

JANET NAPOLITANO
Governor



HEIDI HERBST PAAKKONEN
Executive Director

JONI KALIS, P.T.
President

ARIZONA STATE BOARD OF PHYSICAL THERAPY
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REGULAR SESSION MEETING MINUTES
June 24, 2008

MEMBERS PRESENT: Joni Kalis, P.T., President
Randy Robbins, Secretary
Lisa Akers, P.T., Member
Kris Ohlendorf, P.T.A., Member

MEMBERS ABSENT: Mark Cornwall, P.T., Ph.D., Vice President
James Sieveke, P.T., O.C.S., Member

OTHERS PRESENT: Heidi Herbst Paakkonen, Executive Director
Peg Hiller, P.T., Investigator
Paula Brierley, Licensing Administrator
Keely Versteegen, Assistant Attorney General

CALL TO ORDER – 8:30 a.m.

1. Review and Approval of Draft Minutes
May 22, 2008; Regular Session Meeting

The Board noted a typographical error on the bottom page five. Ms. Kalis moved to approve the minutes as corrected. Mr. Robbins seconded the motion. The motion carried by a unanimous vote.

COMPLAINTS, INVESTIGATIONS and COMPLIANCE

2. Informal Hearing and Possible Action on Complaint
#07-15; Emmerson Salamat, P.T.

Mr. Salamat was present for the proceeding and was sworn in by Madeline Adamoli, Court Reporter. Ms. Kalis reviewed the Board's informal hearing procedures and the possible outcomes of the proceeding. Ms. Hiller advised the Board that the complaint was opened in response to a complaint filed by the Director of Corporate Compliance of Rehab Group. The complaint alleges that Mr. Salamat failed to maintain all required patient records and that his records did not support the charges that were billed. Ms. Hiller noted that Mr. Salamat did not maintain current addresses with the Board which was discovered in the course of the investigation. She described the audit of the charts that was conducted by the facility staff. Ms. Hiller also summarized the Respondent's response to the complaint in which he states that the records staff was at fault for the missing records. Ms. Hiller stated that Helene Fearon, P.T. provided some consultation with respect to chart reviews and she also compared the audit results for Mr. Salamat's charts against the charts for other practitioners at the facility, Sun View Care Center. Mr. Salamat indicated that he did not have an opening statement but he stated that he left the employ of the facility on his own in December of 2007 and provided a full month's notice. Ms. Hiller called to the Board's attention that RehabCare Group human resources records indicate that Mr. Salamat was terminated. In response to the Board's questions Mr. Salamat

