



KENTUCKY STATE BOARD OF PHYSICAL THERAPY NEWSLETTER

Summer 2000

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TRIBUTE TO NANCY BRINLY

By Tom Pennington, PT
Board Chairman

Chances are if you are a licensed P.T. or P.T.A. in the state of Kentucky and have not encountered or know of Nancy Brinly—then there is a great possibility that you are not a carbon-based entity. I have met very few people in life that come close to sharing a fraction of Nancy's commitment and passion toward a cause. This particular cause happens to be the advancement of physical therapy and total protection of the public within Kentucky. Not to understate Nancy's passion, she also has had a tremendous impact nationally on public protection issues by her leadership at our national licensure organization.

As present and past chair of our state board, I and all the many present and past board members could relate countless stories and examples of total commitment and self sacrifice that Nancy made to ensure the integrity of our profession and reputation that we all enjoy when we call ourselves physical therapists and physical therapist's assistants to others in the Commonwealth. Nancy, we thank you for setting, maintaining, and advancing a standard of excellence and commitment that personifies genuine and unselfish excellence.

In case you haven't heard, Nancy is retiring from her position as Executive Director of our state board on August 1st of this year after having served in this position since October of 1978. We celebrate and delight in the closure of an exciting and great chapter—well, novel!

In closure, I want to illuminate some of Nancy Lee Blankenship Brinly's accomplishments and contributions to our profession:

- Distinguished Service Award, University of Kentucky (2000) – College of Allied Health Professions that recognized a non-university affiliated individual who has given great service to the university
- President's Award (1996) – Recognition for Distinguished Service to the Federation of State Boards of Physical Therapy
- Outstanding Physical Therapy Service Award

(1981) – Recognized by KPTA for outstanding contributions

- APTA Member since 1957
- Past and Present (1962-present) KPTA officer and committee member ranging from President, Chief Delegate to National Conference, to Awards Committee, etc.
- Past and Present (1986-present) FSBPT Committee Chairman and member ranging from Administrative Staff Committee, Program Committee, Education Committee, Ethical Standards Committee, etc., etc.,
- Norton Children's Hospital/Alliant HS, Louisville, Kentucky (1962-1998) – P.T. Director, staff P.T., consultant, registry P.T.
- Methodist Evangelical Hospital, Louisville, Kentucky (1962-1966) - staff P.T.
- Palo Alto – Stanford Hospital Center, Palo Alto, California (1961-1962) – In-Patient P.T.
- The Charity Hospital of Louisiana in New Orleans, Louisiana (1959-1961) – Chief P.T. - In-Patient Division
- Jewish Hospital, St. Louis, Missouri (1959 summer) – staff P.T.
- Washington University, School of Medicine, St. Louis, Missouri (1959) – B.S., Physical Therapy
- I am running out of Newsletter space on Nancy's accomplishments. There are at least eight other professional organizations/committees/boards outside the physical therapy profession in which Nancy has shared her passion from 1966 to present. They range from Council of Higher Education to National Cystic Fibrosis Foundation, University of Louisville and University of Kentucky.

Concurrently, and in addition to all the above, Nancy is the widow of Robert Brinly and mother of two children, Casey and Cecilia. Just like Jimmy Stewart in Bradford Falls, I cannot imagine the void we would have if Nancy had not committed her life to us and our patients. God Bless You Nancy!! Consider this a standing ovation throughout the Commonwealth of Kentucky.

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BECKY KLUSCH NEW EXECUTIVE DIRECTOR

When contemplating a replacement for the Executive Director, the Board advertised in the "Louisville Courier Journal," and interviewed potential candidates. We are very pleased to announce that current fiscal officer Becky Klusch, selected over other candidates, will assume the Director's role on August 1st.

You were previously introduced to Becky when she returned to Louisville in August 1997. While working full time for the Board, Becky has earned her Bachelors of Business Administration (BBA) degree in Management at McKendree College in Louisville, graduating Magna Cum Laude on June 17, 2000. A paper she wrote to fulfill a writing proficiency requirement for graduation titled "College at 53!" was selected by the President of McKendree College(s) for publication in their National Alumni Journal. We welcome Becky into this new role and congratulate her for these accomplishments

Becky's adeptness in licensure agency matters emerged during the six years she was the Financial Coordinator for the Kentucky Board of Medical Licensure. This assisted in preparing her for her PT Board role, which has included writing, securing, and managing personal service contracts, preparing the biennial budget for Legislative approval, and

implementing the complex statewide MARS system for on-line fiscal and personnel transactions. She assists Nancy Brinly in most board functions, including conducting investigations and managing disciplinary action files in preparation for a hearing or other disposition.

