



KENTUCKY BOARD OF PHYSICAL THERAPY

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Andy Beshear
Governor

Stephen Curley
Executive Director

MINUTES OF MEETING May 15, 2025

Board Members: Dr. Karen Ogle, PT, DPT, Chair
Dr. Ramona Carper, PT, DPT, Chair-Elect
Mark Cook, PTA
Stephanie Lutz, PTA
Brad Profitt, PT
Karen Thompson, PT
Michael Kleinert, Public Member

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, Dr. Karen Ogle, at 1:01 p.m. CST on Thursday, 5/15/25, at the Board Office and via video teleconference. A quorum was present.

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

Additionally, Dr. 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 3/20/25 Board meeting.

Action taken: Following review, discussion, Mr. Kleinert made a motion to approve the minutes of the Board meeting of 3/20/25. The motion was seconded by Mr. Cook, which carried.

Civil Matters and Investigations

Ms. Thompson 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 Dr. Carper, which carried.

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

2023 Complaint Committee

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

Action taken: No action taken.

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 was submitted to the Complaint Committee for review. During the March meeting, the Board voted to have Board Counsel draft a Settlement Agreement. Mr. Poynter reported that the credential holder signed the proposed Settlement Agreement issued by the Board. Mr. William Barabas, appeared before the Board, without counsel, to review the terms of the proposed Settlement Agreement, and he was given the opportunity to ask any questions pertaining to the terms of the proposed Settlement Agreement.

Action taken: After discussion, the Complaint Committee recommended and moved to accept the proposed Settlement Agreement. The motion was seconded by Mr. Kleinert, 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 was submitted to the Complaint Committee for review. In March, the Board voted to have Board Counsel draft a settlement agreement. The credential holder, represented by an attorney requested the Board review a counteroffer.

Action taken: After discussion, the Complaint Committee recommended and moved to deny the counteroffer and have Board Counsel draft an amended settlement agreement with specified terms. The motion was seconded by Mr. Kleinert, which carried.

BIC2024-05: The Complaint Committee reported that this case involves a credential holder who allegedly engaged in false advertising and practiced physical therapy without an evaluation. The investigation was completed, and the report was submitted to the Complaint Committee for review.

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

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 is ongoing.

Action taken: No action taken.

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 involves a credential holder who allegedly performed substandard care. The investigation was completed, and the report was submitted to the Complaint Committee for review.

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

Dr. Carper recused herself from any discussion or voting pertaining to C2024-15.

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

Action taken: No action taken.

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

Action taken: No action taken.

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

Action taken: No action taken.

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

Action taken: No action taken.

BIC2024-23: The Complaint Committee reported that this case involves a credential holder who violated the terms of their IPTPC contract. The investigation was completed, and the report was submitted to the Complaint Committee for review.

Action taken: After reviewing the facts and circumstances of this case, the Complaint Committee recommended and moved to close the case due to the credential holder correcting the issue. This motion was seconded by Ms. Thompson, which carried.

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

Action taken: No action taken.

BIC2024-25: The Complaint Committee reported that this case is ongoing.

Action taken: No action taken.

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

Action taken: No action taken.

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

Action taken: No action taken.

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

Action taken: No action taken.

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

Action taken: No action taken.

2025 Complaint Committee

C2025-01: The Complaint Committee reported that this case is ongoing.

Action taken: No action taken.

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

BIC2025-02: The Complaint Committee reported that this case is ongoing.

Action taken: No action taken.

Mr. Profitt recused himself from any discussion or voting pertaining to BIC2025-02.

C2025-03: The Complaint Committee reported that this case involves a credential holder who allegedly performed substandard care.

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

C2025-04: The Complaint Committee reported that this case involves a credential holder who allegedly performed substandard care.

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

BIC2025-05: The Complaint Committee reported that this case involves a credential holder who allegedly has substance issues, multiple arrests, and failed to report items on their renewal application.

Action taken: The Complaint Committee recommended and moved to open an investigation and issue an order requiring the credential holder to enter a 5-year IPTPC contract. The motion was seconded by Ms. Lutz, which carried.

BIC2025-06: The Complaint Committee reported that this case involves a credential holder who allegedly has an investigation from another Kentucky agency regarding their practice.

Action taken: Mr. Kleinert made a motion to open an investigation. The motion was seconded by Ms. Thompson, which carried.

BIC2025-07: The Complaint Committee reported that this case involves a credential holder who allegedly was treating relatives.

Action taken: The Complaint Committee recommended and moved to take no action. The motion was seconded by Ms. Lutz, which carried.

IPTPC Report

Mr. Fingerson presented the written IPTPC report dated 5/4/25. 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; Bryon Cooper, PTA, and Kelsey Pinson, PTA. A monitoring report was submitted by the Board-appointed monitors and considered by the Board for Ms. Pinson.

Board Discussions, Committees and Opinion Requests

Practice Act Review Committee

Mr. Curley provided an update to the Board on the 2025 Legislative Session. Additionally, Mr. Curley reported that HB 255 failed to pass out of the Senate and discussed with the Board potential paths forward for the 2026 Legislative Session.

Action taken: No action taken.

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.

Executive Director's Report

Financial Report

Mr. Curley offered a report that addressed the Board's finances for 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 began on 05/05/2025 and provided a brief update on the Audit process.

Action taken: No action taken.

- (b) Chris Fuller, PT asked if using a Class 4 Laser was within the scope of physical therapy in KY.

Action taken: After discussion, the Board authorized staff to respond to Mr. Fuller that a physical therapist may utilize a Class 4 Laser if the physical therapist has the appropriate training, education and expertise to said treatment. Additionally, a physical therapist would need to evaluate the patient prior to treatment even if the evaluation was solely for laser treatment.

- (c) Office Updates: Mr. Curley gave a brief report on the Board office updates and disseminated a quote for furniture for the Board room and vestibule.

Action taken: The Board requested Mr. Curley get an additional quote for the Board furniture with a few minor changes and report at the August Board meeting.

APTA KY Liaison Report

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

KBPT General Counsel's Legal Report

Mr. Poynter discussed with the Board a bill that passed during the 2025 Legislative Session and an article relevant to the Board's function.

Action taken: No action taken.

Conferences and Meetings Relating to Physical Therapy

The Board reviewed the following schedule of upcoming conferences:

- a. Leadership Issues Forum (LIF)
(07/19-20, 2025 – Arlington, VA)
(Dr. Ogle and Mr. Curley – KBPT representatives)
- b. CLEAR 2025 Annual Educational Conference
(09/15-18, 2025 – Chicago, IL)
(Three Board members or staff approved to attend the CLEAR 2025 Annual Education Conference)
- c. FSBPT 2025 Annual Education Conference
(10/23-25, 2025 – Spokane, WA)
(Dr. Ogle, Dr. Carper, Mr. Curley, and one additional member – KBPT representatives)
- d. CLEAR NCIT Program
(11/5-11/7 Louisville, KY)
(Mr. Proffit, Mr. Poynter, and two additional Board members approved to attend the CLEAR NCIT program)

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. Thompson, which carried. The lists are attached to these minutes.

New Business

Mr. Curley discussed with the Board, the possibility of adding a new agenda item for future meetings. This item would be for suggestions from Board members, staff, and the public.

Board Member Per Diems and Expenses

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

Adjournment

Ms. Thompson made the motion to adjourn the meeting at 3:24 p.m. CST, seconded by Mr. Kleinert, which carried.

Respectfully submitted,



Stephen Curley
Executive Director