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**TEXAS DEPARTMENT OF PUBLIC SAFETY
INTEROFFICE MEMORANDUM**

To: Michael Bradberry, Major, Region I Date: 6/3/2016
From: Audra C. Livingston, Captain, HP, Tyler Division: THP
Subject: Physical Readiness Test Waiver Request of Trooper Billy Spears, ID 8565

Attached is a temporary waiver request for physical readiness test received from Trooper Billy Spears, HP, Pittsburg, along with his memorandum requesting the waiver. In Spears' memo, he indicates that on April 17, 2016 his knee popped and was giving him pain, and he went to see physician a few days later. Attached is a letter from Family Medicine Clinic Dr. Kyle Gully recommending Trooper Spears be exempt from the PRT until he was further evaluated by a specialist. In this letter Trooper Spears saw Dr. Gully on April 26, 2016. Once Spears sent this letter in by Dr. Gully, he was advised to have an evaluative medical status report (HR 87) completed. Attached is an HR 87 completed May 26, 2016 by Dr. Gully. Spears states in his letter he had an appointment set with the specialists and it was cancelled by Dr. Volatile's office and he advised Sgt. Drabble the appointment was cancelled. He doesn't state in the letter the appointment date. According to his chain of command this appointment was May 25, 2016. Since that cancellation, Trooper Spears' next appointment is June 8, 2016.

It is my recommendation not to approve the waiver before taking into consideration an updated evaluative medical status report from the specialist's appointment on June 8.

Respectfully submitted,



Audra C. Livingston, Captain
Texas Highway Patrol
Tyler, Texas

6/3/16

Upon reviewing Trooper Spears' previous ETR-164 PRT test results for 2015, he passed at the absolute minimum standard (50%). I would expect an employee who know or should have known he was performing at minimal standards to have taken a more proactive approach to the testing process and communicated any issues or concerns regarding his ability to successfully complete the testing to his supervisor, rather than waiting until the end of the testing period. I do not recommend approval of a waiver.

M. L. Major