



KENTUCKY BOARD OF PHYSICAL THERAPY

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Andy Beshear
Governor

Stephen Curley
Executive Director

MINUTES OF MEETING January 16, 2025

Board Members: Karen Ogle, PT, Chair
Ramona Carper, PT, Chair-Elect
Mark Cook, PTA
Stephanie Lutz, PTA
Brad Profitt, PT
Karen Thompson, PT

Board Staff: Stephen Curley, Executive Director
Lisa A. Turner, Licensure Coordinator
Keith Poynter, General Counsel

APTA KY Liaison: Dr. Janice Kuperstein

A meeting of the Kentucky Board of Physical Therapy was called to order by the Board's Chair, Karen Ogle, at 9:00 a.m. on Thursday, 1/16/25, at the Board Office and via video teleconference. A quorum was present.

Ms. Ogle 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. Ms. Ogle asked the Board members to recuse themselves from both discussion and voting on any matter in which a conflict of interest exists.

Additionally, Ms. Ogle stated the Board would operate within the defined scope of authority set forth in the Kentucky Revised Statutes and Administrative Regulations. She requested the Board's General Counsel 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 Board Meeting

The Board reviewed the draft minutes of the 11/21/24 Board meeting.

Action taken: Following review and discussion, Ms. Lutz made a motion to approve the minutes of the Board meeting of 11/21/24, as drafted. The motion was seconded by Mr. Cook, which carried.

The Board reviewed the draft minutes of the 10/4/24 Special Board meeting.

Action taken: Following review and discussion, Ms. Carper made a motion to approve the minutes of the Special Board meeting of 10/4/24, as drafted. The motion was seconded by Ms. Thompson which carried.

Civil Matters and Investigations

Ms. Lutz 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 Ms. Carper, which carried.

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

2019 Complaint Committee

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

Action taken: No action taken.

2023 Complaint Committee

BIC2023-10: The Complaint Committee reported that this case is ongoing.

Action taken: No action taken.

BIC2023-14: The Complaint Committee reported that this case involves a credential holder who allegedly treated a patient without an evaluation. During the November Board meeting the Board voted to issue a Notice of Hearing against the credential holder. The credential holder submitted a counteroffer regarding the terms the board previously offered in September.

Action taken: After reviewing the facts and circumstances of this case, the Complaint Committee recommended to reject the counteroffer submitted by the credential holder. Additionally, the Complaint Committee recommended and moved that counsel provide the credential holder with amended terms for a settlement. The motion was seconded by Ms. Lutz, which carried.

BIC2023-16: The Complaint Committee reported that this case involves a credential holder who allegedly committed fraud and material deception. Mr. Curley reported that the credential holder has signed the proposed settlement agreement.

Action taken: Following discussion, the Complaint Committee recommended and moved to authorize accept the proposed settlement agreement. The motion was seconded by Mr. Cook, which carried.

BIC2023-18: The Complaint Committee reported that this case involves a credential holder who practiced physical therapy without an evaluation. Mr. Curley reported that the credential holder has signed the proposed settlement agreement.

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

Ms. Lutz recused herself from any discussion or voting pertaining to BIC2023-18.

BIC2023-21: The Complaint Committee reported that this case is ongoing.

Action taken: No action taken.

C2023-23: The Complaint Committee reported that this case is ongoing.

Action taken: No action taken.

C2023-24: The Complaint Committee reported that this case is ongoing.

Action taken: No action taken.

CE2023-35

CE2023-57

CE2023-65

CE2023-98

CE2023-100

CE2023-107

CE2023-125: The Complaint Committee reported that these cases were issued a Notice of Hearing because they did not accept either a settlement agreement or private admonishment that were issued in January. Additionally, Board Counsel reported the cases are moving through the administrative hearing process.

Action taken: No action taken.

2024 Complaint Committee

BIC2024-02: The Complaint Committee reported that this case is ongoing.

