



ARIZONA STATE BOARD OF PHYSICAL THERAPY
4205 NORTH 7TH AVENUE, SUITE 208 PHOENIX, ARIZONA 85013
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www.ptboard.az.gov

REGULAR SESSION MEETING MINUTES
February 26, 2013

MEMBERS PRESENT:

Lisa Akers, PT, MS; Vice President
Melinda Richardson, PT, MA; Member
Peggy Hunter, PTA, CLT, Secretary
Michael S. Clinton, CPA; Public Member
Fredric B. Zook, Ph.D., Public Member
Al D' Appollonio, PT, MBA

MEMBERS ABSENT:

James E. Miller, PT, DPT; Member

OTHERS PRESENT IN PERSON:

Charles D. Brown, Executive Director
Paula Brierley, Licensing Administrator
Veronica Cardoza, Office Manager
Mona Baskin, Assistant Attorney General

CALL TO ORDER – 8:37 a.m.

Ms. Akers called the meeting to order at 8:37 a.m. (A recording of the meeting is available through the Board Office)

Board members and staff presented Mark Cornwall, PT, Ph.D. with an award of appreciation for his years of service.

1) Review and Approval of Draft Minutes

a) January 22, 2013 Regular Session Meeting Minutes

Ms. Akers motioned to approve January 22, 2013. Ms. Hunter seconded the motion. Following review and discussion the motion passed by unanimous decision

Vote	Mr. D'Appollonio	Ms. Akers	Ms. Hunter	Dr. Zook	Ms. Richardson	Mr. Clinton
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

4) Review, Consideration and Action on Applications for Licensure and Certification

ii) (2) Chavez, Andrea

Ms. Chavez was present and was not represented by legal counsel. Ms. Chavez answered questions from the Board. Ms. Akers moved to approve Ms. Chavez to take exam and license upon passing. Ms. Richardson seconded the motion. Following review and discussion the motion passed by unanimous decision.

Vote	Mr. D'Appollonio	Ms. Akers	Ms. Hunter	Dr. Zook	Ms. Richardson	Mr. Clinton
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

2) **Complaints, Hearings, Investigations and Compliance**

a) Initial Review, Discussion and Action on Complaint

i) Complaint # 12-15; Judith Woehrle,

Ms. Woehrle was present and was represented by legal counsel, Teresa Sanzio. The complainant was not present. Ms. Woehrle answered questions asked by the Board. Ms. Richardson motioned for complaint to be dismissed and a non-disciplinary order for Board approved continuing education of 4 hours. The continuing education is to consist of supervision, delegation, and documentation. These 4 hours are to be completed within 6 months. Ms. Woehrle can acquire these hours through a college that she does not attend. Mr. D' Appollonio seconded the motion. After review and discussion the motion carried by unanimous vote.

Vote	Mr. D'Appollonio	Ms. Akers	Ms. Hunter	Dr. Zook	Ms. Richardson	Mr. Clinton
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

Ms. Akers motioned to open a complaint against Michael Kaler, PT. Ms. Hunter seconded the motion. After review and discussion the motion carried by unanimous vote.

Vote	Mr. D'Appollonio	Ms. Akers	Ms. Hunter	Dr. Zook	Ms. Richardson	Mr. Clinton
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

ii) Complaint #12-34; Barbara Pontes, PT

Ms. Pontes was not present and was not represented by legal counsel. Mr. Brown reviewed the complaint for the Board. Ms. Pontes failed to comply with a Board order. Ms. Richardson moved for an informal hearing. Mr. Clinton seconded the motion. Following review and discussion the motion carried by unanimous vote.

Vote	Mr. D'Appollonio	Ms. Akers	Ms. Hunter	Dr. Zook	Ms. Richardson	Mr. Clinton
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

iii) Complaint #12-39; John McCrae, PT

Mr. McCrae was not present and was not represented by legal counsel. Mr. Brown reviewed the complaint for the Board. Mr. McCrae failed to renew his license on time. Mr. McCrae practiced for 2 days with an expired license. Dr. Zook moved to offer Mr. McCrae a consent agreement in accordance with the Board's matrix for unlawful practice. Dr. Zook read the parameters of the consent agreement. If Mr. McCrae fails to sign the consent agreement the complaint will go to an informal hearing. Ms. Richardson seconded the motion. Following review and discussion the motion carried by unanimous vote.

