

Oregon OT Licensing Board

Board Meeting – October 19, 2023

Portland State Office Building, 800 NE Oregon St. Suite 407, Portland, OR 97232

PUBLIC Board Minutes

The Oregon Occupational Therapy Licensing Board held a Board Meeting on **Friday, October 19, 2023**, via Zoom Video Conference. Board members: Board Chair/public member Erion Moore, Vice Chair Kari Hill, COTA/L, Maxwell Perkins, OT/L, Whitney Hooker, OTR/L, CLT, public member Ellen Stauder and Nancy Schuberg, Executive Director were present. Guests: Elise Dorris, Mashelle Painter, Sean Roush, Hari Vellaipandian and Stanley Paul.

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

Executive Session: 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.

1. Disciplinary/Investigations/Complaints:

The following cases were considered:

- **2023-03** Continued
- **2023-06** Continued
- **2023-11** New
- **2023-12** New

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

2. Policy Review

The Board reviewed the proposed policy change, removing the line, “provided it was not a felony,” allowing the board chair to decide in the case of a juvenile arrest or an arrest that is over 20 years old, whether to approve the app or bring it to the full board.

A MOTION WAS MADE BY Max Perkins AND SECONDED BY Ellen Stauder TO approve the revision to the policy on application approval per the draft. THE MOTION PASSED WITH ALL PRESENT VOTING IN FAVOR.

The Board reviewed the proposed policy change no longer requiring FP background checks for those folks reinstating a lapsed license. Currently we already do LEADS checks on all licensees prior to renewals, so licensees are already receiving a background check. This will help keep the cost down for those who reinstate their license. This change will require revisions to the database and would go into effect starting March 1st, 2024. There is no rule change necessary.

A MOTION WAS MADE BY Max Perkins AND SECONDED BY Ellen Stauder TO approve the revision to the policy on background checks as drafted. THE MOTION PASSED WITH ALL PRESENT VOTING IN FAVOR.

3. Review and approve public and confidential Board meeting minutes:

The Board reviewed the **public** meeting minutes of the **August 18, 2023 meeting:**

A MOTION WAS MADE BY Max Perkins AND SECONDED BY Ellen Stauder TO APPROVE THE PUBLIC MEETING MINUTES with MINOR CORRECTIONS. THE MOTION PASSED WITH ALL PRESENT VOTING IN FAVOR.

The Board reviewed the **confidential** meeting minutes of the **August 18, 2023 meeting:**

A MOTION WAS MADE BY Max Perkins AND SECONDED BY Ellen Stauder TO APPROVE THE CONFIDENTIAL MEETING MINUTES with MINOR CORRECTIONS. THE MOTION PASSED WITH ALL PRESENT VOTING IN FAVOR.

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

2023-11: A MOTION WAS MADE BY Max Perkins AND SECONDED BY Whitney Hooker to **dismiss the case.** THE MOTION PASSED WITH ALL PRESENT VOTING IN FAVOR.

2023-12: A MOTION WAS MADE BY Max Perkins AND SECONDED BY Whitney Hooker to **dismiss the case.** THE MOTION PASSED WITH ALL PRESENT VOTING IN FAVOR.

RATIFY LIST: A MOTION WAS MADE BY Max Perkins AND SECONDED BY Ellen Stauder to **ratify the list of licensees issued since the last board meeting.** THE MOTION PASSED WITH ALL PRESENT VOTING IN FAVOR.

5. Mashelle Painter, Director of LBCC's OTA program: The Board welcomed back former board member Mashelle Painter, OTA/L, and she provided an update on the OTA program at LBCC.

6. Sean Roush, Program Director of WOU's OTD program: Sean Roush, OTD, OTR/L, FAOTA, updated the board on the new OTD program at Western Oregon's Salem campus. It will be the first public OT program in Oregon. The first cohort will start in Fall, 2024. Sean plans to collaborate with the Oregon State Hospital, LBCC and Chemeketa. The program plans to admit 30 students initially and build up to 40 students.

