

Oregon OT Licensing Board  
**PUBLIC MEETING MINUTES Monday April 28, 2014**  
Portland State Office Building, Room 445, 800 NE Oregon St.

The Oregon Occupational Therapy Licensing Board met on **Monday April 28** at 10 a.m. at the Portland State Office Building, Room 445, 800 NE Oregon St. in Portland, Oregon.

The Board members present were: Robert Bond, B.A. Chair, public member; Mashelle Painter, COTA/L, Vice Chair; Linda Smith, OTR/L, Juanita Shepherd, public member and Sybil Hedrick, OTR/L, CHT. Felicia Holgate, Director was present. Johanna Riemenschneider, the Board's Assistant Attorney General was available during part of the Executive session. With a quorum present, Robert Bond called the Friday meeting to order at 10 a.m.

**1. Minutes:**

The Board reviewed the minutes of the public meeting of February 24, 2014. A MOTION WAS MADE BY LINDA SMITH AND SECONDED BY ROBERT BOND TO APPROVE THE PUBLIC MEETING MINUTES OF FEBRUARY 24, 2014. THE MOTION PASSED WITH ALL PRESENT.

The Board reviewed the confidential meeting minutes of February 24, 2014. A MOTION WAS MADE BY JUANTA SHEPHERD AND SECONDED BY ROBERT BOND TO APPROVE THE CONFIDENTIAL MEETING MINUTES OF FEBRUARY 24, 2014. THE MOTION PASSED WITH ALL PRESENT.

**2. Board meeting with Paul Grace, NBCOT President and CEO:**

Paul Grace has been meeting with various licensing board across the country to talk about changes in their product and services. Topics discussed were:

**Exam scores** are now given every week, instead of every month.

**Current certification:** There is a list that states can use to determine who is active and renewed their certification. Therapists will be able to check if they are in good standing. There is also a cross tab for seeing if the therapist has had disciplinary action taken by NBCOT.

**CE points:** AOTA gives a different score for CE credit on some classes. For example on one there is 3 CE points given by AOTA and 3.5 given by NBCOT. The difference is that NBCOT expects an assessment to be part of all presentations and gives extra credit for the assessment.

**Renewal Assessments:** NBCOT is aligning the certification to recommendations of the Institute of Medicine. They have been working on a series of assessments for recertification. These are live practice "games" in digital life where therapy situations are played out and the therapist makes decision about practice. The score reflects how this therapist compares to other therapists in this field. At the end, the therapist is directed to best practice in the field and resources available and be able to learn what the top 20 things they need to know to practice in this field. These simulations will be free and fun.

The evaluations use evidence based practice. Some schools will be interested in using these assessments with students. There will be updates to the best practice and evidence based practice according to the latest study/textbooks for quality improvement. The 2016 NBCOT renewal therapists will be encouraged to do the assessment and be given 3 years to complete them.

**Early Determinations** is available for \$100 for candidates who have something in their background and want to know if NBCOT would grant them an Authorization to Test. They do get a lot of applicants with previous drugs, DUI, prison time for fraud, prostitution etc.

**Background checks** are being considered by NBCOT. Currently applicants come to the exam and have to do a fingerprint scan to get admitted. NBCOT is considering whether to do fingerprint checks for the initial applicants.

**The Affordable Care Act** is changing the landscape for health care and licensing. The Nurses compact which gives privilege to practice to other states may be a model for other health care professions. Regulatory bodies need to be ready for the changes.

**Telehealth** is a big area in practice and these issues are already here. Getting healthcare to rural areas is important.

**Certification tools** are changing for students who use technology like tablets. Practice tools will also change. NBCOT recently updated its **web site**.

**Exam results:** This year there was a 5% increase in those taking the OT exam and a 4% decrease for those taking the OTA exam.

**Oregon OTA program** was discussed by Mashelle Painter who explained how the online OTA program at LBCC was designed to help get OT Assistants to work in their local communities.

NBCOT does look at **hardship cases** to help students pay to take the exam. Payment for the exam cannot be on an installment plan.

Licensing Board **requiring NBCOT certification for licensure:** SC was the only state that mandated that applicants have NBCOT current certification. Maryland just changed its requirements to approve CE automatically if the therapist is current NBCOT certified. Other states are looking at this, and Oregon OTLB has discussed whether to require certification. States can start by asking therapists whether they are currently nationally certified. Oregon applicants must have a verification sent from NBCOT so Oregon does know if applicants are certified. The Director noted that there are still therapists that do not know that they have to recertify to keep the “R” for OTR and the “C” for COTA.

There was discussion of “**degree creep**” as shown by the new Doctorate programs for OTs at Pacific. It widens the gap between OT and OT Assistants.

AOTA and NBCOT have **exam practice courses**. NBCOT gave AOTA 100 questions for practice exams that they no longer use. Practice courses do cost money.

NBCOT does have an **honorary membership**. The Oregon Board is working with OTAO to have an honorary membership for retired OT/OTAs since Oregon does not have an inactive membership.

**3. 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.

**2014 Revenues: January \$1,218; February \$2,510, March \$69,400** which includes the first month of 2-year renewal fees (\$150 for OT and \$100 for OTA). The next few months we receive 80% of revenues for the two years.

**2014 Expenditures: January \$12,807; February \$12,964, March \$14,484.** The Board has a budget “allotment” of \$367,395 and \$12,275 was added for personal service increases (COLA and reinstated step increases) which is an average of **\$15,327** per month. Currently for the first 8 months of the biennium we had an average expenditure of **\$14,591** per month.

