



# STATE OF NEVADA BOARD OF OCCUPATIONAL THERAPY

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## SUMMARY MINUTES PUBLIC BOARD MEETING

December 11, 2021

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Members Present: Elizabeth Straughan, Phil Seitz, Sol Magpantay, Allison Stone, Mel Minarik  
Members Absent: None  
Staff Present: Loretta L. Ponton, Executive Director  
Stacey Whittaker, Licensing Coordinator  
Henna Rasul, Sr. Deputy Attorney General  
Sophia Long, Sr. Deputy Attorney General  
Public Present: Cindy Sloan, OTA; Danny Aldis, Carly Aldis, Madysen Wier, Wendy Knorr

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**The full transcript of the meeting is attached and is incorporated herein by reference.**

### **Call to Order, Confirmation of Quorum**

Chair Straughan, called the Board meeting to order at 10:01 a.m. A roll call confirmed a quorum was present.

**Public Comments** – Chair Straughan opened public comments. There were no comments.

Chair Straughan stated Ms. Sloan was not yet present. Allowing additional time for Ms. Sloan to join the meeting, Chair Straughan moved to agenda item 4. Report from Legal Counsel.

**Report from Legal Counsel** – Henna Rasul reported a Summary Suspension of License was issued by the Board Chair pursuant to NRS 622B.127(3) on November 23, 2021; a Hearing on the matter is required within 45 days which will be the first week of January, 2022.

### **Disciplinary Hearing in Case No. C22-01, Shacindra Sloan, OTA, License No. OTA-2544**

Henna Rasul, Sr. Deputy Attorney General, Prosecutor presented the State's case, calling witnesses and providing recommendations for disciplinary action. Ms. Shacindra Sloan represented herself, cross examined the State's witnesses and did not call any additional witnesses on her behalf.

Chair Straughan accepted additional Exhibits previously provided by Mr. Danny Aldis which were not included in the Case Exhibits and accepted text message exhibits from Ms. Sloan.

After discussion of time constraints, Chair Straughan continued the Hearing for Board deliberations and determination on Case C22-01 to January 29, 2022. Ms Sloan agreed to the continuation of the Hearing and Waived notice.

*Minutes have not yet been approved and are subject to revision at the next meeting*

**Public Comment** – Chair Straughan asked for public comments. There were no public comments.

**Adjournment** – Chair Straughan adjourned the meeting at 1:50 p.m.

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Loretta Ponton: Okay. This is the Board of Occupational Therapy Meeting Disciplinary hearing, December 11th, 2021. Uh, the time is 10:01 AM. Liz?

Elizabeth Straughan: Um, yes. Uh, can we have a quorum, call for a quorum?

Loretta Ponton: Okay. Roll call [00:00:30] vote. Liz Straughan [00:00:33]

Elizabeth Straughan: Present.

Loretta Ponton: Sol Magpantay?

Sol Magpantay: Present.

Loretta Ponton: Allison Stone?

Allison Stone: Present.

Loretta Ponton: Phil Seitz?

Phil Seitz: Here.

Loretta Ponton: Mel Minarik?

Mel Minarik: Here.

Loretta Ponton: We have a quorum.

Elizabeth Strau...: All right.

Loretta Ponton: [00:00:54].

Hold just a moment. I am admitting somebody.

Elizabeth Strau...: Okay.

Loretta Ponton: [00:01:00] We'll find out who they are here.

Elizabeth Strau...: Okay.

Loretta Ponton: Okay. Um, the individual was 702-808-8141. Can you identify yourself?

Carly Aldis: [00:01:19]

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Yes. This is Carly Aldis from Revival Therapy.

Loretta Ponton: Okay, I am going to put you on. [00:01:30] And phone number 775-750-3518, please... Can you identify yourself, please?

Wendy Knorr: This is Wendy Knorr [00:01:49].

Loretta Ponton: Hi, Wendy. [00:02:00] Okay, um, back to Liz Straughan.

Elizabeth Strau...: All right. Um, we have a quorum. So the next thing would be at number two, which would be public comment. Is there any type of comment at this time? All right, that leaves [00:02:30] us to item number three, which would be disciplinary hearing for possible action, Complaint Case Number C22-01, Miss Sloan, OTA License Number OTA-2554. , do you go ahead and take over?

Phil Seitz: [00:03:00] I can't hear.

Elizabeth Strau...: There is Henna.

Henna Rasul: All right.

Elizabeth Strau...: Yeah.

(Laughs).

Phil Seitz: There we go.

Henna Rasul: [crosstalk 00:03:16].

Yeah, my mouth's moving. I would, um, I'd like to discern whether or not for the record if Miss Sloan is present. Loretta, you're on mute.

Loretta Ponton: [00:03:30] I do not show her as having joined the meeting.

Henna Rasul: Do you want to give it maybe five minutes?

Loretta Ponton: Sure. Liz?

Elizabeth Strau...:: Uh, so.

Loretta Ponton: That's, that's your decision Liz.

Elizabeth Strau...: I'm sorry. I missed that.

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Henna Rasul: Oh, I was just wondering if maybe [00:04:00] we want to give her five minutes.

Elizabeth Strau...: Okay, and so what should we move on to then?

Henna Rasul: Um, I can just go ahead and address, if it's very quickly, just it's, it's more of an informational. It's on the agenda. It's, uh, with regard to... It's number item number four. Um-

Elizabeth Strau...: Oh, okay.

Henna Rasul: It's just apprising the board that a summary suspension order was issued and, um, from that point that it was just issued, I believe it was on the 23rd or [00:04:30] 24th. Um, by law, within 45 days, we're going to have to hold a hearing but basically, typically when a summary suspension's issued, there is no hearing, um, you know because, um, the standard, uh, or the egregious conduct of the person, um, lends itself to being an immediate threat to public safety so that's why this was issued.

Um, so I'm thinking 45 days, I have it calendared. I believe it's into the New Year [00:05:00] around January where we'll look into having a 45 day hearing. But I believe that, um, Loretta can provide the document to you.

Elizabeth Strau...: Yes.

Henna Rasul: Okay. So you can review what's in it.

Elizabeth Strau...: Okay, so at this point we have nothing that we need to do other than be aware that this is in process.

Henna Rasul: It's... Yeah, it's for your information. It's a public document and so it's, you know, it's an action taken by the board. It's, it's just typically... It's the board Chair, which is you [00:05:30] Miss Liz.

Elizabeth Strau...: Yes.

Henna Rasul: Who signs off on the order and so that was... And so it's just more of just, uh, letting the board, uh, know that this had occurred and that just to expect a hearing and also cognizant on the fact, um, uh, what the allegations were and the reasons being, the reasons why it was done.

Elizabeth Strau...: Okay.

Phil Seitz: So was she supposed to be [inaudible 00:05:55] or was this just something... I don't know exactly where.

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Henna Rasul: [00:06:00] Who? The summary suspension?

Henna Rasul: No. No, it's just an FYI. Miss Sloan was provided notice that this hearing that we are going to conduct.

Stacey Whittaker: Cindy says the Zoom is not working.

Loretta Ponton: Pardon?

Stacey Whitaker: Cindy says the Zoom is not working.

Loretta Ponton: Okay, let me [00:06:30] report.

Elizabeth Strau...: I can't hear you.

Henna Rasul: You're on mute, Loretta.

Loretta Ponton: Okay. We've had an email from Ms. Sloan that her Zoom link is not working. We are resending that Zoom link to her so that she can join in this meeting.

Elizabeth Strau...: Okay.

Loretta Ponton: [00:07:00] It will [00:07:30] take just a moment here.

Okay, [00:08:30] we have sent that link to her. It will give her a chance to receive it and respond.

[Keanna 00:11:03] Johnson, [00:11:00] can you identify if that is the correct name?

Shacindra Sloan: Uh, just a second. Good morning, um, it's Cindy Sloan.

Loretta Ponton: Okay.

Shacindra Sloan: Yes, ma'am.

Loretta Ponton: Thank you.

Shacindra Sloan: No problem.

Henna Rasul Okay, [00:11:30] shall we begin?

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Elizabeth Strau...: All right, I forgot to unmute. Now I'm unmuted. Um, um, we are on, um, item number, uh, three which is the disciplinary hearing for possible action. Um, this is the time and the place for the hearing in the matter of complaint case number C22-01, uh, Miss Sloan OTA License Number OTA- [00:12:00] 2544. Um, is the respondent present?

Shacindra Sloan: Yes, ma'am.

Elizabeth Strau...: Thank you. And are you represented by counsel?

Shacindra Sloan: No, ma'am.

Elizabeth Strau...: Okay. Um, as, uh... I would like the Board Council to introduce, uh, herself and spell their last name for the record.

Henna Rasul: Henna Rasul. Last name is spelled RA, [00:12:30] S as in Sand, U, L as in Larry.

Elizabeth Strau...: Um, are there, uh, any preliminary matters?

Henna Rasul: No.

Elizabeth Strau...: No, okay. Um, are all the persons who will be providing testimony present?

Henna Rasul: Um, so I have four witnesses. I can call them off. I have Loretta. [00:13:00] Um, Danny Aldis?

Danny Aldis: Here.

Henna Rasul: Um, Madyson Wier.

Madyson Wier: Here.

Henna Rasul: And Carly Aldis.

Carly Aldis: Here.

Henna Rasul: They are all present.

Elizabeth Strau...: Okay. Will all the persons who will be giving testimony today in this proceeding, please raise your right hand? Do you and each of you solemnly [00:13:30] swear-

Sophia Long: [crosstalk 00:13:30]. Real quick. Um-

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Elizabeth Strau...: Oh, okay.

Sophia Long : Miss Sloan, you'll, you'll most likely be giving testimony today. Do, do you mind raising your right hand in the oath?

Shacindra Sloan: Okay.

Elizabeth Strau...: All right, so we'll... I'll start again. Will persons who will be giving testimony today in this proceeding, please raise your right hand. Do you and each of you solemnly swear to affirm to tell the truth, the whole truth and nothing but the truth in the testimony you give during these proceedings?

Loretta Ponton: Yes.

Shacindra Sloan: Yes.

Danny Aldis: [00:14:00] Yes.

Carly Aldis: Yes

Madyson Wier: Yes.

Elizabeth Strau...: Okay. The witnesses are cautioned against discussing this matter amongst themselves during the proceeding. Has the complaint been filed with, uh... Has the complaint been filed with the board and has the... And has an answer been filed?

Henna Rasul: [00:14:30] Um, a complaint was filed, um, but, um, as is typical in these administrative cases, um, an answer was not filed, not. There is an option to do that but it's not required.

Elizabeth Strau...: Okay, and do the board members have copies of the complaint and answer?

Phil Seitz: Yes.

Sophia Long: Did we lose the respondent?

female: Yes.

Elizabeth Strau...: Oh, okay.

Shacindra Sloan: No. I have a question about, [00:15:00] um, was it answered? What exactly does that mean or entail?



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Sophia Long...: So Miss Sloan, we're just going to proceed. It's fine, it doesn't matter right now.

Shacindra Sloan: Okay.

Elizabeth Strau...: Okay. So, um, we're on item number nine, which is, uh, explain procedures and relaxed rules of evidence and hearings for respondent [00:15:30] and his or her legal counsel. So is that for Henna?

Female: [crosstalk 00:15:40].

Sophia Long: Mrs. Sophia Long, Sr. Deputy Attorney Board Counsel. Um, Madame Chair, if you just want to read off all those items right below nine, that's fine.

Elizabeth Strau...: Oh, okay. Um, the board council will begin with an opening statement. The respondent and/or respondent's counsel [00:16:00] may make an opening statement but they will not be putting on the case at this time. The board council will then introduce evidence and call question... And question each witness and the respondent or respondent's counsel may then cross-examine each witness. So it looks like Henna is, uh, you will be... You are set to go.

Henna Rasul: Yes, thank you Madame Chair. [00:16:30] Madame Chair, members of the board, I represent State of Nevada in this matter and the State has filed a complaint to discipline Miss Shacindra Sloan regarding her occupational therapy assistant license. Miss Sloan held an occupational therapy assistant license in the State of Nevada at all times relevant to the complaint.

As such, she was charged with certain serious responsibilities as best supplied in both the Occupational Therapy Act and its corresponding regulations. [00:17:00] The evidence will show that Miss Sloan failed to meet these responsibilities when she falsified client records by documenting. She provided treatments at times she was not in attendance and when she did not provide said treatments. Further, she falsified documentation by submitting invoices or payment of services for treatments that were not provided.

Consequently, Miss Sloan's failure has caused the potential for harm to the public [00:17:30] and has compromised public health and safety. The State has filed a complaint alleging that grounds for disciplinary action exists apart from any other compliance with the occupational therapy status of conduct by Miss Sloan. Um, and you did receive the complaint notices of hearing prior to because they are public documents and they are also Exhibits 1 and 2, the packet which I will be presenting.

Um, so if you've reviewed that many, um, I'll just briefly go through the allegations. The first [00:18:00] allegation, as alleged in the complaint, states

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that Miss Sloan committed an act of unprofessional conduct in violation of the Board's Practice Act. The second allegation... Thank you Loretta, um, indicates that Miss Sloan failed to document all treatment provided to a patient.

The third allegation states Miss Sloan falsified a record of healthcare of a patient to indicate her presence at the time when she was not in attendance treating a patient or that therapeutic [00:18:30] procedures were performed by her, which she did not perform. The fourth allegation states that Miss Sloan signed a record of healthcare of a patient without reviewing the record pursuant to NAC648.290, Subsection 4, Subsection A.

The fifth allegation alleges that Miss Sloan is guilty of negligence and the performance of occupational therapy pursuant to NAC640A.350, [00:19:00] Subsection 2. The sixth allegation states that Miss Sloan intentionally made false or filed false or misleading reports pursuant to NAC648.350, Subsection 5. The seventh allegation states that Miss Sloan failed to refile a report which is required by law pursuant to NAC648.350, Subsection 6 and finally [00:19:30] the eighth allegation states that Miss Sloan violated AOTA Code of Ethics and Standards of Practice for occupational therapy as is outlined in the complaint notice of hearing.

Miss Sloan was given proper notice of this hearing. She was sent the complaint notice of hearing via certified and regular mail on or about September 29th, 2021 and October 27th, 2021. And at this time, Madame Chair, I would like to submit Exhibits 1- [00:20:00] 7 if there are no reactions.

Sophia Long: Madame Chair, I'm not sure. Did Miss Sloan get a copy of the exhibits that Miss Rasul would like to submit?

Elizabeth Strau...: She did.

Sophia Long: Miss Sloan, do you have any objections to the board seeing those documents?

Shacindra Sloan: Uh, no.

Sophia Sloan: Okay. And, and Madame Chair, would you like to admit those documents?

Elizabeth Strau...: Yes. [00:20:30]

Henna Rasul: You're on mute.

Elizabeth Strau...: Oh, no. I'm sorry I'm... Yes, we would like to admit those.

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Henna Rasul...: Okay. So, so they are all admitted. So, um, I don't know if we would take this time Loretta to email them all to everybody.

Loretta Ponton: Uh, yes. I did just previously. They have them.

Henna Rasul...: Okay, and, um do the witnesses have a copy or can we email it to them?

Loretta Ponton: Um, [00:21:00] they do not have the copy of that.

Henna RAsul.: At least Miss... Uh, the only person actually that I would like to have a copy out of the three would be, um, Danny, Mr. Aldis.

Loretta Ponton: Okay. Send that to him immediately.

Henna Rasul: And if [00:21:30] we can just confirm.

Loretta Ponton: It's been sent.

Danny Aldis: Um, I'm checking. I haven't received it yet. One second.

Henna Rasul: Okay. We'll wait, we'll wait.

Danny Aldis: [00:22:00] Okay, I received it.

Henna Rasul: Great, okay. Um, at [00:22:30] this time, at this day I would like to begin a direct, um, examination of its first witness, Miss Loretta Ponton.

Loretta Ponton: Yes.

Henna Rasul: Uh, Miss Ponton, could you please state your name and, and spell your last name for the record?

Loretta Ponton: Loretta Ponton, PONTON, Executive Director, Board of Occupational Therapy.

Henna Rasul: Okay. Um, and what was your role with the board at the time the complaint [00:23:00] was filed?

Loretta Ponton: I'm the Executive Director.

Henna Rasul: And as the Executive Director, are you responsible for maintaining the licensee files, a person's license by the board?

Loretta Ponton: Yes, I am.

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Henna Rasul: And do you create a board file for each licensee, the board licenses?

Loretta Ponton: Yes, we do.

Henna Rasul: And you made such a file for Miss Sloan?

Loretta Ponton: Yes, I did.

Henna Rasul: [00:23:30] And did you have an opportunity, opportunity to recently review the file?

Loretta Ponton: Uh, yes I did.

Henna Rasul: And when was the last time you reviewed it?

Loretta Ponton: Um, yesterday. Uh, I have in reviewing the file, I ascertained, ascertained the current status of her NBC Certification, which is a current and has been verified. I have also ascertained that she holds a current license with the State [00:24:00] of California, uh, and that has been verified also. In reviewing the file, I note that the... Her employment information has been not, not been updated since she, uh, applied and was issued her license in, uh, July 6th of 2020.

Henna Rasul: And was she licensed, licensed during the time of the allegations and the complaint?

Loretta Ponton: Yes, she was.

Henna Rasul: [00:24:30] Um, and so for the board and public, um, at the time this complaint was held, can you please tell the board the process you followed when you received the complaint against Miss Sloan?

Loretta Ponton: Yes. Um, when I received the complaint assigned Case Number 22201, uh, conducted formal investigation, uh, comprised of interviewing the complainant and, uh, review of all documentation provided [00:25:00] with the complaint. On August 18th, I issued a letter of notification of complaint to the, uh, respondent and to the, uh, complainant.

Uh, on September 24th, I received an official response to the complaint from Miss Sloan denying all allegations but did not receive any supporting documentation or witness information [00:25:30] to support those, um, the response. Um-

Henna Rasul: Um, I could... Oh, sorry. Um, and if you could just, um... I'm just going to take you through the documents and if you have anything more to elaborate on

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them, uh, you know that... Please do so. So if you could please turn to Exhibit Number 3 and, um, just by this document for me or for us.

Loretta Ponton: This is the complaint form that was received, uh, by the board, [00:26:00] um, which outlined the allegations provided the witnesses, um, to which I, uh, reviewed. Uh, that was received on August 10th of 2021. Attached to that is information, documentation on the records of the employer, uh, who filed the complaint against Shacindra Sloan, [00:26:30] OTA 2554, uh, comprised of the Incidents Grievance form. Uh, two of those, um, the addendum to, to that form, um, the professional development plan that was entered into but between the employer and Miss Sloan and copies of progress notes that were submitted by Miss Sloan, [00:27:00] uh, that resulted in this complaint being filed, first being the, uh, progress note of August 3rd, uh, reviewed and signed by Miss Sloan on August 8th.

The second being the progress note dated August 2nd, signed [00:27:30] and dated by Miss Sloan on August 8th. Third progress note, uh, submitted by Miss Sloan on August 6th, signed and dated on August 8th. Fourth being submitted July 30th, signed and dated on August 2nd, 2021. [00:28:00] Next progress note submitted August 6th, signed and dated August 9th, as evidenced at the bottom, created on the 8th, updated on the 9th.

Uh, next progress note on July 30th, [00:28:30] created on August 2nd, updated on, on, uh, August 2nd, signed and dated by Miss Sloan. Next progress note dated July 21st, signed and dated July 25th by Miss Sloan. Next progress note dated July 19th, [00:29:00] signed and dated on July 25th, 2021 by Miss Sloan. Next progress note dated August 4th, signed and dated by Miss Sloan August 8th, 2021. Next progress note dated August 2nd, signed [00:29:30] and dated by Miss Sloan August 8th, 2021.

Uh, copy of a text message between a client and, uh, Miss Sloan regarding an incident that happened, um, at the client's establishment. Next progress note dated August 4th, [00:30:00] signed and dated August 8th, 2021. Next progress note dated August 2nd, signed and dated August 8th, 2021 and that is, um, end of Exhibit 3.

