

COMMITTEE OF OCCUPATIONAL THERAPY

MINUTES

DATE: August 11, 2006

TIME: 1:20 p.m. C.D.T.

LOCATION: Millennium Maxwell House Hotel
Conference Room – Forum West
2025 Metro Center Blvd
Nashville, TN 37228

MEMBERS PRESENT: Susan Pech, OTA Secretary
Jeff Snodgrass, OT
M. Sloan H. Lake, OT

MEMBERS ABSENT: Lisa Short, Citizen Member
Robbie Bell, Ex Officio

STAFF PRESENT: Marva Swann, Unit Director
Mary V. Webb, Board Administrator
Nicole Armstrong, Advisory Attorney
Jerry Kosten, Regulations Manager

STAFF ABSENT: Lea Ann Phelps, Disciplinary Coordinator

GUEST(S): Mike Harkreader, Tn Professional Assistance Program
John Williams, OT Lobbyist
Yvette Hechtl, Tn Occupational Therapy Association
Amanda F. Plunkett, Court Reporter

With a quorum being present, Ms. Pech called the meeting to order at 1:20 p.m.

Mr. Snodgrass was welcomed to the Committee and introduced to all of the board members present and the board staff.

Office of General Counsel

Ms. Armstrong advised the Committee of the Conflict of Interest policy and for anyone who had not signed exhibit 4 as to their acknowledgement of said policy to do so.

Complaint filing, necessity of licensure for instructors, fee decrease (05-1398) were adopted by the Committee on November 18, 2005. They were sent to the Attorney General on December 27, 2005. They are still there.

The Office of General Counsel currently has two (2) open cases pertaining to the Board of Occupational and Physical Therapy Examiners. Both cases involve an occupational therapist.

Office of Investigations

Ms. Armstrong, presented to the board the disciplinary/investigative reports in Ms. Phelps absence.

Disciplinary Report – There are currently two (2) occupational therapists being monitored.

Investigative Report – Two (2) new referrals for occupational therapists with one (1) carryover from 2005. One (1) complaint was closed by referral to the Office of General Counsel. One (1) complaint was referred to a screening panel. Two (2) complaints remain open.

There were no complaints for OTAs as of July 2006. There was one carryover from 2005 which remains open.

Financial Report

Ms. Webb presented the financial report which indicated that the Committee had a cumulative carryover of \$485,649.94 as of June 30, 2005.

Directors/Administrative Report

Ms. Webb presented to the Committee the Administrator's report. As of August 8, 2006 there were 1621 active occupational therapists and 805 active occupational therapy

assistants. There were 406 retired occupational therapists and 125 occupational therapy assistants. There were 1057 occupational therapists in failed to renew and 333 occupational therapy assistants in failed to renew status.

The number of applicants issued a license from 5/10/06 through 8/08/06 were 50 for occupational therapists and 30 for occupational therapy assistants.

Minutes

A motion was made by Ms. Lake and seconded by Mr. Snodgrass to approve the minutes as submitted. The motion carried.

TNPAP

Mr. Mike Harkreader, representative of the Tennessee Professional Assistance Program, reported that the statistics report is from July 1, 2005 through June 30, 2006. Mr. Harkreader reported that there were currently two (2) occupational therapists being monitored. There were currently two (2) occupational therapists and two (2) occupational therapists assistants referred. Three (3) were board referred, one (1) was a self referral.

Discussion

Supervision of occupational therapy assistants – was deferred until the November board meeting.

Availability of the ethics and jurisprudence courses – Ms. Hechtl explained to the Committee that a one (1) hour ethics and a one (1) hour jurisprudence course will be given at the annual Tn Occupational Therapy Association conference on November 11, 2006.

Legislation – Jerry Kosten, Rules Regulations Manager, discussed the following rule amendments with the Committee:

- A. Revised definitions
- B. Adopt a code of ethics
- C. Revise educational program approval
- D. Revise supervised fieldwork requirements
- E. Revise requirements for licensure by reciprocity
- F. Revise supervision requirements of students training in physical agent modalities
- G. Remove expired grandfather clause
- H. Add an inactive license fee and status

- I. Revise supervision requirements for unlicensed persons
- J. Add language regarding disciplinary stays and reconsiderations
- K. Remove references to informal settlements
- L. Revise limited permit

Mr. John Williams, lobbyist for the TOTA stated that in 2004, the State of TN made a decision to make all statutes consistent with the rules governing the practice of occupational therapy and that is why the practice act was opened. Ms. Yvette Hechtl , Legislative lobbyist and Mr. Williams gave their input to Mr. Kosten regarding these rules changes.

A motion was made by Ms. Sloan Lake and seconded by Mr. Snodgrass to send the amended rule change to a rulemaking hearing as amended. The motion carried.

Mr. Kosten stated that the Governor also issued Executive Order Number 38 on May 22, 2006.

Mr. Kosten explained that the executive order requires the Committee when authorizing a rulemaking hearing to consider the economic impact of these proposed rule changes on small businesses. Mr. Kosten stated that the executive order must be posted right next to the rulemaking hearing on the internet.

Ratifications

A motion was made by Ms. Lake and seconded by Mr. Snodgrass to approve the newly licensed and reinstated occupational therapists and occupational therapy assistants and modality certifications. The motion carried.

For a copy of the newly licensed, reinstated, and modality certification licensees please contact the Board of Occupational and Physical Therapy Examiner's office.

Adjournment

There being no further business, the meeting was adjourned at 3:45 p.m.

These minutes were ratified at the November 3, 2006 board meeting.