

KENTUCKY STATE BOARD OF PHYSICAL THERAPY NEWSLETTER

Spring 1998

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ADVANTAGES OF REVIEWING PRACTICE STANDARDS

By Tom Pennington, PT
Board Member

As physical therapists we assume both the opportunity as well as the liability of providing professional services to our patients throughout the Commonwealth. We are both expected and legislated to perform at a minimum standard of practice so that each patient has the comfort of receiving competent care. Fortunately, the overwhelming majority of physical therapists far exceed the minimal standards of their state practice acts.

"201 KAR 22.053 Section 1. As used in this administrative regulation, unless the context requires otherwise: (4) "Supportive personnel" means a person assisting in direct patient care who is not licensed or certified by the board to provide physical therapy."

This brief article is to serve as a reminder of one of our own Kentucky minimal standards. It is a standard that is becoming increasingly more significant as the market factors that force us to do more with less are coupled with the expectations of better patient outcomes. I am referencing 201 KAR 22:053 Section 5(1) addressing the supervision of supportive personnel:

Section 5. Standards for Supervision.

"When supervising the physical therapist's assistant and supportive personnel, the physical therapist shall:

(1) Prepare a written plan for the training and supervision of supportive personnel. The plan shall be reviewed annually and revised as necessary. The plan shall be readily available for review by all physical therapists and physical therapist's assistants who work with the supportive personnel and shall include:

(a) A list of clinical competencies of each supportive personnel;
(b) The method for monitoring and supervising care provided by supportive personnel; and

(c) The date and signature of the supervisor and supportive personnel governed by the plan."

The State Board, as well as each of you, encounter the full spectrum of experience, qualifications, and competencies as they relate to supportive personnel. Other than the plan outlined in Section 5 addressing individual therapist training and assessment of supportive personnel skills, there is no other insurance and protection of the public in regard to the treatment they receive from these caregivers. It is a very important guarantee to the public that sometimes is overlooked or simply not remembered as we progress through the reality of hectic patient load schedules and increasing turnover of supportive personnel.

As an additional bonus to quality care and commitment to the public, compliance with KAR 22:053 Section 5(1) is most advantageous in risk management and in minimizing legal exposure in times of litigation. The State Board encourages each of you, for the good of the public as well as yourselves, to review our practice act and address any areas such as Section 5 that might need to be updated in your own practice. Good luck and safe treating.

BOARD REVISES OPINION CONCERNING REFERRALS BY NURSE PRACTITIONERS & PHYSICIAN'S ASSISTANTS

KRS 327.010(1) defines the practice of Physical Therapy. Within the definition is a list of professions whose licensees may refer a patient to the physical therapist. Previously, because the Nurse Practitioner and Physician's Assistant were not listed, the Board was of the opinion that the Physical Therapist could not accept a patient referral from those individuals, even though the patient has direct access (self referral) to the Physical Therapist in Kentucky. At its meeting on March 27, 1998, the board stated that, as the Nurse Practitioner and Physician's Assistant are "physician extenders," that it would be appropriate for them to be a patient referral agent.

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PTs & PTAs not Renewing
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The following PTs & PTAs did not renew during the 1997/1999 renewal period:

PHYSICAL THERAPISTS:

