



KENTUCKY BOARD OF PHYSICAL THERAPY

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Andy Beshear
Governor

Stephen Curley
Executive Director

MINUTES OF MEETING March 20, 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
Krista Barton, Executive Secretary
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 9:01 a.m. on Thursday, 3/20/25, 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 1/16/25 Board meeting.

Action taken: Following review, discussion, and correction of one spelling error, Ms. Carper made a motion to approve the minutes of the Board meeting of 1/16/25, as amended. 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 Mr. Kleinert, which carried.

Subsequently, Mr. Kleinert made the motion for the Board to come out of Executive Session. The motion was seconded by Mr. Cook, 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 involved a credential holder who 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 was currently involved in a malpractice claim on the 2019 Renewal. The Malpractice case was paused during the COVID-19 pandemic and was not resolved until recently. Board staff spent an inordinate amount of time attempting to obtain records from the company involved. The investigation was completed, and the report turned over to the Complaint Committee for review.

Action taken: After reviewing the facts and circumstances of this case, the Complaint Committee recommended to close the case due to insufficient evidence of a violation. This motion was seconded by Ms. Thompson, which carried.

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 signed the proposed Settlement Agreement issued by the Board.

Action taken: After reviewing the facts and circumstances of this case, the Complaint Committee recommended to accept the proposed Settlement Agreement. The motion was seconded by Mr. Kleinert, which carried.

BIC2023-21: The Complaint Committee reported that this case involves a credential holder who allegedly engaged in fraud and material deception. The investigation was completed, and the report turned over to the Complaint Committee for review.

Action taken: After reviewing the facts and circumstances of this case, the Complaint Committee recommended and moved to authorize Board Counsel to draft a settlement agreement with specified terms. The motion was seconded by Ms. Lutz, which carried.

C2023-23: The Complaint Committee reported that this case involves a credential holder who allegedly performed substandard care. The investigation was completed, and the report turned over to the Complaint Committee for review.

Action taken: After reviewing the facts and circumstances of this case, the Complaint Committee recommended to close the case due to insufficient evidence of a violation. This motion was seconded by Mr. Cook, which carried.

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 involves a credential holder who allegedly engaged in fraud and material deception. The investigation was completed, and the report turned over to the Complaint Committee for review.

Action taken: After reviewing the facts and circumstances of this case, the Complaint Committee recommended and moved to authorize Board Counsel to draft a settlement agreement with specified terms. The motion was seconded by Ms. Thompson, which carried.

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.

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

Action taken: No action taken.

BIC2024-13: The Complaint Committee reported that this case involves a credential holder who is under an Immediate Temporary Suspension (ITS) for substance issues. The Credential holder was repeatedly noncompliant with the terms of their ITS.

Action taken: After reviewing the facts and circumstances of this case, the Complaint Committee recommended and moved to authorize Board Counsel to draft a Notice of Hearing and Formal Charges. The motion was seconded by Mr. Cook, which carried.

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

Action taken: No action taken.

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

Action taken: No action taken.

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

Action taken: No action taken.

BIC2024-18: The Complaint Committee reported that this case involves a credential holder under a voluntary suspension following a felony conviction and a potential substance issue.

Action taken: After reviewing the facts and circumstances of this case, the Complaint Committee recommended and moved to authorize Board Counsel to draft a conditional reinstatement with specified terms. The motion was seconded by Mr. Kleinert, which carried.

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 in ongoing.

Action taken: No action taken.

BIC2024-26: The Complaint Committee reported that this case in ongoing.

Action taken: No action taken.

BIC2024-27: The Complaint Committee reported that this case in ongoing.

Action taken: No action taken.

BIC2024-28: The Complaint Committee reported that this case in ongoing.

Action taken: No action taken.

BIC2024-29: The Complaint Committee reported that this case in ongoing.

Action taken: No action taken.

2025 Complaint Committee

C2025-01: The Complaint Committee reported that this case involves a credential holder who allegedly failed to respect the rights and dignity of patients.

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

Ms. Carper recused herself from any discussion or voting pertaining to C2025-01.

