

1 STATE OF ALASKA
2 DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT
3 DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING
4

5 May 4, 2021
6

7 By authority of AS 08.84.070(2) and in compliance with the provision of AS 44.62, Article 6,
8 videoconference meeting of the
9 State Physical Therapy and Occupational Therapy Board was held from Juneau, AK
10

14 **Tuesday, May 4, 2021**

15 **Agenda Item 1 – Call meeting to order/roll call**

16 Keith Poorbaugh, Chair of the Alaska State Physical Therapy and Occupational Therapy Board called the
17 meeting to order at 1:01 p.m. on May 4, 2021.

18 VOICE ROLE CALL:

19 Enlow Walker, Physician, Secretary
20 Nathan Missler, Occupational Therapist
21 Rebecca Dean, Public Member
22 Jody Pfeiffer, Physical Therapy Assistant
23 Keith Poorbaugh, Physical Therapist, Chair
24

25 Board members Not Present:

26 Lisa Radley, Physical Therapist, approved absence
27 Robert Calhoon, Occupational Therapist
28

29 Staff Present:

30 JASMINE Bautista is investigator III
31 Lacey Derr, records and licensing supervisor
32 Connie Petz, Licensing Examiner
33 Logan Bugayong, Licensing Examiner
34

35 **Agenda Item 2 – Review Case # 2021-000359**

36 Mr. Poorbaugh stated this emergency meeting is called to review Case # 2021-000359. This meeting
37 was NOT public noticed per AS 44.62.310 Government Meetings Public per AS 44-62.310(d) (1) a
38 governmental body performing a judicial or quasi-judicial function when holding a meeting solely to
39 make a decision in an adjudicatory proceeding.

40 Mr. Poorbaugh asked all board members confirmed they had read the legal documents provided
41 regarding this case. There were no questions. He then introduced Jasmin Bautista, Investigator III to the

42 Board. Ms. Bautista thanked everyone for taking time to attend this emergency meeting and setting up
43 the meeting so quickly.

44 Ms. Derr informed the board per Roberts Rules of Order an Executive Session would be required.
45 Although this meeting was not required to be public noticed and the only attendees had authority to be
46 in the meeting, it is being recorded and minutes will be drafted.

47 **MOTION BY DEAN, SECONDED BY PFEIFFER, CALL FOR A MOTION TO ENTER EXECUTIVE**
48 **SESSION THE ALASKA PHYSICAL THERAPY AND OCCUPATIONAL THERAPY BOARD IS RESOLVED**
49 **TO ENTER EXECUTIVE SESSION IN ACCORDANCE WITH AS 44.6 2.310 C. 2 AND 3, AND THE**
50 **ALASKA CONSTITUTIONAL RIGHT TO PRIVACY PROVISIONS FOR THE PURPOSE OF REVIEWING**
51 **CASE # 2021-000359. VOICE ROLE CALL VOTE: WALKER, MISSLER, DEAN, PFEIFFER AND**
52 **POORBAUGH ALL VOTED YES. MOTION PASSED.**

53 Poorbaugh stated all board members and staff, Bautista, Derr, Petz and Bugayong will remain in the
54 meeting. Off the record at 1:08 p.m. Back from Executive Session at 1:14p.m.

55
56 **CALL FOR A MOTION BY WALKER, SECONDED BY MISSLER TO ADOPT THE BOARD ORDERED**
57 **SUMMARY SUSPENSION RE: CASE NO. 2021-000359. UPON THE PETITION OF THE STATE OF**
58 **ALASKA, DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT,**
59 **DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING (“DIVISION”) FOR**
60 **SUMMARY SUSPENSION OF PHYSICAL THERAPIST LICENSE #PHYP2639, AND UPON EVIDENCE**
61 **PRESENTED BY THE DIVISION, THE ALASKA PHYSICAL AND OCCUPATIONAL THERAPY**
62 **(“BOARD”) FINDS THAT DR. JEFFREY C. FULTZ POSES A CLEAR AND IMMEDIATE DANGER TO**
63 **THE PUBLIC HEALTH AND SAFETY IF HE CONTINUES TO PRACTICE AS A PHYSICAL THERAPIST.**

64 **THE BOARD HEREBY ORDERS, PURSUANT TO AS 08.01.075(C) AND AS 08.84.120, THE**
65 **SUMMARY SUSPENSION OF DR. JEFFREY C. FULTZ PHYSICAL 21 THERAPIST LICENSE PHYP2639.**
66 **IT IS FURTHER ORDERED THAT DR. JEFFREY C. FULTZ’S LICENSE TO PRACTICE AS A PHYSICAL**
67 **THERAPIST WILL REMAIN SUSPENDED UNTIL SUCH TIME AS HE CAN DEMONSTRATE TO THE**
68 **BOARD THAT HE IS FIT TO PRACTICE IN A MANNER CONSISTENT WITH PUBLIC SAFETY. THIS**
69 **ORDER SHALL BECOME EFFECTIVE IMMEDIATELY UPON APPROVAL BY THE BOARD.**

70 **VOICE ROLE CALL VOTE: WALKER, MISSLER, DEAN, PFEIFFER AND POORBAUGH ALL VOTED**
71 **YES. MOTION PASSED**

72 Poorbaugh stated, the Board has reviewed Case # 2021-000359 for license suspension and the motion
73 passed. The Board adopts the order of suspension of physical therapist license PHYP2639 for Jeffery
74 Fultz. The license will remain suspended until such time as Mr. Fultz can demonstrate to the Board that
75 he is fit to practice in a manner consistent with public safety.

76 Ms. Bautista will email the Order of Suspension to Mr. Poorbaugh and he will DocuSign it today May 4,
77 2021 in Wasilla, Alaska.

78 The board having no further business adjourns the meeting at 1:20 p.m.

79	<u>Connie Petz</u>	<u>Keith Poorbaugh</u>	<u>10/25/2021</u>
80	Connie Petz, Licensing Examiner	Keith Poorbaugh,	DATE

