



KENTUCKY BOARD OF PHYSICAL THERAPY

312 Whittington Parkway, Suite 102

Louisville, Kentucky 40222

Phone (502) 429-7140

Fax (502) 429-7142

<http://pt.ky.gov>

Matthew G. Bevin
Governor

Scott D. Majors, Esq.
Executive Director

MINUTES OF MEETING April 17, 2017

Board Members: Ron Barbato, PT, Chair
Talia Weinberg, PT, Chair-Elect
Dan Martin, PT
Tina Volz, PT

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

Board Agents: Brian Fingerson, RPh, IPTPC Director

Board Members Absent: Troy Grubb, PT
Virginia Johnson, Public Member
Linda Pillow, PT

A special meeting of the Kentucky Board of Physical Therapy was called to order by the Board's Chair, Ron Barbato, at 9:30 a.m. on Monday, 4/17/17, at the Board office. A quorum was present.

C2017-05: Staff reported that the credential holder in this action self-reported in the 2017 renewal application process that (s)he has been criminally charged with several felony sexual offenses and is facing trial later this year. The Board was further presented with a proposed Agreed Order of Voluntary Temporary Suspension signed by the credential holder in this action.

Action taken: Following discussion, Ms. Weinberg made the motion to approve and adopt the proposed Agreed Order of Voluntary Temporary Suspension, to remain in effect pending further order of the Board when issued following a resolution of the criminal charges. This motion was seconded by Mr. Martin, which carried. Ms. Weinberg separately made the motion for the Board to open an investigation, seconded by Ms. Volz, which carried.

C2017-06: The Board reviewed a complaint filed against a credential holder by his/her employer after discovering that, on or about March 31, 2017, the employee was arrested and charged with Operating a Motor Vehicle Under the Influence of Drugs or Alcohol, 1st Offense; Possession of a Controlled Substance, 1st Offense; and Possession of Drug Paraphernalia. The Board further considered information that, on or about December 3, 2016, this same credential holder was arrested and charged with Possession of a Controlled Substance, 1st Degree, 1st Offense; Possession of a Controlled Substance, 3rd Degree; and Possession of Drug Paraphernalia.

Action taken: Following discussion, Ms. Weinberg made the motion for the Board to open an investigation and to issue an Order or Immediate Temporary Suspension in this action pending a final resolution by the Board. This motion was seconded by Ms. Volz, which carried.

Physical Therapy Licensure Compact

Mr. Majors reported that Washington HB 1278, its Physical Therapy Licensure Compact bill, passed the House on concurrence on 04/13/17 and is now scheduled to be signed by Governor Jay Inslee, making Washington the 10th state to enact the Physical Therapy Licensure Compact such that the Compact Commission may now be formed. Mr. Barbato stated that he would address financing issues relating to the Compact at the Board's next meeting when the Board would also select its Delegate to the Compact Commission.

Action taken: No action taken.

Commonwealth's Reorganization: Department of Occupations and Professions: Mr. Barbato reported that HB 443, a bill filed this legislative session to codify Executive Order 2016-859, was signed into law by Governor Bevin. Mr. Barbato further reported that KPTA's lobbyist, Leigh Ann Thacker, has been monitoring this situation and discussing it with her colleagues. Mr. Barbato and staff will update the Board at its next meeting with any further developments.

Action taken: No action taken.

Renewal Applications:

Mr. Curley brought the following renewal applications before the Board for review:

J.S., PT: This credential holder answered "yes" to question 1e, involving action taken against his/her credential by another state licensing board due to a CE deficiency.

Action taken: No action taken.

L.T., PT: This credential holder answered "yes" to question 1a, involving misdemeanor or felony charges and convictions.

Action taken: Following discussion, and after determining that this credential is currently on probation by Board order and who also resides and practices out-of-state, Ms. Volz made the motion for Board staff to contact the credential holder in writing, provide him/her a copy of their current settlement agreement, and remind him/her that they must notify the Board upon return to practice in Kentucky. Ms. Weinberg seconded this motion, which carried.

C.C., PT: This credential holder answered "yes" to question 1a, involving misdemeanor or felony charges and convictions, and question 1g, involving treatment for alcohol or drug abuse. Staff reported that this renewal application and supporting letter of explanation were reviewed by the IPTPC Chair, Mr. Brian Fingerson.

Action taken: Following discussion, Ms. Weinberg made the motion for Board staff to contact this credential holder, indicate that the Board has considered the matter, offer the credential holder voluntary participation in IPTPC, and table this case for Board review at its next meeting to determine appropriate options. Mr. Martin seconded this motion, which carried.

Reinstatement Applications:

Ms. Barton brought the following reinstatement applications before the Board for review:

C2017-07-R
C2017-08-R
C2017-09-R

Action taken: Following discussion, and after determining that the applicants in these cases worked/practiced as a PTA/PT on a lapsed credential, Ms. Volz made the motion for the Board to adhere to and impose the fine structure that was established by the Board in 2015 for those who work/practice on a lapsed credential. This motion was seconded by Ms. Weinberg, which carried.

Hardship Extension Request: D.M., PTA, who submitted a request for hardship extension for the 2017 Continued Competency audit for the Board's review.

Action taken: Following review, Ms. Weinberg made a motion to grant an extension through 04/30/17. The motion was seconded by Mr. Martin, which carried.

Financial Report: The Board reviewed a financial spreadsheet prepared by Mr. Majors listing appropriations, expenses, and income for both FY 15 and FY 17. Mr. Majors indicated that he plans to discuss the Board's expenses and revenue in greater detail with the members of the 2017 Finance Workgroup at a future meeting.

Action taken: No action taken.

Ms. Weinberg made the motion to adjourn the meeting at 10:16 a.m., seconded by Mr. Martin, 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