



ARIZONA STATE BOARD OF PHYSICAL THERAPY
4205 NORTH 7TH AVENUE, SUITE 208 PHOENIX, ARIZONA 85013
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REGULAR SESSION MEETING MINUTES
January 24, 2012

MEMBERS PRESENT:

Mark Cornwall, PT, Ph.D.; President
Lisa Akers, PT, MS; Vice President
Peggy Hunter, PTA, CLT, Secretary
Randy Robbins, Public Member
Melinda Richardson, PT, MA; Member
Peggy Hunter, PTA, CLT; Member
James E. Miller, PT, DPT; Member
Michael S. Clinton, CPA; Public Member

MEMBERS ABSENT:

None

OTHERS PRESENT IN PERSON:

Charles D. Brown, Executive Director
Paula Brierley, Licensing Administrator
Karen Donahue, Investigator
Keely Versteegen; Assistant Attorney General

CALL TO ORDER – 8:36 a.m.

Dr. Cornwall called the meeting to order at 8:36 a.m. (A recording of the meeting is available through the Board Office)

1) **Election of Board Officers**
a) **President**

Ms. Akers nominated Dr. Cornwall for President of the Board. Dr. Miller seconded the motion. No other member was nominated. Following review and discussion the motion passed by a unanimous vote.

Vote	Dr. Cornwall	Ms. Akers	Ms. Hunter	Mr. Robbins	Dr. Miller	Ms. Richardson	Mr. Clinton
Aye	X	X	X	X	X	X	X
Nay							
Recused							
Abstained							
Absent							

b) **Vice President**

Ms. Hunter nominated Ms. Akers for Vice President of the Board. Dr. Miller seconded the motion. No other nominations were made. Following review and discussion the motion carried by unanimous vote.

Vote	Dr. Cornwall	Ms. Akers	Ms. Hunter	Mr. Robbins	Dr. Miller	Ms. Richardson	Mr. Clinton
Aye	X	X	X	X	X	X	X
Nay							
Recused							
Abstained							
Absent							

c) Secretary

Mr. Robbins nominated Ms. Hunter for Secretary of the Board. Ms. Richardson seconded the motion. No other motions were made. Following review and discussion the motion carried by unanimous vote.

Vote	Dr. Cornwall	Ms. Akers	Ms. Hunter	Mr. Robbins	Dr. Miller	Ms. Richardson	Mr. Clinton
Aye	X	X	X	X	X	X	X
Nay							
Recused							
Abstained							
Absent							

2) Review and Approval of Draft Minutes

a) December 27, 2011; Regular Session Meeting Minutes

Dr. Miller requested that the vote regarding Grant Stevens on page 14 of the draft minutes be changed to state the vote carried by majority and not unanimously. Ms. Hunter noted that the title abbreviation following her name should read “CLT” not “CLS” on all minutes on the agenda. No other changes or corrections were noted. Dr. Cornwall moved the minutes be approved as amended. Mr. Robbins seconded the motion. Following review and discussion the motion carried by unanimous vote.

Vote	Dr. Cornwall	Ms. Akers	Ms. Hunter	Mr. Robbins	Dr. Miller	Ms. Richardson	Mr. Clinton
Aye	X	X	X	X	X	X	X
Nay							
Recused							
Abstained							
Absent							

b) December 27, 2011; 9:01 a.m. to 9:05 a.m.; Executive Session Meeting Minutes

No changes or corrections were noted other than the changes requested by Ms. Hunter under item (a) above. Dr. Cornwall moved the minutes be approved as amended. Mr. Clinton seconded the motion. Following review and discussion the motion carried by unanimous vote.

Vote	Dr. Cornwall	Ms. Akers	Ms. Hunter	Mr. Robbins	Dr. Miller	Ms. Richardson	Mr. Clinton
Aye	X	X	X	X	X	X	X
Nay							
Recused							
Abstained							
Absent							

c) December 27, 2011; 9:19 a.m. to 9:28 a.m.; Executive Session Meeting Minutes

No changes or corrections were noted other than the changes requested by Ms. Hunter under item (a) above. Dr. Cornwall moved the minutes be approved as amended. Ms. Akers seconded the motion. Following review and discussion the motion carried by unanimous vote.

