



Ohio Occupational Therapy, Physical Therapy,
and Athletic Trainers Board

Athletic Trainers Section
January 15, 2021
9:00 AM

Virtual meeting held via Microsoft Teams

Members Present

Trevor Bates, Chair
Benjamin Burkam MD, Secretary
Hollie Kozak
Gary Lake
Jeff Sczpanski

Legal Counsel

Emily Pelfrey, AAG
Cheryl Hawkinson, AAG

Staff Present

Melissa Anthony, Executive Director
Jeffery Duvall, Supervisor Enforcement Division
Jan Hills, Executive Assistant
Jaklyn Shucofsky, Investigator
Mai Vo, Licensure

Guests

Bridgett McAuliffe, OATA
Gerald Rishel, OATA

Call to Order

Trevor Bates, Chair, called the meeting to order at 8:36 AM.

Approval of Minutes

Gary Lake made a motion, second by Hollie Kozak to approved as amended the November 20, 2020 minutes. Motion passed.

Executive Director's Report

- Active licenses as of 1/7/2021 total is 35,789, number is high due to extension of registration deadlines.
- Several tickets are pending in eLicense.
- The Enforcement Investigator position has been filled by Jaklyn Shucofsky. The paralegal position will be posted shortly.
- The board is finishing up the OTA/AT 2018 and PTA 2019 audits. The OT audit was run in December and is well underway. The PT 2020 audit will be next.
- There is a mandatory yearly ethics training for each board member. If there is any additional state stipulated training, the office will be contacting you. The office keeps tracking records of all training. The financial disclosure filing is due by May 17, 2021.
- All board positions have been filled except for the appointment of the public member of the Board.
- Staff still working remotely.
- OTPTAT is getting questions related to when certain employees are qualified to get the vaccine. Those questions are referred to the local health department. Additionally discussion was held on who is qualified to administer the vaccine. OATA is monitoring legislation (emergency rule potential is questionable)- to permit additional professions the ability to administer the vaccine.

Discussion of Law and Rule Changes

Concussion Rule

Hollie Kozak moved that the Executive Director may file rule 4755-43- 13, youth sports concussion and head injury assessment and clearance, with the Common Sense Initiative. Gary Lake seconded the motion. Motion passed.

Military Licensure Rule

Gary Lake moved that the Executive Director final file with the Joint Committee on Agency Rule Review military licensure rules 4755-43-05 and 4755- 43-12. Hollie Kozak seconded the motion. Motion passed.

CE Rule- Evidence Based Practice

Gary Lake moved that the Executive Director may file rule 4755-45-01 with the Common Sense Initiative. Jeff Sczpanski seconded the motion. Motion passed.

Application for Waiver of Continuing Education

Hollie Kozak made the motion that the section grant an extension until July 1, 2021 for the completion of continuing education requirements for all AT CE Waiver requests on file with the Board on January 14, 2021 due to COVID-19 emergency with a reminder that a CE taken and counted for the delayed renewal cannot count toward the June 30, 2022 renewal. Gary Lake seconded the motion. Motion passed.

Gary Lake moved that the Section approve 2 applications for contact hour approval. Ben Burkam seconded the motion. Motion passed. Jeff Sczpanski abstained.

Licensure Applications

Gary Lake moved that the Athletic Trainers Section ratify, as submitted, the athletic training licenses issued by examination, endorsement, and reinstatement by the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board from November 21, 2020 to January 15, 2021, taking into account those licenses subject to discipline, surrender, or non-renewal. Second by Jeff Sczpanski. Motion passed.

Athletic Trainers by Examination- 4

Khira Burton
Taryn M Ellis
Christen Kelly
Emily Gayle Sinclair

Athletic Trainers by Endorsement- 3

Taylor Shanice Cathcart
Emily Galloway
Samuel Jacob Korolev

Gary Lake recommended that the Section grant the application withdrawal request for AT examination/endorsement/reinstatement applications on file with the Board on January 15, 2021, based on the documentation provided. Second by Jeff Sczpanski. Motion passed.

