

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**  
**May 26, 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  
Kris Ohlendorf, P.T.A., Member

**MEMBERS ABSENT:** Lisa Akers, P.T., Member

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

CALL TO ORDER – 8:30 a.m.

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

**1. Review and Approval of Draft Minutes**  
**April 28, 2009; Regular Session Meeting**

Ms. Kalis opened the matter for discussion. Ms. Ohlendorf noted that one voting table indicated that she voted when she was recused. In addition, the minutes were amended to reflect that although Mr. Sifling's consent agreement has "indirect" supervision, the actual definition of the supervision (onsite) did not change. Kalis moved to approve the draft minutes as amended. Dr. Cornwall 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             |
| Nay       |           |              |             |             |           |               |
| Recused   |           |              |             |             |           |               |
| Abstained |           |              |             |             |           |               |
| Absent    |           |              |             |             | X         |               |

**April 28, 2009, Executive Session Minutes (9:55 a.m. to 10:01 a.m.)**

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             |
| Nay       |           |              |             |             |           |               |
| Recused   |           |              |             |             |           |               |
| Abstained |           |              |             |             |           |               |
| Absent    |           |              |             |             | X         |               |

**April 28, 2009, Executive Session Minutes (11:35 a.m. to 11:41 a.m.)**

Ms. Kalis opened the matter for discussion. Hearing no discussion, Ms. Kalis moved to approve the minutes as presented. Dr. Cornwall 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             |
| Nay       |           |              |             |             |           |               |
| Recused   |           |              |             |             |           |               |
| Abstained |           |              |             |             |           |               |
| Absent    |           |              |             |             | X         |               |

**April 28, 2009, Executive Session Minutes (11:44 a.m. to 11:47 a.m.)**

Ms. Kalis opened the matter for discussion. Hearing no discussion, Ms. Kalis moved to approve the minutes as presented. Dr. Cornwall 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             |
| Nay       |           |              |             |             |           |               |
| Recused   |           |              |             |             |           |               |
| Abstained |           |              |             |             |           |               |
| Absent    |           |              |             |             | X         |               |

**COMPLAINTS, INVESTIGATIONS and COMPLIANCE**

**2. Initial Review, Discussion and Action on Complaint #08-23  
 Gary T. Smith, P.T.**

Ms. Kalis opened this matter for discussion. Mr. Brown provided the Board with a summary of the allegations in this case. In addition, Mr. Brown stated the laws identified by staff that may have been violated based on the information gathered during the investigation. The patient alleged he was charged high fees because his treatment was related to an accident, Mr. Smith’s office was paid a contractually agreed amount from his health insurance company, Mr. Smith billed the patient’s auto insurance company \$1,000 for his medical coverage, and Mr. Smith billed the remaining portion of the bill, \$3,165, to State Farm Insurance after being paid by the patient’s auto insurance and health insurance providers.

Mr. Smith was present and came forward to answer Board questions. Dr. Cornwall asked Mr. Smith if he had brought his contract with United Healthcare as subpoenaed by the Board. Mr. Smith stated he has requested a copy of the contract, but still has not received a copy. Dr. Cornwall asked Mr. Brown if the Board could subpoena the contracts. Mr. Brown stated he would try to issue a subpoena, but that it was not clear if the Board could enforce the subpoena.

Mr. Sieveke asked Mr. Smith to explain his policy for billing health insurance verses automobile insurance. Mr. Smith stated normally the auto insurance is billed first, but in this case, a mistake was made and a refund was issued to the patient’s health insurance carrier. Mr. Sieveke asked Mr. Smith to describe what device he used to substantiate the billing of the range of motion study on the initial date of treatment. Mr. Smith stated it was a cervical range of motion devise that does not generate a report on its own, but does provide measurements.