Henna Rasul: And if you could quick... Thank you. And if you could quickly just identify [00:30:30] Exhibit 4 and just explain what that is.

Loretta Ponton: Exhibit 4 is the issue, is the letter, um, notifying Mr. Aldis who is the complainant that we, um, were in receipt of his complaint and that the complaint file was open and that it would be investigated. And Exhibit 5 is the letter that was sent to Shacindra, [00:31:00] Shacindra Sloan notifying her of the

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complaint and the, uh, um, allegations of unprofessional conduct, falsification of client records and falsification, filling an invoices services provided.

Um, outlining those sections of NRS and NAC, the Occupational Therapy Law and Regulations, that is, um, that potentially had been violated [00:31:30] and the Code of Ethics and, uh, Standards of Practice, Miss Sloan was given the opportunity to submit a response within 20 days of receipt of this, of this letter.

Henna Rasul: And did she submit a response?

Loretta Ponton: Uh, Exhibit 8.

Henna Rasul: I believe it was seven.

Loretta Ponton: Uh, seven is her, uh, official response and I will forward [00:32:00] to that official response, um, wherein Miss Sloan, uh, submitted a response that she has never falsified any client records and never falsified client billing and is unaware of unprofessional conduct. Um, as I stated previously, this is the only response received from, from Miss Sloan. There was no other, um, witnesses or documentation [00:32:30] provided to verify, um, or to document her response.

Henna Rasul: And if you could, um, turn to Exhibit 6 and explain those documents.

Loretta Ponton: Exhibit 6 [00:33:00] is the licensing records, uh, of Miss Sloan. First page-

PART 1 OF 7 ENDS [00:33:04]

Loretta Ponton: ... Is the licensing records, uh, of Ms. Sloan, first page being their contact information, uh, on file. Official contact information. Second page being, uh, her licensing record showing her license number, application date, date the license was issued, and the date of expiration, type of license, and that it is a standard license in good standing at this time. No [00:33:30] disciplinary actions had, had previously been, uh, issued.

The next record is the employer records that indicates that she was employed by San Joaquin Rehab in Bakersfield, California. This information had not, was provided with her original application and has not been updated since that time.

The next record is a copy of her initial, uh, application that she [00:34:00] completed, of her contact information, uh, her educational inf- information, and her NBCOT status, uh, indicating she holds a license in California that was current at that time, which has been verified as still being current. Um, her employment information, which was the San Joaquin Rehab, um, which is still [00:34:30] shown in the official records as her current employer.

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Uh, she had on her legal information, she answered, uh, yes to having violated, uh, in federal, state, city, or county ordinance, and, uh, that she is not, uh, uh, has no military service or veteran status. The explanation of her conviction, [00:35:00] that she pled no contender to a marijuana charge in Atlanta, Georgia in 2011 and West Palm Beach in 2007, on both occasions received a citation in [inaudible 00:35:16] crime.

Um, was a, a disclosure. Didn't... Uh, she does not hold a Nevada business license, she, uh, is not subject [00:35:30] to a, a court order for support of her child, and she declared, uh, that she's been... Now that she's been informed of her duty as a mandatory reporter of abuse or neglect of a child, and declared under perjury all the information is accurate and complete and that she had not withheld, misrepresented, or falsely stated any information relevant to her application, education, training, experience, or her fitness to practice [00:36:00] her profession.

Um, you did provide the documentation required, uh, of her NBCOT and licensure status, uh, receipt for payment of the licensure fee, copy of the citation order issued by the State of California for not records, uh, not disclosing the convictions in, uh, that were disclosed to this board, uh, and [00:36:30] that citation was issued back in 2018. Um, her certificate that she did complete the occupational therapy jurisprudence exam, and that was completed in June of 2020.

Henna Rasul: Okay. Thank you, Ms. Ponton. Um, now, I'm sure I have no further questions for this witness.

Elizabeth Strau...: [00:37:00] Okay, I'm now unmuted (laughing). Um, I guess I am unclear... Um, you finished your case, so, um-

Henna Rasul: Well, this witness... So, um, I, I would hand her off to the respondent if the respondent has any questions for her, and then the board would then have questions after that.

Sophia Long: [00:37:30] Um, this is Sophia Long. Um, Ms. Sloan?

Shacindra Sloan: Yes.

Sophia Long: Do you have any questions you would like to ask Ms. Ponton based on what she just stated?

Shacindra Sloan: Um, yes. Um, Ms. Ponton, um, good morning. Um, I just had a, a few questions. Um, one was, um, as far as Ms. Sloan responded to the complaint, um, did [00:38:00] she email you asking for details in regards of the complaint?

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Loretta Ponton: Yes. We did receive an email, uh, that was forwarded to legal council for response, as all, uh, details of a complaint and allegations are confidential until such time as it comes before the board for hearing, which is today, when you were notified of that.

Shacindra Sloan: Yes, ma'am. Um, [00:38:30] are you aware of when Ms. Sloan got the details of the complaint?

Loretta Ponton: I believe, uh, you received the copy of the exhibits, uh, and details, um... I can check the exact date if you wanna hold just a moment. [00:39:00] The, uh, information was submitted, uh, the, [00:39:30] uh, the witness list and, and the index of exhibits, and the zi- exhibits were transmitted to you on December 7th by email by the office of Attorney General's office.

Shacindra Sloan: Yes, ma'am. Okay. Um, and the complaint was there for August [00:40:00] 10th. Okay. Um, on the... I'm sorry. On Exhibit... [inaudible 00:40:24] if we could [inaudible 00:40:24] that. Exhibit Three. [inaudible 00:40:24]. Exhibit Three, [00:40:30] with the notes, um, that were signed by Ms. Sloan.

Loretta Ponton: Yes.

Shacindra Sloan: Um, was there another signature on the notes?

Loretta Ponton: It was signed by your supervisor. OT. Supervising OT.

Shacindra Sloan: Okay. Hmm. And [00:41:00] during your investigation, were you able to speak with any of the clients from the alleged complaints?

Loretta Ponton: No, I did not interview clients. That information, was confidential.

Shacindra Sloan: Okay, thank you. That was all I had.

Henna Rasul: [00:41:30] Um, unless the board has questions for Ms. Ponton, I can move on to my next witness.

Elizabeth Straug..: Does anyone have questions?

Phil Seitz: I have a couple questions. Um, so when you got hired by, um, this current company, Revival Therapy, did they-

Sophia Long: Ex-, sorry. Board member Phil, um, [00:42:00] the question is to Ms. Ponton.

Phil Seitz: Oh, I'm sorry.



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Sophia Long: [inaudible 00:42:04] respond it. So right now we're asking questions of Ms. Ponton.

Phil Seitz: Gotcha.

Elizabeth Strau...: Do any board members have a question for Ms. Ponton?

Sol Magpantay: None at this time.

Phil Seitz: No.

Mel Minarik: None.

Henna RAsul: Okay. The state will then call second [00:42:30] witness, uh, Mr. Danny Aldis. Um, are you there, Mr. Aldis?

Danny Aldis: Yes, I am here.

Henna Rasul: Okay. Could you please state your name for the record and spell your last name?

Danny Aldis: Danny Aldis: A-L-D-I-S.

Henna Rasul: Mr. Aldis, did you file a complaint with the Board of Occupational Therapy regarding Ms. Sloan?

Danny Aldis: Yes.

Henna Rasul: And how do you know Ms. Sloan?

Danny Aldis: Um, she's, she was a contract worker for us to provide occupational therapy services.

Henna Rasul: [00:43:00] Okay. And, um, basically, my questions are going to, or my question is going to basically focus on Exhibit Number Three. It's the complaint that you filed, and if you could just, um... So, if you could turn to Exhibit Three, and please describe in your own words, um, the events that led up to you filing this complaint against Ms. Sloan.

Danny Aldis: So, um, on [00:43:30] May 19th we had, uh, we gave Ms. Sloan a corrective action plan because of text messages we received from one of the clients of ours. Um, simplistically, she, she was watching Ms. Sloan's dog, and I guess the dog got attacked my our client's dog, and then the client was requesting a new therapist and concerned that it, it, it kind of disrupted the therapeutic rapport.

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[00:44:00] So, we had a corrective action plan explaining, um, appropriate boundaries, explaining, um, professional boundaries, and we reassigned that client to another therapist.

Um, as far as our invoices, I review them on a weekly or biweekly basis, and while reviewing her invoice I noted the times are [00:44:30] one after another, and we do in-home therapy, primarily, especially with occupational therapy. We do in-home therapy, and, um, as noted, it's supposed to be correct and accurate dates and items, and I noted that many of the times were one after another in spite of the clients being in different residence. So, it didn't leave time for travel. And so, I followed up and, uh, clients of concern [00:45:00] I called, and the caregivers reported that, uh, there were no sessions during that time.

Um, so I went through all the times of discrepancy, and they said there was no therapy session at that time. Ms. Sloan was not in the residence. And so I followed up and there were a couple of telehealth sessions, as well. And so, uh, they said that those... and I noted it in the report... I don't know how specific you want me to get, but they, they [00:45:30] essentially said there was no telehealth session during that time, either. So, uh, we then contacted Ms. Sloan and informed her of what we found, and then terminated her contract.

Henna Rasul: And so, um, when you brought this to her attention, um, how, how did she react? What was her response?

Danny Aldis: Um, she responded that, uh, the times may have been a little off, and then I, when I informed her [00:46:00] that it was many times and there were many complaints that she wasn't even there, um, she hung up, and, uh, Carly was on the phone with me when we had this meeting. It was over speaker, so.

Henna Rasul: Oh.

Danny Aldis: Ms. Sloan hung up, and we haven't heard from her since, and then I filed a complaint.

Henna Rasul: Okay. And you did, you did say... I just wanna clarify, okay... you did say that, um, you verified, um, all of the occasions that she claimed to have provided services and [00:46:30] there were no services provided? You were able to follow up on that?

Danny Aldis: Yeah, well, yeah. Definitely, 'cause, per Medicaid, um, you know, I have to review all the notes, make sure they're there, and once I verified she wasn't there I actually had to pay Medicaid back the money for the past sessions that were billed, and then we ended up, uh, losing clients from that, as well. So,

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yeah, I verified, contacted Medi- Medicaid, or, uh, verified, um, voided the claims, and then reimbursed Medicaid back [00:47:00] after all those services.

Henna Rasul: Okay. Um, anything else you would like to add?

Danny Aldis: Um, no, not at this time.

Henna Rasul: Okay. I have no further questions for Mr. Aldis.

Elizabeth Strau...: At this time, are there any questions for, uh, board members need to ask about this witness?

Sophia Long: Sorry, Madam Chair. Uh, Ms. Sloan should [00:47:30] ask her questions first, if she has any questions.

Elizabeth Strau...: Oh, sorry.

Sophia Long: So, Ms. Sloan, do you have any questions for Mr. Aldis?

Shacindra Sloan: Yes, just [inaudible 00:47:40]. Um, okay. Um, so, is there any documentation as far as clients, um, saying, having a complaint with Ms. Sloan or filling something out as far as Ms. Sloan not being of service?

Danny Aldis: [00:48:00] No. It was just through telephone calls and, um, uh, face-to-face conversations, as well.

Shacindra Sloan: Okay. And with you having to, um, go back and let Medicaid know that this happened, and let the clients know this happened, nobody wanted anything in writing?

Danny Aldis: No. So, I voided the claims, and then they were automatically reimbursed. [00:48:30] Um, you were... Uh, occupational therapists are under the supervising occupational therapist license, so, uh, Medicaid has you under my license, so there was nothing to inform because you weren't a, a direct provider for them. So, um, once you were removed and the payments were repaid, that was the extent of my obligation.

Shacindra Sloan: Understood. [00:49:00] And all of this can take place, um, unbeknownst to Ms. Sloan? Meaning, no, um, client communicated this, or prior to, um, this said date?

Danny Aldis: Can you clarify that?

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- Shacindra Sloan: So, prior to August 9th, um, with there being, um... Oh, I'm sorry. [00:49:30] Let me back up. Are there any complaints against Ms. Sloan before [inaudible 00:49:41]?
- Danny Aldis: Uh, well, when I fou-... As far as complaints with clients, just the one of, um, the professional boundaries, but, uh, when I informed them, trying to maintain confidentiality as well as simply asking, "Was Ms. Sloan in your residence, uh, during this date?" [00:50:00] They said no. And so, I, I'm a little confused. What do you mean... Well, what do you mean? Can you clarify more?
- Shacindra Sloan: Sure, yeah. Okay, so I, I think, um, where Ms. Sloan may be confused is, um, on Exhibit Three a note was signed by yourself, August 9th, and a complaint was filed August 10th, which [00:50:30] means you completed a full investigation in less than 24 hours that led you to believe that Ms. Sloan was committing fraud, but with no proof, no written communication, and no prior complaints, but just, on the same day that you noticed these, um, inaccuracies, um, [00:51:00] you were able to form that, with no, no proof.
- Danny Aldis: Um, well, during review of prior notes I didn't, uh... That's where the confusion comes. I noticed the note discrepancy during this review, and then I called, um, and there were clients there as well that confirmed your presence. So, I'm a little confused what I would [00:51:30] warn them about or do an investigation if I wasn't aware this was happening until this date. The second I found out there were discrepancies and I called the various clients, who were unaware you were reporting these sessions, and then once I informed them and asked them if you were present, they said no. So, that's why I'm a little confused. Why would I... Why would I conduct the investigation before I, um, this was brought to my attention?
- Shacindra Sloan: Right, so-
- Danny Aldis: And then, the clients I contacted, [00:52:00] um, I mean, quickly said, just confirmed or denied you, uh, were conducting sessions on those dates.
- Shacindra Sloan: [inaudible 00:52:10], okay. Um, so, um, with the clients, um, confirming or denying that, and, um, you providing, um, confidentiality, [00:52:30] Ms. Sloan basically wasn't even allowed the benefit of doubt, or wasn't even questioned on what happened on this date or this date in any type of way. It was just assumed that what you're saying, um, happened. Like, with no clients putting this in writing, or no formal complaints against Ms. Sloan, we're just led, led to believe that on August 9th you conducted the investigation [00:53:00] that led you to believe Ms. Sloan was committing fraud, and you proceeded then to counsel Ms. Sloan, uh, or separate from Ms. Sloan. Is that correct?

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Danny Aldis: Um-

Shacindra Sloan: After completing your investi-

Danny Aldis: Can you clarify? After... Can you hear me?

Shacindra Sloan: Yes, sir. I can hear you.

Danny Aldis: After completing the inves-... What's [00:53:30] the ques-? Oh, if I... No, I called them because of discrepancies where such were, essentially, you were in two places at once. I called and then they denied you were there. And then, um, the benefit of the doubt was given the first client, and then I followed up on the second with the same response, of you not being there. And then the third, um, and it, it was, uh, created pattern of behaviors, and that's when I called you. Um, I didn't just see a note and then call you. I did a further investigation [00:54:00] which, it was essentially calling people, asking them if you were there or not, and, um, them denying it, and, uh, there were repeated dates of that, as well. And then, that's when you were contacted, um, and your contract was terminated.

Shacindra Sloan: Okay. Upon you, um, speaking with [inaudible 00:54:26], allegedly, um, did they tell you Ms. Sloan was on vacation?

Danny Aldis: [00:54:30] Which, which client? Or, say that again?

Shacindra Sloan: The various clients, allegedly, that you spoke with? Did they, um, did they tell you Ms. Sloan was on vacation?

Danny Aldis: Um, no. They mentioned a court date, but I don't... It didn't, um, coincide with when you reported, uh, your sessions.

Shacindra Sloan: Okay.

Danny Aldis: Are you... I'm, I'm confused. [00:55:00] Vacation as to when your invoice was, or during the week you were contacted?

Shacindra Sloan: During the... August 9th. It's just, um, coincidental that Ms. Sloan took the first week off for back-to-school, and she sat down that week before and talked with all the clients about revamping the schedule. So, I was just wondering if they even mentioned that Ms. Sloan went on vacation that week, or if they mentioned [00:55:30] that because, uh, kids were going back in-person, or clients, I'm sorry, were going back in person, did they even mention that, um, we redid the schedule. So, I was just wondering, 'cause you, you spoke with

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them, so I, I would have thought that was something they would definitely mention.

Danny Aldis: Uh, no. My concern wasn't where you were that week, because there was no invoice turned in during that time. My concern was the week prior, when they said you weren't there. Were you on vacation? I don't know if I can... Were you on vacation the week you turned in your invoice?

Shacindra Sloan: When [00:56:00] you called me, I told you, uh, I was on-

Danny Aldis: No, I'm saying the week, uh, of the invoice, prior, were you on vacation?

Shacindra Sloan: No. I'm sorry, what are you asking?

Danny Aldis: I'm asking you... I'm a little confu-... You, they wouldn't tell me you're on vacation the week you didn't turn in an invoice. They told me that you weren't at those sessions for that and the prior invoice to that.

Shacindra Sloan: Well, I-

Danny Aldis: But I, I, I don't know why I would ask if you were on... I was unaware you were on vacation, [00:56:30] but I don't know why I would have asked-

Shacindra Sloan: Right.

Danny Aldis: ... whether you were on vacation the week-

Shacindra Sloan: And I [inaudible 00:56:36].

Danny Aldis: That really wasn't my concern at that point.

Shacindra Sloan: Okay, okay. Well, it seemed like, because it all happened on August 9th, it was just coincidental. So, it was just a question. It was really coinciden-

Danny Aldis: I review invoices Monday or Tuesday, um, uh, the week after. So, invoices are typically due Sunday. I review them Monday or Tuesday, and, [00:57:00] uh, sign, make sure the times match up, um, so that kind of is, is the process that I utilize. Um, as far as you being on vacation on the 9th, I don't, I don't really understand why that's relevant. But-

Shacindra Sloan: Okay.

Danny Aldis: Yeah. I was unaware you were on vacation the 9th.

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Shacindra Sloan: Okay, okay. Um, so, um, upon Ms. Sloan's hire, um, how much training [00:57:30] did you provide her with, in Simple Practice, as far as scheduling?

Danny Aldis: Um, I give everyone a packet on how to do so, and I'm always available if there's any necessary questions, but, um, your times matched up to the invoice, so I wasn't, uh, I believe maybe just a packet that explains how to do it, and [00:58:00] if there's any followup questions, which I always mark at the end of my emails are, let me know if you have any questions or need any further clarification.

Shacindra Sloan: Okay. So, no training, Simple Practice. Um, is Ms. Sloan new to Home Health?

Danny Aldis: Can you say that again?

Shacindra Sloan: Is Ms. Sloan new to Home Health?

Danny Aldis: Um, to pediatric outpatient, yes. Ms. Sloan is new to that.

Shacindra Sloan: Okay. [00:58:30] Okay. And prior to August 9th, no complaints of Ms. Sloan? No discrepancy with [inaudible 00:58:42].

Danny Aldis: No, there was a complaint of, um, professional conduct when one of our clients we had to transfer because she was watching your dog at a residence, and your dog got attacked, and that's why we had that correction action planned, trying to establish appropriate boundaries with clients.

Shacindra Sloan: [00:59:00] Okay. Was that a, considered a complaint, or was that considered, uh, an action plan?

Danny Aldis: No, that was a complaint. The client was worried about therapeutic rapport with you, so she asked if she could switch therapists. I noted it all in the report, and I, I had brought the text there, as well. Um, and I have the report. You signed and dated it.

Shacindra Sloan: Okay. Um, [00:59:30] so, on planning [inaudible 00:59:33] on August 9th, um, what time did you notice the discrepancy?

Danny Aldis: Um, I don't have an exact time. It was earlier in the morning. I typically try to check notes as soon as possible, um, and that day I was able to do it, I believe, um... I can't really give specifics. Just in the morning, early afternoon. Probably before 12:00.

Shacindra Sloan: Okay. [01:00:00] Um, prior to this week, um, was there any other time discrepancies? 'Cause in the complaint you stated there was a pattern.

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Danny Aldis: Um, a patter as far as the two previous invoices. Um, yeah, as far [01:00:30] as those two invoices, that's where the... I noticed, anyway, the pattern developing. So.