BIC2025-02: The Complaint Committee reported that this case involves a credential holder who allegedly has a substance issue.

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

IPTPC Report

Mr. Fingerson presented the written IPTPC report dated 3/4/25. 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 provided an update to the Board on the meetings with legislators and potential changes to the Practice Act Draft. Mr. Curley reported the bill has passed the House and is awaiting a Senate Committee.

Action taken: No action taken.

HB416

Mr. Curley gave an overview of the HB416 brought before the 2025 General Assembly. Mr. Curley provided a brief on the proposed bill because the Board has received several inquiries regarding HB416.

Action taken: No action taken.

Healthy Practice Resource Presentation

Richard Woolf, a physical therapist from the Federation of State Board of Physical Therapy (FSBPT) provided a presentation regarding the Healthcare Regulatory Research Institution (HRRI) Healthy Practice Resource (HPR) website for continuing education. The Board discussed the possibility of approving CEUs for completion of the HPR modules.

Action taken: The Board will revisit this topic for a more in-depth discussion over the coming months.

2025-2027 Renewal

Mr. Curley provided a brief overview of the 2025-2027 Renewal cycle including program operations and renewal numbers.

Action taken: No action taken.

Board Retreat

Mr. Curley discussed the May retreat with the Board reviewing the timeline and the draft Agenda.

Action taken: No action taken.

Executive Director's Report

Financial Report

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

Action taken: No action taken.

Administrative Regulation – 201 KAR 22:020

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

Action taken: No action taken.

NCIT – National Certified Investigator Training

Mr. Curley reported to the Board that the Council on Licensing, Enforcement and Regulation (CLEAR) scheduled an NCIT program in Louisville in November. Mr. Curley asked Board Members to review their calendars and confirm with staff if they have any interest in attending the NCIT program training.

Action taken: No action taken.

Staff Reports and Discussions

The Board reviewed the following staff reports:

- (a) Mr. Curley reported that the 2025 Audit will begin April. He discussed with the Board the Audit process for 2025 including Hardship and Non-Hardship extensions, settlements agreements and private admonishments related to continued competency violations. Additionally, he discussed Reinstatements and fine schedules for both the Audit and individuals who practiced on a lapsed credential.

Action taken: After discussion, Ms. Carper made a motion authorizing Board staff to initiate the Audit according to the Board's Policy and Procedure manual and to include the current fine structure. The motion was seconded by Ms. Lutz, which carried.

Additionally, Mr. Kleinert made a motion authorizing Board staff to review and either approve or deny Hardship and Non-Hardship extensions. The motion was seconded by Ms. Carper, which carried.

Also, Mr. Kleinert made a motion authorizing Board staff to issue settlement agreements and private admonishments to any credential holders who are determined to be in violation of the continued competency regulation. The motion was seconded by Mr. Cook, which carried.

Finally, Ms. Thompson made a motion to have Board staff issue settlement agreements and private admonishments in accordance with the Policy and Procedure manual including the fine structure to any credential holders who failed to renew their credentials and practiced on a lapsed credential. The motion was seconded by Mr. Kleinert, which carried.

- (b) Kids Center, a group of physical therapists who requested the Board review a regulation regarding the timeline for pediatric reassessments in outpatient clinics.

Action taken: After discussion, the Board authorized staff to deny the request to amend the reassessment regulation out of concern of different methods of treatment between school districts and outpatient clinics with additional concerns regarding the treatment of pediatric patients.

- (c) SCOT Mailing: Mr. Curley requested the Board's approval in purchasing a DS-40i folder and inserter machine for mailing purposes. Mr. Curley reported that this machine would save the Board Staff time and resources in daily office activities.

Action taken: After discussion, Mr. Kleinert made a motion to approve Board staff to purchase the DS-40i folder from SCOT Mailing. The motion was seconded by Mr. Cook, which carried.

- (d) Office Updates: Mr. Curley gave the Board a report on Office Updates.

Action taken: No action taken.

