

JANICE K. BREWER  
Governor



CHARLES D. BROWN  
Executive Director

JONI KALIS, P.T.  
President

**ARIZONA STATE BOARD OF PHYSICAL THERAPY**  
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**REGULAR SESSION MEETING MINUTES**  
**April 28, 2009**

**MEMBERS PRESENT:** Joni Kalis, P.T., President  
Mark Cornwall, P.T., Ph.D., Vice President  
Randy Robbins, Secretary  
James Sieveke, P.T., O.C.S., Member  
Lisa Akers, P.T., Member  
Kris Ohlendorf, P.T.A., Member

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** Charles D. Brown, Executive Director  
Paula Brierley, Licensing Administrator  
Keely Versteegen, Assistant Attorney General

CALL TO ORDER – 8:30 a.m.

The meeting was called to order at 8:30 a.m. Ms. Kalis notified the persons attending the meeting that she will be taking several agenda items out of order.

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

March 24, 2009; Regular Session Meeting

Ms. Kalis opened the matter for discussion. Dr. Cornwall noted three typographical errors in the minutes. Ms. Kalis moved to approve the draft minutes as corrected. Mr. Sieveke seconded the motion. The motion carried by a unanimous vote.

Vote	Ms. Kalis	Dr. Cornwall	Mr. Robbins	Mr. Sieveke	Ms. Akers	Ms. Ohlendorf
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

March 24, 2009; Executive Session Minutes

Ms. Kalis opened the matter for discussion. Hearing no discussion, Ms. Kalis moved to approve the minutes as presented. Mr. Robbins seconded the motion. The motion carried by a unanimous vote.

Vote	Ms. Kalis	Dr. Cornwall	Mr. Robbins	Mr. Sieveke	Ms. Akers	Ms. Ohlendorf
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

### COMPLAINTS, INVESTIGATIONS and COMPLIANCE

3. Initial Review, Discussion and Action on Complaint #08-25  
David Guy, P.T.

Ms. Kalis called the Board's attention to the complaint against Mr. Guy and requested Mr. Brown to provide the Board with a brief description of the complaint. Mr. Brown summarized the case for the Board to include the allegations; David Guy treated patient A. G. for more conditions than what was ordered by the referring physician, and that David Guy "scared" the patient and her mother into letting him provide additional treatment.

Ms. Kalis invited Mr. Guy forward to discuss the matter with the Board. Mr. Guy provided a statement to the Board explaining his findings of instability in the patient cervical spine, which was verified by other physical therapists in his office. Mr. Guy was concerned with some of A.G.'s activities to include soccer and a stretching program, which he request A.G. to stop until her condition improved. Mr. Guy stated he had treated A.G. five times when she stopped treatment and returned to her referring physician who provided A.G. with an x-ray examination and found no problems in the cervical spine. Mr. Guy stated he felt the x-ray findings demonstrated his treatment had worked.

Mr. Sieveke asked Mr. Guy for the names of the other physical therapists in his office at the time A.G. was treated. Mr. Guy stated it was Tom Long, P.T. and Anna Cordosa, P.T. Ms. Ohlendorf asked Mr. Guy where in the patient record she could find the documentation of his examination of A.G.'s cervical and thoracic spine. Mr. Guy stated that it was an on going evaluation throughout the treatment. Mr. Sieveke asked Mr. Guy if he documented the exam or any reexamination. Mr. Guy stated he did not document an exam of the cervical or thoracic spine, or reexamination. Mr. Cornwall asked Mr. Guy to point out the letter that was sent to the referring physician after the initial examination. Mr. Guy stated it was not a letter, but a copy of the exam documentation. Mr. Sieveke asked Mr. Guy why more communication did not take place with the referring physician. Mr. Guy stated that he did not feel any further communication was required.