stated that he has not had a chance to review what records are missing from the charts at Sun View Care Center which is owned by RehabCare Group. Mr. Salamat affirmed that at least once per week he reviewed his patient charts and that he never noticed any missing documentation and that all records were there. He stated that at times he left a particular facility at which he treated patients in order to go to another facility but he was always cognizant of the fact that he needed to return to the first facility to finish the notes he wasn't able to complete. Mr. Salamat mentioned that an occupational therapist was also investigated as part of a "witch hunt" in order to place blame on that person and him for the missing records. He reviewed for the Board the facility's procedures for adding records to patient charts noting that once all of the records were completed for an episode of care they were then transmitted to the medical records department. He further explained how the records are maintained and accessed by the therapy staff. The Board questioned whether an entire page of notations could be missing or could the charts indicate that daily notes were not completed. Ms. Hiller explained how she reformatted and highlighted pertinent information from the chart audit on the Excel spreadsheet that was provided by RehabCare Group. Ms. Adamoli swore in Ms. Kleffner, complainant and investigative witness. Ms. Kleffner addressed questions relative to the purpose of the chart audits and explained some of the information they found in that audit. She indicated that she was alerted that records were missing and explained that she was on site for four weeks working closely with the medical records staff on the audit. The Board asked whether she knew who was responsible for the missing information; Ms. Kleffner reported that the facility used a "soft file" system and found that no such files were maintained by Mr. Salamat. She surmised that some of the members of the therapy team did not originate those files but she couldn't pinpoint when that departure from the facility's procedures had begun. Ms. Kleffner stated that she believes the termination of Mr. Salamat probably predated the July 1, 2007 date that had been entered into his human resources employment record but that it was likely entered into their computer system late. In response to Board questions Ms. Kleffner affirmed that the audit found that with the exception of Mr. Salamat and an occupational therapist the records of the therapy staff were complete and present. The Board questioned why the audit findings spreadsheet doesn't always match the results of Ms. Fearon's review of selected charts. The Board noted that the audit spreadsheet indicates that for the patients treated by Mr. Salamat there were no discharge summaries for 54 patients, no initial evaluations for 24 patients and missing dates on 10 evaluations. Michael Milmine, P.T. was allowed to address the Board on behalf of Mr. Salamat. Mr. Milmine explained his background and his previous supervision of the Respondent. He stated that in the seven or eight years that Mr. Salamat worked for him he never had a problem with him missing records. Mr. Milmine questioned whether Mr. Salamat should be held responsible for a missing discharge summary if he was not the last physical therapist to treat the patient. Ms. Hiller advised the Board that there were six other physical therapists who were providing services to patients at Sun View Care Center. Mr. Salamat explained that he was typically scheduled to work at that particular facility full-time but that if there was a need he would be pulled to work at another facility owned by RehabCare Group. The Board concluded the questioning and discussed that there appears to be some organizational problems that present some challenges with respect to coming to some conclusions. The Board discussed that the audit findings may not be 100% accurate, but the testimony of the complainant also carries some weight. The Board questioned why other therapists treating the same patients did not question or call to anyone's attention the missing records. The Board questioned whether it could establish whether the facility or Mr. Salamat was at fault and noted the amount of records missing is substantial. The Board reviewed the chart for the patient L.F. and discussed whether notations – including the discharge summary – were not made by Mr. Salamat or whether the missing records could be attributed to the medical records staff not maintaining them. The Board questioned why the records for the first episode of care appear to be complete, but the records for

the second episode are not. The Board reviewed the records for the patient E.S. and noted which records were determined to be missing. Discussion ensued relative to why some patient charts are complete while others are not and how entire sheets of notes could be absent from the charts. The Board reviewed and discussed the possible jurisdictions identified in the investigative report and the members concurred that Mr. Salamat had failed to notify the Board in timely fashion of the changes to his home and work addresses. The Board questioned whether the law requires a physical therapist to ensure that the records department does not lose records. Ms. Verstegen advised the Board that it should use the following standard: does the preponderance of the evidence show a violation. Ms. Ohlendorf moved adopting a finding that he failed to file a timely change of address in a violation of A.R.S. §32-2044(1) and (23). Mr. Robbins seconded the motion. The Board was advised that it could adopt an advisory letter as a separate action as well. The motion carried by a unanimous vote. Ms. Akers moved to issue an advisory letter that as a licensee he is responsible for ensuring records are complete and he should follow up. Ms. Kalis seconded the motion. The motion carried by a unanimous vote. Ms. Kalis moved to issue a Decree of Censure. Ms. Akers seconded the motion. The motion carried by a unanimous roll call vote.

3. Review of Probation Compliance Status and Possible Action Including Summary Suspension

#08-02; Margaret (Peggy) Gurnett, P.T.

Ms. Herbst Paakkonen advised the Board that the licensee had requested to participate in this agenda item review telephonically but that the telephone in the meeting room is not allowing her to place the call to the out-of-state area code number that was given to her. She reviewed the status of the case and noted that the probation compliance report indicates that Ms. Gurnett was cited with a charge of DUI on May 16, 2008 and shortly thereafter elected to go to inpatient substance abuse treatment at Chandler Valley Hope. She called to the Board's attention the treatment assessment, the police records for the DUI, and the compliance tracking report. The Board discussed the fact that there was no evidence Ms. Gurnett had secured employment and Ms. Herbst Paakkonen affirmed the suspension was lifted on May 1, 2008 at which time Ms. Gurnett could resume practicing physical therapy. The Board discussed the serious nature of this matter. Ms. Kalis moved to remand the case to a formal hearing. Mr. Robbins seconded the motion. The Board reviewed Arizona Administrative Code R4-24-308(D) as it relates to the two year application for licensure moratorium placed on a person whose license is revoked by the Board. The Board discussed whether Ms. Gurnett could rehabilitate herself and return to the practice of physical therapy in the future given her longstanding problems with substance abuse, misrepresentations and theft of controlled substances. The Board discussed the licensee's history of making false statements to the Board as evidenced by contradictory information given to the various substance abuse professionals who have evaluated her as compared to what information she has given to the Board. The Board reviewed the previous terms of suspension and what requirements she had to meet as a result of those suspensions. The Board discussed the many inconsistencies throughout all of the various evaluations that have been reviewed by the Board. Ms. Verstegen advised the Board to direct Ms. Gurnett to submit to an alcohol screen today. Ms. Kalis moved to meet in Executive Session to obtain legal advice. Mr. Robbins seconded the motion. The motion carried by a unanimous vote. Upon resuming the meeting in public session the Board voted unanimously on the pending motion for formal hearing and directed Ms. Verstegen to request a recommendation from the Administrative Law Judge for revocation of the license.

