



## KENTUCKY BOARD OF PHYSICAL THERAPY

Andy Beshear  
Governor

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Scott D. Majors, Esq.  
Executive Director

### MINUTES OF SPECIAL MEETING September 17, 2020

Board Members: Tom Pennington, PT, Chair  
Edward Dobrzykowski, PT, Chair-Elect  
Peggy Block, PT  
Larry Brown, PT, Public Member  
Sonya Dick, PT  
Christopher Pyles, PT  
Karen Thompson, PT

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

Board Agents: Brian Fingerson, RPh, IPTPC Director

KPTA Liaison: Dr. Janice Kuperstein

A special meeting of the Kentucky Board of Physical Therapy was called to order by the Board's Chair, Tom Pennington, at 9:03 a.m. on Thursday, 09/17/20, via Zoom video teleconference according to the guidance issued by Governor Beshear, pursuant to KRS 61.823 and 61.826. A quorum was present.

Mr. Pennington began the meeting by reading into the record that the Board's mission is public protection as it pertains to the delivery of physical therapy services throughout the Commonwealth of Kentucky. Each decision and action taken by the Board shall be in the best interest of public protection without bias and personal conflicts of interest. Mr. Pennington asked the Board members to recuse themselves from both discussion and voting on any matter in which a conflict of interest exists.

Additionally, Mr. Pennington stated the Board would operate within the defined Scope of Authority set forth in the Kentucky Revised Statutes and Administrative Regulations. He requested the Board Attorney to guide and inform the Board on any contemplated or performed actions that fall outside the parameters of the Board's legal authority.

### Minutes for Previous Special Meeting

The Board reviewed the draft minutes of the 07/09/20 special Board meeting.

**Action taken:** Following review and discussion of a proposed amendment to the draft minutes, Ms. Block made a motion to approve the minutes of the Board meeting of 07/09/20, as amended. The motion was seconded by Ms. Thompson, which carried.

### **APTA KY Liaison Report**

Dr. Kuperstein reported to the Board that APTA KY has an upcoming virtual conference scheduled. Additionally, Dr. Kuperstein reported that the Athletic Trainers have submitted a regulation for review to the Kentucky Medical Licensure Board (KMBL) on the recent Athletic Trainers SB 125 that was passed. As APTA KY has concerns relating to the types of NATA guidelines to be included, APTA KY is awaiting KMBL's review. Additionally, the regulation identifies as within the scope of practice various matters taught in continuing education courses, including dry needling. Dr. Kuperstein informed the Board that APTA KY would continue to monitor the regulation.

### **Board Discussions, Committees and Opinion Requests**

#### **COVID-19 -- KBPT's Statutes and Regulations**

Mr. Majors reported to the Board that there have been multiple inquiries from both physical therapists and physical therapist assistants regarding the continued competency requirements during the COVID-19 pandemic. Credential holders are inquiring whether the Board intends to make any concessions with the continued competency requirements for the 2019-2021 biennium. The Board discussed at length the regulation for continued competency requirements, 201 KAR 22:045, and procedures specifically as they relate to the hardship extension qualifications and requirements. The Board concluded that the existing hardship extension will help credential holders by allowing them additional time upon request through the next renewal cycle to complete the continued competency requirements for the 2019-2021 biennium.

**Action taken:** After a lengthy discussion with Board staff, Ms. Block made the motion for the Board to: (a) delegate to staff the authority to review and approve hardship extensions without referring each hardship extension request to the Board for approval; and (b) authorize staff to send out mass notifications via email to credential holders informing them of the hardship extension option. The motion was seconded by Ms. Dick, which carried.

#### **APTA KY -- Continued Competency Proposal**

Dr. Kuperstein informed the Board that the letter the Board recently received from APTA KY is not reflective of its current request regarding proposed changes to 201 KAR 22:045, the Board's administrative regulation concerning continued competency requirements and procedures. Dr. Kuperstein suggested that the Board review the new information that will be provided in an updated letter and discuss this topic at the November Board meeting.

**Action taken:** No action taken.

#### **FSBPT's Leadership Issues Forum**

The Board discussed the qualifications of the candidates who are running for the positions of Director #2, Director #3, and Nominating Committee.

The Board reviewed the information regarding the candidate for the Director #2 position, Ms. Adrienne Price from Georgia. She is running unopposed at this time due to the unexpected death of Mr. Jeffrey Vinzant.