VISIT OUR WEBSITE

<http://kbpt.state.ky.us>

&

Email us at:

KYBPT@mail.state.ky.us

Thanks to tenacious & plucky Becky Klusch, the State Board of Physical Therapy has a Web Site. Visit our site, and email your comments and suggestions to KYBPT@mail.state.ky.us.

FSBPT ELECTIONS

Congratulations to former Board Member Deb Tharp, PT of Paintsville. She was recently elected to a four year term as secretary of the Federation of State Boards of Physical Therapy.

*Come and Celebrate
Nancy Brinly's Retirement
Sunday, August 6, 2000
2:00pm - 5:00pm
Oxmoor Country Club
Louisville, Kentucky*

*All are invited to come and celebrate with Nancy on her
retirement after 22 years of service in her position as the
Executive Director
of the Kentucky State Board of Physical Therapy.*

AMENDMENTS TO KRS CHAPTER 327

EFFECTIVE JULY 15, 2000

Representative Joni Jenkins (D, Shivley sponsored major amendments to KRS Chapter 327, "The Physical Therapy Practice Act" in the 2000 Session of the Kentucky Legislature. KPTA lobbyist Judith Taylor & Rep. Jenkins successfully and adeptly marshaled the bill through committees, and on the floor of the House and Senate., coordinating testimony from the board and legislator contact as appropriate. In September 1999, the proposed changes were mailed to each licensee, followed by regional forums were held throughout the state to explain proposed changes and to receive comments. Pre-submission, the board and the KPTA had worked together on modifications which each could fully support. These are the first substantial amendments sought and enacted since 1984. No changes were made to the physical therapist scope of practice, but multiple changes and additions enhance public protection.

KRS CHAPTER 327 – TABLE OF CONTENTS

327.010	Definitions - NO AMENDMENTS
327.020	License required - Exception - Use of designation or name- NO AMENDMENTS
327.030	State board of physical therapy -[membership-qualifications - vacancies] MAJOR CHANGES
327.040	Duties and powers of the board - CHANGES
327.050	Licensing provisions - CHANGES
327.060	Licensing requirements for persons holding a license in another state & [persons trained in a foreign country] MAJOR CHANGES
327.070	[Refusal, suspension, revocation of license, probation of license and administrative warning to licensee] MAJOR CHANGES
327.075	Reinstatement of license - CHANGES
327.080	Expenses of board - Some CHANGES
327.090	Appeals - NO AMENDMENTS
327.100	Short title - NO AMENDMENTS
327.990	Penalties - NO AMENDMENTS
New Section:	Establishes Impaired Physical Therapy Practitioners Committee (IPTPC)
New Section:	Sets forth mandatory reporting requirements for employers, physical therapists & physical therapist's assistants.

The full text of KRS 327 in the unamended form as well as board administrative regulations may be viewed from the Board's Web Site, <http://kbpt.state.ky.us> . The unredacted text of HB 618 is found at: <http://www@lrc.state.ky.us/record/00rs/HB618/bill.doc>.

PLEASE NOTE: THE TEXT WHICH FOLLOWS IS UNOFFICIAL. The Board has been advised by LRC that we cannot expect the official, codified version of KRS Chapter 327 to be available until September 2000.

SECTION 1. A NEW SECTION OF KRS CHAPTER 327 IS CREATED TO READ AS FOLLOWS:

- (1) The board shall establish an impaired physical therapy practitioners committee to promote the early identification, intervention, treatment, and rehabilitation of physical therapists and physical therapists' assistants who may be impaired by reason of illness or of alcohol or drug abuse, or as a result of any physical or mental condition.
- (2) The board may enter into a contractual agreement with a nonprofit corporation, physical therapy professional organization, or similar organization for the purpose of creating, supporting, and maintaining an impaired physical therapy practitioners committee.
- (3) The board may promulgate administrative regulations in accordance with KRS Chapter 13A to effectuate and implement a committee formed by the provisions of this section.
- (4) Beginning January 1, 2001, the board shall collect an assessment fee not to exceed twenty dollars (\$20) per licensee or certificate holder, payable to the board, to be added to each licensure and certification renewal application fee. Proceeds from the assessment shall be expended on the operation of an impaired physical therapy practitioner committee formed by the provisions of this section. The fee shall be set by the promulgation of administrative regulations.
- (5) Members of an impaired physical therapy practitioners committee, any administrator, staff member, consultant, agent, volunteer, or employee of the committee acting within the scope of their duties and without actual malice, and all other persons who furnish information to the committee in good faith and without actual malice shall not be liable of any claim or damages as a result of any statement, decision, opinion, investigation, or action taken by the committee or by an individual member of the committee.
- (6) All information, interviews, reports, statements, memoranda, or other documents furnished to or produced by the impaired physical therapy practitioners committee, all communication to or from the committee, and all proceedings, findings, and conclusions of the committee including those relating to intervention, treatment, or rehabilitation, which in any way pertain or refer to a physical therapist or physical therapist's assistant who is or may be impaired, shall be privileged and confidential.
- (7) All records and proceedings of the committee that pertain or refer to a licensee or a certificate holder who may be, or actually is, impaired shall be privileged and confidential and shall be used by the committee and its members only in the exercise of the proper function of the committee and shall not be considered public records and shall not be subject to court subpoena and subject to discovery or introduction as evidence in any civil, criminal, or administrative proceedings except as described in subsection (8) of this section.
- (8) The committee may disclose information relative to an impaired physical therapist or physical therapist's assistant only when:
 - (a) It is essential to disclose the information to persons or organizations needing the information in order to address the intervention, treatment, or rehabilitation needs of the impaired practitioner;
 - (b) Its release is authorized in writing by the impaired physical therapist or physical therapist's assistant; or
 - (c) The information is subject to court order.
- (9) The impaired physical therapy practitioners committee shall make an annual report to the board.

SECTION 2. A NEW SECTION OF KRS CHAPTER 327 IS CREATED TO READ AS FOLLOWS:

Any physical therapist, physical therapist's assistant, or employer of physical therapy practitioners having knowledge of facts by actual or direct knowledge shall report to the board of physical therapy a physical therapist or physical therapist's assistant who:

- (1) Has been convicted of a felony that involved acts that bear directly on the qualifications or ability of the applicant, licensee, or certificate holder to practice physical therapy;
- (2) Is suspected of fraud or deceit in procuring or attempting to procure a license to practice physical therapy or of negligently performing actions that justify action against a physical therapist or physical therapist's assistant's license as identified in subsection (2) of Section 7 of this Act;
- (3) Has had a license to practice as a physical therapist or a certificate as a physical therapist's assistant denied, limited, suspended, probated, or revoked in another jurisdiction on grounds sufficient to cause a license or certificate to be denied, limited, suspended, probated, or revoked in this Commonwealth; or
- (4) Is practicing physical therapy without a current active license, certificate, or valid temporary permit issued by the board.

Section 3. KRS 327.030 is amended to read as follows:

There is hereby established a State Board of Physical Therapy which shall consist of seven (7) members who shall be appointed by the Governor.

- (1) One (1) member shall be a citizen at large who is not affiliated with and does not have more than five percent (5%) financial interest in any one (1) health care profession or business.
- (2) All other members shall be appointed and vacancies shall be filled from a list of five (5) persons per position submitted by the Kentucky Physical Therapy Association shall be residents of Kentucky and shall have engaged in the unrestricted practice of physical therapy within this state for at least two (2) years without disciplinary action
- (3) All appointments to the board after the effective date of this Act shall be for a term of four (4) years and until their successors are appointed and qualify. No member shall serve for more than two (2) successive terms, or for more than ten (10) consecutive years. The Governor may remove any member of the board for misconduct, incompetence, or neglect of duty
- (4) The board shall annually elect a chairman, a secretary, and chairman-elect.
- (5) There shall be no liability on the part of, and no action for damages against, any current or former board member, representative, agent, or employee of the board, when the person is functioning within the scope of board duties, acting without malice and with the reasonable belief that the actions taken by him or her are warranted by law.
- (6) Each board member shall receive, in addition to travel, lodging, and other actual and necessary expenses, a per diem not to exceed one hundred twenty dollars (\$120) for each day the member is actually engaged in the discharge of official duties approved by the board. The board shall, by promulgation of administrative regulations, set the amount of the per diem.