Shacindra Sloan: Okay. Um, in Simple Practice, um, is there any... But, [inaudible 01:00:46] have, like, a, like, a default to them? Um, I'm referring to Exhibit [inaudible 01:00:53], um, to Ms. Sloan's notes, um, where it said in-home [01:01:00] psychotherapy.

Danny Aldis: Um, in-home psychotherapy? Yes, that is the default, um.

Shacindra Sloan: Do you sign those thinking that Ms. Sloan's, um, attempting to go for in-home psychotherapy?

Danny Aldis: No. I reviewed the, the notes and then, [01:01:30] um, they're maintained for audits and, uh, I just sign and date them. Um, we, these, a lot of these notes are developed from Medicaid requirements, and, uh, that's not a part that's required by Medicaid for occupational therapy services. Um, the billing portion lets them know what service we provide.

Shacindra Sloan: Okay. So, it's okay [01:02:00] for that to be inaccurate?

Danny Aldis: Yeah. They, um, as long as the note is true, accurate with dates and times, and it's measurable and it's justifiable. Those aren't a concern of Medicaid. They just wanna know what, um, the progress of a client is and what we billed, which is in their system.

Shacindra Sloan: Oh, okay. Um, looking at Ms. Sloan's scheduling board, um, does she have anything set on repeat?

Danny Aldis: [01:02:30] Um, yes. I believe so. Well, I, I didn't look at that, but it, it's, you are, that is definitely an option you can do with Simple Practice.

Shacindra Sloan: Okay, cool. Um, and I guess, uh, my last question would be, um, as far as when it goes with, uh, times or overlapping, or [01:03:00] when you're putting things in, there is no default such as, um, when you're buying a plane ticket, if you put in the wrong ZIP code, it goes with your, your debit card. That's not going to say, "Oh, this is oh-six, not oh-oh." Is that correct? So, a clerical error is, is possible.

Danny Aldis: For as... I'm sorry, as far as times?

Shacindra Sloan: Yeah, as far as, um, [01:03:30] IT. As far as working in a system that your six months brand-new to, as far as you're being self-taught, as far as trial and error, a clerical error can happen.



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Danny Aldis: Oh yeah, absolutely. There are many clerical errors. The, the concern I had was the invoice-

Shacindra Sloan: No, I was just asking was it a clerical error.

Danny Aldis: ... with the-

Shacindra Sloan: I was just asking if that was... that was the question.

Danny Aldis: Oh yeah, 'cause you are, um, it's not a default to [01:04:00] do repeat. You actually have to program Simple Practice in order to do repeat, so it's actually an effort to make it repeat rather than... It's kind of opt-in type program, where if you do want it to repeat you have to go in and, uh, have it repeat. So, which would take, you know, some knowledge of Simple Practice; whereas, if you didn't do that the no-, the times wouldn't repeat. So, it would be more, um, effort to make [01:04:30] the sessions repeat, rather than not, which isn't actually the default setting, as they don't repeat unless you mark it, go in, and then put it in there. And even if they do repeat, you can change times, you can change dates, you can, um, you can make sure you customize your schedule as seen fit and accurate.

Shacindra Sloan: Okay. What about, um... You know, like what you're saying, it would take some knowledge of Simple Practice. What about when it takes to get in, it to [01:05:00] not repeat? Such as, um, if Ms. Sloan sent that with her, her calendar and the appointments are still coming? They're still not, not coming? Although I've asked it not to, it's still there. So could that just be a, a glitch or an IT thing, or a lack of knowledge of the software?

Danny Aldis: I gotta be honest, I didn't even... You're pretty savvy with Simple Practice. I didn't know you could sync it with [01:05:30] your other calendar. Um-

Shacindra Sloan: [inaudible 01:05:33].

Danny Aldis: So you've had training with Simple Practice?

Shacindra Sloan: No, in session when, um, she's doing, doing her evals and whatever it is that she does on her computer, uh, she was teaching me because I'm not good at, uh, point-click care with the kids. So, uh, to save me time on Sundays when I'm billing.

Madyson Wier: I've taught her, and I've trained you, multiple times.

Sophia Long: Sorry, Ms. Wier, real quick, [01:06:00]

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- Sophia Long: We'll get to you in a minute (laughs).
- Shacindra Sloan: Thanks.
- Sophia Long: Um-
- Danny Aldis: Yeah, I, I don't know.
- Shacindra Sloan: As far as, um, for that. So, um, other than that, I guess August, August 9th, um, the first day of back to school, you were able to get, um, all clients, moms, dads, grand moms on the line to verify dates, [01:06:30] times and able to get a verified complaint with no email or tangible evidence?
- Danny Aldis: Um, yeah, I was able to call... In regards to, um, first off, your confidentiality and, um, the wellbeing of the clients, it's a very awkward thing to have to do this road outside of [01:07:00] asking how his treatment going. But then once you start questioning clients about times and stuff, you definitely wanna, um, get a confirmation. You want to ask them, I've asked multiple times, "Are you sure?" I read them the dates. Um, one of the clients in fact said, there's no way his kid knew how to operate telehealth, um, and that did not happen. Um, so that was the burden of proof I was looking for. Um, I, I work with those clients now. I took over a lot of those cases [01:07:30] and, uh, follow up has been the exact same thing.
- Um, I mean, yeah, that's, that's essentially the process that took place was, um, calling them, having them confirm it. And I, I don't think there would be more of a burden of proof I would need, especially 'cause you're a contract worker, we, um, we reserve the right to terminate in, uh, that contract at any point. So the burden of proof really was they denied the session took place.
- Shacindra Sloan: [01:08:00] Right. And that part we are 110% on the same page. I mean, it, it, you don't require any reason to keep Miss Sloan with you, that's not the pro- that's not even in question. What is in question though, is without one email or text, um, with a phone number or even an anonymous for a- assume like confidentiality, you were able to push this complaint before [01:08:30] is crazy.
- Sophia Long: Miss Sloan. Um, do you have another question for Mr. Aldis? And I believe your, your point is just that there's nothing in writing, is that correct?
- Shacindra Sloan: Yes ma'am. No, I don't, I don't have another question. Thank you, Mr. Aldis. Sorry. I got off track.

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Danny Aldis: Thank you.

Henna Rasul: So, does the board members have any questions for Mr. Aldis, I'll move on to my third witness.

Sol Magpantay: Uh, is it questions [01:09:00] of board members to Mr Aldis?

Henna Rasul: Yes, that's correct.

Sol Magpantay: Okay. Can I, um, Mr. Al- uh, Mr. Danny Aldis, um, my question will be because, um, I want to separate, um, the one that, um, the caregiver was taking care of the dog. I want to separate the technology and the documentation. Um, what are the specific dates that you said that, um, services was not provided, the [01:09:30] time? I just want to make sure, um, specific dates. Can you just give the specific date? Is it all, uh, August 10th of 2021?

Danny Aldis: Um, as far as... You want the specific dates, as far as the invoice, correct?

Sol Magpantay: No, not the invoice. The specific dates that the treatment was, uh, were provided and she was not there.

Danny Aldis: Oh, okay. Um-

Sol Magpantay: Just the dates.

Danny Aldis: [01:10:00] Yes. I am reviewing those right now.

Sol Magpantay: Um, 'cause the, um, Mr. Al- Aldis, right?

Danny Aldis: Yes.

Sol Magpantay: Do you have, like in, um-

Sophia Long: I, I apologize, um, board member Sol, um, just there's a question out there that you already asked. Just let Mr. Aldis answer your question first, before you move on to your next question.

Sol Magpantay: Oh yeah, yeah. Thank you.

Danny Aldis: Um, so [01:10:30] the invoices were specifically dated 8/1 and 8/8, and um, the week of 8/2 through 8/8 was um, on 8th August, two, 2nd and August 4th. Um, the contact or the caregiver denied that she conducted treatment on those sessions. Or I'm sorry, let me review these [inaudible 01:11:00] sessions [01:11:00] too.

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Okay. So on August 2nd and August 4th, um, and then on August 3rd, um, I highlighted them too. That might be easier if I [01:11:30] pull up... I'm looking at the report, but I can pull up the invoice if I can find it on if that was admitted in the evidence. Um, ha- were the invoices submitted in the evidence? Were they... I'm looking at the packet I received, maybe they weren't...

Sol Magpantay: No, they were not. That, that's why I was asking. (laughs).

Danny Aldis: They're... they were submitted, [01:12:00] but they're not, I don't think they were downloaded in the evidence. I submitted 'em to the board, the actual invoices.

Sol Magpantay: Um, the progress notes are there, but the invoices there were not.

Danny Aldis: Um, so I submitted them, but I can review. It's not a big deal. So it looks like August 2nd, August 8th, I say [inaudible 01:12:30] would not [inaudible 01:12:30].

Sol Magpantay: That will [01:12:30] be fine. Mr. Aldis. The reason why I was asking is I want to compare and contrast the documentation and the invoice. 'Cause the reason why is because you signed all her paperwork. Once you signed it, that's, that's the thing. You don't have like, um, when, when somebody [01:13:00] goes in to the home, they sign, sign, like what time they came in and then what, the time they came out? 'Cause now they do that, signature when you come in and signature when you come out. And then also if it is a, um-

Sophia Long: Sorry, board member Sol, let's let Mr Aldis answer that question first. Mr. Aldis, did you catch the question?

Danny Aldis: Yes. And that's a great point. We actually, after this [01:13:30] incident, we do that now. And um, if I could go back in time, I would, I would've loved to have that implemented. We actually do that now. Unfortunately we, we didn't then. Um, I'm looking at my packet. I did submit those invoice to board. I don't know if they were downloaded, but all those dates were highlighted and um, but the names were all redacted for review so there's no, uh, PHI.

Henna Rasul: Loretta, Loretta, did you receive those?

Loretta Ponton: Uh, I did not [01:14:00] receive those. The thing I've got is here. And if, uh, Mr. Uh, Aldis, if you have, um, an email with those, I would be happy to... If you could forward those, I would be happy to share that information prior-

Henna Rasul: If you can forward, if you forward that information, then I would like to submit that as exhibit eight and add it on if we can.

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Danny Aldis: Um, yeah. You want to gimme [01:14:30] one second, that would be great.

Henna Rasul: That's fine. Take your time, Mr. Aldis.

Danny Aldis: Okay.

Shacindra Sloan: I, um, have an exhibit I'd like to submit as well, which is, um, our conversations, uh, via text August 9th.

Sophia Long: Ms. Sloan, if you can submit that to Ms. Ponton as well.

Danny Aldis: Um, [01:15:00] Ms. Ponton-

Loretta Ponton: Yes.

Danny Aldis: It would... I sent it. It would be under Cindy's redacted invoices. It's in the original email I sent you.

Loretta Ponton: Do you have a date on that?

Danny Aldis: Um, that would be August 11th.

Sophia Long: And Mr. Aldis, if I heard you correctly, you said you just sent it again, right?

Danny Aldis: No. I-

Sophia Long: Okay.

Danny Aldis: It was in the first file. I'm just, [01:15:30] I mean, there were a lot of documents. I didn't send that again. It was under Cindy's redacted invoices. I'm just wondering if you didn't pull up in the original email. But if you review that first email, you'll see in that whole list of documents, it's in there.

Loretta Ponton: Find it?

Speaker 7: [inaudible 01:15:47].

Loretta Ponton: Zip file.

Loretta Ponton: It's in the August [01:16:00] 11th [inaudible 01:16:13]. I'm trying to find it. Can you help me?

Sophia Long: And Ms. Sloan, did you submit your documents to Ms. Ponton as well?

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Shacindra Sloan: Yes, ma'am. Now on the way.

Sophia Long: So procedurally Ms. Ponton, when you receive both those documents, [01:16:30] Mr. Aldis's documents, if he can send them to Ms. Rasul and Madam chair.

Loretta Ponton: I will do that. It'll take me just a moment here.

Sophia Long: And then miss... Sorry, sorry. Mr. Aldi's documents, if you can submit them to Ms. Sloan, Ms. Rasul and Madam Chair.

Loretta Ponton: Okay. One moment.

Sophia Long: And the same for... [01:17:00] I don't know who I just said. All the documents (laughs) you just got, just give them to Ms. Rasul, (laughs) Madam chair.

Loretta Ponton: (laughs).

Sophia Long: And each other, I guess. (laughing). Ms. Sloan, Ms. Sloan needs all the documents as well.

Loretta Ponton: Mm-hmm (affirmative).

Danny Aldis: Where is it? [01:17:30] Oh there it is. You have the zip folder I sent you? It should be the six item down.

Loretta Ponton: Yes. Just take me a sec to get there.

Danny Aldis: Oh. Okay, no problem.

Elizabeth Strau...: While we're waiting for people, this is Liz, um, I have a notice [01:18:00] that Mel may need to leave at 11:30. I just wanted to let this board know.

Mel Minarik: Yes, my apologies.

Elizabeth Strau...: Thank you, Mel.

Sophia Long: And Madam chair, if board member Mel leaves, do we still have a quorum?

Elizabeth Strau...: We do still have a quorum.

Sophia Long: Thank [01:18:30] you.

Loretta Ponton: Who do I send them to? Henna? [inaudible 01:18:37].

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Sophia Long: And Ms. Sloan and Madam Chair.

Shacindra Sloan: Yes.

Sophia Long: So, you should be receiving some documents in a minute Ms. Sloan.

Loretta Ponton: [01:19:00] Do I send that to Liz also?

Sophia Long: [01:19:30] Yes, please.

Loretta Ponton: Mm-hmm (affirmative). [01:20:00] We forward sending emails. Ms. Sloan's emails [inaudible 01:20:07] and then you get that document up. [inaudible 01:20:17].

Stacey Whittaker: Mm-hmm (affirmative).

Loretta Ponton: [inaudible 01:20:17]?

Stacey Whittaker: Mm-hmm (affirmative).

Henna Rasul: So Madam Chair, [01:20:30] um, we just received the invoice from Danny. Um, I would like to submit this as exhibit eight, if there are no objections.

Sophia Long Ms. Sloan, did you receive the documents from Mr. Aldis?

Shacindra Sloan: Um, let me take a look and see.

Danny Aldis: Um, for the record, I didn't just send anything. Those weren't sent from me.

Sophia Long: It's fine. It just came from Ms. Ponton.

Loretta Ponton: Yeah.

Danny Aldis: [01:21:00] Okay. So, well, I mean, for the record, I did submit the invoices during the original submission, correct?

Loretta Ponton: Yes.

Danny Aldis: Okay.

Loretta Ponton: For the record, I did have them. Uh...

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Sophia Long: And Ms. Ponton, can you, can you take this video off right now? Sorry, the screen share off right now. I don't, I believe these documents are not, are not admitted yet.

Shacindra Sloan: Okay. [01:21:30] Yeah. I, to the best of my knowledge, sure, admitted.

Sophia Long: Okay. And Ms., Madam chair, I believe there are no objections to admitting the documents from Ms. Rasul right now. Are they admitted?

Elizabeth Strau...: Okay. Yes, please.

Sophia Long: Okay. And then now addressing Ms. Sloan's documents. Did you receive those Ms. Ponton?

Loretta Ponton: Uh, [01:22:00] yes, we did. We forwarded them.

Sophia Long: So you forwarded them to Ms. Rasul and Madam chair?

Loretta Ponton: Yes.

Sophia Long: Okay. Ms. Ra- Rasul, did you receive the documents?

Henna Rasul: I did. Yep.

Sophia Long: Do you have any objection?

Henna Rasul: I don't.

Sophia Long: Okay. Madam chair, the documents that are submitted by the respondent, Ms. Sloan, did you get a chance to review those documents?

Elizabeth Strau...: No. [01:22:30] I'm looking... I have a very old computer (laughs). I'm looking.

Sophia Long: [01:23:00] And when you're done reviewing them Madam chair, please let us know if they can be admitted into evidence.

Elizabeth Strau...: Okay. This might take a while because they're all more advanced computer documents than I have (laughs), but I'm working on it.

Sophia Long: Take your time, Madam chair.

(Silence).

Elizabeth Strau...: Hold [01:23:30] on.



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Sol Magpantay: Loretta, you're not on.

Loretta Ponton: [01:24:00] Yes.

Sol Magpantay: I thought you were talking and you were not on (laughs).

Loretta Ponton: No. (laughs).  
  
(silence).

Elizabeth Strau...: [01:25:30] I am not being successful. My, c- uh, computer is, uh, not opening or, or doing whatever it needs to do. Is there someone else who can, uh, can Ally receive and take it as, [01:26:00] uh, vice chair?

Sophia Long: Your... Ms. Rasul, you were able to open the documents?

Henna Rasul: Yes. I'm looking... Um, from Ms. Sloan?

Sophia Long: Yes.

Henna Rasul: Yeah.

Sophia Long: Yeah?

Henna Rasul: Okay.

Sophia Long: Oh, are they in a PDF, are they...

Henna Rasul: No, they're a copy of a text. They're copies of texts. Picture shots.

Sophia Long: Oh.

Henna Rasul: Screenshots.

Loretta Ponton: Okay. We're in process of copying those into [01:26:30] a word document, and then hopefully I'll be able to send those as a word document or a screen share.  
  
(silence).

Sophia Long: [01:29:00] Ms. Ponton, um, I believe is, is Stacy working on converting the documents into a word? And you're muted? So...

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Loretta Ponton: [01:29:30] Yes, they're converted. I'm gonna do a screen share. She's gonna email to Henna and who else do you need?

Sophia Long: Um, just email 'em right now to Henna and to... I'm sorry. Henna already has it right.

Loretta Ponton: Right.

Sophia Long: So just Madam chair so she's able to look at it, but please do not screen share yet.

Loretta Ponton: Okay.

Sophia Long: Sorry. Okay. Okay. Got it.

Loretta Ponton: [01:30:00] You got it too?

Sophia Long: Mm-hmm (affirmative).

Stacey Whittaker: Send [inaudible 01:30:03] to Liz.

Loretta Ponton: Okay.

Loretta Ponton: It's on its way to Liz.

Loretta Ponton: It's got [inaudible 01:30:17] pictures on it but [inaudible 01:30:33]. [inaudible 01:30:37] [01:30:30] pictures next [inaudible 01:30:39] that's okay.[inaudible 01:30:42]-

Stacey Whittaker: That's okay.

Loretta Ponton: [inaudible 01:30:47] to Liz.  
  
(silence).

Speaker 8: Is Liz [inaudible 01:31:17]?

Speaker 8: [01:31:00] Hmm?

Loretta Ponton: Is Liz coming? They're on your way to you, Liz. Let us know when you receive them.

Elizabeth Strau...: [01:31:30] I'm clicking away, but my computer is not being, uh, friendly. It keeps opening toast and not, uh, windmill.

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(silence).

Elizabeth Strau...: [01:32:00] It is not... It does not appear to be opening. [01:32:30] Uh, I see it as from Stacey and it just, um, is not doing... I press save, nothing's happening.

Sophia Long: Um-

Elizabeth Strau...: That's why I wonder if somebody else can receive it and act on it as opposed to me.

Sophia Long: Ms. Sloan?

Shacindra Sloan: [01:33:00] Yes ma'am.

Sophia Long: Um, so what we can do is Ms. Sloan, if you can just, um, kind of identify the documents that you would like to be admitted for Madam chair. Um, you don't have to read the text messages, but just give us a, give her a general summary of, of what the documents you're trying to admit.

Shacindra Sloan: Okay. Um, [01:33:30] Okay. So, um, one of the documents is going to be, um, the text message of, that me and Danny, um, we'll communicate in December 9th. I'm sorry, not December, August, August 9th and August 3rd. And another one was, uh, of me and Carly communicating, uh, the week before.

Sophia Long: Okay. [01:34:00] And does, and Ms. Sloan, um, do those communications pertain to your hearing here today?

Shacindra Sloan: Yes.

Sophia Long: Madam chair, with that foundation laid, um, without seeing the documents yet, of course, would you like to admit them into evidence?

Elizabeth Strau...: Yes, I would.