**Action taken:** Ms. Block made the motion for the Board to authorize Tom Pennington, as the Board's voting delegate, to cast his vote for Ms. Price for Director #2 during FSBPT's 2020 Delegate Assembly. The motion was seconded by Mr. Brown, which carried.

The Board reviewed the information regarding the two candidates for the Director #3 position, Ms. Joni Kalis from Oregon and Ms. Charlotte Martin from Louisiana.

**Action taken:** After a brief discussion, Ms. Block made the motion for the Board to authorize Mr. Pennington, as the Board's voting delegate, to cast his vote in favor of Ms. Kalis for Director #3 during FSBPT's 2020 Delegate Assembly. The motion was seconded by Mr. Brown, which carried.

The Board reviewed the information regarding the two candidates for the Nominating Committee Member position, Mr. Joseph Shanley, Jr. from New Hampshire and Ms. Jennifer Wissinger from Ohio.

**Action taken:** After a brief discussion, Ms. Block made the motion for the Board to authorize Mr. Pennington, as the Board's voting delegate, to cast his vote in favor of Mr. Shanley for the Nominating Committee Member during FSBPT's 2020 Delegate Assembly. The motion was seconded by Mr. Brown, which carried.

#### **Physical Therapy Licensure Compact**

Ms. Ramsey informed the Board that there are currently 75 physical therapists and 25 physical therapist assistants who have purchased a Compact privilege in Kentucky.

Mr. Majors disseminated a copy of the Compact Commission's User Task Force report to the Board members for review. Mr. Majors informed the Board that FSBPT is in the process of searching for a company to develop a new online software program, and that FSBPT intends to include feedback from the Compact Commission regarding modifications that may render the Compact Commission's website more user friendly. Additionally, Mr. Majors reported on the legislative update on jurisdictions trying to pass Compact legislation.

**Action taken:** No action taken.

#### **Criminal Background Reports**

Ms. Ramsey informed the Board that she continues to receive updates from the Kentucky State Police regarding the new digital criminal background check still scheduled to be implemented in October of 2020.

**Action taken:** No action taken.

#### **KBPT Practice Act Review Committee**

Mr. Majors reported that the KBPT Practice Act Review Committee had its fifth meeting on 09/15/2020 to continue a comprehensive review of Kentucky's Physical Therapy Practice Act. In addition, he reported that this Committee might need to schedule an extra meeting to devote entirely to Licensing. Mr. Pennington informed the Board that this Committee is on schedule, and a comprehensive report will be provided to the Board for review and discussion at the November Board meeting. Additionally, Dr. Kuperstein reported that APTA KY is still reluctant to support any effort to open the Practice Act during the 2021 Legislative session, absent a compelling reason. APTA KY would consider opening the Practice Act during the 2022 Legislative session.

**Action taken:** No action taken.

#### **KBPT Foreign-Educated Applicant Taskforce**

Ms. Block reported that the KBPT Foreign-Educated Applicant Taskforce had a productive meeting reviewing the requirements in the Practice Act as they pertain to foreign-educated applicants. Additionally, Ms. Block reported the recommendation of the taskforce that those foreign-educated applicants who are seeking licensure in Kentucky via endorsement no longer be required to complete supervised clinical practice as part of the licensure process. This recommendation to amend the statute will be presented to the Practice Act Review Committee report.

**Action taken:** No action taken.

#### **Personnel Cabinet -- Business Continuity Plan**

Mr. Majors reported that the Personnel Cabinet has requested a Business Continuity Plan be submitted for the Kentucky Board of Physical Therapy, and that it will need to be approved by the Board and incorporated in the Policy and Procedure Manual.

**Action taken:** After a brief discussion, the Board instructed staff to draft a proposed Business Continuity Plan and submit it for Board review and approval at the November meeting.

### **Kentucky Telehealth Practice Standards Webinar**

Mr. Dobrzykowski reported that both he and Mr. Majors attended the Telehealth Practice Standards webinar on 07/30/2020. Mr. Dobrzykowski reported that the National Public Health Emergency has been extended until 10/24/2020. Additionally, he reported on the salient topics of the webinar, including the telehealth platform post-COVID-19; telehealth standardized terminology; recommendations for the parameters on telehealth; and educational framework.

