



KENTUCKY BOARD OF PHYSICAL THERAPY

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Governor

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Scott D. Majors, Esq.
Executive Director

MINUTES OF SPECIAL MEETING November 5, 2015

Board Members: Karen Craig Ogle, PT, Chair
Ron Barbato, PT
Troy Grubb, PT
Virginia Johnson, Public Member
Linda Pillow, PT
Talia Weinberg, PT

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

Board Agents: Louis D. Kelly, Esq., Board Counsel
Brian Fingerson, RPh, IPTPC Director

KPTA Liaison: Janice Kuperstein, PT, PhD, MEd

Board Members Absent: Tina Volz, PT, Chair-Elect

A meeting of the Kentucky Board of Physical Therapy was called to order by the Board's Chair, Karen Craig Ogle, at 9:11 a.m. on Thursday, 11/05/15, at the Board office. A quorum was present.

Minutes for Previous Regular Meeting

Following discussion and review, Ms. Weinberg made the motion to approve the minutes of the Board meeting of 09/17/15, seconded by Ms. Johnson, which carried.

Minutes for Previous Special Meeting

Following discussion and review, Mr. Barbato made the motion to approve the minutes of the Special Board meeting of 10/17/15, seconded by Mr. Grubb, which carried.

Board Discussions, Committees and Opinion Requests

2015 FSBPT Annual Meeting and Delegate Assembly

Ms. Ogle, Ms. Volz, Mr. Barbato, Mr. Grubb, Ms. Pillow, Ms. Johnson, Mr. Kelly and Mr. Majors recently attended the 2015 FSBPT Annual Meeting and Delegate Assembly in Orlando, Florida. Mr. Majors briefly highlighted several aspects of the conference, particularly noting the accomplishments of the Kentucky Board of Physical Therapy as a leader in public protection throughout the nation. Mr. Barbato congratulated Mr. Majors on being presented with the FSBPT 2015 President's Award at this conference.

Proposed Physical Therapy Licensure Compact

Mr. Kelly circulated a spreadsheet he prepared with information on the bordering states that included information on initial licensure and continued competency requirements, supervisory practice as it pertains to foreign educated applicants, and criminal background checks. After a lengthy discussion on aspects of a timeline to make a decision whether to pursue legislation to adopt the Compact, Ms. Ogle requested the Board members review all the information provided on the Compact for the January Board meeting and to notify staff prior to the January meeting if Board members have any further questions or need additional information.

CLEAR – 2015 Annual Education Conference

Ms. Pillow gave a report to the Board concerning her attendance of the 2015 CLEAR conference in September. She discussed presentations relative to continued competency assessment, re-entry into practice, and transitioning from a “catch and punish” board to one that enables model behavior. Also, Ms. Pillow gave a detailed report on the five written policies that are recommended for good board government; recruitment of great board members; disqualification of board members regarding conflict of interest or disruptive behavior; strategic risk management plan policy; role clarity as it pertains to job descriptions for board and committee members; and conduct of meetings.

After Ms. Pillow’s report, the Board discussed the possibility of implementing a written policy in regards to recruitment of Board members.

FARB-2015 Regulatory Law Seminar

Mr. Majors and Mr. Kelly attended the 2015 FARB Law Seminar in Denver, Colorado in October. Mr. Kelly reported briefly on presentations he attended on policies versus rules and the Americans With Disabilities Act (“ADA”). Mr. Majors reported briefly on presentations relative to examination security and top regulatory cases. Mr. Majors informed the Board that he has signed up for a service offered by FARB that will provide resources on the top regulatory cases in administrative law.

Meetings to Discuss Licensure Data

Mr. Majors reported that he attended a meeting on 09/22/15 hosted by the Cabinet for Health and Family Services, Office of Health Policy; the Foundation for a Healthy Kentucky; and the Commonwealth Institute with the University of Louisville’s School of Public Health and Information Science. This was the third such meeting conducted this year by these hosts, with Ms. Ogle having attended and reported on the first two meetings. Mr. Majors also circulated a form prepared by these hosts which lists various data which is being sought for purpose of assessing the workforce capacity of Kentucky’s health care providers. Mr. Majors offered to update the Board with any further information or communication that Board staff may have with representatives of these hosts concerning this initiative.

