

**PHYSICAL THERAPY COMMITTEE**  
**INDIANA GOVERNMENT CENTER SOUTH**  
**402 WEST WASHINGTON STREET**  
**ROOM W064**  
**INDIANAPOLIS, INDIANA 46204**

**MINUTES OF AUGUST 6, 2014**

Megan Certo, P.T. called the meeting to order at 9:07 a.m. and declared a quorum in accordance with IC 25-23.5.

Members Present: Megan Certo, P.T., Chairman  
Deborah Reed, P.T., Vice Chairman  
Maria Fletcher, M.D., Member  
Heather Freeman, P.T., Member

Staff Present: Michael A. Minglin, J.D., Board Director  
Professional Licensing Agency  
Jody Edens, Assistant Board Director  
Professional Licensing Agency  
Gordon White, Deputy Attorney General  
Office of the Attorney General

The Committee voted to adopt the agenda.

Participating Committee Members: Megan Certo, P.T., Deborah Reed, P.T.,  
Maria Fletcher, M.D., Heather Freeman, P.T.

Fletcher/Freeman, 4/0/0  
Motion carries

The Committee voted to adopt the minutes of the May 14, 2014 meeting.

Participating Committee Members: Megan Certo, P.T., Deborah Reed, P.T.,  
Maria Fletcher, M.D., Heather Freeman, P.T.

Freeman/Reed, 4/0/0  
Motion carries

## PERSONAL APPEARANCES

The following appeared before the Committee for a personal appearance:

**Christopher Jack, P.T.A., License No. 060003701A:** Mr. Jack appeared before the Committee regarding a positive response on his renewal application and was not represented by counsel.

Participating Committee Members: Megan Certo, P.T., Deborah Reed, P.T., Maria Fletcher, M.D., Heather Freeman, P.T.

January 2014 he was arrested and at this time no charges have been filed as state is waiting for the results of a blood test.

After hearing testimony and reviewing the documentation, the Committee moved to NEITHER RENEW NOR DENY but to REFER THIS MATTER TO THE ATTORNEY GENERAL'S OFFICE for investigation in accordance with IC 25-1-5-4(g)(4). The status of his certification will be "Valid to practice while reviewed" allowing Mr. Jack to continue to practice while the AG's Office investigates this matter.

Reed/Fletcher, 4/0/0  
Motion carries

**April Priest, P.T., License No. 05003084A:** Ms. Priest appeared before the Committee regarding a positive response on her renewal application and was not represented by counsel.

Participating Committee Members: Megan Certo, P.T., Deborah Reed, P.T., Maria Fletcher, M.D., Heather Freeman, P.T.

August 20, 2012 Ms. Priest plead guilty to driving under the influence, her BAC was 0.21.

She was placed on probation for 363 days. Probation included completion of a drug and alcohol program, urine drug tests, destructive discussion panel, court costs, and 40 hours of community service.

She successfully completed her probation in November 2013.

After hearing testimony and reviewing the documentation, the Committee moved to APPROVE Ms. Priest's renewal application.

Reed/Fletcher, 4/0/0  
Motion carries

**Sara Clark, P.T.A., License No. 06002650A:** Ms. Clark appeared before the Committee regarding positive responses on her renewal application and was not represented by counsel.

Participating Committee Members: Megan Certo, P.T., Deborah Reed, P.T., Maria Fletcher, M.D., Heather Freeman, P.T.

June 2013 Ms. Clark was charged with driving under the influence, which was later dismissed and she was charged with reckless driving. Her BAC was .14.

She completed an assessment and 8 hours of drug and alcohol classes. She indicated that she does not continue to use alcohol.

After hearing testimony and reviewing the documentation, the Committee moved to APPROVE Ms. Clark's renewal application.

Fletcher/Reed, 4/0/0  
Motion carries

**Timothy Ryan, P.T.A., License No. 06004272A:** Mr. Ryan appeared before the Committee regarding a positive response on his renewal application and was not represented by counsel.

Participating Committee Members: Megan Certo, P.T., Deborah Reed, P.T., Maria Fletcher, M.D., Heather Freeman, P.T.

Mr. Ryan was terminated for fraudulent billing. On two (2) separate days he clocked in at work and then left. He then billed for two (2) patients during this time.

He indicated he started a new job in December 2012 and has not had any problems with his work or billing procedures.