Sophia Long: Thank you. Um, now they could be, uh, Ms. Ponton, if you want to send them to all the board members or [01:34:30] screen share or whatever you wanna do with them now, the board members are allowed to see them. And I apologize for the delay. Um, are we, and I'm sorry, are we on, uh... Mr. Aldis is still the witness. Are we on board member questions to Mr. Aldis currently right now? Okay.

Elizabeth Strau...: Yes.

Sol Magpantay: Is it okay to continue to ask question?

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Sophia Long: Uh, board [01:35:00] member Sol, yes, I apologize. Yes.

Sol Magpantay: Um, Mr. Aldis.

Danny Aldis: Yes.

Sol Magpantay: Um, I'm looking at exhibit, I dunno, what exhibit is this, but it's the documentation. Let me look what exhibit three, documentation of Ms. Sloan, on October, on October three, individual appointment from 4:30 to [01:35:30] 5:30, 60 minutes, in home psychotherapy. Is that part of the receipt that you were talking about? The invoice?

Danny Aldis: Um, okay. You said exhibit three?

Sol Magpantay: Yeah, exhibit three, progress note, um, individual appointment, August 3rd, 2021, 4:30 to 5:30 PM. 60 minutes [01:36:00] in home psycho- is that part of the invoice?

Danny Aldis: Yes. So... Well, no. So these are the progress notes. Every one of these progress notes, um, the clients denied, um, Ms. Sloan was present during. So, uh, there was also... Like I said, I submitted the invoices, which I believe we all have now. And then these progress notes correlate with the invoices showing that these were generated in, um, absence of an actual session, and that's what, uh, these [01:36:30] were admitted for. So this is referring to, I redacted the name, on August 3rd from 4:30 to 5:30, she did, location of session would be at home with family present and, uh, that correlates to her invoice for August 3rd, 2021 for, um, uh, this client. So I, I patched the invoice that Ms. [01:37:00] Sloan submitted and then the progress report that matches those dates and then I highlighted the actual, uh, discrepancies on the invoice.

Sol Magpantay: Um, so, uh, Mr. Aldis, all those that are here in exhibit three are those that she was there, she wrote the documentation and you signed it. The ones that are [01:37:30] in the invoice that you highlighted, she was not there, she did not write a documentation and you did not sign any documentation of hers? Am I right?

Danny Aldis: No, I did... No. I did si- I signed all the documentation. I signed all the, all the documentation. She does this, uh, my, my therapists do the session, submit the documentation, I review the documentation and then, um, make sure it matches the invoice and I... So I'll give you [01:38:00] an example. So if you look at, um, let's see, um... It... I mean, I don't want to... I, I can, but if you look at 'em, you'll notice the times often, a lot of these clients don't live together and the times go from like 12:00 to 1:00 and then 1:00 to 2:00. Um, so that would be

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the clients work that kind of put up a red flag for me and so then [01:38:30] I followed up.

But regardless, I just review the documentation to get my status on the kids, see how they're doing, see how treatment's going and then I sign and date. So just 'cause they have a signature on the, that's just showing that I'm reviewing all the notes. I, I review every, every note that my, uh, cotas submit, everyone.

Sol Magpantay: I'm just like trying to understand, uh, Mr. Aldis, so [0139:00] all those highlighted, those are the, the question ones?

PART 3 OF 7 ENDS [01:39:04]

Sol Magpantay: ... All those highlighted, those are the, the question ones, right?

Danny Aldis: Yeah. So, let's take August 4th, 2021.

Sol Magpantay: Yeah, [inaudible 01:39:11].

Danny Aldis: Okay. So, that says session was from 8:00-9:00, and then if you go down you'll see August 4th, it goes 9:00-10:00. Those are two different clients from two different homes. So, I saw that and reali-, obviously you can't be in [01:39:30] two different places at one, followed up, and that's when, um, you know, um, uh, client caregivers said that there were no, there was no session on that date. Not that time, on that date. There was actually no physical session.

Sol Magpantay: And no documentation done, either?

Danny Aldis: So, there's documentation, which is part of the allegation, that fraudulent documentation was being submitted. So there was documentation, I signed it, and it matched the invoice. [01:40:00] A red flag came up once I saw the, um, invoice and documentation for different clients in different homes, where literally no travel time was, um, accounted for, and in, at the bottom of the invoice, if you look, it says, "I certify that these hours are true and accurate record of time working during the pay period." Meaning, the times and dates have to be accurate. They have to be. We don't accept anything but that, in case we... [01:40:30] Well, ethically, but also if we get an audit by Medicaid, um, we wanna be able to pull the notes, show they're there, and obviously not only me but Medicaid would have a question and say, "How are they in... How is it a face-to-face session in two different homes, right after one and the other?" Does that make sense?

Sol Magpantay: Yes, yes, it does. But my question is, are you able to change this time in the computer, though?

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Danny Aldis: Oh yeah, yeah.

Sol Magpantay: Okay.

Danny Aldis: Of course. You can change it. Simple Practice [01:41:00] is a, simple. It's very user-friendly. Um, oftentimes I, uh, like I said, we, I just submit... I, I give a whole orientation packet, explain it in detail, and then, um, if there's any questions, oftentimes therapists don't have questions on even how to use it. You just plug and play the dates. Um, you can modify them, you don't have to do repeat. I do repeat on mine 'cause my clients are pretty steady, but, um, if I get a new client that's kind of moving around [01:41:30] I switch the dates all the time, so that's not really a concern. Well, you can leave it on repeat, but I also, as a safeguard, note on... If you look at the bottom... I certify that these hours are true and accurate. So, time's included and all time worked during this pay period.

Sol Magpantay: Um, so prior to this, was her time also this way, or was it, like, 9:01 to, to 9:32?

Danny Aldis: Um, [01:42:00] no-

Sol Magpantay: Or is it just this one? Are there prior to this one?

Danny Aldis: Well, I include-

Sol Magpantay: Or this is her first one?

Danny Aldis: I included two weeks' worth of invoices, and it looks like they're fairly the same. I didn't go in great detail with that, but, um, it looks like, yeah, for the most part it looks like, um... Well, no, that's not true. Some of them are changed. So, if you look at... Huh, let's see. Um, 8-2-8-4... hmm. [01:42:30] Um, well, that's actually a good point. So, yeah, I, they are changed. Uh, some of these times are changed on the invoice, indicating that Ms. Sloan's fully aware how to change times, 'cause if you compare the invoices you have some of the clients that, the times are actually changed. And then, um, I, I keep good contact with my clients, uh, so if they're out of town they're not on the invoice, and she didn't do a note. So, let's say [01:43:00] a client was out of town, um, and I was aware of it, they won't be on the invoice or the note. Um, I don't know how much detail you want on that. I believe there's probably-

Sol Magpantay: Um, no. I just wanted to know if it is, um, that you're able to change the time, that she knows how to change the time, and prior to this week, um, she was already doing this and she's able to change the time. That's all I wanted to know.

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Danny Aldis: So, let's go ahead and just elaborate on [01:43:30] that. If you look at the first invoice, let's look at JG. You can review those dates. It's the 5th, the 6th, and, um, uh, well, we could look at the 5th, 6th for, um... uh, well, that's not a good example. Well, you can look at all four of those. You'll notice on the second one, um, those are, I believe those are changed, as well. So, there are differences between the invoices, um, and those match [01:44:00] the progress notes. So, from this you can indicate that not only did she know how to change the times and dates, but she was a- able to reflect that on her invoice, as well.

Sol Magpantay: Yeah. And I know this, like, the telehealth, it's okay to be back-to-back because it's telehealth. I mean, if, if you're able to, to do it back-to-back. That's what I meant (laughing).

Danny Aldis: Oh, yeah. Telehealth, absolutely, but, um, there's only le-... If it says telehealth on that column, that means [01:44:30] she did telehealth. Otherwise, it's treatment, which means it's, um, face-to-face. Regardless, though, those telehealth cases confirmed she wasn't doing telehealth. Those kids are way too young to know how to operate telehealth on their own without any adult supervision, so.

Sol Magpantay: And also they need to sign a consent that they're willing to do telehealth. You can just do telehealth without them. The, the parents or the caregiver signing that they're willing to do telehealth.

Danny Aldis: [01:45:00] Correct.

Sol Magpantay: So, you cannot conduct telehealth unless they sign it.

Danny Aldis: Correct.

Sol Magpantay: Are these signed by the parents?

Danny Aldis: No. Um, we do a consent. Whenever we do an intake we do a consent that also consents to telehealth.

Sol Magpantay: Okay.

Danny Aldis: Um, yeah.

Sol Magpantay: That's all for me. Thank you.

Phil Seitz: Uh, [01:45:30] I have a question for Danny, real quick. Um, so when all of your... Okay, so let me backtrack. How long have you been doing home health?

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Danny Aldis: Um, we... Well, we're a pediatrics outpatient, um, a little different than home health. We do in-home, uh, and, yeah, we, we go in the home. But we are, as far as revival therapy or me personally?

Phil Seitz: Well, yeah, revival therapy. So, uh, I need some background [01:46:00] here. So, I, I don't really know: is this a outpatient pediatric clinic that you guys do in-home treatments with occasional telehealth? What exactly is your business model, so I understand what's going on here?

Danny Aldis: Okay. So, we provide behavioral health services and, and occupational therapy services. Um, no, we do... We have an office, and we have had a couple kiddos come into that, but we primarily and overwhelmingly do in-home, [01:46:30] uh, therapy. Um, and as far as telehealth, we try to avoid that as much as possible. Um, we do, we do allow it, but we, we like the quality of face-to-face, so if it's an emergency or someone's not able to make it... which happens... um, we do telehealth, which they've signed on with the, I believe those consent forms. So, um, primarily, though... I mean, it's very, very... I, so I haven't had a telehealth session [01:47:00] for, on the occupational side for... I don't even know how long. For my other therapists.

Phil Seitz: Okay. So how long have you guys been in practice as a business?

Danny Aldis: I believe a little over three years.

Phil Seitz: Okay.

Danny Aldis: Three years.

Phil Seitz: So, during your orientation process with your contracted codas, or OTARs, for that matter, I assume there has to be some sort of orientation indicating... Uh, besides you seeing Simple Practice... that's your software, [01:47:30] I assume... um, and also requirements to do the billing part of that, correct, where... that's what I need to know. Uh, besides giving them a pamphlet or a booklet, are you guys actually going over that specifically, face-to-face, with, uh, with the therapist that you contractually employ?

Danny Aldis: Um, yes. We do have an orientation process, and we, we go over any questions. Um, the, the standard [01:48:00] is I run them, make sure they have a valid license. After we contract, send them our orientation packets, send, send them, uh, all our documentation, have them review it, and then we will discuss cases. We'll discuss any questions with orientation. We, um, hit everything the first encounter we have, and then, um, we will, uh, you know, yeah. I mean, there is an orientation practice, and I, but I do think at this point, um, Cindy was with us [01:48:30] for... I don't necessarily know, it might be a question for her, but



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quite a, quite a while. Um, we're pretty good at communicating, um, through text or email, or phone calls, and then I did, like, a biweekly, um, supervision, as well, biweekly, [inaudible 01:48:48] or three weeks.

Phil Seitz: And do you [crosstalk 01:48:49] have document that, that Cindy completed this orientation and understood exactly what her billing requirements and understanding is on that?

Danny Aldis: Um, [01:49:00] yes, sir. I have that orientation packet.

Phil Seitz: Okay. So, another question for you, Mr. Aldis. Uh, I, I did home health many, many years ago, way before EMR was even reality. So, I don't even know how you guys, at that time, were billing without some sort of patient, um, signature that the therapist was in there. I, I don't... I thought that was a big requirement for Medicare and Medicaid [01:49:30] to get reimbursed, indicating that the patient had actually received the therapist or, uh, therapy. Uh, I don't know how that's going on without them having some sort of, uh, consent or... Not consent, but, uh, uh, "Hey, I, you know, Phil was here from 10:00-11:00, blah-blah-blah." I don't, I don't... That's a little concerning to me. I don't understand how that's going on.

Danny Aldis: Yeah, absolutely, and that has been implemented. Um, to be honest, I didn't read that in the Medicaid [01:50:00] requirements. I reviewed the handbook, I reviewed, uh, behavioral health's handbook. I haven't read... We do require a signature on treatment plans, we require a signature on HIPAA, we require a signature on consent forms. But, as far as that, I haven't heard of obtaining a signature, and that might be a Medicare thing that Medicaid may not overtly implement. But, um, as far as the review, the requirements for that are the treatment plans and the assessments, and we do have those. But, as far [01:50:30] as every, um... I didn't know that was a requirement for Medicaid. I haven't read that, but we are going above and beyond that now. Everyone has to, um, have that signed, um, from hereon out. Obviously, that was a huge oversight on our end.

Phil Seitz: Yeah. Uh, you know, and to be quite honest, that was, on my end, was very, very, very long time ago, so I don't know fi things have changed as a result of EMR and, and things of that nature. I'm not quite sure, 'cause I, [01:51:00] I don't think you guys roll around with iPads in patients', or the, the kiddos' houses, right? So, I assume that the therapist is providing the therapy, they get home, they, they document whatever they did, and then they are, the codas are submitting that to you. You review it, and then you co-sign accordingly, or if there's a question or whatever. Is that kind of how this works, or?

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Danny Aldis: Yes, exactly. And like I said, I leave time for supervision, as well, where we discuss cases, [01:51:30] um, on the caseload, as well.

Phil Seitz: Um, Ms. Sloan, are you still there?

Shacindra Sloan: Yes.

Sophia Long: Sorry... Remember, Phil, if you have a question for Ms. Sloan, um, we'll get to her in a minute.

Phil Seitz: Oh, okay. I'm sorry.

Sophia Long: Thank you.

Phil Seitz: That's okay. Um, I guess that's all I have for Mr. Aldis.

Sol Magpantay: And, can I make a comment?

Sophia Long: Uh, board member [01:52:00] Sol, you can make a comment during deliberation-

Sol Magpantay: Okay.

Sophia Long: ... and we'll get to that in a minute, as well.

Sol Magpantay: Okay, thank you.

Elizabeth Strau...: So, as I under-... This is Liz. If I understand it, we still have another witness?

Henna Rasul: Um, yes, we have two more. Um, I don't expect them to take too long. Um, so the next witness the State would like to call is Ms. Carly Aldis.

Carly Aldis: [01:52:30] Yes, I am here.

Henna Rasul: Oh, okay (laughing). Um, could you please state your name for the record and spell your last name?

Carly Aldis: Yes. Carly Aldis: A-L-D-I-S.

Henna Rasul: Ms. Aldis, um, could you please, uh, tell us how you know Ms. Sloan?

Carly Aldis: Um, she worked as a contract worker for, um, the agency in which I'm the clinical director for.

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Henna Rasul: [01:53:00] Okay, so you're the clinical director. Okay. Um-

Carly Aldis: Yeah.

Henna Rasul: And are you familiar with the complaint that Mr. Aldis fi-, uh, filed against Ms. Sloan?

Carly Aldis: Yes, I am.

Henna Rasul: And could you, um, give us testimony with regard to your personal knowledge regarding the circumstances giving rise to this complaint?

Carly Aldis: I'm sorry, can you repeat that?

Henna Rasul: Oh, sure. Um, could you just, uh, basically explain [01:53:30] to us or... What is your personal knowledge about the circumstances that gave rise to this complaint?

Carly Aldis: Um, well, in terms of the boundary issue that was originally filed, um, I was the one that received the call from the parent, um, really upset and distraught about, um, not wanting Ms. Sloan as a provider anymore. Um, and she was hesitant to go into the details because she [01:54:00] had said like she felt Ms. Sloan would get in trouble, um, and so I took that call and was able to talk to the parent about, um, what had happened with the dog situation. And so, um, me and Mr. Aldis, after getting all of that information, um, set up a meeting and address to that with Cindy to... through the corrective action plan. We were able to put a new provider on. We talked about, extensively, about boundaries with clients. Um, so I was [01:54:30] very involved in that.

Um, there has also been, um, because sometimes mental health, um, which is the side that, that I oversee tends to be in the home at the same, if we have a sibling set, um, or if we're doing a co-treat, and in, in weeks following there was a couple mental health therapists that said Ms. Sloan was supposed to be there, the grandma's saying that she's not there, um, and so I brought [01:55:00] that to Mr. Aldis's attention, right, prior to, um, then, uh, Mr. Aldis checking notes and seeing that all of the times were off.

So I, I witnessed Mr. Aldis, and myself, calling families, um, along with our clinical supervisor, Madison, who's on the phone, too, and, um, just asking without, you know, when were they there. A lot of the kids were saying, or the parents were saying that although she's [01:55:30] supposed to come two or three days a week because she's approved for that, um, she had only been there one time, um, and, and that was kind of overall, with all the clients in question.

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Henna Rasul: Okay. So, so then, clients did come to you guys and, and they made you aware of the fact that she was not present at certain times? Is that... Do I understand that-

Carly Aldis: Um, when we called. When we called.

Henna Rasul: Okay.

Carly Aldis: [01:56:00] Um, a lot of families expressed that they weren't sure, um, they didn't want to report her, and so, because, because she was, um, she did have relationships with them and the kids, and they were afraid that if she was reported that she would stop coming, and so that was, um, a theme with two clients, is that they said they would have called, um, but they didn't wanna get her in trouble. So, we [01:56:30] call-, when we called to check in is when we were made, um, known to this.

Henna Rasul: Oh, okay. So, so they were aware that she wasn't showing up, they just didn't come to you first?

Carly Aldis: They... excuse me... they were aware?

Henna Rasul: So, am I understanding [inaudible 01:56:47], they were aware that she was not showing up when she should have, and... But they didn't, they were reluctant to let you know until you called them?

Carly Aldis: Correct.

Henna Rasul: Okay.

Carly Aldis: They were aware that, that she was supposed to, yeah, that she was supposed to be there.

Henna Rasul: [01:57:00] Okay. Um, and how were these appointments scheduled? I mean, they-

Carly Aldis: Um, the contract workers, they schedule their own, um, sessions. And so, they schedule them. If they're out of town, um, then they adjust the schedule with clients, um, and make sure that they're able to get there or they'll say, "I'm not going to be able to attend this week." Um, but we do it all through the contract workers. Um, a-, sometimes, if I [01:57:30] am assigning a case, then I will say, you know, "Do you have an opening at this day and time? This is when the family can do," and so sometimes, initially, I may assist, or Mr. Aldis may assist, in kind of helping, um, problem-solve a time that will fit with the, with the OT or the mental health, but mostly that is, they do that on their own.

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- Henna Rasul: Oh, okay. So there's not, like, a centralized scheduling database?
- Carly Aldis: Um, no, because they're contract [01:58:00] employees we don't dictate their schedule. So-
- Henna Rasul: Yeah.
- Carly Aldis: ... we just, um, we tell them the amount of hours that a child is approved for within the week, and we don't expect that they're going to make those hours if, um, if something comes up or if the family doesn't want all of those hours. Um, it's just what is approved through Medicaid, and so then we tell them, um, you know, you can schedule up to two hours with this family in a week. We also tell them they can't be done on the same day, um, that [01:58:30] they have to be separate days during the week, and then the contract worker will then schedule those hours.
- Most of the time, we tell, um, contract workers that once you have a schedule with a family, to the best of your ability keep that schedule because kids, um, know the days that their workers are coming, and we want it to be predictable for them. So, a lot of times we say, "When you can." So, most of our staff has a similar schedule every week.
- Henna Rasul: Okay. And, um, [01:59:00] were you familiar with the discrepancies in the invoices, personally?
- Carly Aldis: Um, personally, I was not until we started looking at, um, the calendar. So, I... because I don't check, uh, the OT invoices. Mr. Aldis does that.
- Henna Rasul: Okay. Okay. Is there anything else you'd like to add?
- Carly Aldis: Um, no. I think that's it. I, uh, no. It's, it's been [01:59:30] very concerning 'cause it has affected our kids a lot that we see, um, and we haven't been able to give information, obviously, as to why, um, Ms. Sloan is no longer seeing them, and typically on the mental health side we like closure for clients. Um, we like them to be able to have closure, 'cause we work with an adoptive and foster community where they don't get a lot of closure. Um, so this was really kind of heartbreaking, to be able to just have to, um, abruptly have to do this because of, um, [02:00:00] dishonesty. So, I would just say that it did, it did affect kids and families, um, within our company more than we would have liked to happen.
- Henna Rasul: Okay, thank you, Ms. Aldis. I have no further questions.
- Elizabeth Strau...: All right, Ms. Sloan. Do you have some questions?

