inappropriate in the case of Medicare patients. Additionally, Ms. Hiller’s report indicates her findings relative to inadequate patient records. Ms. Wissink appeared before the Board with her attorney, Ms. Lauren Weinzweig, and agreed to answer the Board’s questions. She stated her commitment to the profession and commented that she is always striving to be a better physical therapist. Ms. Wissink indicated that she believes the allegations are untrue, and she will reassure the Board that she has complied with the law. She assured the Board that she did verbally inform her patients that she would be leaving the practice and mentioned that she wrote a letter to the physicians who referred patients to her and agreed to provide a copy of the letter to the Board. The licensee indicated that the patients A.S., N.B. are two individuals who would recall her informing them of her imminent departure. Ms. Wissink advised the Board that she was of the understanding that any patient who required care during the transition would be seen by Mr. Brooks prior to the care being assumed by another physical therapist who would work for the new owner of the clinic. The Board discussed a survey that was sent to patients of Sunset Physical Therapy by Ms. Stockdell that may contain some

information relative to what was communicated to the patients concerning Ms. Wissink's departure from the clinic. The Board noted that there are a number of questions including billing and documentation questions that warrant inviting Ms. Wissink to an informal hearing. Ms. Fearon moved to invite Ms. Wissink to an informal hearing; Ms. Kalis seconded the motion. The motion carried by a unanimous vote. The Board requested staff to obtain a copy of Sunset Physical Therapy's scheduling and billing policies, and assistive personnel policies and procedures.

**4. Review and Possible Action on Request for Continuation of Interim Order  
#05-18; Paul Hospenthal, P.T.**

Ms. Fearon introduced the agenda item and advised the Board that Mr. Hospenthal has requested additional time with which to complete the evaluation that was ordered by the Board relative to complaint #05-18. Ms. Herbst Paakkonen assured the Board that she had confirmed with Dr. Stephen Gray, the evaluator, that the delay was a result of Dr. Gray's schedule and not the Respondent's. Dr. Gray's office anticipates issuing the report to the Board by September 14, 2006. Ms. Fearon moved to allow the additional time for completion of the evaluation. Mr. Robbins seconded the motion. The motion carried by a unanimous vote. Ms. Herbst Paakkonen informed the Board that Mr. Hospenthal's informal hearing has been scheduled for September 26, 2006.

**4. Review and Possible Action on Disclosure on Licensure or Certification Renewal Application**

Ms. Fearon moved to meet in Executive Session. Ms. Kalis seconded the motion. The motion carried by a unanimous vote.

**Dianne Carpenter, P.T.  
Paul Gleason, P.T.**

Ms. Fearon announced that the applications of Mr. Gleason and Ms. Carpenter would be reviewed concurrently as they had both disclosed being named as defendants of the same malpractice complaint. Mr. Gleason and Ms. Carpenter introduced themselves and summarized the nature of the injury sustained by the patient R.R. who has filed a malpractice lawsuit naming them as co-defendants. Mr. Gleason summarized the patient's condition as he presented for treatment and reported the progress that R.R. experienced during the course of his therapy. Mr. Gleason treated this patient for 18 visits over 5 weeks, and Ms. Carpenter treated the patient twice during the same time frame. Mr. Gleason indicated that R.R. initially complained of knee pain, then reported decreased pain as his therapy program progressed. When R.R. complained of an increase in his pain, he was referred to his physician who ultimately determined R.R. should have surgery; R.R. did not return to physical therapy with Mr. Gleason following this surgery, but Mr. Gleason has since learned that he has recovered and returned to work. Mr. Gleason and Ms. Carpenter asserted that R.R.'s exercises were appropriate and reasonable for the patient's condition. Mr. Gleason stated that the daily notes for R.R. indicate that the patient always reported feeling better after treatment, and the notes reflect informed consent. Mr. Gleason noted that the law does not require the physical therapist to obtain permission from the physician to progress the plan of care as he did with R.R. in the form of adjusting the program specific to his conditions and reports of pain. Mr. Gleason commented that R.R. could have re-injured his knee in any daily course of activity, and stated that he is confident that R.R.'s physical therapy program was appropriate. Ms. Fearon moved to renew the licenses of Mr. Gleason and Ms. Carpenter and directed them to notify the Board of the final disposition of the lawsuit. Mr. Robbins seconded the motion. The motion carried by a unanimous vote.

