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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

F I N A L M I N U T E S

MEETING OF:

STATE BOARD OF PHYSICAL THERAPY

TIME: 9:07 A.M.

PENNSYLVANIA DEPARTMENT OF STATE
Board Room B
One Penn Center
2601 North Third Street
Harrisburg, Pennsylvania 17110

July 20, 2017

State Board of Physical Therapy
July 20, 2017

BOARD MEMBERS:

Cynthia Potter, PT, Chairperson - Absent
Kathryn Waters, Deputy Commissioner of Professional
and Occupational Affairs
Sandra Campbell, PT
Gary L. Coburn
Jeffrey R. Elliott
Tammy S. Frey, PTA, Secretary, Acting Chairperson
Geraldine Grzybek, PT
David Kozich, PT, Vice Chairperson - Absent
Rachel Levine, MD, Physician General - Absent
Jeremy Robb, Attorney General's Office designee
Timothy M. Schell, PT - Absent

BUREAU PERSONNEL:

Teresa Lazo, Esquire, Board Counsel
Michelle Roberts, Board Administrator
Andrea Costello, Esquire, Board Prosecutor
Steven A. Mimm, Esquire, Board Prosecutor
Jason Anderson, Esquire, Board Prosecutor
Paul J. Jarabeck, Esquire, Board Prosecution Liaison

ALSO PRESENT:

Robert Esgro, Esquire
Ted Mowatt, APA
Samantha Wolfe, Intern, Wanner Associates
John Baughman, Select Medical

1 ***

2 State Board of Physical Therapy

3 July 20, 2017

4 ***

5 The regularly scheduled meeting of the State
6 Board of Physical Therapy was held on Thursday, July
7 20, 2017.

8 ***

9 Official Call to Order

10 [Tammy S. Frey, PTA, Secretary, Acting Chairperson,
11 officially called the meeting to order at 9:07 a.m.
12 Roll call was taken.

13 Cynthia Potter, PT, Chairperson, David Kozich,
14 PT, Vice Chairperson and Timothy M. Schell, PT, were
15 noted to be absent. Kathryn Waters, Deputy
16 Commissioner of Professional and Occupational Affairs,
17 and Rachel Levine, M.D., Physician General, were not
18 present at the commencement of the meeting. A quorum
19 was noted to be present.]

20 ***

21 [Ms. Roberts cautioned all to be careful when entering
22 and exiting the building due to sidewalk
23 construction.]

24 ***

25 Introduction of Audience

1 [Acting Chairperson Frey requested the introduction of
2 audience members in attendance.]

3 ***

4 Approval of Minutes of the May 18, 2017 meeting

5 ACTING CHAIRPERSON FREY:

6 Do I have a motion to approve those as
7 is?

8 MR. ELLIOTT:

9 I move to approve the Minutes as is.

10 MS. CAMPBELL:

11 Second.

12 ACTING CHAIRPERSON FREY:

13 All in favor? Abstentions?

14 [The motion carried. Geraldine Grzybek abstained from
15 voting on the motion.]

16 ***

17 Report of Prosecutorial Division

18 [Andrea Costello, Esquire, Board Prosecutor, presented
19 a Consent Agreement for File No. 17-65-02440.]

20 ***

21 [Steven A. Mimm, Esquire, Board Prosecutor, presented
22 a Consent Agreement for File No. 13-65-00755.]

23 ***

24 [Jason Anderson, Esquire, Board Prosecutor, presented
25 Consent Agreements for File No. 15-65-05854, File No.

1 17-65-04843, File No. 14-65-02104, and File No.
2 14-65-03214.]

3 ***

4 Report of Board Chairperson - No Report

5 ***

6 Report of Board Counsel

7 [Teresa Lazo, Esquire, Board Counsel, noted the
8 Consent Agreements, a Final Adjudication and Order,
9 and an application to be discussed during Executive
10 Session.]

11 Ms. Lazo stated Mr. Blackburn is finalizing the
12 regulations. She stated the Act 38 corrections that
13 were published as proposed in May 2016 were sent to
14 Regulatory Counsel for review in January of this year
15 to meet the deadline.]

16 ***

17 [Kathryn Waters, Deputy Commissioner, entered the
18 meeting at 9:17 a.m.]