**Action taken:** No action taken.

### **KBPT Online Applications**

Mr. Curley reported that he has engaged in weekly meetings with the developers at Kentucky Interactive regarding the Online Application portal. Mr. Curley advised that the schedule to implement this initiative has been delayed due to COVID-19. Additionally, Mr. Majors reported that he and Mr. Curley attended a meeting of Executive Directors held virtually with other licensing boards to discuss different platforms for the design and implementation of online applications.

**Action taken:** No action taken.

### **2021-2023 Jurisprudence Exam Item Writers**

Dr. Kuperstein reported on the 2021-2023 Jurisprudence Exam Item Writers Committee. She explained the process of creating the questions from information that Mr. Majors provided to the Committee, and how the Board will review exam questions that will be presented at the November Board meeting.

Additionally, Mr. Majors requested that the Board make a motion to officially authorize the creation of the 2021-2023 Jurisprudence Exam Item Writers Committee for purposes of compensating each item writer \$60 per hour for their work in the creation of the 2021-2023 Jurisprudence Exam.

**Action taken:** Mr. Dobrzykowski made a motion for the Board to officially approve Dr. Kuperstein, Debra Turner, and Troy Grubb to serve as the 2021-2023 Jurisprudence Exam Item Writers Committee. The motion was seconded by Karen Thompson, which carried.

### **Sexual Harassment Complaint Hotline**

Mr. Pennington discussed with the Board the possibility of creating or using an existing system to allow the public to report to the Board sexual harassment and/or sexual assault complaints. After a lengthy discussion with Board members and staff, Mr. Pennington advised he would like to work with staff to create an online complaint platform that would allow individuals to anonymously report sexual boundary complaints. Additionally, he would like the platform to include links to additional resources for victims of sexual boundary violations.

**Action taken:** No action taken.

### **FSMB Physician Sexual Misconduct Webinar: New Policies & Approaches**

Mr. Curley reported to the Board that he attended the Federation of State Medical Boards' Sexual Misconduct webinar on 9/10/2020. Mr. Curley briefly reported on the salient topics of the webinar concerning transparency; addressing complaints in a timely manner; investigative procedures; and intensive training.

**Action taken:** The Board requested that Mr. Majors research existing affordable training opportunities concerning sexual misconduct allegations for the Board to review at the November meeting.

### **Behavior Analysis Coursework**

Mr. Curley briefly reported on the Behavior Analysis Coursework training he has completed through the Federal Law Enforcement Training Center. Mr. Curley explained that the training primarily addresses communication discrepancies.

**Action taken:** No action taken.

### **KBPT Approval Request: Bar Dues**

Mr. Majors requested that the Board consider reimbursing himself and Mr. Poynter for their annual dues for membership to the Kentucky Bar Association (KBA).

**Action taken:** Ms. Dick made the motion for the Board to approve reimbursement for KBA dues for Mr. Majors and Mr. Poynter. The motion was seconded by Mr. Brown, which carried. Mr. Dobrzykowski dissented.

### **Staff Reports and Discussions**

The Board reviewed the following staff reports:

- (a) Michelle Price, a physical therapist assistant, who submitted a request that the Board accept continued competency hours that she completed at the end of the 2017-2019 biennium for the current biennium.

**Action taken:** After discussion, the Board instructed staff to respond to Ms. Price that her request to apply continued competency hours completed in the previous biennium to the current biennium is denied, and to inform Ms. Price of the Hardship Extension option due to COVID-19.

- (b) Rick Wickstrom, a physical therapist, who appeared before the Board to discuss the Board's response to the inquiry he submitted at the July meeting regarding the Department of Transportation (DOT) Physical Exam. The Board determined at the July meeting that the Department of Transportation (DOT) Physical Exam was not within the scope of practice of a licensed physical therapist in Kentucky.

**Action taken:** The Board requested that Mr. Wickstrom submit additional information to include a detailed outline of the certification process to become a medical examiner, information regarding automatic defaults in medical exams, and information that addresses the accrediting bodies of the exam.

- (c) Mary Lou Zeh, a physical therapist, who submitted an inquiry on whether the Board would consider financial relief by either reducing the renewal fee or the number of continued competency hours a physical therapist or physical therapist assistant is required to complete to renew her/his credential.

**Action taken:** The Board instructed staff to inform Ms. Zeh that credential holders may submit a Hardship Extension and she/he would have through the next renewal cycle to complete the continued competency requirements for the 2019-2021 biennium.

- (d) Camden Campbell, a physical therapist who appeared before the Board to request an early release from his five-year IPTPC contract that he signed in 2018 as part of a settlement agreement with the Board. Mr. Fingerson reported to the Board that he had no issues or concerns with releasing Mr. Campbell from his IPTPC contract.

