



KENTUCKY BOARD OF PHYSICAL THERAPY NEWSLETTER

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October 2016

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KBPT thanks Karen Craig Ogle, PT, DPT for her service as Board Member



(KBPT Chair Tina Volz, PT (left) presents Karen C. Ogle, PT, DPT (right) with an appreciation award)

Karen Craig Ogle's term as member of the Kentucky Board of Physical Therapy expired in January of 2016. Karen was first appointed to the Board on January 18, 2012. During her tenure, Karen served as the Board's 2015 Chair and she also served in leadership positions on various committees and workgroups, including the Board's Complaint Committee and as its Liaison to KPTA.

Although her term on the Board has expired, Kentucky's Physical Therapy community will continue to benefit from Karen's contributions to the profession. She has served for over 20 years as Director of Rehabilitation at Baptist Health Lexington. In this position, she manages acute care therapy services as well as three hospital-based outpatient clinics. Karen also serves as adjunct faculty at the University of Kentucky. She is an active member of the KPTA, and she has been a member of the APTA since her student years in 1988. She also serves as a site-based council parent representative for Scott County Schools.

Karen – your incredible enthusiasm, energy, quick-wit and common sense certainly helped advance the Board's mission of public protection during your service, and you will be sorely missed by both the Board and its staff. We wish you every good fortune and happiness as you embrace the next chapter of your life!



KBPT Welcomes New Board Member Dan Martin, PT

The Kentucky Board of Physical Therapy is pleased to announce that Dan Martin, PT, was appointed by Governor Matthew Bevin on March 31, 2016, to serve as a member of the Board through January 1, 2020. Dan lives in Elizabethtown, Kentucky. He received his Masters of Physical Therapy degree from the Philadelphia College of Pharmacy and Science in 1995. Dan works as the Director of Rehabilitation and Wound Care services at Hardin Memorial Hospital in Elizabethtown, a position he has held for the last sixteen (16) years. He is an active member of the KPTA and currently serves on the KPTA Payment and Policy Committee. He has also been a member of the APTA since 1992. Dan and his wife, Jennifer, have 3 children: McKenna, Jack and Max.

Dan has already completed his Board member orientation training, and he has wasted no time in becoming active as a member by agreeing to serve as the Board's Liaison to KPTA. Please join us in welcoming Dan to the Board -- we look forward to benefiting from his talent, judgment, and broad-based experience over the next several years !



Welcome Elizabeth ("Beth") Bell !

On July 1, 2016, Elizabeth ("Beth") Bell joined the Board's staff as our new Licensure Coordinator. For the past eight (8) years Beth worked as an Administrative Assistant with the Kentucky Physicians Health Foundation in Louisville, Kentucky. She also served for nearly six (6) years with the National Multiple Sclerosis Kentucky-Southeast Indiana Chapter as both its Information Systems Manager and its Program Manager. Beth earned a Bachelor's Degree in Print Journalism from Western Kentucky University in 1999. She and her husband live in east Louisville, and they have one young child.

You will find Beth to be a dedicated employee whose positive energy is simply infectious. The Board is delighted to be able to welcome Beth to our staff !



(Ms. Donna Sims, KBPT Licensure Coordinator (right))

Happy Retirement to Donna Sims !

On July 31, 2016, Donna Sims retired from the Board following a lengthy and distinguished career serving the citizens of the Commonwealth of Kentucky. Donna's first position with state government was with the Board of Hairdressers and Cosmetologists starting in August of 1974 where she served for over four (4) years. She joined the Board of Auctioneers in July of 1994 where she remained until October of 2000 when she began employment with the Board of Physical Therapy.

Donna's first position with the Board was as Executive Secretary II. Shortly thereafter, she took initiative by assuming greater responsibility of the Board's operations, and in 2003 she accepted a promotion to the position of Administrative Specialist III. To the Board, its staff and members of the public, we all came to view Donna to be our "Licensure Coordinator", a title that remained with Donna throughout her service with the Board.

Donna's contributions to the Board during her nearly sixteen (16) year tenure were without equal. She handled all administrative functions relating to credentialing and continued competency for the Board, and she performed these functions with very little supervision. Donna prepared reports for the Board and staff concerning revenues, expenditures, and licensure data. She was always highly organized, and she developed a comprehensive system for processing licensure applications that was efficient, effective, and reliable, as well as being one which other staff members were able to understand and administer, if called upon.