PT-002749 Eleanor V. Abalos
 PT-001056 Christina C. Acomb
 PT-002734 Marcia Elaine Adams
 PT-002710 Helena Grace Albert
 PT-002602 Chad Owen Alderson
 PT-002200 Sara E. Alderson
 PT-003014 Walter Matthew Allen
 PT-002750 Polly Elaine Anderson
 PT-003047 Jane Kathryn Andrews
 PT-001883 Molly S. Austiff
 PT-001624 Brenda R. Ayre
 PT-T96033 Renee M. Badenhorst
 PT-001054 Susan Bacon Baezelz
 PT-002323 Coleen M. Baran
 PT-002383 Lisa K. Barker
 PT-002028 Craig A. Barnes
 PT-002595 Laurie Drake Barnes
 PT-002176 Laura L. Barone
 PT-002698 Diane Marie Baughman
 PT-001652 Amy L. Beacham
 PT-002597 Robert Charles Beba
 PT-002993 Laura Dawn Blackburn
 PT-002996 Michael Scott Blubaugh
 PT-002997 Carrie Hamill Blubaugh
 PT-002587 Carolyn Ann Bolding
 PT-002681 Barbara Ann Bonta
 PT-002412 J. Timothy Braun
 PT-002691 Michael James Brickens
 PT-001859 Jean M. Brosky
 PT-002721 Sharon Elizabeth Brown
 PT-002779 Richard Charles Brown
 PT-002778 Carmen Denman Brown
 PT-002155 Jenny Lowsma Brown
 PT-002168 Robyn B. Brulatour
 PT-002927 Sarah Buchanan
 PT-003031 Debbie Lynne Burgin
 PT-002889 Thomas Stephen Burnett
 PT-002563 Joanne Mary Campion
 PT-002754 Laurie Hope Carle
 PT-002930 Jane Margaret Carlisle
 PT-002525 Christopher T. Carroll
 PT-002596 Kristin Louise Cashman
 PT-002715 Ann E. Cassidy
 PT-002441 Sheri Lucas Castro
 PT-002047 Meredith P. Chaffin
 PT-002713 Todd Steven Chilson
 PT-002584 Steven C. Christianson
 PT-002769 Amberly Daneen Coen
 PT-002354 Kellie M. Cook
 PT-003002 Cari Cooke
 PT-003003 Simon Cooke
 PT-001669 Linda Ann Corn
 PT-000767 Susan Craft
 PT-002695 David Brett Cramp
 PT-002598 Cassandra M. Dal Pra
 PT-002914 Molly Jo Daly
 PT-000968 C. Dennis Dean
 PT-002396 Tricia Ann Delp
 PT-002909 Pamela Deriemaecker
 PT-001577 Karin Despiegelaere
 PT-001460 Rebecca Lynn Didar
 PT-003004 Patricia Marie Dockter
 PT-002214 Lisa M. Doll-Hartke
 PT-002969 Mary Ann Donohue
 PT-002693 Janice Field Drost
 PT-002694 Steven Morgen Drost
 PT-001597 Janene C. Duffy
 PT-002807 Aristede C. Dukes
 PT-002792 Janice Marie Duncan
 PT-000007 Sara S. Edlin
 PT-000475 Mary M. Katie Elliott
 PT-002896 Susan Engelhard
 PT-001870 Barbara H. Ertzberger
 PT-001507 Julia C. Estes
 PT-003015 Lisa Michelle Fischer
 PT-002741 Danielle Flanders
 PT-002675 Adriana J.M. Flipsen
 PT-002550 Janet Hall Floro
 PT-002361 Daryl Alexander Floyd
 PT-001718 Wendy May Ford

