



## KENTUCKY BOARD OF PHYSICAL THERAPY

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*Matthew G. Bevin*  
Governor

*Scott D. Majors, Esq.*  
Executive Director

### MINUTES OF MEETING

May 16, 2019

Board Members: Dan Martin, PT, Chair  
Tom Pennington, PT, Chair-Elect  
Edward Dobrzykowski, PT  
Linda Pillow, PT (departed at 2:35 p.m.)  
Talia Weinberg, PT

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

Board Agents: Brian Fingerson, RPh, IPTPC Director

KPTA Liaison: Janice Kuperstein, PT, PhD

Member Absent: Ron Pavkovich, PT

Board Guest: Sara Stricklen, Student, University of Kentucky

A meeting of the Kentucky Board of Physical Therapy was called to order by the Board's Chair, Dan Martin, at 9:03 a.m. on Thursday, 05/16/19 at the Board office. A quorum was present.

### KPTA Liaison Report

As part of the KPTA liaison report, Mr. Dobrzykowski informed the Board that he and Patrick Myers have been appointed by KPTA to provide resources to KPTA membership on telehealth. Additionally, Mr. Dobrzykowski reported that he will serve as the moderator for a panel presentation on telehealth at the 2019 KPTA Annual Conference in Lexington on 09/27-28/19.

Dr. Kuperstein reported that a telehealth certificate has been approved by the University of Kentucky and it will be available to physical therapy students and physical therapists next summer. Also, Dr. Kuperstein reported that Anthem will launch its in-house utilization management (AIM) in Kentucky beginning in July. She also reported that KPTA has been approached by the Kentucky Chiropractic Association about collaborating with KPTA to promote an alternative called Secure Care.

## Minutes for Previous Regular Meeting

The Board reviewed the draft minutes of the 03/21/19 Board meeting.

**Action taken:** Following review and discussion of proposed amendments to the draft minutes, Ms. Weinberg made a motion to approve the minutes of the Board meeting of 03/21/19, as amended. The motion was seconded by Mr. Dobrzykowski, which carried.

### Board Discussions, Committees and Opinion Requests

#### Physical Therapy Licensure Compact

Ms. Ramsey reported to the Board that 12 Compact privileges to practice or work in Kentucky have been issued since 03/21/19, and Mr. Majors reported that a total of 249 privileges have been purchased nationally through the Compact Commission since 04/19. Also, Mr. Majors reported that 25 states have joined the Compact since its inception.

Additionally, Ms. Ramsey and Mr. Majors provided a report concerning the first Compact privilege issued to an individual in Kentucky who inadvertently completed the wrong Jurisprudence Exam. The course was approved by KPTA and the title was Kentucky Ethics and Jurisprudence. They gave a brief history that the individual had not practiced in Kentucky and, when informed of the situation, immediately completed the Board's Jurisprudence Exam.

**Action taken:** After lengthy discussion, the Board decided to take no action against the individual. Also, the Board asked Mr. Dobrzykowski to reach out to Ms. Volz of KPTA and inquire if KPTA may be of any assistance with courses KPTA is being asked to approve that may reference misleading titles with regards to the Jurisprudence Exam. Additionally, the Board asked staff to send a letter to the two companies that historically have had courses approved by KPTA with the term "Kentucky Jurisprudence" in the title.

#### Renewal Update

Mr. Majors reported to the Board that 5,830 individuals had renewed their credentials and that staff had sent the lapsed credential holders notification letters via certified mail to those individuals who live or work in Kentucky.

**Action taken:** No action taken.

#### KBPT CE Audit Update

Ms. Barton, Mr. Curley, and Mr. Majors gave a brief synopsis to the Board of the 2019 Continued Competency Audit. Ms. Barton will provide a more detailed report at the July Board meeting.

**Action taken:** No action taken.

#### Policy and Procedure Manual Updates

Mr. Majors reported to the Board that the FSBPT has decided to discontinue the programs entitled aPTitude, oPTion, and Procert. Mr. Majors reminded the Board that credential holders who were found to be deficient were required by the Board to use aPTitude to submit proof of their continued competency. Mr. Majors requested that the Board approve removing the section regarding aPTitude from the Policy and Procedure Manual.

**Action taken:** After a brief discussion, Ms. Weinberg moved that the Board remove the requirement of aPTitude from the Policy and Procedure Manual. The motion was seconded by Ms. Pillow, which carried.