After hearing testimony and reviewing the documentation, the Committee moved to APPROVE Mr. Ryan's renewal application on AGREED INDEFINITE PROBATION may not lift for six (6) months with terms and conditions.

Freeman/Fletcher, 4/0/0  
Motion carries

**Robert Davis, P.T.A., License No. 06004223A:** Mr. Davis appeared before the Committee regarding a positive response on his renewal application and was not represented by counsel.

Participating Committee Members: Megan Certo, P.T., Deborah Reed, P.T., Maria Fletcher, M.D., Heather Freeman, P.T.

In April 2013, he pled guilty to operating a vehicle while intoxicated after he was involved in an accident. He swerved to miss a deer and ended up in a ditch. His BAC was 0.13.

He was placed on non-reporting probation. His probation should be completed on October 7, 2014.

He hasn't had a drink for the past eight (8) months.

After hearing testimony and reviewing the documentation, the Committee moved to APPROVE Mr. Davis' renewal application on AGREED INDEFINITE PROBATION may not lift for two (2) months with terms and conditions.

Fletcher/Freeman, 4/0/0  
Motion carries

**Joseph Milnar, P.T.A., License No. 06004411A:** Mr. Milnar appeared before the Board regarding a positive response on his renewal application and was not represented by counsel.

Participating Committee Members: Megan Certo, P.T., Deborah Reed, P.T., Maria Fletcher, M.D., Heather Freeman, P.T.

In a plea agreement Mr. Milnar pled no contest to attempted first degree criminal sexual conduct (CSC), with a Cobbs agreement from the Court that Mr. Milnar's sentence would be limited to a maximum of six (6) months in jail. If he complies with the terms of his sentence, he would be allowed to withdraw his no-contest plea after one (1) year, and at that time, his conviction would enter on the record as a conviction to the fourth (4<sup>th</sup>) degree CSC

He received five (5) years probation of which he has three and a half (3.5) remaining. He was incarcerated for four (4) months with the rest of his six (6) months served under house arrest.

He is required to register as a sex offender.

He last worked as a physical therapist assistant in January 2013.

Mr. Milnar admitted to the Committee that he has not completed his continuing competency for the renewal of his license even though when he submitted the renewal he was attesting that he had completed it.

After hearing testimony and reviewing the documentation, the Committee moved to DENY Mr. Milnar's renewal application.

Freeman/Fletcher, 3/1/0 with Ms. Reed opposed  
Motion carries

**John Marshala, P.T.A., License No. 06004423A:** Mr. Marshala appeared before the Committee regarding a positive response on his renewal application and was not represented by counsel.

Participating Committee Members: Megan Certo, P.T., Deborah Reed, P.T., Maria Fletcher, M.D., Heather Freeman, P.T.

Mr. Marshala pled guilty to operating a vehicle while intoxicated. His BAC was 0.15. This was his second offense of this nature.

He was placed on one (1) year probation which included the following:

- 180 hours community service
- Court costs/fine totaling \$1,355.00
- Attend victims impact program
- Thirteen (13) weekends attending Putman County Alcohol/Drug program
- Drivers license was suspended for 180 days

He successfully completed his probation and was released on May 1, 2014.

After hearing testimony and reviewing the documentation, the Committee moved to APPROVE Mr. Marshala's renewal application.

Fletcher/Freeman, 4/0/0  
Motion carries

**Harsh Parikh, P.T., License No. 05010387A:** Mr. Parikh appeared before Megan Certo, P.T., regarding a positive response on his renewal application and was not represented by counsel.

Participating Committee Member: Megan Certo, P.T.

Mr. Parikh informed the Board that in 2013 he was arrested for retail fraud. He indicated that he was shopping and the store had a sidewalk sale. He took his cart with items in it, outside to shop the sidewalk sale. He was then arrested.

The case was dismissed with prejudice in July 2013.

After hearing testimony and reviewing the documentation, Ms. Certo recommended APPROVAL of Mr. Parikh's renewal application.

A motion was made and seconded to APPROVE Ms. Certo's recommendation of Mr. Parikh's renewal application.

Reed/Freeman, 4/0/0  
Motion carries

**Anita Shipley, P.T.A., License No. 06004034A:** Ms. Shipley appeared before Megan Certo, P.T., regarding a positive response on her renewal application and was not represented by counsel.

Participating Committee Member: Megan Certo, P.T.

In May/June 2012 Ms. Shipley was charged with operating a vehicle while intoxicated endangering another person with a BAC over 0.15.

