



## KENTUCKY BOARD OF PHYSICAL THERAPY

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Governor

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Scott D. Majors, Esq.  
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### MINUTES OF MEETING May 16, 2013

Board Members Present: Charles "Chuck" Clark, PT, Chair  
Linda Pillow, PT, Chair-Elect  
Peggy Block, PT  
Troy Grubb, PT  
Karen Craig Ogle, PT  
Tina Volz, PT

Board Staff: Scott D. Majors, Executive Director  
Donna Sims, Licensure Coordinator

Board Agents: Mark R. Brengelman, Esq., Board Counsel

Guests: Brian Fingerson, RPh  
Michael Muscarella, PT, KPTA President  
Lisa Volz, KPTA Executive Director  
J. Anthony "Tony" Brosky, PT, KPTA Liaison

A meeting of the Kentucky Board of Physical Therapy was called to order by Board Chair, Chuck Clark, at 9:01 a.m., on Thursday, May 16, 2013, at the Board office. A quorum was present.

Chuck Clark noted that the Board has received no information from the Governor's office concerning the appointments for the positions held by Board members Troy Grubb and Virginia Johnson, whose terms on the Board expired on April 30, 2013. Per KRS 327.030(4), Mr. Grubb and Ms. Johnson shall continue to serve in their respective positions until an appointment is made. The Board instructed Scott Majors to inquire of the Governor's office when a decision is expected to be made concerning the applications for these two positions.

Motion was made by Peggy Block, seconded by Linda Pillow, to approve the minutes of the Board meeting of March 21, 2013. Motion carried.

### Board Discussions, Committees and Opinion Requests

#### KBPT Spring Newsletter

Mr. Majors provided the members with a draft of the spring newsletter for review and consideration. Mr. Majors further noted that a list of the licensees and certificate holders whose credentials expired as of April 1, 2013, will be added to the newsletter, per Board policy. The Board further reviewed a draft article authored by Board Counsel, Mark Brengelman, concerning the eligibility of a PTA for Board membership, to determine whether this article should be posted on the website or also included in the newsletter. Following discussion, Mr. Grubb moved that the proposed newsletter be approved for publication and that it include Mr. Brengelman's PTA article. This motion was seconded by Tina Volz, which carried.

## **KBPT Renewal Application Process**

Ms. Block reported that she, Mr. Brengelman and Board staff met on May 1 to review the renewal application process. Following extensive discussion, they recommended to the Board several changes to the renewal process, including a revision to the renewal application, revisions to the online process relative to “yes” responses to the application questions, and advancing the “live” date to April 1, 2015 for the 2015-2017 Jurisprudence Examination. Additionally, Mr. Majors noted the recommendation for an amendment to the Board’s renewal regulation, 201 KAR 22:040; specifically, the deletion of Section 1(5). All of these recommendations were listed in a written memorandum to the Board dated May 10, 2013, which the members were provided. Following discussion, Tina Volz moved that the Board accept all of the recommendations presented relative to the renewal application process. This motion was seconded by Karen Ogle, which carried.

## **Continued Competency Regulation**

Mr. Clark invited KPTA President Mike Muscarella, KPTA Executive Director Lisa Volz, and KPTA Liaison Anthony “Tony” Brosky to personally address their concerns with the Board’s amendments to 201 KAR 22:045, filed on 02/14/13 and withdrawn on 04/01/13. Following considerable review and discussion, Ms. Ogle moved that the Board amend 201 KAR 22:045 Section 2 consistent with the concerns expressed by KPTA’s representatives relating to:

- (1) completion of courses, seminars, workshops, symposia, or home study courses consisting of less than three contact hours that have been produced and developed by APTA or its state chapters and sections;
- (2) completion or auditing of an accredited postsecondary educational institution credit course meeting continued competency as defined by 201 KAR 22:045 Section 1(2);
- (3) ABPTS certification to be awarded 28 contact hours per biennium; and
- (4) ABPTS recertification or other certifications and recertifications within the scope of physical therapy practice to be awarded up to 28 contact hours per biennium.