Vote	Dr. Cornwall	Ms. Akers	Ms. Hunter	Mr. Robbins	Dr. Miller	Ms. Richardson	Mr. Clinton
Aye	X	X	X	X	X	X	X
Nay							
Recused							
Abstained							
Absent							

Nay							
Recused							
Abstained							
Absent							

3) **COMPLAINTS, HEARINGS, INVESTIGATIONS and COMPLIANCE**

- a) Initial Review, Discussion and Action on Complaint
 - i. Complaint #11-50; Tony Granger, PT

Ms. Akers recused herself from participation in the initial review of this complaint and left the Board table. Mr. Granger was present and was not represented by legal counsel. Ms. Donahue provided a summary of the complaint. The complaint was filed by Leslie Clements, PT, alleging that Mr. Granger was providing general supervision on July 6, 2010 and July 19, 2010 for the PTA's at a Maricopa Physical Therapy clinic which exceeded the assistive personnel supervision ratio. Mr. Granger addressed the Board. The Board asked Mr. Granger about his understanding of the supervision requirements for assistive personnel and the supervision scheduling process established at his employer's places of business during the period reviewed in the complaint. The Board discussed available options regarding this complaint. Ms. Hunter moved the board forward the complaint to an informal hearing. Dr. Cornwall seconded the motion. Following review and discussion the motion carried by unanimous vote of the members present.

Vote	Dr. Cornwall	Ms. Akers	Ms. Hunter	Mr. Robbins	Dr. Miller	Ms. Richardson	Mr. Clinton
Aye	X		X	X	X	X	X
Nay							
Recused		X					
Abstained							
Absent							

Ms. Richardson requested Board staff interview David Barr, PTA regarding his involvement in Mr. Granger's case and report back to the Board for consideration of opening a complaint.

Ms. Akers returned to the Board table.

- ii. Complaint #11-55; Adi Halili, PT

Mr. Halili was not present, but was represented by Peter Beran, his legal counsel. Ms. Donahue provided the Board with a summary of the complaint. The complaint was filed by a former student intern of Mr. Halili's. She was a student performing a clinical rotation at Halili Physical Therapy during the months of October – November 2009. The complaint alleges that Mr. Halili supervised too many assistive personnel, allowed his assistive personnel to perform evaluations, and alters all documentation to appear that he is the author of the documentation that was produced by assistive personnel.

Mr. Beran addressed the Board regarding the nature of the complaint and the interactions between Mr. Halili and the complainant after her internship ended. Mr. Beran described the different personnel Mr. Halili has in his office and the assistive personnel he would utilize at the time of the complaint allegations.

The Board discussed the investigative report. Dr. Miller moved the Board forward the complaint to a formal hearing. Mr. Clinton seconded the motion. Following review and discussion the motion carried by unanimous vote.

Vote	Dr. Cornwall	Ms. Akers	Ms. Hunter	Mr. Robbins	Dr. Miller	Ms. Richardson	Mr. Clinton
Aye	X	X	X	X	X	X	X
Nay							
Recused							
Abstained							
Absent							

b) Review, Discussion, and Action on Board Order
i. Complaint # 10-19; Lacey Hardesty, PT

Ms. Hardesty was not present and was not represented by legal counsel. Ms. Donahue reviewed Ms. Hardesty's compliance with the terms of her probation. Dr. Cornwall moved the Board terminate Ms. Hardesty's probation under the above complaint. Mr. Robbins seconded the motion. Following review and discussion the motion carried by unanimous vote.

