



KENTUCKY BOARD OF PHYSICAL THERAPY

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Scott D. Majors, Esq.
Executive Director

MINUTES OF SPECIAL MEETING June 12, 2014

Board Members Present: Linda Pillow, PT, Chair
Karen Ogle, PT, Chair-Elect
Ron Barbato, PT
Troy Grubb, PT
Virginia Johnson, Public Member
Tina Volz, PT

Board Staff: Scott D. Majors, Executive Director
Stephen Curley, Investigator

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

Board Members Absent: Chuck Clark, PT

A special meeting of the Kentucky Board of Physical Therapy was called to order by Board Chair, Linda Pillow, at 9:04 a.m. on Thursday, June 12, 2014, at the Board office. A quorum was present.

Ms. Volz made the motion that the Board authorize its Executive Director to participate in the evaluation of the applicants for the permanent, part-time general counsel position during the interview process. Ms. Johnson seconded this motion, which carried.

At 9:30 a.m. Ms. Pillow made the motion for the Board to retire into closed session to interview, discuss and evaluate potential applicants for appointment to the Board staff in the position of a permanent, part-time general counsel, pursuant to KRS 61.810(1)(f). Mr. Barbato seconded this motion, which carried, and the Board retired into closed session.

At 11:40 a.m. Ms. Pillow made the motion for the Board to come out of closed session to discuss other agenda items, seconded by Mr. Barbato, which carried.

Mr. Majors offered a report of the Administrative Regulation Review Subcommittee's meeting on June 10, 2014, at which consideration was given to the Board's proposed telehealth regulation, 201 KAR 22:160.

At 11:47 a.m. Mr. Barbato made the motion for the Board to again retire into closed session to continue with scheduled interviews, discussion, and evaluation of potential applicants for the position of permanent, part-time general counsel. This motion was seconded by Ms. Volz, which carried, and the Board again retired into closed session.

At 12:20 p.m. Ms. Pillow made the motion for the Board to come out of closed session for lunch, seconded by Mr. Barbato, which carried.

At 2:00 p.m. Mr. Barbato made the motion for the Board to again retire into closed session to continue with scheduled interviews, discussion, and evaluation of potential applicants for the position of permanent, part-time general counsel. This motion was seconded by Ms. Ogle, which carried, and the Board again retired into closed session.

At 2:53 p.m. Ms. Johnson made the motion for the Board to come out of closed session, seconded by Ms. Volz, which carried.

Mr. Barbato made the motion for the Board to authorize Board Chair Linda Pillow and Executive Director Scott Majors to offer the permanent, part-time general counsel position to attorney Louis Kelly, and for Ms. Pillow and Mr. Majors to attempt to negotiate compensation for this staff employee position at a rate consistent with the amount the Board has paid for its legal services for the past fifteen months under the Board's personal services contract. This motion was seconded by Mr. Grubb, which carried.

Mr. Curley provided a lengthy investigative report and update concerning Case Number C2014-08. Upon finding there was reasonable cause to believe that the credential holder subject of the investigation may be physically or mentally incapable of practicing physical therapy with reasonable skill and safety, and following discussion, Ms. Volz made the motion for the Board to issue an Order requiring the credential holder to submit to a residential examination by a psychologist, physician, or certified alcohol and drug counselor designated by the Board to determine the credential holder's psychological or physical status to practice physical therapy, and to request of the evaluator that the written evaluation and any recommendations be submitted to the Board by July 15, 2014. This motion was seconded by Mr. Barbato, which carried.

At 3:30 p.m., Ms. Ogle moved that the meeting be adjourned, seconded by Mr. Barbato, which carried.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Scott D. Majors', with a stylized flourish extending to the right.

Scott D. Majors
Executive Director