

Oregon OT Licensing Board
PUBLIC MEETING MINUTES
Friday, May 1, 2020
Via Teleconference

The Oregon Occupational Therapy Licensing Board meeting was held Friday, May 1, 2020 via Teleconference. The Board members present were: Board Chair Sybil Hedrick Park, OTR/L, CHT, CSCS; Erion Moore II, Vice Chair & Public Member; Kari Hill, COTA/L; Clyde Jenkins, Public Member; Maxwell Perkins, OTR/L, and Nancy Schuberg, Executive Director. Katharine Disalle, AAG, also attended.

With a quorum present, Board Chair Sybil Hedrick Park called the Friday meeting to order at **10:01 am**.

1. Disciplinary/Investigations/Complaints: In accordance with ORS 192.660 (2) (L) which allows the Board to meet in Executive Session on matters to consider information relating to information obtained as part of complaints and disciplinary investigations.

The following cases were considered:

- **OTA 2016-06:** Closed
- **OTA 2018-16:** Continued
- **OTA 2019-09:** Continued
- **OT 2020-01:** Continued
- **OT 2020-03** Continued
- **OTA 2020-04** Continued

PUBLIC SESSION: The Executive session was adjourned and the meeting was brought back to public session. All votes were taken in public session.

2. Motions from Executive Session and Ratify List of Licensees:

2016-06 A MOTION WAS MADE BY Kari Hill AND SECONDED BY Sybil Hedrick Park TO **close the case.** THE MOTION PASSED WITH ALL PRESENT VOTING IN FAVOR.

2019-09 A MOTION WAS MADE BY Sybil Hedrick Park AND SECONDED BY Erion Moore TO **continue the case and conduct further investigation.** THE MOTION PASSED WITH ALL PRESENT VOTING IN FAVOR.

2020-01 A MOTION WAS MADE BY Sybil Hedrick Park AND SECONDED BY Erion Moore TO **continue the case, hold the renewal until the Board receives the order of dismissal.** THE MOTION PASSED WITH ALL PRESENT VOTING IN FAVOR

2020-03 A MOTION WAS MADE BY Sybil Hedrick Park AND SECONDED BY Erion Moore TO **continue the case, hold her renewal until the Board receives the order of dismissal.** THE MOTION PASSED WITH FOUR OUT OF FIVE MEMBERS VOTING. Kari Hill did not participate in the vote due to potential conflict of interest.

2020-04 A MOTION WAS MADE BY Sybil Hedrick Park AND SECONDED BY Erion Moore TO **continue the case, renewal contingent on receiving order of dismissal.** THE MOTION PASSED WITH ALL PRESENT VOTING IN FAVOR

A MOTION WAS MADE BY Sybil Hedrick Park AND SECONDED BY Erion Moore TO **ratify the list of licensees issued since the last Board meeting.** THE MOTION PASSED WITH ALL PRESENT VOTING IN FAVOR.

3. Minutes:

The Board reviewed the minutes of the public meeting of **February 7, 2020.** A MOTION WAS MADE BY Sybil Hedrick Park AND SECONDED BY Erion Moore TO APPROVE THE PUBLIC MEETING MINUTES. THE MOTION PASSED WITH ALL PRESENT VOTING IN FAVOR.

The Board reviewed the **confidential** meeting minutes of **February 7, 2020.** A MOTION WAS MADE BY Sybil Hedrick Park AND SECONDED BY Erion Moore TO APPROVE THE CONFIDENTIAL MEETING MINUTES WITH MINOR AMENDMENTS. THE MOTION PASSED WITH ALL PRESENT VOTING IN FAVOR.

The Board reviewed the minutes of the SPECIAL public meeting of **March 24, 2020.** A MOTION WAS MADE BY Sybil Hedrick Park AND SECONDED BY Erion Moore TO APPROVE THE PUBLIC MEETING MINUTES. THE MOTION PASSED WITH ALL PRESENT VOTING IN FAVOR.

