



Ohio Occupational Therapy, Physical Therapy,
and Athletic Trainers Board

Physical Therapy Section
November 19, 2020
9:00 am

Virtual Meeting via Microsoft Teams

Members Present

Mario Baker
Anthony Ganim
Linda Pax Lowes
Karen McIntyre
Chad Miller

Legal Counsel

Emily Pelphrey, AAG
Henry Appel, AAG

Staff Present

Melissa Anthony, Executive Director
Jeffery Duvall, Enforcement Division Supervisor
Debbie Fulk, Licensure Section
Jan Hills, Executive Assistant
Mai Vo, Licensure Section

Guests

Victoria Gresh, OPTA
Michele Courtney, Ohio University (OU)

OU Student Guests

Logan Allison
Morgan Brumenschenkel
Shawn Burns
Cassidy Caito
Steven Carpenter
Hannah Cooper
Catie Craig-Bowden

Guests Continued

Spencer Edwards
Jackie Feliciano
Austin Foguth
Rob Gates
Ashley Gomez
Addy Hartsel
Erin Jans
Stephanie Judd
Allison King
Brooke Kinsey
Zach Kushner
Michael Lantz
Corey Lump
Kayla McLelland
Alain Mika
Hayden Niekamp
Dean Ohde
Rachel Petrella
Alissa Rhode
Kelly Rhodes
Abby Saner
Isaac Shetler
Rachel Stroski
Malerie Takach
Zac Taw
Ryan VanCauwenbergh
Haley Van Voorhis
Cody Wilkett

Call to Order

Karen McIntyre, Acting Chair, called the meeting to order at 9:02 AM.

Approval of Minutes

Mario Baker moved that the minutes from the September 17, 2020 meeting be approved as submitted. CJ Miller seconded the motion. Motion carried.

Executive Director Report

- Legislature is back in session with several topics that would potentially impact PTs and PTAs
 - Reciprocity bill
 - PT Compact
 - Fresh Start Act
 - HB 679 Telehealth
- The agency has seen a slight growth in number of licenses due to the extension of the expiration date of licenses.
- We have several tickets pending in eLicense.

- The OTPTAT Boat will be subject to SB 255 review in 2021.
- Missy Anthony is involved in a national Continuing Competence Improvement Practice group with FSBPT.

Discussion of Law and Rule Changes

- *Physical Therapy Education- 4755.42(A)*
- *4755-23-12 Requirements for Foreign Trained Applicant*
- *Military Licensure rule 4755-23-17-* Karen McIntyre moved that the executive director file a response to the CSI recommendation on the military licensure rule, 4755-23-17 and file the rule with the Joint Committee on Agency Rule Review. Second by Tony Ganim. Motion passed.

Break at 9:55 am

Resume meeting at 10:04

Goldman Hearing

Good morning. My name is Karen McIntyre, Acting Chairperson of the Physical Therapy Section of the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board. Let the record show that this proceeding was called to order at 10:05 am on November 19, 2020, in an online board meeting held on Microsoft Teams. Members of the Board present for the proceeding are:

Executive Director Anthony called the roll:

Karen McIntyre- yes
 CJ Miller- yes
 Tony Ganim- yes
 Mario Baker- yes
 Linda Lowes- yes

It will be noted for the record that a majority of the members of the Board are present. There will be one adjudication proceeding today. The proceeding is in the matter of **Robert Miles, case number PT-19-015**.

This proceeding shall be an affidavit-based adjudication 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 respondent 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 individual named does 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 Supervisor, and the accompanying exhibits for the Goldman Proceeding 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.

Assistant Attorney General, Emily Pelphrey, provided a brief synopsis of the case. Ms. Pelphrey requested that Mr. Jeffery Duvall, Enforcement Division Supervisor talk about the facts and allegations in the affidavit.

Emily Pelphrey requested that the following exhibits will be placed under seal following the hearing to protect the confidentiality of the victim: Exhibits 2, 3, 5a, and 7.

Karen McIntyre asked for a motion to admit the facts and exhibits outlined in the sworn affidavit in the aforementioned case into evidence. CJ Miller made the motion, second by Mario Baker. Motion passed. Tony Ganim abstained from the vote.

There being no further evidence to come before the Board, this proceeding is now closed at 10:17 am. The procedural and jurisdictional matters having been satisfied, we will now continue with the proceeding by deliberation on the sworn affidavit 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 **Robert Miles, case number PT-19-015** and to reconvene the meeting after deliberations are complete.

CJ Miller made the motion, second by Linda Lowes. Motion passes.

Executive Director Anthony called the roll:

Karen McIntyre- yes

CJ Miller- yes

Mario Baker- yes

Linda Lowes- yes

Tony Ganim- yes

The Board requested Henry Appel, AAG and Executive Director Missy Anthony into private session.