Ms. Kalis moved that complaint #08-23 against Gary Smith, P.T. be forwarded to an Informal Hearing. Mr. Robbins seconded the motion. The Board entered discussion, Ms. Kalis suggested that the allegation of

violating A.R.S. §32-2044(4) for treating the lumbar region without evaluating the region be added to the complaint allegations. Dr. Cornwall suggested the Board drop a possible violation of A.R.S. §32-2044(18) regarding Mr. Smith’s failure to produce the contract subpoenaed. Ms. Kalis noted that it could be dropped at the hearing if it is demonstrated he did attempt to acquire the document. Ms. Kalis amended her motion to include the violating of A.R.S. §32-2044(4) for treating the lumbar region without evaluating the region. Mr. Robbins’ second remained. The motion carried by unanimous vote. The Board directed staff to subpoena United Healthcare for a copy of Mr. Smith’s contract with United Healthcare.

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

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

**7. Review and Possible Action on Scheduled Compliance Interview  
 Trent Tripp, P.T.**

Ms. Kalis called the Board’s attention to the above matter. Mr. Tripp was present and came forward to address the Board. Ms. Ohlendorf recused herself from this agenda item and left the Board table. Ms. Kalis asked Mr. Tripp if anything was new relating to his order. Mr. Tripp said everything was going well for him; he is working at the same facility, and under the same supervisor as when he last appeared before the Board. Mr. Brown noted that Mr. Tripp was required to appear one time in November and would be eligible for termination of probation in December. Ms. Kalis thanked Mr. Tripp for coming to meet with the Board. The Board was not required to take action on this matter and no action was taken by the Board.

Ms. Ohlendorf returned to the Board table.

The Board returned to the normal order of the agenda.

**3. Initial Review, Discussion and Action on Complaint #08-26  
 Matthew Neiberg, P.T.**

Ms. Kalis called the Board’s attention to the above agenda item. Mr. Brown provided the Board with a summary of the possible violations identified by staff during the investigation. Mr. Brown then provided a summary of the allegations Mr. Neiberg told the patient that the size and weight of her breasts could contribute to her back problems, Mr. Neiberg asked the patient to remove her shirt during the evaluation, Mr. Neiberg told the patient he was having problems with his wife and had not been intimate with her (his wife) in three months; and when the patient was getting up from the prone position, her underwear was showing and Mr. Neiberg commented that they (the patient’s underwear) were cute.

Mr. Neiberg was not signed-in and did not come forward to address the Board. Mr. Sieveke opened discussion among the Board by asking if the Board felt that Mr. Neiberg’s informed consent met the requirements in law. Mr. Sieveke noted that there was a form in the patient record that noted consent and that part of the initial evaluation report documented some level of consent. The Board discussed the requirements of informed consent currently in law.

Ms. Kalis asked the Board members if they had any thoughts regarding the dialog Mr. Neiberg had with the patient. The Board noted that Mr. Neiberg admitted in his response that he did make the comments noted in

the complaint. Mr. Robbins asked staff if the patient was interviewed. Mr. Brown stated she was not interviewed during the investigation since Mr. Neiberg had agreed the statements were made. However, the Board did note that Mr. Neiberg offer the patient a gown when discussing whether she would need to remove her shirt.

Dr. Cornwall moved that complaint #08-26 against Matthew Neiberg, P.T. be forwarded to Informal Hearing. Mr. Sieveke seconded the motion. The Board entered discussion. Ms. Kalis noted that the Board may want to add the possible violation of A.R.S. §32-2044(20) for inadequate record keeping to the case. Dr. Cornwall added the allegation of violation of A.R.S. §32-2044(20) for inadequate record keeping to his motion. Mr. Sieveke's second remained. The motion carried by unanimous vote. The Board directed staff to attempt to interview the patient before the Informal Hearing.