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Shacindra Sloan: Um, yes, ma'am, just a few. Um, Carly, um, is [02:00:30] it uncommon for clients to, um, tell behavioral health one thing and tell occupational therapy a different thing?

Carly Aldis: Um, uncommon? I, I think that the stories of... Absolutely. Like, the same issue but the perspective is a different way, definitely.

Shacindra Sloan: Right, okay. Um, has there been, [02:01:00] um, a issue in the past where, um, the behavioral health therapist, like you say, has come to you, um, regarding Ms. Sloan, and when you go and sit down in a meeting with the family the family keeps Ms. Sloan and discards the behavioral health therapist because of the misunderstanding, or because of the discrepancy?

Carly Aldis: Um, there was an issue with personalities, yes, um, where I had to sit down with, um, actually, [02:01:30] you, Cindy, and ano-, and a staff member due to, um, a different storyline that was being, um, talked about in terms of personalities and how you guys deal with a situation, um, and the family, um, feeling like, one, um, I guess I should say intervention was not as useful as another intervention. So that has happened.

Shacindra Sloan: So, it's just safe to say, I guess, overall, um, families have different perspectives, or they have, they [02:02:00] have different takes on different therapists. Is that true?

Carly Aldis: They definitely prefer some therapists over other therapists, absolutely, based on their personalities, 100%.

Shacindra Sloan: Okay. And per your, um, when I do, uh... Well, I'm sorry, when Ms. Sloan, um, did check in with you periodically, um, did you not educate her to that, to always, um, communicate with the fellow therapist, almost like check and verify, check and verify?

Carly Aldis: [02:02:30] Absolutely. We were consistently having conversations of how to talk to staff better, conflict resolution, how to work together as a team, um, so that if something that we consistently talk about having, um... Yeah, yeah. That's something, that's a big part of our job, right, is making staff, um, be able to work on cases together and communicate well, and not bring the client into it.

Shacindra Sloan: Exactly, okay. And, with that being said, um, with scheduling, [02:03:00] um, each therapist is responsible for [inaudible 02:03:03] their own scheduling. Is that correct?

Carly Aldis: Each therapist is responsible for their own scheduling unless, of course, um... Like I said, I help out a little, or if there is a behavior problem, which you know

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of a kid and we need some behavioral health intervention. We will sometimes ask if the OT and behavioral health can be there to support each other, um, and because we know that it's going to be [02:03:30] a better session if we have, um, some help. And so, those are both times where I may say... which you know... um, where I may have to say, "Is it possible for you to come on this day at this time," because this is when another staff member can be there to help, um, with those difficult kiddos, or with those kiddos that we're trying to work on a certain intervention together.

Shacindra Sloan: Okay. Prior to, um, August 9th, um, from your [02:04:00] perspective of talking to clients, what were the clients' reviews as far as, um, Ms. Sloan's, um, performance?

Carly Aldis: Um, overall... and that's what I kind of said... overall, um, you were very well-liked and kids, um, really enjoyed you being there and responded well to you. Um, you were liked by the parents, which is why it was very difficult for them to [02:04:30] be able to have conversations with us. Um, people engaged with you well.

Shacindra Sloan: Okay. So, um, with that being said, and with, um, you all being this articulate, you know, as you guys are, and the client's no longer there to receive, and me completing schedules with them, um, no one submitted, um, proof of me counseling on them, [02:05:00] or anything of that nature. Like, I'm just trying to-

Carly Aldis: Um, that was not, that was not asked of clients, um-

Shacindra Sloan: Okay.

Carly Aldis: ... like I said, um, unfortunately, we did not want to, um... There's some confidentiality stuff that we've tried to protect with you [inaudible 02:05:20], so, because your clients liked you, um, we didn't wanna go into detail with them as to what happened and could they submit testimonies. Um, [02:05:30] so, that didn't happen because it wasn't requested.

Shacindra Sloan: Okay. So, I guess what I'm getting to is, from the morning of August 9th to the morning of, uh, til... the morning of August 9th was not much prior negative going on, or being complaint about. Everything just changed.

Carly Aldis: [02:06:00] Um, there were complaints, I guess I would say, of you, of you being late, um, of times changing. That was part of the, um... that was part of where, where we started to look into... 'Cause times aren't allowed to change, as we talked about. Um, but there were complaints that, you know, you were coming an hour later than you had told the family, um, but yet still coming. And so, um,

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there was complaints like that right before [02:06:30] this that we addressed in a meeting with you, um, and so, um, but there, like I said, there were not complaints that you were just not showing up until we started to call families.

Shacindra Sloan: Um, in the meeting when you addressed complaints of me being late, and, like you said, times being able to change, um, we talked about things as far as, um, when [02:07:00] the kiddos have meltdowns, um, the appropriate way to-

Carly Aldis: Yes, we did.

Shacindra Sloan: ... right. Okay, just saying. And we talked about, um, me being at bus stops and you guys educated me to cancellation policies. So, secondary to clients not being on time or me being, um, in a position where I needed to wait 10 or 15 minutes for whatever reason, which was fine with me, but it, it, uh, you know, it affects how I move throughout the day. So, we did talk [02:07:30] about that, and you guys were riding me with the cancellation policy.

Carly Aldis: We did talk about that, absolutely we did. Mm-hmm (affirmative).

Shacindra Sloan: Okay. I'm just, just double-checking. Okay. So, it sounds like pretty much up until August 9th... Cindy [inaudible 02:07:45], she is a really great therapist, and she's on track.

Carly Aldis: Uh, people said that she is very well-liked, yes.

Shacindra Sloan: Thank you so much.

Carly Aldis: Very well-liked. Mm-hmm (affirmative).

Shacindra Sloan: Thank you so much. That's, that's the, um, [02:08:00] that's it for me.

Speaker 9: Okay. So, it... Do any board members have any questions for Ms. Aldis?

Sol Magpantay: Um, hello, Ms. Aldis. Um, this is Sol Magpantay. Um, so, regarding with the dog, the professional boundaries, was that, uh, been settled already?

Carly Aldis: [02:08:30] Was that what?

Sol Magpantay: Settled already? The one, professional boundaries, when, when Ms. Sloan asked the caregiver to take care of the dog, and the other dog was mauled, something like that, was that been settled already?

Carly Aldis: Um, that has been settled, yes. We had, um, a pretty extensive call with the family and tried to de-escalate them. We talked to, um, Ms. Sloane and had an



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extensive meeting with [02:09:00] her in terms of boundaries, and that's when we set up the corrective action plan. So, we still have another, um, provider in that home that, um, so that has been settled, and we, um, we ended up not losing that case, but just being able to transition to another provider.

Sol Magpantay: Thank you. Um, regarding complaints, 'cause I also, uh, I did work for home health, and during that time we were transitioning from paperwork to computer, [02:09:30] and we always have just like when Mr. Phil, um, a time in and time out, or if not you call your company, or the family, if they don't show up at the time, 15 minutes, 30 minutes, they call the company right away. And we always, with cell phone now, you always call them. There's traffic, you got stuck with, with emergency, with your previous client, you have to call 911, something [02:10:00] like that, so they're informed about it.

So, I was, like, thinking, um, in terms of, like, the complaints, they have, like, paperwork on it, like, somebody call, um, she did not show up, she came in late. Do you have, like, a paper trail of that?

Carly Aldis: Um, so like I was, um, saying, they never called us directly. So, because we have other staff in the home... [02:10:30] um, and I know that Cindy actually did this a couple times, is to, when she would be driving across town, um, our other staff member would be in the home waiting for her, and that staff member would hear a call come through where Cindy was telling the caregiver, um, that she was running late due to traffic. So, that happened on several occasions, where they were just late, um, and the caregiver was notified, and that's our typical protocol, is just to call or text [02:11:00] the caregiver saying "I'm running late".

Um, we don't have anything... If, if it's dealt with on the front line, we don't have caregivers typically call us unless there is a problem that's consistent. And so, um, with those situations, I was able to get notified of them because we have other staff members in the home waiting for her to do, um, a co-treat. And so, they were concerned. Um, she's also [02:11:30] called at several times those staff members and said, "I'm running late." So, that has happened.

Sol Magpantay: That is all. With home health, once you're late with one client, you'll be late the whole day. If there's traffic in one (laughing)-

Carly Aldis: Absolutely.

Sol Magpantay: ... you'll be late the whole day.

Carly Aldis: Absolutely.

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Sol Magpantay: If there's an emergency in one, you'll be late the whole day (laughing).

Carly Aldis: Yeah. You'll be late the whole day. And we are very well aware of that, you know. We all do that too, we all have our own caseloads. Um, this was not a matter [02:12:00] of being late, which, um, this was a matter of not coming at...

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Carly Aldis: Matter of being late, which, um, this was a matter of not coming at all-

Sol Magpantay: Um-

Carly Aldis: For those periods.

Sol Magpantay: Okay. Um, I don't think I should ask you about this, about the OTC OTA dynamics, because, um, I should ask Mr. Aldis about it, but I kind of like with what you were talking about, there's kind of like, um, how we'll say that it's not like a team dynamics, it's like falling apart in terms of team. [02:12:30] And, um, I dunno how to ask about it. It's kind of like, how many employees do you have?

Carly Aldis: Um, we have 14 employees.

Sol Magpantay: Yeah. No, 'cause I just want to, um, I just want to know, um, it's not like a retribution, reprimanding, a retaliation. [02:13:00] 'Cause it seems like it started with the dog (laughs) and the boundaries and then, and it's going up. So it's not one thing, it's one after the other. So I dunno if it was not handled well with human resources or-

Carly Aldis: Oh no, not at... Yeah, not at all. We're, we're um, we dealt with that and we had a really good talk about that and Ms. Sloan seemed to understand and she said, "You know, [02:13:30] I wasn't aware of that. And I haven't worked with pediatrics before," and we talked about it. This is our company, this is our, this is our livelihood and we really care about the kids and clients. And like I said, um, those kids and clients liked Cindy and responded well to her and we have never, since we have been open, had a situation occur like this at any level. Um, and especially where the clients don't even get [02:14:00] closure and that we have to try and ramp you know, scurry around to find who's gonna provide services for these clients that so deeply need it.

And so there would be no retaliation because it's actually affected us and the company, um, a lot. That first situation with the dog was something that, um, you know, I don't know if the... In the mental health field, we get very well trained on the ethics of, you know, not dual relationships with clients and [02:14:30] um, in the OT, in the OTA world, it didn't sound like maybe that

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training was given at the school level and so we were very understanding and graceful about, we love that you are able to have this rapport with clients, however, you have to keep that boundary. Um, so it wa- there was no retaliation. Um, it was, it was assigned to a new worker and we, we did a corrective action plan and moved forward.

Sol Magpantay: Thank you, Ms. Aldis.

Elizabeth Strau...: [02:15:00] Are there any more questions for Ms. Aldis or are we ready to move on for, uh, our board council summary?

Phil Seitz: I have no further questions.

Allison Stone: I have none.

Henna Rasul: [02:15:30] Um, actually I have my last witness and then the state will rest. And then if Ms. Sloan wants to put on a case, she can. Um, the final witness that state called is Ms. Madyson Wier. Are you there?

Madyson Wier: Yes.

Henna Rasul: Could you please state your name and spell your last name for the record?

Madyson Wier: Madyson Wier. W-I-E-R.

Henna Rasul: And Ms. Wier, how do you know Ms. Sloan?

Madyson Wier: [02:16:00] Uh, I'm the clinical supervisor of the agency survival therapy that she contracted with.

Henna Rasul: And so I'm gonna ask you the same question I asked Ms. Aldis is, uh, what is your personal knowledge regarding this complaint filed with the board against Ms. Sloan?

Madyson Wier: Um, I was made aware of after some stuff was, it was brought to my attention from Mr. Aldis. When one thing didn't connect, he asked me about a client that I share mutually [02:16:30] with Ms. Sloan, um, to which I followed up with that family. We actually see this client in a daycare setting and I was able to talk to staff and of, I believe four sessions she billed she was not present.

Henna Rasul: And this is direct knowledge?

Madyson Wier: Yes.

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Henna Rasul: Okay. Um, and, uh, did I not hear you correctly? Did you train [02:17:00] her in something?

Madyson Wier: Um, for all of this staff that comes into Revival, they do their training between like Carly and Danny, depending on its mental health side or the occupational therapy side of our agency. And then as the clinical supervisor, I follow up with everybody. I've trained all of our staff on simple practice. I work with Danny on updating people with that. The majority of emails that go out about simple practice, Danny actually includes me and asks people to follow up with me on those things. And then between sessions [02:17:30] I've personally showed Cindy herself how to do all of that. So, yes.

Henna Rasul: And would you say that you were quite clear and thorough?

Madyson Wier: Yes.

Henna Rasul: In training her? Okay. Um, is there any other interactions you had or what, what type of working relationship did you have with Ms. Sloan?

Madyson Wier: I absolutely loved working with Ms. Sloan. I think she's really awesome at her job. Um, the issue that came [02:18:00] up was when we had mutual clients for myself, not even knowledge of the other clients that were going on, that Danny was handling. Um, but my mutual clients were saying, uh, we never see her, we didn't do this. And then in the daycare setting, seeing that she was billing telehealth, um, during the times that one, my client wasn't even in the daycare setting or it's during their nap time. And they don't provide technology for telehealth because this client was three. [02:18:30] Um, that's where the line was a struggle for me. That's when I started looking into it more.

Um, confirmations were sent to the parent, but then there's no sign in at these facilities where you actually have to sign your name. You have to check your temperature because of COVID restrictions and then they have to buzz you in and then you sign out and there's no record of her being there or having a telehealth call in general. And some of those sessions that she was billing a 9:00 to 10:00 AM, which is on that invoice that Danny [02:19:00] sent, um, the initials are RO. So it shows she's there from 9:00 AM to 10:00 AM. My sessions are weekly, 10:00 AM to 11:00. There's no contact. There was no sign in before me, no, like visual of each other so I investigated that.

Henna Rasul: Okay. Is there anything else you'd like to add that you can think of?

Madyson Wier: I think that they covered it all. I think Cindy is an awesome, um, therapist. [02:19:30] It was just more of the ethical side of the billing bit was the complaint.

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Henna Rasul: Okay. Thank you, Ms. Wier. I have no further questions.

Madyson Wier: Yeah.

Elizabeth Strau...: Are there, um, Ms. Sloan, do you have some questions?

Shacindra Sloan: Yes. Just a few. Um, Ms. Wier, um, when did you provide simple practice training?

Madyson Wier: [02:20:00] Throughout the entire time that you've worked with the agency and in the beginning when you started with us.

Shacindra Sloan: So what dates? Um-

Madyson Wier: I don't have dates. They're consistently throughout employment. I have text messages from all staff in the middle of the night asking how do I change this? Like, it's never been like a 40 hour training on simple practice. There was a orientation when you came in and a packet and there's follow up and there's emails and questions asked in the field all the time.

Shacindra Sloan: [02:20:30] So there's no actual training. It's if you're in session with me and you have a question, I can show you how to do it. But there's never, there's never a time that yourself and I sat down and navigated an app, not during the session, during training.

Madyson Wier: When you are initially [02:21:00] hired, you're given a training through Danny and he teaches you those things. And then from there you have a packet and all questions are follow ups. You did not have a 40 hour training or anything like that with times where you sat down. I don't up for any staff and we send consistent updates on how to navigate simple practice. So, no, I don't document every time someone asks me a question on how to use the system.

Shacindra Sloan: Right. Okay. So [02:21:30] in other words, Danny completes, uh, 30 minutes to an hour orientation to Revival, no, sit down, no checklist, no side by side. There's a packet that's emailed that I learn to navigate. And if you have any questions or if you make a mistake, [02:22:00] you'll fi- you'll learn as you go.

Madyson Weir: I don't know the orientation side on Danny's behalf. I'm a little confused as to why simple practice is the point of the question though, because it was just inaccurate billing that we're talking about. Like you were not accurate there.

Shacindra Sloan: Is [crosstalk 02:22:19] question right now. So the first question was because you referred back to Danny's training and you referred to, um, what Danny does. I referred back [02:22:30] to it.

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Madyson Wier: Yeah.

Shacindra Sloan: Danny said that-

Madyson Wier: [crosstalk 02:22:34] through his training.

Shacindra Sloan: Said that he provides orientation, which is 30 minutes. That's true. And he says he provides the packet for simple practice and he's there for questions. That's what you consider training for simple practice for scheduling?

Madyson Wier: Yeah. Simple practice is [02:23:00] a simple practice system. It doesn't take more than pushing it an hour. No.

Shacindra Sloan: The question to the supervising coordinator of Revival is when did you sit down with Cindy and provide one on one training or training in a setting for simple practice?

Madyson Wier: Again, through your entire employment and when requested it was answered.

Shacindra Sloan: [02:23:30] No, when? I mean throughout my employment, during sessions, when I'm billing for skill services with kids?

Madyson Wier: Outside sessions.

Shacindra Sloan: When?

Madyson Wier: Cindy, as I said, I don't document every time a staff member ask me a question-

Shacindra Sloan: [crosstalk 02:23:44] today that you trained me in something. And I think it's fair to ask when, because per Revival's guidelines, I definitely can't be completing a training for an app and completing [02:24:00] services for kids and bill for that. So the only time that you and I correspond is with clients, only time. When I have you... I come to Revival office and you sat down and trained me on simple practice?

Madyson Wier: Again, I have trained throughout the employment based on questions [02:24:30] that are asked for issues on simple practice. We do not have a 40 hour training on simple practice where any staff is required to come to the office and sit down and go through it. In the very initial beginning of employment, there is a basic run through of simple practice because it's a simple, it's clicking a button.

Shacindra Sloan: By who, who is it run through by?

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Madyson Wier: Both... Like through Carly, Danny, everybody goes through simple practice. You get an email link and there's tutorials on simple practices-

Shacindra Sloan: [crosstalk 02:25:01] [02:25:00] Ms Sloan's case. Who sat down and did the simple education of simple practice>?

Madyson Wier: As I've stated, in the initial beginning, you get [crosstalk 02:25:15]... Okay. I'm not, I'm not talking over you. Sorry.

Shacindra Sloan: That's fine. I'm, I'm asking a question.

Henna Rasul: Madam chair, I think these, that this, these questions they're becoming repetitive. I think-

Madyson Weir: Yeah.

Henna Rasul: [crosstalk 02:25:27] asked and answered.

Shacindra Sloan: Well, not really, but we can [02:25:30] move on because it's not been answered. You're saying throughout, but you can't throughout. That's totally-

Sophia Long: Madam Chair. I'm sorry. Um, you have an objection by counsel.

Elizabeth Strau...: Okay.

Speaker 11: Can you...

Elizabeth Strau...: So [crosstalk 02:25:51].

Sophia Long: Ms. Rasul, can you [crosstalk 02:25:50]... Sorry, go ahead.

Henna Rasul: I'm just objecting as to relevancy and also the repetitive nature of the questions. She's answered to the best of her abilities. And there's really not more [02:26:00] she can expand on, or, I mean, it been several times, so I'm just objecting the line of questioning and asking that we move on.

Elizabeth Strau...: Okay.

Shacindra Sloan: Um, my rebuttal is, um, there was an answer, but not an answer to the question. So it sounded like, or what I, my understanding was, um, it sounded like it got thrown back on Danny, and then it sounded like it was throughout, um, clinical sessions [02:26:30] that I was providing skill services for. And, um, we know that you can't do both. And then per Danny's complaint, you can't work off the clock so that's where the relevance comes in for me.