Section 4. KRS 327.040 is amended to read as follows:

- (1) It shall be the duty of the State Board of Physical Therapy to receive applications from persons desiring to become physical therapists and to determine whether said applicants meet the qualifications and standards required by this chapter of all physical therapists. The board shall also be charged with enforcement of the provisions of this chapter.
- (2) The board is an agency of state government with the power to institute criminal proceedings in the name of the Commonwealth against violators of this chapter, and to institute civil proceedings to enjoin any violation of this chapter. The board shall investigate every alleged violation of this chapter coming to its notice and shall take action as it may deem appropriate. It shall be the duty of the Attorney General, the Commonwealth's attorneys, and the county attorneys to assist the board in prosecuting all violations of this chapter.
- (3) The board shall meet at least once each quarter at such place in this state as may be selected by the board. Four (4) members of the board shall constitute a quorum for the transaction of business. All meetings shall be held at the call of the chairman or at a call of a quorum of members upon not less than ten (10) days' written notice, unless notice shall be waived. The presence of any member at any meeting of the board shall constitute a waiver of notice thereof by the member.
- (4) The board may conduct investigations and schedule and conduct administrative hearings in accordance with KRS Chapter 13B, to enforce the provisions of this chapter or administrative regulations promulgated pursuant to this chapter. The board shall have the authority to administer oaths, receive evidence, interview persons, issue subpoenas, and require the production of books, papers, documents, or other evidence. In case of disobedience to a subpoena, the board may invoke the aid of the Franklin Circuit Court. Any order or subpoena of the court requiring the attendance or testimony of witnesses or the production of documentary evidence may be enforced and shall be valid anywhere in the Commonwealth.
- (5) The board shall keep a minute book containing a record of all meetings of the board.
- (6) The board shall maintain a register of all persons licensed or certified under this chapter. This register shall show the name of every licensee or certificate holder in this state, his current business and residence address and telephone numbers, and the date and number of his license or certificate. A licensee or certificate holder shall notify the board of a change of name, address, or telephone number, within thirty (30) days of the change.
- (7) The board's records shall be updated annually.
- (8) The board shall publish annually and make available, a current directory of all licensed physical therapists and certified physical therapists' assistants.
- (9) The board shall adopt a seal which shall be affixed to every license and certificate granted by it.
- (10) The board may promulgate and enforce reasonable administrative regulations for the effectuation of the purposes of this chapter pursuant to the provisions of KRS Chapter 13A.
- (11) The board shall promulgate by administrative regulation a code of ethical standards and standards of practice.
- (12) The board shall have the right to regulate physical therapists' assistants and may promulgate reasonable administrative regulations regarding certification, limitations of activities, supervision, and educational qualifications for physical therapists' assistants. The board may establish reasonable fees for the certification, renewal, and endorsement of physical therapists' assistants. The fees shall not exceed corresponding fees

for physical therapists.

- (13) The board shall promulgate administrative regulations governing the physical and mental examination of physical therapists, physical therapists' assistants, or applicants, who may be impaired by reason of a mental, physical, or other condition that impedes their ability to practice competently. For purposes of enforcing this section, the board shall have the power to order an immediate temporary suspension in accordance with KRS 13B.125 if there is a reasonable cause to believe that a physical therapist, physical therapist's assistant, or applicant may be impaired by reason of a mental, physical, or other condition that impedes his or her ability to practice competently.

Section 5. KRS 327.050 is amended to read as follows:

- (1) Before applying for licensure by the board as a physical therapist, a person shall have successfully completed an accredited program in physical therapy approved by the board and shall have fulfilled the requirements of KRS 214.615(1). No school shall be approved by the board unless it has been approved for the educational preparation of physical therapists by the recognized national accrediting agency for physical therapy educational programs.
- (2) Any person who possesses the qualifications required by this chapter and who desires to apply for licensure as a physical therapist in Kentucky shall make written application to the board, on forms to be provided by the board. The application shall be accompanied by a nonrefundable application fee in an amount to be determined by the board, but not to exceed two hundred fifty dollars (\$250).
- (3) If it appears from the application that the applicant possesses the qualifications required by this chapter and has not yet successfully completed the board-approved examination, the applicant shall be allowed to sit for the examination and tested in the subjects the board may determine to be necessary.
- (4) Examinations shall be held within the state at least once a year at the time and place as the board shall determine.
- (5) An applicant who is admitted to the examination or an applicant who has submitted satisfactory evidence that he has been accepted as a candidate for licensure by examination in a state which offers an examination approved by the board may be granted a temporary permit which shall be valid until his examination is graded and he is notified by the board of his score. The board may summarily withdraw a temporary permit upon determination that the person has made any false statement to the board on the application, or the person fails to pass an examination approved by the board.
- (6) An applicant who receives a passing score as determined by the board and who meets the other qualifications required by this chapter shall be licensed as a physical therapist.
- (7) An applicant who fails to receive a passing score on his examination shall not be licensed; but the board may, by administrative regulation, permit applicants to take the examination more than once.
- (8) All licenses and certificates shall be renewed biennially, upon payment on or before March 31 of each uneven numbered year of a renewal fee in an amount to be promulgated by the board by administrative regulations. Any licensed or certified person seeking renewal shall retain for three (3) years proof of the completion of the course described in KRS 214.610(1) on the form provided by the cabinet.
- (9) Licenses and certificates which are not renewed by March 31 of each uneven numbered year shall lapse.
- (10) This chapter shall not be construed to affect or prevent:
- (a) A student of physical therapy from engaging in clinical practice under the supervision of a licensed physical therapist, as part of the student's educational program;
 - (b) A physical therapist who is licensed to practice in another state or country from conducting or participating in a clinical residency under the supervision of a physical therapist licensed in Kentucky and for a period of not more than ninety (90) days;
 - (c) A physical therapist who is licensed to practice in another state or country from conducting or participating in the teaching of physical therapy in connection with an educational program and for a period of not more than ninety (90) days;
 - (d) A physical therapist licensed in another state or country from performing therapy on members of the out-of-state sports or entertainment group they accompany to Kentucky; or
 - (e) The practice of chiropractic as defined in KRS 312.015(3).

Section 6. KRS 327.060 is amended to read as follows:

The board shall issue a license to:

- (1) An individual who holds a valid license from another state, who meets requirements specified in KRS 327.050 and who has no imposed or pending disciplinary actions.
- (2) An individual who has been educated as a physical therapist outside the United States and who has:
- (a) Completed the application process;
 - (b) Provided satisfactory evidence to the board that his or her education is substantially equivalent to the requirements for physical therapists educated in United States accredited educational programs
 - (c) Provided written proof that the school of physical therapy education outside the United States is recognized by its own ministry of education
 - (d) Successfully completed the examinations provided for in KRS 327.050;
 - (e) Passed the board approved English language proficiency examinations if English is not his or her native language;
 - (f) Successfully completed, prior to licensure, a board-approved, supervised practice period of not less than three (3) months nor more than six (6) months, under the direct supervision of a physical therapist who holds an unrestricted Kentucky license. This requirement may be satisfied by at least three (3) months of supervised practice as a physical therapist in a state with license requirements comparable to or more stringent than those of Kentucky.
 - (g) Fulfilled the requirements of KRS 214.615(1);
 - (h) Provided proof of legal authorization to reside and seek employment in the United States or its territories;
 - (i) Provided proof of authorization to practice as a physical therapist without limitations in the country where the professional education occurred;
 - (j) Submitted to a prescreening process by an agency approved by the board; and

- (k) Submitted educational credentials to the board for evaluation by an agency approved by the board.
- (3) The board may approve an agency to prescreen applicants for initial licensure under this section.
- (4) The board may approve one or more services to provide an evaluation of the applicant's educational credentials for board approval for licensing under this section.
- (7) The board may waive the requirements of paragraphs (c), (j), and (k) of subsection (2) of this section if the applicant is a graduate of a professional physical therapy education program pre-approved by the board.