Ms. Kalis stated she felt that the matter should be forwarded to an Informal Hearing with additional possible violations of law to be added to include A.R.S. §31-2044(13, 14, & 20). Ms. Ohlendorf suggested the Board consider adding the possible violation of A.R.S. §32-2041(A). The Board discussed forwarding the complaint to Informal Hearing. Ms. Kalis moved to forward complaint #08-25 against David Guy, P.T. to Informal Hearing with the addition of possible violations of law A.R.S. §31-2044(13, 14, & 20) and A.R.S. §32-2041(A) added to the possible violations noted in the Board's records. Mr. Sieveke seconded the motion. The motion carried by unanimous vote.

Vote	Ms. Kalis	Dr. Cornwall	Mr. Robbins	Mr. Sieveke	Ms. Akers	Ms. Ohlendorf
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

Ms. Kalis took the next item out of ordered of the meeting agenda.

**Consent Agenda; Review, Consideration and Action**

Ms. Kalis offered any Board member an opportunity to remove any person or item from the consent agenda before considering a motion. Mr. Sieveke removed Debora Button, P.T. from item 9(A) and Amanda Albert, P.T. from item 9(B).

Ms. Kalis moved that the Board approve the consent agenda as amended. Mr. Sieveke seconded the motion. The motion carried by unanimous vote.

9. Continuing Competence Audits

9(A). Review, Consideration and Action of Licensee(s) Audited By Staff and Found In Compliance With 2006-2008 Continuing Competence Requirements; Approval of Finding of Compliance.

<b>Craig Goldberg</b>		
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9(C). Review, Consideration and Action of Licensees Audited By Staff and Found Non-Compliant With 2006-2008 Continuing Competence Requirements; Approval of Opening a Complaint To Investigate Possible Fraudulent Procurement of Licensure Renewal or Reinstatement, or Failing To Respond To The Audit.

<b>Amanda Albert</b>		
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9(D). Review, Consideration and Action of Offering a Consent Agreement To All Licenses listed in Consent Agenda Item 9(C).

10. Applications For Licensure & Certification

10(A). Substantive Review, Consideration and Action on Applications for Physical Therapist Licensure

<b>Anderson, Josiah</b>	<b>Brunette, Martha</b>	<b>Fernandez, Jose</b>
<b>Graf, Marie</b>	<b>Gunia, Jamie</b>	<b>Kunze, Jacki</b>
<b>Jones, Brian</b>	<b>Nascimento, Meghan</b>	<b>Schroeder, Dana</b>

10(B). Substantive Review, Consideration and Action on Applications for Physical Therapist Assistant Certification

<b>Avendano, Julie</b>	<b>Burge, Natalie</b>	<b>Hickethier, Kerry</b>
<b>Hudson, Andrea</b>	<b>Rockey, Barbara</b>	<b>Schaffner, Lavon</b>
<b>Sewell, Holly</b>	<b>Stirling, Kristin</b>	<b>Swanner, Christopher</b>
<b>Tafoya, Yolanda</b>	<b>Thomatis, Angela</b>	

Vote	Ms. Kalis	Dr. Cornwall	Mr. Robbins	Mr. Sieveke	Ms. Akers	Ms. Ohlendorf
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

*Consent Agenda Ends*

9(A). Review, Consideration and Action of Licensee(s) Audited By Staff and Found In Compliance With 2006-2008 Continuing Competence Requirements; Approval of Finding of Compliance.

Debora Button, P.T.

Ms. Kalis opened this matter for discussion. Dr. Cornwall noted that Ms. Button had provided course documentation for continuing competence activities that included over forty hours for a canine therapy course; however, the definition of physical therapy includes the treatment of persons not animals; therefore, the course cannot qualify.

Dr. Cornwall moved that Ms. Button be found out of compliance with continuing competency activity requirements for the licensure period of 2006-2008 and be given six months to demonstrate compliance. Mr. Robbins seconded the motion. The motion carried by unanimous vote.

9(B). Review, Consideration and Action of Licensee(s) Audited By Staff and Found Non-Compliant With 2006-2008 Continuing Competence Requirements; Approval of Finding of Non-Compliance.  
 Amanda Albert, P.T.

