

PUBLIC MEETING MINUTES
Occupational Therapy Licensing Board, Friday, January 19, 2007.

The Oregon Occupational Therapy Licensing Board met Friday January 19, 2007 at the Portland State Office Building, Room 445, Portland, Oregon. Board members present were: Genevieve deRenne, MA, OTR/L, FAOTA, Chair, Jeffrey Roehm, Public member, Vice-Chair, Joyce Browne, OTA/L, and Alan King, OTR. Tom Ruedy, Public Member was not present. Felicia Holgate, Director was present. Also present at noon was OTAO Board chair Sybil Fisher . With a quorum present, Genevieve deRenne called the meeting to order at 10:10 a.m.

1. Minutes: The Board reviewed Public meeting minutes, of SEPTEMBER 29, 2006. Joyce Browne MOVED THAT THE PUBLIC MINUTES OF SEPTEMBER 29, 2006, LICENSING BOARD MEETING BE APPROVED. Jeff Roehm SECONDED THE MOTION AND IT PASSED WITH ALL PRESENT.

The Board reviewed the Executive meeting minutes of SEPTEMBER 29, 2006. Joyce Browne MOVED THAT THE EXECUTIVE BOARD MINUTES BE APPROVED. Jeff Roehm SECONDED THE MOTION AND IT PASSED WITH ALL PRESENT.

2. List of Licensees: Licenses issued since the last Board meeting were distributed. Alan King MOVED THAT THE BOARD RATIFY THE LIST OF LICENSEES ISSUED SINCE THE SEPTEMBER 29, 2006 BOARD MEETING. Joyce Browne SECONDED THE MOTION AND IT PASSED WITH ALL PRESENT. Currently there are 1448 licensees; 242 OT Assistants and 1206 Occupational Therapists as of 1/18/07. In addition there are 4 Limited Permit holders at present. These last 3 months the average is 9 per month, about what it was last year, but down a few from the last six months. Fewer applications are expected during the end of the year.

3. Disciplinary/Investigations/Complaints: In accordance with ORS 192.660(1)(k), which allows the Board to meet in Executive Session on matters to consider information obtained as part of investigations of licensees. **There were no cases to discuss during closed session.**

- **OT 2006 - 03 Self reported theft:** This case was postponed.
- **OT Status of Probation:** The Director is monitoring the results of monthly urine tests. Licensee had over six months of negative results so the Board agreed to reduce the testing to once a month; the licensee also completed the state probation. The Director is keeping in close contact with the facility and the licensee's supervisor.

4. Brochure about Speech Communication: The Board received a letter from Speech Pathologist Allison Goodwin-Craigne, Speech Language Pathologist, working at the Hearing and Speech Institute in Portland about a brochure put out by an OT which included language that stated:

“Apraxia of speech

... Therapy utilized a unique oral-motor program called Talk Tools. Sara Rosenfeld-Johnson, SLP of Tucson, Arizona, has developed tools for improving oral strength (lips, tongue and jaw), refining of tongue placement required for articulation, and enhancing breath support for adequate respiration, phonation and resonance, all required for speech skills. These “tools” come in the form of various

horns and straws, each with a particular skill in mind to acquire. The program also uses functional and fun exercises to practice desired skills. The tools and exercises are also recommended for home programs to ensure best results.”

The Director spoke with the OT licensee who had no intention to identify and diagnose apraxia; but merely use some of the techniques. The Director suggested that the OT and the Speech Pathologist meet. On Dec. 13th the Director met with the OT who published the brochure and Alyson Goodwyn-Craine as well as the Speech-Language & Hearing Association President Janet Brockman. After discussion it was clarified that the language in the brochure should not be used. The public can be misled and assume that the OT can identify and diagnose Apraxia. The intent of the OT was not to work on the speech communication issues but rather to work on the motor planning – OT part of the problem. The OT agreed to either withdraw the brochure or delete the page on apraxia.

In further discussion it was agreed that Felicia Holgate would bring this to the attention of the Board with the suggestion that the OT and Speech come up with a joint statement indicating what specifically is in the purview of speech therapists and what is specifically in the purview of OT. Alyson Goodwyn-Craine agreed to help work on language with Occupational Therapists that work at the institute to define what is clearly OT vs. Speech. This proposed document will then be brought to the OT and Speech boards. These are areas that have complex diagnosis and need very specialized training to be identified. The Board agreed to this approach. No further action was needed.