The Board reviewed the **confidential** SPECIAL meeting minutes of **March 24, 2020.** A MOTION WAS MADE BY Sybil Hedrick Park AND SECONDED BY Erion Moore TO APPROVE THE CONFIDENTIAL MEETING MINUTES WITH MINOR AMENDMENTS. THE MOTION PASSED WITH ALL PRESENT VOTING IN FAVOR.

The Board reviewed the minutes of the SPECIAL public meeting of **April 2, 2020.** A MOTION WAS MADE BY Sybil Hedrick Park AND SECONDED BY Erion Moore TO APPROVE THE PUBLIC MEETING MINUTES. THE MOTION PASSED WITH ALL PRESENT VOTING IN FAVOR.

4. Report of the Director:

2019-21 BUDGET REVIEW

Revenue:

January: \$ 4,230 ; February: \$ 6,086 ; March: \$ 128,257.

These amounts DO include revenue received from fingerprinting. The total revenue projected in the budget for this biennium is \$482,000. 75% of this revenue generally comes from renewals.

TOTAL Overall Expenditures:

January: \$ 18,064; February: \$ 18,603; March: \$ 22,990.

The allotment is what we can spend for the biennium and it **\$619,842**, or **\$25,327** per month. The Board is within the allotment.

Total Expenditures are broken into two categories, personal services (payroll costs) and services and supplies, (everything else)...

Personal Services: Expenditures: **January: \$ 15,532; February: \$ 15,577; March: \$ 16,157.**

March was little higher, as Rachel worked overtime in March to keep up with renewals. The Personal Services budget is **\$400,255** for the biennium or **\$16,677/mo.** The Board is within the limitation.

Services and Supplies: For **January: \$ 2,532; February: \$ 3,026; March: \$ 6,832.**
Our Sales and Supply budget is **\$219,587** or **\$9,149/mo.** The Board is within the limitation.

LEGAL FEES:

The Board pays their legal fees on a quarterly basis based on a flat fee contract with the DOJ, but tracks actual costs monthly. For **January: \$ 1,733.40 ; February: \$ 4,130.20; March: \$ 1,990.20.** Costs were higher due to AAG input on cases, hearing preparation was \$5000 and advice on temporary rules related to COVID-19.

ACCOUNTS RECEIVABLE HONOR ROLL / CFO GOLD STAR AWARD:

The Board earned these two certificates for fiscal year 2019.

RENEWALS 2020 UPDATE:

Renewals were extended to June 30, 2020 in light of COVID-19. The late fee from May 2-May 31 was waived. Online License search – current licenses for those have not renewed now show a lapsed date of June 30.

Renewals as of 4/21/2020

Total # of OT's:	1,038
Total # of OTA's	184
Total Renewed:	1,222

NBCOT Certification Audit:

Board staff verifies NBCOT certification as they process each renewal.
The Board staff is also checking NBCOT Action Exchange for any discipline.

Licensees who said they were NBCOT certified but were not. Each person was sent a letter notifying their CE would be audited and requiring them to send in completion certificates and CE log:

LICENSE NUMBERS: As of April 24, 2020:

OTs:	2,435
OTAs:	575
Total:	3,010

BOARD APPOINTMENTS:

Erion Moore-Reappointment Update: Paperwork was submitted (in Dec.) but he has yet to be formally reappointed. May legislative days have been postponed, including the planned Senate confirmation hearing and subsequent floor vote. At this time, there is no certainty when the Senate will convene. However, Board members who are eligible for reappointment may serve without interruption until their reappointment is processed. If the reappointment takes place after a member's term end date, the reappointment will be made retroactively.

BOARD TRAVEL UPDATE:

NBCOT Orientation for New Regulators scheduled for April 3 (Kari) - cancelled
NBCOT Regulatory Forum scheduled for May 12-13 (Nancy and Sybil) – cancelled
2021 AOTA Conference – April 8, 2021 San Diego, CA (Erion)

2020 OTA CONFERENCE / PRESENTATION:

The OTA Conference is scheduled for **Friday-Saturday, October 16-17, 2020** at the Monarch Hotel & Conference Center in Clackamas, OR. The Board discussed topics for the presentation and decided on telehealth.

