

**JANICE K. BREWER**  
Governor

**LISA AKERS, PT, MS**  
President



**CHARLES D. BROWN**  
Executive Director

**ARIZONA STATE BOARD OF PHYSICAL THERAPY**  
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**REGULAR SESSION MEETING MINUTES**  
**January 28, 2014**

**MEMBERS PRESENT:**

Lisa Akers, PT, MS; President  
Melinda Richardson, PT, MA; Vice President  
Peggy Hunter, PTA, CLT; Secretary  
James E. Miller, PT, DPT; Professional Member  
Michael S. Clinton, CPA; Public Member  
Fredric B. Zook, Ph.D. Public Member

**MEMBERS ABSENT:**

Al D'Appollonio, PT, MBA; Member

**OTHERS PRESENT IN PERSON:**

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

CALL TO ORDER – 8:33 a.m.

Ms. Akers called the meeting to order at 8:33 a.m. (A recording of the meeting is available through the Board Office)

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

a) December 17, 2013 Regular Session Meeting Minutes

Ms. Hunter requested the vote under Complaint#13-36 be corrected to show her voting yes. Ms. Akers moved to approve December 17, 2013 minutes as amended. 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	Dr. Miller	Ms. Richardson	Mr. Clinton
Aye		X	X	X	X	X	X
Nay							
Recused							
Abstained							
Absent	X						

b) December 17, 2013 Executive Session Meeting Minutes 11:20 a.m. to 11:31 a.m.

Ms. Akers moved to approve December 17, 2013 Executive Session Meeting minutes. Ms. Hunter seconded the motion. Following review and discussion the motion carried by unanimous vote.

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

c) December 17, 2013 Executive Session Meeting Minutes 12:37 p.m. to 1:07 p.m.

Ms. Akers moved to approve December 17, 2013 Executive Session minutes. 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	Dr. Miller	Ms. Richardson	Mr. Clinton
Aye		X	X	X	X	X	X
Nay							
Recused							
Abstained							
Absent	X						

**2) 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.

Anderson, Laura	Barth, Kathleen	Blankenship, Michael
Churchill, Steven	Cook, Amanda	Cook, Robert
Elitzak, Lauren	Gernigin, Whitney	Girdner, Aaron
Hayes, Andrew	Hayes, Rebecca	Henson, Eric
Hovsepian, David	Imperiale, DeAnna	James, Jodi
Kneale, Ashley	Landis, Derek	Landis, Stephanie
Lorraine, Alice	McCann, Ryan	Means, Heather
O'Bannon, Hilary	Qualls, Tieya	Sassaman, Scott
Schumann, Daniel	Setterbo, Joshua	Valentine, Shawn
Walker, Brett	Willenbrecht, Jeffrey	Zurcher, Amy
Carpenter, Paul	Means, Tyrel	Emmett, Rebecca
Carter, Edward	Peiser, Meagan	Chambers, Aleyda

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

Brown, Kimberly	Duffy, Colter	Horodecki, Shawn
Maitland, Charles	Morales, William	

iii) Review, Consideration and Approval of Applications for Physical Therapist with Documentation Related to Disclosure on “Personal Information” Section of the Application.

Sorensen, Nicholas
Carter, Shivaun

No Board Member requested anybody to be pulled from list.

Ms. Akers moved to license or certify all applicants listed upon receipt of passing NPTE and AZLAW scores, and receipt of final transcripts. 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	Dr. Miller	Ms. Richardson	Mr. Clinton
Aye		X	X	X	X	X	X
Nay							
Recused							
Abstained							
Absent	X						

Consent Agenda Ends

**3) Review, Consideration and Action 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, Determination of Supervised Clinical Practice Period, and Possible Licensure (1) Caubalejo, Ma

Mr. Caubalejo was not present and was not represented by legal counsel. Ms. Akers moved find the applicant’s education substantially equivalent to a U.S. graduates education, waive the requirement of a period of supervised clinical practice based on the applicant’s history of practice in the United states, and to license upon receipt of a passing score on the AZLAW examination. 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	Dr. Miller	Ms. Richardson	Mr. Clinton
Aye		X	X	X	X	X	X
Nay							
Recused							
Abstained							
Absent	X						

ii) Review of Final Clinical Performance Instrument and Possible Licensure (1) Oliveros, Mirko

Mr. Oliveros was not present and was not represented by legal counsel. Ms. Richardson moved to license pending receipt of passing scores on the TOFEL examination. Dr. Miller seconded the motion. After review and discussion the motion carried by unanimous vote.