She was evaluated at Oaklawn South Bend Addictions by Mary Jean Osberger, SW, LCSW, LCAC, SAP. Her evaluation indicated no further treatment was necessary.

Ms. Shipley completed her substance abuse education program through the courts and was successfully terminated from probation in August 2013.

After hearing testimony and reviewing the documentation, Ms. Certo recommended APPROVAL of Ms. Shipley's renewal application.

A motion was made and seconded to APPROVE Ms. Certo's recommendation of Ms. Shipley's renewal application.

Reed/Freeman, 4/0/0  
Motion carries

**Tanyssa Lortie, P.T.A., License No. 06004698A:** Ms. Lortie appeared before Megan Certo, P.T., regarding a positive response on her renewal application and was not represented by counsel.

Participating Committee Member: Megan Certo, P.T.

Ms. Lortie was arrested and charged with driving while intoxicated. Her BAC was 1.8.

She was sentenced on July 28, 2014 and received 1 year supervised probation, suspended jail sentence, driver's license suspended for ninety (90) days.

After hearing testimony and reviewing the documentation, Ms. Certo recommended APPROVAL on AGREED INDEFINITE PROBATION may not lift for six (6) months with terms and conditions.

A motion was made and seconded to APPROVE Ms. Certo's recommendation of Ms. Lortie's renewal application.

Fletcher/Freeman, 4/0/0  
Motion carries

**Jeanmarie Rorick, P.T., License No. 05002220A:** Ms. Rorick appeared before Megan Certo, P.T., regarding a positive response on her renewal application and was not represented by counsel.

Participating Committee Member: Megan Certo, P.T.

Ms. Rorick was arrested and pled nolo contendere to a domestic battery charge. She entered into a pre-trial diversion program which will be dismissed on August 27, 2014.

Ms. Rorick indicated in court and to the Committee that she was trying to get her boyfriend to leave her house and he scratched himself. She then called the police to have him removed from her home and when the police arrived he accused her of scratching him. The police arrested her for domestic violence.

No drugs or alcohol was involved on her part.

After hearing testimony and reviewing the documents, Ms. Certo recommended APPROVAL of Ms. Rorick's renewal application.

A motion was made and seconded to APPROVE Ms. Certo's recommendation of Ms. Rorick's renewal application.

Reed/Freeman, 4/0/0

Motion carries

**Bobbi Preston, P.T., License No. 05008961A:** Ms. Preston appeared before Megan Certo, P.T., regarding a positive response on her renewal application and was represented by counsel, Jim Stultz.

Participating Committee Member: Megan Certo, P.T.

Ms. Preston explained that she thought she had the Physician's permission to write a school note for her son's absence.

The Physician was informed and he indicated that he did not give his permission.

Ms. Preston was terminated for violating policy.

After hearing testimony and reviewing the documentation, Ms. Certo recommended APPROVAL of Ms. Preston's renewal application.

A motion was made and seconded APPROVING Ms. Certo's recommendation of Ms. Preston's renewal application.

Reed/Freeman, 4/0/0

Motion carries

**Stephen Radice, P.T., License No. 05006325A:** Mr. Radice appeared before Megan Certo, P.T., regarding a positive response on his renewal application and was not represented by counsel.

Participating Committee Member: Megan Certo, P.T.

Mr. Radice was arrested on suspension of driving while intoxicated on August 11, 2012 and he pled guilty to driving while intoxicated on December 10, 2012.

His BAC was 0.17.

He was placed on probation for 361 days. The first three (3) months of the probation was a reporting probation. The rest was non-reporting.

He completed the victim's impact panel; random urine drug screens and paid the court cost/fines in the amount of \$540.00

He also attended individual counseling sessions at St. Francis Hospital, which he completed on January 10, 2013.

After hearing testimony and reviewing documentation, Ms. Certo recommended APPROVAL of Mr. Radice's renewal application.

A motion was made and seconded to APPROVE Ms. Certo's recommendation of Mr. Radice's renewal application.

Reed/Freeman, 4/0/0  
Motion carries

**Raymond Erpe, P.T.A., License No. 06004665A:** Mr. Erpe appeared before Megan Certo, P.T., regarding a positive response on his renewal application and was not represented by counsel.

Participating Committee Member: Megan Certo, P.T.

Mr. Erpe stated that he was arrested and found guilty of operating a vehicle while intoxicated in May 2013. His BAC was .09.