PT-001769 Debra Ann Fox
 PT-002329 Mary Schoening Fox
 PT-001631 Suzanne M. Gardner
 PT-002738 Tony Martin Garrett
 PT-002384 Kathleen M. Gearhart
 PT-002787 Melanie Clarke Gearhart
 PT-002911 Karen Rebecca Gorlick
 PT-001323 James M. Gornley
 PT-001761 Leo Gerner
 PT-002784 Julia Lynne Gosnell
 PT-003097 Michael Grawemeyer
 PT-001680 Joan E. Graybeal
 PT-000322 Mary A. Green
 PT-002052 Dana D. Griffin
 PT-002373 Tabitha R. Hahr
 PT-002549 Robert C. Hall
 PT-003013 Sandra Joyce Haller
 PT-001048 Randal J. Halter
 PT-002196 Laura Lyn Harris
 PT-001032 Mary H. Hastings
 PT-002915 Heather Renee Hayhurst
 PT-002748 Larry Jay Heldt
 PT-002438 Paula Denise Henry
 PT-002986 Donna Marie Herlihey
 PT-002391 Camellia Hightower
 PT-002539 Katherine A. Hildebrandt
 PT-002717 Beth Miskelley Hill
 PT-002716 Christopher Edward Hill
 PT-002999 Mary Beth Holbrook
 PT-002845 Lori Rene Holt
 PT-002548 Melissa J. Hughes
 PT-002015 Anna R. Ingeana
 PT-002397 Frederick Bryan Ireland
 PT-001569 Joan Davidson Irvin
 PT-002493 Orit Israel
 PT-003086 Michael Elton Jay
 PT-002902 David Scott Jeck
 PT-002945 Shana'e Onika Jefferson
 PT-002218 Marcia A. Jefferson
 PT-002541 William M. Johnson
 PT-001921 Holly Newman Jones
 PT-002805 Teri Juarez
 PT-002773 Heather Marie Jurgens
 PT-002711 Bernadette Anne Kamin
 PT-000861 Paula G. Kennedy
 PT-003061 Jerry Dean Ketchum
 PT-002188 Jacqueline A. Kloiber
 PT-002592 Barbara Jean Klus
 PT-003055 Barbara Knable
 PT-001963 Heidi E. Knellinger
 PT-002636 Jana Michelle Koch
 PT-002782 Kenneth John Kowalsky
 PT-002518 Carrie Lynn Krizan
 PT-000801 Cynthia Kurovski
 PT-000091 Johanna M. Lamberson
 PT-002638 Rebecca Noelle Landry
 PT-001656 Lori Ann Leachman
 PT-003044 Alexandra Lencse
 PT-002803 David William Lewis
 PT-001557 Michele H. Ley
 PT-002179 Tammy Renee Luther
 PT-002985 Susan Marie Lutz
 PT-002903 David L. Mancuso
 PT-002183 Sharon Lakretz Mark
 PT-002777 David Markovich, Jr.
 PT-002922 Samantha Marocco
 PT-002707 Laurie Ann Marr
 PT-003052 Kimberly Lynn Martin
 PT-002570 Robert Allen Martin
 PT-000871 Diane Epperson Marx
 PT-002796 David Christopher May
 PT-002745 Kimberly Ann Mazik
 PT-003029 Patricia Golden Mazur
 PT-001019 Christina A. McCarthy
 PT-001411 Marina U. McCulloch
 PT-002376 Melanie E. McCurdy
 PT-002644 Mark Douglas McEntire
 PT-002984 Marcos David McGovern
 PT-001158 Michael L. McGraw
 PT-002562 Claudia Medeiros
 PT-002181 Judith A. Meier
 PT-002486 Bonnie C. Michalek

PT-002314 Barbara L. Migliaccio
 PT-002732 David Lawrence Miller
 PT-002917 Brian James Miller
 PT-002089 Pamela D. Mitchell
 PT-002781 Allison Leigh Mitchell
 PT-001212 Michele A. Moore
 PT-002904 William Bradley Morgan
 PT-002650 Susan Diane Motts
 PT-002950 Ronald Multhausen
 PT-000873 Patricia P. Mullins
 PT-003030 Laurel Pennington Musser
 PT-002764 Amy Lynn Nelson
 PT-002527 David Ray Newbolds
 PT-002815 Michael Ray Newby
 PT-002814 Rebecca Jean Newby
 PT-002916 Sheila Newcomb
 PT-002652 Jana Lenore Newman
 PT-002306 Lisa Nienstaedt
 PT-002450 Kisten Allyn Nunnery
 PT-002960 Maria Theresa O'Connor
 PT-002177 Joan Ann O'Keefe, PhD
 PT-002951 Alla Goldman Onitskansky
 PT-002000 DeAnn Marie Ott
 PT-002564 Margot Fiona Page
 PT-002712 Patricia Lynne Paley
 PT-000042 Martha G. Parks
 PT-001341 Leslie K. Paul
 PT-002219 Lynn M. Pearson
 PT-000237 Betty H. Perkins
 PT-002229 Lori W. Perry
 PT-003084 Glenn Christopher Pfeffer
 PT-002898 Clarke Andrew Phillips
 PT-002975 Cindiman Irene Pinneke
 PT-002360 Courtney Smith Prickett
 PT-001253 Connie Starnes Purdue
 PT-002551 Billy D. Racer
 PT-001817 Joan Diane Ragusa
 PT-001820 Robert Joseph Ragusa
 PT-002809 Becky Lynn Rainwater
 PT-002872 Michelle Walroth Ramey
 PT-002573 Debra Colvin Reardon
 PT-002907 Mary Robin Regner
 PT-000458 Anne M. Reid
 PT-000201 Marilyn J. Renaker
 PT-002874 Leslie LeAnne Richerson
 PT-002875 Barbara Gail Rippetoe
 PT-002783 Letha Anne Ritchie
 PT-002507 Gail K. Robinson
 PT-001998 Pamela Adrian Robinson
 PT-002182 Laura Lassiter Roden
 PT-000417 Janet F. Rodgers
 PT-002076 Susan J. Rohleder
 PT-002685 Janet Rosenhoffer
 PT-000343 Katherine C. Sahl
 PT-002511 Catherine Foster Sansone
 PT-002804 Matthias John Scheidler
 PT-002172 Laura Scheiberg-Murphy
 PT-001851 Martha Schenk
 PT-003046 Gary Scott Schmidt
 PT-000157 Sandra Schmits
 PT-000848 Donna M. Scholer
 PT-003039 Theresa Marie Schons
 PT-002790 Jennifer Lynn Scucci
 PT-002789 Christopher John Seagrave
 PT-002319 Melanie Seaman
 PT-001694 Catharine T. Seo
 PT-002225 Cheri Dian Short
 PT-001939 Mark D. Simmons
 PT-002801 Mariann Sisco
 PT-001488 Kathleen Mary Smith
 PT-002785 Larry Snodgrass, Jr.
 PT-002558 Andrew Philip Snyder
 PT-002355 Michele Kay Sonum
 PT-002900 Cliff Lee Steagall
 PT-000885 Mary Elizabeth Strawhun
 PT-002740 Lisa Alayne Strohm
 PT-002812 Kip Edward Stroud
 PT-002350 Colette Renee Sturm
 PT-002726 Krista Ann Sulg
 PT-002385 Deborah A. Talbot
 PT-002786 Raymond Harold Taylor
 PT-002618 Janel Lynn Taylor