**4. Initial Review and Possible Action on Complaint
#07-22; Nohora Rodriguez, P.T.**

Ms. Hiller provided a summary of the complaint filed by S.R. who received treatment in her home from Ms. Rodriguez following knee surgery. S.R. alleges that the care provided fell below the acceptable standard and that Ms. Rodriguez did not respect her requests to stop pushing her bending of her knee even after her pleas. S.R. also alleged that Ms. Rodriguez spent only 20 to 30 minutes with her during the four treatment sessions she had, that Ms. Rodriguez would at times be distracted by her Blackberry, and that Ms. Rodriguez would refuse to tell her the time during which she would arrive at her home for treatment. In her response to the complaint Ms. Rodriguez affirmed that she treated the S.R. and that her care was appropriate and she was sensitive to S.R.'s reports of pain. Ms. Hiller also noted that Ms. Rodriguez explained how Arizona Home Care, at which she is no longer employed, notifies traveling therapists of scheduling through a Blackberry, and noted that she provided her patients with a general time frame relative to when she would arrive for treatment. S.R. was present for the discussion of the case and thanked the Board for reviewing her complaint. She explained that she has had physical therapy treatment prior to this one and that this was by far the worst experience. She stated that she felt she was disrespected by Ms. Rodriguez and that after every session she was in tears. S.R. explained that her requests for Ms. Rodriguez to stop pushing her were disregarded and that she was ordered to perform the exercise in spite of her protests. S. R. stated that the follow-up physical therapist she saw after Ms. Rodriguez spent two hours with her and was very helpful and supportive which gave her hope that recovery was possible. She stated that she wishes no ill toward Ms. Rodriguez but that this therapist needs to improve on her approach to her patients. In response to the Board's questions S.R. stated that she had tears in her eyes when imploring Ms. Rodriguez to stop pushing her treatment. She stated that she was urged to bend her leg while Ms. Rodriguez also forced it to bend. S.R. stated that she attempted to time taking her pain medication in preparation for her physical therapy treatment, but it was difficult to do because Ms. Rodriguez refused to specify a time when she would be arriving at her home for the treatment session. The complainant affirms that she discussed with Ms. Rodriguez the use of ice and that she was aware of the pain medication she was prescribed. S.R. advised the Board that she anguished for a long time before she made the decision to seek care in an outpatient facility because she wanted to give Ms. Rodriguez a chance. She explained that she after some thought and advice from her family she determined she was willing to pay for good quality care even that not covered by her insurance. S.R. advised the Board that she had discussed with her physician what she could expect from her rehabilitation. S.R. stated that she is certain that the initial visit was probably 45 minutes but that the other three visits were between 20 and 30 minutes because she was watching the clock. The Board concurred that there were questions to pose to Ms. Rodriguez for purposes of resolving these complaints. Ms. Kalis moved to remand the complaint to an informal hearing. Mr. Robbins seconded the motion. The motion carried by a unanimous vote.