19 ***

20 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
21 9:17 a.m. the Board entered into Executive Session
22 with Teresa Lazo, Esquire, Board Counsel, for the
23 purpose of conducting quasi-judicial deliberations.
24 The Board returned to open session at 9:57 a.m.]

25 ***

1 MOTIONS

2 MS. LAZO:

3 The Board met in Executive Session to
4 conduct quasi-judicial deliberations on
5 the following matter: In the matter of
6 File No. 17-65-02440 at Number 2 on your
7 agenda.

8 Based on discussions in Executive
9 Session, I recommend a motion to adopt
10 the Consent Agreement as presented.

11 ACTING CHAIRPERSON FREY:

12 Do we have anybody to make a motion,
13 please?

14 MR. COBURN:

15 So moved.

16 MS. CAMPBELL:

17 Second.

18 ACTING CHAIRPERSON FREY:

19 All in favor? Any opposed? Any
20 abstentions?

21 [The motion carried unanimously.]

22 ***

23 MS. LAZO:

24 The next matter that the Board
25 deliberated in Executive Session is

1 Number 3 on your agenda, File No.
2 13-65-00755.

3 Based on discussions in Executive
4 Session, I recommend a motion to approve
5 the Consent Agreement as presented.

6 ACTING CHAIRPERSON FREY:

7 Do we have someone to make a motion,
8 please?

9 MS. GRZYBEK:

10 So moved.

11 MS. CAMPBELL:

12 Second.

13 ACTING CHAIRPERSON FREY:

14 Any abstentions? Anybody opposed?

15 [The motion carried unanimously. The Respondent's
16 name is Martin Ciner, PT.]

17 ***

18 MS. LAZO:

19 Number 4 is next on your agenda, and
20 that is File No. 15-65-05854.

21 Based on discussions in Executive
22 Session, I recommend a motion to adopt
23 the Consent Agreement as presented.

24 ACTING CHAIRPERSON FREY:

25 Can we please have a motion to approve?

1 MR. ROBB:

2 I'll make that motion.

3 ACTING CHAIRPERSON FREY:

4 Second?

5 MR. ELLIOTT:

6 Second.

7 ACTING CHAIRPERSON FREY:

8 All in favor? Those opposed? Any
9 abstentions?

10 [The motion carried unanimously. The Respondent's
11 name is Laurie A. Cavage, aka Laurie A. Griggs, PTA.]

12 ***

13 MS. LAZO:

14 Number 5 on the agenda is File No. 17-
15 65-04843.

16 Based on discussions in Executive
17 Session, I recommend a motion to accept
18 the Consent Agreement as presented.

19 ACTING CHAIRPERSON FREY:

20 Can we please have a motion to approve?

21 MS. GRZYBEK:

22 So moved.

23 MS. CAMPBELL:

24 Second.

25 ACTING CHAIRPERSON FREY:

1 Anybody opposed? Any abstentions?
2 [The motion carried unanimously. The Respondent's
3 name is Dennis Albert Larkin Jr., PTA.]

4 ***

5 MS. LAZO:

6 At Number 6 on your agenda,
7 File No. 14-65-02104, based on
8 discussions in Executive Session, I
9 recommend a motion to accept the Consent
10 Agreement as presented.

11 MR. ROBB:

12 I'll make that motion.

13 MR. ELLIOTT:

14 Second.

15 ACTING CHAIRPERSON FREY:

16 Any opposed? Any abstentions?
17 [The motion carried unanimously. The Respondent's
18 name is Ira Neil Silverstein, PT.]

19 ***

20 MS. LAZO:

21 At Number 7 on your agenda, File No.
22 14-65-03214, based on discussions in
23 Executive Session, I recommend a motion
24 to accept the Consent Agreement as
25 presented.

1 ACTING CHAIRPERSON FREY:

2 Would someone make a motion to accept?

3 MR. ROBB:

4 I'll make that motion.

5 MS. CAMPBELL:

6 Second.

7 ACTING CHAIRPERSON FREY:

8 Thank you. Anybody opposed? Any
9 abstentions?

10 [The motion carried unanimously. The Respondent's
11 name is Aaron Travis Gibbs, PT.]

12 ***

13 MS. LAZO:

14 At Number 9 on your agenda is the draft
15 of the Final Adjudication and Order that
16 I prepared on your behalf in the matter
17 of Commonwealth vs. Delisa Ann
18 Dickerson, PTA, File No. 15-65-04944,
19 Docket No. 2399-65-16.