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Madyson Wier: So as a follow up, when you start with Revival therapy, there's an orientation on how we work. You get a link to your email for simple practice where you create a password. We explain in the very initial stages how to use simple practice, because you have [02:27:00] to input your notes the first session you begin. There are also consistent 24/7 tutorials on simple practice that you do get emails for. It shows a log of every time you log in on simple practice, make all of those appointments. Any single time a clinician has any issue with simple practice, they know they can contact any other staff, myself, Danny and Carly included. This has happened throughout everyone's employment. Like it's consistent. We always have [02:27:30] questions myself included.

Outside of that, no, I don't sit through my sessions and go through simple practice, um, and I don't know exactly relevancy on how that was thrown on Danny. Us three, as a team we'll train anybody answer any questions you have. Um, but simple practice, I don't, I don't really understand the relevancy of it.

Shacindra Sloan: Well, it is relevant because it's the app that you use to complete the notes and it [02:28:00] is relevant because you're saying that you provided training without a checklist, without any dates, without any verification, um, that you did that. So it just-

Madyson Wier: So as the clinical supervisor, we expect our staff to be able to ask us questions. And if you are not ethically following guidelines for billing, we wouldn't know if you didn't know how to bill based on several months of employment, prior to that was no issue. So you it's, it's [02:28:30] clear that we understood the system. And then the day that were billed are in question, suddenly we don't know how to use it, but that's, that's why I don't understand the relevancy. We have specific dates where you are not in session, billed those sessions, created an actual session on simple practice through your login.

Shacindra Sloan: I'll [crosstalk 02:28:52]-

Madyson Wier: I'm being asked how to train. I have the documentation from the daycare.

Shacindra Sloan: We have alleged dates that [02:29:00] through hearsay, um, I wasn't there. Um, we don't have any proof. We don't have any written statements-

Sophia Sloan: Miss Sloan, do you have a, another question for Ms. Wier?

Shacindra Sloan: I was answering hers, but, um, [crosstalk 02:29:16]-

Sophia Sloan: She not answering questions, you're asking her questions.



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Shacindra Sloan: Okay. Well, was there a checklist or anything that Ms. Sloan signed during, um, the, the courses of training that you provided?

Madyson Wier: [02:29:30] I don't have checklists for training. You either show up or you don't. That's how it goes for work.

Shacindra Sloan: Okay. Okay. That sounds organized. Okay. Um, and then as far as, um, timing and treatments, um, any time that you or Ms. Sloan, um, were scheduled, um, to see clients together [02:30:00] was Ms. Sloan there?

Madyson Wier: Um, for the times that I was in person seeing you, yes you were there. For the time that you were seeing my client based on billing that you stated you were there I never saw you because we would've crossed paths and I was told no by the directors of the daycare program that you were not present.

Shacindra Sloan: Yeah. I object to that because it's alleged, we don't have any paperwork, anything saying that they said that. So I think that's kind [02:30:30] of hindering me 'cause I can say all the things that everyone's texting me or Cindy we're checking on you, Cindy, what happened? Cindy you're a great therapist. So it's hearsay.

Madyson Wier: It's written documentation in the daycare provider program to get into the building. So it's not-

Shacindra Sloan: Where is it?

Madyson Wier: But the daycare.

Sophia Long: Okay. Okay. Okay. So Ms. Sloan, okay. So real quick, Ms. Rasul, um, there is some testimony that Ms. Wier [02:31:00] provided that Ms. Sloan does not want into evidence. Do you have a response for madam chair so that she may rule on it?

Henna Rasul: I would counter that by saying that what she's saying is relevant. It's based on her personal knowledge and she's testifying to it under oath.

Shacindra Sloan: With [crosstalk 02:31:22]. She's testifying under oath with nothing. It's the same thing.

Madyson Weir: [crosstalk 02:31:29] request this court [02:31:30] subpoena for the daycare. I'm not allowed to as the provider because there's other children's information on the sign in sheets.

Speaker 11: Right.

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Madysen Weir: But at any given time, you guys are able to request the documentation and it shows no sign ins from you, and it also shows that you're doing teletherapy based on our system and how you billed it, but they don't offer that service within that facility either. So you can follow up request with them, I guess, for the actual written out proof.

Shacindra Sloan: No, I don't. I don't need-

Sophia Long: So, okay. So real quick, [02:32:00] Madam chair-

Elizabeth Strau...: Yes.

Sophia Long: Do you believe that Ms. Wier's testimony was relevant for the board to make a decision today?

Elizabeth Strau...: I do.

Sophia Long: Okay. Thank you. So yes, her testimony will come in. Um, Ms. Sloan, do you have any other question?

Shacindra Sloan: Um, I do. Um, how many, um, people work [02:32:30] at the daycare?

Madysen Wier: Staff in general or the front desk staff? Like just the sign in?

Shacindra Sloan: Just in general.

Madysen Wier: Um, they're close to 40 staff members.

Shacindra Sloan: And you talked to all 40?

Madysen Wier: No, because they're not relevant. I don't go and ask my client stuff. It's confidentiality so I can't talk to all 40. No.

Shacindra Sloan: Okay. So you cherry pick who you talk to and we cherry pick who we protect? I got it.

Madysen Wier: It's the front desk staff for administrative that buzz you into the [02:33:00] building. There are three of them and the director's name is Brandy. She confirmed.

Shacindra Sloan: But we don't have any statement from Brandy?

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Madyson Wier: Again, you can request it. However, there are other client information. So I am not privy to that information because of everybody else's information on those documents.

Shacindra Sloan: But she would-

Madyson Wier: So [crosstalk 02:33:17] can request them. Yes.

Shacindra Sloan: She wouldn't email you?

Madyson Wier: I did not ask her an email. You can walk in the front building and look at the sign in sheet, which is still presently there.

Shacindra Sloan: So we just have to go off of your word? Right.

Madyson Wier: [02:33:30] Call the daycare.

Shacindra Sloan: Today, we have to go off of yours?

Madyson Wier: Yes. Unless you would like to call the daycare.

Shacindra Sloan: Okay. Thank you. Ms. Wier.

Elizabeth Strau...: This is Liz, are there any questions from the board to Ms. Wier?

Sol Magpantay: Ms. Wier, you kind of contradicted Mr. Danny Aldis. [02:34:00] Because you said there's a consent for telehealth and Mr. Aldis said yes. Then now you are saying that, that day care didn't have telehealth, um, laptop and stuff like that. They don't know how to use it. Why will you ask for telehealth services wherein they don't have the facilit- the, the things? [02:34:30] You're contradicting each other?

Madyson Wier: No, we have an initial, we have an initial consent form for all of our clients that allows for them to choose telehealth weekly like if something goes on. This client that I'm talking about is three years old and we can see him in home so if he's in the home setting, then we can do a telehealth session if he happens to not be at the daycare or if we're not able to go to the home. So it's an option. He did not need telehealth. In the daycare setting we do not provide telehealth. [02:35:00] It was considered an in-person session. She was billing for telehealth and not presently there, nor do they have the equipment to do telehealth. So, no, we cannot do it though it's consented for by the parent for in-home not in daycare.

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Sol Magpantay: Okay. Um, you mentioned four sessions that were not documented. Is it just doc- uh, just billing invoice or there's a progress note that she was there and she wrote the subjective, the objectives, [02:35:30] what treatments were done for those four session that was signed by Danny Aldis?

Madyson Wier: So July 12th, 19th, 21st, those were all telehealth therapy sessions that were billed for in daycare, which they do not provide the teletherapy for. Um, and then July 28th was billed in the daycare setting back to back with me to which I was saying she was not there. And she has a note [02:36:00] written for each one of those with the time on there and it matches her invoice. So she's invoicing sessions she was not present for.

Sol Magpantay: But the thing is, did Danny Aldis signed it? 'Cause if I am the OT for a COTA or even a student, if they write this time and this time, "what time were you exactly there?" "11:02." "By the way, you put here," okay. Let's say it's by 15 minutes or by 10, I came [02:36:30] in 11:08. I put 11:10.

Sophia Long: Sorry board member Sol, it's understood you're asking her the question, did Danny Aldis sign it?

Madyson Wier: Yeah.

Sol Magpantay: Yes.

Sophia Long: Okay.

Madyson Wier: We, we actually, as like a team here, we signed the notes on them matching the invoice that the therapist provides us. So we'll sign those notes on top of interns or like the OTAs. Danny would sign Cindy's note when it says like 9:00 to 10:00 AM for this client [02:37:00] on simple practice with a note submitted and her invoice would say 9:00 to 10:00 AM with that client's name and everything on it. So we sign it based on everything matching. So, yes.

Sol Magpantay: Um, in your exhibit, you did not show the documentation of Ms. Sloan on July 12, July 19 and July 28 when he was, when she was supposed to be there and she was not. You started on August 2, with your, with your, [02:37:30] um, with your exhibit three. Um, but you mentioned the date July 12, July 19, July 28, I don't know what's the fourth session. Um, and your invoice also, I think started on August. I did not see the July 'cause, uh, they just showed it through the, through the screen. 'Cause I want to match up the invoic- and the fou- the four sessions that you said she was not there, the invoice and [02:38:00] her documentation, um for the time.

Madyson Wier: I didn't say that-

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Sol Magpantay: 'Cause August two is not the one in question. The four sessions in question was July 12, 19, 28, I don't know what's the other date? ' Cause you mentioned four sessions a while ago.

Madyson Wier: So, do I need to send all of these things? If, if you look back through all, we just sent like two weeks worth of stuff. Like it's not all of it. [02:38:30] I can send all of these notes. August 4th, I have on here that we were in the daycare from 9:00 to 10:00 AM and I'm there 10:00 to 11:00 and there's no signature sign in for her nor did I see her. So if we just wanna go with that one even.

Sophia Long: Ms. Rasul, do you have those documents?

Henna Rasul: No, I do not. They were not provided to me.

Sophia Long: Okay. Okay.

Henna Rasul: I mean, if she's able to send them for like we did [02:39:00] before for review and admission.

Danny Aldis: Um, I'm sorry. I, I feel that Ms. Wier's being questions on questions that should have come to me. She doesn't sign or review Mrs. Sloan's invoices. I do. Um, I feel like she's being asked questions that are completely not within her, she's not an occupational therapist. I'm the supervising occupational therapist and I, I feel like [02:39:30] we just need to clarify, there is no mech-

Sohia Long: Sorry [crosstalk 02:39:32]... Just real quick, Mr. Aldi-

Danny Aldis: I don't... Yeah.

Sophia Long: It's understood.

Danny Aldis: (laugh) I'm just-

Sophia Long: Uh, it's, it's-

Danny Aldis: I'm hearing the same argument over and over-

Sophia Long: Right. Uh-huh (affirmative), right.

Danny Aldis: My, my obligation's done. I reported it. It's up to the board to do what they want, but I am literally hearing the same argument from five different ways. And I get that's the process, but we can't, I mean, Ms. Wier, that's not her responsibility to look at the invoice and notes, that's mine and these questions weren't brought up and, and yeah. It's fine what-

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Sophia Long: [02:40:00] Thank you Mr. Aldi and Aldis and the, the last thing is, is if Ms. Wier does not review those documents, if she has no personal knowledge of them, she can just state that on the record. It's-

Danny Aldis: No. Understood. She's aware of all the situations, but as far as the, um, direct invoice, she doesn't see, um, Ms. Sloan's invoice. Um, we discussed in detail, which is why I put her as a witness [02:40:30] that she was not seeing Ms. Sloan at these sessions. If you want me to send more documentation, that's fine. But, um, that will go through, through me just because Ms. Wier's kind of being crucified up here for something that's not really her responsibility other than, um... I, I just feel like questions are being misdirected that should have been asked to me.

Sophia Long: It's, it's fine. It's, it's fine. (laugh) Madam chair, yes, she, if she needs to, for example, um, ask you some more [02:41:00] questions, we'll just get through this process. We'll get through a Ms. Wier's testimony. We'll get through all of Ms. Rasul's witnesses, Ms. Sloan will have her chance as well. So for the time being, um, we have Ms. Wier on the stand as a witness. Um, the questions that are asked if she does not know, then she just states she does not know. That's fine. Uh, and I'm sorry. I, where are we right now? Are we Ms. Rasul, are we getting documents? Are we just, are we done with Ms. Wier being a witness? [02:41:30] Can we move on?

Shacindra Sloan: I, um, I'm sorry. Never got my, um-

Henna Rasul: Right now it's actually the board-

Sophia Long: Asking questions. Okay.

Henna Rasul: Yes.

Shacindra Sloan: I never... I'm sorry, it's Cindy. I never got to address my exhibits. I don't know if they got in or-

Sophia Long: Miss Sloan, you'll have your chance to address your exhibits in a minute.

Shacindra Sloan: Oh, sorry. I'm sorry.

Sophia Long: It's okay. So, uh, I believe, uh, board member Sol, are you done questioning Ms. [02:42:00] Wier?

Sol Magpantay: Yes. The only reason why I asked, because in her statement, she mentioned the four sessions, and in the four sessions, she told me those dates so that's why I asked. If it is not within her capacity to respond to that, I understand.

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Sophia Long: So she gave testimony-

Sol Magpantay: That the reason [crosstalk 02:42:19] and it was not in the exhibit either. That's why I asked.

Sophia Long: Okay. Okay. So she gave testimony regarding those dates. Her testimony is also evidence that the board can consider. Um, [02:42:30] granted we may not have the documents that's up to Ms. Rasul, whether she wants the documents whether to ask the documents, whether to, if she wants to try to admit them or not. Otherwise we have Ms. Wier's testimony based on those July dates as far as what happened.

Henna Rasul: If Ms. Wier, or if there are documents that exist to substantiate her testimony, I would like them and add, I'd like to add them to the exhibits as exhibit nine, if they exist.

Madyson Wier: I wouldn't be able to get them right now being as the daycare is closed, [02:43:00] but Monday I can request them all.

Henna Rasul: No, that [crosstalk 02:43:04]. (laughs).

Sophia Long: It's... [crosstalk 02:43:05] so does the bo- does the board have any other questions for Ms. Wier? Seeing none. Ms. Rasul.

Henna Rasul: The state rests, rests its case? I'll, I'll hand it over to Ms. Sloan before I do my closing.

Sophia Long: Okay. So Ms. Sloan?

Shacindra Sloan: Yes.

Sophia Long: Do you have any witnesses other than possibly [02:43:30] yourself?

Shacindra Sloan: Um, no. I just actually just wanted to, uh, present my exhibits and speak upon those. I didn't know if I had to do those during Ms. Rasul's turn or if I had to wait my turn.

Sophia Long: Okay. So now it's your turn. If you would like to give a statement to the board, talk about your exhibits. Um, you can address the board regarding what happened specifically as regards to the allegations. Ms. R- then when you're done, Ms. Rasul [02:44:00] will have a chance to ask you questions, then the board will have a chance to ask you questions as well.

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Shacindra Sloan: Okay. I, um, I was- wasn't ready for that yet. I was thinking I was going to address, uh, my exhibits.

Sophia Long: This is your time to do whatever you want. So if you wanna address your exhibits, that's fine. Just keep in mind that when you're done speaking, Ms. Rasul will be able to ask you questions and the board members will be able to ask you questions.

Shacindra Sloan: [02:44:30] Okay.

Sophia Long: Thank you. And Ms. Sloan, um, you have your exhibits that are being broadcasted to the board and the witnesses right now. If you need to go to a specific exhibit, um, if you need Ms. Ponton to scroll or whatever, please just let her know.

Shacindra Sloan: Okay. Well, um, a particular exhibit, um, that I wanted to, [02:45:00] um...

PART 5 OF 7 ENDS [02:45:04]

Shacindra Sloan: ... um, hold on just one second. I'm sorry, guys.

Elizabeth Strau...: Take your time, Ms. Sloan.

Shacindra Sloan: Just one second.

(silence)

Sophia Long: [02:46:00] Um, Madam Chair, I don't think we've had a break yet. While Ms. Sloan, kind of, um, gets her case together, um, should we maybe take a quick break?

Elizabeth Strau...: Oh, thank you, I was just gonna get, try to get ahold of you and ask if we could have a break, I think a bathroom break, and I also know that we have another board member that will not be available, [02:46:30] um, after 2:00PM. So, I don't know if we can time things appropriately or not.

Sophia Long: Okay. How, how long would you like us to take a break, Madam Chair?

Elizabeth Strau...: Um, I would say a bathroom break, five minutes. Would that help everyone or do you think longer? It's-

Shacindra Sloan: No, five minutes is good.



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Elizabeth Strau...: Okay. I'm just thinking we all might need to hit the bathroom and get some water and things like that.

Shacindra Sloan: Okay, thank you.

Elizabeth Strau...: [02:47:00] So, are we breaking right now?

Sophia Long: Uh, yes, please.

Elizabeth Strau...: Okay. We are starting our five minute break. Thank you.  
  
(silence)

Phil Seitz: Another one.

Sol Magpantay: [02:53:00] Liz, Liz, I sent you a chat. I have to leave (laughs).

Elizabeth Strau...: I see it. [02:53:30] I think we, um ... If we reconvene and, and we say we don't have enough then, 'cause that's three people.  
  
(silence)

Phil Seitz: Hello, is anybody out there, or?

Sophia Long: [02:56:30] Uh, so this is, uh, Sophia Long, board counsel. So, I'm getting the feeling that a lot of the board, some of the board members, um, may have other things that they need to do. Let me just ask real quick. Um, somebody has to leave at 2:00, is that correct?

Elizabeth Strau...: Yes.

Sophia Long: Okay. And then would we still have a quorum?

Elizabeth Strau...: Um, [02:57:00] if only one person leaves, we're okay. But, um, Sol, I believe, may not still be ... There you are, you're waving. Sol has to leave, and I'm not sure exactly when.

Sophia Long: Sol-

Sol Magpantay: Yeah, I ... Exactly at 1:00, but I texted, so that's fine, it can be later.

Sophia Long: So, let me ask the board members and you, Sol, um, can we go till 2:00?

Sol Magpantay: Okay, till ... Only up till 2:00, that's [02:57:30] it (laughs).

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Sophia Long: Okay.

Sol Magpantay: Yes.

Sophia Long: So, so, then procedurally, again, we'll have Ms. Sloan, um, make her statement. We'll go through ... If, again, if Ms. Rasul has questions, um, if the board members have questions. If that takes an hour, the last thing we can do before we go is we do have a few witnesses that are still on, [02:58:00] if you have any last questions for the witnesses, we can get all of that done today, and even if we have to leave at 3:00 ... I'm sorry, if we have to leave at 2:00, then for next time, we'll just save all the board deliberations and then the actual findings for next time, if we can't get done in an hour. Does that sound, uh, we can, something we can do?

Elizabeth Strau...: I can do it. Can ... Phil and Sol, you can hang in [02:58:30] there? And hopefully Alli will be here for another hour.

Phil Seitz: Yeah, I'm here for another hour.

Sophia Long: Okay.

Madyson Wier: I have a volunteer event, am I able to leave? (laughs)

Sophia Long: Yes. Uh, so, real quick. Board members, um, one of the state's witnesses, Mr. Wier ... I mean, Ms. Wier, as you've heard, she has to leave. Are we sure we have no more questions for Ms. Wier, you have nothing else further for her?

Phil Seitz: I'm good.

Sophia Long: [02:59:00] Okay. Thank you, and thank you, Ms Wier (laughs).

Madyson Wier: Thank you.

Elizabeth Strau...: Yes, thank you.

Sophia Long: Okay.

Speaker 14: Um, Mrs ...

Sophia Long: I'm sorry, was somebody else ... Okay. Are we ready, Ms. Sloan? Are we ready, Madam President?

Elizabeth Strau...: Um, I am here, and I see board members. Um, so, I think from our side, we are ready. There's Ms. Sloan.

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Shacindra Sloan: Yes, ma'am, [02:59:30] I'm ready. Um, Imma rest at this time. I won't, um, well, I guess, call any witnesses. Um, what is the next step if I don't have anyone I wanna call?

Sophia Long: So, I, I believe you said you wanted to make a statement and talk about your exhibits. Is that correct, or do you not want to do that anymore at all? This is your chance to do it.

Shacindra Sloan: Yeah, I'm just gonna rest on exhibits, um, especially 'cause Ms. Wier had to leave, which is fine with me. I'll rest on that and then [03:00:00] we can go to the next thing.

