



ARIZONA BOARD OF ATHLETIC TRAINING
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REGULAR SESSION MEETING MINUTES
November 4, 2019

Board Members Present via Webex: Eric Freas, ATC – Chair
Chuck Baughman, ATC – Vice-Chair
Bart Peterson, ATC – Athletic Trainer Member
Jennifer Fadeley – Public Member
Cheryl Ingram – Public Member

Board Members Absent: None

Staff Present: Karen Whiteford – Executive Director
Amber Jones – Administrative Assistant

Legal Staff Present: Sabrina Khan – Assistant Attorney General

Location: 1740 West Adams Street, Conference Room 1024
Phoenix, Arizona 85007

- 1) **CALL TO ORDER** –Mr. Freas called the meeting to order at 9:32 a.m.
- 2) **ROLL CALL**
The following Board members were present: Eric Freas, Chuck Baughman, Bart Peterson, Jennifer Fadeley, and Cheryl Ingram
- 3) **DECLARATION OF CONFLICTS OF INTEREST**
No conflicts of interest were reported.
- 4) **DISCUSS, AMEND AND APPROVAL OF MINUTES**
 - a) Regular Session Meeting Minutes of October 7, 2019
Mr. Baughman moved the Board approve the regular session meeting minutes of October 7, 2019. Ms. Ingram seconded the motion. The motion passed 5-0 by roll call vote.
- 5) **REVIEW FUTURE BOARD MEETING SCHEDULE**
No conflicts with the future Board meeting schedule were reported.
 - a) December 2, 2019 – Webex
 - b) January 6, 2020 – In-Person
 - c) February 3, 2020 - Webex
- 6) **REVIEW, DISCUSSION, AND POSSIBLE ACTION - COMPLAINTS, HEARINGS, INVESTIGATIONS AND COMPLIANCE**
 - b) Status of Compliance with Board Order/Approval of Board Ordered CE
 - i) Randall Cohen, ATR-000274 – Review of Continuing Education Course Certificate

Ms. Whiteford explained that the continuing education course completed by Mr. Cohen had not been pre-approved by the Board. Mr. Peterson stated he thought the course should be accepted and that it would be good for others to take. Mr. Peterson moved the Board approve the continuing education course. Ms. Ingram seconded the motion. The motion passed 4-1 by roll call vote. Mr. Baughman voted nay and explained that the course did not apply to Mr. Cohen's disciplinary situation.

c) Review, Discussion, and Possible Action of Whether or Not to Open a Complaint

i) Ray Bryan, ATR-001577

Mr. Bryan was present and with his legal counsel, John Phebus. Mr. Phebus summarized the status of Mr. Bryan's case, stating that Mr. Bryan entered into a diversion agreement and the trespass charge will be dismissed in March of 2020. He further stated that the alleged offense did not affect patient safety. Mr. Bryan stated that he learned from his experience and apologized to the Board. Mr. Bryan verbally confirmed he met the requirements of the diversion program. Mr. Baughman made a motion to take no action against Mr. Bryan's license. Ms. Ingram seconded the motion. The motion passed 5-0 by roll call vote.

ii) William Yaw, ATR-001437

Ms. Whiteford stated that she received a tip regarding the arrest of William Yaw and followed up with a request for a copy of the police report. Mr. Baughman moved the Board open a complaint against Mr. Yaw. Ms. Fadeley seconded the motion. The motion passed 5-0 by roll call vote. Ms. Whiteford requested the Board go into executive session. Mr. Freas moved the Board go into executive session for legal advice. Mr. Baughman seconded the motion. The motion passed 5-0 by roll call vote. The Board entered executive session at 9:53 a.m. and returned to regular session at 10:00.