Mr. Grubb seconded Ms. Ogle’s motion, which carried. On behalf of the entire Board, Mr. Clark expressed appreciation and gratitude to the KPTA representatives for their interest in this regulation and for their willingness to meet with the Board to personally address their concerns.

## **FSBPT’s Ethics and Legislation Committee**

Mr. Majors offered a report concerning a meeting of FSBPT’s Ethics and Legislation Committee held on 04/13-14/13 in Alexandria, Virginia. The Committee again discussed the issue of licensure portability and, specifically, the concept of a Physical Therapy “Compact” similar to the Nurse Licensure Compact. Mr. Majors also reported that the Committee was expected to schedule a conference call in the short term to further discuss the concept of a compact model. Mr. Majors agreed to provide the Board with an update at the next meeting.

## **Model Settlement Agreement**

Mark Brengelman circulated a revised proposed model settlement agreement which references the various dispositions, sanctions, terms and conditions the Board has typically considered. Following review and discussion, and after again suggesting minor modifications to this draft, the model settlement agreement was noted by the Board. Mr. Majors and Mr. Brengelman agreed to make the minor changes to the model agreement.

## **Monitoring Procedures and Requirements**

Consistent with the Board's instructions offered at the last meeting, Mr. Majors made available for member review a draft monitoring electronic worksheet / excel spreadsheet prepared by Stephen Curley. Following discussion, Troy Grubb and Tina Volz offered to help edit this worksheet so it may more completely reference data which should be a part of every monitoring visit and which the Board will want to examine in tandem with a written monitoring report. Additionally, Mr. Grubb suggested that staff ask Debra Turner whether she would like to contribute to this task. Mr. Majors also circulated information concerning a monitoring training session proposed by CLEAR, tentatively scheduled in mid-September, 2013. Following additional discussion, the Board concluded that this training may substantially supplement the training previously proposed to be offered to Board monitors by the Board, its staff and Counsel, and thus Mr. Majors was instructed to notify CLEAR's Training Coordinator and express the Board's interest in approving the paid attendance of all of its monitors, Ms. Majors, Board Counsel, and any Board members who may be interested in attending.

## **2013-2015 Jurisprudence Exam Committee**

Ms. Block and Mr. Majors reported that the 2013-2015 JE Committee, consisting of Tom Pennington, Debra Turner, Ms. Block and Mr. Majors, convened by conference call on March 29, 2013, to examine potential questions for the next Jurisprudence Examination. The examination questions were developed by the Committee after considering the most frequent and significant topical issues which the Board and its staff have addressed since the last JE was implemented. Ms. Block and Mr. Majors circulated a memorandum for the Board's review and consideration which included twenty (20) questions and six (6) alternate questions. Following discussion and some revisions, Mr. Clark moved that the Board accept the questions, as revised, to serve as the 2013-2015 JE and for staff to work with the IT developers to have the exam available to applicants and credential holders as promptly as possible. This motion was seconded by Ms. Pillow, which carried.

## **Opinion Requests**

The Board reviewed the following opinion requests from:

(1) Chris Garland, PTA, inquiring about the "line of sight" requirement referenced in 201 KAR 22:001 Section 1(6)(a) as it applies to an open patient gym with a privacy curtain. Following review and consideration, the Board instructed staff to advise that a physical therapist's supervision of a physical therapist aide, while the two are separated from each other by a privacy curtain, would comply with the referenced regulation only if this did not exceed 51% of the patient encounter.

(2) Tara Hutto, PT, DPT, inquiring about the "line of sight" requirement referenced in 201 KAR 22:001 Section 1(6)(a), specifically: (a) if a PTA or PT has performed therapeutic exercise and manual therapy, can a PT technician go into a closed room and perform an ultrasound, providing they have been educated and competency demonstrated?; and (b) when a facility which employs massage therapists, are they permitted to have them perform the massage component of a treatment plan in a private area if these therapists treat as PT techs with a PT treatment plan and work under appropriate onsite supervision in conjunction with the PTA/PT performing therapeutic exercise and other treatment?