### **Online Applications and FSBPT's Jurisprudence Assessment Module (JAM)**

Mr. Majors and Mr. Curley shared with the Board an issue staff had with the 2019 Jurisprudence Exam (JE), which resulted in 33 credential holders being pulled for the JE portion of the audit when they had completed the 2019 JE. Mr. Curley informed the Board that the situation was quickly rectified, and all credential holders were contacted and informed that they were not being audited. Mr. Majors reached out to FSBPT to obtain information on its Jurisprudence Assessment Module (JAM). Mr. Majors reported that KBPT members and staff would be able to have input on the drafting of questions for the JAM, and that a staff member from FSBPT would come to our Board meeting to review the questions with the KBPT members. Additionally, Mr. Majors reported that one of the drawbacks is the cost (i.e., \$48) to the credential holder to take the JAM through FSBPT.

**Action taken:** Following discussion, the Board decided to continue its partnership with Kentucky Interactive at this time concerning use of the JE.

Additionally, Mr. Majors reported that Board staff met with Carlos Luna and Bob Evancho of Kentucky Interactive to inquire if they may be able to assist KBPT with creating a platform that would enable the Board to have online applications for examination, endorsement, and reinstatement applicants. This update would help facilitate streamlining the application process. Mr. Luna and Mr. Evancho informed Board staff that a platform was already in existence that would be able to be modified to KBPT's requirements, and that the entire process should be completed within a year. Mr. Majors requested the Board to determine whether to approve the process of online applications.

**Action taken:** Mr. Pennington made a motion for the Board to approve this initiative and to authorize Mr. Majors to begin the process of developing, testing and implementing online applications with Kentucky Interactive. The motion was seconded by Mr. Dobrzykowski, which carried.

### **MATRC – 2019 Mid Atlantic Telehealth Resource Center**

Mr. Dobrzykowski gave a report to the Board concerning his attendance at the 2019 Mid Atlantic Telehealth Resource Center (MATRC) conference on 03/31-04/19 in Williamsburg, Virginia. He discussed presentations relative to new CPT codes for telehealth; a regulatory framework pertaining to patient location and provider location; informed consent; technology security risks regarding HIPAA requirements; and Medicare and Medicaid requirements regarding telehealth. Additionally, Mr. Dobrzykowski briefly mentioned he would be attending the 2019 Kentucky Telehealth Summit on 05/23/19, in Bowling Green, Kentucky.

### **Kentucky Association of Administrative Adjudicators -- Annual Conference**

Both Mr. Majors and Mr. Poynter provided a report on the Kentucky Association of Administrative Adjudicators (KAAA) annual conference they attended on 05/10/19. Mr. Poynter discussed with the Board a presentation on due process protections guaranteed to licensees and licensure applicants. Mr. Majors provided information on Interpreter Services, a company that currently provides interpreters to Kentucky state agencies through a Master Agreement. Mr. Majors asked the Board whether it would be interested in obtaining an agreement with the company.

**Action taken:** Mr. Pennington made a motion for the Board to authorize Mr. Majors to begin the process of setting up a Master Agreement with Interpreter Services. The motion was seconded by Mr. Dobrzykowski, which carried.

### **KBPT Public Member**

Mr. Majors and Mr. Poynter reported that a letter had been drafted and sent to Mr. Brett Gaspard, Executive Director with the Governor's Office of Boards and Commissions, requesting that the public member vacancy be filled as soon as possible.

**Action taken:** No action taken.

### **KBPT Practice Act Committee**

Mr. Majors discussed with the Board the possibility of forming a KBPT Practice Act Committee to consider whether any amendments to KRS Chapter 327 should be sought by KBPT during the 2020 legislative session.

**Action taken:** Ms. Weinberg moved to create the KBPT Practice Act Committee as an exploratory proactive exercise to review any changes the Board and KPTA would like to make to the Practice Act, and for Mr. Martin, Mr. Pennington, Mr. Poynter and Mr. Majors to serve as the Committee's members and report to the full Board in July. The motion was seconded by Ms. Pillow, which carried.

### **Physical Boundaries Webinar**

Both Mr. Poynter and Mr. Curley briefly reported to the Board about the Physical Boundaries Webinar hosted by the Federation of State Medical Boards (FSMB).

**Action taken:** No action taken.

### **Staff Reports and Discussions**

The Board reviewed the following staff reports:

- (a) KBPT staff brought a renewal application before the Board for review. The credential holder answered "yes" to question 1a: have you been convicted of, or do you have pending charges for any felony, misdemeanor, or any crime in the courts of this state, other state, territory or country? The credential holder has been charged, and has pled guilty to, a DUI.