**Action taken:** No action taken.

- (e) Emily Spencer, an occupation therapist, who is requesting clarification on whether a physical therapist assistant can complete restorative nursing programs in long term care facilities when the patient is not on a PT caseload.

**Action taken:** After discussion, the Board instructed staff to respond to Ms. Spencer that a PTA is qualified to complete restorative nursing programs, but a PTA cannot treat a patient without a PT plan of care.

- (f) Board staff brought an inquiry before the Board requesting clarification on whether a physical therapist assistant can provide sideline services at athletic events with a physical therapist and a physician on call? This question was submitted via the Board email.

**Action taken:** The Board authorized staff to respond that a PTA cannot provide care at athletic events. Additionally, Ms. Dick made a motion for the Board to open an investigation and file a Board Initiated Complaint (BIC), BIC2020-22. The motion was seconded by Ms. Thompson, which carried.

- (g) KBPT staff brought an examination application before the Board for review. The applicant answered “yes” to question 8 on the exam application, affirming that she/he has been convicted of, or has pending charges for, any felony, misdemeanor, or any crime in the courts of this state, other, state, territory or country. The applicant has multiple previous convictions involving fraud and identity theft.

**Action taken:** After discussion, Mr. Pyles made a motion for the Board to authorize Mr. Poynter to draft a settlement agreement with specified terms, require the applicant to appear before the Board at the November meeting, and defer the issuance of a credential if the individual successfully passes the exam in October. The motion was seconded by Ms. Block, which carried.

- (h) KBPT staff brought an endorsement application before the Board for review. The applicant failed to answer “yes” to question 10 on the endorsement application, affirming that she/he had a record expunged from a felony or misdemeanor conviction.

**Action taken:** After discussion, Mr. Dobrzykowski made a motion for the Board to approve the application with no restrictions. The motion was seconded by Mr. Brown, which carried.

### **Update on Monitoring Probations**

The Board noted the following credential holders who are presently being monitored: Sabrina Pletz, PTA; Andrea Brown, PT; Nathan Yates, PTA; Karen Brooks, PT; and Alexander Love, PT. A monitor report was submitted by the Board-appointed monitor and considered by the Board for Mr. Love.

Additionally, Mr. Curley reported that Mr. Love has completed the ethics and boundary course required as one of terms of his settlement agreement. Mr. Curley discussed the scores with the Board.

**Action taken:** No action taken.

## **REPORTS AND OTHER BUSINESS**

### **Legal Report**

Mr. Poynter briefly provided an update on 201 KAR 22:170. He reported that the regulation had passed through the administrative rules review subcommittee and has become effective.

Additionally, Mr. Poynter discussed a Courier-Journal article concerning a violation of Open Meetings law on the part of Louisville Metro Government and the Mayor. The violation was determined to have occurred when the Mayor and members of Metro Counsel engaged in calls concerning current issues. The phone calls were not open to the public and no transcripts were provided. Mr. Poynter reiterated to Board members the importance of always following the Open Records and Open Meetings Acts.

Finally, Mr. Poynter disseminated a copy of a document he created to provide guidance on ADA and regulatory boards. Mr. Poynter discussed with the Board questions on the applications for licensure and renewal and whether these questions should be revised. Mr. Poynter advised that questions surrounding specific qualifications, or questions surrounding “impact” of a diagnosis, are not considered an issue; however, questions that specifically single out conditions only, with no respect for their impact, are likely unacceptable under the ADA.

## Executive Director's Report

### Financial Report

Mr. Majors offered a report that addressed the Board's finances at length, including the Board's annual, monthly, and quarterly FAS3 financial reports for the Board's revenues and expenditures. He also reviewed a financial worksheet highlighting in detail the Board's revenue, personnel and operating expenses, quarterly allotments and annual appropriations.

**Action taken:** No action taken.

### KYOAG Memorandum of Agreement

Staff reported that the Office of the Attorney General's Division of Administrative Hearings is changing its billing methodology from a monthly IET transfer to a monthly PON2 document through a memorandum of agreement to provide hearing officer services to the Board.

### KBPT School Presentations

Ms. Ramsey reported that she conducted a school presentation via video conferencing with the students at West Kentucky Community and Technical College on 9/04/2020.

