



Ohio Occupational Therapy, Physical Therapy,
and Athletic Trainers Board

Athletic Trainers Section
May 23, 2019
9:00 a.m.

Members Present

Trevor Bates, AT, Chair
Jason Dapore, DO (left at 12:20 PM)
Hollie Kozak, AT
Gary Lake, AT
Jeffrey Sczpanski, AT

Members Absent

none

Legal Counsel

LaTawnda Moore, AAG

Staff

Jennifer Adams, Investigator
Melissa Anthony, Executive Director
Thanh Mai Vo, Licensure Specialist

Guest

Bridget McAuliffe, OATA
Kevin Stanek

Call to Order

Trevor Bates, Chair, called the meeting to order at 9:01 AM.

Approval of Minutes

Action: Jeff Sczpanski moved that the minutes from the March 19, 2019, meeting be approved as amended. Gary Lake seconded the motion. The motion carried.

Executive Director Report

Deferred to the Joint Board meeting.

Event Approval

Jeff Sczpanski moved that the section approve four events for 19-001, 19-002, 19-003, 19-004 as submitted to the Section. Hollie Kozak seconded the motion. The motion carried.

Continuing Education Approval

Jeff Sczpanski moved to approve two applications for continuing education and request more information from a third. Gary Lake seconded the motion. The motion carried.

Administrative Reports

Licensure Applications

Action: Jeff Sczpanski moved that the Section approve a waiver of continuing education and reinstatement fees for LR-003357661 due to active military status. Gary Lake seconded the motion. The motion carried.

Action: Jeff Sczpanski moved that the Section approve the education and grant licensure for athletic trainer endorsement file #APP-000236537 based on the documentation provided. Hollie Kozak seconded the motion. The motion carried.

Action: Jeff Sczpanski moved that the Section approve the education and grant licensure for athletic trainer reinstatement file #LR-001945088 based on the documentation provided. Hollie Kozak seconded the motion. The motion carried.

Action: Hollie Kozak moved that the Athletic Trainers Section ratify, as submitted, the athletic training licenses issued by examination, March 20, 2019 through May 23, 2019, taking into account those licenses subject to discipline, surrender, or non-renewal. Jeff Sczpanski seconded the motion. The motion carried.

Examination Applicants

Kiley Buchanan	Kyle James Kmech	Justin Robert Belle
Steven Kinser	Megan Renee Ropp	Emily Christine Merriman
Logan Catherine Kinley	Grace Anne Steingass	Adam Edward Paynter
Troy Chima Azuogu	Ryan Nicholas Gernert	Roberta Gregory-Davis
Tori Korda	Rebecca Spiegel	Ashley Riffle
Abby Marie Hergenrather	Corina Salinas	Andrew M Sucharski
Madison Myers	Priscilla Ali Prologo	Alexia Paxos
Bailey Nicole Roberts	Janna M Deyhle	Andrea Marie Pohlman
Megan Sue Joseph	Janelle Christensen	Jacob Brown
Benjamin Robert Lefevre	Alexander Roman Sasyn	Ethan Schmelzer

Endorsement Applicants

Robert Alexander Cunningham
Vinh The Ngo
Brianna Isabelle Gruber
Aaron Joseph Hoeing
Terica Wharton
Christian James Kinzer
Patrick Reynolds
Abigail Marie Walters
Hailey Crum
Christopher Derek Smith
Fabrizio Apodaca
Michael Matthew Novellino
Carrie Ann Harbold
Cameron Lawrence Stockdale
Cory Delaney
Richard Vincent Burke
Elliott Palmeri
Nathan Anthony Sultan

Enforcement Actions:

Case Review Liaison Report

Hollie Kozak reported that the Enforcement Division opened two new cases and closed five cases since March 19, 2019 meeting. There are three cases currently open.

Affidavit Hearings

Good Morning. My name is Trevor Bates, Chair of the Athletic Trainers Section of the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board. Let the record show that this proceeding was called to order at 9:50 AM on May 23, 2019, at the Riffe Center 77 S. High Street, Columbus, Ohio 43215. Members of the Board Present for the proceedings are:

Trevor Bates	Present
Jason Dapore	Present
Hollie Kozak	Present
Gary Lake	Present
Jeff Sczpanski	Present

It will be noted for the record that a majority of the member of the board are present. There will be one adjudication proceeding today. The first proceeding is in the matter of case number AT-LD-19-001, Patrick McNutt.

This proceeding shall be an affidavit-based adjudication relative to the Notice of Opportunity for Hearing mailed to the respondent in the aforementioned case and believed to have been properly served according to the Administrative Procedures Action (Chapter 119. Of the Ohio Revised Code).

As the respondent did not properly request a hearing in this case, this proceeding will be held before the board pursuant to *Goldman v. State Medical Board of Ohio*. The individual named does not have the ability to present written or oral testimony today but may be present to hear the proceedings and outcome.