PT-002665 Shawn Kelsey Taylor
 PT-002294 Brent F. Taylor
 PT-002723 Bonnie Lynne Tigyer
 PT-002555 John Francis Timm
 PT-002679 Gary Stephen Timms
 PT-002667 Christina Maria Tonnos
 PT-002687 Patricia Marie Toomey
 PT-002794 Tara Lynn Tomatta
 PT-002708 Scott Jeffrey Uhlenhake
 PT-002574 Robin D. Vanderwerf
 PT-002894 Sandra Kaye Vernier
 PT-002369 Paul Anthony Viterisi
 PT-002735 Dennis Lee Walker, Jr.
 PT-002885 James Anthony Walro
 PT-002300 Christopher A. Waring
 PT-002301 Catherine Dean Weber
 PT-002720 Beerehd H. Westerbeek
 PT-002680 Susan Carol Weyel
 PT-002670 Daryl Allen White
 PT-002918 Michelle Christine White
 PT-001491 Gary Von Widner
 PT-002731 Todd Michael Wilkowski
 PT-002961 Jamey Daniel Williams
 PT-003071 Amy Sue Wirtner
 PT-003006 Tracy Jo Woodard
 PT-002689 Karen Haley Wray
 PT-002744 Kim P. Wrins-Barry
 PT-002528 Suzanne Yancey
 PT-003049 Shannan Leigh Yancsurak
 PT-002478 Melanie L. Yu
 PT-001583 Andres Rene Zambrano
 PT-002138 Eugene James Zappa
 PT-002366 Michelle M. Zollinger
 PT-002886 Jason Craig Zullo

PHYSICAL THERAPIST'S ASSISTANTS:

