



ARIZONA BOARD OF OCCUPATIONAL THERAPY EXAMINERS

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Regular Session Minutes

May 6, 2016

Board Members Present: Quenton McCallister, Chair, OT Member
 Dr. Donald Hosenfeld, Vice Chair, OT Member
 Dana Hutchings, OT Member

Staff Present: Karen Whiteford, Executive Director
 Vicki Egurrola, Administrative Assistant

Legal Staff Present: Sabrina Khan, Assistant Attorney General

1) CALL TO ORDER

Mr. McCallister called the meeting to order at 1:30 p.m. (A recording of the meeting is available through the Board Office.)

2) ROLL CALL

The following members were present: Quenton McCallister, Dr. Donald Hosenfeld, and Dana Hutchings

3) REVIEW AND DISCUSS APPROVAL OF MINUTES

- a) Regular Session Meeting Minutes of April 8, 2016
- b) Executive Session Meeting Minutes of April 8, 2016
- c) Special Session Meeting Minutes of April 29, 2016
- d) Executive Session Meeting Minutes of April 29, 2016

Dr. Hosenfeld moved the Board approve the minutes for items a, b, c, and d (above). Mr. McCallister seconded the motion. The motion passed 3-0.

4) DECLARATION OF CONFLICTS OF INTEREST

Mr. McCallister recused himself from item 6.c.
Ms. Hutchings recused herself from approval of renewals for Kelsi Hess, Sara Madderom, and Tracy Mcadams from Item 7b because of professional relationships.

5) REVIEW AND DISCUSS FUTURE BOARD MEETING SCHEDULE

The Board reviewed the meeting schedule for:

- a) June 3, 2016 – No change
- b) July 8, 2016 – No change
- c) August 12, 2016 – No change

6) ITEMS FOR BOARD REVIEW, DISCUSSION AND LEGAL ACTION

- a) Review, Discussion & Possible Action - Complaints, Investigations and Compliance
 - i) Initial Review of New Complaints

- (1) There are no new complaints for discussion.
- ii) Open Complaints/Investigations
 - (1) There are no open complaints/investigations.
- b) Consent Agreement
 - i) Paul Breuninger, 16-OT-3787

Mr. Breuninger was present and was represented by his attorney, Mr. Cary Lackey. Mr. Lackey and Ms. Khan made statements regarding the consent agreement drafted after the informal settlement conference held on 04/22/16.

The Board reviewed the consent agreement and asked questions of Mr. Breuninger. Mr. McCallister moved the Board go into executive session to obtain legal advice. Dr. Hosenfeld seconded the motion. The motion passed 3-0. The Board entered executive session at 1:43 p.m.

Upon returning to regular session at 2:07 p.m., Mr. McCallister moved the Board decline the consent agreement drafted as a result of the informal settlement conference. The motion failed due to a lack of a second.

The Board discussed possible modifications to the consent agreement. Mr. Lackey and Mr. Breuninger made statements and discussed possible alternatives with the Board.

Mr. McCallister moved the Board modify the consent agreement to include license suspension to end on 09/17/17 and, at time of renewal, submission of fingerprints for a criminal background check and submission of a copy of the presentence investigation report dated 06/23/15. Dr. Hosenfeld seconded the motion. The motion passed 3-0.

Mr. Lackey and Mr. Breuninger discussed the proposed consent agreement and countered, offering to pay a \$500 civil penalty instead of the extension of the license suspension to 9/17/17.

Mr. McCallister moved the Board accept the counteroffer and confirmed the consent agreement would include license suspension to end on 3/17/17, submission of fingerprints for a criminal background check and a copy of the presentence investigation report dated 06/23/15 at the time of Mr. Breuninger's 2017 renewal, and a \$500 civil penalty due upon Mr. Breuninger's return to active status. Dr. Hosenfeld seconded the motion. The motion passed 3-0.
- c) Formal Hearing; 1:30 p.m.
 - i) Paul Breuninger, 16-OT-3787

The formal hearing was not necessary as the Board agreed upon a revised consent agreement for Mr. Breuninger.
- d) Status of Compliance with Board Order/Approval of Board Ordered CE
 - i) Casey Crothers 15-OTA-0550 – Ms. Whiteford reported that there was no update.
 - ii) Lena Mallant 15-OT-6337 – Ms. Whiteford reported that there was no update.
 - iii) Erik Pool 15-OTA-4957 – Ms. Whiteford reported that there was no update.
 - iv) Paul Breuninger 16-OT-3787 – Ms. Whiteford reported that a settlement conference was held on 4/22/16 and a revised consent agreement was negotiated for presentation to the Board.
 - v) Micah Caudle, 16-OT-5674 – Ms. Whiteford reported that there was no update.
 - vi) Shelley Perry, 16-OT-5054 – Ms. Whiteford reported that there was no update.
- e) Review, Discussion, and Possible Action of Whether or Not to Open A Complaint
 - i) Michelle Lyon, OTA