**Action taken:** After discussion, the Board decided to table this application until the criminal case has been resolved.

- (b) A credential holder and her/his employer representative appeared before the Board to discuss her/his renewal application. The credential holder answered yes to 1g: have you been treated for drug or alcohol rehabilitation? The credential holder provided information that she/he has completed an intensive outpatient substance use disorder program. The credential holder discussed with the Board that she/he did not feel that participation in IPTPC was necessary. The Board and Mr. Fingerson addressed any questions the credential holder had with regards to IPTPC.

**Action taken:** After discussion, and after noting the recommendation of Mr. Fingerson, Ms. Pillow made a motion to offer the credential holder the opportunity to voluntarily sign within 20 days an IPTPC agreement for 18 months and, if the credential holder refuses, the Board may reconsider the application at the July meeting whether a Board Order should be issued at that time. The motion was seconded by Mr. Pennington, which carried.

- (c) KBPT staff brought a renewal application before the Board for review. The credential holder answered yes to 1g: have you been treated for drug or alcohol rehabilitation? The credential holder provided further information that she/he completed inpatient treatment for alcohol. Board staff reported that the credential holder had been directed to contact Mr. Fingerson; however, the credential holder has not signed an IPTPC contract.

**Action taken:** After discussion, Mr. Pennington moved that the credential holder sign a 5 year voluntary IPTPC agreement within 14 days or the Board shall issue an Immediate Temporary Suspension (ITS). The motion was seconded by Ms. Pillow, which carried.

- (d) KBPT staff brought an examination application before the Board that was reviewed at the March meeting. The credential holder answered "yes" to question 8 on the exam application, affirming that she/he has been convicted of, or has pending charges for a felony, misdemeanor, or any crime in the courts of this state, other state, territory or country. The credential holder had

previous multiple convictions and multiple pending charges. At the March meeting, the Board voted a final decision would be withheld until all criminal charges have been resolved. Board Counsel requested that the Board consider permitting the exam applicant to sit for the July exam, considering the results would not be released to the Board staff until after the July Board meeting.

**Action taken:** After discussion, Ms. Weinberg made the motion for the Board to authorize staff to approve the exam applicant to test; however, no temporary permit shall be issued to the applicant and the Board will review the status of the criminal charges at the July Board meeting. The motion was seconded by Mr. Dobrzykowski, which carried.

- (e) Rosina Caponi, an attorney, asked the Board for guidance whether an LLC or other corporate entity may employ physical therapists to render services without being deemed the corporate practice of physical therapy?

**Action taken:** The Board authorized staff to respond that the Board has no stance on corporate physical therapy, but if the company is offering physical therapy services there must be a licensed physical therapist on staff.

- (f) Kymberly Nicholas, who sought clarification from the Board whether a physical therapist may provide medication review/reconciliation/management under the Practice Act?

**Action taken:** The Board authorized staff to respond that a physical therapist can review medications, but a physical therapist cannot reconcile or manage medications. Any issues with medications should be referred back to the physician.

- (g) Ron Cole, a physical therapist, who sought clarification on supervision of supportive personnel. Mr. Cole referenced 201 KAR 22:053 Section 4(2)(a) and (b). Specifically, as no specific procedures or techniques are identified as items that supportive personnel may do, is it therefore understood that the supervising physical therapist has the discretion to determine what the supportive personnel may perform? Mr. Cole specifically referenced neuromuscular re-education and manual therapy.

**Action taken:** The Board authorized Counsel to respond to Mr. Cole that there is nothing in the Physical Therapy Practice Act or its corresponding administrative regulations that prohibit a physical therapist tech from performing these treatments as long as they are properly educated and competent, but APTA does not support this practice. Also, under KAR 22:053 Section 4(4), a physical therapist cannot delegate techniques outside the training and competency of a physical therapist tech. Any training must be documented and able to be verified annually.

- (h) Trent Burchett a physical therapist, who sought clarification from the Board as it pertains to a patient's current plan of care, with treatment three times a week for six weeks from the initial post-surgical evaluation. His question, specifically, is whether "it is justifiable under the current plan of care that a patient or PTA can decrease frequency with the PT approval/co-signature without further approval from the insurance or physician (approval)?"