- (e) Staff Inquiry: PTA Reconciliation of Medications: a physical therapist who sought clarification on whether a physical therapist assistant may perform prescription reconciliation.

Action taken: After discussion, the Board authorized staff to respond while PTs and PTAs can document or chart the prescriptions of patients and changes to prescriptions, PTs and PTAs cannot make determinations on prescriptions or provide advice to patients concerning prescriptions. The PT and PTA must refer a patient to a Physician or Pharmacist with prescription concerns.

- (f) Staff Inquiry: PTA Scope of Practice - PT/INR: a physical therapist who sought clarification on whether a physical therapist could perform a Prothrombin Time Test/ International normalized ratio to determine blood clotting.

Action taken: After discussion, the Board authorized staff to respond that PTs can perform this test if they have the proper training, education and expertise as this test has fixed results that can be read and given to the patient with the proper training.

- (g) Staff Inquiry: K.B. Renewal Application – a credential holder submitted a renewal application reporting alcohol related arrests during the previous biennium.

Action taken: After discussion and review of the information, the Board decided to take no action at this time.

- (h) Staff Inquiry: K.B. Reinstatement Application – a credential holder submitted a reinstatement application following a suspension. Board staff reported that the credential holder has completed the terms of their Conditional Reinstatement.

Action taken: After discussion, Ms. Lutz made a motion to administratively reinstate the individual once everything is completed with their reinstatement application. The motion was seconded by Mr. Kleinert, which carried.

APTA KY Liaison Report

Dr. Kuperstein reported on the potential statute updates from APTA KY.

KBPT General Counsel's Legal Report

Mr. Poynter discussed with the Board a recent communication with a credential holder regarding the use of protected terms pertaining to advertising products that potentially are outside the scope of physical therapy.

Action taken: The Board authorized Mr. Poynter to request that the credential holder contact the Board office about their request.

Conferences and Meetings Relating to Physical Therapy

The Board reviewed the following schedule of upcoming conferences:

- a. Regulatory Workshop for Board Members & Administrators
(April 24-26| Alexandria, Virginia)

(Ms. Carper – KBPT representative)

- b. Leadership Issues Forum (LIF)
(07/19-20, 2025 – Arlington, VA)
(Ms. Ogle and Mr. Curley – KBPT representatives)
- c. CLEAR 2025 Annual Educational Conference
(09/15-18, 2025 – Chicago, IL)
Mr. Kleinert made a motion for the Board to pay for the registration fees and associated travel costs for three Board members or staff to attend CLEAR 2025 Annual Educational Conference in Chicago, Illinois. The motion was seconded by Ms. Carper, which carried.
- d. FSBPT 2025 Annual Education Conference
(10/23-25, 2025 – Spokane, WA)
(Ms. Ogle, Ms. Carper, and Mr. Curley – KBPT representatives)
Ms. Lutz made a motion for the Board to pay for the registration fees and associated travel costs for one Board member to attend the FSBPT 2025 Annual Education Conference in Spokane, Washington. The motion was seconded by Mr. Cook, which carried.

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 Mr. Kleinert, which carried. The lists are attached to these minutes.

New Business

Inquiry

Alicia Waltrip, a physical therapist who sought clarification on whether a physical therapist assistant can represent the discipline of physical therapy at an Individualized Educational Program (IEP).

Action taken: The Board authorized staff to respond that while a physical therapist assistant may present the physical therapy plan of care at an IEP meeting, they cannot make any changes to the plan of care.

Inquiry

Katrina Anderson-Bostron, a physical therapist in a school setting who sought clarification on whether it is appropriate for a physical therapist to complete and file documentation that is not part of the practice of physical therapy.

Action taken: The Board authorized staff to respond that while a portion of the documentation may be filled out by a physical therapist it must be within the scope of physical therapy and within the personal scope of the physical therapist who has the appropriate training, education, and expertise.

Board Member Per Diems and Expenses

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

Adjournment

Ms. Thompson made the motion to adjourn the meeting at 1:29 p.m., seconded by Mr. Kleinert, which carried.

Respectfully submitted,



Stephen Curley
Executive Director