Mr. McCallister recused himself from this item. This item was tabled due to a lack of quorum.

ii) Patrice Rogers, OTA

After reviewing the documentation provided by Ms. Rogers, the Board agreed to take no action.

f) Licenses

Substantive review, discussion, and vote regarding the applications for licenses as follows:

i) Initial applications:

Deena Angeley	Jerrie Chandell Aquino	Julie Barber	Laurel Blackstone*
Andrea Caine	Sophia Cortes	Amy Cunningham	Kendra Dyrsten
Richard Fabiano	Candace Fajardo	Jyothi Gupta	Amy Howell
Rachel Hutchinson	Anne Ladner	Allison Nelson	Carrie Nicol
Patrick Olivas	Lena Olofson	Agatha Cristy Pedro	Lisa Rea
Jessica Reader	Manuel Romero	Katherine Shaw*	Annette Siebens
Natalie Squires	Thomas Towner	Victoria Van Dame	Ingrid Van Duyne
Danielle Woodworth*			

* Board Review

Mr. McCallister moved the Board approve the 26 initial applications not requiring Board review. Ms. Hutchings seconded the motion. The motion passed 3-0.

Board Reviews

After reviewing the documentation provided by Ms. Blackstone, Ms. Shaw, and Ms. Woodworth, Dr. Hosenfeld moved the Board approve all three applications for licensure. Mr. McCallister seconded the motion. The motion passed 3-0.

ii) Renewal of licenses:

Nikkol Anderson	Judith Arp	Sheryl Arr	Mary Askew
Jose Avendano	Lora Bailey	Kodie Barnett	Jesusa Victoria Biscante Barba
Lauren Bock	Kristine Boetel	Roxanne Bracken	Pamela Burns (OT)
Pamela Burns (OTA)	Patricia Burrage	Marie Ceus	Joseph Christ
Thomas Conklin	Connie Crum	Robert Dahl	Heather DeBruin
Geri DeWaard	Diane Domanico	John Donovan	Josephine Ekpenyong
Dale Ellenberg	Theresa Elworth	Eileen Estavillo	Amy Evert
Linda Flores	Mary Flores	Mirinisa Fortunato	Nicholas Fortunato
Riann Francis Hilt	Deborah Frey	Michelle Fugal	Amy Fulton
Kara Gade	Terry Gesell	Angleshier Gibbs	Marcia Graham*
Stephanie Graves	Connie Greiser	Shaye' Gurrera	Mary Hanna
Xhemile Haruni	Marian Heaton	Lindsey Henderson	Efrain Herrera
Samantha Herrick	Kelsi Hess	Dina Holdren	Rebecca Huppert
Jamie Hyler	Naomi Jack	Kelsey Johnson	Quiana Jones
Jason Jordan	Barbara Kapp	Maryann Keese	Megan Kieser
Vonda Kinast	Danny Kissinger	Karen Kittle	Karen Klein
Christina Knowles	Leann Kozeliski	Anita Kratzer	Donna Krejci
Joann Lacroix	Amy Laney	Hok Him Lau	Rebecca Lindstrom
Stacy Lux	Sara Madderom	Daniela Martinez	Pablo Mata
Tracy Mcadams	Karli McAlees	Sharon McCoy	Wendi McDowell
Frances McGlothlin	Stephen Merkley	Marci Miller	Amy Miskell
Kellie Mitchell	Charlyn Morrison	Nancy Moses-Cobb	Sara Mullins
Lisa Murphy	Alexis Ortega	Hristo Papayoti	Brian Paulsen
Grace Pelzel	Penny Peterson	Kathleen Pettersen	Sandra Pliska

