

**ARIZONA BOARD OF ATHLETIC TRAINING**

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**REGULAR SESSION MEETING MINUTES**

**October 3, 2016**

**Board Members Present:** Eric Freas, ATC – Chair

 Bart Peterson, ATC – Vice-Chair

 Chuck Baughman, ATC – Athletic Trainer Member

 Jennifer Fadeley – Public Member

**Board Members Absent:** None

**Staff Present:** Karen Whiteford – Executive Director

 Christina Soto – Administrative Assistant

**Legal Staff Present:** Sabrina Khan – Assistant Attorney General

1. **CALL TO ORDER** – 9:30 a.m.; Mr. Freas called the meeting to order at 9:30 a.m. (A recording of the meeting is available through the Board Office.)
	1. Roll Call – The following Board members were present: Eric Freas, Bart Peterson, Chuck Baughman, and Jennifer Fadeley
2. **DISCUSS, AMEND AND APPROVAL OF MINUTES**
	1. Regular Session Meeting Minutes of September 12, 2016

Mr. Baughman moved the Board approve the regular session meeting minutes of September 12, 2016, with a correction to the numbering on page one. Ms. Fadeley seconded the motion. The motion passed 4-0.

* 1. Executive Session Meeting Minutes of September 12, 2016

Mr. Baughman moved the Board approve the executive session meeting minutes of September 12, 2016. Ms. Fadeley seconded the motion. The motion passed 4-0.

1. **DECLARATION OF CONFLICTS OF INTEREST**

There were no conflicts of interest to report.

1. **REVIEW FUTURE BOARD MEETING SCHEDULE**
	1. November 7, 2016 – Telephonic
	2. December 5, 2016 – In-Person – The Board requested the December meeting be changed to telephonic.
	3. January 9, 2017 – In-Person
	4. Proposed 2017 Schedule – The Board requested that the rotation of Board meetings be changed to one in-person meeting to two telephonic meetings.

**ITEMS FOR BOARD REVIEW, DISCUSSION, AND LEGAL ACTION**

1. **REVIEW, DISCUSSION, AND POSSIBLE ACTION - COMPLAINTS, INVESTIGATIONS & COMPLIANCE**
	1. Initial Review of and Possible Action Regarding Opening a Complaint

There were no initial reviews.

* 1. Open Complaints and Investigations

There were no open complaints and investigations.

* 1. Review, Consideration, and Possible Action Regarding Reinstatement in Conjunction With Evaluation of Open Complaint
		1. Jerry Cross ATC Lic. #0152, complaint number 16-AT-0152

Mr. Cross was not present and had not provided a response. The Board tabled the item and directed Board staff to schedule a special meeting on October 19, 2016, and to notify Mr. Cross of the meeting.

* 1. Status of Compliance with Board Order/Approval of Board Ordered CE
		1. Stanley Johnston ATC Lic. #0830, complaint number 14-AT-0830 – Staff reported that Mr. Johnston’s probation would not terminate on 10/15/16 because his license had lapsed. Once Mr. Johnston’s license is reinstated, the probation will be extended the number of days the license was lapsed.
		2. Randall Cohen ATC Lic. # 0274, complaint number 15-AT-0274 – Board staff reported that there was no change to Mr. Cohen’s status.
		3. Meagan Semore ATC Lic. #1441, complaint number 15-AT-1441 – Staff reported that Ms. Semore’s civil penalty was received on 9/23/16. The Board directed staff to send a reminder letter to Ms. Semore regarding the outstanding three hours of continuing education that is due on 11/3/16.
		4. Jeffrey Bodenhamer ATC Lic #1447, complaint number 15-AT-1447 – Staff reported that there was no change to Mr. Bodenhamer’s status.
		5. Brandie Peterson ATC Lic #1242, complaint number 16-AT-1242 – Staff reported that there was no change to Ms. Peterson’s status.
		6. Sean Fields ATC Lic #1250, complaint number 16-AT-1250 – Staff reported that Mr. Fields requested a list of pre-approved courses on 9/20/16. This list was emailed to Mr. Fields on 9/22/16.
		7. Jason Roberts ATC Lic #1460, complaint number 16-AT-1460 – Staff reported that there was no change to Mr. Roberts’ status.
	2. Informal Interviews

There were no informal interviews.