Following review and consideration, the Board instructed staff to advise that: (a) a physical therapist's supervision of a physical therapist aide/tech, while separated from each other by a closed room, would comply with the referenced regulation only if this did not exceed 51% of the patient encounter, and to further emphasize that it is the physical therapist's responsibility to ensure the competency of care provided by the physical therapist aide/tech; and (b) the fact pattern presented would not constitute a violation of the Physical Therapy Practice Act *per se*; however, payors may have different rules for several providers or different credential holders, thus it is strongly recommended that the payor be consulted to determine appropriate payment guidelines; and finally that billing questions generally fall outside the Board's jurisdiction pursuant to its governing statutes and regulations.

(3) Sarah Myer, PTA applicant, who personally appeared and sought practical suggestions from the Board on options that may be available to her to successfully complete the NPTE. Upon her six (6) unsuccessful attempts to complete the NPTE, the Board advised that she is ineligible to take the NPTE again in Kentucky, pursuant to 201 KAR 22:020 Section 2(4), but that other jurisdictions may either have no such limitation, or a limit greater than that which the Board is required to recognize. The Board also suggested that she consult with a professional who may be trained to properly assess and address her test anxiety and make recommendations for possible alternative accommodations she could request be provided to her during the administration of the NPTE. Finally, Mr. Majors and Ms. Myer agreed to confer in the near term to discuss additional options that may be available to her.

(4) Alice Burton, PT, who asked: “[W]ith our Medicare patients that we discharged from skilled therapy and they opt to private pay to continue to come to therapy 1 or 2 days a week, when do we do the discharge summary? After the end of skilled P.T., (should) we include a note on the discharge to the physician that the patient wants to continue private pay or do we wait until they stop therapy completely?”

Following review and consideration, the Board instructed staff to advise that: (a) while the question implicates payment issues, and while the payor specific guidelines should still be respected, the standards for documentation set forth in 201 KAR 22:053 Section 5 should continue to be followed, including the standards which apply to discharge summaries, as these standards are not changed simply due to a change in the payor; and (b) the standards for documentation set forth in 201 KAR 22:053 Section 5 do not address the timing of the preparation of progress notes; thus, practitioners are encouraged to discuss this issue with their employer to determine whether internal policies may apply.

(5) Melanie Felton, reinstatement applicant whose Kentucky license lapsed on 03/31/2005 and who does not hold a current credential with any jurisdiction. After reviewing Ms. Felton’s application materials, including her limited continued competency documentation, and following a review of 201 KAR 22:040 Section 4(3), Ms. Pillow made a motion that Board staff advise Ms. Felton that before her reinstatement application will be approved:

She must retake and successfully complete the NPTE;

**OR**

Sit for the FSBPT’s General Practice Review Tool (PRT) and, if any items are characterized by the Candidate Feedback Report as “Needs Improvement”, she must identify for the Board how she intends to address them by completing and presenting for Board review a Development Planning Worksheet **AND** she must submit proof of satisfactory completion of coursework designed to address these items;

**AND**

Ms. Felton may then request the Board to again review her application and, if then approved, Ms. Felton will be required to have her physical therapy practice supervised by a Board-approved supervisor for a period of six (6) months.

Ms. Pillow’s motion was seconded by Mr. Grubb, which carried.

(6) Elizabeth J. Nett, PT, who asked: “A question came up at my facility during a staff meeting while discussing Medicare changes and point of service documentation. Is the time spent during the completion of evaluation, updated plan of care, etc considered billable? Do you have to be with the patient for it to be billable? Does the patient have to be participating in a therapy activity during the documentation for it to be billable?”

Following review and consideration, the Board instructed staff to advise that the Board’s statutes and regulations do not address the specific billing issues presented by Ms. Nett’s question, and thus they are not within the jurisdiction of the Board to address as long as there was no evidence that credential

holders of the facility engaged in fraud or material misrepresentation in the delivery of professional services, including reimbursement; and that payors may have different rules for several providers or different credential holders, thus it is strongly recommended that the payor be consulted to determine appropriate payment guidelines.