**5. Initial Review and Possible Action on Complaint
#07-23; Kristi Miller, P.T.**

Ms. Hiller summarized the case which was reported by D.H., an employee of the Arizona Adult Protective Services program. Ms. Hiller advised the Board that the complaint alleged Ms. Miller failed to use appropriate safety precautions while walking with an elderly and blind home health patient which resulted in the patient falling while entering his home. In her response to the complaint Ms. Miller submitted a written statement made by the van driver who affirmed that Ms. Miller used the gait belt properly, that she was guiding the patient, and that when the patient began to fall Ms. Miller attempted to prevent the fall as best as she could but that she managed to allow the patient to go to the ground with as little impact as could be managed. Ms. Hiller also

noted the complaint response by Ms. Miller commented that the patient sustained only a laceration above his left eye and small skin tears on his hand and forearm and that had she not minimized the impact of the fall with the gait belt the patient's injuries would have been more severe. Ms. Miller was present for the review of the complaint and stated to the Board that this was the first patient in her care who has fallen and that she was very upset that it had occurred because she treats all of her patients as though they were a member of her family. She stated that every patient in her care is at risk and that she always does her best to minimize the impact if a fall seems inevitable. Ms Miller stated that she had her hand on the gait belt at all times and that had she not been there the impact on the tile in the patient's home would have been far worse. Ms. Miller discussed with the Board the patient's limitations, his care needs and the fact that the patient's home environment was not equipped to support his living at home. She stated that the patient's wife was not willing to come to the realization that the patient required a higher level of care and that she believes the wife wanted to pin the blame for this fall on someone and that she was a likely candidate. The Board reviewed the investigative report and discussed the fact that it was not concerned with Ms. Miller's decision to not use the wheelchair for transporting the patient from the van into his home. The Board discussed the fact that patient falls cannot always be predicted and noted there was ample evidence to support Ms. Miller's statements that she used proper precautions with the patient. Ms. Kalis moved to dismiss the complaint. Ms. Ohlendorf seconded the motion. The motion carried by a unanimous vote.

6. Initial Review and Possible Action on Complaint

#07-16; Christopher Harten, P.T.

Ms. Herbst Paakkonen provided a summary of the complaint which was filed by the respondent's coworkers, C.H. and C.F., both physical therapists, who allege that Mr. Harten has created a negative work environment in the form of verbal aggressions, making disparaging remarks about coworkers including his supervisor, and acting in a threatening manner toward his supervisors. She advised the Board that she and Ms. Hiller gave careful consideration to whether this type of complaint should be brought to the Board and discussed the fact that A.A.C. R4-24-101(33) establishes that the recognized Standard of Ethics is that of the American Physical Therapy Association (APTA) and this document establishes as unethical conduct disparaging colleagues. Ms. Herbst Paakkonen advised the Board that she interviewed the physical therapy department supervisor, Brent Stauth, P.T., while investigating this complaint. Mr. Harten was present for the review and discussion and explained to the Board that this is a tenuous workplace situation which consists of some employee union involvement. In response to the Board's questions Mr. Harten explained his role as a union steward acting on behalf of facility employees who were unhappy with management's decision to require employees to work on weekends. Mr. Harten explained that he is able to act in that capacity during work hours and that at times he would take positions as a union official which were viewed by management to be confrontational. The Board asked whether Mr. Harten has issues with his supervisor and coworkers. He responded that his response to the complaint addresses his concerns with his supervisor relative to the employment dispute between management and the union. He stated that his ability to provide patient care has not been affected by the events described in the complaint and that in his many years of treating patients he has not received any complaints from them relative to the care he provides. Mr. Harten advised the Board that the arbitration decision which resulted in his 3-day suspension from his job is being appealed by the union which will be reviewed by a federal labor authority. Christopher Hanson, P.T. was allowed to address the Board and identified himself as one of the complainants. He stated that this matter may be viewed by the Board as trivial as compared to other cases, but that the behavior on the part of Mr. Harten is disruptive and is adversely affecting patient care at the Veterans Hospital where he and the respondent practice. He stated that the hostile approach that Mr. Harten is taking toward their supervisor is problematic to the operations of the department even if patients have not