Donna expressed herself to stakeholders with a professional blend of information, expertise, conviction, humor and tact. Her communication skills, as demonstrated on the telephone and during presentations at educational settings with credential holders, applicants and members of the public, were exemplary, and she served as an excellent Board representative while serving in these settings. Donna consistently impressed those with whom she interacted through her ability to perform her job assignments in a self-reliant and effective manner, and these characteristics helped define her as an employee whose contributions were highly-prized by the Board's staff and its members.

Donna - we miss you, we love you, and we wish you every good fortune you so richly deserve during your retirement !

NEW -- Amendment to Administrative Regulation – 201 KAR 22:045

Deadline to File Hardship Extensions to Complete Continued Competency Requirements

The Board of Physical Therapy's renewal period for physical therapist licenses and physical therapist assistant certificates runs from January 3, 2017, through March 31, 2017. Each renewal applicant is required to certify on the renewal application that she/he has completed the required number of hours of continued competency for the biennium, including the two (2) hour open book jurisprudence examination.

The Board's administrative regulation which sets forth the continued competency requirements (201 KAR 22:045) establishes that a credential holder will be granted a temporary **non-hardship** extension of time if the credential holder:

1. Files a completed Exemption or Extension for Completion of Continued Competency Form, including a plan describing how the required credits will be met, by March 31 of the odd-numbered year in the renewal cycle for which the extension is sought;
2. Pays a fee of \$250;
3. Has not received a temporary non-hardship extension of time in the prior renewal cycle; and
4. Files proof of compliance with the continued competency requirements by the following July 1.

This same administrative regulation establishes that a credential holder will be granted a temporary **hardship** extension of time if the credential holder:

1. Files a completed Exemption or Extension for Completion of Continued Competency Form, including a plan describing how the required credits will be met; and
2. Submits documentation showing evidence of undue hardship by reason of the licensee's age, disability, medical condition, financial condition, or other clearly mitigating circumstances.

Until recently, there was no deadline set for a credential holder to file a hardship extension request. In May of 2016, the Board voted to seek an amendment to this administrative regulation by requiring that **all hardship extension requests** to complete continued competency requirements **be filed** with the Board **by no later than April 30** of each odd-numbered year.

This proposed amendment of adding a deadline to submit hardship extension requests was considered by the Administrative Regulation and Review Subcommittee of the Kentucky Legislature on September 13, 2016. The proposed amendment was also considered by the Health and Welfare Committee on October 19, 2016, and the amendment became effective on that date.

With this amendment to the regulation, the Board has retained the **March 31 deadline for all non-hardship requests** while creating a **new April 30 deadline for all hardship requests**. In deciding to seek approval of this deadline, the Board concluded that establishing a hardship deadline of 30 days beyond the non-hardship deadline of March 31 was a reasonable and necessary accommodation to those renewal applicants whose hardships may be unforeseeable, which may manifest themselves in the last few days of March, and which themselves may interfere with the renewal applicant's ability to file the required documentation by March 31. Additionally, setting a deadline of April 30 will also provide Board staff adequate opportunity to complete its evaluation of the renewal applicant's compliance with 201 KAR 22:045 on a timely basis.

NEW -- 2017 Continuing Competence Audit Procedure !

The Kentucky Board of Physical Therapy randomly audits a minimum of 5% of the physical therapists and 5% of the physical therapist assistants immediately after the online renewal process has completed to determine whether continued competency requirements were satisfied.

During its meetings held in January, March and May of 2016, the Board re-examined its audit procedures and results for the past 2 bienniums. Following this review, in May of 2016 the Board approved a new audit procedure, beginning in 2017, that will accelerate the deadlines to demonstrate timely compliance for those credential holders who are subject of the audit.

To determine compliance with Continued Competency requirements of 201 KAR 22:045, Board staff will randomly audit a minimum of 5% of the physical therapists and 5% of the physical therapist assistants who renewed their credential that year. In addition to the random audit, Board staff will audit all credential holders who were privately admonished or disciplined by the Board for Continued Competency deficiencies in the last biennium; one Board member selected randomly; and all credential holders for whom Board staff does not have proof of completion of the Jurisprudence Examination.

