

PUBLIC MEETING MINUTES
Occupational Therapy Licensing Board

The Oregon Occupational Therapy Licensing Board met **Friday August 2, 2013** at the Umpqua Business Center, Board room, 522 SE Washington Street, **Roseburg**, Oregon.

The Board members present were: Alan King, OTR/L, Chair; Robert Bond, B.A. public member and Vice-Chair; Mashelle Painter, MEd., COTA/L; Linda Smith, OTR/L and Juanita Shepherd who had her appointment confirmed in March. Felicia Holgate, Director was present. With a quorum present, Alan King called the Friday meeting to order at **9 a.m.**

1. Minutes: The Board will review the May 3, 2013 Public and Confidential meeting minutes at a later date.

2. Report of the Director: Director, Felicia Holgate sends monthly reports.

Budget Review: The Director gave a **fiscal summary**. Monthly revenue, expenditure, and payment statements are scanned and sent to Board members. The Board is in good fiscal shape. The Budget passed through the full Ways and Means committee and was signed by the Governor.

2013 Revenues: April \$3,556; May \$2,461, and June \$2,210.

2013 Expenditures: April \$13,556; May \$13,459; and June \$12,944. The Board has an average budgeted amount of \$15,000 per month. There is an increase in Personal Services expenditure for adding hours to Nancy's work. Services and supplies are normal. There will still be some Month 13 bills which come from bills from June but paid in July.

Staff: The increased hours of the Office specialist increases our monthly costs but it is not much more than it was when former staff worked for the Board. The Director and Board agree it was important that the Director be able to take vacation time. One of the recommendations of the HRLB Audit done a few years ago was to watch for Director "burnout". This also allows for the Director to give staff additional training on items like web site, updating applications, the desk manual, etc.

License Numbers: Here are statistics on what licenses were issued in last 7 months: Jan - 26, Feb. - 14, March - 27, April - 24, May - 25, June - 26 which averages 20 licenses a month. However, these do not take into account that when a LP licensee becomes a regular license, the numbers do not change, because they were already counted in the total. We reached 2000 licenses by July 26.

Renewals will start in March 2014. By that time the Director expects to have over 2150 licensees. Every renewal period we lose about 12%. Our total number of licensees will be more than predicted in for the 2013 – 2015 budget approved by the Legislature. In the next biennium the Director will have a policy package to formally increase FTE for the Board.

As of July 30, 2013 there were **340 OT Assistants** and **1740 OTs** for a **total of 2080 licensees**. We now expect to have over 2000 licenses by the end of December 2013 and 2100 by the time renewals start in March 2014. We issued approximately 33 licenses per month. There are currently 19 applicants and we are getting the student LP applicants from Pacific and from Linn Benton CC.

NBCOT conference: The conference is set for October 25 in Ohio. It would be very beneficial if Juanita Shepherd can go as a new Board member.

Secretary of State Audit: The Director met with the Sec of State on May 28th as did all health boards. Director provided the auditor with the following: Board Policies and Procedures; Desk Manual and updates; monthly office reports; prior HRLB audit, Delegation of Authority, Discipline Matrix, survey results, Workforce data graphs, Board member training manual. The main focus was how the Board knows the Director is doing the work that needs to be done. The SOS has asked for contact information for the Board Chair. We just received an e-mail requesting a full day audit the week of August 12th.

This is the last meeting of Board Chair Alan King. The Board presented him with a Certificate of Appreciation and thanked him for his eight years of service. His commitment to high ethical standards and excellence in practice made him an invaluable member of the OT Licensing Board. His leadership was greatly appreciated and his work as Board chair for the last 3 years. He never missed a board meeting. He serviced the Board well and it is much appreciated.

Mashelle Painter was reappointed by the Governor and her second term was approved by the Senate. We hope to have the new OT member of the Board Sybil Hedrick appointed by the Governor's office and confirmed by the Senate before the October Board meeting which is held during the OTA state conference.