complained. Mr. Hanson affirmed that this and other complaints have been taken to human resources and that he has served as a witness to some of the conflicts that have occurred between Mr. Harten and Mr. Stauth, their supervisor. He indicated that one of those reports culminated in the employment disciplinary action – the suspension – that was taken against Mr. Harten. Mr. Hanson affirmed that there was discontent when the employees were advised of the weekend work schedules, but that not every one in the department wanted the union and Mr. Harten as their representative to get involved on their behalf. He stated that the other employees of the department hoped that after the suspension Mr. Harten would change his behavior but that the threatening and intimidating behavior continued which compelled him to file this complaint to the Board. He stated others were fearful of retaliation from Mr. Harten if their names were associated with a complaint. The Board expressed concerns that the alleged behavior reported doesn't appear to be effectively managed by human resources at the facility which should take a more involved role in this dynamic. The Board discussed the fact that there is some compelling evidence that Mr. Harten is behaving less than professionally and that professional behavior is expected of a physical therapist as the Board's statutes and rules recognize the APTA Guide to Professional Conduct. Ms. Kalis moved to issue to Mr. Harten an advisory letter stating that while he may not agree with his supervisor he has created a negative work environment by making disparaging remarks about co-workers and his supervisor and that these behaviors are inconsistent with the Board-recognized standards of ethics of the physical therapy profession. Ms. Kalis' motion also included issuance of a non-disciplinary order requiring the licensee to complete a pre-approved continuing education course of at least 6 hours that addresses ethical behavior in the workplace. Mr. Robbins seconded the motion. The motion carried by a unanimous vote

7. Initial Review and Possible Action on Complaint

#08-06; Clay Fincher, P.T.

Ms. Herbst Paakkonen summarized the investigative report, advising the Board that the complaint was filed by C.H., a co-worker of Mr. Fincher at the Veterans Hospital in Phoenix, and that C.H. alleged that on February 26, 2008 Mr. Fincher discussed his pending and issued employment disciplinary action with another physical therapist, Christopher Hanson, P.T., while in the presence of a patient "Joe". Ms. Herbst Paakkonen noted where in the investigative report the Board could find the possible jurisdiction for this case. She advised the Board that she interviewed Mr. Stauth, supervisor of the physical therapy department at the Veteran's Hospital and that in the course of doing so learned that Mr. Stauth's internal investigation did not support the allegation sent forth by the complainant. Mr. Harten identified himself as the complainant and came before the Board to describe the alleged event and the report he received from other individuals within the facility that Mr. Hanson and Mr. Fincher were discussing Mr. Harten's pending disciplinary action and an "arbitration matter". He stated that his primary concern is that his personal business is being discussed among the staff and patients at the facility which undermines his ability to provide care to his patients. Mr. Hanson was granted permission to address the Board and he stated that the alleged event did not occur. He explained that the patient "Joe" was aware of some arbitration matter which was affecting the scheduling of his treatment, but that on the day in question he and Mr. Fincher did not name anyone associated with the arbitration matter and never mentioned Mr. Harten during their discussion. Mr. Hanson offered an alternative theory relative to why the patient may have made the statement he did to Mr. Harten, and he stated that it had nothing to do with the alleged discussion between Mr. Fincher and Mr. Hanson. The Board asked Mr. Hanson to describe the "KT" or kinesiology area which was explained to be a large open treatment room. The Board allowed Terri Harten to address the Board. Ms. Harten explained that she works at the facility and that she witnessed the patient "Joe" making the statement that was described in the complaint. She stated that Mr. Stauth, Mr.

Harten's supervisor, did not do a complete investigation of the incident in that he did not interview her as a witness. The Board questioned why she was not interviewed and she stated that she did not know. The Board discussed whether this case should be considered by the Board given that it is a personnel matter more appropriately addressed by the human resources at the Veterans Hospital. Ms. Kalis moved to dismiss the case. Mr. Robbins seconded the motion. The motion carried by a unanimous vote.

**8. Initial Review and Possible Action on Complaint
#08-07; Christopher Hanson, P.T.**

Ms. Herbst Paakkonen noted that the complaint summary for this case is virtually identical to that of the complaint against Mr. Fincher except that Mr. Hanson submitted a separate response to the allegations which states that the alleged conversation did not occur as the complainant described it. Following a brief discussion during which the Board members concurred this type of complaint is more appropriately addressed by the human resources department of the facility at which the complainant and respondent is employed, Mr. Robbins moved to dismiss the complaint. Ms. Akers seconded the motion. The motion carried by a unanimous vote.