He was placed on probation for one (1) year, but was released after six (6) months.

His probation consisted of the following:

- Victim Impact Program
- Substance abuse evaluation and treatment
- Drivers license suspended for ninety (90) days
- Sixty (6) days incarceration in the Hendricks County Jail with 2 days credited and 58 days suspended.
- Monthly probationary visits
- Random drug screens

After hearing testimony and reviewing documentation, Ms. Certo recommended APPROVAL of Mr. Erpe's renewal application.

A motion was made and seconded to APPROVE Ms. Certo's recommendation of Mr. Erpe's renewal application.



Reed/Freeman, 4/0/0  
Motion carries

**Dana Robinson, P.T., License No. 05011279A:** Ms. Robinson appeared before Megan Certo, P.T., regarding a positive response on her renewal application and was not represented by counsel.

Participating Committee Member: Megan Certo, P.T.

Ms. Robinson explained that she received a warning letter from the North Carolina Physical Therapy Board for insufficient documentation.

After hearing testimony and reviewing documentation received Ms. Certo moved to APPROVE Ms. Robinson's renewal application.

A motion was made and seconded to APPROVE Ms. Certo's recommendation of Ms. Robinson's renewal application.

Reed/Fletcher, 4/0/0  
Motion carries

**Roger Williams, P.T., License No. 05000850A:** Mr. Williams appeared before Megan Certo, P.T., regarding a positive response on his renewal application and was not represented by counsel.

Participating Committee Member: Megan Certo, P.T.

Mr. Williams was arrested and convicted of operating a vehicle under the influence in 2013.

He was placed on one (1) year probation with the following requirements:

- Eight (8) week intensive outpatient therapy
- Weekly AA meetings
- Complete disruptive behavior program

This was his second arrest involving alcohol. He was also arrested back in 1992.

He has not had any type of alcohol since July 26, 2013.

After hearing testimony and reviewing documentation, Ms. Certo moved to recommend APPROVAL on AGREED INDEFINITE PROBATION may not lift until the criminal probation has been lifted with terms and conditions.

A motion was made and seconded to APPROVE Ms. Certo's recommendation of Mr. Williams' renewal application.

Reed/Fletcher, 4/0/0  
Motion carries

**Brian Gonzalez, P.T.A., Examination Application:** Mr. Gonzalez appeared before Megan Certo, P.T., regarding a positive response on his examination application and was not represented by counsel.

Participating Committee Member: Megan Certo, P.T.

Mr. Gonzalez stated he has had four (4) arrests involving alcohol from 2005 to 2007.

December 31, 2011 is his sobriety date. He indicated he has a good support group.

After hearing testimony and reviewing the documentation, Ms. Certo moved to recommend APPROVAL of Mr. Gonzalez's examination application.

A motion was made and seconded to APPROVE Ms. Certo's recommendation of Mr. Gonzalez' examination application.

Reed/Fletcher, 4/0/0  
Motion carries

**Kayla Benson, P.T.A., Examination Application:** Ms. Benson appeared before Megan Certo, P.T., regarding a positive response on her examination application and was not represented by counsel.

Participating Committee Member: Megan Certo, P.T.

Ms. Benson has had two arrests involving alcohol.

In September 2007 she was arrested and pled guilty to operating a vehicle while intoxicated. She received one (1) year probation and had to attend a two (2) day alcohol class.

In May 2013 she was arrested for public intoxication. She entered into a pre-trial diversion program which consisted of one (1) year probation; court costs; five (5) AA meeting and 12 weeks in the Peace Counseling program She completed her probation in May 2014.

After hearing testimony and reviewing the documentation, Ms. Certo recommended APPROVAL of Ms. Benson's examination application.

A motion was made and seconded to APPROVE Ms. Certo's recommendation of Ms. Benson's examination application.

Reed/Freeman, 4/0/0  
Motion carries

**Matthew Murphey, P.T.A., Examination Application:** Mr. Murphey appeared before Megan Certo, P.T.; regarding information received by the Committee on his examination application and was represented by counsel, Ronald Elberger.

Participating Committee Member: Megan Certo, P.T.

Mr. Murphey did not answer yes to any of the questions on his examination application but his criminal background check indicates arrests.

