



## KENTUCKY BOARD OF PHYSICAL THERAPY

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*Andy Beshear*  
Governor

*Stephen Curley*  
Executive Director

### MINUTES OF SPECIAL MEETING September 5, 2024

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

Board Staff: Stephen Curley, Executive Director  
Krista Barton, Executive Secretary  
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, Stephanie Lutz, at 5:01 p.m. on Thursday, 9/5/2024, at the Board office and via video teleconference. A quorum was present.

#### Civil Matters and Investigations

Ms. Ogle 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. Thompson, which carried.

Subsequently, Mr. Cook 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 case:

**BIC2024-13:** Mr. Curley and Mr. Fingerson reported to the Board the timeline of events regarding multiple violations of the credential holders IPTPC agreement. The credential holder appeared before the Board to request that the Board reconsider the Board Order that was issued after the July Board meeting requiring the credential holder to complete a comprehensive professional evaluation to determine if they have a substance abuse disorder. The credential holder indicated that completing the evaluation would be a financial hardship.

**Action taken:** After reviewing the multiple violations of the credential holders IPTPC agreement and considering the concerns of the credential holder, the Board and IPTPC, determined there is reasonable cause to believe the credential holder may be impaired by reason of a mental, physical or other condition that impedes their ability to practice competently. Mr. Kleinert made a motion to issue an

Immediate Temporary Suspension (ITS) that shall go into effect on September 12, 2024. The motion was seconded by Mr. Cook, which carried.

### **Board Discussions**

#### **Practice Act Review Committee Update**

Mr. Curley disseminated a document that included the most recent changes that reflected the concerns of stakeholders reported from the Practice Act Road Show. Mr. Curley requested that the Board make a vote to approve the changes and continue to move forward through the legislative process.

**Action taken:** After review and discussion, Mr. Kleinert made a motion to approve the updates to the Practice Act and to continue through the legislative process. The motion was seconded by Mr. Profitt, which carried.

#### **Adjournment**

Ms. Carper made the motion to adjourn the meeting at 6:36 p.m., seconded by Mr. Profitt, which carried.

Respectfully submitted,



Stephen Curley  
Executive Director