Ms. Kalis called the Board’s attention to agenda item 9(B) regarding Ms. Albert. Mr. Sieveke asked Board staff why Ms. Albert was included in agenda items 9(B &C). Mr. Brown explained that in item 9(B) the Board could find Ms. Albert out of compliance with 2006-2008 continuing competence requirements; approval of finding of non-compliance and provide the required six months to demonstrate compliance. In item, 9(C) the Board would initiate a complaint against Ms. Albert for possible fraud or deception in gaining her 2008-2010 license reinstatement/renewal by falsely indicating she had completed the 2006-2008 continuing competence requirements. Mr. Sieveke moved the Board find Ms. Albert non-compliant with 2006-2008 continuing competence requirements and provide her six months to demonstrate compliance. Ms. Kalis seconded the motion. The motion carried by unanimous vote.

Vote	Ms. Kalis	Dr. Cornwall	Mr. Robbins	Mr. Sieveke	Ms. Akers	Ms. Ohlendorf
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

The Board returned to the normal order of the agenda.

2. Board Review, Consideration and Discussion of House Bill 2210, Proposed Amendments and Arizona Association of Physical Therapy Position Paper.

Ms. Kalis called the Board’s attention to the above noted agenda item and invited representatives of the Arizona Association of Physical Therapy (AzPTA) to come forward. Board members and staff introduced themselves. Kay Wing, President of the AzPTA introduced herself and thanked the Board for taking time to discuss HB 2210. Ms. Wing introduced Al D’Appollonio, P.T., Chair of the AzPTA State Government Affairs Committee; Susie Stevens, AzPTA Legislative Liaison; and Heidi Herbst Paakkonen, Executive Director of the AzPTA.

Ms. Stevens provided the Board with a summary of the current status of HB 2210. Ms. Stevens stated that she was informed earlier in the morning that HB 2210 would be amended back to some form of its original language, which would remove any requirement for the Board to regulate facilities providing physical therapy services. The Board discussed how the recent change would not require any action of the Board. However, Ms. Stevens did not have a copy of the new language available for the Board to review. Ms. Stevens stated that the language regarding physical therapy could be entered into the new amendment now or that language concerning physical therapy could be added later in the legislative session if the bill is heard in a Senate Committee.

The Board asked Ms. Stevens if there were any timing restrictions that required a decision now and she stated there was none at this point. Ms. Kalis thanked the AzPTA for its position paper and stated that a change in language would certainly change any action required by the Board, and that considering the lack in ability to review the new language and the problems mentioned at previous meeting with the language in the first amendment of HB 2210, she was reluctant to make any decisions.

Dr. Cornwall and Mr. Sieveke made statements addressing a need to possibly discuss facility registration with some Board oversight in the future, but that discussions may need to take place to establish what form of regulation is actually needed. Ms. Kalis invited Stuart Goodman and Brandy Petrone, Board legislative liaisons, forward to address the Board. Mr. Goodman stated that considering the recent change in language that has not been seen he recommend the Board not adopt any position at this point, but remain open to discuss the legislation again in the future when language can be reviewed. This agenda item required no Board action and no action was taken.

Ms. Kalis recessed the Board at 9:23 a.m.

The Board returned to session at 9:33 a.m.

The Board took the next agenda item out of order from the agenda.

## **INFORMAL HEARINGS**

6. Informal Hearing of Case #08-01; Scheduled for 9:30 a.m.  
Holly Doherty, P.T.

Ms. Kalis called the Board's attention to the above agenda item. Ms. Kalis invited Ms. Doherty forward. Ms. Doherty was sworn in by the court reporter. Board members and staff introduced themselves for the record. Ms. Kalis provided an explanation of the process the Informal Hearing will take and the possible actions the Board can take at an Informal Hearing. Mr. Brown provided a summary of the allegations against Ms. Doherty's license.