PTA-A01091 Maria Zoraida Acosta
 PTA-A00455 Edward J. Adler
 PTA-A00634 Robert W. Alexander
 PTA-A01023 Kelli Sue Allen
 PTA-A00902 Ann M. Anderson
 PTA-A00518 Judy Heil Auxier
 PTA-A00899 Shari Ruth Berman
 PTA-A00721 Anne O. Bernhardt
 PTA-A00609 Pamela Sue Bettner
 PTA-A00964 Laura Jean Biddulph
 PTA-A00958 Kristi Lynne Bliss
 PTA-A00784 Angela K. Braunstein
 PTA-A00807 Judith Patricia Brewer
 PTA-A00165 Denise M. Brooks
 PTA-A00684 Christi Lyn Bush
 PTA-A00241 George A. Carrasco
 PTA-A00970 Laura Lewis Chinn
 PTA-A00953 Anne Oglesby Cobb
 PTA-A00397 Michele Rae Compton
 PTA-A00632 Danny John Covrig
 PTA-A00980 Philip Glenn Crews
 PTA-A00376 Beth A. Crosier
 PTA-A00702 Kelly Ann Davis
 PTA-A00880 Lisa Amelle DeFur
 PTA-A00991 Edwin Lyle Detweiler
 PTA-A00748 Troy D. Dillon
 PTA-A00759 Michelle L. Engle
 PTA-A00529 Angela Jo English
 PTA-A00801 Lisa Marie Eversgerd
 PTA-A00408 John R. Frame
 PTA-A01005 Patrick Henry Garren
 PTA-A00968 Paula D. Gauld
 PTA-A00911 Cheryl Lee Gibson
 PTA-A00445 Amy Gabrielle Grizzard
 PTA-A01093 Robin Renea Guilkey
 PTA-A00762 Marsha E. Hatfield
 PTA-A00610 Nanette L. Hatheway
 PTA-A00889 Theresa Paula Hawkins
 PTA-A00372 Kelley L. Hoisinger
 PTA-A00788 David A. Hopson
 PTA-A00716 Amy Hunsaker
 PTA-A00960 Jarrett Keith Hurt
 PTA-A00955 Deanne Rachelle Irwin
 PTA-A00884 Vanessa Marie Ison

PTA-A01101 Shanna Rae Johnson
 PTA-A00476 Susan C. Johnson
 PTA-A00596 Tamara D. Keen
 PTA-A01085 Angela J. Kelly
 PTA-A00945 Harry L. Kerstetter, Jr.
 PTA-A00882 Julie Anne Kieffer
 PTA-A01084 Anne Marie Kirk
 PTA-A01103 Nicole Lynn Klayson
 PTA-A00129 Gretchen Kuersteiner
 PTA-A00857 Carol B. Kulstrud
 PTA-A00375 Brenda K. Leeth
 PTA-A00993 Julie D. Leonard
 PTA-A01065 James C. Lewis
 PTA-A00711 Donald Guy Lilledahl
 PTA-A00893 Heath Reynold Lorah
 PTA-A00959 Julie Anne Lord
 PTA-A00728 Jane Wenstrup Maggs
 PTA-A00705 Beth Ann Malott
 PTA-A00486 Angela M. McCurdy
 PTA-A00454 Glenda McGovern
 PTA-A00717 Tricia Lynn Messenger
 PTA-A01090 Gena Michelle Miller
 PTA-A00673 Christopher Miller
 PTA-A01001 Kurtis Lorenzo Miller
 PTA-A00869 Lucy Mary Moody
 PTA-A00943 Amie Padgett Motiarty
 PTA-A01088 Joan Kay Moysi
 PTA-A00733 David W. Munson
 PTA-A00623 Kenneth F. Murrell
 PTA-A00511 Jodi Gale Norris
 PTA-A00565 Jamie Marie O'Bannon
 PTA-A00957 William Allen Ogden
 PTA-A00994 Thomas Albert Okuley
 PTA-A00873 Christopher Phipps
 PTA-A00229 Lori Sue Polk
 PTA-A00965 John Gilbert Ponder
 PTA-A00509 Sharon L. Rice
 PTA-A00864 Melody Lee Rich
 PTA-A00259 Angela C. Rupert
 PTA-A00576 Renee Sanderson
 PTA-A00789 Joseph Carl Saplis
 PTA-A00615 Karia R. Scoggins
 PTA-A00995 Gary Dwayne Shelton
 PTA-A00732 James E. Shireman
 PTA-A00881 Marie Antoinette Sian
 PTA-A00440 Patrice H. Smith
 PTA-A00175 Susan D. Smith
 PTA-A00095 Alice J. Southwood
 PTA-A00506 Lori Jo Spradlin
 PTA-A00729 Patricia P. Stamper
 PTA-A00041 Pamela S. Stone
 PTA-A00474 Marcella Stratton
 PTA-A01092 Nancy Jo Stuckman
 PTA-A00947 Joan Lea Taylor
 PTA-A00526 Regina G. Turner
 PTA-A01006 Michele B. Vignapiano
 PTA-A00499 Sarena B. Vincent
 PTA-A00987 Karen Marie Wagoner
 PTA-A00897 Mary Lee Warren
 PTA-A00878 Tauwanta Waybright
 PTA-A00326 Tina M. Widner
 PTA-A00997 Jill Allison Wolf
 PTA-A00918 Leigh Ann Woliver
 PTA-A00787 J. Elizabeth Zwilling