### **Civil Matters and Investigations**

#### **Complaint Committee #1 (2012)**

C2012-12: Mr. Brengelman reported that he filed a civil complaint in Christian County against Mr. Montgomery, consistent with the Board's instruction given at the March meeting, and that he was awaiting proof of service of the complaint upon Mr. Montgomery. Upon discussion and consideration, the Complaint Committee recommended and moved that the Board authorize Counsel to wait another twenty (20) days before attempting to have Mr. Montgomery personally served with the complaint by sheriff or constable. This motion was seconded by Ms. Volz, which carried.

C2012-25: Following consideration of information from its Investigator, including records obtained pursuant to investigative subpoena, and having reviewed the response filed to the complaint, and after finding insufficient information uncovered during the investigation to support a finding of a violation, the Committee recommended and moved that this investigation be closed. This motion was seconded by Ms. Volz, which carried.

C2012-26: The Complaint Committee reported that this case is ongoing.

C2012-27: Due to the length of time this investigation has been open, and after considering the Investigator's report of his difficulties attempting to schedule a personal interview with the respondent, the Complaint Committee recommended and moved that the respondent be provided through 06/11/13 in which to schedule a personal interview with the Investigator and, if no such effort was made by this date, for the Board to issue an Order requiring the respondent to so act within twenty (20) days of issuance of the Order, the failure of which may result in the Board finding and concluding that the respondent has failed to comply with a Board Order, in possible violation of KRS 327.070(2)(k). This motion was seconded by Ms. Ogle, which carried.

C2012-32: Mr. Brengelman reported that he obtained the subject signed Cease and Desist affidavit in this case. Following discussion, and consistent with the Board's vote in this case at the March meeting, the Complaint Committee recommended and moved that the affidavit be accepted and the case be closed. This motion was seconded by Ms. Ogle, which carried.

#### **Complaint Committee #2 (2010)**

BIC2012-16: Michael Harris, PTA  
BIC2012-17: Terence Brown, PT  
BIC2012-18: Michael Anthony, PT  
BIC2012-19: Arthur Nitz, PT

The above-listed credential holders personally appeared before the Board to review and address the terms of their respective settlement agreements, which were entered and filed of record at the Board meeting on 03/21/13. Mr. Majors requested that he be notified if any of these credential holders had not been contacted by their assigned monitor within the next week to schedule the first monitoring visit under the recently entered settlement agreements.

#### **Complaint Committee (2013)**

C2013-02: The Complaint Committee reported that this case is ongoing.

C2013-03: Following consideration of information from its Investigator, including records obtained pursuant to investigative subpoena, and having reviewed the response filed to the complaint, and after finding insufficient information uncovered during the investigation to support a finding of a violation, the Committee recommended and moved that this investigation be closed. This motion was seconded by Ms. Block, which carried.

C2013-04: Following consideration of information from its Investigator, including records obtained pursuant to investigative subpoena, and having reviewed the response filed to the complaint, and after finding insufficient information uncovered during the investigation to support a finding of a violation, the Committee recommended and moved that this investigation be closed. This motion was seconded by Mr. Grubb, which carried.

C2013-05: Following consideration of information from Mr. Majors that the complainant had failed to respond to a written request for further information that would support an alleged violation against the named respondent, and after finding insufficient information uncovered during the investigation to support a finding of a violation, the Committee recommended and moved that this investigation be closed and that the complainant be notified the complaint could be re-filed in the future if additional information is supplied that may support a finding of a violation. This motion was seconded by Mr. Grubb, which carried.

C2013-06: Following consideration of information from Mr. Majors that the respondent was disciplined in Indiana based on a finding of fraud or material deception: (1) in order to obtain a certificate; (2) by billing for services she did not provide; and (3) by altering a patient record in an attempt to interfere with, or refuse to cooperate in, an investigation or disciplinary proceeding, the Committee recommended and moved that the Board extend to Counsel settlement authority in an effort to resolve this matter informally and, if unsuccessful, for Counsel to prepare a formal complaint in accordance with 201 KAR 22:052 Section 3(6) and KRS Chapter 13B. This motion was seconded by Mr. Grubb, which carried.

C2013-07: The Complaint Committee reported that this case is ongoing.