**Action taken:** The Board authorized staff to respond to Mr. Burchett that any changes regarding the frequency of treatment require the modification of the plan of care. Neither the Kentucky Physical Therapy Practice Act nor its corresponding administrative regulations require insurance approval or a physician signature for a plan of care modification. However, third party payers may require additional approval.

- (i) Alice Epstein who sought clarification from the Board if physical therapists are permitted to remove skin sutures and staples.

**Action taken:** The Board authorized staff to respond to Ms. Epstein that physical therapists are not precluded from removing skin sutures and staples.

- (j) Chris Sharrock, a physical therapist, who sought clarification from the Board: are physical therapists in Kentucky, permitted to perform pre-participation evaluations specifically sports physicals?

**Action taken:** The Board discussed this during the meeting, but decided to table this question until the July Board meeting.

- (k) Kevin Curtsinger, a physical therapist, who sought clarification on the ordering of Dexamethasone for iontophoresis for patients through the in-house pharmacy; specifically, “if we input the order in the EHR and the MD agrees to retroactively sign the order, and the pharmacy fills the order for us to use, are we ok and not in violation from the board?”

**Action taken:** The Board authorized staff to respond to Mr. Curtsinger that, as long as the patient has the prescription, the physical therapist is allowed to use it on the patient if the physical therapist follows the proper procedures for storage and usage of the prescription. Neither the Kentucky Physical Therapy Practice Act nor its corresponding administrative regulations govern or authorize the Board to regulate prescriptions or how they are received by the patient.

- (l) KBPT staff reported to the Board that they had received a renewal application from a credential holder after the renewal cycle had ended. The individual’s license is currently lapsed. Staff reported that the renewal application was returned to the applicant with instructions for the reinstatement application process.

**Action taken:** No action taken.

### **Update on Monitoring Probations**

The Board noted the following credential holders who are presently being monitored: Sabrina Pletz, PTA; Donald Bruce Taylor, PT; and Andrea Brown, PT. A monitoring report was submitted by the Board-appointed monitor for Mr. Taylor and considered by the Board.

**Action taken:** No action taken.

## **REPORTS AND OTHER BUSINESS**

### **Legal Report**

Mr. Majors updated the Board regarding the status of recent proposed revisions to the Board’s administrative regulations:

- (1) 201 KAR 22:020, concerning endorsement applicants and KSP/FBI background checks;
- (2) 201 KAR 22:070, concerning the credentialing of foreign-educated physical therapist assistants;
- (3) 201 KAR 22:135, concerning the Board’s proposed increases in certain fees; and
- (4) 201 KAR 22:170, concerning an update on the effective date of the rules and bylaws

Mr. Poynter discussed with the Board a number of articles that dealt with various administrative law issues from jurisdictions around the country. Additionally, Mr. Poynter discussed with the Board several articles on telehealth.

## Executive Director's Report

### Department of Insurance

Mr. Majors circulated copies of a quarterly malpractice report submitted by the Department of Insurance with the Public Protection Cabinet concerning health care providers with settlement and/or judgments, dated 04/17/19, covering the periods from 01/01/19 through 03/31/19.

**Action taken:** Following discussion, the Board instructed staff to gather additional information concerning possible injury suffered by a patient of physical therapy services, and to provide the Board a full report at the July meeting.

### CBT Comment Summary and Candidate Satisfaction Survey Report

Mr. Majors reported the results of the latest CBT comment survey and satisfaction survey report, dated 04/10/19.

**Action taken:** No action taken.

### Staff Update

The Board was provided an update concerning Board-related tasks performed by KBPT staff since the March meeting.

**Action taken:** No action taken.

### Financial Report

The Board reviewed monthly, quarterly and FY 2019 FAS3 financial reports addressing the Board's revenues and expenditures. Mr. Majors also distributed a financial worksheet highlighting in greater detail the Board's revenue, personnel and operating expenses, quarterly allotments and annual appropriations.

**Action taken:** No action taken.

### KBPT School Presentations

Ms. Barton briefly reported that school visits are scheduled at the University of Kentucky and West Kentucky Community and Technical College.

