



## KENTUCKY BOARD OF PHYSICAL THERAPY

**Andy Beshear**  
Governor

312 Whittington Parkway, Suite 102  
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**Stephen Curley**  
Executive Director

February 27, 2023

CERTIFIED MAIL  
AND REGULAR MAIL

Derek Stewart, PT  
243 Windward Way  
Richmond, KY, 40475

Re: **Order and Notice of Immediate Temporary Suspension**  
**Certificate No. 007861**  
**Agency Case No. C2023-01**

Dear Derek Stewart:

On February 22, 2023, during a Special Board Meeting the Kentucky Board of Physical Therapy ("Board") considered multiple complaints filed regarding your license to practice as a physical therapist in Kentucky.

Following a review of the relevant information, the Board made the following findings of fact:

1. On or about February 15, 2023, the Board received a complaint that you were dismissed from employment after you "inappropriately touched" a patient.
2. On or about February 15, 2023, Stephen Curley, Executive Director received a call at 9:34 AM on his state issued cell phone from Derek Stewart, PT, regarding his dismissal from KORT Physical Therapy. Mr. Stewart indicated that he intentionally inappropriately touched a patient during the course of a physical therapy treatment. Mr. Stewart notified Mr. Curley that he had a sexual addiction issue that may have led to this incident. Mr. Curley notified Mr. Stewart that he needed to put the incident in writing to the Board.
3. On or about February 15, 2023, the Board received via email a self-report complaint from Mr. Stewart indicating

**TEAM**  
**KENTUCKY**<sup>™</sup>

An Equal Opportunity Employer M/F/D

Based upon this information, the Board finds that there is reasonable cause to believe that you violated KRS 327.070(2)(m) Being impaired by reason of a mental, physical, or other condition that impedes his or her ability to practice competently. See, KRS 327.040(14). The Board hereby ORDERS your physical therapist License No. 007861 issued by the Board is immediately and temporarily suspended.

This immediate temporary suspension shall become effective upon your receipt of this Order, but in no event later than Wednesday, March 1, 2023, at 5:00 p.m. E.T. You may not work or practice as a physical therapist after receiving this Order, but in no event later than Wednesday, March 1, 2023, at 5:00 p.m. E.T. unless you hold a current certificate in good standing issued by the Board.

You may appeal this action of the Board under KRS 13B.125 by filing a written request with the Board for an emergency hearing. You are hereby ORDERED by the Board that, if you wish to appeal this action by requesting an emergency hearing, you shall do so as set forth herein by notifying the Board through its staff that you desire an emergency hearing, which shall be conducted under KRS 13B.125. A request for an emergency hearing does not stay the effectiveness of this Order. If you request an emergency hearing, the only issue in such an emergency hearing under KRS 13B.125 is whether "there is substantial evidence of a violation of law which constitutes an immediate danger to the public health, safety, or welfare." The violation of law cited herein is KRS 327.070(2)(m) Being impaired by reason of a mental, physical, or other condition that impedes his or her ability to practice competently.

Please review this Order, sign and date below, and provide a copy to a representative of the Board or mail a copy to the Board at the address on this letterhead, to acknowledge receipt and compliance.

Sincerely,



Stephen Curley, Executive Director  
Kentucky Board of Physical Therapy

cc: M. Keith Poynter, General Counsel  
Emily Caporal, PharmD, Director, Impaired Physical Therapy Practitioner's Committee

**Brian Fingerson, R.Ph., Impaired Physical Therapist's Committee**  
**Peggy Block, PT, Kentucky Board of Physical Therapy Chair**

The Board of Physical Therapy is pleased to announce the formation of the Impaired Physical Therapist's Committee. This committee is a part of the Board's commitment to the public and to the profession. The committee will be responsible for the identification, assessment, and treatment of physical therapists who are impaired. The committee will also be responsible for the monitoring of the progress of the impaired therapist and for the reporting of the results of the monitoring to the Board.

The committee will be composed of five members, three of whom will be physical therapists and two of whom will be members of the public. The committee will be appointed by the Board and will report to the Board on a regular basis. The committee will be responsible for the identification, assessment, and treatment of physical therapists who are impaired. The committee will also be responsible for the monitoring of the progress of the impaired therapist and for the reporting of the results of the monitoring to the Board.

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Brian Fingerson, R.Ph.  
Impaired Physical Therapist's Committee