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

**4. Initial Review, Discussion and Action on Complaint #09-06  
 Jeri Lincoln, P.T.**

Ms. Kalis called the Board's attention to the above agenda item. Mr. Brown provided the Board with a summary of the possible violations of laws identified by staff during the investigation. Mr. Brown noted that Ms. Lincoln's continuing competence for the 2006-2008 licensure period was audited and found out of compliance, but that Ms. Lincoln had indicated on her renewal that she was in compliance with continuing competence requirements. Mr. Brown stated Ms. Lincoln cannot provide documentation of all hours she claimed to have taken.

Ms. Lincoln was not signed-in and did not come forward to address the Board. Ms. Kalis opened the matter for discussion. The Board discussed the hours disapproved by the Board for lack of documentation. Dr. Cornwall inquired if documentation was provided, would the course qualify under Category A continuing competence activities. Mr. Sieveke stated he did not believe the course would qualify since it was not approved by any of the qualifying entities listed in law.

Ms. Kalis moved that the Board offer Ms. Lincoln the same consent agreement offered when the complaint was opened and provide 20 days to sign; if the consent agreement is not signed then complaint#09-06 against Jeri Lincoln, P.T. is to be forwarded to an Informal Hearing. Ms. Ohlendorf 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   |           |              |             |             |           |               |
| Abstained |           |              |             |             |           |               |
| Absent    |           |              |             |             | X         |               |

**5. Initial Review, Discussion and Action on Complaint #09-07  
 Judith Vance, P.T.**

Ms. Kalis called the Board's attention to the above item on the agenda. Ms. Vance was not signed in and did not come forward to address the Board. Mr. Brown provided a summary of the complaint to include

possible violations of law identified by staff in the investigation and the allegation that Ms. Vance had indicated compliance with continuing competence activities during the 2006-2008 licensure period when she renewed her license. However, when an audit was performed, Ms. Vance provided documentation of Category A continuing competence activities after the licensure period audited.

Ms. Kalis opened the matter for discussion. The Board discussed Ms. Vance's request to accept the course submitted for Category C1, Personal Effectiveness. The Board noted that the course does not qualify since it does not relate to physical therapy. Ms. Kalis moved to deny Ms. Vance's request for approval of the course, Personal Effectiveness, offer Ms. Vance the same consent agreement as offered when the complaint was opened and provide 20 days to sign the consent agreement; if the consent agreement is not signed then complaint #09-07 against Judith Vance, P.T. is to be forwarded to an Informal Hearing. 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             |
| Nay       |           |              |             |             |           |               |
| Recused   |           |              |             |             |           |               |
| Abstained |           |              |             |             |           |               |
| Absent    |           |              |             |             | X         |               |

**6. Initial Review, Discussion and Action on Complaint #09-10  
 Lisa Alexander, P.T.**

Ms. Kalis called the Board's attention to the above agenda item. Dr. Cornwall recused himself from this matter and left the Board table. Ms. Alexander was not signed-in and did not come forward to address the Board. Mr. Brown provided the Board with a summary of the possible violations of law identified by staff during the investigation and a summary of the allegations. Mr. Brown noted that this complaint was opened by the Board on February 24, 2009 during the review of another complaint. The allegations include inadequate documentation by Ms. Alexander and improper billing.

Ms. Kalis noted that Ms. Alexander did respond to the complaint; however, Ms. Alexander failed to recognize or acknowledge the deficiencies in the records and billing. Ms. Sieveke agreed that the response did not address the problems in the patient record. Ms. Kalis moved that the Board forward complaint #09-10 against Lisa Alexander, P.T. to an Informal Hearing. Mr. Sieveke seconded the motion. The motion carried by unanimous vote with one recusal.

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

Dr. Cornwall returned to the Board table.