**Tara Griffin, P.T.A.**

Ms. Fearon read the name of the applicant and Ms. Griffin advised the Board that the matter she disclosed on her certificate renewal application involved an argument with her then boyfriend, now husband, while he was intoxicated. Her then boyfriend called authorities after Ms. Griffin shoved him, and she was arrested and incarcerated for 4 days. Ms. Griffin explained that because she wanted to be released, she pled guilty to the charges of domestic violence. She noted that her plea agreement stipulated that she complete an anger management course, and the case is now resolved. In response to the Board's questions, she indicated that she was a PTA working in Colorado at that time, but because PTAs are not regulated in that state she did not have a reporting requirement to the State of Colorado. Ms. Kalis moved to recertify Ms. Griffin. Dr. Cornwall seconded the motion. The motion carried by a unanimous vote.

**Lowell Hicks, P.T.**

Ms. Fearon asked Mr. Hicks to appear before the Board to address questions relative to his disclosure on his licensure renewal application. Ms. Kalis stated that she has previously worked with Mr. Hicks and that she has elected to recuse herself from the review. Mr. Hicks summarized the court documents that he had submitted with his licensure renewal application relative to his guilty plea of possession of marijuana. He advised the Board that he has completed the TASC (Treatment Assessment Screening Centers) program as of October 2005, and noted that because this was a first offense the court vacated his judgment and sentence. In response to the Board's questions, Mr. Hicks stated that he is not currently being monitored by the court as his probation term has ended, but he has provided copies of recent drug screenings with negative results for any controlled substances. Ms. Fearon moved to renew the license of Mr. Hicks. Dr. Cornwall seconded the motion. The motion carried by a unanimous vote with one recusal.

**Lisa Koss, P.T.**

Ms. Fearon read the name of the applicant and Ms. Koss addressed the Board, stating that she was named in a malpractice lawsuit while an employee of a private outpatient facility. She explained that she was supervising an athletic trainer who was overseeing the exercise of a patient. While moving weights, the patient fell and injured her arm and later elected to file the lawsuit naming Ms. Koss, the athletic trainer and the company they worked for. Ms. Koss stated that the company settled the case for a minimal amount, and one of the terms of the settlement stipulated that the parties would not admit any fault for the incident and for the patient's injuries. Ms. Koss further noted that she was not a party to that decision. Dr. Cornwall moved to renew the license of Ms. Koss. Ms. Fearon seconded the motion. The motion carried by a unanimous vote.

**Wendy Mosher, P.T.**

Ms. Fearon announced the review of Ms. Mosher's application and Ms. Mosher appeared before the Board to explain the circumstances of her DUI conviction. She cited the May 18, 2006 event as "a colossal lapse of judgment". She advised the Board that she pled guilty to the charge, and as a term of her sentencing completed a substance abuse evaluation that indicated that she does not have a problem requiring treatment, but that she was required to complete an alcohol education program. Ms. Mosher explained that she is currently completing the remainder of her court-ordered requirements; the alcohol education course was completed last weekend. She stated to the Board that she would never treat a patient after consuming alcohol. She has traffic school to complete and has the remainder of her license suspension to serve; she clarified that her citation was not at 10:00 a.m. as the arrest record erroneously indicates, but it was at 10:00 at night. Ms. Mosher assured the Board that she never consumes as much alcohol as she did the evening that she was cited and arrested. She further explained that the screening results did

indicate she was on the border with respect to having a problem with alcohol given that her blood alcohol content on the night of her arrest skewed the assessment significantly. Dr. Cornwall moved to approve the renewal application of Ms. Mosher. Mr. Gossman seconded the motion. The motion carried by a unanimous vote.

