



## KENTUCKY BOARD OF PHYSICAL THERAPY

**Andy Beshear**  
Governor

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**Scott D. Majors**  
Executive Director

July 24, 2020

SERVED BOTH CERTIFIED MAIL AND REGULAR MAIL

Anna Blair, PTA  
275 Newman Stillhouse Rd  
Owensboro, KY 42301

Re: **Order and Notice of Immediate Temporary Suspension**  
**Certificate No. A03892**  
**Agency Case No. BIC2019-101**

Dear Ms. Blair:

On June 25, 2020, you were selected for a PEth test as required by your Impaired Physical Therapy Practitioner's Committee (IPTPC) Contract and consistent with the Conditional Grant of Reinstatement and Settlement Agreement (Settlement Agreement) which you signed on December 9, 2019, and which was adopted and entered by Order of the Kentucky Board of Physical Therapy (Board), dated December 11, 2019. You failed to provide a sample for this scheduled PEth test.

You were subsequently scheduled for a PEth test on July 1, 2020 but failed to show for this test, as well.

You were subsequently scheduled for a PEth test on July 2, 2020 but failed to show for this test, as well.

You finally submitted a sample for a PEth test held on July 3, 2020, and the results for this test indicated the presence of 127.6 ng/mL of Phosphatidyl Ethanol.

On July 17, 2020, you failed to show for a follow up PEth test.

As set forth in term #7 on page 5 of your Settlement Agreement, "upon the concurrence of the Board Chair, Executive Director and IPTPC Chair, any violation of this Settlement Agreement's terms or other Order of the Board shall result in an Immediate Temporary Suspension ("ITS") of the Respondent's certificate to work as a PTA in the Commonwealth of Kentucky."

Pursuant to your Settlement Agreement referenced above, on July 24, 2020, the Board's Chair; the Board's Executive Director; and the IPTPC Chair uniformly determined that there is reasonable cause to believe you have violated terms #2 and #3 on page 4 of your Settlement Agreement, as follows:

*2) the Respondent shall abstain from engaging in the use of alcoholic beverages as well as abstain from the use of illegal drugs or the use of scheduled drugs except scheduled drugs as prescribed by a duly licensed practitioner for a documented legitimate medical purpose;*

*3) the Respondent shall maintain active membership under contract with the Impaired Physical Therapy Practitioners Committee ("IPTPC") for a period of five (5) years from the effective date of this Settlement Agreement. The Respondent shall remain compliant with all terms and recommendations of IPTPC during the five-year period;*

Based upon this factual information and legal determination, the Board concludes there is reasonable cause to believe that you have violated:

- (a) KRS 327.070(2)(a) through indulgence in excessive use of alcoholic beverages or abusive use of controlled substances;
- (b) KRS 327.070(2)(k) by failing or refusing to obey any lawful order of the Board; and
- (c) KRS 327.070(2)(m) by being impaired by reason of a mental, physical, or other condition that impedes your ability to practice competently.

Based upon the above, the Board further concludes there is reasonable cause to believe that you may be impaired by reason of a mental, physical, or other condition that impedes your ability to practice competently, as set forth in KRS 327.040(14), for which an Order of Immediate Temporary Suspension should issue in accordance with KRS 327.040(14) and KRS 13B.125.

Accordingly, upon the concurrence reached on July 24, 2020, by the Chair of IPTPC, the Chair of the Board, and the Executive Director of the Board, the Board hereby **ORDERS** that your physical therapist assistant Certificate No. A03892 issued by the Board is immediately and temporarily suspended.

**This Order of Immediate Temporary Suspension shall become effective upon your receipt of this Order, but in no event later than Tuesday, July 28, 2020, at 5:00 p.m. E.T. You may not work or practice as a physical therapist assistant after receiving this Order, but in no event later than Tuesday, July 28, 2020, at 5:00 p.m. E.T., unless you hold a current certificate in good standing issued by the Board.**

You may appeal this action of the Board under KRS 13B.125 by filing a written request with the Board for an emergency hearing. You are hereby **ORDERED** by the Board that, if you wish to appeal this action by requesting an emergency hearing, you shall do so as set forth herein

by notifying the Board through its staff that you desire an emergency hearing, which shall be conducted under KRS 13B.125. A request for an emergency hearing does not stay the effectiveness of this Order. If you request an emergency hearing, the only issue to be adjudicated in such emergency hearing under KRS 13B.125 is whether "there is substantial evidence of a violation of law which constitutes an immediate danger to the public health, safety, or welfare."

Please review this Order, sign and date below, and provide a copy to a representative of the Board, or mail a copy to the Board at the address on this letterhead, to acknowledge receipt and compliance.

ISSUED at the express direction of the Board.

Sincerely,



Scott Majors, Executive Director  
Kentucky Board of Physical Therapy

cc: M. Keith Poynter, General Counsel, Kentucky Board of Physical Therapy  
Brian Fingerson, R.Ph., Chair, Impaired Physical Therapy Practitioner's Committee  
Tom Pennington, PT, Chair, Kentucky Board of Physical Therapy