Board Member Training

Ms. Ogle, Ms. Volz, Mr. Barbato, Ms. Johnson, Ms. Pillow, Ms. Weinberg and Mr. Majors attended the Board Member Training in Frankfort on 09/29/15. Mr. Barbato asked for clarification of the roles of the KBPT and KPTA Liaison. After a lengthy discussion, the consensus of the Board helped clarify that the role of the Liaison is specifically one of communication. Mr. Majors discussed information pertaining to post-Board membership employment, simultaneous outside employment, travel reimbursement and the criteria listed in statute concerning special meetings and regular meetings.

Scope of Practice Workgroup

Mr. Grubb reported that the Scope of Practice workgroup is making progress and they are at a point where prior to the next Board meeting they will have a draft document ready to circulate and discuss at the January meeting.

Monitoring Procedures and Requirements

Mr. Curley reported that the Monitoring Task Force met on 11/04/15. He informed the Board that, as a result of discussions held during this meeting, it has been determined that structural and cosmetic changes need to be implemented. Mr. Curley will give an update at the January Board meeting.

2016 Board Appointments

Following discussion, the Board made the following appointments, effective 01/01/16, unless otherwise noted:

- (1) 2016 Complaint Committee Members: Mr. Grubb moved that Ms. Volz and Mr. Barbato be appointed to the 2016 Complaint Committee. This motion was seconded by Ms. Weinberg, which carried;
- (2) 2016 Board Chair: Ms. Volz was elected Board Chair at the September Board meeting. There was discussion concerning the possibility that Ms. Volz may not be reappointed next year when her term will expire. Thus, Ms. Pillow moved that, if Ms. Volz is not reappointed in 2016, Mr. Barbato shall serve as Chair for the remainder of the year. This motion was seconded by Ms. Weinberg, which carried;
- (3) 2016 Remediation Liaison Members: Ms. Weinberg moved that Mr. Grubb and Ms. Pillow be appointed as 2016 liaison members to KBPT staff concerning questions relating to remediation. This motion was seconded by Ms. Johnson, which carried;
- (4) 2016 ADA Accommodations Liaison Members: Ms. Pillow moved that Mr. Grubb and Ms. Weinberg be appointed as 2016 liaison members to KBPT staff concerning questions relating to ADA accommodations. This motion was seconded by Mr. Barbato, which carried;
- (5) 2016 KBPT Board Member Liaison to KPTA: Ms. Johnson moved that Ms. Ogle be appointed as the KBPT liaison to KPTA; however, if Ms. Ogle is not reappointed to the Board when her term expires on 01/01/16, Mr. Barbato will remain as the KBPT liaison to KPTA. This motion was seconded by Mr. Grubb, which carried; and
- (6) 2016 Continued Competency Liaison to KPTA: Ms. Weinberg moved to reappoint Ms. Volz as the Board's Continued Competency Liaison to KPTA. This motion was seconded by Ms. Pillow, which carried.

Articles of Interest

Mr. Majors circulated an article concerning the Florida Board of Physical Therapy.

Opinion Requests

The Board reviewed the following opinion requests from:

- (1) Ron Barbato, PT, who inquired on whether the Board is able to provide a written summation of the investigative details of a credential holder's case, and include within the documentation the Board's expectation as it pertains to the monitoring and remediation process. After discussion, the Board authorized staff to draft a letter explaining to the credential holder that if a potential employer requires further explanation they may contact Board Counsel to explain the remediation process of the settlement agreement.
- (2) Kimberly H. Beasley, PT, who inquired whether it is appropriate for a physical therapist to treat inpatients who are in a medical holding bed when the treating provider receives a referral for a PT consult, and whether the treating therapist is required to conduct another evaluation, and may bill for such, if the same patient is then referred to a swing bed? Following review and discussion, the Board authorized staff to respond that transfer of care to different locations is permitted as long as the Plan of Care is accepted and, additionally, that Kentucky's Physical Therapy Practice Act does not prohibit the proposed reevaluation, but the question concerning appropriate internal billing practices is beyond the jurisdiction of the Board to address and, instead, should be directed to the specific payor.