**Lisa Roloff, P.T.**

Ms. Fearon asked Ms. Roloff to appear before the Board to explain her “yes” answer on her licensure renewal application. Ms. Roloff advised the Board that she was going through a difficult time in her life during a period of time when she was not practicing physical therapy. After an evening spent with a friend during which alcohol was consumed, she was driving in an unfamiliar area of Tempe, turned a corner, and ran into a pile of rocks. She reported that on August 21, 2006 she pled guilty to the charge of DUI and all other charges concerning the incident were dropped. Ms. Roloff further stated that she must serve 2 days of incarceration in Tempe and submit to a substance abuse evaluation. She assured the Board that this situation has never happened to her before and noted that she is very remorseful of her actions. Ms. Roloff reported that she was participating in therapy prior to the DUI incident, and she has joined support groups to deal with the difficulties she has been experiencing that have nothing to do with alcohol consumption and that do not relate to the practice of physical therapy or her ability to practice. She reiterated her commitment to the physical therapy profession, and commented that she is very ready to return to her patients as providing quality care is very important to her. Ms. Fearon moved to renew Ms. Roloff’s license and to open an investigation requiring her to submit the results of her court-ordered evaluation. Mr. Robbins seconded the motion. The motion carried by a unanimous vote.

**Eric Taylor, P.T.A.**

Ms. Fearon read the name of the applicant and Mr. Taylor advised the Board that he was involved in a domestic violence incident in which he was cited by the Phoenix police. He explained that he and his wife had a heated argument which prompted a family member to call the police. Mr. Taylor noted that he entered into a plea agreement with the court which requires him to complete a series of anger management classes. Additionally, he is voluntarily attending AA meetings. Mr. Taylor stated that he is to appear before the court in January at which time the court will determine whether he completed the terms of his plea agreement. Mr. Taylor apologized to the Board for the incident and commented that he regrets that an argument got out of control, and that he and his wife have since reconciled and have put the matter behind them. He reported that their household is now harmonious and they have gone through marriage counseling. In response to the Board’s questions, Mr. Taylor stated that he has been a physical therapist assistant for several years in California and Arizona, and values the profession and his ability to work in the profession. He also indicated that he is attending AA meetings because he had consumed alcohol earlier in the day prior to the incident. Ms. Kalis moved to renew Mr. Taylor’s certificate and to direct him to provide a copy of the court’s final ruling within 30 days of its decision. Mr. Gossman seconded the motion. The motion carried by a unanimous vote.

**Trent Tripp, P.T.**

Ms. Fearon invited Mr. Tripp to address the Board, and Mr. Tripp informed the members that he regrets the events that led to his arrest on drug possession charges in September of 2005. He reported that following his conviction and sentencing of those charged, he entered into a rehabilitation and treatment program in Phoenix and is in the process of completing that program, and is also serving a court ordered term of probation for 18 months dating that began January 23, 2006. The rehabilitation and treatment program, the Phoenix Shanti, dictates how he is to receive counseling and when he is screened on a random basis. Mr. Tripp advised the Board that practicing physical therapy is his passion, and that he is dedicated and determined to

turn his life around. He indicated that he hopes to return to practice at the end of the year or the beginning of next year. In response to the Board's questions he reported that he last worked in a skilled nursing facility in December of 2005, and that has previously served as a Director of Rehabilitation in Kindred Hospitals in Indianapolis and Tucson. Mr. Tripp commented that he would like to return to practice in a skilled nursing facility or a long-term acute facility. He explained that he initially self-reported his conviction to the Board in a December 23, 2005 e-mail, but that he continued to experience relapse problems into January and elected to cease practicing physical therapy in late December. Mr. Tripp informed the Board that a few months later he was diagnosed with a chronic illness that he will need to manage for the rest of his life; he indicated that the Phoenix Shanti program was the best place for him to address his dual diagnosis. Mr. Tripp stated that he put his professional life on hold while he was dealing with his treatment and moving to Phoenix. He reiterated to the Board how deeply he regrets the mistake that he made. Ms. Fearon offered a motion renewing Mr. Tripp's license and immediately suspending it indefinitely so that he can submit to a chemical dependency evaluation by an addictionist who would recommend to the Board his level of risk with respect to chemical dependency and relapse, as well as recommend a monitoring program; this appointment must be made within 2 weeks of the signing of the consent agreement containing this requirement and failure to sign the agreement within 30 days would result in a denial of his application. Dr. Cornwall seconded the motion. The roll call vote was unanimous.

