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**PHYSICAL THERAPY EXAMINING BOARD**  
**Room N208, 4822 Madison Yards Way, 2<sup>nd</sup> Floor, Madison**  
**Contact: Valerie Payne (608) 266-2112**  
**December 4, 2019**

*The following agenda describes the issues that the Board plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a description of the actions of the Board.*

**AGENDA**

**8:30 A.M.**

**OPEN SESSION – CALL TO ORDER – ROLL CALL**

- A. Adoption of Agenda (1-3)**
- B. Approval of Minutes of August 28, 2019 (4-7)**
- C. Conflicts of Interest**
- D. Introductions, Announcements and Recognition**
- E. Administrative Matters – Discussion and Consideration**
  - 1. Department, Staff and Board Updates
  - 2. Appointment of Liaisons and Alternates
  - 3. Board Members – Term Expiration Dates
- F. Legislative and Policy Matters – Discussion and Consideration**
  - 1. Compact Status
- G. Administrative Rule Matters – Discussion and Consideration**
  - 1. Pending or Possible Rulemaking Projects
- H. Alternate Approval Pathway– Discussion and Consideration**
- I. Supervision of Students - Discussion and Consideration**
- J. Federation of State Boards of Physical Therapy (FSBPT) Matters – Discussion and Consideration**
- K. Speaking Engagements, Travel or Public Relation Requests and Reports**
  - 1. Travel Report: Federation of State Boards of Physical Therapy (FSBPT) Annual Meeting on October 24-27, 2019 in Oklahoma City, OK
- L. Education and Examination Matters – Discussion and Consideration**
- M. Discussion and Consideration of Items Added After Preparation of Agenda**

1. Introductions, Announcements and Recognition
2. Administrative Matters
3. Election of Officers
4. Appointment of Liaisons and Alternates
5. Delegation of Authorities
6. Education and Examination Matters
7. Credentialing Matters
8. Practice Matters
9. Legislative and Policy Matters
10. Administrative Rule Matters
11. Liaison Reports
12. Board Liaison Training and Appointment of Mentors
13. Informational Items
14. Division of Legal Services and Compliance (DLSC) Matters
15. Presentations of Petitions for Summary Suspension
16. Petitions for Designation of Hearing Examiner
17. Presentation of Stipulations, Final Decisions and Orders
18. Presentation of Proposed Final Decisions and Orders
19. Presentation of Interim Orders
20. Petitions for Re-Hearing
21. Petitions for Assessments
22. Petitions to Vacate Orders
23. Requests for Disciplinary Proceeding Presentations
24. Motions
25. Petitions
26. Appearances from Requests Received or Renewed
27. Speaking Engagements, Travel, or Public Relation Requests, and Reports

N. Public Comments

**CONVENE TO CLOSED SESSION to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85 (1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.).**

**O. Deliberation on Division of Legal Services and Compliance Matters**

**1. Proposed Stipulations, Final Decisions and Orders**

- a. 17 PHT 030 – Nkechi K. Ogbodo, P.T. **(8-13)**

P. Open Cases

Q. Deliberation of Items Added After Preparation of the Agenda

1. Education and Examination Matters
2. Credentialing Matters
3. DLSC Matters
4. Monitoring Matters
5. Professional Assistance Procedure (PAP) Matters
6. Petitions for Summary Suspensions
7. Petitions for Designation of Hearing Examiner
8. Proposed Stipulations, Final Decisions and Orders
9. Proposed Interim Orders

10. Administrative Warnings
11. Review of Administrative Warnings
12. Proposed Final Decisions and Orders
13. Matters Relating to Costs/Orders Fixing Costs
14. Case Closings
15. Board Liaison Training
16. Petitions for Assessments and Evaluations
17. Petitions to Vacate Orders
18. Remedial Education Cases
19. Motions
20. Petitions for Re-Hearing
21. Appearances from Requests Received or Renewed