7) CONSENT AGENDA: REVIEW, CONSIDERATION, AND POSSIBLE ACTION ON APPLICATIONS FOR LICENSURE

Mr. Peterson moved the Board approve the consent agenda as presented. Mr. Baughman seconded the motion. The motion passed 5-0 by roll call vote.

a) Initial Applications (5)

Applicant: Last Name	Applicant First Name
Dominguez	Nevan
Johnson	Shanice
Okitsu	Kaita
Otero	Nicole
Wilson	Whitney

b) Renewal/Reinstatement Applications (29)

License Number	Applicant: Last Name	Applicant First Name	License Expiration Date	Application Type
ATR-001172	Bealer	Eric	8/6/2019	Reinstatement
ATR-001558	Costin	Claudia	11/5/2019	Renewal
ATR-000959	Forget	Stacey	10/1/2019	Renewal
ATR-001376	Guffey	Jesse	11/5/2019	Renewal
ATR-001214	Hansen	Kimberly	9/10/2018	Reinstatement
ATR-001541	Harder	Matthew	9/11/2019	Reinstatement
ATR-001339	Hodge	Brennen	11/7/2019	Renewal
ATR-009004	Long	Brian	11/4/2019	Renewal

ATR-001251	McNulty	Michael	12/1/2019	Renewal
ATR-001477	Mumaw	Nicole	12/3/2019	Renewal
ATR-009006	Nguyen	Jordan	11/4/2019	Renewal
ATR-001249	Orloski	Kevin	11/3/2019	Renewal
ATR-000633	Paladino	Jason	11/2/2019	Renewal
ATR-009013	Porterfield	Ronald	12/2/2019	Renewal
ATR-001241	Richards	Sara	10/6/2018	Reinstatement
ATR-001350	Rosauer	Joseph	11/2/2019	Renewal
ATR-001441	Semore	Meagan	11/2/2019	Renewal
ATR-000847	Spargo	Lindie	11/5/2019	Renewal
ATR-009007	Stewart	Kendall	11/4/2019	Renewal
ATR-001445	Trujillo	Joseph	11/1/2019	Renewal
ATR-000011	Valencia	John	11/1/2019	Renewal
ATR-000861	Wagnitz	Gretchen	11/1/2019	Renewal
ATR-001057	Warner	Brandon	11/1/2019	Renewal
ATR-000319	Weaver	Gayle	11/1/2019	Renewal
ATR-001683	Wheeler	Renita	10/11/2019	Renewal
ATR-009008	White	Jordan	11/4/2019	Renewal
ATR-000136	White	Laurie	11/1/2019	Renewal
ATR-000670	Wilson	Amanda	11/1/2019	Renewal
ATR-000790	Woodward	Courtney	11/1/2019	Renewal

8) REVIEW, CONSIDERATION, AND POSSIBLE ACTION ON APPLICATIONS FOR LICENSURE

- a) Initial Applications – Board Review
 - i) Allison Russell – Disclosure
Mr. Baughman moved the Board approve Ms. Russell’s initial application. Ms. Ingram seconded the motion. The motion passed 5-0 by roll call vote.
- b) Renewal Applications – Board Review
 - i) Julia Nicholson, ATR-001594 – Reinstatement and Disclosure
Ms. Nicholson was present by phone. Mr. Baughman asked Ms. Nicholson if she had completed the requirements of the court. Ms. Nicholson confirmed that she had. Mr. Baughman asked if the charges were dismissed. Ms. Nicholson stated that they would be dismissed in March of 2020. Ms. Whiteford stated that Ms. Nicholson’s application also required Board review for reinstatement and read the statement from Ms. Nicholson. Mr. Baughman moved the Board approve Ms. Nicholson’s renewal. Ms. Ingram seconded the motion. The motion passed 5-0 by roll call vote.

c) Incomplete Applications:

- i) Incomplete Initial Applications (1)

Applicant: Last Name	Applicant First Name
Chaloupka	Matthew

Mr. Freas asked if there were any concerns with Mr. Chaloupka’s application. Ms. Jones stated there were no concerns.