**EXECUTIVE SESSION**

**6. Discussion to Receive Legal Advice Concerning On-Going Litigation**

**#04-23; Jenelle Lauchman, P.T.**

Following the Executive Session discussion, Ms. Fearon moved the Board direct legal counsel to proceed as discussed during Executive Session. Ms. Kalis seconded the motion. The motion carried by a unanimous vote.

**SUBSTANTIVE REVIEWS OF APPLICATIONS FOR LICENSURE & CERTIFICATION**

**7. Substantive Review and Possible Action on the Following Applications for Physical Therapist Licensure:**

<b>Steven A. Biancardi</b>	<b>Frank E. DiLiberto</b>	<b>Anna M.Ebey</b>
<b>Keith L. Garrison</b>	<b>Ryan D. Geary</b>	<b>Corey A. Hug</b>
<b>Shannon M. Injety</b>	<b>Yohan S. Injety</b>	<b>Gary B. Johnson</b>
<b>Anthony L. Lelo</b>	<b>Douglas B. Livings</b>	<b>Candice M. McCooey</b>
<b>Melissa N. McCormick</b>	<b>Michael A. McEachen</b>	<b>Troy K. Meiners</b>
<b>Gwen R. Mootz</b>	<b>Erin M. Nielson</b>	<b>Kimberly D. Pinch</b>
<b>Benjamin M. Radack</b>	<b>Julie K. Radack</b>	<b>Jessica A. Rawlins</b>
<b>Elliot S. Rover</b>	<b>John P. Scafidi</b>	<b>Elizabeth A. Schaars</b>
<b>Jana M. Seibold</b>	<b>Gaynelle A. Shepherd</b>	<b>Jennifer A. Silver</b>
<b>Elizabeth A. Sinish</b>	<b>Leonard J. Somarriba</b>	<b>Kimberly E. Washum</b>
<b>Marianne L. Williams</b>	<b>Dana M. Winnie</b>	

Ms. Fearon introduced the agenda item and Dr. Cornwall disclosed the following applicants were former students, but that the professor-student relationship no longer exists and he is able to review and vote on their applications without bias: Mr. Garrison, Mr. McEachin, Mr. Radack, Ms. Radack, and Ms. Rawlins. The Board noted that Mr. Livings' examination score report indicates that he has a California physical therapist license that is not listed on his application. Ms. Lopez confirmed that he was granted the license at the end of July, after he had filed the application with this Board. The Board members concurred that Ms. Lopez can verify that this



license has not been disciplined using the California Board's web-site. The Board commented that Ms. Mootz has not worked as a physical therapist since 2004. Ms. Fearon moved licensure be granted to the listed applicants effective September 1, 2006. Mr. Robbins seconded the motion. The motion carried by a unanimous vote.

**8. Substantive Review and Possible Action on the Following Applications for Physical Therapist Assistant Certification:**

<b>Mark W. Acton</b>	<b>Tess G. Bowden</b>	<b>Shannon D. Landry</b>
<b>Deborah A. LaVigne</b>	<b>Phillip L. Pippins</b>	<b>Rachel A. Rudell</b>
<b>Mariusz Wdowiak</b>	<b>Kelly A. Williams</b>	<b>Susan C. Wynsma-Best</b>

Ms. Fearon introduced the agenda item and the Board confirmed with Ms. Lopez that Mr. Wdowiak will not have licensure or certification in the State of Connecticut because that state does not regulate physical therapist assistants. Ms. Fearon moved licensure be granted to the listed applicants effective September 1, 2006. Ms. Kalis seconded the motion. The motion carried by a unanimous vote.

**9. Substantive Review of and Possible Action on the Following Applications for Physical Therapist Licensure (Foreign Educated, Graduates of Program Not Accredited by CAPTE):**

**a. Review for Determination of Substantially Equivalent Education and Possible Action on Approval to Take National Physical Therapist Examination**

**Shelley De La Paz**

Ms. Fearon read the name of the applicant and the Board noted that according to her credential evaluation report, Ms. De La Paz's education is substantially equivalent to that of a graduate of a U.S. accredited program, but the applicant must also pass the internet based TOEFL examinations (iBT), and may need to complete a supervised clinical practice period (SCPP). Ms. Kalis moved to find Ms. De La Paz's education substantially equivalent to that of a graduate of a U.S. accredited program and grant her permission to sit for the National Physical Therapy Examination (NPTE). Mr. Gossman seconded the motion. The motion carried by a unanimous vote.