### **Allegations:**

1. The complaint alleges that a Notice of Audit of Continuing Competence was sent by the office of the Arizona Board of Physical Therapy and was received at Respondent's address of record on October 4, 2008 as evidenced by certified mail receipt number 7008 1140 0001 4707 5027.
2. Respondent failed to submit to the Board within 30 days (November 3, 2008) any documentation in response to the Notice of Audit of Continuing Competence. Respondent failed to submit any continuing competence documentation to the Board office since the receipt of the Notice of Audit of Continuing Competence.
3. On December 18, 2009, The Board reviewed Respondent's record associated with her failure to respond to the Board's audit of her continuing competence taken during the 2006-2008 licensure period. The Board voted to find the Respondent out of compliance with her continuing competence requirements and offered Respondent a consent agreement. The offer of the consent agreement was sent by certified mail on December 24, 2008 to the address of record with the Board, but was returned as unclaimed on January 20, 2009.
4. On March 10, 2009, Board staff sent a copy of the consent agreement and notice to Respondent via Facsimile.

Ms. Kalis offered Ms. Doherty an opportunity to address the Board and provide any information she has regarding the allegations. Ms. Doherty stated that she was sorry she missed responding to the audit as required, but that she had some personal problems that caused her to forget about the audit. However, Ms. Doherty stated she did take continuing competence required and provided the Board with copies of the course certificates. The Board asked Ms. Doherty if she moved since some of the notices sent to her had returned. Ms. Doherty stated she had not moved and confirmed her address for the Board. Ms. Doherty stated that her husband often checks the mail and does not tell her when she received mail. Mr. Brown asked Ms. Doherty to confirm the number the Board attempted to send her records by facsimile. Ms. Doherty confirmed the number as correct. Ms. Akers noted that the certificates Ms. Doherty provided, indicate that she obtained 8 hours of continuing competence in the 2006-2008 licensure period, but that one course for 14 hrs of credit did not indicate the organization approving the course for credit. Therefore, Ms. Doherty needed 4 hours of Category A continuing competence and an additional 8 hours or documentation the course submitted was approved for credit.

Dr. Cornwall moved the Board find Ms. Doherty in violation of A.R.S. §32-2044(1) and A.A.C. R4-24-401(G.2) and order Ms. Doherty to take the Board’s jurisprudence exam. There was no second to the motion.

Ms. Kalis moved the Board adopt as Findings of Fact that a Notice of Audit of Continuing Competence sent by the office of the Arizona Board of Physical Therapy was received at Respondent’s address of record on October 4, 2008 as evidenced by certified mail receipt number 7008 1140 0001 4707 5027; and Respondent failed to submit to the Board within 30 days (November 3, 2008) any documentation in response to the Notice of Audit of Continuing Competence. Respondent has failed to submit any continuing competence documentation to the Board office since the receipt of the Notice of Audit of Continuing Competence. Board staff faxed respondent a copy of the complaint notice and consent agreement, but no response was received. Dr. Cornwall seconded the motion. The motion carried by unanimous vote.

Vote	Ms. Kalis	Dr. Cornwall	Mr. Robbins	Mr. Sieveke	Ms. Akers	Ms. Ohlendorf
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

Dr. Cornwall moved the Board find Ms. Doherty in violation of A.R.S. §32-2044(1) and A.A.C. R4-24-401(G.2). Ms. Kalis seconded the motion. The motion carried by unanimous vote.

Vote	Ms. Kalis	Dr. Cornwall	Mr. Robbins	Mr. Sieveke	Ms. Akers	Ms. Ohlendorf
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

Dr. Cornwall moved that the Board issue a Board Order that Ms. Doherty be placed on six months probation during which time she must take and pass the Board’s jurisprudence examination. Ms. Kalis seconded the motion. A roll call vote was taken. The motion carried by unanimous vote.

Vote	Ms. Kalis	Dr. Cornwall	Mr. Robbins	Mr. Sieveke	Ms. Akers	Ms. Ohlendorf
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

7. Informal Hearing of Case #08-02;  
 Jennifer Johnson, P.T.

Ms. Kalis called the Board’s attention to item 7 on the agenda. Ms. Kalis asked Ms. Johnson to come forward. Ms. Johnson was not present. Ms. Kalis moved to go into executive session to obtain legal advice. Mr. Robbins seconded the motion. The motion carried by unanimous vote.