Action taken: No action taken.

BIC2024-05: The Complaint Committee reported that this case is ongoing.

Action taken: No action taken.

BIC2024-09: The Complaint Committee reported that this case is ongoing.

Action taken: No action taken.

BIC2024-10: The Complaint Committee reported that this case involves a credential holder who practiced physical therapy without an evaluation. Mr. Curley reported that the credential holder has signed the proposed settlement agreement.

Action taken: Following discussion, the Complaint Committee recommended and moved to authorize accept the proposed settlement agreement. The motion was seconded by Mr. Cook, which carried.

Ms. Lutz recused herself from any discussion or voting pertaining to BIC2024-10.

BIC2024-11: The Complaint Committee reported that this case involves a credential holder who practiced physical therapy without an evaluation. Mr. Curley reported that the credential holder has signed the proposed settlement agreement.

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

Ms. Lutz recused herself from any discussion or voting pertaining to BIC2024-11.

C2024-12: The Complaint Committee reported that this case in ongoing.

Action taken: No action taken.

BIC2024-13: The Complaint Committee reported that this case in ongoing.

Action taken: No action taken.

C2024-14: The Complaint Committee reported that this case in ongoing.

Action taken: No action taken.

C2024-15: The Complaint Committee reported that this case in ongoing.

Action taken: No action taken.

C2024-17: The Complaint Committee reported that this case in ongoing.

Action taken: No action taken.

BIC2024-18: The Complaint Committee reported that this case in ongoing.

Action taken: No action taken.

BIC2024-19: The Complaint Committee reported that this case in ongoing.

Action taken: No action taken.

BIC2024-20: The Complaint Committee reported that this case in ongoing.

Action taken: No action taken.

BIC2024-22: The Complaint Committee reported that this case in ongoing.

Action taken: No action taken.

BIC2024-23: The Complaint Committee reported that this case in ongoing.

Action taken: No action taken.

BIC2024-24: The Complaint Committee reported that this case in ongoing.

Action taken: No action taken.

BIC2024-25: The Complaint Committee reported that this case involves an allegation of substandard care performed by a credential holder.

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

BIC2024-26: The Complaint Committee reported that this case involves an allegation of substandard care performed by a credential holder.

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

BIC2024-27: The Complaint Committee reported that this case involves an allegation falsification of documentation performed by a credential holder.

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

BIC2024-28: The Complaint Committee reported that this case involves an allegation of falsification of documentation performed by a credential holder.

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

BIC2024-29: The Complaint Committee reported that this case involves a credential holder practicing outside the Plan of Care.

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

IPTPC Report

Mr. Fingerson presented the written IPTPC report dated 1/8/25. IPTPC cases that previously have come to the attention of the Board or were discussed at length during the Complaint Committees' reports were reviewed.

Update on Monitoring Probations

The Board noted the following credential holders who are presently being monitored: Sabrina Pletz, PTA; Andrea Brown, PT; Donald Bruce Taylor, PT; and Bryon Cooper, PTA. No monitoring reports were submitted.

Action taken: No action taken.

Board Discussions, Committees and Opinion Requests

Practice Act Review Committee

Mr. Curley updated the Board on the follow-up from the meetings with legislators and potential changes to the Practice Act Draft. Mr. Curley reported a bill has been submitted.

Action taken: Following discussion and review, Mr. Cook made a motion to remove certain components of the bill before moving forward. The motion was seconded by Ms. Carper, which carried.

2024 PT Compact Report

Mr. Curley gave an overview of the PT Compact purchases in and outside of KY for 2024.

Action taken: No action taken.

2025 Renewal

Mr. Curley gave a brief overview of the start of the 2025 Renewal, program operations and renewal numbers in 2025.

Action taken: No action taken.

Board Retreat

Mr. Curley reported he had been in conversations with Pennyrile State Park regarding the May Board meeting and Board retreat.