The new audit process will be initiated in April of 2017, as follows:

1. Each person to be audited will be mailed an Order of the Board via certified mail, return receipt requested. This Order will provide:
 - a. that the credential holder has no more than 30 days from receipt of the Order in which to comply by providing to the Board a CE tracking form with supporting documentation;
 - b. that the credential holder has no more than 60 days from receipt of the Order in which to satisfy any deficiencies in the documentation as identified by Board staff; and
 - c. a summary of the Board's proposed fine structure for any deficiencies that may be determined.
2. Unless an extension of time has been provided to the credential holder, the Board will initiate the complaint process against any audited credential holder who fails to timely submit proof of meeting the Continued Competency requirements within 30 days of receipt of the Order. Board staff shall report all credential holders who are non-compliant with the 30-day deadline set forth in 201 KAR 22:045 Section 2(4)(b) and (c) to the Board at its next scheduled meeting to determine whether the discipline process established in 201 KAR 22:052 should be applied.
3. If the CE requirements have not been demonstrated within the timeframe set forth in the Order, discipline based on non-compliance with the Continued Competency requirements, as determined from the CE audit, shall be as follows:
 - a. issue a Private Admonishment to first time offenders for Continued Competency violations with the following criteria:
 - i. for failure to timely complete the Jurisprudence Exam – base fine of \$100.00 plus \$60.00 for each deficient credit hour; or

- ii. for failure to timely complete Continued Competency requirements – base fine of \$100.00 plus \$60.00 for each deficient credit hour.
- b. issue a Public Reprimand for **first time offenders** who fail to timely complete the Continued Competency requirements AND the Jurisprudence Exam, (i.e., both continued competency violations) through a Settlement Agreement, plus a base fine of \$300.00 and \$60.00 for each deficient credit hour.
- c. issue a Public Reprimand for **repeat offenders** who fail to timely complete the Continued Competency requirements OR the Jurisprudence Exam through a Settlement Agreement, plus a base fine of \$500.00 and \$60.00 for each deficient credit hour.
- d. Proposed Public Reprimands and Settlement Agreements shall be accompanied by the filing of a formal complaint.
- e. All fines assessed due to CE deficiencies as determined by the Board shall be paid within 30 days of the subject credential holder being notified of the deficiency and the fine.

For those credential holders who are deemed to be deficient, they will be required to demonstrate compliance through FSBPT's aPTitude continuing competence resource. Kentucky's staff has already coordinated with FSBPT's Continued Competence staff regarding this new, accelerated timeline. This will help ensure that both organizations will be well-prepared next year to properly educate Kentucky's credential holders as to aPTitude's purpose and functionality as well as address Kentucky's credential holders' anticipated utilization of aPTitude in a relatively brief, compressed time period.

Introducing oPTion !

oPTion is a self-assessment tool created by the Federation of State Boards of Physical Therapy to allow physical therapists to compare their knowledge, skills, and abilities to current entry-level general physical therapy practice. It is also an opportunity for physical therapists to review fundamentals of the practice of physical therapy. oPTion is available online and on demand from your personal computer.

oPTion uses realistic case scenarios that describe clinical situations presented with a series of related questions. Scenarios include the age, gender, and presenting problem/current condition of a patient and may also include past medical history, physical therapy examination results, description of physical therapy interventions, and other information.

As a key feature, oPTion provides a rationale that explains the correct choice for each question. The rationale is available whether you answer the question correctly or incorrectly. At the conclusion of oPTion, your results will indicate one of four levels of performance. Each performance level describes the typical knowledge, skills, and abilities possessed by a physical therapist who performs at that level.

The Board of Physical Therapy finds great value in FSBPT's creation of an online, self-assessment tool for physical therapists to compare their knowledge, skills, and abilities to current entry-level general physical therapy practice by emphasizing clinical application of knowledge necessary for safe and effective practice.

Fast Facts About oPTion

Questions - oPTion uses scenarios and multiple-choice questions that emphasize clinical application of knowledge necessary for safe, effective practice. Each scenario is followed by three to five multiple-choice questions, for a total of 100 questions.

Where - Online and on demand

Price - \$49

Who is eligible - Only licensed physical therapists

Credit - The Kentucky Board of Physical Therapy gives 3 contact hours of Category 1 credit to any physical therapist licensed in Kentucky who submits a completion certificate for oPTion. The Kentucky Board has been listed on FSBPT's website as a licensing authority that offers 3 hours of credit for oPTion completion.

When to register - When you're ready to begin!