You have already received the sworn affidavit from the Board's Enforcement Investigator and accompanying exhibits for the Goldman Proceeding in your board packet. The affidavit contains the evidence and testimony upon which you will deliberate.

In lieu of a stenographic record being made, let the minutes reflect that the original sworn affidavit and exhibits shall be kept as the official record of the proceeding in the aforementioned matter in the Board office.

I will now recognize Senior Associate Attorney General, LaTawnda Moore, for the purpose of providing a brief synopsis of the case. Ms. Moore you may present your case.

LaTawnda Moore provided a synopsis of the case.

Having heard Ms. Moore's synopsis, may I now have a motion to admit the findings of facts and exhibits outlined in the sworn affidavit in the aforementioned case into evidence?

Action: Jeff Sczpanski moved that the Section admit the findings of facts and exhibits outlined in the sworn affidavit in the aforementioned case into evidence. Gary Lake seconded the motion. The motion carried, Hollie Kozak abstained.

Gary Lake moved the Section go into executive session for the purposes of quasi-judicial deliberation. Jason Dapore seconded

Trevor Bates	Yes
Jason Dapore	Yes
Hollie Kozak	Yes
Gary Lake	Yes
Jeff Sczpanski	Yes

The motion carried.

The Section went into private session at 9:50 AM. Hollie Kozak left the room. The Section returned at 9:59 AM.

In the matter of case number AT-LD-19-001, Patrick McNutt after review of the evidence, the Board makes the following findings of fact:

1. The Board had jurisdiction to conduct a hearing in this matter pursuant to *Goldman v. State Medical Board of Ohio*, 110 Ohio App. 3d 124, 673 N.E. 2d 677 (1996).
2. McNutt did not meet the examination requirements for licensure by failing to provide verification from the Board of Certification that he passed their certification exam.
3. McNutt did not request a hearing on the aforementioned charge.

Based on a thorough review of the evidence, the Board makes the following conclusions of law:

1. McNutt was properly served with the Notice of Opportunity for Hearing pursuant to R.C. 119.07.
2. R.C. 119.07 required McNutt to request a hearing within thirty (30) days of the mailing of the Notice.

3. The aforementioned findings of fact constitute grounds for denial of McNutt's application pursuant to ORC 4755.64(A)(2) and 4755.62(C)(6), and Ohio Administrative Code 4755-43-06(B)(5) & (C)(3).

Action: Jeff Sczpanski moved to deny the athletic trainer application of Patrick McNutt. Gary Lake seconds the motion.

Trevor Bates	Yes
Jason Dapore	Yes
Hollie Kozak	Abstained
Gary Lake	Yes
Jeff Sczpanski	Yes

The motion carried.

The athletic trainer application of Patrick McNutt is hereby denied. Effective May 23, 2019.

The Executive Director is hereby instructed to prepare an adjudication order to carry out the mandates of this Board and serve the order on AT-LD-19-001, Patrick McNutt, in the manner prescribed by law.

This concludes the matter of AT-LD-19-001, Patrick McNutt.

The Section recessed for Joint Board at 10:30 AM and came back and 12:20 PM.

Discussion of Laws and Rules

The Section reviewed the rules status chart.

Action: Gary Lake moved that the Section final file the following rules with JCARR: 4755-43-01, 4755-43-02, 4755-43-04, 4755-43-08, 4755-43-10, 4755-43-11, 4755-43-12, 4755-44-01, 4755-44-02, 4755-47-01, 4755-47-02, 4755-47-03, 4755-47-04, 4755-47-05, and 4755-47-06. Hollie Kozak seconded the motion. The motion carried.

Action: Jeff Sczpanski moved that the Section file rules with JCARR. Gary Lake seconded the motion. The motion carried.

Assistant Attorney General Report

LaTawnda Moore, AAG had no formal report for the Section.

Old Business

None at this time.

New Business

None at this time.

Correspondence

The Section discussed the correspondence and made changes to the draft responses.

Ohio Athletic Trainers Association (OATA)

Bridget McAuliffe with OATA had no formal report for the Section.

Open Forum

The Section revised the standard responses.

Items for the Next Meeting

Telemedicine Standards
Documentation Standards
SOP vs. non-SOP RTP document

Next Meeting Date

The next regular meeting date of the Athletic Trainers Section is scheduled for Friday, July 26, 2019.

Adjournment

There being no further business and no objections. Trevor Bates adjourned the meeting at 1:11 PM.

Respectfully submitted,

Missy Anthony



Trevor Bates, AT, Chair
Ohio Occupational Therapy, Physical Therapy, and
Athletic Trainers Board, Athletic Trainers Section

Jason Dapore, DO, Secretary
Ohio Occupational Therapy, Physical Therapy, and
Athletic Trainers Board, Athletic Trainers Section



Melissa A. Anthony, Executive Director
Ohio Occupational Therapy, Physical Therapy, and
Athletic Trainers Board

JD:ma