Civil Matters and Investigations

2014 Complaint Committee

C2014-18: The Complaint Committee reported that the credential holder has paid his/her respective fine associated with the Private Admonishment. The Complaint Committee recommended and moved to close this case. The motion was seconded by Mr. Barbato, which carried.

BIC2014-19: The Complaint Committee reported that the credential holder has not yet accepted or rejected the proposed Private Admonishment that was offered after the September Board meeting. Thus, the Complaint Committee recommended and moved to give the credential holder through the close of business on 11/06/15 to notify Board staff of his/her decision; otherwise the offer of the proposed Private Admonishment be rescinded and the Board move forward with conducting an administrative hearing on 01/13/16. The motion was seconded by Mr. Barbato, which carried.

2015 Complaint Committee

C2015-03: The Complaint Committee reported that this case involves a possible violation of KRS.327.070 (2)(k) by failing or refusing to obey any lawful order or administrative regulation of the board by allegedly practicing outside the scope of the credential holder's training, expertise and experience. Following investigation, the Complaint Committee recommended and moved to dismiss this case without prejudice with the possibility of reopening the case upon presentation of new or additional information. This motion was seconded by Mr. Barbato, which carried.

BIC2015-05: The Complaint Committee reported that this case is ongoing.

C2015-10: The Board's General Counsel reported that the Board received a Hearing Officer's Recommended Order of Default in this case, dated 08/10/15, and the Board was thus required to consider the entire hearing record and to deliberate whether to accept this Recommended Order prior to issuing the Board's Final Order, pursuant to KRS 13B.120

As Ms. Ogle and Ms. Volz serve on the Complaint Committee which considered the investigation in this case, they recused themselves from the Board's deliberations in issuing a Final Order. Mr. Barbato made a motion for Mr. Grubb to assume the role of Acting Chair in place of Ms. Ogle for the duration of this discussion. The motion was seconded by Ms. Johnson, which carried.

Mr. Grubb made a motion to go into Executive Session pursuant to KRS 61.810(1)(c) for the purpose of discussing proposed or pending litigation on behalf of the Board. The motion was seconded by Ms. Pillow, which carried, and the Board retired into closed Executive Session.

Ms. Johnson made a motion for the Board to come out of Executive Session. The motion was seconded by Ms. Pillow.

Mr. Grubb made a motion for the Board to accept the Recommended Order of the Hearing Officer and adopt it as the Board's Final Order, to revoke Rebecca Combs physical therapy license, number 004977. The motion was seconded by Ms. Weinberg, which carried.

C2015-11: The Complaint Committee reported that this case is ongoing and there will be a status update provided at the March Board meeting.

BIC2015-12: The Complaint Committee reported that this case is ongoing.

BIC2015-13: The Complaint Committee reported that the credential holder failed to comply with treatment due to financial difficulties. The Complaint Committee recommended and moved to authorize Board Counsel to prepare a proposed Settlement Agreement with the following terms; the credential

holder's license be reinstated upon enrollment and demonstration of active participation in either inpatient or intensive out-patient facility approved by IPTPC; and the credential holder enter into a lifetime contract with IPTPC, pay all fines and fees in the amount of \$1550 within one year of reinstatement, and appear before the Board at the January meeting to review terms of the proposed Settlement Agreement. The motion was seconded by Mr. Barbato, which carried.

C2015-24: The Complaint Committee reported that this case is ongoing

BIC2015-25: The Complaint Committee reported that this case is ongoing.

C2015-26: The Complaint Committee reported that this case is ongoing. Mr. Grubb recused himself from any consideration of this matter and stepped outside the Board room during this discussion.

C2015-27: The Complaint Committee reported that this case involved allegations of misrepresentation. The Complaint Committee recommended and moved to dismiss this case due to insufficient evidence of a violation. The motion was seconded by Ms. Pillow, which carried. Mr. Grubb recused himself from any consideration of this matter and stepped outside the Board room during this discussion.

C2015-29: The Complaint Committee reported that this case is ongoing.

BIC2015-31: The Complaint Committee reported that this case is ongoing.