20 Based on discussions in Executive
21 Session, I recommend a motion to approve
22 that Final Adjudication and Order.

23 ACTING CHAIRPERSON FREY:

24 Can we have a motion to approve?

25 MS. CAMPBELL:

1 So moved.

2 ACTING CHAIRPERSON FREY:

3 Second?

4 MR. ROBB:

5 Second.

6 ACTING CHAIRPERSON FREY:

7 Thank you. Opposed? All in favor, say
8 aye. Those opposed? Any abstentions?

9 [The motion carried unanimously.]

10 ***

11 MS. LAZO:

12 Finally, Number 10 on the agenda, the
13 Application of Gabriel Cortes for
14 physical therapist assistant license.

15 Based on discussions in Executive
16 Session, I recommend a motion to grant
17 the application.

18 ACTING CHAIRPERSON FREY:

19 Can we have a motion to approve?

20 MR. ELLIOTT:

21 So moved.

22 ACTING CHAIRPERSON FREY:

23 Thank you. Second?

24 MR. ROBB:

25 I'll second.

1 ACTING CHAIRPERSON FREY:

2 All in favor? Those opposed? Any
3 abstentions?

4 [The motion carried unanimously.]

5 ***

6 Report of Commissioner - No Report

7 ***

8 Report of Board Administrator

9 [Michelle Roberts, Board Administrator, referred Board
10 members to a listing of the proposed 2018 dates.

11 Ms. Roberts informed the Board members that Tim
12 Schell is the sole member of the Probable Cause
13 Committee, but noted that there should soon be at
14 least two members on that committee.

15 Paul J. Jarabeck, Esquire, Prosecution Liaison,
16 provided information with regard to the
17 responsibilities of the Probable Cause Committee.

18 Mr. Jarabeck explained the three types of
19 probable cause cases, including Petition for Immediate
20 Temporary Suspension, Petition for Appropriate Relief,
21 and Petition for a Mental and Physical Examination.

22 Mr. Jarabeck further explained that Board members
23 involved in a preliminary decision are then recused
24 from the decision-making process.

25 Mr. Jarabeck answered questions and further

1 discussed the Probable Cause Committee
2 responsibilities.

3 Mr. Jarabeck noted that the biggest real-time
4 commitment would be to review the petition and then be
5 prepared to ask questions.

6 Sandra Campbell, PT, requested to be considered
7 as a member of the committee.]

8 ***

9 Miscellaneous

10 For Your Information

11 [Acting Chairperson Frey referred Board members to the
12 Case Status Report and DOS Communications Report for
13 review.]

14 ***

15 Board Meeting Dates

16 [Acting Chairperson Frey noted the listings of the
17 Remaining 2017 Board meeting dates and Proposed 2018
18 dates for the Board's review.]

19 ***

20 Adjournment

21 ACTING CHAIRPERSON FREY:

22 I would like to ask for a motion for
23 adjournment.

24 MR. ELLIOTT:

25 So moved.

1 ACTING CHAIRPERSON FREY:

2 Second?

3 MR. ROBB:

4 I'll second that.

5 ACTING CHAIRPERSON FREY:

6 All in favor?

7 [The motion carried unanimously.]

8 ***

9 [The State Board of Physical Therapy meeting adjourned
10 at 10:07 a.m.]

11 ***

12 [The next Board meeting is September 21, 2017.]

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CERTIFICATE

I hereby certify that the foregoing summary minutes of the State Board of Physical Therapy meeting, was reduced to writing by me or under my supervision, and that the minutes accurately summarize the substance of the State Board of Physical Therapy meeting.



Ashley Hoover,

Minute Clerk

Sargent's Court Reporting
Service, Inc.

STATE BOARD OF PHYSICAL THERAPY
REFERENCE INDEX
July 20, 2017

	TIME	AGENDA
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6		
7	9:07	Official Call to Order
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9	9:07	Roll Call
10		
11	9:09	Approval of Minutes
12		
13	9:10	Report of Prosecutorial Division
14		
15	9:16	Report of Board Counsel
16		
17	9:17	Executive Session
18	9:57	Return to Open Session
19		
20	9:57	Motions
21		
22	10:02	Report of Board Administrator
23		
24	10:06	Miscellaneous
25		
26	10:07	Adjournment
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