Vote	Mr. D'Appollonio	Ms. Akers	Ms. Hunter	Dr. Zook	Ms. Richardson	Mr. Clinton
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

iv) Complaint # 12-73; Patricia Brubaker, PT

Ms. Brubaker was not present and was not represented by legal counsel. Mr. Brown reviewed the complaint for the Board. Ms. Brubaker did not complete her continued competency hours. Mr. Clinton moved to offer a consent agreement for Ms. Brubaker to surrender her license. If Ms. Brubaker fails to sign the consent agreement then the complaint is forwarded to a formal hearing. Mr. D' Appollonio seconded the motion. Following review and discussion the motion carried by unanimous vote.

Vote	Mr. D'Appollonio	Ms. Akers	Ms. Hunter	Dr. Zook	Ms. Richardson	Mr. Clinton
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

v) Complaint # 13-01; Lynn Medoff, PT

Ms. Medoff was not present and was not represented by legal counsel. Mr. Brown reviewed the complaint for the Board. Dr. Zook moved to offer Ms. Medoff a consent agreement in accordance with the Board's disciplinary matrix for unlawful practice. If Ms. Medoff fails to sign the consent agreement the complaint will be forwarded to an informal hearing. Ms. Richardson seconded the motion. Following review and discussion the motion carried by unanimous vote.

Vote	Mr. D'Appollonio	Ms. Akers	Ms. Hunter	Dr. Zook	Ms. Richardson	Mr. Clinton

Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

vi) Complaint # 13-02; Timothy Fox, PT

Mr. Fox was not present and was not represented by legal counsel. Mr. Brown reviewed the complaint for the Board. Mr. Fox failed to respond to an audit of his continuing education documentation. Mr. Clinton moved to offer Mr. Fox a consent agreement for a Civil Penalty of \$250.00 to be paid within 60 days. If the consent agreement is not signed the complaint will be forwarded to an informal hearing. Ms. Akers seconded the motion. Following review and discussion the motion carried by unanimous vote.

Vote	Mr. D'Appollonio	Ms. Akers	Ms. Hunter	Dr. Zook	Ms. Richardson	Mr. Clinton
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

vii) Complaint #13-04; Lori Miles, PTA

Ms. Miles was present and was not represented by legal counsel. Ms. Miles answered questions from the Board. Ms. Richardson moved to dismiss complaint and to continue with a records audit by Ms. Donahue. Dr. Zook seconded the motion. After review and discussion the motion carried.

Vote	Mr. D'Appollonio	Ms. Akers	Ms. Hunter	Dr. Zook	Ms. Richardson	Mr. Clinton
Aye	X	X		X	X	X
Nay			X			
Recused						
Abstained						
Absent						

b)Review of Consent Agreement and Possible Action of Request for Termination of Board Oder

i) Complaint #09-31; James Coleman, PT

Mr. Coleman was present and was not represented by legal counsel. Mr. Coleman has completed all requirements in the Board Order. Mr. Coleman answered questions from the Board. Ms. Hunter moved to approve request for early termination. Dr. Zook seconded the motion. Following review and discussion the motion carried by unanimous vote.

Vote	Mr. D'Appollonio	Ms. Akers	Ms. Hunter	Dr. Zook	Ms. Richardson	Mr. Clinton
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

ii) Complaint #12-45; Richard Sedillo, PT

Mr. Sedillo was not present and was not represented by legal counsel. Mr. Sedillo requests early termination. Mr. Sedillo has completed all requirements in the Board Order. Dr. Zook moved to approve request for early termination. Mr. D' Appollonio seconded the motion. Following review and discussion the motion carried by unanimous vote.

Vote	Mr. D'Appollonio	Ms. Akers	Ms. Hunter	Dr. Zook	Ms. Richardson	Mr. Clinton
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

iii) Complaint # 12-47; Scott Madsen, PT

Mr. Madsen was not present and was not represented by legal counsel. Mr. Madsen requested early termination of his probation. Mr. Madsen has completed all requirements in the Board Order. Dr. Zook moved to approve request for early termination. Ms. Richardson seconded the motion. Following review and discussion the motion carried by unanimous vote.

Vote	Mr. D'Appollonio	Ms. Akers	Ms. Hunter	Dr. Zook	Ms. Richardson	Mr. Clinton
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

iv) Complaint # 12-12; Megan Wilson, PT

Ms. Wilson was not present and was not represented by legal counsel. Ms. Wilson requests early termination. Ms. Wilson has completed all requirements in the Board Order. Ms. Akers moved to approve request for early termination. Mr. Clinton seconded the motion. Following review and discussion the motion carried by unanimous vote.

