

PUBLIC MEETING MINUTES
Occupational Therapy Licensing Board

The Oregon Occupational Therapy Licensing Board met **Friday May 3, 2013** at Linn Benton CC in Lebanon, Annex, (back of parking next to the Mill). 44 Industrial Way, Lebanon OR 97355.

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 **10 a.m.**

1. Minutes: The Board reviewed the Feb. 8, 2013 Public meeting minutes with a minor amendment. Linda Smith MOVED THAT THE PUBLIC MINUTES OF Feb. 8, 2013, BOARD MEETING BE APPROVED. Alan King SECONDED THE MOTION AND IT PASSED WITH ALL PRESENT.

The Board reviewed the March 1, 2013 special executive teleconference Public meeting minutes. Mashelle Painter MOVED THAT THESE PUBLIC MINUTES BE APPROVED. Robert Bond SECONDED THE MOTION AND IT PASSED WITH ALL PRESENT.

The Board reviewed Confidential Feb. 8 , 2013 meeting minutes. Linda Smith MOVED THAT THESE CONFIDENTIAL MINUTES BE APPROVED. Robert Bond SECONDED THE MOTION AND IT PASSED WITH ALL PRESENT.

The Board reviewed special teleconference Executive Session March 1, 2013 meeting minutes. Mashelle Painter MOVED THAT THESE CONFIDENTIAL MINUTES BE APPROVED. Robert Bond SECONDED THE MOTION AND IT PASSED WITH ALL PRESENT.

2. Ratify List of Licensees: Licenses issued since the October and Feb. Board meeting were distributed. The last Board meeting licenses did not include reinstatement so they were submitted again for this board meeting. Linda Smith MOVED TO RATIFY THE LIST OF LICENSEES ISSUED SINCE THE OCTOBER BOARD MEETING. Robert Bond SECONDED THE MOTION AND IT PASSED WITH ALL PRESENT.

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. The Board is in good fiscal shape. The budget work session before the Ways and Means, Education subcommittee will probably be in April. It might be when the Director is on vacation and in that case either the Board Chair or another Director will try to attend. During work sessions there is usually no testimony.

2012 Revenues: January \$2,298; February \$ 2,255; and March \$3,292.

2012 Expenditures: January \$ 10,102; February \$ 10,615; and March \$11,649. The Board has an average budgeted amount of \$15,000 per month.

From the last meeting the Director confirmed that the Expendable property amount was for under Budget Object code 4700 was for furniture (ergonomic chair for the Director).

As of May 1, 2013 there were **332 OT Assistants** and **1578 OTs** for a **total of 1910 licensees**. We expected 2000 licenses by the end of December 2013 and reached that number in April. We issued approximately 20 licenses per month. Note there are currently 27 applicants and we are getting the student LP applicants from Pacific and from Linn Benton CC

New Board member for October 2013: Sybil Hedrick has submitted her application, was recommended by OTA and forwarded to the Governor's office. Alan King will be ending his term October 15 prior to the OTA conference.

Board staff: The Director has increased the hours Nancy Schuberg as the work continues to grow. From March to June there are sufficient reserves to increase the hours. The Director will work with DAS to be certain there are sufficient funds to keep the budget balanced.

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 2011 – 07:** The case was Continued
- **OT 2012 – 05:** The application was withdrawn. The file was closed.
- **OT 2012 - 08:** The case was Continued
- **OT 2013 – 01:** A MOTION WAS MADE BY ROBERT BOND AND SECONDED BY ALAN KING TO ISSUE A PRIVATE “LETTER OF CONCERN”.
- **OTA 2013 – 02:** A MOTION WAS MADE BY MASHELLE PAINTER AND SECONDED BY LINDA SMITH TO ISSUE THE LICENSE.
- **OT 2013 – 03:** Applicant file was withdrawn. The file was closed.
- **OT 2013 – 04:** A MOTION WAS MADE BY ROBERT BOND AND SECONDED BY LINDA SMITH TO ISSUE A PRIVATE LETTER OF CONCERN. THE MOTION PASSED WITH ALL PRESENT
- **OTA 2013 – 05:** Continued
- **OT 2013 – 06:** A MOTION WAS MADE BY ROBERT BOND AND SECONDED BY JUANITA SHEPHERD TO ISSUE A LETTER OF CONCERN. THE MOTION PASSED WITH ALL PRESENT.
- **OT 2013 – 07:** A MOTION WAS MADE BY MASHELLE PAINTER AND SECONDED BY ROBERT BOND THAT NO ACTION WILL BE TAKEN AND THE CASE WILL BE DISMISSED. THE MOTION PASSED WITH ALL PRESENT

5. Discipline matrix: The board now uses the MATRIX which was reviewed at the last Board meeting. With each packet the Board will receive the discipline matrix to use. A MOTION WAS MADE BY Linda Smith AND SECONDED BY Mashelle Painter TO ADOPT THE DISCIPLINE MATRIX AND HAVE IT ADDED TO THE BOARD POLICEIS AND PROCEDURES MANUTAL. A copy of the Matrix will be sent with each board packet to use.