R. Consulting with Legal Counsel

# **RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION**

S. Vote on Items Considered or Deliberated Upon in Closed Session, if Voting is Appropriate

T. Open Session Items Noticed Above Not Completed in the Initial Open Session

U. Delegation and Ratification of Examinations, Licenses and Certificates

# **ADJOURNMENT**

## **ORAL EXAMINATION OF CANDIDATES FOR LICENSURE**

### **ROOM N207**

### **10:00 A.M. OR IMMEDIATELY FOLLOWING THE FULL BOARD MEETING**

**CLOSED SESSION** – Reviewing Applications and Conducting Oral Examination of one (1) (at time of agenda publication) Candidates for Licensure – **John Greany** and **Shari Berry**

**NEXT DATE: FEBRUARY 12, 2020**

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MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC, AND MAY BE CANCELLED WITHOUT NOTICE.

Times listed for meeting items are approximate and depend on the length of discussion and voting. All meetings are held at 4822 Madison Yards Way, Madison, Wisconsin, unless otherwise noted. In order to confirm a meeting or to request a complete copy of the board's agenda, please call the listed contact person. The board may also consider materials or items filed after the transmission of this notice. Times listed for the commencement of disciplinary hearings may be changed by the examiner for the convenience of the parties. Interpreters for the hearing impaired provided upon request by contacting the Affirmative Action Officer, 608-266-2112.

**PHYSICAL THERAPY EXAMINING BOARD  
MEETING MINUTES  
AUGUST 28, 2019**

**PRESENT:** Shari Berry, PT; Barbara Carter, PTA; John Greany, PT; Todd McEldowney; Kathryn Zalewski, PT

**STAFF:** Yolanda McGowan, Executive Director; Jameson Whitney, Legal Counsel; Megan Glaeser, Bureau Assistant; Gayle Nimmerguth, Bureau Assistant; and other Department Staff

**CALL TO ORDER**

Shari Berry, Chairperson, called the meeting to order at 8:32 a.m. A quorum of five (5) members was confirmed.

**ADOPTION OF AGENDA**

**Amendments to the Agenda**

- Open Session, Under Item I. Speaking Engagements, Travel or Public Relation Requests and Reports
  - **ADD:** Consider Attendance at the FSBPT Annual Meeting – October 24-27, 2019 – Oklahoma City, OK

**MOTION:** John Greany moved, seconded by Kathryn Zalewski, to adopt the Agenda as amended. Motion carried unanimously.

**APPROVAL OF MINUTES OF FEBRUARY 13, 2019**

**MOTION:** Kathryn Zalewski moved, seconded by John Greany, to approve the Minutes of February 13, 2019 as published. Motion carried. Abstained: Barbara Carter and Todd McEldowney.

**INTRODUCTIONS, ANNOUNCEMENTS AND RECOGNITION**

**Resignations**

***Sarah Olson, Physical Therapy Assistant Member***

**MOTION:** John Greany moved, seconded by Kathryn Zalewski, to recognize and thank Sarah Olson for her 4½ years of dedicated service to the Board and State of Wisconsin. Motion carried unanimously.

***Bailey Steffes, Public Member***

**MOTION:** John Greany moved, seconded by Kathryn Zalewski, to recognize and thank Bailey Steffes for her service to the Board and State of Wisconsin. Motion carried unanimously.

**ADMINISTRATIVE MATTERS**

## Appointment of Liaisons and Alternates

| LIAISON APPOINTMENTS                                   |  |
|--|--|
| <b>Credentialing Liaison(s)</b>                        | Shari Berry, Kathryn Zalewski<br><i>Alternate: John Greany</i>   |
| <b>Office of Education and Examinations Liaison</b>    | John Greany*, Shari Berry<br><i>Alternate: Kathryn Zalewski</i><br><i>*John Greany is the primary liaison for CE hardship requests, and Shari Berry is alternate</i> |
| <b>Monitoring Liaison</b>                              | John Greany<br><i>Alternate: Shari Berry</i>   |
| <b>Professional Assistance Procedure (PAP) Liaison</b> | John Greany<br><i>Alternate: Shari Berry</i>   |
| <b>Legislative Liaison</b>                             | Shari Berry<br><i>Alternate: Kathryn Zalewski</i>  |
| <b>Travel Liaison</b>                                  | John Greany<br><i>Alternate: Shari Berry</i>   |
| <b>Administrative Rules Liaison</b>                    | Shari Berry<br><i>Alternate: Kathryn Zalewski</i>  |
| <b>Website Liaison</b>                                 | Shari Berry<br><i>Alternate: John Greany</i>   |
| <b>Screening Panel</b>                                 | Todd McEldowney, John Greany<br><i>Alternate: Kathryn Zalewski</i>   |