Section 7. KRS 327.070 is amended to read as follows:

- (1) The board, after due notice and an opportunity for an administrative hearing conducted in accordance with KRS Chapter 13B may take any one (1) or a combination of the following actions against any licensee, certificate holder, or applicant:
 - (a) Refuse to license or certify any applicant;
 - (b) Refuse to renew the license or certificate of any person;
 - (c) Suspend or revoke or place on probation the license or certificate of any person;
 - (d) Impose restrictions on the scope of practice of any person;
 - (e) Issue an administrative reprimand to any person;
 - (f) Issue a private admonishment to any person; and
 - (g) Impose fines for violations of this chapter not to exceed two thousand five hundred dollars (\$2,500).
- (2) The following acts by a licensee, certificate holder, or applicant may be considered cause for disciplinary action:
 - (a) Indulgence in excessive use of alcoholic beverages or abusive use of controlled substances;
 - (b) Engaging in, permitting, or attempting to engage in or permit the performance of substandard patient care by himself or by persons working under his supervision due to a deliberate or negligent act or failure to act, regardless of whether actual injury to the patient is established;
 - (c) Having engaged in or attempted to engage in a course of lewd or immoral conduct with any person.
 - 1. While that person is a patient of a health care facility defined by KRS 216B.015(10) where the physical therapist or physical therapist's assistant provides physical therapy services; or
 - 2. While that person is a patient or client of the physical therapist or physical therapist's assistant;
 - (d) Having sexual contact, as defined by KRS 510.010(7), without the consent of both parties, with an employee or coworker of the licensee or certificate holder;
 - (e) Sexually harassing an employee or coworker of the licensee or certificate holder;
 - (f) Conviction of a felony or misdemeanor in the courts of this state or any other state, territory, or country which affects his ability to continue to practice competently and safely on the public. "Conviction," as used in this subsection, shall include a finding or verdict of guilt, an admission of guilt, or a plea of nolo contendere;
 - (g) Obtaining or attempting to obtain a license or certificate by fraud or material misrepresentation or making any other false statement to the board;
 - (h) Engaging in fraud or material deception in the delivery of professional services, including reimbursement, or advertising services in a false or misleading manner;
 - (i) Evidence of gross negligence or gross incompetence in his practice of physical therapy;
 - (j) Documentation of being declared mentally disabled by a court of competent jurisdiction and not thereafter having had his rights restored;
 - (k) Failing or refusing to obey any lawful order or administrative regulation of the board;
 - (l) Promoting for personal gain an unnecessary device, treatment, procedure, or service, or directing or requiring a patient to purchase a device, treatment, procedure, or service from a facility or business in which he has a financial interest; and
 - (m) Being impaired by reason of a mental, physical, or other condition that impedes his or her ability to practice competently.
- (8) A private admonishment shall not be subject to disclosure to the public under KRS 61.878(1)(1). A private admonishment shall not constitute disciplinary action but may be used by the board for statistical purposes or in subsequent disciplinary action against the same licensee, certificate holder, or applicant.

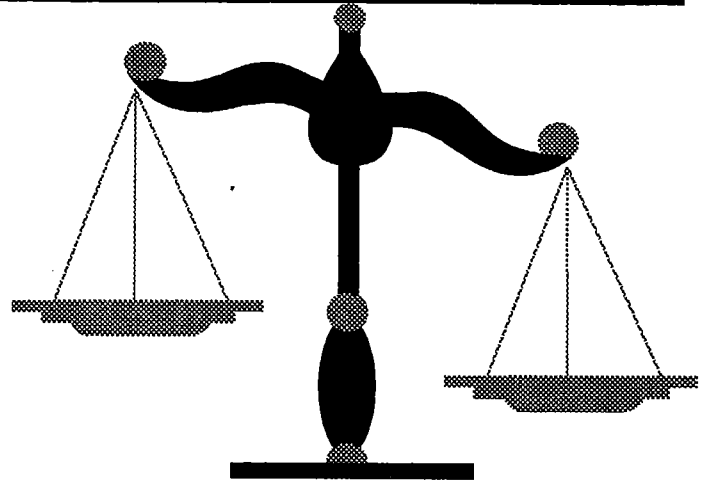
Section 8. KRS 327.075 is amended to read as follows:

- (1) The board may reinstate within three (3) years a license or certificate which has lapsed, upon payment of the prescribed renewal fee and, in addition, the payment of a reinstatement fee to be promulgated by the board by administrative regulations.
- (2) The board may reinstate a license or certificate which has been lapsed-for more than three (3) years, upon showing that the applicant is able to practice with reasonable competency. In determining competency, the board may require the applicant to successfully complete all or any part of the required examination.
- (3) The board may reinstate a license which has been suspended or revoked under provisions of this chapter, if after a hearing conducted in accordance with KRS Chapter 13B, the board determines the applicant is able to practice the profession with reasonable competency and is able to maintain the ethical code and standards of practice promulgated by administrative regulation. As a condition of reinstatement, the board may impose reasonable restrictions under which the licensee or certificate holder shall practice.
- (9) Any person aggrieved by a final order of the board denying, suspending, or revoking his license or certificate may appeal to the Franklin Circuit Court in accordance with KRS Chapter 13B.