Sophia Long: Okay. So, did the ... So, let me ask, did the board members get a chance to review Ms. Sloan's exhibits?

Phil Seitz: Yes.

Allison Stone: Yes.

Sol Magpantay: Yes.

Sophia Long: Okay. So, if Ms. Sloan has nothing further to add at this time, Ms. Rasul?

Shacindra Sloan: Is it okay for me to ... Did you say make a statement? When [03:00:30] I make a statement, are you saying, like, a closing argument or is it, like, um, just a statement about everything that's going so I stay within the parameters of what I'm supposed to be talking about?

Sophia Long: You can talk about anything that's going on regarding this complaint, yes.

Shacindra Sloan: Okay. Um, so I'd like to say that this was unfortunate. I hate that this, um, even came to be. Um, I just wanna be real clear that I had no idea [03:01:00] that, um, that there was an issue with me as a therapist. So, like, I just wanna be really, really clear with that. Um, I'm ... I was totally okay with resolving any issues, I'm definitely not perfect by far. Um, but I didn't know ... I don't know the situation still, I'm still learning it as I go. Um, I don't agree at all and I'm just totally kind [03:01:30] of blindsided.

Um, I'm a phenomenal therapist. I've been doing this eight years. Um, I'm honest, I have great integrity. Um, I can definitely use some attention to detail, um, time management, all of the stuff that make us human beings, for sure. But a thief, I'm not. A thief, I'm not. And, um, I just feel like [03:02:00] the way this situation was handled, to me, I just feel like it could've been handled better.

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Um, I wanna give my clients the benefit of the doubt because I wasn't given the benefit of the doubt.

So, I don't know what was said and who said what, or if anything at all was said. So, right now, all I have to go on is what Danny is saying and of course, uh, what's in the exhibits and, um, and that's all.

Sophia Long: [03:02:30] Ms. Rasul, do you have any questions for Ms. Sloan?

Henna Rasul: I do not.

Sophia Long: Board members, do you have questions for Ms. Sloan?

Phil Seitz: I do. Uh, this is Phil. Um, how long have you worked for, um, Revival Therapy?

Shacindra Sloan: [03:03:00] Um, since November 2nd, um, 2020.

Phil Seitz: Okay. So, that's about a year, give or take?

Shacindra Sloan: Well, no, um, I was released from my contract August 10th, I think, or August 9th.

Phil Seitz: Okay. So, when you were working in California, was that, like, a, um, a nursing home, acute rehab, what was that setting?

Shacindra Sloan: Yes. [03:03:30] Um, primarily [inaudible 03:03:32], um, where the DOR, um, get a schedule and work it.

Phil Seitz: Okay. So, um, during your whole time at Revival, it sounded like things were going well. I mean, for [inaudible 03:03:46], you know, what they're accounting, your account, the clients, everybody seemed to be getting along pretty well. Would you agree with that?

Shacindra Sloan: I would.

Phil Seitz: Okay. So, I, I guess my point here is is really, I guess, [03:04:00] why we're even having this entire conversation is, um, I ... It's very hard for me and the board to determine and validate that you were there, uh, during these times that you had indicated through your progress notes that you had, you know, provided that therapy intervention. So, if they have, you know, um, they called the clients, um, they have the, the sign in [03:04:30] log where you were supposed to go in and out and there's no evidence of that, um, it's hard for me to, um ... There's nothing to substantiate it.

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The other thing which is kind of strange, if, if Danny had have called out to you and, and said, "What's going on here?" And then, um, you guys had a conversation and then you hung up or it didn't go anywhere, I don't understand why that didn't go further prior to this. In other words, why didn't you guys, both of you guys have [03:05:00] a conversation further?

Sophia Long: Phil, I'm sorry, Board Member Phil, is your question now why d-

Phil Seitz: No, it's still, it's still to Cindy. Yep, it's still to Cindy. Um, why-

Shacindra Sloan: [crosstalk 03:05:10] you asked two. I'm sorry, I don't wanna forget it. So, one was, one was if the logs and if they said they called the clients. Um, I can't dispute what Danny says, but in the same respect, clients are calling me and saying, " [03:05:30] Cindy, what happened? Cindy, where are you?" You know, and with the same respect that Danny and them are treating me, of course I'm treating them. So, it's confidential, can't discuss it, um, because of the confidentiality that they're serving the clients and myself, I don't even know who it is we're talking about, if that make sense.

And then I'm just finding out, um, the actual facts and details of the complaint. Um, I [03:06:00] I don't wanna be incorrect, Ms. Patterson told us the date, uh, so it was, like, December I actual found out the details.

Phil Seitz: Well, but Danny had, had reached out to in regards to the treatments, right, on the phone, correct?

Shacindra Sloan: When he reached out to me, he reached out to me let me know that Revival and I will be separating, that he would no longer be in need of my services and I then inquired, um, as to why and, um, [03:06:30] he sent me an email, and in the email, it just gave me an ending contract and it gave me something else, um, and that was pretty much it.

Phil Seitz: So, you didn't know anything about this until you received correspondence from the board.

Shacindra Sloan: Not, um, the details of the complaint, no, sir.

Phil Seitz: Okay. Okay. I, I have no further questions.

Sol Magpantay: [03:07:00] Um, Cindy?

Shacindra Sloan: Yes?

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Sol Magpantay: On the dates that Ms. Wier said, July 12, July 19, July 28, August 4, August 4 is the only o- was the only one on exhibit that there's a progress note that was signed by you and by Danny. On July 12 19:28, were you, were you ... 'Cause that's the whole day, so I don't know if, [03:07:30] uh, how many patients that day were not actually seen by you or there was no telehealth, or are speaking just one client, that's, that's, um, the thing that I, I wanted to know, um, when Ms. Wier mentioned those dates, because in the exhibit, it started in August, it did not start in July.

And in the progress notes, the progress notes, the invoice, they went to share the screen, so I wasn't [03:08:00] able to see that. But the thing though is if ... I want to know if Ms. Danny Aldis signed those documentation, see if I am your OPR, I will ask your time in and out, I will ask your treatment and is it aligned with the goals. Like, for example, oh, by the way, this telehealth [crosstalk 03:08:23]-

Sophia Long: Oh, I'm sorry, Board Member Sol, so, real quick, your, your question is to Ms. Sloan, did Danny sign her [03:08:30] documentation?

Sol Magpantay: Yeah, on the dates that, um, were in question.

Sophia Long: So, Ms. Sloan, do you know whether Danny signed your documentation on the dates in question? Do you know whether he did or did not?

Shacindra Sloan: Yes.

Sophia Long: Yes, he did?

Shacindra Sloan: Yes, he did.

Sophia Long: Okay.

Sol Magpantay: Did Danny know that you did telehealth while the patient is in daycare?

Shacindra Sloan: Yes, I tested positive for COVID. If you want that, um, proof, I can send it. I didn't [03:09:00] send every text me and Danny have, 'cause we have so many, of course. But I sent a text that I was positive for COVID and that I would be doing telehealth for two weeks with everyone, and I know I telehealth ... I don't doubt myself anyways, but I know I telehealth everybody 'cause I telehealth them to tell them, and then when I tell them, most of the clients either wanna know when you got it, where you got it, are you vaccinated, when did you find out, or they wanna go get tested, or, you know, all of the, the rigmarole of it.

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So, I had to through [03:09:30] that for about a week of just where, when, who did come from first, last, and then not only that, my responsibility. You know, I tested positive for COVID, I work in pediatrics, I've been around people, that's my job, so I have to notify and why not go ahead and use my FaceTime, my Zoom time, my telehealth to educate, to inform and to provide treatment?

Sol Magpantay: So, you did telehealth in [03:10:00] daycare, yes?

Shacindra Sloan: Yes.

Sol Magpantay: Danny Aldis signed your documentation, yes?

Shacindra Sloan: Yes.

Sol Magpantay: Okay. Is their options telehealth options, like what Ms. Wier was saying, there's no ... No one can operate the computer. Do you have documentation that you did telehealth? 'Cause in Zoom, there will be, like, a computer trail for it.

Shacindra Sloan: I only do FaceTime and he has, um, text me to make sure I put telehealth because [03:10:30] I do FaceTime, and as I'm learning, because I, I am newer to home health, so as this occurred, um, I think his name's Phil, like he was saying, I learned about carbon copies, having clients sign, um, doing Zoom would've given me, uh, a trail. But, um, I wasn't aware of those things, I wasn't aware and I didn't know that I had to. So, I did FaceTime for the most part.

Sol Magpantay: Okay. With this, um, case, all of your [03:11:00] statement are bringing can of worms.

Shacindra Sloan: Okay.

Sol Magpantay: Because telehealth can't be done in FaceTime.

Shacindra Sloan: Well, I do FaceTime ag- and I'm ... If, if I'm incorrect, I'm honest about that, but I do FaceTime and I considerate it telehealth. So, if you can't do, if you can't do telehealth through FaceTime, I didn't know that. So, that is ... I'm, I'm guilty of now knowing that you can't do telehealth through FaceTime.

Sol Magpantay: And Danny [03:11:30] allowed this? Your company allowed this?

Shacindra Sloan: Yeah.

Sol Magpantay: How do you guys do, do telehealth? I mean, this is like a lot of can of worms (laughs).

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Shacindra Sloan: Well, [crosstalk 03:11:44]-

Sol Magpantay: (laughs)

Shacindra Sloan: ... just being honest, I mean, that's how I did it. If you want me to screenshot and show you where I'm being, um, you know, told, "Make sure you put telehealth, not FaceTime," or if you even go back to probably previous, um, invoices, I put FaceTime, I don't [03:12:00] put telehealth.

Sol Magpantay: Okay. Thank you.

Shacindra Sloan: No problem.

Allison Stone: This is Alli. I also have a couple of questions, and I apologize 'cause I'm just gonna be super direct, um, just for the sake of time. So, I apologize if it comes out as harsh. But, um ... So, while working for this company, did you document on sessions in which you were not present?

Shacindra Sloan: No.

Allison Stone: While working for this company, did you bill for therapy sessions that did not [03:12:30] occur?

Shacindra Sloan: No.

Allison Stone: Do you understand how to change the date and time in your documentation system to make sure it coincides when you actually work with a patient?

Shacindra Sloan: Yes.

Allison Stone: Did you seek out assistance with the computer system when you had questions?

Shacindra Sloan: Yes.

Allison Stone: Did you knowingly bill for telehealth services that did not occur?

Shacindra Sloan: No.

Allison Stone: When you did FaceTime at the daycare, who did you call [03:13:00] to connect with the student? What phone number was used where you got in touch with the student and daycare with FaceTime?

Shacindra Sloan: No, I didn't, I didn't FaceTime in daycare. I FaceTimed with parents with the kids, not to daycare.



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Allison Stone: For the sessions, how did you ... And I apologize, maybe I misunderstood, my understanding was that you did telehealth services with a couple of clients that were in the daycare setting.

Shacindra Sloan: No, and I think that's where I'm getting [03:13:30] confused, and I just don't wanna interrupt anybody during their, um, turn, turn of talking. But we do treat in daycare, so I conduct sessions in daycare. I don't conduct telehealth sessions in daycare.

Allison Stone: So, did you ... You did not bill for any telehealth services while a child was in the daycare setting.

Shacindra Sloan: No.

Allison Stone: Okay. Thank you.

Sol Magpantay: So, you did the telehealth with the parents on FaceTime-

Shacindra Sloan: Correct, yes.

Sol Magpantay: ... while [03:14:00] the child is in daycare.

Shacindra Sloan: No. I don't know where they're at most of the time, I didn't ask that. I didn't ask that question. But when I did, uh, telehealth, it's always with the parent or with th- a caregiver, I'm sorry, with a caregiver. So, different circumstances.

Sol Magpantay: Okay. Thank you.

Allison Stone: Sorry, this is Alli, again. One more question.

Shacindra Sloan: Mm-hmm (affirmative).

Allison Stone: With the, um, conflicting information on your documentation and billing and what parents are saying, [03:14:30] do you think that you could have made clerical errors on your documentation and billed for times that you were not present?

Shacindra Sloan: I think that I may have hit repeat and when I went to hit 06 or scroll up, if it didn't go through or what have you, I could've made a clerical error. But the session absolutely took place.

Allison Stone: Do you typically review your notes prior to submission to double check all of that?

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Shacindra Sloan: [03:15:00] Yes. I'm not the best at being detailed, but yes. Is everything you say, read and s- submit correct and true, and I'm like, yes, 'cause I do [inaudible 03:15:09], so I know it- it's true. So, I hit submit and, um, me and Danny talk every Monday, we review, we talk about everything. He's really detailed, he's really detailed, um, especially with me being so new to pediatrics and him being, um, who he is. So, like I said, I ... Prior to getting [03:15:30] this notice, I didn't know.

Allison Stone: Okay, thank you.

Sol Magpantay: Can I ask another question?

Shacindra Sloan: Yep.

Sol Magpantay: Did Danny Aldis, your OT, every time he signed your documentation and you have your time in and out, um, did he ask you, "Oh, this August," let's say August 6, "you were 9:00 to 10:00 with, with Liz, [03:16:00] and then at 10, 10, at 9:00 to 10:00 on August 6, you were with Allison, how come it's the same timeframe where in their, in their home?" Did, did any of that occur regarding your time in and out with your documentation or, "Oh, this goal is not part of my goal," you know, kind of, like, those things between OT and COTA dynamics that should be done?

Shacindra Sloan: Um, [03:16:30] no, he definitely talked me a lot and gave me, um, a lot of guidance. But, no, I was under the impression I was doing really well. Um, during the, I wanna say seven months I was there, I got, like, two raises, I got two raises. I don't know of any complaints or of any, um, major mistakes that had been taking place, aside from, of course, um, me allowing, um, the lady that ran the business to watch my dog, that being a conflict of interest. Of course I had seen other things that could have been [03:17:00] conflict of interest, but it's like, it's not about that. I'm like, Imma be accountable for what I did and I'm accountable for that.

Like, okay, I understand that, I respect that, I can't allow a client to, uh, watch my dog or buy a candy bar from a kid, even if it's for a charity or Girl Scout cookies or any of that stuff, and I did have to be educated to that, and it wasn't because I was tryna be defiant, it was just because I honestly didn't know that that was, um, a major conflict [03:17:30] of interest.

Sol Magpantay: Okay. My last question. I know besides traffic, being late b- with the dog, are there any other complaints from the patient or from their family, not from, from Revival or your contract, but from the family patient, and even from your contract company?

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Shacindra Sloan: Never. Never.

Sol Magpantay: Nothing from the fam- parents, nothing [03:18:00] from the patient and nothing from your contract company.

Shacindra Sloan: Never.

PART 6 OF 7 ENDS [03:18:04]

Sol Magpantay: ... from the patient and nothing from your contract company.

Shacindra Sloan: Never.

Sol Magpantay Okay. Thank you.

Allison Stone: This is Allie, I have one last question as well. Can you explain the difference with the timing? So if you were at one patient house from 9:00 to 10:00 and then would re-bill another patient's house from 10:00 to 11:00, how that would've occurred.

Shacindra Sloan: Okay. So a lot of times, and that's why I submitted exhibits, but I didn't... What have you, you'll have time review when you get time, but, um, long story short, sometimes [03:18:30] you have siblings, two, three, four in a home, so it's not uncommon on your calendar for you to have back to back appointments. Um, so if I seen that, um, it wouldn't, it wouldn't be like a red flag, I guess I'm trying to say. And then the way I situate myself, um, one me being brand new to Vegas, um, learning everything, um, I try and situate the appointments, um, closer to each other.

So like six minutes apart, five minutes apart, you know, at the most, [03:19:00] if I can help it, 10 minutes apart and try and keep all of them on the same, um, type of dates or times if possible. So, um, most of the time, uh, I'll either click and just drop it down to 4:10. So if, uh, I left there at 4:00, I could be here and starting at 4:10, if they're six minutes away, 'cause they're literally leaving this complex and going to the next complex, and then leaving this complex and going over to the next complex or what have you.

So they're really, really close together. The view's kinda, you know, not making [03:19:30] any excuses, but like I said, clarify errors, attention to detail only, totally accountable. The rest of it I just, I'm, I'm [inaudible 03:19:39] that's why we're here today.

Phil Seitz: Well, it's critical in regards to billing and I think that's why Danny brought this up to the board in the first place, the, um, the times that you enter in for your

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treatment sessions from start to finish have got to be spot [03:20:00] on. And, and it can't be like, I think that's why Danny had started that. I mean, it just doesn't make any sense. So that's really, really important. I mean, he could lose his entire business as a result of that. I think that's why, you know, we're having this conversation, not to mention a lot of other problems. Very, very important.

Shacindra Sloan: Yeah, definitely those... Oh, I'm sorry. I'm sorry, Sarah.

Sol Magpantay: Yeah. I agree with Phil because he signed your document.

Sophia Sloan Okay. Sorry. Sorry, Sol. Any more questions for [03:20:30] Ms. Sloan?

Phil Seitz: No, I'm good.

Shacindra Sloan: No. And to piggyback on what Phil was saying or to answer what he was saying, um, I totally agree, I wouldn't try and roll anybody under the bus or, um, have his license [inaudible 03:20:43] in jeopardy because we, I'm, I'm here now in the hot tea because of it. But, um, it's a difference between the clerical error and a mistake. And it's a difference between clients saying this happened and clients allegedly saying this happened. I understand it's a board meeting.

I'll just be respectful to everybody, [03:21:00] but we only going off what one person said a lot of other people said, and it, it happened allegedly in the course of less than eight hours, you were able to get to the daycare, um, Madison and review the logs. You were able to get in contact with all these parents. They were able to have impeccable memories and then you were able to write up a whole complaint in less than 24 hours. And that was a complete investigation without even having a conversation with me.

Elizabeth Strau...: [03:21:30] This is Liz. Thank, thank you for all this. I, I think we, um, are moving toward, um, terminating the hearing and then deliberation-

Henna Rasul: Actually-

Elizabeth Strau...: ... and a, just a decision. Is that correct?

Henna Rasul: Actually, Liz, change of course. Um, it's been common... It's become kind of convoluted, so I want some more clarity into the situation.

Elizabeth Strau...: Okay.

Henna Rasul: I'm gonna call Da- Danny back if he's [03:22:00] still around as a rebuttal witness.

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Danny Aldis: I'm here. I'm, I'm sorry, I just need half a second. Um, Ms. Mag- Magpantay, I'm sorry if I mispronounce your name, you, you can't just go on record and say stuff. I just sent a documentation from Medicaid saying we're allowed to do... Due to COVID, we're allowed to use smartphones during sessions. I will not have my company and I send it, I send it off. I do not know why my company who's consistently sticking [03:22:30] to moral values and not breaking rules. I just sent the documentation.

I would appreciate it if before you make such claims, you could review the policies. I know Medicaid policy like the back of my hand. I, I just sent it to Ms. Magpantay. We are allowed to use smartphones secondary to COVID restrictions. They got rid of the tele, but I... And I understand that, but when my company's being in a way, um, I mean, I, [03:23:00] yeah, completely inappropriate. I sent the document for your review. Please retract your statement because I have documentation saying from Medicaid, we are in fact allowed to use smartphones.

Sol Magpantay: Um, I think we are allowed smartphone, and, but I'm saying about the application FaceTime and I'm, I'm talking about personal phone of the OT.

Danny Aldis: As am I.

Sol Magpantay: Or you can use-

Danny Aldis: [crosstalk 03:23:26] sent something saying we can't, I just sent it out for documentation. [03:23:30] I am... We're on the same page. Zoom is best practice, completely agreed, but I will not have my company talk down to like that. I do not do stuff like people in the val- valley. I make sure we are never in violation. Hence me paying back Medicaid. The second I found out about these, I paid them back the second we found out that these may have been fraudulent treatments.

Sol Magpantay: Okay. I'm sorry about that. I was like, talking about personal phone and the [03:24:00] FaceTime application. You can use other application. I'm really sorry. I will retract that, but I'm talking about, we should use the company phone and the application FaceTime is because of HIPAA compliance. I did attend, um, the telehealth, um, seminar from AOTA. I will look for that and I will send it to Ms. Loretta Ponton. Uh, Medicare and Medicaid may be different, so I will retract [03:24:30] about FaceTime.