7. Update on HB 2618: The Director provided an update on HB 2618 which requires the ODE to conduct a study to identify the best methodology for determining the appropriate number of students on workloads for school-based health practitioners. Timelines are tight. The goal is to get the research done this month, the report drafted next month and reviewed by therapists, submit to ODE leadership in Dec. and then to the Legislative Assembly by **January 5th.** There have been two meetings with good turnouts which attendees provided feedback to the ODE. A survey went out to all licensees on Sept. 29th and there was good response.

8. Public Comment: There were no public comments.

9. Permanent rule vote – Limited Permit designations: At the August 18th board meeting, the board reviewed a rule amendment of 339-010-0040 to require that those occupational therapy practitioners working under a limited permit use designations OT/LP and OTA/LP.

339-010-0040 Limited Permit

9) An occupational therapist working under a limited permit must clearly identify themselves as working under a limited permit by using the designation OT/LP.

(10) An occupational therapy assistant working under a limited permit must clearly identify themselves as working under a limited permit by using the designation OTA/LP.

The board voted to file the notice of proposed rulemaking and the notice was filed on 9/7/23. The board received one comment, in favor. The due date for comments is 10/23/23 at Noon. At the meeting, the board had a motion to file the permanent rule, contingent upon receiving no comments in opposition of the rule change.

A MOTION WAS MADE BY Max Perkins AND SECONDED BY Whitney Hooker TO file permanent rule establishing required designations under the limited permit rule, contingent upon not receiving any comments in opposition. THE MOTION PASSED WITH ALL PRESENT VOTING IN FAVOR.

Permanent rule vote – Unprofessional Conduct: At the August 18th board meeting, the board reviewed a rule amendment of 339-010-0020, rules on unprofessional conduct.

339-010-0020 Unprofessional Conduct

(5) Unprofessional conduct relating to federal or state law or rules:

(i) Purporting to be a licensee or permittee when the person does not hold a valid license or permit.

The board voted to file the notice of proposed rulemaking and the notice was filed on 9/7/23. The board received one comment, in favor. The due date for comments is 10/23/23 at Noon. At the meeting, the board had a motion to file the permanent rule, contingent upon receiving no comments in opposition of the rule change.

A MOTION WAS MADE BY Max Perkins AND SECONDED BY Whitney Hooker TO file the permanent rule amending the rules on unprofessional conduct, contingent upon receiving no comments in opposition. THE MOTION PASSED WITH ALL PRESENT VOTING IN FAVOR.

10. Permanent rule vote – CE Certification: At the August 18th board meeting, the Board reviewed the amendment of the CE Certification rule, adding the pain management requirement.

339-020-0800 CE Certification

(1) Persons seeking to renew their license or to restore a lapsed license shall submit with their application a statement certifying that they have completed CE requirements set forth in these rules that are applicable to them. If persons seeking renewal practiced in Oregon at any point during the prior licensing period, they are required to obtain Cultural Competency CE as stated in 339-020-0025(1) and to complete the pain management course as stated in 339-020-0015(1).

The board voted to file the notice of proposed rulemaking and the notice was filed on 9/7/23. The board received one comment, in favor. The due date for comments is 10/23/23 at Noon. At the

meeting, the board had a motion to file the permanent rule, contingent upon receiving no comments in opposition of the rule change.

A MOTION WAS MADE BY Max Perkins AND SECONDED BY Ellen Stauder TO file the permanent rule amending the CE Certification rule, contingent upon receiving no comments in opposition. THE MOTION PASSED WITH ALL PRESENT VOTING IN FAVOR.

11. Stanley Paul, Program Director of George Fox's OTD program: Stanley Paul, PhD, MD, OTR/L updated the board on the new OTD program at George Fox U, a private Christian college. The program plans to admit 24 students in the initial cohort and increase it gradually to a maximum of 35-40 students over the next few years. The first cohort will be in Fall 2024.

12. Report of the Director:

2021-23 BUDGET REVIEW:

The end of the 21-23 Biennium was June 30, 2023. The board reviewed a budget comparison sheet by biennia. The board underspent every category except rent which was raised unexpectedly in June 2022.

The Financial summaries for the months of **June and the 13th month** were reviewed by the Board. These are the final months of the 21-23 biennium. The 13th month includes charges that shows up in July but should be included in the 21-23 biennium.