- ii) Incomplete Renewal/Reinstatement Applications (4)

License Number	Applicant: Last Name	Applicant First Name	License Expiration Date	Days in Current Status	Application Type
ATR-009003	Grubbs	David	11/4/2019	2	Renewal
ATR-001348	Gundy	Daniel	11/2/2019	22	Renewal
ATR-001527	Harvey	Joseph	8/7/2019	14	Reinstatement
ATR-001533	Lotshaw	Kellie	8/7/2019	2	Reinstatement

Mr. Freas asked if there were any concerns with any of the incomplete renewal/reinstatement applications. Ms. Jones stated she had attempted to contact Mr. Harvey twice by email and once by phone. Mr. Harvey submitted, by email, his statement regarding his practice the morning of the meeting (11/4/19). In his email, he stated that he had practiced since returning to work after surgery on August 7, 2019. Mr. Peterson moved the Board approve Mr. Harvey's reinstatement. Ms. Fadeley suggested combining the motion to approve and the motion for discipline into one motion. Mr. Baughman seconded the motion. The motion passed 4-1 by roll call vote. Ms. Fadeley stated she voted nay because, historically, practicing with an expired license is handled in one motion.

Mr. Freas moved the Board offer a consent agreement to Mr. Harvey, to include one year of probation, a \$250 civil penalty, and three hours of continuing education in medical ethics, for practicing approximately 100 days with an expired license. Mr. Baughman seconded the motion. The motion passed 5-0 by roll call vote.

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

- a) Executive Director's Report – Verbal Report and Discussion – No Action Required
 - i) Financial Report – Ms. Whiteford reported that the Board is projected to have approximately \$7,000 remaining at the end of the fiscal year.
 - ii) Review of Recent Board Staff Activities – Ms. Whiteford stated that Board staff activities have been normal.
 - iii) Statistics – Ms. Whiteford summarized the current licensee statistics.
 - (1) 847 current licensees
 - (2) Six active consent agreements – Next item due 11/17/19
 - (3) Six open investigations
- c) Administrative Project Status
 - i) Policies and Procedures – Updating.
 - ii) Board Automation (eLicensing) – No update.
 - iii) CE Broker Implementation – Need to send out announcement.
 - iv) Administrative Process Changes to Statutes – Met with Senator Brophy McGee on October 30.
 - v) Proposed Rule Revisions – No update.
- d) Other Board Business and Reports
 - i) Update on Board Appointments – Ms. Whiteford stated that the Governor's Office of Boards and Commissions stated that she could expect news on appointments shortly.
 - ii) Review of Legislation from Fifty-Fourth Legislature, First Regular Session 2019 – Ms. Khan summarized the legislation that impacts the Board.

10) REVIEW, DISCUSSION, AND POSSIBLE ACTION OF WHETHER TO DELEGATE AUTHORITY TO APPROVE LICENSES TO EXECUTIVE DIRECTOR PURSUANT TO A.R.S. § 32-3123

Mr. Freas moved the Board grant authority to the executive director to approve licenses. Mr. Baughman seconded the motion. The motion passed 5-0 by roll call vote.

11) REVIEW, CONSIDERATION, AND POSSIBLE ACTION ON BOARD POLICIES AND PROCEDURES

- a) Executive Director Review, Approval, and Issuance of Initial, Renewal, and Reinstatement of Licenses
Mr. Peterson moved the Board approve the policy and procedures, with the removal of the last paragraph on page two, and the addition of including a list of approved licenses on the Board meeting agenda for ratification. Mr. Freas seconded the motion. The motion passed 5-0 by roll call vote.

12) FUTURE AGENDA ITEMS

- a) Sunrise Application by the Arizona Athletic Trainers' Association

13) CALL TO THE PUBLIC

- a) David Mesman stated that the AZATA Luncheon on the Lawn will be on January 16, 2020, and requested the Board move the January meeting date to the 16th.

14) ADJOURNMENT

Ms. Ingram moved the Board adjourn at 10:42 a.m. Mr. Peterson seconded the motion. The motion passed 5-0 by roll call vote. The meeting adjourned at 10:42 a.m.

Respectfully Submitted,

Karen Whiteford
Executive Director