Vote	Ms. Kalis	Dr. Cornwall	Mr. Robbins	Mr. Sieveke	Ms. Akers	Ms. Ohlendorf
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

The Board entered Executive Session at 9:55 a.m.

The Board returned to open session at 10:01 a.m.

Ms. Kalis moved to table the Informal Hearing of Case #08-02; Jennifer Johnson, P.T. Mr. Robbins seconded the motion. The Board discussed not hearing the case again until Ms. Johnson’s time to comply with her continuing competence requirements has expired. The motion carried by unanimous vote.

Vote	Ms. Kalis	Dr. Cornwall	Mr. Robbins	Mr. Sieveke	Ms. Akers	Ms. Ohlendorf
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

The Board returned to the normal order of the agenda.

4. Initial Review, Discussion and Action on Complaint #09-02  
 Carole Binswanger, P.T.

Ms. Kalis called the Board’s attention to the above complaint. Ms. Kalis asked Ms. Binswanger to come forward. Ms. Binswanger was not present. Mr. Brown provided the Board with a summary of the case. Mr. Brown reported that Ms. Binswanger was selected to have her continuing competence activities audited for the 2006-2008 licensure period. Ms. Binswanger provided documentation on two occasions, but was found to be non-compliant with continuing competence requirements on February 24, 2009. Since the finding of non-compliance, Ms. Binswanger has provided documentation to demonstrate compliance.

Ms. Kalis questioned Mr. Brown about the timing of Ms. Binswanger’s submissions. Mr. Brown reported that Ms. Binswanger did respond in a timely fashion, but did not take the 20 hours required prior to her license renewal/reinstatement, which may indicate she obtained her license renewal/reinstatement, by fraud or misrepresentation.

The Board discussed offering Ms. Binswanger a 2<sup>nd</sup> consent agreement. Ms. Kalis moved that the Board offer Ms. Binswanger a new consent agreement with the same findings of fact as in the previous consent agreement, but noting her compliance. Conclusions of law include paragraphs A.R.S.

§32-2044(3 & 14) and the order includes six months probation to take and pass the Board's jurisprudence examination. Staff is to provide 20 days for Ms. Binswanger to sign the consent agreement or the case will be forwarded to an Informal Hearing. The motion was seconded by Ms. Akers. The motion carried by unanimous vote.

Vote	Ms. Kalis	Dr. Cornwall	Mr. Robbins	Mr. Sieveke	Ms. Akers	Ms. Ohlendorf
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

The Board took the next agenda item out of order.

13. Review, Consideration, and Action on Application for Licensure Reinstatement and Renewal with Prior Board Action.  
 William Sifling

Ms. Kalis called the Board's attention to the above agenda item. Ms. Ohlendorf recused herself from hearing this item and left the Board table. Mr. Sifling came forward to address the Board. Mr. Brown provided the Board with a summary of the matter indicating that Mr. Sifling was placed on probation in August of 2008 for substance abuse related issues at which time he allowed his license to lapse. While trying to continue his monitoring requirements even when the Board did not have jurisdiction over him, Mr. Sifling tested positive for alcohol consumption in January of 2009. Mr. Sifling is now applying for reinstatement and renewal of his license with modifications to his Board order.

Ms. Kalis offered Mr. Sifling the opportunity to address the Board. Mr. Sifling stated that he is now sober 90 days and would like to reinstate his license with some modifications to his probation to make it easier to gain employment. Ms. Kalis asked Mr. Sifling if he has been compliant with the terms of his order before drinking in January. Mr. Sifling admitted he did miss some group therapy and drug tests. Mr. Sifling stated he would like to work in a registry environment and home health with monitoring, not under direct supervision. The Board stated they would modify the word supervision in the order to indirect supervision; however, the Board noted the definition of supervision in the previous order would be the same definition of indirect supervision in the new order.