9. REMOVED FROM THE AGENDA

This matter was not addressed by the Board and will be scheduled for consideration on a future meeting agenda.

**10. Review and Possible Action on Probation Compliance Status and Termination of Probation
#07-09; Alicia Peavey, P.T.**

Ms. Hiller reported on the status of the licensee's probation and reminded the Board of its findings of fact relative to this case. She noted that Ms. Peavey was placed on probation for one year for violating A.R.S. §32-2043(J), failing to ensure accurate documentation and billing of services, and for A.R.S. §32-2044(13), charging unreasonable or fraudulent fees. Ms. Hiller advised the Board that she had approved the course Ms. Peavey submitted for purposes of meeting the terms of her probation and that on March 31, 2008 Ms. Peavey submitted evidence that she completed the course. Ms. Hiller stated that Ms. Peavey is requesting early termination of her probation. The Board reviewed the reports and documentation prepared for this agenda item and discussed the fact that Ms. Peavey's course post-test indicated she passed with a score of 95. Ms. Kalis moved to grant Ms. Peavey termination of her probation. Ms. Ohlendorf seconded the motion. The motion carried by a unanimous vote.

APPLICATIONS FOR LICENSURE & CERTIFICATION

11(A). Substantive Review and Possible Action on Applications for Physical Therapist Licensure

Bajaria, Radhika	Baker, Nancy	Bradt, Shirley
Carroll, Laura	Czech, Polly *	Chiesi, Michael
Dean, Jeffrey	Doering, Catherine	Douhach, Tatsiana
Downs, Nicole	Finegan, Cristin	Girres, Cynthia K
Gwardys, Karen	Hough, Ryan *	Hunter, Clayton
Lampi, Amanda	MacDonald, Jillian	Mazza, Shelley
Neshem, April	Perkins, Alison	Pistel, Keebyn
Ruff, Danielle	Schmit, Jason	Sena, Meredith
Straub, Rebecca	Tuma, Julie	Warne, Erin
Weedman, Carrie	Yarbrough, Kristy	

**Applicant disclosure on "Personal Information" section of application*

The Board elected to review the application of Ryan Hough separately from the other applicants relative to the fact that he indicated on his application that he been working in Arizona as a regional rehabilitation director for a multi-state company and that there is evidence that he used

the initials “P.T.” following his name while working in this capacity. Mr. Hough was present for the Board’s substantive review of his application and explained to the Board that he assumed that he does not require a physical therapist license in Arizona to serve in his current employment capacity but that he believes he should have an active license in the state. He explained that he oversees program development and operations for the company. Mr. Hough affirmed that he does not currently provide any patient care and explained that he is an administrator over the physical therapy, occupational therapy and speech therapy departments for his company and that his job responsibilities include conducting reviews for accreditation compliance. Ms. Kalis moved to meet in Executive Session for purposes of obtaining legal advice from Board counsel. Mr. Robbins seconded the motion. Upon resuming the meeting in public session the Board referred to A.R.S. §32-2001(11) which defines the practice of physical therapy as including engaging in physical therapy administration employment activities. Ms. Kalis moved to offer a consent agreement to Mr. Hough which would grant him licensure but find him in violation of A.R.S. §32-2044(1) and §32-2042(C), using the “P.T.” professional designation while unlicensed, and that the consent agreement incorporate a Decree of Censure. Mr. Robbins seconded the motion. Ms. Akers offered a friendly amendment to the motion to include a violation of 32-2048(A), practicing physical therapy without a license. Ms. Ohlendorf seconded the amendment to the motion. The motion carried by a unanimous roll call vote.

The Board then discussed the application file for Ms. Pistel and noted her one month gap in employment. Ms. Kalis disclosed that while she knows Ms. Girres in the capacity of her clinical training but that she did not serve as her supervisor and can vote on the application without bias. The Board noted that Ms. Czech obtained her masters degree in physical therapy, passed the National Physical Therapy Examination shortly thereafter, and then completed her doctorate of physical therapy degree. Ms. Kalis moved to grant licensure to all of the listed applicants with the exception of Mr. Hough. Mr. Robbins seconded the motion. The motion carried by a unanimous vote.