Vote	Dr. Cornwall	Ms. Akers	Ms. Hunter	Mr. Robbins	Dr. Miller	Ms. Richardson	Mr. Clinton
Aye	X	X	X	X	X	X	X
Nay							
Recused							
Abstained							
Absent							

ii. Complaint #10-59; Jennifer Lowry, PTA

Ms. Lowry was not present and was not represented by legal counsel. Ms. Donahue provided the Board with a summary of Ms. Lowry's request to receive an extension to fulfill the terms of her probation and receive approval for an online ethics course. Mr. Brown stated that if the Board approved the course, staff would like the approval to stand for future licensees that need an ethics course. The Board discussed the proposed course and the Board's position of not approving online education for fulfilling terms of probation. Dr. Miller moved the Board grant the requested extension and approve the course requested. Dr. Cornwall seconded the motion. Ms. Akers and Mr. Clinton expressed concern with approving an extension and allowing someone to take a course not normally approved when they are not following the terms of the order and waiting for the time to expire before making such a request. Following review and discussion the motion failed.

Vote	Dr. Cornwall	Ms. Akers	Ms. Hunter	Mr. Robbins	Dr. Miller	Ms. Richardson	Mr. Clinton
Aye				X	X		
Nay	X	X	X			X	X
Recused							
Abstained							
Absent							

Dr. Cornwall moved the Board open a complaint against Ms. Lowry's certification for failing to comply with the terms of her Board order and offer her a consent agreement. The consent agreement requires a one month stayed suspension, probation for 12 months, require her to complete the ethics education required in the previous Board order, include a \$250.00 civil penalty, approve the requested online course, require her to create and complete a presentation to current physical therapist assistant students regarding ethics and jurisprudence. In addition, Ms. Lowry must appear before the Board when she requests termination of her probation. If Ms. Lowry violates any of the terms of her probation the stay of the suspension will be lifted. Mr. Clinton seconded the motion. Following review and discussion the motion carried by unanimous vote.

Vote	Dr. Cornwall	Ms. Akers	Ms. Hunter	Mr. Robbins	Dr. Miller	Ms. Richardson	Mr. Clinton
Aye	X	X	X	X	X	X	X
Nay							
Recused							
Abstained							
Absent							

c) Review Discussion and Action, Request for Rehearing or Review of Informal Hearing Decision
i. Complaint #11-38; Scott Richardson, PT

Mr. Richardson was present and was represented by Terrence P. Woods, his legal counsel. Mr. Woods addressed the Board and stated his request does not claim the Board was not able to take the disciplinary action outlined in the order. However, Mr. Woods stated he felt that in the discussion at the hearing there was talk of taking action because there was a

violation. Mr. Woods summarized the Board’s option in resolving cases and noted that the Board can issue a non-disciplinary action if a violation has occurred and stated it is at the Board’s discretion. Mr. Woods asked the Board use its discretion and reverse its disciplinary action and use of its non-disciplinary choices to resolve Mr. Richardson’s complaint.

Dr. Miller stated he did not feel the request was unreasonable in this case since it was more a documentation issue and not patient care related. Ms. Akers expressed her concerns with the documentation deficiencies noted and noted the fact that the patient’s primary complaint was never addressed according to the documentation. Ms. Hunter, Ms. Richardson, and Mr. Clinton stated they agreed with Ms. Akers view of the matter involving more than documentation deficiencies. Mr. Robbins stated he was not inclined to rehear the matter as there is no new information. Ms. Akers moved the Board deny the request for rehearing. Ms. Richardson seconded the motion. Following review and discussion the motion carried.

Vote	Dr. Cornwall	Ms. Akers	Ms. Hunter	Mr. Robbins	Dr. Miller	Ms. Richardson	Mr. Clinton
Aye	X	X	X	X		X	X
Nay					X		
Recused							
Abstained							
Absent							

The Board recessed at 10:06 a.m.

The Board returned to Regular Session at 10:20 a.m.