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

b) Review of and Possible Action on Application for licensure for Applicant Previously Licensed in Arizona  
(1) Longo, Karen

Ms. Richardson moved to accept Continuing Education from Ms. Longo to comply with A.R.S. §32-2028 and license Ms. Longo. Dr. Miller seconded the motion. After review and discussion the motion carried by unanimous vote.

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

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

a) Initial Review, Discussion and Action on Complaint  
i) Complaint #13-37; Kristin Spearman, PT

Ms. Spearman was present and was not represented by legal counsel. Ms. Donahue summarized complaint for the Board. Ms. Hunter moved to dismiss complaint. Ms. Richardson seconded the motion. After review and discussion the motion carried by unanimous vote.

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

ii) Complaint #13-38; Lottie Whitman, PT

Ms. Whitman was not present and was not represented by legal counsel. The complainant K.P. was present. Ms. Donahue summarized complaint for the Board. K.P. addressed the Board and answered questions asked by the Board. Dr. Miller moved for non-disciplinary letter. Dr. Miller withdrew non-disciplinary motion. Dr. Miller moved to an Advisory Letter and a non-disciplinary order for continuing education with a requirement of a 6 hour course on Differential Diagnosis. Ms. Akers seconded the motion. After review and discussion the motion carried by unanimous vote.

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

iii) Complaint #13-39; Kay Wing, PT

Ms. Wing was present and was not represented by legal counsel. Mr. Brown reported he was contacted by the complainant who requested an extension to the next Board meeting since he could not be present. Ms. Richardson moved to table the review one month. Ms. Akers seconded the motion. After review and discussion the motion carried by unanimous vote.

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

iv) Complaint #13-40; Scott Jackson, PT

Mr. Jackson was present and was not represented by legal counsel. Ms. Donahue summarized complaint for the Board. Mr. Jackson addressed the Board and answered questions asked of him by the Board. Ms. Hunter moved to go into Executive Session. Mr. Clinton seconded the motion. After review and discussion the motion carried by unanimous vote.

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

Executive Session started at 9:07am  
Executive Session ended at 9:13pm

The Board discussed possible actions on the complaint. Ms. Richardson moved to forward the complaint to an Informal Hearing. Ms. Hunter seconded the motion and requested a friendly amendment to randomly audit three patient records and subpoena Mr. Jackson's documentation of his education regarding Dry Needling and Acupressure. Ms. Richardson accepted the friendly amendment. Following review and discussion the motion carried by unanimous vote.

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

Recused							
Abstained							
Absent	X						

v) Complaint #13-41; Scott Walker, PT

Mr. Walker was present and was represented by legal counsel, A. Melvin McDonald. Mr. McDonald addressed the Board on Mr. Walker's behalf. Mr. Walker answered questions asked of him by the Board. Ms. Hunter moved to go into Executive Session to obtain legal advice or discuss confidential information. Mr. Clinton seconded the motion. After review and discussion the motion carried by unanimous vote.

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

Executive Session started at 9:33am

Executive Session ended at 9:57am

The Board discussed options to restrict Mr. Walker's practice voluntarily until his criminal matter is resolved. Dr. Miller moved for a non-disciplinary interim order requiring Mr. Walker not practice physical therapy until the criminal matter is concluded and the Board adjudicates the complaint against his license. Dr. Zook seconded the motion. After review and discussion the motion carried by unanimous vote.