C2013-08: The Complaint Committee reported that this case is ongoing.

C2013-09: Following review of the complaint and consideration of information from its Investigator, and after finding insufficient information uncovered during the investigation to support a finding of a violation, the Committee recommended and moved that this investigation be closed. This motion was seconded by Mr. Grubb, which carried.

C2013-10: Following consideration of information from a credential holder and from Mr. Majors relative to a claim of one or more individuals purportedly practicing physical therapy at "Next Level Physical Therapy, Personal Fitness and Life Coach" in Nancy, Pulaski County, Kentucky, without being properly credentialed, and after finding sufficient information to support a finding of a possible violation of the statutory protections for the protected terms referenced in KRS 327.020(3), the Committee recommended and moved that an investigation be opened and, if a violation is determined, for Counsel to prepare and submit a Cease and Desist Affidavit. This motion was seconded by Mr. Grubb, which carried.

#### Renewal Applications – "Yes" Answers

R2013-11 through R2013-16: Following consideration of information from Mr. Majors relative to those credential holders who failed to provide explanations why they answered "yes" to questions on their renewal affidavit, the Committee recommended and moved that an Order be issued to each of these credential holders allowing them twenty (20) days from the date of the Order in which to submit their written explanations, and that failure to comply should result in Board Counsel preparing notices of hearing and charged. Ms. Block seconded this motion, which carried.

## Possible Unauthorized Practice on a Lapsed Credential

Following consideration of information from Ms. Majors relative to those credential holders who failed to timely renew their credentials and who subsequently applied for reinstatement, the Committee determined that: (a) two credential holders failed to timely complete and return an affidavit detailing whether they practiced on a lapsed credential; (b) eleven credential holders timely completed and returned an affidavit indicating that practice on a lapsed credential holder had occurred, one of whom had received a private admonishment from the Board during the previous biennium for a similar occurrence.

Following consideration and discussion, the Committee recommended and moved that: (a) Board Orders should issue for the two credential holders who failed to timely complete and return an affidavit detailing whether they practiced on a lapsed credential; and (b) for those credential holders who timely completed and returned an affidavit indicating they had practiced on a lapsed credential, staff notify them that, if this is the first such violation, the Board propose to resolve each action: (1) through a private admonishment; (2) by assessing a base fine of \$250.00; and (3) by assessing an additional fine of \$70.00 per day of practice on a lapsed PTA certificate or \$100.00 per day of practice on a lapsed PT license. For the one credential holder who had received a private admonishment from the Board during the previous biennium for a similar occurrence, the Committee also recommended and moved that the Board authorize Counsel to enter into settlement authority and, if unable to obtain settlement, for Counsel to file a notice of hearing and charges. Mr. Grubb seconded the Committee's motion, which carried.

### **IPTPC Report**

The Board reviewed the IPTPC report submitted and personally presented by Brian Fingerson, R.Ph. Cases that are involved in the IPTPC previously have come to the attention of the Board.

Mr. Majors noted that Mr. Fingerson has been asked to offer a presentation at FSBPT's 2013 annual conference, at FSBPT's expense, based on the favorable evaluations and comments Mr. Fingerson received following his presentation at FSBPT's annual conference in Indianapolis last year. On behalf of KBPT staff, Mr. Majors also expressed gratitude and appreciation for Mr. Fingerson's capable and timely assistance given to staff during the recent renewal application process.

### **Update on Monitoring Probations**

Updates were given concerning probation monitoring for the following: Malton Schexneider, PT; James Rick Roe, PT; Ron Cole, PT (written report); Lawrence Tatem, PT; Amanda Mattingly, PTA; Jon-Mark French, PTA; Andreanna Spencer, PTA (written report); Art Nitz, PT; Michael Harris, PTA; Michael Anthony, PT; and Terence Brown, PT.

Within the monitoring report for Ms. Spencer, the Board considered the monitor's inquiry relating to the facility's usage of billing code 97116 ("gait training") for activity the monitor opined would be more appropriate using billing code 97110 ("therapeutic exercise"). Following discussion, the Board concluded that the issue of use of the appropriate billing code was not within the jurisdiction of the Board to address as long as there was no evidence that credential holders of the facility engaged in fraud or material misrepresentation in the delivery of professional services, including reimbursement.