NOTE: Always contact the Board office to determine the licensure status before employing any PT or PTA @ (502) 327-8497

GROUNDINGS FOR DISCIPLINARY ACTION AGAINST PT'S AND PTA'S

By Bill Pettus, Assistant Attorney General
Former Legal Counsel to the Board

There is frequent uncertainty & misunderstanding by the public, applicants, and even persons licensed or certified by the Kentucky State Board of Physical Therapy ("Board") concerning what actions or omissions can result in the Board taking disciplinary action or denying licensure. The board may receive complaints from a citizen alleging misconduct by licensees or certificants involving an incident unrelated to the practice of physical therapy for which the Board has no authority to take disciplinary action. This article is written to clarify the grounds for which disciplinary action may be appropriate. Hopefully, this article will prompt the reader to review the statutes and regulations which presently govern the conduct of physical therapists ("PT's") and physical therapist's assistants ("PTA's").

The Board is authorized to take disciplinary action against PT's and PTA's or deny licensure or certification for the specific grounds set forth in Kentucky Revised Statute (KRS) 327.070 (1)-(11). The disciplinary action by the Board may include revocation, suspension, probation, or administrative reprimand. The eleven grounds for disciplinary action include the following:

1. Excessive use of alcoholic beverages or addiction to narcotic drugs;
2. Performing or permitting others under one's supervision to perform substandard patient care;
3. Engaging in lewd or immoral conduct while delivering health care services to patients;
4. A felony or misdemeanor conviction if it affects the ability to practice competently and safely on the public;
5. Fraud, material misrepresentation, or false statement made while attempting to obtain a license or certificate from the Board;
6. Fraud or material deception in the delivery of professional services, including reimbursement, or false or misleading advertisement of services;
7. Gross negligence or gross incompetency in the practice of physical therapy;
8. Judicial declaration of mental disability;
9. Refusal or failure to obey any lawful order or administrative regulation of the Board;
10. Either promotion for personal gain any 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 the licensee has a financial interest; and

11. Physical or mental disability rendering the licensee/certificant unfit to practice physical therapy.

The most frequent ground for disciplinary action being initiated against a licensee or certificant by the Board is probably violation of an administrative regulation of the Board. For PTA's, the regulation most commonly cited as a basis for disciplinary action is 201 KAR 22:053 Section 4, which establishes seven standards of practice for PTA's. For PT's, the two regulation sections most commonly cited as a basis for disciplinary action are probably 201 KAR 22:053 Section 5, which establishes standards for supervision, and Section 6, which establishes specific documentation standards for the patient's initial evaluation,

"...failure to stay informed about the Board's current regulations does not excuse the licensee..."

progress report, reassessment, discharge summary, & designation following the signature on a patient record.

Only the General Assembly can amend the eleven grounds for disciplinary action set forth above. Since the legislature only meets in regular session once every two years, the grounds for disciplinary action are infrequently amended.

In contrast, the Board can initiate the process for amending any of its regulations at any regular or special meeting. The entire process for amending a regulation, including approvals from General Assembly Committees, can be achieved in about five to six months. As ignorance or failure to stay informed about the Board's current regulations does not excuse the licensee or certificant's noncompliance, it is imperative for these individuals to continually remain informed about any changes in the Board's administrative regulations to avoid inadvertent violations for regulations leading to disciplinary action.

Any doubt about whether specific conduct is prohibited by the Board's statutes (KRS Chapter 327) or administrative regulations (201 KAR 22:010-135) may be referred in writing to the Board for its review and response.