11(B). Substantive Review and Possible Action on Applications for Physical Therapist Assistant Certification

Austin, Jesse	Mallett, Barney	
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The Board discussed the fact that the applicant files were complete and raised no questions. Ms. Kalis moved to grant certification to the listed applicants. Mr. Robbins seconded the motion. The motion carried by a unanimous vote. The Board discussed the fact that two new physical therapist assistant educational programs have recently been established in Arizona, have enrolled students that will graduate in 2010, and that are pending accreditation by the Commission on Accreditation of Physical Therapy Education – Pima Medical Institute (Mesa campus) and Mohave County Community College in western Arizona.

11(C). Review and Possible Action on Applications of Foreign Educated Graduates of Programs Not U.S. Accredited - Review of Final Clinical Performance Instrument

Ionel Cornea

The Board discussed the fact that the CPI that was completed for Mr. Cornea’s supervised clinical practice period by his supervisor included little information in the form of comments on the final evaluation. Ms. Brierley provided the Board with the midterm CPI evaluation which also did not have many comments. The Board questioned whether the supervisor understood how to complete the evaluation tool properly and discussed how to provide advice to supervisors relative to preparing a complete evaluation. The Board discussed its options to include granting Mr. Cornea a license, denying the license, and requesting additional information in order to issue a final decision on the application. Ms. Kalis moved to request additional information in the form

of completion of the CPI and asking the supervisor and applicant to come before the Board to address questions. Mr. Robbins seconded the motion. The motion carried by a unanimous vote.

11(D). Review and Possible Action on Application for Licensure - Review of Final Clinical Performance Instrument

Eliza Cho

Ms. Brierley explained to the Board that the CPI submitted by Ms. Cho's supervisor was submitted as incomplete because her primary supervisor had to leave Arizona to respond to a family emergency. Ms. Brierley noted that she returned it to the facility at which point the secondary supervisor completed and resubmitted it. The Board reviewed the evaluation and noted that Ms. Cho was a re-entry applicant and that her supervisors had found her clinical skills to be adequate. Ms. Akers moved to grant licensure to the applicant. Ms. Kalis seconded the motion. The motion carried by a unanimous vote.

BOARD BUSINESS AND REPORTS

12. Executive Director's Report – Discussion and Possible Action

a. Financial Report: No additional information to report.

b. Board Staff Activities: Ms. Herbst Paakkonen reported that the online application that was supposed to be working on June 23, 2008 is not operating properly. She noted that she has been assured that the application developer, NIC, has identified the problems and is working on fixing them. The Board discussed whether to schedule for discussion at a future meeting establishing time limitations for posting disciplinary orders to the Board's website and whether the Board's records retention schedule of maintaining disciplinary information for 25 years should be revisited. The Board directed Ms. Herbst Paakkonen to schedule these discussions on a future meeting agenda.

c. FSBPT Initiatives and News: The Board congratulated Ms. Herbst Paakkonen on her being named as one of the FSBPT Service award recipients for 2008. Ms. Herbst Paakkonen informed the Board that she had accepted the offer of the FSBPT CEO, William Hatherill, to serve as the Moderator for the Issues Forum which takes place during the Annual Meeting. She also affirmed that the Annual Meeting education sessions have not yet been announced to the membership.

d. Rule Writing Update: No additional information to report.

e. Legislative Update: Ms. Herbst Paakkonen noted that the Arizona House of Representatives had finally introduced the fiscal year 2009 reconciliation bill which contained a number of fund sweeps but no sweep has been identified for the fund of the Arizona Board of Physical Therapy. She noted that the Senate bill has not been revealed but that she is cautiously optimistic that the Board's fund will be identified for a funds transfer. Ms. Herbst Paakkonen assured the Board that Stuart Goodman, the Board's lobbyist, is keeping her informed of all developments relative to this matter. She reminded the Board that she had rescheduled Mr. Goodman's legislative wrap-up report to the July 15, 2008 meeting agenda so that all Board members would be present.

CALL TO THE PUBLIC

None.

ADJOURNMENT

The meeting adjourned at 1:20 p.m.

Regular Session Meeting
June 24, 2008

Prepared by,

Heidi Herbst Paakkonen
Executive Director

Approved by,

Randy Robbins
Secretary