Section 9. KRS 327.080 is amended to read as follows:

- (1) All fees received by the board and collected under this chapter or the administrative regulations adopted in accordance with this chapter shall be deposited with the State Treasurer and credited to the revolving fund of the board, a trust and agency fund, to be used by the board in defraying the costs and expenses of the board in the administration of the provisions of this chapter. No part of this fund shall revert to the general fund of the Commonwealth.
- (2) The board may employ an executive director and other personnel and may purchase such materials and supplies as it may deem necessary for the proper discharge of its duties.

February 1999 to May 2000 DISCIPLINARY ACTIONS



The following is a summary of disciplinary actions taken by the Board since the last Newsletter was published. It is intended as a summary for informational purposes only. All information is believed to be accurate. However, complete terms of each disciplinary action are contained in the Board's records.

Persons with violations listed which are Administrative Regulations have first violated KRS 327.070 (9).

Cheryl Ann (Hawkins) Muthler
Louisville, KY

PTA - A00752
Date: 02/18/99

Alleged Violation: KRS 327.070(2)

Final Action: Settlement Agreement: 30 Day Certificate Suspension; 2 yr. Monitored probation; Administrative costs of \$1,500; & monitoring costs not to exceed \$100/visit.

Daniel Ward
Lewis Center, OH

PT-003801
Date: 02/18/99

Alleged Violation: KRS 327.070(2), KRS 327.070(9), 201 KAR 22:053 §§ 3 & 6, and 201 KAR 22:053 §2(1)

Final Action: Settlement Agreement: 60 Day License Suspension; Administrative costs of \$1,000; Multiple conditions for resuming Kentucky practice; upon resumption, 1 yr. Monitored probation.

JoDec Kay Berg
Louisville, KY

PT-003705
Date: 06/17/99

Alleged Violation: KRS 327.070(6)

Final Action: Settlement Agreement: Administrative Reprimand; Civil penalty \$500.

Nicholas J. Gesser
Bardstown, KY

PTA A00751
Date: 03/09/00

Alleged Violation: KRS 327.070(9)

Final Action: Settlement Agreement: Voluntary Surrender of Certificate as if revoked; conditions of reapplication.

???HAVE YOU MOVED OR CHANGED JOBS???

Name _____ License # _____

Address _____

City,State,Zip _____ County _____

Phone(____) _____

Primary Work Facility

Name _____

Address _____

City,State,Zip _____ County _____

Phone(____) _____ Full/Part Time _____

MAIL OR FAX TO BOARD (FAX # 502-423-0934)

CALENDAR OF BOARD RELATED ACTIVITIES

July 11-13, 2000	Hearing Scheduled
July 13, 2000	Board Meeting
July 15, 2000	Statute Amendments Effective
July 21 - 24, 2000	Joan Dalton, FSBPT - Membership Survey Task Force
August 1, 2000	Nancy Brinly, Executive Director - Retirement Date
August 2, 2000	Barbara Bruening, 1st Board Term Ends
September 14, 2000	Board Meeting
September 15 - 17, 2000	FSBPT Fall Educational Meeting, San Francisco
November 9, 2000	Board Meeting
January, 2001.....	License Renewal Forms Mailed
January 1, 2001.....	Tom Pennington, 3rd Board Term Ends
March 31, 2001	LICENSE RENEWAL ENDS

Board meetings are held in Louisville at the Board Office; dates subject to change. Please call the board at (502) 327-8497 if you plan to attend.

The Board of Physical Therapy does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or in the provision of services and provides, upon request, reasonable accommodation including auxiliary aids and services necessary to afford individuals with disabilities an equal opportunity to participate in all programs & activities.

Kentucky State Board of Physical Therapy
9110 Leesgate Road, Suite 6
Louisville, KY 40222-5159

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ADDRESS CORRECTION REQUESTED

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