5. Report of Director: Director, Felicia Holgate continues to send monthly office report summarizing the work in the office.

- The Director drafted the Suite 407 Health Related Licensing Board’s **Business Continuity Plan**. The final academy was held Dec. 4 -6, 2006. An initial draft is ready for review. The Director discussed lines of succession in case the Director was not available during a crisis. The Director’s recommendation is for Office Specialist Gayle Shriver initially to be contacted to continue work she can that is imminent and essential based on the board’s mission with the approval by phone or e-mail of the Board’s chair. If neither Director nor the office staff is available, the other Directors will notify Board Chair Genevieve deRenne to determine what needs to be done next. The Office Desk Manual is being updated so anyone with basic licensing experience could step in to help with essential tasks to provide licensing and verifications. The HRLB Directors already have in place a meeting place if the state office building is not available and alternative work sites from which directors can work.
- The director has also started sending a excel spreadsheet of all **current licensees** to her home Email,
to the Board chair and to AOTA and NBCOT contacts in the event that Oregon could not verify licenses. That would give another licensing national association the ability to help with this process, just as they did during the problems in Louisiana when Katrina made verification impossible.
- The **online survey results on customer satisfaction** were distributed with charts and comments. This survey is collated automatically with charts and comments available.
- The Director will meet in January with Linda Hunt the new professor at Pacific University taking over the Pacific **Re-Entry** Program. This will include expanding the program to OT Assistants.

- The Director with other Health Related Licensing Boards in Portland continues to look for ways to work together administratively for the benefit of all the boards. They are also continuing to look at the possibility of **semi-independence** if that becomes a possibility. The Director discussed the background of semi-independence. Often the Board director is spending 40 – 50% of their time on DAS and Budget work. There is continued concern that the small boards may be merged into a large licensing entity. The Director and Board feel the current system provides very efficient services for licensees and other stakeholders.
- **Budget Review:** The Director gave a **fiscal summary**. Monthly expenditure statements are scanned and sent to the Board members for review by e-mail. The Board reviewed monthly expenditures and discussed the financial situation. The **Sept. 2006** expenditures were **\$8,530**. **October 2006** expenditures were **\$7,492**. **November 2006** expenditures were **\$8802**. December expenditures were **\$7,076**. Spending is still well below the budgeted monthly amount of **\$11,214**. Monthly interest payments after renewal fees were collected continue to be just **over \$1600** a month. At the present time the interest doubles revenue which is typically slow this time of year.
- The Director noted in the Agency budget document that the Board will look to **reduce the Occupational Therapy license renewal fees**. The Director is putting together financial report on what the effect would be with reduced fees on the financial stability for the board at its next meeting. In addition the Board will receive a second opinion on her perspective on reducing the fees. The Director does recommend a decrease in fees; specific proposed amounts will come at the next meeting.

6. OTA0: Meet with new President of OTA0: Sybil Fisher at 12:00

The Board met with new OTA0 president Sybil Fisher. The OTA0 wants to increase membership as well as increase participation by occupational therapists who work on behalf of OT. Their board will provide some information to the licensing board about membership for the director to send to new licensees. The Director will provide OTA0 with new licensees address information so OTA0 can send them information about joining OTA0. OTA0 has just started a web letter in addition to their newsletter. They also are working on community meetings. OTA0 is having a community meeting Friday, January 26 at Willamette University. Felicia Holgate, Director is not available that night. Alan King, Board member volunteered to attend on behalf of the board.

7. Statutory changes for new OT Definition and Re-entry program and CE for new applicants: The director has attended several meetings about changes in the legislative process. **Legislative Action:** The board discussed the current legislation in this 2007 session that might affect occupational therapy. Both OTA0 and the Licensing Board and the school, and AOTA will follow legislation and perhaps testify or submit testimony to various committees.

The board discussed OTA0's role in following all legislation that may affect occupational therapy practice in Oregon. Specifically the board and OTA0 discussed the two Physical Therapy Bills (SB 359 and HB 2386). At this point the licensing board will not testify on the PT bills.

On the Orthotics Bill (SB 326): The Director recommended an amendment with added language such as found on the OT statute stating something similar to ORS 675.220(b): *Persons licensed under any*

other law of this state to do any acts included in the definition of occupational therapy in ORS 675.210 or persons working under the direction of any such person.

The Board will work closely with OTAO, Pacific University and others on legislation that affect Occupational Therapy. The director provided a list of bills identified that might affect occupational therapy including some other licensing board bills, those dealing with administration or hearings.