Customer service available Monday-Friday, 9:00 AM to 5:00 PM Eastern Time

Request assistance: CompetenceStaff@fsbpt.org or 703.299.3100 and press 5

aPTitude An Online System to Track Continuing Competence & Education

The Federation of State Boards of Physical Therapy (FSBPT) introduced aPTitude as a comprehensive system to help physical therapists and physical therapist assistants (collectively referred to as “licensees”) meet their continuing competency requirements. This online system has been specially designed for licensees to help them track their continuing competence (CC) and continuing education (CE) activities. The Kentucky Board of Physical Therapy and FSBPT want to encourage licensees to stay current and competent throughout their physical therapy career. With this goal in mind, aPTitude was developed to help licensees understand and comply with the continuing competence and continuing education requirements needed for license renewal, as well as to provide an online reporting portal for continuing education activity.

aPTitude is a **free service** that allows licensees to research options for meeting their continuing competence needs and to record the courses and activities they have completed. All licensees are able to input their courses and documentation in their personal online record as soon as they complete a course. If a licensee so chooses, information that is typically reported to the Board through a tracking form may be shared with the Board electronically, saving that licensee the time and expense of physically completing and mailing the tracking form to the Board office.

2017 Continued Competency Audit

At its meeting in July of 2013, the Board undertook a fresh look at aPTitude as a tool to help in the continued competency audit process. The Board observed the ease with which continued competency information can be uploaded by its licensees through aPTitude. Additionally, staff projected that the amount of time and resources required to complete the audit process could be substantially reduced if those licensees who were included in the audit also shared their CE/CC documentation with the Board through aPTitude. Finally, the Board reviewed changes other state physical therapy boards have made recently to their continued competency requirements. Following lengthy consideration and discussion, the Board concluded that, beginning with the 2015 continued competency audit, those credential holders who are determined to be deficient in satisfying their requirements will be required to share their CE/CC documentation with the Board through aPTitude.

In September of 2016, the Board reaffirmed this requirement. Therefore, those credential holders who are determined during the 2017 continuing competency audit to be deficient in satisfying their continuing education requirements for the 2015-2017 biennium will again be required to share their CE/CC documentation with the Board through aPTitude.

Why should YOU sign up for aPTitude?

This service will allow you to easily verify the latest information concerning the Board’s CC/CE requirements. FSBPT and Board staff work closely together to ensure that the most recent regulations of the Board are clearly posted on the aPTitude portal for your immediate review. aPTitude can also be tailored to remind you when your license renewal date is near, and it can allow real-time monitoring of your current status in meeting your renewal requirements. If you are licensed in more than one jurisdiction, aPTitude will be especially helpful as it will serve as a single resource to update you on the requirements for each jurisdiction – regardless of where you are licensed and how many licenses you maintain.

FSBPT continues to consult with vendors who provide CC/CE activities so their approved course offerings are posted on the aPTitude website. This enables you to easily search for and find CC/CE offerings that meet your individual and specific needs. In the future, aPTitude participants will also be able to provide feedback about these courses and activities.

You may access aPTitude online at www.fsbpt.org/aPTitude, then click on “PTs and PTAs.” To register, you simply need a valid license or certificate number and an active email address – that’s it. Once you are registered, you may quickly begin to enjoy all of the features of aPTitude to track your continuing competence activities and securely store your documentation for those activities.

To learn more how aPTitude may help you manage all aspects of your CE/CC licensure requirements with the Board, please contact FSBPT’s Continuing Competence Department at (703) 299-3100, extension 283, or you may email your questions to aPTitudehelp@fsbpt.org.

Reminder: New Law Removed Requirements for HIV/AIDS Training

On June 24, 2015, a law became effective which removed the mandatory HIV/AIDS training requirement under KRS 327.050, 327.060, and 201 KAR 22:040. Under the prior law, all credential holders had to complete the HIV/AIDS course requirement to receive an initial credential as well as re-take the course every 10 years.

The new law amends the language of KRS 327.050 and 327.060 and removes the requirement. Additionally, the Board has taken steps to likewise remove the corresponding requirements in the relevant provisions of the Board’s applicable administrative regulation. If you have any questions, please contact Board staff at (502) 429-7140.

Reminder for Recent Graduates !

Recent PT and PTA graduates (i.e., those who have completed their academic and clinical requirements for their degrees within the current April 1, 2015 – March 31, 2017 biennium) have met the continued competency requirements for this biennium. 201 KAR 22:045 Section 2(c). Accordingly, no additional contact hours for this biennium are required in order to renew a PT license or a PTA certificate during the 2017 renewal cycle.