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

The Board recessed for a break at 10:20am

The Board returned from break at 10:35am

vii) Complaint #13-44; Jeff Hantla, PT

Mr. Hantla was present and was not represented by legal counsel. Ms. Donahue summarized complaint for the Board. Mr. Hantla addressed the Board and answered questions asked by the Board. Mr. Clinton moved for a non-disciplinary order for continuing education to include 6 hours of continuing education in Documentation to be done within 6 months. 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	Dr. Miller	Ms. Richardson	Mr. Clinton
Aye		X	X	X	X	X	X
Nay							
Recused							

Abstained							
Absent	X						

vi) Complaint #13-42; Arnold Gonzales, PT

Mr. Gonzales was not present and was not represented by legal counsel. Ms. Donahue summarized complaint for the Board. Ms. Richardson moved to go to Informal Hearing and to add an allegation of violating A.R.S. §32-2044(20). Dr. Miller seconded the motion. After review and discussion the motion carried by unanimous vote.

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

Ms. Akers directed Board staff to contact the Board of Occupational Therapy with the information the Board had collected regarding the COTA that was billing for services not rendered at the same time as it is alleged Mr. Gonzales was billing.

viii) Complaint #13-46; Julie Docter, PT

Ms. Docter was not present and was not represented by legal counsel. Ms. Donahue summarized complaint for the Board. Dr. Miller moved to dismiss complaint. Ms. Akers seconded the motion. After review and discussion the motion carried by unanimous vote.

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

ix) Complaint #13-48; Jefferson Olson, PTA

Mr. Olson was present and was not represented by legal counsel. Ms. Donahue summarized complaint for Board. Mr. Olson addressed the Board and answered questions asked of him by the Board. Ms. Akers moved for a non-disciplinary order for continuing education to include 6 hours of continuing education in Ethics to be done within 6 months. Dr. Miller seconded the motion. After review and discussion the motion carried.

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

Ms. Akers directed Board staff to forward the information collected in Mr. Olson’s complaint regarding allegation of improper billing and improper record keeping to the Arizona Board of Chiropractic Examiners to include the name of the chiropractor contracting Mr. Olson’s services.

- b) Review of Consent Agreement and Possible Action of Request for Termination of Board Order/Probation
  - i) Complaint #11-15; Jennifer Harmon, PTA

Ms. Harmon was not present and was not represented by legal counsel. Ms. Donahue summarized the request for termination of probation. Dr. Miller moved to grant early termination. Ms. Richardson seconded the motion. After review and discussion the motion carried by unanimous vote.

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

- c) Review, Discussion and Action on Consideration of Opening a Complaint
  - i) Crystal Whitman, PTA

Ms. Whitman was not present and was not represented by legal counsel. Ms. Donahue summarized potential complaint for the Board. Ms. Hunter moved to take no action. Dr. Miller seconded the motion. After review and discussion the motion carried by unanimous vote.

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

**5) BOARD BUSINESS AND REPORTS**

- a) Executive Director’s Report
  - i) Financial Report
  - ii) Board Staff Activities
  - iii) Legislation
  - iv) Rule Activity
  - v) FSBT

Mr. Brown reviewed the written report for the Board no action was requested or taken on the Executive Director report. Cynthia Driskell, PT representing the Arizona Physical Therapy Association addressed the Board regarding legislation that may be imitated this session regarding Dry Needling and the Board’s continuation.

**6) Elections and Review and Approval of Draft Minutes**

Board President:



Dr. Zook nominated Melinda Richardson, PT. Dr. Miller seconded the nomination. Ms. Hunter nominated Lisa Akers, PT. Mr. Clinton seconded the motion. The Board voted on Ms. Richardson's nomination by roll call vote. The motion failed.

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

The Board voted on Ms. Akers' nomination by roll call vote. The motion carried.

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

Board Vice President:

Dr. Miller nominated Melinda Richardson as Vice President. Mr. Clinton seconded the motion. The motion carried by unanimous vote.

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

Secretary:

Ms. Hunter nominated Mr. Clinton. Dr. Miller Seconded the motion. The motion carried by unanimous vote.

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

## 7) CALL TO THE PUBLIC

No person came forward to address the Board in a Call to the Public.

Ms. Akers moved to adjourn the meeting. Ms. Richardson seconded the motion. After review and discussion the motion carried by unanimous vote.

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

Meeting adjourned at 12:10pm

Prepared by,

Charles D. Brown  
Executive Director

Approved by,

Michael S. Clinton, CPA  
Secretary