The Board members discussed who will take over Alan King's position as Board chair when his term ends in October. **TEHRE WAS A MOTION BY LINDA SMITH AND SECONDED BY JUANITA SHEPHERD THAT ROBERT BOND WILL BE THE BOARD CHAIR AND MASHELLE PAINTER THE VICE CHAIR AFTER ALAN KING'S TERM ENDS IN OCTOBER. IT PASSED WITH ALL PRESENT.**

Web site: Adding hours to Nancy's work time allows the Director to have her make web site changes and corrections. The home page shows the charts for OT and OTA workforce information on the home page. Director and Nancy are analyzing the use by customers of our web site by looking at statistics from GoogleAnaysis which shows how many times customers have used all web site changes. Nancy developed a summary of some statistics. We will be using this to update the web site, try to simplify it as the state for all Agencies has their next **upgrade of Share Point.**

IT: The Director purchased a camera to add to her desktop so that she can work on doing video conferencing. Skype was added to the OTLB laptop.

Ethics Law Exam now online: Will give demonstration at Board meeting. Any applicant that gets the cite puts in their name, e-mail and last 4 of the SS #. They get an e-mail on whether they passed or not and what questions they need to review. The Director receives an e-mail giving the results of exam also. The applicants and the Director need to be ready for this new addition to licensing. The rule is already in place. This will become part of the application process, as of January 2014.

The Board discussed adding an easy way for applicants and others to learn about the laws and rules, with pop ups showing which law and rule applies to sections of the exam. The Director will work on

this and bring it back to the Board. The Board discussed having a section where they can see which questions they got wrong so they learn the material.

The Board also will later provide a free CE for current licensees to take the exam.

3. Disciplinary/Investigations/Complaints: In accordance with ORS 192.660, which allows the Board to meet in Executive Session on matters to consider information obtained as part of investigations of licensees, the following cases were considered:

- **OT 2011 – 07:** The case was Continued
- **OT 2012 - 08:** The case was Continued
- **OT 2013 – 01:** The file was Continued.
- **OTA 2013 – 02:** The file was Closed.
- **OT 2013 – 03:** Applicant asked to reopen application.
- **OT 2013 – 04:** The file was Closed.
- **OTA 2013 – 05:** The file was Continued
- **OT 2013 – 06:** The file was Continued
- **OT 2013 – 07:** The case was Dismissed and is Closed.
- **OT 2013 – 08:** Complaint
- **OT 2013 – 09:** Complaint
- **OT 2013 – 10:** Complaint

LEDS cases added of previous arrest/convictions:

- **OT 2013 - 11:** Continued
- **OT 2013 – 12:** Continued
- **OT 2013 – 13:** Continued
- **OT 2013 – 14:** Continued
- **OT 2013 – 15:** Continued

There may be a special teleconference meeting in August to follow up on a discipline case.

Policy clarification for Board Policies and procedures: The law states that if an applicant has not been licensed for more than 3 years they must either retaken the NBCOT exam or go through a Board approved Re-Entry program. It is not specified that they **must be licensed in the US**. The Board will review any overseas applicants on a case by case basis. If the applicant is currently NBCOT certified, has CE approved, appropriate verification from the country where working, and a recent positive work evaluation, the Board may approve the application. This clarification of Board policy will be added to the Board Policies and Procedures.

Lunch: Board members had lunch and continued with their meeting. No Occupational Therapists showed up for free CE.

4. Ratify List of Licensees: Note This Agenda item was moved to after the disciplinary cases since they might include some applications that need to be ratified by the board. A MOTION WAS MADE BY MASHELLE PAINTER AND SECONDED BY ALAN KING TO RATIFY THE LIST OF LICENSEES ISSUED SINCE THE MAY BOARD MEETING. THE MOTION PASSED WITH ALL PRESENT.