**Anand Verdantham**

Ms. Fearon read the name of the applicant and the Board discussed the fact that Mr. Verdantham's education was evaluated on the 3<sup>rd</sup> edition of the coursework evaluation tool and also noted that his evaluation is 17 months old. The Board commented that the evaluation indicates that Mr. Verdantham is missing several general education courses. Ms. Kalis moved to advise Mr. Verdantham to have a new evaluation done on the current (4<sup>th</sup> edition) coursework tool. Mr. Robbins seconded the motion. The motion carried by a unanimous vote.

**b. Review for Determination of Substantially Equivalent Education and Determination of Need for Supervised Clinical Practice Period (SCCP)**

**Sheenam Arora**

Ms. Lopez advised the Board that she was informed by Ms. Arora that the previous SCPP setting and supervisor approved by the Board were not offering her an appropriate level of supervision due to the fact that the supervisor and the facility were extremely busy meeting patient care needs. Accordingly, Ms. Arora elected to seek an alternate setting where her supervisor could provide the necessary level of guidance and direction. Ms. Lopez indicated that Ms. Arora hoped to be given credit for the days served with the first facility, but that she is prepared to start over with the 90-days of supervised practice if the Board deems it to be necessary. Ms. Lopez assured the Board that she has spoken with the proposed supervisor of the alternate facility, and is reassured that the new setting is appropriate. The Board noted that in the absence of

documentation establishing that Ms. Arora has completed a certain number of days of an approved SCPP, she will need to complete 90 days at the new facility. Ms. Kalis moved to approve the SCPP proposal submitted by Ms. Arora. Mr. Gossman seconded the motion. The motion carried by a unanimous vote.

## **BOARD BUSINESS AND REPORTS**

### **10. Executive Director's Report:**

**a. Financial Report:** No additional information to report.

**b. Board Staff Activities:** Ms. Herbst Paakkonen reported that 3,076 renewal applications had been filed and processed. She had projected 3,200 applications would be received (2,800 by physical therapists and 400 by physical therapist assistants). She advised the Board that the final number will exceed her projections resulting in additional unanticipated revenue for the agency.

**c. FSBPT Initiatives and News:** No additional information to report.

**d. Rules Revision Update:** The Board directed Ms. Herbst Paakkonen to invite Ms. Jeanne Hann, contract rule writer, to participate in the special session meeting during which the recommendations of the Rule Writing Task Force will be reviewed and discussed.

**e. FY 2008-2009 Budget Request:** Ms. Herbst Paakkonen reviewed with the Board the budget request packet and explained the projections for revenue, applications, and complaints. Ms. Herbst Paakkonen noted that she did not have a specific location identified for the office's anticipated relocation, but she will explore the possibility of renting space in a privately owned building as close to the Capitol as possible, or potentially subleasing from another state agency or department that may have excess space.

### **11. Review and Possible Approval on Draft Substantive Policy Statement – Patient Care Management**

The Board reviewed the draft and requested that the table on page two indicate that the language in the left column be identified as the temporary session law requirements and that the right column be identified as the clarification. Ms. Fearon moved the draft Substantive Policy Statement be approved with the revision. Mr. Gossman seconded the motion. The motion carried by a unanimous vote. Ms. Herbst Paakkonen advised the Board that she would promptly file the document with the Arizona Secretary of State's Office, and that she would also post it to the Board's web-site immediately.

### **12. Scheduling of Regular Session Board Meeting Dates for November and December 2006 and Possible Special Session Meeting for September 2006**

The Board scheduled regular session meetings on Tuesday, November 21, 2006 and on Monday, December 18, 2006. The Board scheduled a special session meeting on the afternoon of Tuesday, September 12, 2006.

## **CALL TO THE PUBLIC**

None

## **ADJOURNMENT**

The meeting adjourned at 11:35 a.m.

Regular Session Minutes  
August 22, 2006

Prepared by,

Heidi Herbst Paakkonen  
Executive Director

Approved by,

Mark Cornwall, P.T., Ph.D.  
Secretary