C2015-34: The Complaint Committee reported that this case possibly involves a credential holder who may be impaired by reason of mental, physical, or other condition that impedes her/his ability to practice competently. Also, the Complaint Committee reported that the IPTPC Chairman gave a report on the credential holder's status. Considering this information, the Complaint Committee recommended and moved to dismiss this case. The motion was seconded by Mr. Barbato, which carried.

C2015-35: The Complaint Committee reported that this case involves allegations of possible fraud and material deception. The credential holder failed to submit a response to the complaint. The Complaint Committee recommended and moved that the Board file an order requiring the credential holder to respond within 20 days. The motion was seconded by Ms. Johnson, which carried.

C2015-36: The Complaint Committee reported that this case is ongoing.

C2015-103: The Complaint Committee reported that his case involves allegations of possible fraud and material deception. The Complaint Committee recommended and moved to authorize an investigation. The motion was seconded by Ms. Pillow, which carried.

C2015-104: The Complaint Committee reported that this case involves a possible term protection violation. The Complaint Committee recommended and moved to authorize an investigation and, if deemed appropriate, to authorize Board Counsel to issue an Informal Letter of Agreement. The motion was seconded by Mr. Barbato, which carried.

C2015-106: The Complaint Committee reported that this case involves a possible term protection violation. After discussion, the Complaint Committee recommended and moved to forward this complaint to the Kentucky Medical Licensure Board. The motion was seconded by Mr. Grubb, which carried.

2015 CE Audit:

CE2015-50:

CE2015-63:

CE2015-64:

CE2013-65:

CE2013-68:

CE2015-81:

The Complaint Committee reported that the individuals in the six cases listed immediately above have not yet responded to their proposed Private Admonishments or paid their respective fines. The Complaint Committee recommended and moved to authorize Board Counsel to draft Notices of Hearings and formal charges after the twenty day time limit has passed. The motion was seconded by Ms. Pillow, which carried.

CE2015-37:

CE2015-39:

CE2015-40:

CE2015-41:

CE2015-43:

CE2015-44:

CE2015-47:

CE2015-48:

The Complaint Committee reported that the individuals in the eight cases listed immediately above have not responded to their proposed Settlement Agreements. The Complaint Committee recommended and moved that the Board authorize Counsel to prepare Notices of Hearings and formal charges. The motion was seconded by Ms. Johnson, which carried.

CE2015-38:

CE2015-45:

CE2015-46:

CE2015-49:

The Complaint Committee reported that the individuals in the four cases listed immediately above have signed their Settlement Agreements and have paid their respective fines. The Complaint Committee recommended and moved to accept the signed Settlement Agreements and close these cases. The motion was seconded by Mr. Grubb, which carried.

CE2015-42: The Complaint Committee recommended and moved that the Board agree to resolve this case of CE noncompliance by accepting the credential holder's proposed motion for voluntary surrender of license in lieu of the Board's proposed Settlement Agreement with the terms of surrender specifying that reinstatement must be conditioned on payment of fine and issuance of a public reprimand. The motion was seconded by Mr. Grubb, which carried.

CE2015-56: The Complaint Committee reported that the credential holder has accepted the Private Admonishment and would like to request a payment schedule. Accordingly, the Complaint Committee recommended and moved to grant the request of a payment schedule to the credential holder. The motion was seconded by Mr. Grubb, which carried.

CE2015-61: The Complaint Committee reported that the credential holder is requesting a retroactive Hardship Extension in lieu of the Private Admonishment and respective fine. The Complaint Committee recommended and moved to deny the retroactive Hardship Extension and for the Private Admonishment to remain, as proposed. The motion was seconded by Ms. Pillow, which carried.

CE2015-67: The Complaint Committee reported that the credential holder paid the proposed fine; however, he/she requested reconsideration of the Private Admonishment and, if granted, for the Board to refund the fine payment. The Complaint Committee recommended and moved to accept the fine and for the Private Admonishment to remain, as proposed. The motion was seconded by Mr. Barbato, which carried.

CE2015-76: The Complaint Committee reported that the credential holder has accepted the Private Admonishment and would like to request a payment schedule. Accordingly, the Complaint Committee recommended and moved to grant the request of a payment schedule to the credential holder. The motion was seconded by Ms. Johnson, which carried.