The Board discussed ways they could modify the prior consent agreement offer to Mr. Sifling and reduce some supervision burdens, allow registry employment, but not home health. Mr. Brown suggested the Board could consider requiring supervision for only a percentage of the hours during Mr. Sifling's work day. Mr. Sifling asked that the Board use the term indirect supervision, but not change the definition of supervision in the order.

Ms. Kalis moved that the Board offer Mr. Sifling a new consent agreement with the same findings of fact as the previous agreement but with language showing the lapse of licensure and documenting the positive drug test in January 2009. The conclusions of law will remain the same as the previous agreement, and the order will remain the same; however, supervision will become indirect supervision and the definition of supervision will reflect that the indirect supervision is required for 50% of Mr. Sifling's daily work hours. Mr. Sifling will be granted reinstatement of his license upon the effective date of the consent agreement; however, if the consent agreement is not signed within 20 days, the application for reinstatement is denied. Mr. Sieveke seconded the motion. The motion carried by unanimous vote.



Vote	Ms. Kalis	Dr. Cornwall	Mr. Robbins	Mr. Sieveke	Ms. Akers	Ms. Ohlendorf
Aye	X	X	X	X	X	
Nay						
Recused						X
Abstained						
Absent						

The Board took the next agenda item out of order.

15. Board Discussion Regarding Possible Legislative Action on A.R.S. 32-2001 et al.

Ms. Kalis called the Board’s attention to the above agenda item. Ms. Kalis invited Stuart Goodman and Brandy Petrone, Board Legislative Liaisons, to come forward and address the Board. Mr. Brown provided the Board with a summary of the legislation previously identified to possibly move forward within the 2010 legislative session. Mr. Goodman complimented the Board on beginning this process early and keeping the process open for discussion. The Board reviewed possible language changes with Mr. Goodman concerning A.R.S. §32-2003, A.R.S. §2022, A.R.S. §32-2023, A.R.S. §32-2044, and A.R.S. §32-2047.

Mr. Brown asked the Board if they had considered legislation that would develop retirement, inactive, and administrative suspension status for licensees and certificate holders. The Board discussed the ideas presented and instructed staff to create language for Board review. The Board asked Mr. Goodman for a suggestion on how to proceed and he suggested that the Board begin speaking to the associations director to director and setup a small group meeting with a Board member and legislative liaison from each group present. The Board directed staff to begin the process of communicating with stakeholder regarding a possible omnibus bill next legislative session.

Ms. Kalis recessed the Board at 11:24 a.m.

The Board returned to regular session at 11:34 a.m.

The Board returned to the normal order of the agenda.

**COMPLAINTS, INVESTIGATIONS and COMPLIANCE**

5. Initial Review, Discussion and Action on Complaint #09-11  
 Ann Lee Burch

Ms. Kalis called the Board’s attention to the above agenda item. Ms. Kalis motion to go into executive session to receive legal advice at 11:35 a.m.

Vote	Ms. Kalis	Dr. Cornwall	Mr. Robbins	Mr. Sieveke	Ms. Akers	Ms. Ohlendorf
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

The Board reentered regular session at 11:41 a.m.

Ms. Kalis asked Ms. Burch to come forward. Ms. Burch was not present. The Board discussed that Ms. Burch was an applicant working at a university in an administration and education capacity, but was not licensed. Ms. Brierley informed the Board that Ms. Burch’s application was still missing a verification from one

jurisdiction and a transcript. Mr. Sieveke noted the Board’s ability to issue a letter requesting Ms. Burch cease and desist from her practice of physical therapy to include administration and education, without a license.

Ms. Kalis moved that the Board instruct staff to write Ms. Burch a letter to cease and desist from the practice of physical therapy without a license and have the letter reviewed for approval by Ms. Verstegen and close the investigation #09-11. Mr. Sieveke seconded the motion. The motion carried by unanimous vote.