Mr. Murphey explained that in 1997 he was arrested with several others as no one owned up to the marijuana and tobacco pipe that was found by the police during a party. The police were called due to a noise complaint. He entered into a diversion program which consisted of twenty (20) hours of community service; \$270 costs; education class; random urine drug screens. He completed the probation successfully and charges were dropped.

In 2006, he tried to hide from the police after a bunch of his friends and himself were speeding and riding wheelies on their motorcycles. He was arrested and charged with resisting law enforcement/fleeing a class D Felony. Later the charge was amended to resisting law enforcement a class A misdemeanor to which he pled guilty. He was sentenced to 365 days incarceration with 2 days credit and 363 days suspended. He was placed on probation and required to do sixty (60) hours community service; \$500 costs; DNA testing.

He explained to Ms. Certo that he thought the diversion program was the same as an expungement and that is why he didn't report these incidents on his application.

After hearing testimony and reviewing the documentation Ms. Certo recommended APPROVAL of Mr. Murphey's examination application.

A motion was made and seconded to APPROVE Ms. Certo's recommendation of Mr. Murphey's examination application.

Reed/Freeman, 4/0/0  
Motion carries

**Aaron Crafton, P.T.A., Examination Application:** Mr. Crafton appeared before Megan Certo, P.T., regarding positive responses on his examination application and was not represented by counsel.

Participating Committee Member: Megan Certo, P.T.

Mr. Crafton indicated he was arrested in 2008 for driving while intoxicated. He pled guilty and served one (1) year probation, with community service and alcohol awareness classes.

In 2013, he was again arrested and pled guilty to driving while intoxicated. At this time he has not appeared in court. He is scheduled to appear in September 2014.

He also indicated he continues to occasionally drink at home.

After hearing testimony and reviewing documentation, Ms. Certo moved to recommend APPROVAL on AGREED INDEFINITE PROBATION may not lift for six (6) months with terms and conditions.

A motion was moved and seconded to APPROVE Ms. Certo's recommendation of Mr. Crafton's examination application.

Fletcher/Freeman, 4/0/0  
Motion carries

**Otoniel Espinosa, P.T.A., Examination Application:** Mr. Espinosa appeared before Megan Certo, P.T. regarding a positive response on his examination application and was not represented by counsel.

Participating Committee Member: Megan Certo, P.T.

Mr. Espinosa previously appeared before the full Committee regarding his examination application. The Committee had approved him to take the examination and upon passing he was to appear before them to provide proof that he had resolved his criminal issue and that he has a valid driver's license.

Mr. Espinosa submitted proof that he has cleaned up his criminal issues and that he has a valid driver's license.

After hearing the testimony and reviewing documentation, Ms. Certo moved to recommend APPROVAL of Mr. Espinosa's examination application.

A motion was made and seconded to APPROVE Ms. Certo's recommendation of Mr. Espinosa's examination application.

Fletcher/Freeman, 4/0/0  
Motion carries

### **ADMINISTRATIVE HEARINGS**

**Ronald Cole, P.T., License No. 05010744A, Cause No. 2012 PTC 0005**

Respondent did not appear in person and was not represented by counsel regarding an Order to Show Cause scheduled before the Committee. The State of Indiana was represented by Samuel Dayton, Deputy Attorney General and the court reporter sworn in for this matter was Linda Hays with Circle City Reporting.

Participating Committee Members: Deborah Reed, P.T., Maria Fletcher, M.D., Heather Freeman, P.T.

After having considered the evidence presented and taking official notice of its file in this matter the Committee moved to issue a NOTICE OF PROPOSED DEFAULT.

Fletcher/Freeman, 3/0/0  
Motion carries

**Diane Larsen, P.T., License No. 05000607A, Cause No. 2014 PTC 0001**

Respondent did appear in person and was represented by counsel, Stacy Cook regarding a Final Disciplinary Hearing and License Renewal scheduled before the Committee. The State of Indiana was represented by Leif Johnson, Deputy Attorney General and the court reporter sworn in for this matter was Linda Hayes with Circle City Reporting.

Participating Committee Members: Deborah Reed, P.T., Maria Fletcher, M.D., Heather Freeman, P.T.

A motion was made by the State requesting separation of witnesses. The Respondent's counsel had no objection to this motion. The Committee approved the motion and ordered the witnesses to be placed in separate areas.