Disciplinary Actions

January 2016 – August 2016

Stephen Curley
KBPT Staff Investigator



The following is a summary of disciplinary actions taken by the Board since the last Newsletter was published. It is intended as a summary for informational purposes only. All information is believed to be accurate. However, complete terms of each disciplinary action are contained in the Board's records. Monetary amounts paid to the Board may reflect the investigative costs and not necessarily the scope and severity of the violation(s).

Gretchen Games, PTA

Date: 01/14/2016

Final Action: Order and Settlement Agreement – A violation of 201 KAR 22:045 by failing to provide proof of the necessary hours of continued competency for the biennium beginning April 1, 2013 and ending March 31, 2015. Reprimand, and a \$560 fine.

Richard Herbolich, PT

Date: 01/14/2016

Final Action: Order and Settlement Agreement – A violation of 201 KAR 22:045 by failing to provide proof of the necessary hours of continued competency for the biennium beginning April 1, 2013 and ending March 31, 2015. Reprimand, and an \$860 fine.

Brittney Kimbell, PTA

Date: 01/14/2016

Final Action: Order and Settlement Agreement – A violation of 201 KAR 22:045 by failing to provide proof of the necessary hours of continued competency for the biennium beginning April 1, 2013 and ending March 31, 2015. Reprimand, and a \$1,080 fine.

Andrew Roark, PTA

Date: 01/14/2016

Final Action: Order and Settlement Agreement – A violation of 201 KAR 22:045 by failing to provide proof of the necessary hours of continued competency for the biennium beginning April 1, 2013 and ending March 31, 2015. Reprimand, and a \$660 fine.

John Vaughn, PT

Date: 01/14/2016

Final Action: Order and Settlement Agreement – A violation of 201 KAR 22:045 by failing to provide proof of the necessary hours of continued competency for the biennium beginning April 1, 2013 and ending March 31, 2015. Reprimand, and a \$1,280 fine.

Frank Vieth, PTA

Date: 01/14/2016

Final Action: Order and Settlement Agreement – A violation of 201 KAR 22:045 by failing to provide proof of the necessary hours of continued competency for the biennium beginning April 1, 2013 and ending March 31, 2015. Reprimand, and a \$1,280 fine.

Rachel Brunette, PT

Date: 01/14/2016

Final Action: Order and Settlement Agreement – A violation of 201 KAR 22:045 by failing to provide proof of the necessary hours of continued competency for the biennium beginning April 1, 2013 and ending March 31, 2015. Reprimand, and a \$2,100 fine.

Douglas Adams, PT

Date: 01/14/2016

Final Action: Order and Settlement Agreement – A violation of KRS 327.070 (2)(k) by failing or refusing to obey a lawful order of the Board, KRS 327.070 (2)(m) by being impaired by reason of mental, physical, or other condition that impedes his ability to practice competently, and KRS

327.020 (1) by engaging in the practice of physical therapy in the Commonwealth of Kentucky without a valid license. Reprimand, Suspension, IPTPC, personal appearance and a \$1,550 fine

Lee Ann Shelton, PTA Applicant

Date: 08/4/2016

Final Action: Order and Settlement Agreement – A violation of KRS 327.070(2)(g) Obtaining or attempting to obtain a license or certificate by fraud or material misrepresentation or making any other false statement to the board. Reprimand, and possible IPTPC.

Immediate and Temporary Suspension

Garry Tucker, PT

Date: 05/05/2016

Probable Violation: KRS 327.070(2)(k) and KRS.327.070(2)(a)

Action: Immediate Temporary Suspension, effective 05/09/2016

Margaret Harris, PT

Date: 06/23/2016

Probable Violation: KRS 327.070(2)(k) and KRS.327.070(2)(a)

Action: Immediate Temporary Suspension, effective 06/27/2016

Change of Home Address, Email Address, Name, or Worksite

Written notice of any change of employment, home address, email address, or telephone number must be sent to the Board office within 30 days of the change according to KRS 327.040(6) and 201 KAR 22:035 Section 2. For a name change, please send a copy of the legal document verifying the change. You may mail, fax, or email the information to the Board office.

Name **(Required)** _____

License / Certificate No. _____

Home Address _____

City State Zip County

Phone (____) _____

Email address _____

Primary Work Facility _____

Address _____

City State Zip County

Phone (____) _____ Full/Part time _____

Note: Our agency provides licensure lists for a fee to recruiters, continuing education sponsors, and other agencies. Please designate your preferred address of public record for public disclosure. If a preferred address is not designated, the default address will be your home address.

Address Designation

Please use my home address _____

Please use my primary work location address _____

Board of Physical Therapy Contact Information

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