

Oregon OT Licensing Board
Board Meeting – November 1, 2024
Virtual Meeting

PUBLIC Board Minutes

The Oregon Occupational Therapy Licensing Board held a board meeting on **Friday, November 1, 2024**, via video conference. Board members in attendance: Board Chair Whitney Hooker, OTR/L, CLT; Vice Chair Kari Hill, COTA/L; public member Ellen Stauder; public member Elise Dorris; Heather McCarthy, OTR/L; Nancy Schuberg, Executive Director, and Angela Hunt, Board Counsel.

With a quorum present, Board Chair Whitney Hooker called the meeting to order at 10:03am.

1. OT COMPACT INFORMATIONAL SESSION:

The Oregon Occupational Therapy Licensing Board welcomed the following presenters:

A panel from the NBCOT, Counsel of State Governments and the AOTA gave a presentation about the OT Compact, how it works, and the benefits.

Daniel Markels, State Legislative Affairs Manager for the AOTA

Carl Sims, Deputy Program Director, National Center for Interstate Compacts
from the Council of State Governments

Shaun Conway, Vice President of Regulatory Affairs for the NBCOT

Katie O'Day, OTAO President and Jen Pidkowicz, OTAO Treasurer gave a presentation on why it is important for Oregon to adopt the OT Compact legislation.

Nancy Schuberg, OTLB Executive Director, spoke about her concerns as the board administrator about adopting the legislation.

Executive Session: In accordance with ORS 192.660(2)(l) which allows the Board to meet in Executive Session on matters to consider information obtained as part of complaints and disciplinary investigations, ORS 192.660(2)(f) to her legal advice and ORS 192.660(2)(a) to review the Director's performance.

2. Disciplinary/Investigations/Complaints:

The following cases were considered:

- **2023-06** **Continued**
- **2024-19** **New**
- **2024-08** **Continued**
- **2024-12** **Continued**

- **2024-13** **Continued**
- **2024-17** **New**
- **2024-18** **New**
- **2024-20** **New**
- **Legal Advice**
- **360 Performance Review of the Director**

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

Board member Kari Hill had an excused absence from part 2 of the public meeting.
The board welcomed Kristen Neville, State Affairs Manager, AOTA.

3. Review and approve public and confidential Board meeting minutes and ratify list of licensees:

The Board reviewed the public and confidential meeting minutes of the **August 9, 2024:**

A MOTION WAS MADE BY Ellen Stauder AND SECONDED BY Elise Dorris TO APPROVE THE PUBLIC and CONFIDENTIAL MEETING MINUTES of the August 9, 2024 board meeting. THE MOTION PASSED WITH ALL BOARD MEMBERS VOTING IN FAVOR.

Board Member votes:

Elise Dorris: Aye

Ellen Stauder: Aye

Whitney Hooker: Aye

Heather McCarthy: Aye

A MOTION WAS MADE BY Ellen Stauder AND SECONDED BY Elise Dorris TO RATIFY THE LIST OF LICENSES ISSUED SINCE THE August 9, 2024 board meeting. THE MOTION PASSED WITH ALL PRESENT VOTING IN FAVOR.

Board Member votes:

Elise Dorris: Aye

Ellen Stauder: Aye

Whitney Hooker: Aye

Heather McCarthy: Aye

4. Motions from Executive Session:

2024-06 A MOTION WAS MADE BY Ellen Stauder AND SECONDED BY Elise Dorris TO **dismiss the case.** THE MOTION PASSED WITH ALL PRESENT VOTING IN FAVOR.

Board Member votes:

Elise Dorris: Aye

Ellen Stauder: Aye

Whitney Hooker: Aye
Heather McCarthy: Aye

2024-13 A MOTION WAS MADE BY Ellen Stauder AND SECONDED BY Elise Dorris TO **dismiss the case.** THE MOTION PASSED WITH ALL PRESENT VOTING IN FAVOR.

Board Member votes:

Elise Dorris: Aye
Ellen Stauder: Aye
Whitney Hooker: Aye
Heather McCarthy: Aye

2024-17 A MOTION WAS MADE BY Ellen Stauder AND SECONDED BY Elise Dorris TO **assess a \$2,500 civil penalty.** THE MOTION PASSED WITH ALL PRESENT VOTING IN FAVOR.

Board Member votes:

Elise Dorris: Aye
Ellen Stauder: Aye
Whitney Hooker: Aye
Heather McCarthy: Aye

2024-18 A MOTION WAS MADE BY Ellen Stauder AND SECONDED BY Elise Dorris TO **assess a \$750 civil penalty.** THE MOTION PASSED WITH ALL PRESENT VOTING IN FAVOR.

Board Member votes:

Elise Dorris: Aye
Ellen Stauder: Aye
Whitney Hooker: Aye
Heather McCarthy: Aye

2024-20 A MOTION WAS MADE BY Ellen Stauder AND SECONDED BY Elise Dorris TO **dismiss the case.** THE MOTION PASSED WITH ALL PRESENT VOTING IN FAVOR.

Board Member votes:

Elise Dorris: Aye
Ellen Stauder: Aye
Whitney Hooker: Aye
Heather McCarthy: Aye

2024-21 A MOTION WAS MADE BY Ellen Stauder AND SECONDED BY Elise Dorris TO **assess a \$10,000 civil penalty.** THE MOTION PASSED WITH ALL PRESENT VOTING IN FAVOR.