Shannon Portz Robinson*	Jana Quarnberg	Jennifer Quick	Scott Redman
Roger Reyes	Michael Reynolds	Catherine Roberts	Luis Rodriguez
Leslie Romanchick	Kay Ruess	Patti Scudder	Robert Semingson
Ileana Sewell	Maureen Siegel	Teresa Simmons	Judith Siravo*
Nicole Smith	Robin Smith	Anthony Soza	Patricia Stein
Laurie Storad	Lisa Suhr	Mark Tadlock	Sarah Temko
Paula Tucker	Rosalind Tyner	Michelle Vaughan	Gina Vloet
Keith Wallace	Bryan Webster	Barbara Weiman-Hendrickson	Barbara Weiss
Jennifer Whitaker	Colleen Wollenberg	Mallory Woodard	

* Board Review

Ms. Hutchings recused herself from review and approval of applications for Kelsi Hess, Sara Madderom, and Tracy Mcadams because she has a professional relationship with them. A quorum could not be reached due to the recusal so all three renewal applications were tabled until the June meeting.

Mr. McCallister moved the Board approve the 125 renewal applications not requiring Board review. Ms. Hutchings seconded the motion. The motion passed 3-0.

Board Reviews

Marcia Graham

Ms. Graham was present and not represented by an attorney. Ms. Graham made a verbal statement. Following review and discussion, Mr. McCallister moved the board approve Ms. Graham’s renewal application and issue her license upon acceptance of a consent agreement to include notification of patients and parents of patients within 30 days of execution of the consent agreement, six months of probation, and three hours of continuing education in ethics and billing which cannot be used for Ms. Graham’s next renewal. Dr. Hosenfeld seconded the motion. The motion passed 3-0.

Shannon Portz Robinson

Ms. Portz Robinson was not present and was not represented by an attorney. Following Board member discussion, Mr. McCallister moved the Board approve Ms. Portz Robinson’s renewal application and issue her license upon acceptance of a consent agreement to include six months of probation, an in-service presentation on Board statutes and rules, notification of patients and insurance companies within 30 days of execution of the consent agreement, and three hours of continuing education in ethics, which cannot be used for Ms. Portz Robinson’s next renewal. Dr. Hosenfeld seconded the motion. The motion passed 3-0.

Judith Siravo

Ms. Siravo was not present and was not represented by an attorney. Following Board member discussion, Mr. McCallister moved the Board approve Ms. Siravo’s renewal application. Ms. Hutchings seconded the motion. The motion passed 3-0.

iii) Limited Licenses:

There were no limited license applications to review and approve.

7) REVIEW, DISCUSSION, AND POSSIBLE ACTION – BOARD BUSINESS AND REPORTS

a) Review, Discussion, and Approval of Letter Informing Renewal Applicants of New Fees and Asking for Replacement Check – The Board approved the letter drafted by staff to notify applicants of the fee change and need for a new check.

b) Executive Director’s Report – Verbal Report and Discussion – No Action Required
A verbal report was provided on the items below by Ms. Whiteford.

i) Financial Report

ii) Review Recent Board Staff Activities

iii) Review of Current Legislative Activity (2016)

(1) HB 2613 regulatory boards; licensing; revisions

(2) HB 2501 health regulatory boards; transfer; DHS

(3) HB 2014 electronic documents; state agencies

(4) SB 1111 occupational therapists; information change, notification

(5) SB 1443 health profession regulatory boards

(6) SB 1443 health profession regulatory boards

(7) SB 1524 regulatory board actions; limitations

iv) Rule Activity

c) Administrative Project Status Report

i) Rule Revisions – Ms. Whiteford stated an exemption from Executive Order 16-03 would be requested in order to make changes to fees in R4-43-102.

ii) Dry Needling Statute Change – No update.

iii) Policies and Procedures – No update.

iv) Updating the Board Licensing Program to Automate Manual Functions – No update.

v) Board Member Training – Ms. Whiteford stated she had ordered the CLEAR Introduction to Regulatory Governance online course for all Board members.

vi) Sunset Audit – No update.

d) Other Board Business and Reports

i) Open Public Board Member Positions – Ms. Whiteford stated that no progress has been made in filling the open public Board member positions and that she would continue to work with the Office of Boards and Commissions on filling the positions.

8) BOARD MEMBER TRAINING

a) Complaint Vetting Process – This item was tabled until a future meeting.

9) AGENDA ITEMS FOR NEXT MEETING

a) Review of Legislative Activity (2016) for SB1503

b) Timing of Board meeting materials

10) CALL TO THE PUBLIC

No members of the public stepped forward to address the Board.

11) ADJOURNMENT

There being no further business before the Board, the meeting adjourned at 3:12 p.m.

Respectfully submitted,

Karen Whiteford

Karen Whiteford
Executive Director