As of April 25 there were 393 OT Assistants and 1753 OTs for a total of 2146 licensees. We issued approximately 10 licenses a month for Nov. Dec and January months, which is a slow time of the year. For Feb and March there were approximately 25 licenses issued per month.

**Budget for 2015 – 2017** is being prepared and there was a March budget meeting with DAS (Department of Administrative Services) and Agency Directors/Budget officers. The 2015 – 2017 budget revenue projections were due the end of March. The next 2015 – 2017 Agency Budget Request is due in August 2014.

**Budget Policy Packages for 2015 – 2017 Budget:** The Director will put in budget policy packages for increase in staff costs for adding hours from the .25 current FTE to .75 and upgrade the office staff position from an Office Specialist to Administrative Assistant 2 (a little higher position) and another package for funds for doing national background checks, in response to the Secretary of State Audit.

**Renewals:** The Director and Nancy started renewals March 1, 2014. Staff continue to remind licensees what they need for online renewals, what CE they will need, who will be audited, requirements for supervision for OT Assistants, and mandatory pain management CE. Currently there are a lot of questions and updates coming in by e-mail and fax. The workforce data questionnaire access through a link must be completed by licensees when they renew online.

**Secretary of State Audit:** The Secretary of State audit was issued in March. Generally the report is positive and the only “concern” about OTLB is not doing criminal checks for Occupational Therapy applicants. The Director pointed out that the request for funding for fingerprinting was denied by the legislature so they could not be done. Instead the Board did a LEDS check on all licensees with no increase in funds. The Director increased hours of office staff and the Director did the summary and work on LEDS rather than hiring someone else.

**Glucometer testing:** The Director checked with the Nursing Board about the finger-stick to draw a drop of blood and was told the Nursing Board that they did not include it in their “tasks of

nursing” because it is so commonly used. She suggested that if an OT is worried about doing them as they educate their patient, they should include that task in the “care/support” plan as it is called in Nursing or have the doctor working with the client put a note in the file asking that this be done by the OT.

#### **2014 Legislation:**

**HB 4059** requires reporting that Board helps military personnel get credit for their military experience. The Director will propose rules and/or Board Policies and Procedures to comply. There is an October reporting date for the Director.

**HB 4108** allows for the Durable Medical Equipment pilot project to reuse equipment.

**HB 4070** has a follow up workgroup that will meet to be considered language for the 2015 legislative session to have licensing boards “expunge” certain disciplinary cases posted on licensing Board web sites.

**4. 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 2012 - 08:** Continued; to close in September.
- **OT 2013 – 03:** Continued; to close June 1.
- **OT 2013 – 05:** A MOTION WAS MADE BY ROBERT BOND AND SECONDED BY MASHELLE PAINTER TO INITIATE DISCIPLINARY ACTION IF THE CONSENT ORDER IS NOT ACCEPTED BY MAY 12. THE MOTION PASSED WITH ALL PRESENT.
- **OT 2013 – 06:** Continued
- **OT 2013 – 08:** Continued
- **OT 2013 – 12:** Continued on Probation
- **OT 2013 – 13:** Consent Order signed. Case closed
- **OT 2013 – 15:** Continued for first evaluation
- **OT 2014 – 01:** Private Letter of Concern sent. Case closed.
- **OT 2014 – 02:** Case to be closed.
- **OT 2014 – 03:** Case closed.
- **OT 2014 – 04:** License issued. Case Closed.

- **OT 2014 – 05:** Case closed.
- **OT 2014 – 06:** Case closed
- **OT 2014 – 07:** Case Closed
- **OT 2014 – 08:** A MOTION WAS MADE BY JUANITA SHEPHERD AND SECONDED BY ROBERT BOND TO SEND A LETTER OF CONCERN.

**5. Renewal Issues:** The Board reviewed all “Yes” to History questions on the renewals. Several had yes for giving up license in other states that they no longer were using. Several were for medical conditions and the Board asked for current doctor report to be sent to the Board. Several were current cases and two were for a new DUI: OT 2014 – 07 and OT 2014 – 08.

For any of the renewals that come in after the Board meeting, the Director will check with the Chair and Vice Chair whether to issue the renewal license. All cases will come before the Board for review or ratification at the next meeting.

**6. Ratify List of Licensees:** A MOTION WAS MADE BY LINDA SMITH AND SECONDED BY ROBER BOND TO RATIFY THE LIST OF LICENSEES ISSUED SINCE THE MAY BOARD MEETING. THE MOTION PASSED WITH ALL PRESENT.

**7. New Business:**

Workgroup on OTs in Education: There continue to be many concerns about caseload, use of aides to do work that is occupational therapy and loss of OT Assistants in the schools. A workgroup will be set up to discuss the issues of OT in schools.

Workgroup on Supervision: A workgroup will be set up to deal with the issues of supervision when there are temporary or PRM therapists and how OT Assistants are supervised. AOTA is also looking at revising its Supervision guidelines.

**Confirm Dates for 2014 Board meetings:**

Tentative date for 3<sup>rd</sup> week in May Teleconference IF renewal issues require Board action.

Friday August 1 changed to August 29, 2014, Portland

October, 2014: Attend OTA0 conference in Wilsonville

Friday November 7 in Portland

The Board adjourned its meeting at 1:50 p.m.

Drafted by Director, Felicia Holgate May 12, 2014