CE2015-78: The Complaint Committee reported that the credential holder has contacted Board Counsel and is sending in a check to pay her/his fine. The Complaint Committee recommended and moved that, if Staff does not receive payment by 11/12/15, the Board authorize Board Counsel to draft a Notice of Hearing and formal charges. The motion was seconded by Mr. Grubb, which carried.

CE2015-80: The Complaint Committee reported that the credential holder has requested reconsideration of the proposed Private Admonishment or, in the alternative, that a request for a retroactive Hardship Extension be granted. The Complaint Committee recommended and moved that, after review of the information provided by the credential holder, the Board deny both the request for Hardship Extension and the request for reconsideration, and for the Private Admonishment to remain, as proposed. The motion was seconded by Ms. Pillow, which carried.

CE2015-84: The Complaint Committee reported that the credential holder was granted a stay of further investigation by Board staff while staff examined with Kentucky Interactive whether a technical problem existed with this credential holder's ability to complete the Jurisprudence Exam. The Complaint Committee reported that, following investigation, no technical problems were determined to exist within the Jurisprudence Exam. Therefore, the Complaint Committee recommended and moved that the credential holder be required to pay the fine associated with the Private Admonishment, as proposed. The motion was seconded by Ms. Johnson, which carried.

CE2015-86: The Complaint Committee reported that the credential holder has refused to accept the Private Admonishment, questioning the authority of the Board to assess continuing education requirements. The Complaint Committee recommended and moved to authorize Board Counsel to draft a Notice of Hearing and formal charges. The motion was seconded by Mr. Grubb, which carried.

CE2015-87: The Complaint Committee reported that the credential holder is requesting a retroactive Hardship Extension in lieu of the Private Admonishment and fine. Following review, the Complaint Committee recommended and moved to deny the Hardship Extension and that the Private Admonishment and fine remain, as proposed. The motion was seconded by Ms. Pillow, which carried.

CE2015-93: The Complaint Committee reported that the credential holder provided proof of completion of all Continued Competency requirements via aPTitude for the 2013-2015 biennium. The Complaint Committee recommended and moved to retract the Private Admonishment and the respective fine, as proposed. The motion was seconded by Ms. Weinberg, which carried.

CE2015-70: The Complaint Committee reported that the credential holder has not yet responded to her/his proposed Private Admonishment or paid the respective fine. The Complaint Committee recommended and moved to authorize Board Counsel to draft a Notice of Hearing and formal charges after the twenty day time limit has passed. The motion was seconded by Mr. Grubb, which carried.

CE2015-102: The Complaint Committee reported that this case involves a credential holder who failed to respond to the Continued Competency Audit. Upon investigation, the Complaint Committee informed the Board that the credential holder recently passed away. Accordingly, the Complaint Committee recommended and moved to close this case. The motion was seconded by Ms. Weinberg, which carried.

IPTPC Report

Mr. Fingerson presented the IPTPC report dated 10/29/15. IPTPC cases which previously have come to the attention of the Board, or were discussed at length during the Complaint Committees' reports, were reviewed.

Update on Monitoring Probations

The Board noted the following credential holders who are presently being monitored: Tiffiney S. Bentley, PT; Timothy Jones, PTA; and Donald Bruce Taylor. A monitor report was submitted by Dr. Kuperstein, the Board-appointed monitor, and considered by the Board for Mr. Jones. Board staff reported that Mr. Jones has not yet requested relief of monitoring; however, Dr. Kuperstein reported she would support such a request, if submitted. Mr. Grubb made the motion for the Board to relieve Mr. Jones of further

monitoring on receipt of a formal request from Mr. Jones. The motion was seconded by Mr. Barbato, which carried.

Staff Performance Evaluation

The Board discussed at length Mr. Majors' performance as Executive Director since his last evaluation in November of 2014. Following discussion, Mr. Barbato made the motion to increase Mr. Majors' annual salary by 11%. This motion was seconded by Ms. Pillow, which carried unanimously. No member of the Board's staff was present during the Board's discussion of this matter.

Ms. Ogle and Ms. Volz will be meeting with Mr. Majors later in November to discuss his 2015 written performance evaluation.