Enforcement Report

“New” cases opened since the last meeting: 3
Cases closed at the last meeting: 2
Cases “currently open”: 10
Active consent agreements: 0
Adjudication order being monitored: 1

Proposed Consent Agreement

Hollie Kozak recommended that a motion be made accepting the consent agreement for **Case # AT-20-059** in lieu of going to hearing. Jeff Sczpanski made a motion to accept the consent agreement, Second by Gary Lake. Motion passed. Hollie Kozak abstained.

The Board has accepted the consent agreement for **Thomas Grabski, AT-20-059**

Notice of Opportunity for Hearing

Hollie Kozak recommended that a motion be made to issue a notice of opportunity for hearing for **Case # AT-20-061** for failure to respond to CE Audit. Trevor Bates made a motion, second by Jeff Sczpanski. Motion passed. Hollie Kozak abstained.

Hollie Kozak recommended that a motion be made to issue a notice of opportunity for hearing for **Case # AT-20-045A** for entering into a sexual relationship with a student, that was also a patient and a minor. Jeff Sczpanski made a motion, second by Gary Lake. Motion passed. Hollie Kozak abstained

Goldman Hearings

Good morning. My name is Trevor Bates, Chairperson of the Athletic Trainers Section of the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board. Let the record show that this proceeding was called to order at 9:21 AM on January 15, 2021, in an online board meeting held on Microsoft Teams.

Members of the Board present for the proceeding are:

Executive Director calls the roll:

Trevor Bates- yes
Ben Burkam- yes
Gary Lake- yes
Jeff Sczpanski- yes
Hollie Kozak- yes

It will be noted for the record that a majority of the members of the Board are present.

There will be two adjudication proceedings today. The proceedings are in the matters of **Wendy Chorny, Case # AT-20-050**.and **Michael White, Case # AT-20-053**.

These proceedings shall be affidavit-based adjudications relative to the Notice of Opportunity for Hearing mailed to the respondent in the aforementioned case and believed to have been properly served according to the Administrative Procedures Act (Chapter 119. of the Ohio Revised Code).

As the respondents declined to have a hearing in the case, this proceeding will be held before the Board pursuant to *Goldman v. State Medical Board of Ohio*. The individuals named do not have the ability to present written or oral testimony today but may be present to hear the proceeding and outcome.

You have already received a sworn affidavit from the Board's Enforcement Division Investigator, and the accompanying exhibits for the Goldman Proceedings in your Board packet. The affidavit contains the evidence and testimony upon which you will deliberate. Please take a few moments to review the evidence and testimony.

In lieu of a stenographic record being made, let the minutes reflect that the original sworn affidavit and exhibits shall be kept as the official record of the proceeding in the aforementioned matter in the Board office.

I will now recognize Assistant AG, Ms. Pelphrey for the purpose of providing a brief synopsis of the cases. Ms. Pelphrey requested that Enforcement Investigator Jaklyn Shucofsky present a synopsis of both cases.

Having heard Ms. Shucofsky's synopsis of both cases, may I now have a motion to admit the facts and exhibits outlined in the sworn affidavits in the aforementioned cases into evidence. Gary Lake made a motion, seconded by Jeff Sczpanski. Motion passed. Hollie Kozak abstained.

There being no further evidence to come before the Board, this proceeding is now closed at 9:29 AM. The procedural and jurisdictional matters having been satisfied, we will now continue with the proceedings by deliberation on the sworn affidavits and exhibits. At this time, is there a motion to recess the meeting in order to go into private session for the purpose of quasi-judicial deliberation on **Wendy Chorny, Case # AT-20-050** and **Michael White, Case # AT-20-053** and to reconvene the meeting after deliberations are complete. Jeff Sczpanski made a motion, seconded by Gary Lake.