### Conferences and Meetings Relating to Physical Therapy

The Board reviewed the following schedule of upcoming conferences:

- a. 2019 Kentucky Telehealth Summit  
(05/23/19 – Bowling Green, KY)  
Mr. Dobrzykowski to serve as KBPT's authorized representative.
- b. FSBPT's Leadership Issues Forum  
(07/13-14/19 – Alexandria, VA)  
Mr. Pennington and Mr. Majors to serve as KBPT's representatives funded by FSBPT.
- c. FSBPT's Regulatory Training for Members & Board Staff  
(08/17-18/19 – Alexandria, VA)  
**Action taken:** Ms. Weinberg made a motion to authorize Ms. Ramsey to attend as one of KBPT's representatives if new KBPT members are not appointed prior to the training. The motion was seconded by Mr. Dobrzykowski, which carried.
- d. KPTA Annual Conference  
(09/27-28/19 – Lexington, KY)

- e. FSBPT's 2019 Annual Meeting and Delegate Assembly  
(10/24-26/19 – Oklahoma City, OK)  
Mr. Pennington to serve as KBPT's Voting Delegate; Mr. Dobrzykowski to serve as KBPT's Alternate Delegate; and Ms. Ramsey to serve as KBPT's Administrator fully-funded by FSBPT.
- f. FSBPT's 2020 Annual Meeting and Delegate Assembly  
(10/22-24/20 – TBD)

### **New Licensee/Reinstatement/Renewal Applications**

**Action taken:** Mr. Dobrzykowski made the motion to review, approve and ratify the list of persons issued licenses and certificates since the last meeting, as well as a list of examination and reinstatement applicants. This motion was seconded by Ms. Weinberg, which carried. The lists are attached to these minutes.

### **New Business**

KBPT staff brought a reinstatement application before the Board for review. The credential holder answered "yes" to question 11: have you had a malpractice settlement or civil judgment entered against you related to your practice of physical therapy? The credential holder reported that she/he is currently involved in a malpractice claim.

**Action taken:** Ms. Weinberg made a motion for the Board to open a Board Initiated Complaint (BIC), BIC2019-16, and to authorize staff to reinstate the individual once the reinstatement application process is completed. The motion was seconded by Mr. Dobrzykowski, which carried.

Mr. Majors sought clarification from the Board regarding the regulation pertaining to Temporary Permits, 201 KAR 22:020 Section 5, concerning the requirement that a physical therapist supervisor has practiced for more than one year. Mr. Majors asked if practicing under a Temporary Permit would count towards the one-year requirement, or does the Board interpret that the physical therapist supervisor have a license and have practiced for one year? Additionally, Mr. Majors discussed with the Board the possibility of amending the regulation for clarity.

**Action taken:** After discussion, Ms. Weinberg made a motion for the Board to include the time a physical therapist practiced under a Temporary Permit towards the one-year requirement, and amending the regulation was not necessary. The motion was seconded by Mr. Dobrzykowski, which carried.

### **Civil Matters and Investigations**

Ms. Pillow made the motion to retire into Executive Session pursuant to KRS 61.810(1)(j) to discuss deliberations of judicial or quasi-judicial bodies regarding individual adjudications which may lead to the discipline of credential holders. The motion was seconded by Ms. Weinberg, which carried.

Subsequently, Ms. Weinberg made the motion to come out of Executive Session. The motion was seconded by Mr. Dobrzykowski, which carried. The Board returned to open session and voted on the following cases:

### **2017 Complaint Committee**

**BIC2017-05:** The Complaint Committee reported that this case is ongoing.

**Action taken:** No action taken.

### **2018 Complaint Committee**

**BIC2018-19:** The Complaint Committee reported that this case involves a credential holder who allegedly had supervision violations and possibly provided Board staff misrepresentations of fact during the investigative process.

**Action taken:** The Complaint Committee recommended and moved to authorize Board Counsel to draft a proposed Settlement Agreement with specified terms and, if the credential holder fails to enter into the proposed Settlement Agreement within twenty days, for the Board to authorize Counsel to file a Notice of Hearing and Formal Charges. The motion was seconded by Ms. Pillow, which carried.

**BIC2018-22:** The Complaint Committee reported that this case is ongoing.

**Action taken:** No action taken.

**C2018-24:** The Complaint Committee reported that this case is ongoing.

**Action taken:** No action taken.

### **2019 Complaint Committee**

**C2019-01:** The Complaint Committee reported that this case is ongoing.

**Action taken:** No action taken.

**C2019-02:** The Complaint Committee reported that this case concerns an adverse action from West Virginia. The Board voted to issue a Private Admonishment and a \$250 fine at the March Board meeting.

**Action taken:** The Complaint Committee reported that the credential holder has accepted the Private Admonishment and has paid her/his subsequent fine. The Complaint Committee recommended and moved to close this case. The motion was seconded by Ms. Weinberg, which carried.