SB 135 has just been assigned to committee but will not be heard for at least two weeks since that committee is working on healthy kids bills. Generally the board still prefers to have the whole of the AOTA model definition in the statute. Much concern was expressed both by occupational therapists and other professions about how broad the new definition is. It was the recommendation of legislative counsel to put the rest of the model definition language on specific scope of practice into rule. The director will continue to contact those interested in the bill to work out language that would be agreeable. If the new definition is accepted by the committee the board looked at putting into rule all of section A, B, and C from the model AOTA definition. This language continues to be found on the OTLB web site and was published in the newsletter.

8. Board members at Infinity Rehab. The Director will be available for questions from Occupational Therapists on Saturday January 20 at the Infinity Rehab CE at the Portland airport.

9. Pain Management Statement and changes to web site CE:

The Director recommended that the board agree to sign the general statement from the Pain Commission but with the provision that the web site pain presentation and other materials they provide clearly include more information about how the Occupational Therapy Profession works with pain. Specifically the recommendation is to add the following from AOTA:

“Occupational Therapy works with people with chronic pain to help them learn to manage physical and psychological effects of pain and to lead to more active and productive lives. OT Services are widely available and reimbursable. The AOTA (American Occupational Therapy Association, www.aota.org) summaries: **What can an occupational therapist do?**

- **Identify** specific activities or behaviors that aggravate pain and suggest alternatives.
- **Teach** methods for decreasing the frequency and duration of painful episodes.
- **Implement** therapy interventions that may decrease dependence on or use of pain medications.
- **Facilitate** the development of better function for daily activities at work and home.
- **Collaborate** with the client's team of health care professionals, such as physicians, physical therapists, psychiatrists, and psychologists, to determine the best course of treatment and intervention.
- **Recommend** and teach the client how to use adaptive equipment to decrease pain while performing tasks such as reaching, dressing, bathing, and perform household chores.

What can a person with chronic pain do?

- **Develop** and practice a lifestyle based on wellness, which includes plenty of rest, exercise, healthy nutrition, and maintaining a positive attitude.
- **Practice** techniques to decrease the intensity of pain.
- **Organize** a daily routine with personal pain management goals, such as eliminating or modifying activities that use a lot of energy and implementing body mechanics that move the body in ways that are less likely to aggravate pain.

- **Exercise** to increase strength and flexibility and reduce pain.
- **Practice** relaxation techniques that calm the mind and reduce tensions that aggravate pain.

Chronic pain is a serious problem that should not go untreated. If you would like to consult an occupational therapist about pain management, practitioners are available through most hospitals, community clinics, and medical centers.

Occupational therapists and occupational therapy assistants are trained in helping both adults and children with a broad range of physical, developmental, and psychological conditions. Practitioners also help clients in wellness techniques that may prevent injury and disease. Contact your local health officials for more information.”

The Board will offer services to help the Pain Commission strengthen its discussion of pain to include more information on how occupational therapists work in the area.

10. Other business:

- **Future meeting with OT working in Education:** After the legislative session the board will spend a meeting dealing with Occupational Therapists in education.
- **Authentication of Notes:** When occupational therapists dictate notes they need to go back to review them and sign that what is included is correct. When notes are done electronically there is usually a way built into the electronic method to review and agree to the record with an electronic signature. Signing notes is also needed for Medicare reimbursement. The board noted that if it needs to be done the occupational therapist does need to go to medical records to sign the notes after they are dictated. Otherwise the licensee is agreeing to what is in the record without reviewing what has been written and they are responsible for those notes. Although there are no specific rules on this, the board confirmed the need to verify notes by signing them, and noted that facilities have different ways to deal with this issue.
- **Question on CE watching video's:** No change was recommended giving .50 points for watching a video for CE. It was noted that the points used to be .25.

The board also noted again that this is the 30th year of licensure for Occupational Therapy and that there would be a special issue of the board's newsletter dedicated to this as well as an Open House at the board office. Other ideas are welcome. The director noted that working with the legislature is also a way to explain to the public what occupational therapists do.

Upcoming meeting proposed for 2007 meeting dates.

Friday, April 27, 2007 in Albany

Friday, July 27, 2007 in Portland

Friday, October __, 2007 in Portland during the OTA/O conference (not yet set)

Genevieve DeRenne adjourned the meeting at 1:52 p.m.

Felicia M. Holgate, Executive Director January 22, 2007.