4) **CONSENT AGENDA: REVIEW, CONSIDERATION and ACTION**

a) Applications for Licensure and Certification

i. Substantive Review, Consideration and Approval of Applications of Physical Therapist Licensure

Borkova, Marta	Kaylor, Timothy	Keyes, Michelle
Knapp, Deborah	Kowalczyk, Jennifer	Neiman, Dawn
Parker, Dana	Patel, Susan	Reynolds, William
Simpson, Kara	Ulrich, Sara	Warren, Lisa
Wnorowski, Heather	Zink, Theresa	

ii. Substantive Review, Consideration and Approval of Applications for Physical Therapist Assistant Certification

Dooley, Jason	Hulls, Tamara	Leslie, Joshua
Nicodemus, Tatiana	Opheim, Terra	Polley, Rachel

No Board member requested removal of an applicant’s name from the consent agenda. Dr. Cornwall moved the Board approve the applicants listed on the consent agenda for licensure or certification. Mr. Robbins seconded the motion. Following review and discussion the motion carried by unanimous vote.

Vote	Dr. Cornwall	Ms. Akers	Ms. Hunter	Mr. Robbins	Dr. Miller	Ms. Richardson	Mr. Clinton
Aye	X	X	X	X	X	X	X
Nay							
Recused							
Abstained							
Absent							

Consent Agenda Ends

5) **Review, Consideration and Action on Applications for Licensure and Certification**

- a) Review of and Possible Action on the Following Applications for Physical Therapist Licensure – Foreign Educated Graduates of Programs Not U.S. Accredited.
 - i. Review and Consideration of Request to Change in Secondary Supervisor
 - a) Kasi, Madhuri

Ms. Kasi was not present or represented by legal counsel. Dr. Cornwall moved the Board approve the request of a secondary supervisor. Ms. Akers seconded the motion. Following review and discussion the motion carried by unanimous vote.

Vote	Dr. Cornwall	Ms. Akers	Ms. Hunter	Mr. Robbins	Dr. Miller	Ms. Richardson	Mr. Clinton
Aye	X	X	X	X	X	X	X
Nay							
Recused							
Abstained							
Absent							

- ii. Substantive Review of Final Clinical Practice Instrument and Possible Licensure – Foreign Educated Graduate of Program not U.S. Accredited
 - a) Mork, Jan

Mr. Mork was not present and was not represented by legal counsel. Dr. Cornwall moved the Board approve the final CPI and grant licensure. Dr. Miller seconded the motion. Following review and action the motion carried by unanimous vote.

Vote	Dr. Cornwall	Ms. Akers	Ms. Hunter	Mr. Robbins	Dr. Miller	Ms. Richardson	Mr. Clinton
Aye	X	X	X	X	X	X	X
Nay							
Recused							
Abstained							
Absent							

- b) Substantive Review of Documentation Related to Disclosure on “Personal Information” Section of Application
 - i. Physical Therapist Application and Approval to take the AZLAW (Jurisprudence) Exam and Possible Licensure
 - a) Zenk, Kristin

Ms. Zenk was present, but was not represented by legal counsel. The Board discussed Ms. Zenk’s report of criminal convictions. Ms. Verstegen explained the option the Board had based on Ms. Zenk’s criminal history, which did not appear to include anything that would meet the grounds for denial of a license. Dr. Cornwall moved the Board approve Ms. Zenk to take the AZLAW exam and be granted licensure upon receipt of a passing score. Dr. Miller seconded the motion. Following review and discussion the motion carried by unanimous vote.

Vote	Dr. Cornwall	Ms. Akers	Ms. Hunter	Mr. Robbins	Dr. Miller	Ms. Richardson	Mr. Clinton
Aye	X	X	X	X	X	X	X
Nay							
Recused							
Abstained							
Absent							

- b) Nelson, Michael

Mr. Nelson was not present and was not represented by legal counsel. The Board reviewed Mr. Nelson’s disclosure on his application. Dr. Cornwall moved the Board approve Mr. Nelson to take the AZLAW examination and be granted licensure upon receipt of a passing score. Ms. Akers seconded the motion. Following review and discussion the motion carried by unanimous vote.