PHYSICAL THERAPY SUPERVISION OF HOME HEALTH AIDE

By Joan Dalton, PT
Secretary & Chairman-Elect

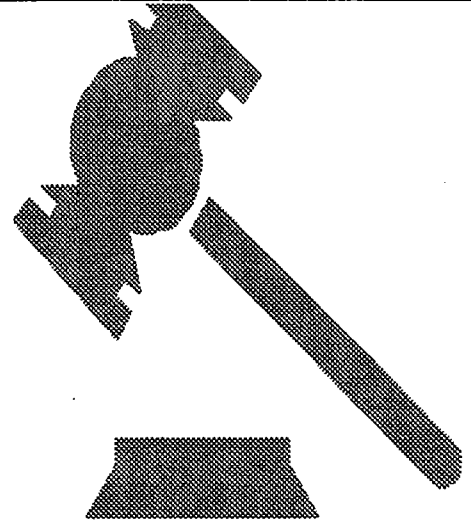
Health care as we knew it 10 to 15 years ago has changed dramatically. With the advent of DRG's and managed care, our patients have been released from the hospital in a more acute condition. Because of these earlier discharges there has been a need to increase health care services in the home. These services are provided by nurses, home health aids, therapists and other health care workers.

The request has been made of the KSBPT to formulate an opinion regarding state law governing the supervision of home health aides by physical therapists. To answer that question we must simply look at our practice act:

"201 KAR 22:053 Section 5. Standards for Supervision. When supervising the physical therapist's assistant and supportive personnel, the physical therapist: (3) Be responsible for: (1) Insuring that when supportive personnel provide direct patient care that there is on-site supervision by a physical therapist or physical therapist's assistant."

Because the home health aide is providing direct patient care, a physical therapist may only provide direct on-site supervision. If the physical therapist is present at the same time as the home health aide rendering patient care, he or she would then be able to supervise the aide. If the aide is providing direct patient care at times when the physical therapist is *not on site*, supervision of this aide is not permitted under the Administrative Regulation.

OCTOBER 1996-MARCH 1998 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).

Roberta L. Kayser PT-001264
 Louisville, KY Date: 10/22/96
 Violation(s): 201 KAR 22:010 Section 2; 201 KAR 22:053 Section 6(1), Section 5 (1) (a), Section 5 (3) (e).
 Agreed Order: Administrative Reprimand.

John Gilbert Ponder [PTA-A00965]
 Fairview Hills, IL Date: 11/22/96
 Violation(s): 201 KAR 22:101 Section 2(5); 201 KAR 22:052 Section 2 (4).
 Hearing: PTA Certificate Revoked, default order.

Kathleen Kuhlman Freeman PT-003165
 Louisville, KY Date: 05/20/97
 Violation: KRS 327.070(5)
 Agreed Order: 30 days license suspension; 20 days probated following 10 days suspension.

Clifford L. Steagall [PT-002900]
 Lilburn, GA Date: 03/27/97
 Violation(s): 201 KAR 22:101 Section 2(5); 201 KAR 22:052 Section 2 (4).
 Hearing: PT License Revoked, default order.

Kurtis Lorenzo Miller [PTA-A01001]
 Milwaukee, WI Date :03/27/97
 Violation(s): 201 KAR 22:101 Section 2(5); 201 KAR 22:052 Section 2 (4).
 Hearing: PTA Certificate Revoked, default order.

Rebecca Cox PT-001896
 Morehead, KY Date: 07/18/97
 Violation: 201 KAR 22:053 Section 6.
 Agreed Order: Six month licensure suspension, probated to a two years of monitored probation.

Patricio N. Soliman PTA-A01250
 Louisville, KY Date: 07/18/97
 Violation: KRS 327.070(5)
 Agreed Order: Two years probation.

Arthur Nitz PT-000606
 Frankfort, KY Date: 02/02/98
 201 KAR 22.053 Section 6(1)(c)(j)2 and 5; 6 (3); and (4)(a)(b)(c)(d).
 Hearing 12/15-16/97: Administrative Reprimand, to be removed from record in two years.

Danny M. Beckett PTA-A01111
 Jackson, KY Dates: 11/27/96, 01/23/98
 Violation(s): KRS 327.070(5); KRS 327.070 (1)
 Agreed Order 11/96: Unannounced monitoring for two years.
 Settlement Agreement 01/98: Extend probation additional two years to 11/27/2000.

The following individuals voluntarily surrendered their Kentucky licenses in lieu of completing the required HIV/AIDS education requirements of licensure:

Maria Theresa O'Connor [PT-002960]
 Ireland 03/27/97

Julie Leonard [PTA-A00993]
 Lake Elsinore, CA 03/27/97

GOVERNOR PAUL PATTON APPOINTS NEW BOARD MEMBER BARBARA J. BRUENING, PT

Effective October 23, 1997, Governor Paul Patton appointed Physical Therapist Barbara Bruening of Erlanger, replacing Pamela C. Howard, as Board Member. Ms. Bruening is welcomed, and is the first member to be appointed from the physical therapy community in Northern Kentucky. She will serve a term to expire August 2, 2000.