REPORTS AND OTHER BUSINESS

Legal Report

Administrative Regulations

Mr. Kelly updated the Board on the status of the proposed revisions to 201 KAR 22:020, 22:040 and 22:070 indicating that they had been submitted to the LRC Administrative Regulatory Review Committee and was scheduled to be heard on 11/05/15. He further indicated that the proposed changes to 201 KAR 22:015 were still being considered by the standards of practice workgroup and would likely be presented to the Board at the January meeting.

Regulatory Watch Notice from Kentucky Board of Medical Licensure

Mr. Kelly updated the Board on a proposed regulatory change proposed by the Kentucky Board of Medical Licensure regarding the Medical Order for Scope of Treatment ("MOST") form. Mr. Kelly advised that the proposed change did not appear to have any effect on KBPT's laws or regulations.

KBPT Declaratory Opinions

The Board discussed the summary of declaratory opinions drafted by General Counsel. After a brief discussion, Mr. Barbato moved to establish a workgroup to review the declaratory opinions for the January Board meeting, and for the proposed group to include Mr. Grubb (as chair), Ms. Ogle, Ms. Volz, and Mr. Kelly. Ms. Pillow was designated as an alternate. The motion was seconded by Ms. Pillow, which carried.

FTC Staff Guidance

Finally, Mr. Kelly circulated and discussed an FTC Staff guidance document relating to active supervision in light of the North Carolina Dental case.

KPTA Liaison to KBPT Report

Kentucky Healthcare Transparency Bill

Dr. Kuperstein reported to the Board that the Healthcare Transparency bill language has changed slightly based on feedback from the Kentucky Department of Insurance.

KPTA Insurance Forum

Dr. Kuperstein reported that the KPTA is hosting a forum on 11/06/15 for insurance industry professionals. There are currently 37 case managers, nurse case managers, and insurance adjusters registered to attend.

Mobile Health & Special Health Clinic License

Dr. Kuperstein reported that KPTA representatives will meet on 11/17/15 with OT and Speech representatives to discuss proposed amendments to the Specialty Health Clinic and Mobile Health Clinic regulations which would adversely affect small practices and create certificate of need issues.

State Affairs App

Dr. Kuperstein reported that the KPTA is working with the APTA to develop a “State Affairs App” which will help the KPTA with its grassroots payment and policy efforts.

State Innovation Model

Dr. Kuperstein reported that a subcommittee of the KPTA has continued to attend the State Innovation Model Stakeholder and Workgroup meetings. Representatives met with consultants, a state commissioner and others by phone on 11/04/15 to request that additional changes to draft language be more inclusive of issues important to the PT profession.

Physical Therapist Workforce and Patient Access Act (HR 2342 / S 1426)

Dr. Kuperstein reported that students and members are participating in a Flash Action Strategy (FAS) by sending an email letter to gain as much Congressional support possible for this bill.

SPT and SPTA

Dr. Kuperstein reported that the KPTA has asked the KBPT for input about whether the terms SPT and SPTA are used in other jurisdictions. KPTA is considering requesting that the APTA not use that designation if it is inconsistent with many states. Mr. Majors reported that he requested and had received information from other physical therapy licensing jurisdictions and, thus far, only one jurisdiction recognizes these terms.

KBPT Liaison to KPTA Report

Healthcare Transparency Bill

Mr. Barbato reported on the proposed tri-alliance health insurance transparency bill. He explained that the transparency bill will ensure that rehabilitation providers will not be hindered in their provision of care by utilization review groups; specifically, evaluation visits without need for timely authorization for remaining visits and non-tiering payments to providers.

Mobile Health & Special Health Clinic License

Mr. Barbato reported that the federal government has recently declared that health care providers who treat patients through federally funded programs must be licensed. In Kentucky, licensing only occurs through the CON process. The state has proposed that the mobile health license be used for this purpose. Although some exemptions exist, the KPTA is working with the tri-alliance to ensure regulatory wording will allow for the many variances among therapy providers who do not fall under the existing exemptions.

PTA Credential/Licensure

Mr. Barbato reported that there was discussion at the last KPTA meeting concerning the possibility of asking the KBPT to look at and consider changing the manner by which PTAs are credentialed from “certification” to “licensure.”