Action taken: Following discussion and review, Ms. Carper made a motion to allow Mr. Curley to schedule the reservation and negotiate a contract for the retreat. The motion was seconded by Ms. Thompson, which carried.

Executive Director's Report

Financial Report

Mr. Curley offered a report that addressed the Board's finances for the first quarter, second quarter, and part of the third quarter of the 2025 Fiscal Year.

Action taken: No action taken.

Regulatory Review Taskforce

Administrative Regulation – 201 KAR 22:020

Mr. Curley reported the status of the 201 KAR 22.020 draft.

Action taken: No action taken.

Staff Reports and Discussions

The Board reviewed the following staff reports:

- (a) PT Compact Audit, Mr. Curley reported that following the November Board meeting, Mr. Curley and Board Counsel sent letters to the PTs and PTAs in an effort to gain cooperation with the Audit. Mr. Curley reported that everyone on the Audit list had completed their Audit requirements.

Action taken: No action taken.

- (b) Eloy May, a physical therapist who sought clarification on whether a physical therapist may perform pessary fittings procedures.

Action taken: After discussion, the Board authorized staff to respond that pessary fitting procedures are in the scope of physical therapy as long as the physical therapist has the proper training, education and expertise.

- (c) Veterinary Board: Mr. Curley reported that Ms. Ogle, Ms. Lutz and himself had a meeting with the Veterinary Board on 12/17/2024. Mr. Curley reported the meeting was to discuss regulation changes that the Veterinary Board is proposing.

Action taken: No action taken.

APTA KY Liaison Report

Dr. Kuperstein reported on the potential statute updates from APTA KY. Dr. Kuperstein also reported on a potential First Steps rate increase and APTA KY's support.

KBPT General Counsel's Legal Report

Mr. Poynter discussed with the Board current topics and how they may affect the Board in the future.

Conferences and Meetings Relating to Physical Therapy

The Board reviewed the following schedule of upcoming conferences:

- a. CAPTASA – Annual Meeting
(1/24-1/25/25 – Lexington, KY)
- b. Regulatory Workshop for Board Members & Administrators
(April 24-26| Alexandria, Virginia)
- c. Leadership Issues Forum (LIF)
(07/19-20, 2025 – Arlington, VA)
- d. CLEAR 2025 Annual Educational Conference
(09/15-18, 2025 – Chicago, IL)
- e. FSBPT Annual Education Conference

(10/23-25, 2025 – Spokane, WA)

Action taken: No action taken

New Licensee/Reinstatement/Renewal Applications

Action taken: Ms. Lutz 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. Thompsen, which carried. The lists are attached to these minutes.

New Business

Western Kentucky University Request

Mr. Curley reported that Kurt Neely, PT, with WKU requested the Board send an email to licensees regarding a survey that students at WKU were performing.

Action taken: Following discussion, the Board directed Mr. Curley to inform Mr. Neely that while they support the efforts of the students and WKU, they cannot send the emails from the Board office.

Reinstatement Application

KBPT staff brought a reinstatement application before the Board for review. Staff reported that the applicant's credential lapsed on 03/31/2015.

Action taken: Following discussion, Ms. Carper made a motion to have the applicant complete the PEAT and subsequent CEUs as well as supervised practice for 6-8 months. The motion was seconded by Mr. Cook, which carried.

Healthy Practice

Mr. Curley shared with the Board the Healthy Practice Resource from Healthcare Regulatory Research Institute's website and discussed the potential of providing CEUs for the next renewal period upon completion of the Healthy Practice modules. The Board shared interest and will review later.

Action taken: No Action taken

Board Member Per Diems and Expenses

Ms. Carper made a motion to approve per diems for Board members. The motion was seconded by Mr. Cook, which carried.

Adjournment

Mr. Cook made the motion to adjourn the meeting at 12:02 p.m., seconded by Ms. Lutz, which carried.

Respectfully submitted,



Stephen Curley
Executive Director