COVID-19 TEMPORARY RULE UPDATE:

The Director updated the Board on the temporary rules filed in response to COVID-19:

At the April 2 Special Board Meeting, the Board voted to extend renewals to June 30, thereby waiving the \$50 late fee from May 2-May 31. The temporary rule is filed and in effect. Licensees who had not yet renewed were sent an email notifying them. The system has been updated for those who have not renewed, their expiration date now reads 6/30/20. If anyone needs an updated license they can log into the License Portal and print one off. IT Costs to update the system with these changes was \$1200.

The temporary rule waiving the fingerprint background check requirement is in effect as of April 8th through August 31, 2020 for those who are applying for a license, lapsed license or limited permit. Temporary rules can only be filed for a maximum of 6 months so if the Board wishes to extend it past that date, they can make the decision at the August 7th meeting. Applicants will save \$52.50, \$40 (charge to the Board that we pass through to the Oregon State Police) plus \$12.50 (to Fieldprint the state vendor). Cost to update the IT system was \$0. The website has been updated. The Speech Board is looking at following suit.

The final temporary rule change that the Board had looked at was to offset the \$50 late fee for those renewing a lapsed license, by lowering the renewal fees through 12/31/20. This is much more complicated than initiating a temporary rule. The Board would need to go through the SB333 Fee ratification process requiring COO of DAS approval, and then to the Legislature for formal approval. The legislature is not even meeting right now. Then again when it was time to change them back again. The Board was cautioned against this by DAS and will not go down this route.

LIMITED PERMITS:

NBCOT sent an email on 4/23/20 that they have increased the length of Authorization to Test letters (ATT) from 90 days to 180 days. This gives candidates more time to schedule and sit for the exam. The Board currently aligns the expiration date of the limited permit with the date on the ATT letter. The Board approved extending the length of the limited permit from 90 to 180 days.

ZOOM VIDEO CONFERENCING – HIPAA COMPLIANT VERSION:

The Board reviewed the cost of an annual Zoom subscription (HIPAA compliant) and decided that if the Board meetings cannot be in person, they will continue with meetings via teleconference.

End of Directors report.

5. HB 2011 Cultural Competency CE:

The Board reviewed the second draft of the proposed rules and voted to proceed with rulemaking procedures.

A MOTION WAS MADE BY Sybil Hedrick Park AND SECONDED BY Erion Moore TO **to proceed with rulemaking**. THE MOTION PASSED WITH ALL PRESENT VOTING IN FAVOR.

6. CE question on credit for Volunteering: The Board reviewed a licensee questions who volunteers for Sarah Bellum Bakery & Workshop and determined she could use her time volunteering for this organization toward CE provided she send in the documentation forms.

7. Telehealth question on consent: The Board reviewed a question on giving consent and made the following determination:

1. Is consent required with direct contact with a student/family via zoom/webex during instruction time?
YES
2. Is consent required during an IEP meeting with the team including the parents via zoom/webex? NO
3. Is consent required consulting with a team member (student/parent NOT present) via zoom/webex? NO
8. **Division 20 CE Rules Review:** The Board reviewed the first draft of the amended rules. They will vote on whether to proceed with rule making at the August meeting.
9. **Strategic Plan:** The Board has completed most action items on the current plan. The Board will choose meeting dates for 2021, including the Strategic Plan meeting at the August 7 meeting.
10. **Newsletter Planning:** The next newsletter will likely go out in July/early August to recap renewals.
11. **Re-opening of Oregon Presentation.** The Board reviewed the latest plan for re-opening Oregon.

The Board Chair adjourned the meeting at **12:00 pm.**

2020 Board Meetings: Fridays: August 7, Nov. 6

Nancy Schuberg, Director. May 1, 2020.