Director’s Report

Financial Report

The Board reviewed monthly, quarterly and 2015 YTD annual FAS3 financial reports addressing the Board’s revenues and expenditures. Also, Mr. Majors reported that he timely submitted the Board’s proposed FY 2017-2018 Biennium budget to the Office of the State Budget Director, and he discussed this proposed budget in greater detail with Ms. Ogle and Ms. Volz in a finance workgroup meeting on 11/02/15.

Department of Insurance

Mr. Majors circulated copies of the quarterly malpractice report submitted by the Department of Insurance Public Protection Cabinet concerning health care providers with settlement and/or judgments, dated 07/06/15 covering the period from 07/01/15 through 09/30/15. No credential holders of the Board were listed.

Investigation Closures

Mr. Majors reported that the Kentucky Board of Occupational Therapy hired a new investigator and gave the required 30 day notice of termination for its memorandum of agreement with the Board. Also, Mr. Curley turned in his 30 day required notice of termination to the Kentucky Board of Speech-Language Pathology & Audiology so he could devote greater time to processing the Board's investigations.

CBT Comment Summary and Candidate Satisfaction Survey Report

Mr. Majors circulated for the Board's review the latest CBT comment survey and satisfaction survey report. This report listed an overall satisfaction rating of 92.5% for all jurisdictions, while the overall satisfaction rating for Kentucky was listed at 93% in the first quarter, 100% in the second quarter, and 96% in the most recent quarter.

Gubernatorial Transition Documentation

Mr. Majors circulated to the Board a copy of documentation concerning the Board's operations prepared at the request of the Governor's Office relating to the change in gubernatorial administration scheduled to take effect in December of 2015.

2015 CE Audit Report

Mr. Majors and Ms. Barton briefly reviewed with the Board a PowerPoint presentation prepared by Ms. Barton concerning the results of the 2015 CE Audit Report. The data in this presentation will be included in an article to be published in the Board's next newsletter.

BoardEffect

Mr. Majors reported that he received additional information regarding the cost of the BoardEffect software. Following discussion, Mr. Barbato made a motion to authorize Mr. Majors to move forward with acquiring BoardEffect under the latest pricing proposal. The motion was seconded by Ms. Pillow, which carried.

KBPT Fall Newsletter

After discussion of the KBPT Fall Newsletter, the consensus of the Board was that the Newsletter publication deadline be passed until January.

Commonwealth Office of Technology

Mr. Majors offered a brief report concerning continuing issues associated with the rollout of the Board's Wi-Fi wireless network which was installed by the Commonwealth Office of Technology, as well as unexpected delays in replacing three of the desktop computers used by staff with newer models.

Office Space – Jefferson Development Group

Mr. Majors offered a brief report concerning continuing issues associated with the performance of the HVAC system which services the Board's new office space. These issues have been presented to the building's landlord, and Mr. Majors shall provide the Board an update concerning the landlord's response at the January Board meeting.

Conferences Relating to Physical Therapy

The Board reviewed the following schedule of upcoming conferences

- a. 2016 FARB Forum
(01/28-31/16 – Clearwater Beach, FL)
Ms. Weinberg made a motion for the Board to pay for the registration fees and associated travel costs for Mr. Barbato to attend the FARB conference. Ms. Pillow seconded the motion, which carried.
- b. CAPTASA – 2016 Conference Workshop
(01/29-30/16 – Lexington, KY)
Ms. Weinberg is to serve as KBPT's authorized representative.

- c. CLEAR – 2016 Annual Educational Conference
(09/15-17/16 – Portland, OR)
- d. FARB – 2016 Regulatory Law Seminar
(09/29-10/2/16 – Chicago, IL)
- e. FSBPT – 2016 Annual Meeting, Conference and Delegate Assembly
(11/04-06/16 – Columbus, OH)

New licensees/reinstatements/renewal applications

Ms. Pillow made the motion to review, approve and ratify the lists of persons issued licenses and certificates since the last meeting, as well as a list of examinees and reinstatements. This motion was seconded by Ms. Johnson, which carried. The lists are attached to these minutes.

A motion was made by Ms. Pillow to adjourn the meeting at 4:48 p.m. The motion was seconded by Ms. Johnson, which carried.

Respectfully submitted,



Scott D. Majors
Executive Director