## **SPEAKING ENGAGEMENTS, TRAVEL OR PUBLIC RELATION REQUESTS AND REPORTS**

### Consider Attendance at the FSBPT Annual Meeting – October 24-27, 2019 – Oklahoma City, OK

**MOTION:** Todd McEldowney moved, seconded by Barbara Carter, to designate Shari Berry as the Board's delegate, and Kathryn Zalewski as the Board's alternate delegate, to attend the FSBPT Annual Meeting on October 24-27, 2019 in Oklahoma City, OK and to authorize travel. Motion carried unanimously.

## **CLOSED SESSION**

**MOTION:** Sherri Berry moved, seconded by Kathryn Zalewski, to convene to Closed Session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85(1)(b), Stats. and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.). Shari Berry, Chairperson, read the language of the motion aloud for the record. The vote of each member was ascertained by voice vote. Roll Call Vote: Shari Berry-yes; Barbara

Carter-yes; John Greany-yes; Todd McEldowney-yes; Kathryn Zalewski-yes.  
Motion carried unanimously.

The Board convened into Closed Session at 9:41 a.m.

## **DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) MATTERS**

### **Case Closings**

#### ***17 PHT 016 – B.F.S.***

**MOTION:** Kathryn Zalewski moved, seconded by Todd McEldowney, to close DLSC Case Number 17 PHT 016, against B.F.S., for No Violation. Motion carried unanimously.

#### ***18 PHT 007 – T.M.***

**MOTION:** Barbara Carter moved, seconded by Todd McEldowney, to close DLSC Case Number 18 PHT 007, against T.M., for Prosecutorial Discretion (P7). Motion carried unanimously.

#### ***18 PHT 013 – M.E.M.***

**MOTION:** Todd McEldowney moved, seconded by Kathryn Zalewski, to close DLSC Case Number 18 PHT 013, against M.E.M., for No Violation. Motion carried unanimously.

### **Proposed Stipulations, Final Decisions and Orders**

#### ***18 PHT 014 – Steven J. Heggernes, PT***

**MOTION:** John Greany moved, seconded by Todd McEldowney, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Steven J. Heggernes, PT, DLSC Case Number 18 PHT 014. Motion carried unanimously.

#### ***19 PHT 004 – Chelsea A. Friedrichs, PT***

**MOTION:** John Greany moved, seconded by Barbara Carter, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Chelsea A. Friedrichs, PT, DLSC Case Number 19 PHT 004. Motion carried unanimously.

## **RECONVENE TO OPEN SESSION**

**MOTION:** Kathryn Zalewski moved, seconded by Barbara Carter, to reconvene into Open Session. Motion carried unanimously.

The Board reconvened into Open Session at 11:20 a.m.

**VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION, IF  
VOTING IS APPROPRIATE**

**MOTION:** John Greany moved, seconded by Kathryn Zalewski, to affirm all motions made and votes taken in Closed Session. Motion carried unanimously.

*(Be advised that any recusals or abstentions reflected in the Closed Session motions stand for the purposes of the affirmation vote.)*

**DELEGATION AND RATIFICATION OF EXAMINATIONS, LICENSES AND  
CERTIFICATES**

**MOTION:** Barbara Carter moved, seconded by Todd McEldowney, to delegate ratification of examination results to DSPS staff and to delegate and ratify all licenses and certificates as issued. Motion carried unanimously.

**ADJOURNMENT**

**MOTION:** John Greany moved, seconded by Kathryn Zalewski, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 11:23 a.m.