## **Director's Report**

### **Financial Report**

The Board reviewed monthly, 1st quarter and 2013 YTD annual FAS3 financial report addressing the Board's revenues and expenditures. Mr. Majors reported that credit card processing fees paid by the Board for this past renewal period totaled approximately \$6,800.00, and he sought Board input whether an attempt should be made to recoup these fees during future renewal periods. Following discussion, the Board concluded that no attempt should be made at this time either to seek approval for a fee increase or to pass these additional costs along to its credential holders.

## **Amendments to Administrative Regulations**

Mr. Brengelman reported that the proposed amendments to 201 KAR 22:020 and 201 KAR 22:035 were considered by the Administrative Regulation Review Subcommittee on 04/09/13, without comment, and had been scheduled to be considered by the Interim Joint Committee on Health and Welfare in May. However, that Committee did not schedule a meeting in May; thus, these two regulation amendments will be adopted effective 05/31/13.

Mr. Brengelman also reported that, pursuant to the Board's instruction offered at the last meeting, an emergency regulation, entitled 201 KAR 22:055E Interim Standards for Supervision for Physical Therapists, was filed with the Governor's office on 04/25/13. Following several conversations and contacts with members of the Governor's Office of General Counsel, the emergency regulation was signed and filed with LRC on 05/15/13 and became effective at 4:00 p.m. EST that day. Mr. Brengelman finally reported that a public hearing on this emergency regulation has been scheduled at the Board's office for 1:15 p.m. EST on 07/31/13.

Mr. Majors reported that KRS 327.030 establishes a ceiling of \$120.00 for the Board members' per diem, and that the current per diem is set at \$100.00 per 201 KAR 22:130. Mr. Majors also reported that other Boards have adjusted their maximum member per diems to a higher rate, noting particularly that the maximum per diems for the Kentucky Boards of Accountancy, Dentistry, and Licensure for Professional Engineers and Land Surveyors are set at \$200.00, with the latter two boards having set their present per diems at that rate. Mr. Majors solicited discussion whether an adjustment in KBPT's per diem was now indicated. Following review and discussion, Ms. Block voted that the Board amend 201 KAR 22:130 to adjust the Board's per diem to \$120.00. This motion was seconded by Ms. Pillow, which carried.

## **Potential Changes to FSBPT Bylaws**

Mr. Majors reported that he participated in a teleconference sponsored by FSBPT's CBA on 03/25/13. The purpose of the teleconference was to discuss recommended changes to FSBPT's bylaws, standing rules and rules of procedure relating to the composition of, and CBA's representation on, FSBPT's Nominating Committee. These changes, if approved, would impact how vacancies on the board of directors are filled.

## **Malpractice Report**

Mr. Majors provided the members with a copy of the Department of Insurance Public Protection Cabinet's report of health care providers with settlement and/or judgments, dated April 1, 2013, covering the period from January 1, 2013, through March 31, 2013, in which no credential holders of the Board were listed.

## **FSBPT Quarterly Monitoring of Legislative Activity and Physical Therapy Regulation**

Mr. Majors provided the members with a copy of FSBPT's January – March 2013 Quarterly Report of Legislative Activity and Physical Therapy Regulation.

## **Department of Revenue**

Mr. Majors reported that on 04/17/13 KBPT supplied the Department of Revenue (DOR) with a copy of its database for its credential holders, pursuant to the Board's instruction offered at the March meeting. However, following staff's receipt of DOR correspondence dated 04/29/13, additional contact with DOR's counsel was made, and staff determined that KRS 131.1817 was amended during the recent legislative session through HB 440 to now require boards to revoke the licenses of its credential holders upon notice from DOR that the credential holder is also a delinquent taxpayer. Following discussion, Mr. Clark suggested that he and Mr. Majors should discuss this legislation with Rep. Ben Waide before the next meeting of the Board.