Vote	Ms. Kalis	Dr. Cornwall	Mr. Robbins	Mr. Sieveke	Ms. Akers	Ms. Ohlendorf
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

**FORMAL HEARINGS**

- 8. Review, Discussion, and Action on Request for Rehearing #08-10; Laurie Stratton, P.T.

Ms. Kalis called the board’s attention to the above agenda item. Ms. Kalis moved that the Board enter executive session to obtain legal advice. Mr. Sieveke seconded the motion. The motion carried by unanimous vote. The Board entered executive session at 11:44 a.m.

Vote	Ms. Kalis	Dr. Cornwall	Mr. Robbins	Mr. Sieveke	Ms. Akers	Ms. Ohlendorf
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

The Board returned to regular session at 11:47 a.m.

Mr. Brown provided the Board with an update that Ms. Stratton would not be in attendance since she was ill. Ms. Stratton had left a message with Board staff at the Board office earlier in the morning.

Dr. Cornwall noted that he could not locate Ms. Stratton’s reasons for requesting the rehearing or review, as noted in her motion, while reviewing the transcript of Ms. Stratton’s Informal Hearing. Dr. Cornwall expressed a view that the order seemed balanced. Mr. Sieveke noted that he saw no problem with the Board’s handling of the hearing or the order issued as the order seemed to carry a reasonable penalty. Ms. Kalis noted that the timeframe listed in the order seemed reasonable. Mr. Sieveke moved that the Board deny Ms. Stratton’s request for a rehearing or review based on the fact that Ms. Stratton set forth no grounds upon which a review or rehearing should be granted. Ms. Kalis seconded the motion. The motion carried by unanimous vote.

Vote	Ms. Kalis	Dr. Cornwall	Mr. Robbins	Mr. Sieveke	Ms. Akers	Ms. Ohlendorf
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

**APPLICATIONS and CERTIFICATIONS**

11(A) Review of Clinical Performance Instrument for Completion of Supervised Clinical Practice Period and Determination of Licensure.

**Delaila Rhoades**

Ms. Kalis called the Board attention to the above matter. Ms. Brierley provided the Board with an update of Ms. Rhoades application. Ms. Kalis moved that the Board grant licensure to Delaila Rhodes. Mr. Sieveke seconded the motion. The motion carried by unanimous vote.

Vote	Ms. Kalis	Dr. Cornwall	Mr. Robbins	Mr. Sieveke	Ms. Akers	Ms. Ohlendorf
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

**Roland Pinzon**

Ms. Brierley provided the Board with an update on Mr. Pinzon’s supervised clinical practice period and reported that Mr. Pinzon’s TOEFL scores were past the 18 months allowed under law and the credential evaluation was older than 18 months from the date of Mr. Pinzon’s application. Ms. Kalis moved to find that Mr. Pinzon has completed his supervised clinical practice period and grant Mr. Pinzon licensure upon receipt of a passing TOEFL score that is within the time outlined in law and receipt of a credential evaluation dated within 18 months of the date of his application. Mr. Robbins seconded the motion. The motion carried by unanimous vote.

Vote	Ms. Kalis	Dr. Cornwall	Mr. Robbins	Mr. Sieveke	Ms. Akers	Ms. Ohlendorf
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

11(B) Review, Consideration and Action on Applications for Foreign Educated Physical Therapist. Determination of Substantially Equivalent Education, Request to Take the NPTE and/or the AZLAW Examination(s), Determination of Supervised Clinical Practice Period Requirement and Possible Action on Licensure.

**Fatima Basilio**

Ms. Kalis called the Board’s attention to the above agenda item. Ms. Kalis moved that the Board find Fatima Basilio’s education substantially equivalent and allow the taking of the National Physical Therapy Examination and that she be required to complete a supervised clinical practice period. Dr. Cornwall seconded the motion. The motion carried by unanimous vote.