Danny Aldis: Well, I sent the document-

Sol Magpantay: I'm sorry for that.

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Danny Aldis: Yeah. I, I sent the doc- I sent the documentation for your review. So that is-

Sol Magpantay: Okay.

Danny Aldis: ... that is fine but I will not, like I said, I will not allow slander for my company. That, that is not accurate. We follow best practice. And I do believe Zoom is best practice. I don't like FaceTime or I don't like telehealth to begin with. I don't think it's great, but COVID allowed for a lot of weird restrictions to happen.

Sol Magpantay: I'm just talking about Ms. Sloan, if she was using her personal phone.

Danny Aldis: [03:25:00] No. And I understand that, but then you said the company allows you to do so. That is not allowed when in fact I just sent an update for Medicaid and it's dated, I believe in May saying yes, you are allowed to, allowed to, Crazy times call for crazy measures.

Sol Magpantay: I'm sorry [crosstalk 03:25:17]

Sophia Long: Um, thank you for clearing that up. Mr. Aldis. Thank you very much. Thank you for the apology board member, Sol. Um, Miss Rasul.

Henna Rasul: Um, uh, I just wanted to just, um, do you still have exhibit [03:25:30] three in front of you, Mr. Aldis?

Danny Aldis: Um, I can, I can pull it up.

Henna Rasul: Well, because we're focusing to simply be on August dates, but reviewing the documents specifically bait stamp.

Danny Aldis: Yeah.

Henna Rasul: Um, bait stamp and the bait stamps are at the bottom. Um, so 39 through, I think it's like 42, these seem to indicate that there were, that, that there were progress notes in July as well, [03:26:00] correct?

Danny Aldis: Yes. When the invoice is dated, it's for the week prior. So just because it stayed in August 1st doesn't mean it's, uh, clearly... I mean, they have to complete the sessions before we bill them.

Henna Rasul: Yeah. Okay. I just wanted to point that out. Um, is there anything further you'd like to clarify?

Danny Aldis: Um, I mean, no. I, this is... Yeah. I mean, this is the [03:26:30] thing I, I get the angle, Ms. Sloan was going, going for, um, she was a great therapist. It really

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was a net loss for all of us. We lost money. We lost clients. We lost, um, you know, we lost a pretty good practitioner, but, um, I mean, I've done my due diligence. I've let the board know this. I let, I, like I said, returned the money to Medicaid. Um, I took up more clients that way we didn't lose them and it wasn't an ethical issue on our end, [03:27:00] but, um, just a reminder, she's not an employee, so I'm very confused why we would sit down and have a conversation. State of Nevada, she's a contractor.

She didn't have to do anything wrong, and I could have got rid... There was no reason to build a case for her. That does not apply in a working state, let alone or a right to work state and let alone she's a contractor. I didn't have to build a case. Now, I could have let her go for zero reason whatsoever without going through this mess. So I just wanted to clarify that with the board, we are a 1099 company, we contract our workers. Um, [03:27:30] the burden of proof is relatively zero if we want to, um, if we want to terminate a contract. So I find that argument extremely null and, um, unaware of how 1099 contract works.

Henna Rasul: Thank you, Mr. Aldis. Um, I have no further questions. Um, so unless there are other questions for the board members, I'm gonna go ahead with my closing, madam chair.

Elizabeth Strau...: Sounds fine. I don't hear anyone or see anyone [03:28:00] gesturing.

Henna Rasul: Okay. Oh, (laughs) okay. Okay. Members of the board, thank you for your time this morning now afternoon. Um, I would like to take a brief moment to summarize what we've heard from witness and seen from the exhibits. Uh, Ms. Ponton, the custodian records, she personally told us that Ms. Sloan was licensed by the board during the time she was engaged in the above alleged violating behavior [03:28:30] while Ms. Sloan was practicing as a licensed occupational therapy assistant. The state three witnesses provided ample testimony to support the fact that Ms. Sloan is guilty of all eight counts alleged in the complaint.

The allegation set forth in the accusation or the complaint, uh, were set forth in the letter, um, sent by the board to Ms. Sloan on or about August 18th, 2021. Um, but that said, based on all that has been heard during this hearing, um, which was pretty, um, detailed [03:29:00] and full of information, um, it's the state's position that there is sufficient evidence to establish that Ms. Sloan, um, is in violation of relevant sections of NRS648.200, NAC640.250, NAC640A.290 and NAC640A.350.

Um, based on the formal foregoing, I would ask the board to find Ms. Sloan guilty of counts one through eight, [03:29:30] as specified in the complainant notice of hearing. Further, I would ask that the board take the following actions

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against Ms. Sloan. One, place Ms. Sloan's license on probation for three years effective today. During the time of probation, of the three year probation, um, the following terms would need to be met. Um, when the respondent waives her right to petition for early termination and modification of probation. [03:30:00] Two, respondent shall obey all state, federal, and local laws and regulations governing the practice of occupational therapists in Nevada.

Three, um, she shall complete nine hours of board approved continuing education course in the area of ethics. Um, I'm sorry, back up. Nine hours total, uh, six hours in ethics, three hours in standards of practice. Um, she would also be responsible for [03:30:30] all the costs of, uh, of the continuing education and upon successful completion of the coursework, she would need to send a, uh, certificate of completion to the board within 30 days of the completion of the course.

Um, she, at all times, while on probation must maintain an active current occupational therapy assistant license with the board. She would be restricted from working independently, including in-home healthcare settings. Um, and she shall work under the direct supervision of an OTR who is physically [03:31:00] present on site.

Um, and she shall also provide a copy of the... Um, actually, I don't know, [inaudible 03:31:14] discussed a copy of the complaint. Is that true? I can't hear you. Loretta.

Loretta Ponton: Um, of any board order?

Henna Rasul: Yeah.

Loretta Ponton: As a result of the disciplinary hearing.

Henna Rasul: And then have, have it signed by each employer. [03:31:30] Um, and then, um, a recovery of attorney fees and costs in the amount of \$4,515 and 10 cents. And this is pursuant to NRS.400. Um, and then, and also in addition to cost today, so up until the date of this hearing, it was \$4,515 and 10 cents, and then you'd, we'd add the cost to this hearing. Um, and lastly, um, the board will report any actions taken by the board to, and, um, any state national data bank that is required by law, [03:32:00] the national board for certification occupational therapy and American occupational therapy association. And that is it.

Elizabeth Strau...: Okay. So at this point, um, the board needs to go into discussion about, um-

Sophia Long: Actually, um, sorry, madam chair. Um, does Ms. Sloan have any final words she'd like to say to the board?



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Shacindra Sloan: [03:32:30] Yes. Um, um, are these like closing argument?

Sophia Long: Yes, please.

Shacindra Sloan: Okay. Um, I just like to say that, um, we're here today based off, um, mostly circumstantial evidence and hearsay. Um, definitely I would agree with, uh, professionalism to a certain degree as far as the dog sitting or just attention to detail, but I think, um, [03:33:00] uh, this situation could happen to anyone. And I think we just have to [inaudible 03:33:05] that. Um, we don't have any particular evidence, any documentation of complaints now or in the past, especially to, um, hold or obtain somebody's license for three years that's never had a blemish besides paying a fine, besides paying a fine.

But, um, [03:33:30] I've been practicing for over eight years and I just really feel like, um, that would be totally, um, above and beyond. Um, especially after counting the visits allegedly in question and being disciplined, being separated from my job, not compensated for two weeks worth of pay [03:34:00] being here for this moment, and then, um, the punishment that's come with it and all because of, um, initially, um, the 06 wasn't there instead of four o'clock or 9:00, 10 wasn't there instead of nine o'clock, whether it's an IT glitch or what have you, with me being brand new to pediatrics, brand new to home health, brand new to the state of Nevada, I just feel like that's [inaudible 03:34:31] and [03:34:30] that's pretty much.

Elizabeth Strau...: Thank you, Ms. Sloan. Um, so uh, for the job for the board as I understand it is that we, um, go ahead into discussion about, um, your suggestions and taking in Ms. Sloan's, um, thoughts [03:35:00] as well. Is that correct?

Henna Rasul: Um, yes. Madam chair. Uh, just a few things I'd like to remind the board.

Elizabeth Strau...: Great.

Sophia Long: Um, that since you are in deliberations, this is a time for you to converse and talk between yourselves. Uh, the witnesses, um, this there's no more chances to ask questions to the witnesses. The witnesses are not to participate. So your first, I guess, order of business (laughs) [03:35:30] is to determine whether you believe that anything you heard today based on testimony or based on your review of the documents violated, any of the laws that are listed in the complaint. And I do know, you know, the board members already received a copy of the complaint from earlier and as Ms. Rasul has stated that there are eight potential violations.

So the first vote you should determine is whether Ms. Sloan, whether her actions violated [03:36:00] any of those eight violations, all of them, one of

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them, some of them. So that should be your first vote, is to determine that. As you do so, please have a robust discussion. Um, you can review all the documents in front of you. Um, you can review all the testimony from the witnesses that you've heard today. Uh, I know during, um, this hearing, there was some talk regarding documents that were presented to you, some documents that weren't.

[03:36:30] Um, so documents that were not presented to you, um, you should not make any sort of determination whether they exist or don't exist, whether these documents would've been truthful or not. Um, so that should have no bearing on your decision in this hearing today. Again, uh, you know, another thing to keep in mind is to the extent that you may have heard conflicting testimony. So whether you believe whether one person was truthful or not, um, [03:37:00] you just look at the credibility of each of the witnesses that are giving the statements. So if a witness gave statements regarding their personal observation, and you also heard some back and forth about hearsay, personal observations are not hearsay.

Okay. So let's start there, as long as they've given a personal observation and that they can testify to a matter that they know not from somebody else, but from something that they've observed, a conversation they have, all those [03:37:30] things are personal observations, it's not hearsay and those are, and those statements are just as good as whether any document was entered or not. Okay. So does a board member have any question regarding deliberations?

Phil Seitz: No.

Speaker 15: Okay.

Allison Stone: Hi, this is Allie. Just before we get started, I'm a little concerned about the time constraints, just because we have 20 minutes and eight counts to review. I'm wondering before we go into deliberations, if this is something that instead of jumping in and then having to stop, if this is something that [03:38:00] can be done at a later time, because I feel like this is definitely gonna take more than 20 minutes and I apologize, but I have a hard stop at two o'clock.

Sophia Long: Okay. Madam chair, what would you like to do? And you're muted.

Elizabeth Strau...: Good. Got it. Now I'm not. Um, I actually agree with Allie. I think this is, um, there's a lot of things to consider and to think about, and I would appreciate a longer amount of time to do it. I don't know what [03:38:30] that means in terms of the legal process, but a, a second meeting quickly would, would probably make me feel a little like I don't have to worry as much about what I'm looking at. I don't know how the rest of the board feels.

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Loretta Ponton: Madam chair.

Elizabeth Strau...: Yes.

Loretta Ponton: This is Loretta. We do have a, a regular board meeting scheduled on January 29th. Uh, we could add, uh, [03:39:00] a continuation of this to that January 29th meeting if that date is, uh, acceptable, or we could schedule a special meeting between now and then to consider that. Just wanted to let you know we do have that date already scheduled, if you would like to add continuation to the agenda.

Elizabeth Strau...: And I guess my question would be to the other board members, do, uh, do we want to [03:39:30] try to do another session before the holiday, or are we looking after the holiday? Is there... I don't know what people's plans are as well. I would say sooner for me seems a little more realistic than later.

Phil Seitz: Um, my two cents worth is, um, if, if we add it to the 29th one at the rate we're going, I mean, I, I, I mean, literally I can't do a five hour session. I can't, I can't do that. That's, that's, that's just... I can't [03:40:00] do that. So, um, to me, it is gonna be easier to do this sooner than later. The 29th, that's a lot of period of time. Some of the details might get a little fuzzy. I would rather wrap this up, sooner, the better. That's my take on it,

Henna Rasul: Miss Ponton, do you, do you know... Would you be able to have a transcript anytime soon? [03:40:30] And you're muted too, I'm sorry.

Phil Seitz: Good God, I hate Zoom.

Henna Rasul: We're well trained. (laughs)

Loretta Ponton: I, I can, I can, uh, pull the board and, and try to schedule something sooner. Um, um, just to, uh, uh, to, uh, let you know that, uh, Sol's term is up on Dec- Uh, at the end of this year, December 31st, however, uh, we have not been notified of a reappointment, so she could serve [03:41:00] in a carryover position unless we get an appointment before the next meeting. Um, so, you know, I'm happy... I'm not available af- the week after Christmas, but we could do something between now and then. I mean, we can try something maybe next week.

Henna Rasul: Um, Miss Ponton, would you be able to have a transcript before then?

Loretta Ponton: Um, I could [03:41:30] try.

Henna Rasul: [crosstalk 03:41:31]

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Loretta Ponton: I could try, but probably not a verbatim transcript.

Henna Rasul: Yeah, we, yeah, it'd be better if we had a verbatim one, um, uh, 'cause that's not [inaudible 03:41:40] I didn't see any court recorder, so.

Elizabeth Strau...: So are we better off looking at, um, early January? Just because of the holiday,

Loretta Ponton: I'd be happy to schedule something, uh, pull them, pull everyone. Uh, [03:42:00] those that are here, maybe you wanna check your calendar so you can do that.

Sophia Long: And just procedurally, um, there's no more testimony from the witnesses, so whether the witnesses want to attend or not. Um, thank you definitely for appearing here today and taking up most of your Saturday. (laughs)

Elizabeth Strau...: Yeah. Thank you very much.

Sophia Long: And Ms. Sloan, um, just make sure that [03:42:30] she, she gets the dates and if she needs to do, and Ms. Rasul, I don't know [crosstalk 03:42:36]

Henna Rasul: I was gonna ask if she could. I mean, if on the record, if she's willing to waive notice.

Sophia Long: Correct. Right.

Henna Rasul: So if we decide on a date.

Shacindra Sloan: Okay. And what, I'm sorry, what was [inaudible 03:42:49] notice, Ms. Rasul?

Henna Rasul: Meaning official notice [inaudible 03:42:53] meeting law. If we dec- if we can decide on a date today that you're, you're agreeable to waiving notice of [03:43:00] meeting law and agreeing to, uh, appear at, on that date, whatever date they decide.

Shacindra Sloan: Okay. Do I need to appear, or is it like the board's making a decision?

Henna Rasul: You, um, Ms. Sloan, you should appear (laughs)

Shacindra Sloan: Okay. Okay. I'll be there.

Elizabeth Strau...: Does anyone... This is Liz. Does anyone, uh, looking at January [03:43:30] is, is Saturday the eighth an option or something like that? Or the first, first is new years. (laughs) Eighth looks like it would be the first day 'cause most people are working during the work week.

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Phil Seitz: Um, my birthday's the seventh, so I'm gonna be out of town. I'll be skiing so I'll be out that whole weekend. Sorry.

Elizabeth Strau...: Mm-hmm (affirmative). [03:44:00] Weekend of the 14th, 15th, 16th?

Phil Seitz: I'm available. Yeah.

Sol Magpantay: Um, madam chair.

Elizabeth Strau...: Yes.

Sol Magpantay: I cannot commit because, um, if... I cannot commit if a new, new board member has been appointed, then of course I'm, I'm not anymore (laughs) a board member, but if, if there's nobody that has been appointed, I would attend, um, [03:44:30] if there's no quorum, but, um, that's the, the, the only thing. So I'm, I'm not gonna say yes or no this time <laugh>

Loretta Ponton: The, another option would be if you want to do it during the week, um, you know, you could do it during the day or in the evening during the week, if you wanna do something sooner. But again-

Henna Rasul: And also for-

Loretta Ponton: ... uh, transcripts, um, we'll [03:45:00] have an issue with getting transcripts if we do it too soon.

Sophia Long: And also for board member Phil, um, the, all you're doing regarding this hearing at this point, um, I don't know what's on your calendar for the 29th, but just in regards to this hearing, you're just deliberating and determining whether a violation occurred and you know, issuing discipline if need be, and that's it. And the, and this po- this hearing's over.

Phil Seitz: Okay. [03:45:30] I'm just, you know, I got (laughs) you know, we don't get... Yeah. So if you guys want to try to do it and wrap it up in like a 20 minute thing on top of whatever else comes down, that's fine. But like I said, I, I, can't a five day marathon. It's just, I, I can't do that.

Loretta Ponton: Uh, this is Loretta, our January agenda is very short at this point, so it should not be a problem to add this to that agenda.

Phil Seitz: So let's do the 29th then.

Shacindra Sloan: Is it okay [03:46:00] for me to ask the question, Miss Loretta?

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Loretta Ponton: Yes.

Shacindra Sloan: Is it... I'm sorry, Madam chair. Um, when, the one on the 29th will, we have to sit through the, the previous, uh, whatever else is going on and then my case will be called at the end?

Loretta Ponton: Uh, we would schedule it as the, uh, first item on the agenda.

Shacindra Sloan: Okay. Okay. Thank you.

Elizabeth Strau...: Does the 29th, the 22nd, 15th, eighth work for you?

Shacindra Sloan: Yes [03:46:30] ma'am.

Elizabeth Strau...: Okay. That's, that's a start. (laughs)

Shacindra Sloan: Preferably not the eighth 'cause it Phil's birthday. (laughs)

Phil Seitz: All right.

Elizabeth Strau...: That's true. Okay. Um, anybody else before... Anybody else, are we voting then to do it on the 29th?

Henna Rasul: I apologize. You don't have to vote, just put it on the 29th, if you're all in agreement for the 29th, just-

Elizabeth Strau...: Okay. Just waiting to hear if anybody said yes or no. All right. (laughs)

Henna Rasul: And Loretta, if you can get a [03:47:00] verbatim transcript by the 29th, just in case Sol... 'Cause I've encountered a situation before where a new board member was, uh, put on, um, to a board, the middle of a hearing, and he was only able to participate because there was a transcript that was provided to him that he could review beforehand. So if that can be-

Loretta Ponton: I'll do my best.

Sophia Long: Okay. And the board members might want to familiarize themselves again a little bit.

Loretta Ponton: Absolutely.

Loretta Ponton: Okay. So at this point, we're looking at doing, uh, [03:47:30] the rest of this hearing on the 29th at a board meeting.

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Phil Seitz: Yes.

Shacindra Sloan: That works for me.

Henna Rasul: 29th works well for me.

Elizabeth Strau...: Okay. I'm assuming everyone else is a yes since I haven't heard any other voices, um, will get in-

Speaker 16: [inaudible 03:47:52]

Elizabeth Strau...: Will get in touch with, uh, Mel and make sure that works. Um, [03:48:00] so at this point we can go back to the agenda, which I lost somewhere in my pile of papers here. (laughs) I'm scribing on.

Danny Aldis: I'm, I'm, I'm really sorry to interrupt real quick. Witnesses don't need to be there, correct? We're [crosstalk 03:48:13]

Sophia Long: That is correct. Thank you, Mr. Aldis.

Danny Aldis: Thank you so much.

Sophia Long: And thank you, Miss Aldis.

Danny Aldis: Thank you. Appreciate it. Have a good day. Appreciate for your time.

Henna Rasul.: You too.

Elizabeth Strau...: All right. Thank you.

Loretta Ponton: Thank you.

Danny Aldis: Thank you.

Elizabeth Strau...: Okay. So I believe we just [03:48:30] have, uh, uh, I don't know where my agenda is, it's on here somewhere. (laughs)

Henna Rasul: Public comment. Public comment, and then you can adjourn.

Elizabeth Strau...: Public comment. I think everybody's gone. Okay. Um, let's adjourn at my, uh, clock says 1:50 PM.

Allison Stone: Thank you.

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Allison Stone: Thank you.

Sol Magpantay: Bye. Have a happy holidays. Happy new year.

Elizabeth Strau...: Yes. Have fun.

Phil Seitz: Bye.

Loretta Ponton: Bye.

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