Vote	Mr. D'Appollonio	Ms. Akers	Ms. Hunter	Dr. Zook	Ms. Richardson	Mr. Clinton
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

c) Review, Discussion and Action on Acceptance of Online Continuing Education to Comply With Probation Requirement

i) Complaint # 10-53; Lori Miles, PTA

Ms. Miles was present and was not represented by legal counsel. Ms. Miles requested the Board to approve 8 hours of online continuing education on documentation and billing. Dr. Zook moved to approve the 8 hours as long as the hours are pre-approved by Board staff. Ms. Akers seconded the motion. Following review and discussion the motion carried by unanimous vote.

Vote	Mr. D'Appollonio	Ms. Akers	Ms. Hunter	Dr. Zook	Ms. Richardson	Mr. Clinton

Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

d) Review, Discussion and Action on Board Consideration of Opening A Complaint

i) Carol Diehl, PT

Mr. D’Appollonio moved to open a complaint. Ms. Akers seconded the motion. Following review and discussion the motion carried by unanimous vote.

Vote	Mr. D’Appollonio	Ms. Akers	Ms. Hunter	Dr. Zook	Ms. Richardson	Mr. Clinton
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

ii) Leah Ferrazzi, PT

Ms. Ferrazzi is part of several providers involved in a malpractice settlement. Ms. Akers moved to take no action. Ms. Hunter seconded the motion. Following review and discussion the motion carried by unanimous vote.

Vote	Mr. D’Appollonio	Ms. Akers	Ms. Hunter	Dr. Zook	Ms. Richardson	Mr. Clinton
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

iii) Tyrone Jones, PTA

Mr. Jones reported his arrest on drug related charges within the required time frame of 10 days. Ms. Richardson moved to open a complaint. Mr. D’Appollonio seconded the motion. Following review and discussion the motion carried by unanimous vote.

Vote	Mr. D’Appollonio	Ms. Akers	Ms. Hunter	Dr. Zook	Ms. Richardson	Mr. Clinton
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

e) Review, Discussion and Action on Complaint Under Appeal; Kimberly Baer, PT

Ms. Baer was not present and was represented by legal counsel Michael Zoldan. Mr. Zoldan addressed the Board. Dr. Zook moved to offer Ms. Baer a consent agreement to surrender her license. Ms. Hunter seconded the motion. Following review and discussion the motion carried by unanimous vote.

Vote	Mr.	Ms. Akers	Ms. Hunter	Dr. Zook	Ms. Richardson	Mr. Clinton

	D'Appollonio					
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

The Board recessed at 10:14 a.m.

The Board returned from their recess at 10:27 a.m.

3) CONSENT AGENDA: REVIEW, CONSIDERATION and ACTION

a) Applications for Licensure and Certification

- i) Review, Consideration and Approval of Applications of Physical Therapist Licensure upon Receipt of Passing Scores on the NPTE/AZLAW and Final Transcript

Alexander, Steven	Audi, Raja	Baker, Barbara
Bannon, Katherine	Beaumont, Carrie	Berry, Richard
Brennan, Amber	DeGeyter, Julie	DeLoriea, Heather
Dougher, Margaret	Dudley, Lisa	Gloyd, Matthew
Goostree, Steven	Hardwick, Michael	Hildner, Gretchen
Johnson, Alicia	Keeler, Jessica	Kelly, Megan
Kvasnicka, Jacqueline	Leo, Carol	McCoobery, Meghan
McNabb, Elizabeth	Mills, Patrick	Shaeffer, Cheryl
Swanson, Monika	Taylor, Brenda	Thompson, Christina
Warren, Ashley	Warren, Courtney	Welker, Adam
Wigand, Carissa	Wittwer, Conn	

- ii) Review, Consideration and Approval of Applications for Physical Therapist Assistant Certification upon Receipt of Passing Scores on the NPTE/AZLAW and Final Transcript.

Anderson, Anthony	Bible, Edith	Brahy, Michael
Brooks, William	Brueback, Amanda	Bush, Kimberly
Chairs, Douglas	Clouse, Alicia	Davis, Jason
Guiette, Amy	Maus, Brittnee	Nortrup, Randi
Suazo, Vincent		

Ms. Akers moved to license and certify the listed applicants upon receipt of passing exam scores and receipt of official transcripts. Mr. Clinton seconded the motion. Following review and discussion the motion carried by unanimous vote.

