

### **327.030 State Board of Physical Therapy -- Membership -- Qualifications -- Vacancies.**

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

- (1) One (1) board member shall be a resident of Kentucky who is not affiliated with or does not have more than five percent (5%) financial interest in any health care profession or business.
- (2) All other board members shall:
  - (a) Be residents of Kentucky;
  - (b) Have engaged in the practice of physical therapy in Kentucky for the past five (5) years; and
  - (c) Not have been disciplined by the board, or have been under any disciplinary action, in the past two (2) years.
- (3) All vacancies shall be filled by the Governor from a list of three (3) persons per position submitted by the Kentucky Physical Therapy Association or as provided by KRS 12.070.
- (4) For appointments to the board after December 31, 2008, the first two (2) appointments shall be for a term of two (2) years. The third appointment shall be for a term of three (3) years. All other subsequent appointments shall be for a term of four (4) years. All members shall serve until their successors are appointed and qualify. No member shall serve for more than two (2) consecutive terms.
- (5) The Governor may remove any member of the board for misconduct, incompetence, or neglect of duty.
- (6) The board may request the removal of a board member by the Governor.
- (7) The board shall annually elect a chair and chair-elect.
- (8) The board shall provide orientation to all new board members regarding the duties of the board.
- (9) 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.
- (10) 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.

**Effective:** July 15, 2008

**History:** Amended 2008 Ky. Acts ch. 54, sec. 2, effective July 15, 2008. -- Amended 2000 Ky. Acts ch. 313, sec. 3, effective July 14, 2000. -- Amended 1980 Ky. Acts ch. 53, sec. 3, effective July 15, 1980. -- Amended 1976 Ky. Acts ch. 206, sec. 23. -- Amended 1970 Ky. Acts ch. 115, sec. 3. -- Created 1958 Ky. Acts ch. 27, sec. 3, effective June 19, 1958.