Meeting recessed at 10:18 am to enter private session for the purpose of quasi-judicial deliberation.

The Section came out of private session and reconvened the Board meeting at 12:05 pm.

Linda Lowes made a motion to accept the following findings of fact.

1. Miles was employed with Aspen Therapy, Gates Mills, Ohio, working as a physical therapist assistant at The Woods at Solon Pointe located at Solon, Ohio on December 8, 2018.
2. Victim was not a patient of Miles nor a patient of physical therapy.
3. Miles provided physical therapy services to an individual that is not a patient of physical therapy.

Seconded by Mario Baker.

Linda Lowes moved that the Board agrees with the following conclusions of law. That Mr. Miles violated Ohio Revised Code 4755.47(A)(5), (A)(11), (A)(28) and Ohio Administrative Code 4755-27-05 (A)(8), (B)(4), (B)(5)(d). and (B)(5)(e). Second by CJ Miller. Motion passed. Tony Ganim abstained.

Order of the Section

Mario Baker moved that the Board impose sanctions including an indefinite suspension of no less than 6 months with the following conditions for reinstatement; a fine of \$1000., an evaluation by a board approved mental health professional to determine the fitness for practice as a physical therapy assistant, completion of a PROBE Ethics course and then upon reinstatement he shall give notice to his employer of disciplinary action taken by the Physical Therapy Board, adhere to any practice restriction recommendations by the mental health professional and line of sight supervision for three months by a Physical Therapist. Second by CJ Miller. Motion passed. Tony Ganim abstained. Linda Lowes voted against citing the severity of the discipline was insufficient.

The Executive Director is hereby instructed to prepare an adjudication order to carry out the mandate of this Board and serve the order on **Robert Miles, case # PT-19-015** in the manner prescribed by law.

This concludes the matter of **Robert Miles case # PT-19-015**.

Licensure Applications

Application Review Liaison Report

Karen McIntyre recommended that the PT Section accept the findings of FCCPT for applicant APP-000398969 and find the applicant's education is substantially equivalent and the applicant's TOEFL score have met the Section's requirements and issue a PT license by endorsement. CJ Miller moved, second by Tony Ganim. Motion passed. Linda Lowes and Karen McIntyre abstained.

Licensure Applications by Examination

Linda Lowes moved that the Physical Therapy Section ratify, as submitted, the individuals approved by the Federation of State Boards of Physical Therapy to sit for the National Physical Therapy Examination for physical therapists and physical therapist assistants from September 18, 2020 to November 19, 2020, taking into account those individuals subject to discipline, surrender, or non-renewal. I further move that the following persons be licensed as physical therapists or physical therapist assistants upon passage of the National Physical Therapy Examination and the Ohio Jurisprudence Examination. Second by Mario Baker. Motion passed.

Physical Therapist by Examination- 14

Laurencia Calai	Taylor Jordan	Rocco Delano Sandrella
Laura Marie Danhoff	Peyton Kranz	Elizabeth Sherer
Paul Anthony George	Elise Ann Krueger	Nicholas David Sheridan
Gabriella Gessler	Megan Ashley McClure	Jennifer Lee Stone
Shaun Salvator Heinzeroth	Mitchell McCorkle	

Physical Therapy Assistants by Examination 53

Hunter Nicole Adams	Dawn Golden	Makenzie Nicole Olson
Adrienne Elizabeth Beachy	Megan Hammen	Robert Allen Owsley
Erin Elizabeth Biehl	Christopher Scott Herrick	Michelle Cristina Parker
Amanda Marie Bradish	Sabrina Faith Houghton	Michelle Lyn Parker
Jeb Brink	Katherine Lynn Jones	Kelly Lynda Patterson
Parker Jordan Brown	Paige Elizabeth Kin	Katelyn Marie Phillips
Kaitlyn M Burgess	Madison C Krock	Zachary Chad Powers
Kurt Busson	Kelly Marie May	Kimberly Sue Rodriquez
Justin Carlson	Emily McKinnon	Collin Michael Shaver
Shawn Carpinello	Casey John McQueeney	Spencer Shreve
Steven Carter	Hannah Melvin	Richard Maxwell Shultz
Andrew Scott Case	Katie Merz	Gregory L Underwood
Hannah Riley Cunningham	Joseph Thomas Momenee	Sarah L. Waiwood
Andrew Michael Donovan	Monique Moser	Jennifer lynne Welty
Susannah Joy Dunlap	Jason Dean Moss	Michelle Lynn Wentling
Kylie Elizabeth Fine	Daniel Joseph Newport	Natalie Winslow
Russell G Flynn	Eleanor Claire Norman	Andrew Wischmeyer
Kiefer Frias	Sarah May Odum	