Vote	Ms. Kalis	Dr. Cornwall	Mr. Robbins	Mr. Sieveke	Ms. Akers	Ms. Ohlendorf
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

**Cheryl Quimba**

Ms. Kalis moved the Board find Ms. Quimba’s education substantially equivalent and allow the taking of the National Physical Therapy Examination and that she be required to complete a supervised clinical practice period. Dr. Cornwall seconded the motion. The motion carried by unanimous vote.

Vote	Ms. Kalis	Dr. Cornwall	Mr. Robbins	Mr. Sieveke	Ms. Akers	Ms. Ohlendorf
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

11(C) Review, Consideration and Action on Applications for Foreign Educated Physical Therapist. Determination of Substantially Equivalent Education, Request to Take the NPTE and/or the AZLAW Examination(s), Determination of Supervised Clinical Practice Period Requirement and Possible Action on Licensure.

**Ma. Yolanda Armonio-Ortega**

Ms. Kalis called the Board’s attention to the above agenda item. The Board discussed Ms. Armonio-Ortega’s application. Ms. Kalis moved the Board find Ms. Armonio-Ortega’s education substantially equivalent and allow the taking of the National Physical Therapy Examination, the Arizona Jurisprudence examination, and complete a supervised clinical practice period. Dr. Cornwall seconded the motion the motion carried by unanimous vote.

Vote	Ms. Kalis	Dr. Cornwall	Mr. Robbins	Mr. Sieveke	Ms. Akers	Ms. Ohlendorf
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

11(D) Review, Consideration, and Action on Applications for Licensure or Certification Not Listed on the Consent Agenda and Possible Licensure

**Steve Pfandl**

Ms. Kalis called the Board’s attention to the above matter. The Board discussed Mr. Pfandl’s failure to report prior discipline on his application. Mr. Pfandl received disciplinary action for failing to change his address as required by law in California. Dr. Cornwall moved the Board grant licensure to Mr. Pfandl. Mr. Robbins seconded the motion. The motion carried by unanimous vote.

Vote	Ms. Kalis	Dr. Cornwall	Mr. Robbins	Mr. Sieveke	Ms. Akers	Ms. Ohlendorf
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

12. Review, Consideration and possible action on Board request for deficiency letters and other written communications to foreign educated applicants.

Ms. Kalis called the Board’s attention to the above agenda item. The Board discussed the letters presented and stated that the letters were well drafted and clearly worded. The Board congratulated Ms.

Brierley for creating such clear and well-drafted letters for foreign educated applicants. No action was required or taken on this matter.

## **BOARD BUSINESS AND REPORTS**

14. Executive Director's Report – Discussion and Possible Action
- a. Financial Report – No additional information was discussed.
  - b. Board Staff Activities- Mr. Brown reported that the Board had received mission critical designation of the vacant investigator position and a direct hire would be made for July 2009. In addition, Mr. Brown reported intent to increase the Board's office manager position to a full time position with Board approval. Mr. Brown stated he would document sufficient funds in a report to the Board on a future agenda.
  - c. Rule Writing Update- No additional information was discussed.
  - d. Legislative Update- Mr. Brown reported that a preliminary budget plan was released by one party of the legislature on April 27, 2009, no change in appropriations for the Board has been identified.
  - e. Newsletter- Mr. Brown reported that staff had finished the first draft of a newsletter for the Board to review. The Board discussed the newsletter and noted some names appeared to be missing from the list of disciplinary actions. Mr. Brown noted the names provide and stated staff would double check the list before release.

No action was required or taken on matters under item 14.

16. Board Member and Staff Training  
Keely Verstege, Assistant Attorney General

Ms. Kalis called the Board's attention to the above agenda item. Ms. Verstege provided the Board and Board staff with a review of proper Board processes and procedures. No action was required or taken on this agenda item.

## **CALL TO THE PUBLIC**

Ms. Kalis offered a call to the public, but no member of the public came forward to address the Board.

## **ADJOURNMENT**

The meeting adjourned at approximately 1:20 p.m.

Prepared by,

Charles D. Brown  
Executive Director

Approved by,

Randy Robbins  
Secretary