1. **REVIEW, DISCUSSION, AND POSSIBLE ACTION – APPLICATIONS FOR LICENSURE**
	1. Initial Applications (7)

|  |  |  |
| --- | --- | --- |
| First Name | Last Name | Comments |
| Jennifer | Ach |  |
| Amanda | Borges |  |
| Claudia | Costin | Board Review - Yes to Discipline Question |
| Jupil | Ko |  |
| James | Lupinski |  |
| Isaac | Trujillo |  |
| Richelle | Williams |  |

Mr. Peterson moved the Board approve the six initial licenses not requiring Board review. Mr. Baughman seconded the motion. The motion passed 4-0.

* 1. Initial Applications – Board Review (1)

|  |  |  |
| --- | --- | --- |
| First Name | Last Name | Comments |
| Claudia | Costin | Board Review - Yes to Discipline Question |

Following a brief discussion, Mr. Peterson moved the Board approve Ms. Costin’s application. Mr. Baughman seconded the motion. The motion passed 4-0.

* 1. Renewal Applications (25)

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| License # | First Name | Last Name | License Status | License Expires | Comments |
| 0288 | Robert | Dyson | Ready | 9/7/2016 |   |
| 1338 | Marc | Eilers | Ready | 10/5/2016 |   |
| 1298 | Sean | Folan | Ready | 9/13/2016 |   |
| 1348 | Daniel | Gundy | Ready | 11/2/2016 |   |
| 1329 | Brandon | Hinson | Ready | 9/7/2016 |   |
| 1439 | Toshiro | Hirano | Ready | 10/4/2016 |   |
| 1240 | Laura | McAdams | Ready | 10/6/2016 |   |
| 0895 | Chad | Moeller | Active | 10/6/2016 |   |
| 1233 | Anna | Montt | Ready | 10/5/2016 |   |
| 1440 | JoAnn | Murray | Ready | 10/4/2016 |   |
| 1234 | Rachel | Purcell | Ready | 9/8/2016 |   |
| 1241 | Sara | Richards | Ready | 10/6/2016 |   |
| 1441 | Meagan | Semore | Ready | 11/2/2016 |   |
| 1351 | Gavin | Serene | Ready | 11/2/2016 |   |
| 1345 | Nicholas | Stein | Ready | 10/5/2016 |   |
| 0648 | Jacob | Tafoya | Ready | 10/1/2016 |   |
| 0038 | Scott | Takao | Ready | 10/1/2016 |   |
| 0809 | Bradley | Tedder | Ready | 10/1/2016 |   |
| 1445 | Joseph | Trujillo | Ready | 11/1/2016 |   |
| 1044 | Kyle | Utne | Ready | 11/3/2016 |   |
| 0387 | Tamara | Valovich Mcleod | Ready | 11/1/2016 |   |
| 0978 | Chad | Walker | Ready | 11/1/2016 |   |
| 0813 | Renee | Williams | Active | 11/1/2016 |   |
| 0218 | Ryan | Wolff | Ready | 11/1/2016 |   |
| 0145 | Hal | Wyatt | Ready | 11/1/2016 |   |

Mr. Peterson moved the Board approve the 25 renewal applications not requiring Board review. Mr. Baughman seconded the motion. The motion passed 4-0.

* 1. Renewal Applications – Board Review (3)

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| License # | First Name | Last Name | License Status | License Expires | Comments |
| 0152 | Jerry | Cross | Closed | 2/1/2016 | Board Review - Reinstate |
| 0830 | Stanley | Johnston | Probation | 7/6/2016 | Board Review - Reinstate |
| 0586 | Mark | Kyger | Closed | 6/1/2014 | Board Review - Reinstate |

Jerry Cross

The review of Mr. Cross’ reinstatement was tabled until Board staff could verify Mr. Cross was BOC certified or had completed the required hours of continuing education for the time he was not licensed.

Stanley Johnston

The Board discussed the sequence of events in Mr. Johnston’s application for reinstatement. Mr. Johnston was called and placed on the speakerphone to answer Board member questions. Mr. Peterson asked Mr. Johnston if he practiced athletic training between 8/10/16 and the present. Mr. Johnston stated that he was working at Embry Riddle, but had not practiced athletic training. Instead, he provided support. Mr. Peterson asked Mr. Johnston what his tasks were at Embry Riddle between 8/4/16 and 8/10/16. Mr. Johnston replied that he was getting ready for the upcoming season.

Mr. Freas asked Mr. Johnston if he had any ideas why he was not receiving the mail sent from the Board office. Mr. Johnston stated that his residence does not have a regular mail carrier. Mr. Freas asked Mr. Johnston if he recently received a certified letter from the Board. Mr. Johnston replied that he had. Mr. Freas asked if he signed for the letter, to which Mr. Johnston responded, “No.” Mr. Freas asked why he did not sign for the letter. Mr. Johnston replied that it was because he wasn’t home. Mr. Freas asked Mr. Johnston how he knew we had sent him a certified letter. Mr. Johnston responded that he received a card stating that he received certified mail and needed to pick it up but didn’t.

