

DRAFT UNAPPROVED

**VIRGINIA BOARD OF PHYSICAL THERAPY
FORMAL HEARING MINUTES**

Friday, August 9, 2013

**Department of Health Professions
Perimeter Center
9960 Mayland Drive, Suite #300**

Henrico, Virginia

CALL TO ORDER: A panel of the Board was called to order at 1:12 p.m.

MEMBERS PRESENT: Peggy Belmont, PT, Chair
Michael Styron, PT, MBA
Sarah Schmidt, P.T.A
Melissa Wolff-Burke, PT, EdD
Robert Maroon, PT
Dixie Bowman, PT

BOARD COUNSEL: Erin L. Barrett, Assistant Attorney General

DHP STAFF PRESENT: Lisa R. Hahn, Executive Director
Lynne Helmick, Deputy Executive Director
Missy Currier, Board Operations Manager

COURT REPORTER: Angela Pegram, Court Reporting Services, LLC

**PARTIES ON BEHALF OF
COMMONWEALTH:** Wayne Halbeib, Assistant Attorney General
Anne Joseph, Deputy Director - APD

**COMMONWEALTH
WITNESS:** Ron Houser, Sr. Investigator, DHP
Kara Jeffrey, OT

MATTER SCHEDULED: **Arne Delos Reyes, PT Reinstatement Applicant**
License No.: 2305-205765
Case No.: 150848

**ESTABLISHMENT OF A
QUORUM:** With six (6) members of the Board present, a quorum was established.

PRELIMINARY MATTER: Mr. Halbeib motioned to redact Bates Stamped pages 025 through 042 and Bates Stamped pages 052 through 093 of the Commonwealth's Exhibit 3.

CLOSED SESSION:

Upon a motion by Melissa Wolff-Burke, and duly seconded by Robert Maroon, the Board voted to convene a closed meeting at 1:30 p.m., pursuant to §2.2-3711.A(27) of the Code of Virginia, for the purpose to consider the Commonwealth's motion. Additionally, she moved that Ms. Hahn, Ms. Barrett, Ms. Helmick and Ms. Currier attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Board in its deliberations.

RECONVENE:

Upon a motion by Michael Styron, and duly seconded by Dixie Bowman, the Board voted to reconvene at 1:55 p.m. and announced its decision.

CERTIFICATION:

Melissa Wolff-Burke certified that the matters discussed in the preceding closed session met the requirements of §2.2-3712 of the Code of Virginia, the Board reconvened in open session and announced its decision.

RULING:

The Board denies the Commonwealth's Motion to redact specific pages of the Commonwealth's Exhibit 3.

CLOSED SESSION:

Upon a motion by Melissa Wolff-Burke, and duly seconded by Robert Maroon, the Board voted to convene a closed meeting at 2:15 p.m., pursuant to §2.2-3711.A(7) of the Code of Virginia, for the purpose of consultation with Board counsel regarding the voluminous amount of additional evidence Mr. Reyes presented to the Board for consideration. Additionally, she moved that Ms. Hahn, Ms. Barrett, Ms. Helmick and Ms. Currier attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Board in its deliberations.

RECONVENE:

Upon a motion by Melissa Wolff-Burke, and duly seconded by Dixie Bowman, the Board voted to reconvene at 2:35 p.m.

CERTIFICATION:

Melissa Wolff-Burke certified that the matters discussed in the preceding closed session met the requirements of §2.2-3712 of the Code of Virginia, the Board reconvened in open session and announced its decision.

DECISION:

Upon a motion by Sarah Schmidt and duly seconded by Michael Styron, the Board moved to continue this matter to a later date, so that all evidence may be adequately reviewed for consideration in this case.

VOTE:

The vote was unanimous.

ADJOURNMENT:

The Board adjourned at 2:43 p.m.

Peggy Belmont, PT, Chair

Lisa R. Hahn, Executive Director

Date

Date