Vote	Dr. Cornwall	Ms. Akers	Ms. Hunter	Mr. Robbins	Dr. Miller	Ms. Richardson	Mr. Clinton
Aye	X	X	X	X	X	X	X
Nay							
Recused							
Abstained							
Absent							

Aye	X	X	X	X	X	X	X
Nay							
Recused							
Abstained							
Absent							

- ii. Physical Therapist Assistant Application and Approval to take the AZLAW (Jurisprudence) Exam, the NPTE and Possible Certification pending staff receiving documentation of completion of an accredited Physical Therapist Assistant program.
 - a) Goodson, Shawn

Mr. Goodson was present. The Board reviewed Mr. Goodson’s disclosure. Dr. Cornwall moved the Board approve Mr. Goodson to take the AZLAW and NPTE examinations upon receipt of official transcripts, and be certified upon receipt of passing scores. Dr. Miller seconded the motion. Following review and discussion the motion carried by unanimous vote.

Vote	Dr. Cornwall	Ms. Akers	Ms. Hunter	Mr. Robbins	Dr. Miller	Ms. Richardson	Mr. Clinton
Aye	X	X	X	X	X	X	X
Nay							
Recused							
Abstained							
Absent							

- b) Arias, Marelle

Ms. Arias was not present and was not represented by legal counsel. The Board reviewed Ms. Arias’ disclosure. Dr. Cornwall moved the Board approve Ms. Arias to take the AZLAW and NPTE examinations upon receipt of official transcripts, and be certified upon receipt of passing scores. Dr. Miller seconded the motion. Following review and discussion the motion carried by unanimous vote.

Vote	Dr. Cornwall	Ms. Akers	Ms. Hunter	Mr. Robbins	Dr. Miller	Ms. Richardson	Mr. Clinton
Aye	X	X	X	X	X	X	X
Nay							
Recused							
Abstained							
Absent							

- c) Rondeau, David

Mr. Rondeau was present. The Board reviewed Mr. Rondeau’s disclosure. Dr. Cornwall moved the Board approve Mr. Rondeau to take the AZLAW and NPTE examinations upon receipt of official transcripts, and be certified upon receipt of passing scores. Mr. Robbins seconded the motion. Following review and discussion the motion carried by unanimous vote.

Vote	Dr. Cornwall	Ms. Akers	Ms. Hunter	Mr. Robbins	Dr. Miller	Ms. Richardson	Mr. Clinton
Aye	X	X	X	X	X	X	X
Nay							
Recused							
Abstained							
Absent							

- d) Ringer, Joshua

Mr. Ringer was present. The Board reviewed Mr. Ringer’s disclosure. Dr. Cornwall moved the Board approve Mr. Ringer to take the AZLAW and NPTE examinations upon receipt of official transcripts, and be certified upon receipt of passing scores. Dr. Miller seconded the motion. Following review and discussion the motion carried by unanimous vote.

Vote	Dr. Cornwall	Ms. Akers	Ms. Hunter	Mr. Robbins	Dr. Miller	Ms. Richardson	Mr. Clinton
Aye	X	X	X	X	X	X	X
Nay							
Recused							
Abstained							
Absent							

- iii. Physical Therapist Assistant Application and Approval to take the NPTE and the AZLAW (Jurisprudence) exam with Possible Certification upon passing the exams.
 - a) Lopez, Joshua

Mr. Lopez was present. The Board reviewed Mr. Lopez’s disclosure. Dr. Cornwall moved the Board approve Mr. Lopez to take the AZLAW and NPTE examinations and be certified upon receipt of passing scores. Dr. Miller seconded the motion. Following review and discussion the motion carried by unanimous vote.