**Action taken:** No action taken.

### Conferences and Meetings Relating to Physical Therapy

The Board reviewed the following schedule of upcoming conferences:

- a. 2020 FSBPT Annual Meeting and Delegate Assembly  
(10/22/20 – Virtual Meeting)  
(KBPT Chair Tom Pennington to serve as KBPT's Primary Voting Delegate; Sonya Dick to serve as KBPT's Alternate Voting Delegate; and Scott Majors to serve as KBPT's Administrator)
- b. 2020 Annual Meeting – Physical Therapy Licensure Compact Commission  
(10/24/20 – Virtual Meeting)  
(Scott Majors to serve as KBPT's Delegate and Compact Commission Executive Board member)

### New Licensee/Reinstatement/Renewal Applications

**Action taken:** Ms. Dick 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. Block, which carried. The lists are attached to these minutes.

### Civil Matters and Investigations

Mr. Pyles made the motion for the Board to retire into Executive Session pursuant to KRS 61.810(1)(c), (f), and (j) to discuss deliberations of judicial or quasi-judicial bodies regarding individual adjudications that may lead to the discipline of credential holders. The motion was seconded by Mr. Brown, which carried.

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

### 2019 Complaint Committee

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

**Action taken:** No action taken.

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

**Action taken:** No action taken.

**C2019-17:** The Complaint Committee provided a brief history that this case involves a credential holder who committed fraud and material deception. The credential holder has signed the proposed Settlement Agreement.

**Action taken:** Following discussion, the Complaint Committee recommended and moved to accept the proposed Settlement Agreement. The motion was seconded by Ms. Thompson, which carried.

**C2019-18:** The Complaint Committee reported this case is ongoing.

**Action taken:** No action taken.

**CE2019-95:** The Complaint Committee provided a brief history that this case involves a credential holder who was deficient with the Continued Competency requirements and issued a proposed Settlement Agreement. The Complaint Committee informed the Board that the credential holder has accepted and signed the Settlement Agreement.

**Action taken:** The Complaint Committee recommended and moved to accept the proposed Settlement Agreement and dismiss the Notice of Hearing. The motion was seconded by Ms. Block, which carried.

**BIC2019-101:** The Complaint Committee provided a brief history that this case involves a credential holder who has violated the terms of her/his Conditional Reinstatement Settlement Agreement by failing to comply with the terms of her/his IPTPC contract. The credential holder has tested positive for alcohol consumption. Additionally, the Complaint Committee reported that the credential holder is currently under an Immediate Temporary Suspension (ITS) and has informed Mr. Fingerson that she/he would like to surrender her/his credential.

**Action taken:** Following discussion, the Complaint Committee recommended and moved to authorize Mr. Poynter to draft a voluntary surrender agreement and include a pathway to reinstatement where the individual must comply with the terms of the original conditional reinstatement settlement agreement. The motion was seconded by Mr. Brown, which carried.

**BIC2019-109:** The Complaint Committee provided a brief history that this case involves a credential holder who has violated the terms of her/his Conditional Grant of Credential Settlement Agreement by failing to comply with the terms of her/his IPTPC Contract. The credential holder recently tested positive for alcohol consumption. Additionally, the Complaint Committee reported that a PTA certificate previously issued to this individual is currently under an Immediate Temporary Suspension (ITS), and that a separate PT application is under review. The Board reviewed supplemental information provided by the credential holder, and she/he appeared before the Board to address her/his situation and answer any questions from Board members.

**Action taken:** Following discussion, and at the recommendation of Mr. Fingerson, Ms. Dick made a motion for the Board to authorize Mr. Poynter to draft a Board Order requiring the individual to schedule an IPTPC-approved comprehensive professional evaluation within 30 days at the cost of the credential holder, and for the Board to review the status of this case at the next meeting after the evaluation report has been received. The motion was seconded by Mr. Brown, which carried.

**BIC2019-110:** The Complaint Committee reported that this case is ongoing.

**Action taken:** No action taken.

**BIC2019-111:** The Complaint Committee reported that this case is ongoing.

**Action taken:** No action taken.



**BIC2019-112:** The Complaint Committee reported that this case is ongoing.

**Action taken:** No action taken.

**BIC2019-113:** The Complaint Committee reported that this case is ongoing.

**Action taken:** No action taken.

**BIC2019-114:** The Complaint Committee reported that this case is ongoing.

**Action taken:** No action taken.

**BIC2019-115:** The Complaint Committee reported that this case is ongoing.

**Action taken:** No action taken.

**BIC2019-116:** The Complaint Committee reported that this case is ongoing.

**Action taken:** No action taken.

### **2020 Complaint Committee**

**BIC2020-02:** The Complaint Committee provided a brief history that this case involves allegations against a credential holder for fraud and material deception.