### **KBPT Telephone System**

Mr. Majors reported that the Commonwealth Office of Technology (COT) is updating the operating system for the new telephone system it proposes to install at KBPT offices. Following this installation update, COT expects to submit written price quotes to Board staff by mid-June for consideration. Mr. Majors agreed to provide the Board an update at the next meeting.

### **KBPT Office Space**

Mr. Majors reported that the Board of Nursing (KBN) contracted for an air quality study to be performed on KBN office space. A written report was generated for KBN following the study, a copy of which was provided to the members for their review. Mr. Majors also reported that on April 25 he met with the Executive Directors for KBN and the Board of Dentistry as well as a representative with Finance Facilities in Frankfort to discuss this report. Those present at this meeting elected to solicit from Jefferson Development Group its response and proposed corrective action following its review of the report. Mr. Majors agreed to provide KBPT a status update at the next meeting.

### **KBPT's Website**

A report concerning the recent changes to the Board's new website was passed to the next meeting, due to Stephen Curley's absence.

### **Open Records Request**

Mr. Majors reported that KBPT received an open records request from a reporter with the Louisville *Courier-Journal* relating to its complaint history over the past three (3) years, but that no news article has yet been identified related to this request.

### **KBPT Presentations**

Mr. Majors reported that he and Donna Sims presented educational programs and the jurisprudence examination (JE) to PTA students attending Jefferson Community and Technical College on April 5, 2013, and to PT students attending the University of Kentucky on May 7, 2013. Ms. Sims presented the program and JE without Mr. Majors to PTA students attending KCTCS/Somerset Community College on May 10, 2013.

### **In-Service Training**

Mr. Majors reported that the Board member and staff in-service training listed below, tentatively scheduled for this meeting, was rescheduled to the next meeting due to time constraints:

- Jim Herrick, Assistant Attorney General, regarding open meetings/open records.

The Board reviewed the schedule of upcoming conferences, as follows:

- a. LRC -- Administrative Regulations Training Session  
(05/21/13 – Frankfort, KY)

Mr. Majors reported that he and Mr. Brengelman were registered for and plan to attend this training session, which will be paid for by LRC.

- b. FSBPT -- Board Member and Administrator Training  
(06/06-09/13 – Alexandria, VA)

Mr. Majors again noted that FSBPT is offering training for administrators and board members in Alexandria, Virginia, on June 6-9, 2013, which will be paid for by FSBPT. Mr. Majors and Ms. Volz plan to attend.

c. APTA PT2013  
(06/26–29/13)

d. FARB – Attorney Certification Conference  
(10/04-06/13 – The Coeur d'Alene in Couer d'Alene, ID)  
Following discussion, Mr. Clark moved for the Board to approve and pay for Mr. Majors, Mr. Brengelman and one Board member (to be determined at a later date) to attend this conference. This motion was seconded by Mr. Grubb, which carried.

e. FSBPT Annual Conference  
(10/10-12/13 – San Antonio, TX)  
Mr. Majors reported that FSBPT is already asking for credentialing information from the member boards to help with projected attendance plans for the annual conference in October. Mr. Brengelman and Brian Fingerson have been asked to present at this conference, and their expenses may be paid by FSBPT. Mr. Majors also noted that FSBPT will pay the expenses for the administrator/executive director, the voting Delegate and the primary Alternate Delegate from each member board. Following discussion, and after referring to the Board's vote on this subject at the meeting in November of 2012, Mr. Grubb moved for the Board to have Ms. Pillow serve as its voting Delegate; for Ms. Volz to serve as the Board's primary Alternate Delegate, if her schedule so permits; and to approve and pay for those remaining members who wish to attend this conference. Ms. Pillow seconded this motion, which carried.

f. APTA National Student Conclave -- Brochure  
(10/24-27/13 – Louisville, KY)

The Board reviewed and approved the lists of persons issued licenses and certificates since the last meeting, as well as a list of examinees and reinstatements. The lists are attached to these minutes.

A motion was made by Ms. Pillow to adjourn the meeting at 5:15 p.m. The motion was seconded by Ms. Volz and carried.

Respectfully submitted,



Scott D. Majors  
Executive Director