CONSENSUS  
Motion carries

The following witnesses were sworn in to testify:

- Donna Holtz, Owner, Pediatric Specialty Associates
- Natasha Pulley, Family and Social Services Administration (FSSA)
- Courtney Driver, Infant/Toddler Teacher, Day Care Center
- Shelly Mauch, Speech Therapist, Co-Owner Feeding Friends
- Nancy Moore, Director, Indiana First Steps Day Care ran by FSSA

Ms. Larson was employed by Pediatric Specialty Associates, Inc. to provide physical therapy services to clients in the Indiana First Steps Day Care which is operated by FSSA. First Steps provides Occupational Therapy to children from six (6) months to three (3) years of age who are experiencing developmental delays and/or have been diagnosed with a condition that has a high probability of resulting in developmental delay.

When a child is treated at the First Steps Day Care, the Teacher, Director, or Parent signs off on what is called a Face to Face form which documents that treatment was received. This Face to Face timesheet is then turned in with the timesheet card for payment of services rendered.

In May 2012, Ms. Larson filled out and submitted a Face to Face timesheet showing services rendered on a child at First Steps Day Care and that was signed off by Courtney Driver a daycare provider at First Steps Day Care.

Ms. Driver testified that she did not sign the Face to Face sheet nor did she give Ms. Larson permission to sign her name for her.

The Committee heard testimony from all of the witnesses.

After having considered the evidence presented, testimony of the witnesses and taking official notice of its file in this matter the Committee moved to place the Respondent's license on INDEFINITE PROBATION may not lift for one (1) year with terms and conditions.

Fletcher/Freeman, 3/0/0  
Motion carries

**Michael Luna Edquiban, P.T., Cause No. 2014 PTC 0004**

Respondent did not appear in person and was not represented by counsel regarding a Review of Denial of Application scheduled before the Committee. The State of Indiana was not represented in this matter and the court reporter sworn in for this matter was Linda Hays, with Circle City Reporting.

Participating Committee Members: Deborah Reed, P.T., Maria Fletcher, M.D., Heather Freeman, P.T.

Mr. Edquiban informed staff that he would not be able to make the meeting today and requested that it be rescheduled.

After discussion, the Committee moved to RESCHEDULE this matter for the October 2014 meeting.

Reed/Fletcher, 3/0/0  
Motion carries

**Julee L. Gordon, P.T.A., License No. 06002469A, Cause No. 2008 PTC 0002**

Respondent did appear in person and was not represented by counsel regarding a Petition to Withdraw Probation scheduled before the Committee. The State of Indiana was represented by Gregory Linder, Deputy Attorney General and the court reporter sworn in for this matter was Linda Hays, with Circle City Reporting.

Participating Committee Members: Deborah Reed, P.T., Maria Fletcher, M.D., Heather Freeman, P.T.

Ms. Gordon received non-compliance letters from the Committee's staff in 2009, 2013 and 2014. She is not currently in compliance with her Order of Probation with the Committee.

Ms. Gordon's license expired in 2006 and she informed the Committee she doesn't ever plan on working in Indiana again. She lives and works in Kentucky and her Kentucky license is now free and clear.

Ms. Gordon's Indiana license was placed on probation based upon the fact that her Kentucky license was on probation.

After having considered the evidence presented and taking its file into consideration the Committee moved to WITHDRAW the Order of Probation.

Fletcher/Freeman, 3/0/0  
Motion carries

**Kelly Jo Evert, P.T.A., License No. 06002151A, Cause No. 2011 PTC 0004**

Respondent did appear in person and was represented by counsel, Jennifer Strange regarding a Petition to Withdraw Probation scheduled before the Committee. The State of Indiana was represented by Leif Johnson, Deputy Attorney General and the court reporter sworn in for this matter was Linda Hays, with Circle City Reporting.

Participating Committee Members: Deborah Reed, P.T., Maria Fletcher, M.D., Heather Freeman, P.T.

Ms. Evert has continued to practice at I.U. Health for the past twenty-five (25) years and is in full compliance with the terms of her probationary order.

After having considered the evidence presented and taking official notice of its file in this matter the Committee moved to WITHDRAW the Order of Probation.

Freeman/Fletcher, 3/0/0  
Motion carries

**Efrain Lopez, P.T.A., License No. 06004609A, Cause No. 2014 PTC 0003**

Respondent did not appear in person and was not represented by counsel regarding a Disciplinary Hearing scheduled before the Committee. The State of Indiana was represented by Leif Johnson, Deputy Attorney General and the court reporter sworn in for this matter was Linda Hays, with Circle City Reporting.