**C2019-04:** The Complaint Committee reported that this case is ongoing.

**Action taken:** No action taken.

**C2019-05:** The Complaint Committee reported this case is ongoing.

**Action taken:** No action taken.

**BIC2019-06:** The Complaint Committee gave a brief history that this case involved a renewal applicant that answered "yes" to question 1a: have you been convicted of, or do you have pending charges for any felony, misdemeanor, or any crime in the courts of this state, other state, territory or country? The credential holder provided information that she/he accepted a pre-trial diversion for a misdemeanor of harassing communications. The Board voted to open a Board Initiated Complaint at the March meeting.

**Action taken:** After reviewing the facts and circumstances of this case, the Complaint Committee recommended and moved to close this case due to insufficient evidence. The motion was seconded by Ms. Weinberg, which carried.

**BIC2019-07:** The Complaint Committee reported that this case is ongoing.

**Action taken:** No action taken.

**C2019-08:** The Complaint Committee reported that this case involves a credential holder who allegedly provided services outside the plan of care and failed to document any changes to plan of care.

**Action taken:** The Complaint Committee recommended and moved to open an investigation. The motion was seconded by Ms. Weinberg, which carried. Mr. Pennington recused himself and left the room during the discussion of this case.

**BIC2019-09:** The Complaint Committee reported that this case involves a credential holder who had an Emergency Protective Order (EPO) filed against her/him for domestic violence against a child.

**Action taken:** The Complaint Committee recommended and moved to open a Board Initiated Complaint (BIC). The motion was seconded by Ms. Weinberg, which carried.

**C2019-10:** The Complaint Committee reported that his case involves a credential holder who was disciplined in Ohio for fraud and material deception. The credential holder failed to report this information on her/his renewal application.

**Action taken:** The Complaint Committee recommended and moved to open an investigation. The motion was seconded by Ms. Weinberg, which carried.

**C2019-11:** The Complaint Committee reported that this case involves a credential holder with a DUI charge.

**Action taken:** The Complaint Committee recommended and moved to open a Board Initiated Complaint (BIC). The motion was seconded by Ms. Weinberg, which carried.

**2019-12 R:** The Complaint Committee reported that this case involves an individual who practiced on a lapsed credential.

**Action taken:** Following discussion, the Complaint Committee recommended and moved to adhere to the current fine structure and issue a Private Admonishment with a fine of \$350. The motion was seconded by Ms. Pillow, which carried.

**2019-13 R:** The Complaint Committee reported that this case involves an individual who practiced on a lapsed credential.

**Action taken:** The Complaint Committee recommended and moved to adhere to the current fine structure and issue a Private Admonishment with a fine of \$550. The motion was seconded by Ms. Pillow, which carried.

**2019-14 R:** The Complaint Committee reported that this case involves an individual who practiced on a lapsed credential and who misrepresented the number of days that she/he practiced on a lapsed credential.

**Action taken:** The Complaint Committee recommended and moved to have Board Counsel draft a Settlement Agreement with specific terms and, if the credential holder fails to enter into the proposed Settlement Agreement within twenty days, for the Board to authorize Counsel to file a Notice of Hearing and Formal Charges. The motion was seconded by Ms. Pillow, which carried.

**C2019-15:** The Complaint Committee reported that this case involves a credential holder who allegedly was intoxicated while at work.

**Action taken:** The Complaint Committee recommended and moved to open an investigation and to issue an Immediate Temporary Suspension (ITS); for the individual to be able to reinstate her/his

credential after completing an assessment for chemical dependency and signing a five-year IPTPC contract; and for the credential holder to be eligible to have her/his credential administratively reinstated if the IPTPC Chair, the Board Chair and Mr. Majors agree. The motion was seconded by Ms. Weinberg, which carried.

### **IPTPC Report**

Mr. Fingerson presented his written IPTPC report dated 05/06/19. IPTPC cases which previously have come to the attention of the Board or were discussed at length during the Complaint Committees' reports were reviewed.

Additionally, Mr. Fingerson informed the Board that an individual under a voluntary IPTPC agreement has tested positive for alcohol consumption. This is the second occasion that the individual has tested positive for alcohol consumption.

**Action taken:** The Board asked Mr. Fingerson to contact the credential holder and express their concern of non-compliance and to relay to the credential that any further noncompliance may result in disciplinary action being taken against their credential.

Ms. Weinberg made the motion to adjourn the meeting at 4:11 p.m., seconded by Mr. Dobrzykowski, which carried.

Respectfully submitted,



Scott D. Majors  
Executive Director