Vote	Dr. Cornwall	Ms. Akers	Ms. Hunter	Mr. Robbins	Dr. Miller	Ms. Richardson	Mr. Clinton
Aye	X	X	X	X	X	X	X
Nay							
Recused							
Abstained							
Absent							

- b) Martinez, Cindy

Ms. Martinez was not present and was not represented by legal counsel. The Board reviewed Ms. Martinez’s disclosure. Dr. Cornwall moved the Board approve Ms. Martinez to take the AZLAW and NPTE examinations and be certified upon receipt of passing scores. Dr. Miller seconded the motion. Following review and discussion the motion carried by unanimous vote.

Vote	Dr. Cornwall	Ms. Akers	Ms. Hunter	Mr. Robbins	Dr. Miller	Ms. Richardson	Mr. Clinton
Aye	X	X	X	X	X	X	X
Nay							
Recused							
Abstained							
Absent							

- c) Turpin, Justin

Mr. Turpin was present. The Board reviewed Mr. Turpin’s disclosure. Dr. Cornwall moved the Board approve Mr. Turpin to take the AZLAW and NPTE examinations and be certified upon receipt of passing scores. Dr. Miller seconded the motion. Following review and discussion the motion carried by unanimous vote.

Vote	Dr. Cornwall	Ms. Akers	Ms. Hunter	Mr. Robbins	Dr. Miller	Ms. Richardson	Mr. Clinton
Aye	X	X	X	X	X	X	X
Nay							
Recused							
Abstained							
Absent							

- iv. Physical Therapist Assistant Application and Approval to take the AZLAW (Jurisprudence) exam with Possible Certification upon passing the exam.
 - a) Wysochanski, Casandra

Ms. Wysochanski was not present and was not represented by legal counsel. The Board reviewed Ms. Wysochanski’s disclosure. Dr. Cornwall moved the Board approve Ms. Wysochanski to take the AZLAW examination and be certified upon receipt of passing scores. Dr. Miller seconded the motion. Following review and discussion the motion carried by unanimous vote.

Vote	Dr. Cornwall	Ms. Akers	Ms. Hunter	Mr. Robbins	Dr. Miller	Ms. Richardson	Mr. Clinton
Aye	X	X	X	X	X	X	X
Nay							
Recused							
Abstained							
Absent							

- c) Review of and Possible Action on Request from Physical Therapist Applicant to Reconsider Board Action
 - a) Matthew, Valerie

Ms. Matthew was present. Ms. Matthew addressed the Board regarding the Board’s request that she undergo a Supervised Clinical Practice Period to verify competency as required under A.R.S. §32-2028. Ms. Matthew stated she has not practiced physical therapy for several years while she attended medical school and will be looking to complete her residency in six months. However, in the meantime she wishes to practice physical therapy to earn a living. She stated her medical education was sufficient to cover her continuing competence. The required supervised practice will prevent her from gaining employment because the short nature of her employment while waiting to start her residency. The Board discussed Ms. Matthew’s request. Ms. Akers moved the Board accept Ms. Matthew’s medical education as remedial course work, which meets the requirements of A.R.S. §32-2028 and grant her licensure. Ms. Hunter seconded the motion. Following review and discussion the motion carried by unanimous vote.

Vote	Dr. Cornwall	Ms. Akers	Ms. Hunter	Mr. Robbins	Dr. Miller	Ms. Richardson	Mr. Clinton
Aye	X	X	X	X	X	X	X
Nay							
Recused							
Abstained							
Absent							

- 6) **BOARD BUSINESS AND REPORTS**
 - a) Executive Director’s Report – Discussion and Possible Action; Verbal Report Only

Mr. Brown provided a verbal report of staff activities, the Board’s budget and a review of the current legislation tracked by the Board. The Board took no action on this agenda item.

7) **CALL TO THE PUBLIC**

No person came forward to address the Board.

ADJOURNMENT

The meeting adjourned at approximately 11:22 a.m.

Prepared by,

Charles D. Brown
Executive Director

Approved by,

Peggy Hunter, PTA, CLT
Secretary