Participating Committee Members: Deborah Reed, P.T., Maria Fletcher, M.D., Heather Freeman, P.T.

After having considered the evidence presented and taking official notice of its file in this matter the Committee moved to issue a NOTICE OF PROPOSED DEFAULT.

Fletcher/Freeman, 3/0/0  
Motion carries

Mr. Johnson requested that his witness be allowed to give her testimony as she had taken off work to be here.

After discussion, the Committee moved to allow the witness to give testimony.

Reed/Fletcher, 3/0/0  
Motion carries

Lisa Ashby, Regional Manager with Theracare was sworn in to testify.

Ms. Ashby testified that Mr. Lopez came in to work on July 18, 2013. He treated a patient at the Veterans home therapy gym for approximately 40 minutes. He informed her he was going to another area to treat additional patients. She saw him leave and go to his car. He did not return for approximately 1 1/2 hours.

He then billed for seeing five (5) different patients a total of three hundred-two (302) hours. In fact he only saw two (2) of the patients for a total of thirty-five (35) minutes.

Ms. Ashby indicated she contacted Mr. Lopez the same day to inform him that he was placed on leave due to fraudulent billing and for not following corporate policies on clocking in and out. Two days later Theracare terminated Mr. Lopez's employment regarding these matters.

The Committee thanked Ms. Ashby for her testimony.

**Austin Straub, P.T.A., License No. 06004778A, Cause No. 2013 PTC 0008**

Respondent did not appear in person and was not represented by counsel regarding a Petition to Withdraw Probation scheduled before the Committee. The State of Indiana was not represented in this matter and the court reporter sworn in for this matter was Linda Hays, Circle City Reporting.

Participating Committee Members: Deborah Reed, P.T., Maria Fletcher, M.D., Heather Freeman, P.T.

After discussion, the Committee moved to RESCHEDULE this matter to the October 2014 meeting.

Fletcher/Freeman, 3/0/0  
Motion carries

**PROBATIONARY APPEARANCES & REPORT**

Participating Committee Members: Megan Certo, P.T., Deborah Reed, P.T., Maria Fletcher, M.D., Heather Freeman, P.T.

There were no probationary appearances this month.



Probation Report by Megan Certo, P.T.: Ms. Certo gave an update on all probationers all are in compliance except for the following. A letter needs to go out informing them what is missing:

- Erin Martin –Her supervision letter was submitted by the business office. The supervision letters need to be submitted by her on-site floor supervisor. Ms. Martin should be contacted to send in a new letter from her on-site floor supervisor.
- Patricia Mowbray – the Committee has only received about 50% of her on-site supervision letters.

After discussion, the Committee moved to issue an ORDER TO SHOW CAUSE in this matter.

Reed/Freeman, 4/0/0  
Motion carries

- Jacquelin McGill – She is missing her personal statement and her monthly supervision reports are coming from the business office. The supervision reports must be from her on-site floor supervisor.
- Sonny Sam – The Committee has not received any requirements contained in his Probation Order.

After discussion, the Committee moved to issue an ORDER TO SHOW CAUSE.

Reed/Fletcher, 4/0/0  
Motion carries

### DISCUSSION

CE Audit – Committee needs to determine the percentage they wish to audit:  
This is the first time for continuing competence requirements on PT/PTA renewals.

The Committee needs to determine what percentage they wish to audit since the renewal period has closed.

After discussion, the Committee moved to audit 9.9% of each.

Reed/Freeman, 4/0/0  
Motion carries

R. Scott Jerger's letter regarding Dry Needling: The Committee's statute is silent on this matter. If the staff received any inquires please let them know to review the statute/rules and to seek their own legal advice.

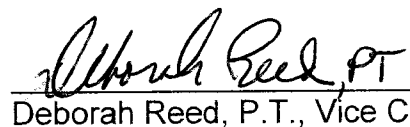
Electronic Policy – The Committee reviewed and discussed the final draft of the electronic policy prepared by Mr. Minglin. No changes were made.

After reviewing the electronic policy draft the Committee moved to APPROVE the electronic policy as written. It will not be effective until signed and posted on the Indiana Professional Licensing Agency's website.

Certo/Fletcher, 4/0/0  
Motion carries

There being no further business the Committee adjourned at 6:05 p.m.

  
Megan Certo, P.T., Chairman

  
Deborah Reed, P.T., Vice Chairman