5. Rules drafting:

Telehealth: The Director has Linda Smith and the following on the committee: Pam Hood Szivek, Sandra J Pelham-Foster, Gretchen Scheibelo, Joan Guetschow, Tim Esau, Kathleen Allgood, and Donna Remmick. Three attended the AOTA conference and brought information. Several states have rules and the Director first met with Linda Smith to come up with a draft.

Mental Health: Genevieve deRenne has agreed to work on the committee with the group and will help with the work and to look at the issue of Qualified Mental Health Professional (QMHP) in Oregon.

CE for Cultural Competency: The Director will work on a draft.

Supervision and Videoconferencing for supervision of OT Assistant: will be covered in Telhealth rules that are being drafted.

6. Legislation: The Director outlined several bills that would affect the licensing board. Most of the original bills we tracked did not pass. None of the bills, dealing with consolidation, merging boards, Sunset of boards and commissions passed. However, there is the Secretary of State's Audit in process and then the legislative committees and the Governor's office will follow up.

Other bills affecting the Board dealt with helping military spouses/partners with applications and a right to stay of disciplinary administrative hearing; scope for Psychologists, changes to Oregon Health Licensing Agency (including midwives); health care providers duty to report person with cognitive or functional impairment to drive; state payroll online with Estubs; posting minutes of transparency website; person holding appointive authority serves at Governor's pleasure; PT bills on authority to practice when previously treated patient and doctor referrals; DAS looking at criminal records and fingerprinting; final orders going to Oregon State Bar; reporting adverse health care

incidents to Oregon patient safety Commission; OHA establishing Credentialing organization and providing data to them; prohibit referrals if have financial interest.

HB 2611B on Cultural Competency: The Board will not mandate cultural competency at this time. However, the board will write a rule making clear that CE for cultural competency does count for OTs. The Director will work to provide information about good cultural competency classes, some of which are free, on our web site.

HB 2871A Tax Compliance: Alert was sent in the last newsletter that this bill will probably be back and therapists should be tax complaint or have an agreement with the Revenue Dept on how to be complaint.

SB 365B: Applied behavior analysts: A new license under Health Licensing Agency, to have insurance payments for those who work with those with Autism Spectrum Disorder.

There are other legislative bills that affect general personnel issues or other licensing boards that do not have a direct influence on the Board. The Director continues to track these and meets with all the health directors at their monthly meeting. The Director will report back on bills dealing with Applied Behavior Analysts and health care providers reporting a person with cognitive or function impairments to the DMV.

7. Board Best Practices: The Board members filled out the yearly Board Best practice summary and the responses will be added to the OTLB Performance Measures. Juanita Shepherd noted that there was no longer training for Board members by the Governor's office and that she was a new board member.

8. New Business:

Depending on the schedule of the OTA conference and how much is on the Agenda, we may change to a November board meeting.

Felicia talked to Linda Smith who recommended that Melissa Ranucci-Soll, PhD, Clinical Psychologist from the Portland VA Medical Center. Melissa will come to the Friday OTA lunch meeting to do a presentation on behalf of the Board's on "Identifying and Combating Professional Burnout: The Ethics of Self-Care".

Board members have been asked to sit at different tables during lunch, so they can meet licensees and have personal conversations with those that wish to ask questions. OTA asking that Board members and Director attend the Friday networking/appetizer time 5:30-6:30pm.

OTA Supervision: The questions came up about having an OT supervise a OT Assistant who is their spouse. This is not best practice. The Director will check whether the facility has a policy on this and what AOTA has written. It may be that in a hardship situation this might be needed but it is not recommended.

Board meeting October 18, 2013: since not everyone is available for a board meeting during the OTA conference, the Director will check about having one in November.

Confirm Dates for 2014 Board meetings:

Friday Feb. 7, 2014 Portland

Friday May 2, 2014 Portland

Friday August 1, 2014 Portland

October, 2013: Perhaps during OTA0 conference, which will be outside of Portland.

The Board adjourned its meeting at 1:45 pm.

Drafted by Director, Felicia Holgate August 14, 2013