Executive Director Anthony called the roll

Trevor Bates- yes
Jeff Sczpanski- yes
Hollie Kozak- yes
Gary Lake- yes
Ben Burkam- yes

The Board requested the presence of Executive Director Missy Anthony and AAG Cheryl Hawkinson to join the private session. Hollie Kozak was recused from the executive session.

Meeting is recessed at 9:31 AM to enter private session for purpose of quasi-judicial deliberations.

The section came out of private session and reconvened the Board meeting at 9:57 AM.

The chair, Trevor Bates asked for a motion on the findings of fact, conclusions of law and order of the Section for **Wendy Chorny AT002051**. Jeff Sczpanski made a motion, second by Gary Lake to accept the following Findings of Fact in **case # AT-20-050**. Motion passed. Hollie Kozak abstained.

- 1) **Wendy Chorny** is licensed under the AT section with license number **AT002051**.
- 2) She was advised of a CE audit by the board.
- 3) The board made numerous attempts via email and standard USPS mail with contact information on file with the board through eLicense.
- 4) **Wendy Chorny** did not respond to the CE audit from the board.

After review of the evidence and testimony, the Board makes the following Conclusions of Law:

Wendy Chorny is found to be in violation of ORC 4755.64(A)(2) and OAC 4755-45-01(F)(3). Gary Lake made a motion, second by Ben Burkam. Motion passed. Hollie Kozak abstained.

Jeff Sczpanski reported the board recommends revoking the license for **Wendy Chorny (AT002051)**.

Gary Lake made a motion that **Wendy Chorny's** license to practice athletic training in the State of Ohio be revoked. Second by Ben Burkam. Motion passed. Hollie Kozak abstained.

The Executive Director is hereby instructed to prepare an adjudication order to carry out the mandate of this Board and serve the orders on **Wendy Chorny, Case # AT-20-050** in the manner prescribed by law.

Michael White AT004826

Jeff Sczpanski asked for a motion to be made to accept the following Findings of Fact in **Case #AT-20-053** Gary Lake made a motion, second by Ben Burkam Motion passed. Hollie Kozak abstained.

- 1) **Michael White** is licensed under the AT section with license number **AT004826**.
- 2) He was advised of a CE audit by the board.
- 3) The board made numerous attempts via email and standard USPS mail with contact information on file with the board through eLicense.
- 4) **Michael White** did not respond to the CE audit from the board.

After the review of the evidence and testimony, the Board makes the following Conclusion of Law:

Michael White is found to be in violation of ORC 4755.64(A)(2) and OAC 4755-45-01(F)(3)

The board recommends revoking the license for **Michael White (AT004826)**

Gary Lake made a motion that **Michael White's** license to practice athletic training in the State of Ohio be revoked. Second by Ben Burkam. Motion passed. Hollie Kozak abstained.

The Executive Director is hereby instructed to prepare an adjudication order to carry out the mandate of this Board and serve the orders on **Michael White, Case # AT-20-053** in the manner prescribed by law.

This concludes the matter of **Wendy Chorny, Case # AT-20-050 and Michael White, Case # AT-20-053**.

AAG Report

None

OATA

None

Open Forum

None

Old Business

None

New Business

- March 12- Section meeting-Virtual
- OATA the conference is planned to be live in Cleveland in May.
- May 20 meeting date- Joint Board- Virtual
- Retreat- July 23- in person (hopefully)
- Sept 16- Joint Board
- Nov. 19 Section meeting

Correspondence

None

Adjournment

Motion to adjourn meeting by Ben Burkam, second by Jeff Sczpanski. There being no further business and no objections, Trevor Bates adjourned the meeting at 10:26 AM.

Respectfully submitted,

Jan Hills



Trevor Bates, AT, Chair
Ohio Occupational Therapy, Physical Therapy,
and Athletic Trainers Board, AT Section



Dr. Benjamin Burkam, MD, Secretary
Ohio Occupational Therapy, Physical Therapy,
and Athletic Trainers Board, AT Section



Missy Anthony, Executive Director
Ohio Occupational Therapy, Physical Therapy
and Athletic Trainers Board