Lunch: Board members had lunch and continued with their meeting.

6. Telehealth: The Director in the March newsletter asked for any volunteers to work on drafting a board rule about Telehealth. There was a legislative hearing about use of Telehealth by the Oregon

Health Authority. At the last Board meeting the Board formally adopted the AOTA paper on Telehealth and the policy has been formally adopted in the updated Board Policies and Procedures. The Director has Linda Smith and 8 people on the committee. Three were attending the AOTA conference and has a lot of new information. Several states have rules and they will be reviewed. This group will work on a draft rule.

7. Legislation and OT Day: The Director outlined the current bills that are being followed for the Board. The April 8 deadline was for all bills to have a work session. April 18 was deadline for all bills to pass on to the second chamber. This leaves the following bills on the Director's list:

HB 2037A, SB 125A Expedite applications for Active military spouse, partner and "stay" discipline case

HB 2074: OHLA name change to HL Office and put under Oregon Health Authority - In W & M

HB 2217 & SB 483A: Filing adverse health care incident with Oregon Patient Safety Commission

HB 2370: Posting minutes on Oregon Transparency web site with link

HB 2498: Require Agency collaborate with Revenue on pilot to show licensees are tax compliant

HB 2611A: Agency may adopt rules for **Cultural Competency** CE for health care professionals passed

HB 2927 & 3496 & SB 302: Study **Boards** Commissions being done by Sec of State's office to Gov/Leg

HB 2998 & SB 683: Cannot refer patients where practitioner has interest in the practice

HB 3168: Criminal records and fingerprinting

SB 52A: Final Orders in digital format to Oregon State Bar

SB 140: Must advise that SS# maybe be used to match other public records of state audit purposes

SB 604: Creates credentialing group which health boards must give data to about licensees

SB 5526: OTLB Biennial Budget bill for 2013 – 2015 (with other health boards)

8. Board Best Practices: Each Board member will fill out the yearly Board Best practice summary and the responses will be added to the OTLB Performance Measures. These criteria check that the Board follows required practices to do its job appropriately. The members completed the forms and they came out as done except Juanita Shephard made note that her terms just started and she did not receive Governor's training.

9. QMAP: An issue which has come up often in the past is being reviewed again. The OTs who work in mental health, look at "diagnosis" of patients. The Director asked the Board Consultant, who did a lot of work with OT in mental health about the issue and it is clear that OT's are an eligible disciplines to qualify for Qualified Mental Health Professional (QMHP). This is not entry level as there is advanced experience required before an OT can get this designation.

The job description for a QMHP includes the ability to provide a DSM4/5 diagnosis. The QMHP is performing her/his job by using their clinical reasoning to get the diagnosis, which is the "starting point for treatment" and for "developing a treatment plan". The OT is gathering history, information, functional level, lifestyle challenges. This fits within the context/ knowledge of our OT practice framework. The DSM4/5 is just providing the label to understand the symptoms. For the psychiatrist, it provides a way to prescribe meds. Since OT does not prescribe meds, the 5 axis diagnosis gives us a framework for the functional level of the client at a point in time. OT often has a much broader and more comprehensive understanding of lifestyle and function than other disciplines and perhaps, is a better fit for the QMHP role than other disciplines. It is important to understand the context of "diagnosing" from the mental health perspective, not medical model and broaden out this definition so OT's can exercise their clinical reasoning within this practice arena.

Supervision is provided, usually by other disciplines. In community mental health, there is much team collaboration. This is a very “multi-discipline” work environment. The diagnosis the OTR’s provides is a starting point for collaboration & treatment and usually the team weighs in on the treatment process.

QMHP is a job description unique to community mental health and in order for OT to be included and competitive in this mental health arena, one has to get this designation. OT's entry point is that the OTR has to be licensed in Oregon, then mental health experience is required and lastly ongoing supervision is provided as a part of the job. Providing a diagnosis should not be a point of contention between QMHP and OT licensing as this person is not entry level and they are providing what is required in their job description.

The Director talked briefly with Sean Roush from Pacific University, School of OT, who is dealing with this issue with AOTA on a national level and will help provide the contest to work on a rule in Oregon to support the OT/QMHP role in community mental health. The Director will follow up. The materials in the Board Policies and Procedures manual was reviewed. Genevieve deRenne is interested in working with this group.

10. Meet with OTA students and tour OTA school facilities: The Board adjourned its meeting at 2:30 pm and went to the OTA facilities for a tour and to meet with the OTA students. They talked about the board functions and answers student questions

11. New Business: Linda Smith attended the AOTA conference and brought back a lot of information, especially in the area of Telehealth. She already met with some of the committee members about this topic. She also attended meetings on

Board meetings in 2013: August 2- 3, 2013 in Roseburg: with a community meeting planned and Board CE; October 18 - 19, 2013 board meeting during the OTA meeting in Lake Oswego.

Dates for 2014 Board meetings: will be discussed at next meeting

The Board adjourned its meeting at 2:30 and finished talking to OT Assistant staff and students after the tour ended at 3:30.

Drafted by Director, Felicia Holgate June 4, 2013