A 1973 graduate of the University of Kentucky, Barbara is a native of Cincinnati, Ohio, where she worked in acute care and rehab for five years following graduation. She was professionally active on the District level of the Ohio Chapter, APTA; holding offices of Vice-Chair, Education Committee Chair, and District State Representative.

In 1978, she began practicing in Northern Kentucky, and in 1986 began a private practice, "Physical Therapy Services of Northern Kentucky, Inc." in Crestview Hills. She has been very active in KPTA Northern District activities including Co-Chairing the KPTA '96 Spring Conference, assisting in the District Newsletter, and was a Socioeconomic committee member. Barbara is also active in community service as a member of the N. KY Chamber of Commerce, the American Diabetes

Association, her church, and has worked with "Relay" (TDD service for the hearing impaired.). Barbara says that for recreation, she "tries to golf."

PAMELA C. HOWARD, PT

A fond adieu to Pamela Howard, PT of Pikeville. During her term Pam served in all elected board capacities as Board Member, including Chairman. She brought to the Board a determination to uphold KRS 327 and Administrative Regulations pertaining to physical therapy, and spearheaded resolution of the matter of an individual holding herself out as, and working as, a Physical Therapist in Eastern Kentucky. She will be missed by all associated with the Board.

TOM PENNINGTON, PT

Tom Pennington has been reappointed by Governor Patton, to serve an additional term to expire January 1, 2001. In addition, the Board is proud Tom has been nominated to a position on the Federation of State Boards of Physical Therapy's Board of Directors. The election will be held at the Annual Meeting of the Federation in April.

MEET BECKY KLUSCH... NEW BOARD STAFF

With the support of the Board's Policy Advisor from the Governor's Office for Policy & Management, the Cabinet Secretary, and State Budget Director, the Board was able to secure approval for a new full time position to assist in our ever demanding Board services and functions. In August, Becky Klusch joined Licensing Specialist Sherry Delph and Executive Secretary Nancy Brinly as staff to the board. She brought vast experience since she was "Financial Coordinator" for Kentucky's Board of Medical Licensure from 1985 - 1991, and has already made her services invaluable to the Board and co-workers. Becky's official title is "Executive Secretary Principal" although her primary focus is as our "Fiscal Officer". One of her many current projects is development of a Web page for the Board.

In 1991, Becky left Louisville when her husband was transferred to Troy, Ohio, where she worked in accounting for the Miami County Residential Living for the mentally handicapped. Her husband passed away in 1995, and she moved back to Louisville in August to be near her family. Becky has three children: Amy Guenther, a CPA with VonLehman & Co in Northern Kentucky; Karen, who is in sales at Steel Technologies in Louisville; and Michael, a nurses' aide at Pine Tree Villa in Louisville. She also has two grandsons, Alex & Grant Guenther, ages 3 years and 1 year respectively. Becky attended Bowling Green State University, is completing degree requirements in Management at McKenree College in Louisville, and loves to play bridge and golf in any spare time.

???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

March 5-6, 1998	Regulatory Management of Chemically Dependent Healthcare Practitioners (B. Bruening & D. Tharp) Arlington, VA
March 27, 1998	Board Meeting
April 18, 1998	Council of Board Administrators Mtg. Ft. Lauderdale, FL
April 19 - 20, 1998	Federation of State Boards of Physical Therapy Annual Mtg. Ft. Lauderdale, FL
May 29th, 1998	Board Meeting
July 24, 1998	Board Meeting
September 14-17, 1998	National Certified Investigator Training (NCIT) Denver, CO (B. Bruening & B. Klusch)
September 18, 1998	Board Meeting
October 17-18, 1998	Federation of State Boards of Physical Therapy Educational Mtg. Charleston, SC
November 20, 1998	Board Meeting

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 accomodation 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

ADDRESS CORRECTION REQUESTED

BULK RATE

Frankfort, KY

Permit No. 664

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inside...

PTs & PTAs not Renewing
Grounds for Discipline
New Board & Staff Members

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