Revenue: **June: \$ 8,387; 13th month: <\$11,753>**; The negative total reflects the revenue transfer to the OHA for the Work for data. The OTLB pays \$4 per licensee, and the total was <\$9448>. The outstanding A/R for civil penalties that were never paid was also added back.

Overall Expenditures: **June: \$23,274; 13th month: \$ 12,762;**

There was an incorrect charge on the 13th month for \$6,335. Shared Financial Services is working on the correction.

The allotment is what the board can spend for the biennium and it is **\$697,289, or \$29,053** per month. Expenditures are within the limitation.

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

Personal Services: **June: \$ 16,572; 13th month: \$.87;**

Contract board investigator Leslea Smith did not work any hours for the OTLB. Licensing Specialist Rachel Cillo did not work any overtime in June.

The Personal Services budget is **\$486,932** for the biennium, or **\$20,288 per month**. The budget reflects a 1.65 FTE but we are keeping the AS2 position at .5. Personal Services totals are within the limitation.

Services and Supplies: **June: \$ 6,702; 13th month: \$12,761;**

The Sales and Supply budget is **\$210,357, or \$8,765 per month**. The 13th month was higher due to the incorrect charge of \$6,335. The correction is in process.

The most recent projections continue to show a healthy ending balance of \$343,000 for the 21-23 biennium. Once the incorrect charge is corrected, the board will have an ending balance of approximately \$349,000.

23-25 Budget Update: Shared Financial Services has had recent turnover and have not yet provided the financial monthly reports for July and August. Board review for these months will take place at the January 26th, 2024 meeting. Budget planning for the 25-27 budget will begin in March 2024.

LICENSE NUMBERS: At the end of the day on October 18, 2023, the licensee totals were: **OTs: 2,447, OT Assistants: 518** for a total of **2,965** licensees in Oregon. There were **79** licenses issued since the last meeting that were ratified when the board had the motions.

BOARD TRAINING: All board members must complete the required annual trainings on IT security, and harassment in the workplace by Dec. 31st.

BOARD APPOINTMENTS: The deadline to submit new board member recommendations to the Governor's office is Dec. 8th for the February hearing.

Elise Dorris has been formally recommended to the Governor's office for the public member position when Erion goes off the board in April.

For the OT position vacancy, the board has received a record number of applications. Interviews of all candidates will begin November 1st. OT member Whitney Hooker, and Board Chair Erion Moore will participate with the Director in the interviewing process. Recommendations are due by Dec. 8th for the Feb. appointment. If all goes smoothly, the May 3rd meeting (which is in person) will be the first official meeting for the two new board members.

IPADS: Board member IPADs will be collected in the upcoming weeks to receive mobile security updates.

RENEWALS 2024: Renewals begin on March 1st – May 31st. The director is working with the database vendor to make necessary updates to the renewal process to incorporate the pain management CE requirement.

2023 OTAO CONF. / PRESENTATION: The OTAO conference will be held the weekend of Oct. 28-29. The conference will be held at Pacific U's Main Campus in Forest Grove. Board members who expressed interest in attending are registered and travel arrangements have been made for those who live out of town. Max Perkins will present on behalf of the Board. The OTLB presentation will be held on Saturday, at 12:25 – 1:25pm during lunch.

PACIFIC U /LBCC LEGISLATIVE DAY: – The students from LBCC and Pacific will convene in Salem on Feb. 28th for their annual Legislative day. The students will discuss their roles, tour the capital and meet with their legislators to advocate for the profession.

CONTINUITY OF OPERATIONS PLAN: – In accordance with the new Governor's expectations of all agencies, the **Continuity of Operations Plan (or COOP)** was submitted.

NBCOT LEADERSHIP FORUM: The NBCOT Leadership forum was held virtually on Sept 19th and 20th. The notes from the presentations were provided to the board members. NBCOT sent their annual Databook and it was shared with the board members.

End of the director's report.

11. Newsletter content: Content of the next newsletter was discussed. It will include a recap of the OTAO presentation by Max Perkins, and a list of cultural competency courses that licensees can take to complete the requirement.

12. Strategic Planning: Progress on strategic plan goals: V4+ website launch has been completed.

13. Other Business: None

14. Adjournment: The Board adjourned at 11:45 pm.

Nancy Schuberg, Executive Director. October 24, 2023.