**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. No member identified a matter for removal.

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

**8(A). Substantive Review, Consideration and Approval of Applications for Physical Therapist Licensure**

|                           |                             |                               |
|---------------------------|-----------------------------|-------------------------------|
| <b>Agostinucci, Ronda</b> | <b>Cestaro-Smith, Susan</b> | <b>De Alba Bordier, Arely</b> |
| <b>DeChant, Karin</b>     | <b>Ferguson, Karen</b>      | <b>Jette, Gregory R</b>       |
| <b>O'Connor, Erin J</b>   | <b>Ohashi, Jennifer</b>     | <b>Ohashi, Robert</b>         |
| <b>Olson, George</b>      | <b>Roberts, Linda</b>       | <b>Rutt, Kelly</b>            |
| <b>Sejna, Amanda</b>      | <b>Topolski, Daniel</b>     | <b>Walker, Rodney</b>         |
| <b>Wolf, Fonda</b>        | <b>Zilis, Susan</b>         |                               |

**8(B). Substantive Review, Consideration and Approval of Applications for Physical Therapist Assistant Certification**

|                          |                        |                         |
|--------------------------|------------------------|-------------------------|
| <b>Frankwicz, Sharon</b> | <b>Keller, Carolyn</b> | <b>Salazar, Anthony</b> |
| <b>Wilson, Amy</b>       |                        |                         |

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

*Consent Agenda Ends*

**APPLICATIONS and CERTIFICATIONS**

**9. Review, Consideration and Action on Applications for Licensure and Certification**

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

**Ilao, Harold**

Ms. Kalis called the Board's attention to the above agenda item and opened the matter for discussion. The Board discussed the completeness of Mr. Ilao's application. Dr. Cornwall moved that the Board accept Mr. Ilao's completion of his supervised clinical practice period and issue Harold Ilao a license to practice physical therapy. 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             |
| Nay       |           |              |             |             |           |               |
| Recused   |           |              |             |             |           |               |
| Abstained |           |              |             |             |           |               |
| Absent    |           |              |             |             | X         |               |

**9(B) Review, Consideration, and Action on Application for Licensure of a CAPTE Approved Foreign Educated Physical Therapist**

**Daley, Katherine A.**

Ms. Kalis opened the above agenda item for discussion. Dr. Cornwall asked Ms. Brierley why the applicant's license in Canada moved from active to inactive status so frequently. Ms. Brierley explained that different jurisdictions have different requirements for inactive status and she could not explain why the

applicant's status in Canada changed frequently. Ms. Kalis noted that the applicant's work history was with the same facility for many years. Ms. Kalis further noted that the Board normally does not require a foreign educated applicant who attended a CAPTE approved school to undergo a supervised clinical practice period. Mr. Sieveke agreed that was the normal process and moved that the Board grant Katherine A. Daley a physical therapy license. Ms. Ohlendorf 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   |           |              |             |             |           |               |
| Abstained |           |              |             |             |           |               |
| Absent    |           |              |             |             | X         |               |

**9(C) Review, Consideration, and Action on Applicant for Physical Therapist Assistant Certification Requesting ADA Accommodations for Examinations and possible licensure.  
 Smith, Rachel**

Ms. Kalis opened the above agenda item for discussion. Ms. Kalis noted that the applicant provided documentation of receiving accommodations through her education program and submitted the appropriate documentation to the board to support her request. Ms. Kalis moved the Board grant Rachel Smith accommodations of time and a half to take the NPTE and AZLAW examinations. 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             |
| Nay       |           |              |             |             |           |               |
| Recused   |           |              |             |             |           |               |
| Abstained |           |              |             |             |           |               |
| Absent    |           |              |             |             | X         |               |

Ms. Kalis recessed the Board at 9:30 a.m. for a ten minute break.

The Board returned to session at 9:42 a.m.