Licensure Applications by Endorsement

Linda Lowes moved that the Physical Therapy Section ratify, as submitted, the physical therapist and physical therapist assistant licenses issued by endorsement and reinstatement by the Ohio Occupational Therapy, Physical Therapy and Athletic Trainers Board from September 18, 2020 to November 19, 2020 taking into account those licenses subject to discipline, surrender or non-renewal. CJ Miller seconded the motion. Vote taken; motion passed

Physical Therapist by Endorsement- 37

Joesph Thomas Armeli	Jordan M Bevins	Erica Marie Burnworth
Katherine Ann Bacarella	Rachel Erin Blum	Matthew Joseph DeBole
William R Badner	Bradley Chase Brigagliano	Jami Lynn Dennis
Laura Diane Bahr	Teresa Marie Brigagliano	Romario Ferreira de Sousa
Jimmie Tyler Beirne	Cameron Yoho Brown	Zachary Alexander Fink

Melissa Geiss
Gary Hague
Rylee Lin Hanson
Joshua Allen Hoppe
Daniel Karam
Jacquelyn Billie Leslie
Sheena R Long
Megan Lynn McCreary

Catherine Menne
Tammy Vu Nguyen
Jesse Oxley
Samantha Ellen Parkhurst
Mackenzie Pheneger
Kathleen Polly
Katelyn Swanson Powers
Sarah Elizabeth Scorzelli

Karan Sandip Shah
Kristen Alexandra Smith
Jaclyn M Strah
Prachi B Thakor
Lindsey Kaye Woosley
Megan Elizabeth Zann

Physical Therapist Assistant by Endorsement-6

Renaud Brown
Danna Loren Huffman
Rebecca Hupman

Susan Ng
Miranda Radcliff
Andrew Michael Wolfer

Linda Lowes recommended that the section grant the application withdrawal request for PT/PTA examination/endorsement/reinstatement applications on file with the Board on November 19, 2020 based on the documentation provided. Tony Ganim made the motion, second by Mario Baker. Motion passed.

Nicole McClain PT APP-000391095
Jesse Oxley PT APP-000316266
Monique Moser PT APP-000397706
Madison Krock PT PTA012828
Megan Hammen PT APP-000404667
Samantha Parkhurst PT APP-000395487
Casey McQueeney PT APP-000407010

Break at 12:14 pm

Meeting reconvened at 12:20 pm

Enforcement

AAG Report- N/A

Enforcement Statistics

“New” cases opened since last meeting: 1

Cases “closed” since the last meeting: 2

Cases “currently open”: 55

Active consent agreements: 15

Adjudication orders being monitored: 3

Proposed Consent Agreements:

CJ Miller recommended that a motion be made accepting the consent agreement for **case # PT-20-024**, in lieu of going to hearing. Mario Baker moved, seconded by Linda Lowes. Motion passed. Tony Ganim and CJ Miller abstained.

The Board has accepted the consent agreement for **Matthew Pecorelli, Physical Therapist Assistant.**

CJ Miller recommended that a motion be made accepting the consent agreement for **case # PT-20-101** in lieu of going to hearing. Mario Baker moved, seconded by Linda Lowes. Motion passed. Tony Ganim and CJ Miller abstained.

The Board has accepted the consent agreement for **Devee Sresthadetta, Physical Therapist.**

CJ Miller recommended that a motion be made accepting the consent agreement for **case # PT-20-197** in lieu of going to hearing. Mario Baker made a motion, second by Karen McIntyre. Motion passed. Tony Ganim and CJ Miller abstained.

The Board has accepted the consent agreement for **Joan Tyburski, Physical Therapist Assistant.**

Notice of Opportunity for Hearing (NOH):

Anthony Ganim recommended that a motion be made to issue a notice of opportunity for hearing for **case# PT-20-087** Respondent accepted a total of three checks totaling \$20,000.00, two life insurance policies and other gifts from an elderly patient. Linda Lowes made a motion, second by Karen McIntyre. Tony Ganim abstained. Motion passed.

Correspondence-Correspondence discussed.

OPTA Report- Report presented.

FSBPT Report- Karen McIntyre gave report

Open Forum- FSBPT reviewed the jurisprudence exam and developed an outline of updates for the exam posted on the web site. Karen McIntyre made a motion, second by Mario Baker to adopt the new content outline by FSBPT for the jurisprudence exam. Motion passed.

Old Business- N/A

Adjournment

If there is no further business and there is no objection, the meeting will be adjourned. There being no objection, Karen McIntyre adjourned the meeting at 1:27 pm.

Respectfully submitted,
Jan Hills

VACANT

Vacant, Chair
Ohio Occupational Therapy, Physical Therapy
and Athletic Trainers Board, PT Section



Karen McIntyre, PT, Secretary
Ohio Occupational Therapy, Physical Therapy
and Athletic Trainers Board, PT Section



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