Mr. Freas asked Mr. Johnston if it would be more reliable to have mail from the Board office sent to his place of employment. Mr. Johnston said that it would. Mr. Freas asked Mr. Johnston to contact the Board office to change is address in the system as it requires a written request. Mr. Johnston agreed to make the change.

Mr. Peterson moved the Board to approve Mr. Johnston’s reinstatement. Mr. Baughman suggested adding a confidential advisory letter to the motion. Mr. Baughman retracted the suggestion. Mr. Baughman seconded Mr. Peterson’s original motion. The motion passed 3-1.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Eric Freas | Bart Peterson | Charles Baughman | Jennifer Fadeley |
| Yay | X | X | X |  |
| Nay |  |  |  | X |
| Recused |  |  |  |  |
| Abstained |  |  |  |  |

Mark Kyger

Ms. Whiteford stated that Mr. Kyger’s license expired on 6/1/16 and his renewal application was received on 9/6/16, including his statement and all fees. She also stated that she verified Mr. Kyger was licensed in Minnesota during the time his Arizona license was expired.

Mr. Baughman moved the Board approve the reinstatement of Mr. Kyger’s license. Mr. Peterson seconded the motion. The motion passed 4-0.

* 1. Incomplete Initial Applications: (Missing Documents)

|  |  |  |  |
| --- | --- | --- | --- |
| First Name | Last Name | Deficiency Ltr Sent | Comments |
| Chelsea | Falconer | 9/13/2016 | Need BOC cert. & license verification from IL |
| Richard | Gill | 9/28/2016 | Need license verification from VA and letter stating whether or not practicing. |

* 1. Incomplete Renewal Applications: (Missing Documents)

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| License # | First Name | Last Name | Status | License Expires | Deficiency Ltr Sent | Comments |
| 0281 | Ricardo | Moreno | Active | 7/1/2016 | 7/11/2016 | Need Reinstatement Fee/F/P(fee). Statement if practiced. |
| 1090 | David | Smith | Active | 9/1/2016 | 8/26/2016 | Page 3 incomplete returned for completion. |

Mr. Freas asked Ms. Whiteford if there were any issues with the incomplete applications listed in item 6(e) and 6(f). Ms. Whiteford stated that the only possible issue is that Mr. Moreno’s license expired on 7/1/16. The Board directed staff to contact Mr. Moreno to remind him that his application is not complete.

1. **REVIEW, DISCUSSION, AND POSSIBLE ACTION – BOARD BUSINESS AND REPORTS**
	1. Executive Director’s Report – Ms. Whiteford provided an update on the following items. No action was required
		1. Financial Report
		2. Review Recent Board Staff Activities
	2. Administrative Project Status
		1. Policies and Procedures – No update.
		2. Board Automation – No update.
		3. Mandatory Board Member Training – No update.
		4. Check Scanning and Remote Deposit – No update.
		5. Five Year Rule Review – Ms. Whiteford reported that the Five Year Rule Review Report is schedule to be discussed at GRRC’s study session on 10/25/16 and at the 11/01/16 GRRC regular council meeting.
		6. Fiscal Year 2018 Budget – No update
	3. Possible Changes to Deficiency Letter Verbiage

Mr. Freas moved the Board go into executive session to obtain legal advice. Ms. Fadeley seconded the motion. The motion passed 4-0. The Board left regular session at 10:29.

Upon returning to regular session at 10:36, Mr. Freas directed Ms. Whiteford to pursue adding a rule that would allow the Board to require a statement from the reinstating applicant’s employer as to whether the applicant practiced while the license was expired.

* 1. Possible Move of Staff Office to 1740 W. Adams – Ms. Whiteford informed the Board that the Arizona Department of Administration is studying the possibility of moving a majority of the health regulatory Board offices to 1740 W. Adams.
1. **FUTURE AGENDA ITEMS**

There were no items suggested for the November agenda.

1. **CALL TO THE PUBLIC**

No members of the public stepped forward to comment.

1. **ADJOURNMENT**

Mr. Freas moved the Board adjourn the meeting. Mr. Peterson seconded the motion. The motion passed 4-0. The Board meeting adjourned at 10:40 a.m.

Respectfully Submitted,

Karen Whiteford

Executive Director