**BOARD BUSINESS AND REPORTS**

**10. Executive Director's Report – Discussion and Possible Action**

a. Financial Report – Mr. Brown provided the Board with a budget proposal for FY 2010. Included in the budget is expenditures to hire a half time investigator and for increasing the Board's office manager to fulltime status. The Board approved the budget as present contingent upon legislative approval of the requested appropriation for FY 2010.

b. Board Staff Activities- Mr. Brown provided the Board with a summary of staff activities to include a report of discussion held during the May 2009 Executive Directors meeting. Mr. Brown noted that the Governor's office is exploring the idea of having all licensing transformed to birthday renewal. The Board noted some problems that might occur and directed staff to discuss the likelihood of a mandate for such a change in licensing with the Board's legislative liaison.

c. Legislative Update- Nothing additional reported.

d. Volunteer Program- Mr. Brown reported that Board staff had completed the volunteer program and with Board approval would like to present the program to risk management for approval. Dr. Cornwall identified a typo in the volunteer policy. The Board directed staff to submit the volunteer program to risk management for approval.

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

Ms. Kalis opened the above matter for discussion. Mr. Brown summarized language presented to the Board to establish an inactive status and retirement status for licensees and certificate holders. In addition, Mr. Brown explained language that would cease the process of automatic lapsing of a license for non-renewal, rather the license would be automatically suspended, which would allow the Board to retain jurisdiction over the licensee or certificate holder when they fail to renew the license.

Mr. Brown stated that such a process of suspension would help prevent a licensee or certificate holder from avoiding investigation and discipline by simply not renewing and moving to another jurisdiction. Mr. Brown noted that the language presented would not be the actual language as it is lengthy, but that clear language would be developed in the stakeholder process. The Board directed staff to include the concept of inactive status, retirement status, and suspended status as related to licensure and certificate renewal in stakeholder discussions along with possible legislation identified at the April 28, 2009 Board meeting.

**12. Federation of State Boards of Physical Therapy; 2009 Annual Meeting; Board Selection of Voting Delegate and Alternate Delegate**

Ms. Kalis opened this matter for discussion. Mr. Brown noted that the Federation of State Board of Physical Therapy (FSBPT) Annual Meeting is scheduled for September 30, 2009 thru October 4, 2009 and the Board needed to select a voting delegate and alternate delegate. Mr. Brown also stated that only the voting delegate would be funded by FSBPT to attend the meeting. Mr. Sieveke moved that the Board nominate Lisa Akers, P.T. as the voting delegate of the Board. Ms. Ohlendorf seconded the motion. The motion passed by unanimous vote.

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

The Board discussed the alternate delegate position on their availabilities to attend. Dr. Cornwall volunteer to be the alternate delegate and moved to nominate himself as the alternate delegate. 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             |
| Nay       |           |              |             |             |           |               |
| Recused   |           |              |             |             |           |               |
| Abstained |           |              |             |             |           |               |
| Absent    |           |              |             |             | X         |               |

**13. Review, Discussion, and Action on Delegation of Continuing Competence Review Authority to Board Staff**

Mr. Brown provided a summary regarding how the Board currently reviews findings of continuing competence audits. Currently, the Board reviews staff findings, finds the licensee's in compliance or out of compliance, and decides if complaints should be opened. Mr. Brown requested the Board delegate its continuing competence review function to staff to include the selection of licensees for auditing, auditing of continuing competence records, finding the licensees in compliance or out of

compliance, noticing licensees of the findings and providing additional time to come into compliance when appropriate, and opening of complaints and offering consent agreements when appropriate.

The Board discussed the current process and the possible time that may be saved by delegating continuing competence auditing authority to Board staff. Ms. Kalis moved that the Board delegate, to Board staff, its authority and duty to the selection of licensees for auditing, auditing of continuing competence records, finding the licensees in compliance or out of compliance, noticing licensees of the findings and providing additional time to come into compliance when appropriate, and opening of complaints and offering consent agreements when appropriate. 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             |
| Nay       |           |              |             |             |           |               |
| Recused   |           |              |             |             |           |               |
| Abstained |           |              |             |             |           |               |
| Absent    |           |              |             |             | X         |               |

## 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 10:25 a.m.

Prepared by,

Charles D. Brown  
Executive Director

Approved by,

Randy Robbins  
Secretary