Vote	Mr. D'Appollonio	Ms. Akers	Ms. Hunter	Dr. Zook	Ms. Richardson	Mr. Clinton
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

4) Review, Consideration and Action on Application 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 of Education, Approval to take the NPTE and the AZLAW exams, Determination of Supervised Clinical Practice Period, and Possible Licensure

(1) Oliveros, Mirko

Mr. Oliveros was not present and was not represented by legal counsel. Ms. Richardson moved to approve applicant to take exam. Mr. D’ Appollonio seconded the motion. Following review and discussion the motion carried by unanimous vote.

Vote	Mr. D’Appollonio	Ms. Akers	Ms. Hunter	Dr. Zook	Ms. Richardson	Mr. Clinton
Aye	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 NPTE and the AZLAW (Jurisprudence) Exam and Possible Licensure

(1) Zanath, Shane

Mr. Zanath was not present and was not represented by legal counsel. Ms. Akers moves to approve applicant to take exam and license at passing and receipt of transcripts. Following review and discussion the motion carried by unanimous vote.

Vote	Mr. D’Appollonio	Ms. Akers	Ms. Hunter	Dr. Zook	Ms. Richardson	Mr. Clinton
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

- ii) Physical Therapist Assistant Application and Approval to take the NPTE and AZLAW (Jurisprudence) Exam and Possible Certification.

(1) Barnes, William

Mr. Barnes was not present and was not represented by legal counsel. Ms. Richardson moved to approve Mr. Barnes to take the NPTE and AZLAW examinations upon verifying the revoked status on Mr. Barnes’ Nebraska licensure was for failure to renew and receipt of a letter of reference. The Board is to review all received items before approving Mr. Barnes licensure for AZ. Dr. Zook seconded the motion. Following review and discussion the motion passed by unanimous vote.

Vote	Mr.	Ms. Akers	Ms. Hunter	Dr. Zook	Ms. Richardson	Mr. Clinton
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	D'Appollonio					
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

(2) Chavez, Andrea

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

(3) LeBlanc, Derek

Mr. LeBlanc was not present and was not represented by legal counsel. Ms. Akers moved to approve license at passing and receipt of scores. Ms. Richardson seconded the motion. Following review and discussion the motion carried by unanimous vote.

Vote	Mr. D'Appollonio	Ms. Akers	Ms. Hunter	Dr. Zook	Ms. Richardson	Mr. Clinton
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

c) Review of and Possible Action on Application for Licensure from Applicants Requesting ADA Accommodations.

(1) Muscarella, Farren

Ms. Muscarella is requesting double time and to be examined separately. Ms. Akers move to grant accommodations. Ms. Richardson seconded the motion. Following review and discussion the motion carried by unanimous vote.

Vote	Mr. D'Appollonio	Ms. Akers	Ms. Hunter	Dr. Zook	Ms. Richardson	Mr. Clinton
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

5) BOARD BUSINESS AND REPORTS

a) Executive Director's Report-Discussion and Possible Action

- i) Financial Report- No action was taken or required.
- ii) Board Staff Activities- No action was taken or required.
- iii) Legislation- No action was taken or required.
- iv) Rule Activity- No Action was taken or required.
- v) FSBPT- No action was taken or required.

b) Review, Discussion, and Action on Changing the Board’s March 26, 2013 Board Meeting Date

The Board discussed a possible change to the Board Meeting date in March. No change was made.

c) Review Discussion and Action on The Board’s Acceptance of Continuing Education Taken Under a Board Order

The Board discussed its practice of not allowing staff to review approve Board ordered continuing education to be taken online. Mr. Brown reported that currently an online class must be approved directly by the Board to be approved for compliance with Board orders. The Board made no change to their practice.

6) CALL TO THE PUBLIC

No person came forward to address the Board. No discussion took place and no action was taken.

ADJOURNMENT

Dr. Zook moved to adjourn the meeting. Ms. Richardson seconded the motion. The motion carried by unanimous vote.

Vote	Mr. D’Appollonio	Ms. Akers	Ms. Hunter	Dr. Zook	Ms. Richardson	Mr. Clinton
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

The meeting adjourned at approximately 11:34 a.m.

Prepared by,

Charles D. Brown
Executive Director

Approved by,

Peggy Hunter, PTA, CLT
Secretary