Board Member votes:

Elise Dorris: Aye
Ellen Stauder: Aye
Whitney Hooker: Aye
Heather McCarthy: Aye

2024-22 A MOTION WAS MADE BY Ellen Stauder AND SECONDED BY Elise Dorris TO **assess a \$3,000 civil penalty.** THE MOTION PASSED WITH ALL PRESENT VOTING IN FAVOR.

Board Member votes:

Elise Dorris: Aye
Ellen Stauder: Aye
Whitney Hooker: Aye
Heather McCarthy: Aye

5. Report of the Director:

2023-2025 BUDGET REVIEW:

The Board reviewed the financial summaries for the months of Month 13, July, August and September, the 5th quarter months of the 23-25 biennium. As June was the last month of the fiscal year, the 13th month captures any final expenses that should have gone into the preceding fiscal year.

Revenue: Total Revenue: Month 13: \$15; July: \$16,381; Aug.: \$20,099; Sept: \$13,048.

Overall Expenditures: Month 13: \$2,189; July: \$22,002; Aug.: \$26,635; Sept: \$28,332 The allotment is what we can spend for the biennium and it is \$755,948 or \$31,498 per month. Overall, for the three months, the board is within the limitation.

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

Personnel Services: Month 13: 0; July: \$20,810; Aug.: \$22,075; Sept: \$20,778.

The Personal Services budget is \$531,480 for the biennium or \$22,145/mo.

The Investigator that we use as needed, Michael Vile, worked 9.5 hours in July; 3.5 hours in August; 1 hour in Sept. Rachel did not work any overtime.

Services and Supplies: Month 13: \$2,189; July: \$1,191; Aug.: \$4,559; Sept: \$7,555.

The Sales and Supply budget is \$224,468 or \$10,218 per month. The board is within the limitation.

25-27 BUDGET UPDATE: The next step in the budget process, is the release of the Governor's Budget which will occur in early December.

LICENSE NUMBERS: As of the end of the day on October 31, 2024, the total number of licensees are: **OTs: 2,207. OT Assistants: 451** for a total of **2,658** practitioners currently licensed in Oregon. There were **98** licenses issued since the last meeting that were ratified when we had the motions.

ANNUAL BOARD TRAININGS: Board members were reminded that if they had not yet completed the two required board trainings they are due at the end of this year. The courses can be accessed by logging into the Workday system.

BOARD COMPENSATION: The board stipend rate is equal to the per diem compensation received by members of the state legislature. This is an annual calculation that goes into effect every Oct. 1st. The new rate per meeting is \$178.00, that's up from \$165. The request for board member compensation will be submitted later this month.

NBCOT LEADERSHIP FORUM: The NBCOT held their annual forum on September 10th and 11th. The NBCOT did nationwide research on Dry Needling and Wound care and reported on the results. The board received notes from the forum and the reports.

2025 AOTA ASPIRE: The annual AOTA conference will be held April 3-5th in Philadelphia. Board member Kari Hill will attend on behalf of the board and will provide a report to the board about her trip at the May 16, 2025 meeting.

HEALTH PROFESSIONALS REGULATORY BOARD (HPRB) CHARTER: The Health board Directors have formed a group charter. The 19 health board directors meet together monthly to collaborate to best serve Oregonians, further the Governor's priorities and effectively regulate the health professions in Oregon. At the regular meetings the group discusses best practices and shared issues such as workforce issues, streamlining licensing, addressing burnout and wellness of the health care workforce.

AOTA STATE AFFAIRS NEWSLETTER: The AOTA state affairs newsletter was shared with the board.

End of the director's report.

6. Public Comment: Kristen Neville from the AOTA State Affairs group stated that she had joined the meeting to provide any insight on the question about Shock Wave Therapy.

7. NBCOT / AOTA History of Credentials: OT member Heather McCarthy provided research she had done on the history of the NBCOT and AOTA. Credentials were established in 1934 for an OTR and a COTA in 1977. There has been no other credential used since then.

When was the NBCOT created? In 1986, the autonomous AOTA is created to separate AOTA membership from certification and certification-related activities became AOTCB's responsibility. In 1986 NBCOT was founded as AOTCB and in 1996 AOTCB renamed itself to NBCOT in 1996.

8. Scope of Practice Question: Shock Wave Therapy: The Board received a question regarding whether or not OTs in Oregon are approved to administer shockwave therapy. Is this a modality that OTs are approved for? According to the therapist, Shockwave therapy is a service being performed at a PT clinic and it is a machine that looks similar to an ultrasound machine. It uses pulsed sound waves with the intended purpose of healing chronic tendinitis. The treatments are not comfortable. He said that the research that he has seen online suggests that it can be beneficial with few side effects. The PT reported that they don't have a billing code for it, but rather combine the time spent with other codes.

Kristen Neville, State Affairs Group, AOTA stated they did not have a specific position but sent the board the AOTA position statement on Physical Agent, Mechanical and Instrument-assisted Modalities within OT practice. It addresses deep thermal agents that include energy from low-frequency sound waves that gets converted into heat. It does not address shock waves though. Also sent by AOTA was the policy on Interventions to support occupations.

9. Other Business: None

10. Adjournment: The Board adjourned at 2:56 pm.

Nancy Schuberg, Executive Director. November 6, 2024