**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 Mr. Brown, which carried.

**C2020-03:** The Complaint Committee reported that this case is ongoing.

**Action taken:** No action taken. Mr. Dobrzykowski recused himself from any discussion or voting pertaining to C2020-03 by excusing himself from the meeting.

**C2020-04:** The Complaint Committee provided a brief history that this case involves a credential holder who failed to reassess patients.

**Action taken:** The Complaint Committee recommended and moved to authorize Mr. Poynter to draft a proposed settlement agreement with specified terms, and concurrently open a Board Initiated Complaint (BIC), BIC2020-21 and investigation on an individual discovered during the investigative process who treated patients without a reassessment. The motion was seconded by Mr. Brown, which carried.

**C2020-09:** The Complaint Committee reported that this case is ongoing.

**Action taken:** No action taken. Mr. Pennington recused himself from any discussion or voting pertaining to C2020-09 by excusing himself from the meeting.

**C2020-11:** The Complaint Committee reported that this case involves a credential holder who may be mentally impaired. This individual is not currently working or practicing on their credential, and the individual has expressed an intent not to return to work or practice.

**Action taken:** After discussion, the Complaint Committee recommended and moved that Mr. Poynter send a letter informing the credential holder that if she/he return to practice they must inform the Board within 30 days and the Board will reassess any issues at that time. The motion was seconded by Ms. Thompson, which carried.

**C2020-12:** The Complaint Committee reported that this case involves a credential holder who allegedly violated the physical therapy scope of practice.

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

**C2020-13:** The Complaint Committee reported that this case involves a possible term protection violation.

**Action taken:** After reviewing the facts and circumstances of this case, the Complaint Committee recommended and moved to take no action. The motion was seconded by Ms. Thompson, which carried.

**C2020-14:** The Complaint Committee reported that this case involves a possible term protection violation.

**Action taken:** The Complaint Committee recommended and moved to open an investigation and authorize Mr. Poynter to reach out with a Letter of Agreement. The motion was seconded by Ms. Dick, which carried.

**C2020-15:** The Complaint Committee reported that this case involves a credential holder who allegedly committed fraud and material deception.

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

**C2020-16:** The Complaint Committee reported that this case involves a possible term protection violation.

**Action taken:** After reviewing the facts and circumstances of this case, the Complaint Committee recommended and moved to take no action. The motion was seconded by Mr. Brown, which carried.

**C2020-17:** The Complaint Committee reported that this case involves a possible term protection violation.

**Action taken:** The Complaint Committee recommended and moved to open an investigation and authorize Mr. Poynter to reach out with a Letter of Agreement. The motion was seconded by Ms. Block, which carried.

**C2020-18:** The Complaint Committee reported that this case involves a credential holder who allegedly committed a boundary violation with sexual assault against a minor.

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

**BIC2020-19:** The Complaint Committee reported that the credential holder allegedly has violated her/his Settlement Agreement by failing to comply with the terms of her/his IPTPC contract. The credential holder has tested positive for amphetamines and methamphetamines. Mr. Fingerson reported that the individual is addressing the violation and reaching out to her/his therapists and to the treatment center where she/he completed treatment. Mr. Fingerson reported that he does not think the credential holder is a danger to the public.

**Action taken:** After discussion, and at the recommendation of Mr. Fingerson, the Complaint Committee recommended and moved to open a Board Initiated Complaint (BIC) and to issue an Immediate Temporary Suspension (ITS) which immediately may be voided, and the credential holder administratively reinstated, if the IPTPC Chair, the Board Chair and Mr. Majors agree based on a review

of the therapist(s)' letters that no danger to the public is presented. The motion was seconded by Mr. Brown, which carried.

**BIC2020-21:** The Complaint Committee reported that this case allegedly involves a credential holder who practiced under a Temporary Permit without supervision.

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

### **IPTPC Report**

Mr. Fingerson presented his written IPTPC report dated 09/09/20. IPTPC cases that previously have come to the attention of the Board or were discussed at length during the Complaint Committees' reports were reviewed.

Ms. Dick made the motion to adjourn the meeting at 4:27 p.m., seconded by Ms. Thompson, 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