

**COMMITTEE OF OCCUPATIONAL THERAPY**  
**MINUTES**

DATE: November 03, 2006

TIME: 9:00 a.m. C.D.T.

LOCATION: Health Related Boards  
227 French Landing, Suite 300  
Third Floor Conference Room  
Heritage Place Metro Center  
Nashville, TN 37243

MEMBERS PRESENT: Susan Pech, OTA Secretary  
Dr. 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): John Williams, OT Lobbyist  
Amanda F. Plunkett, Court Reporter

With a quorum being present, Ms. Pech called the meeting to order at 9:20 a.m.

## **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 (1150-2-.03, .13) The amendments went to rulemaking hearing on October 26, 2005; they were adopted by the Committee on November 18, 2005. They were sent to the Attorney General on December 27, 2005. They have been approved and became effective on November 1, 2006.

Practice Act revisions, supervision of students. Learning PAMS, stays (1150-2-.01, .02, .04, .05, .06, .10, .11, .12, .14, .15, .19). These amendments went to rulemaking hearing on October 26, 2006. They were presented to the Committee for approval on November 03, 2006.

The Office of General Counsel currently has three (3) open cases pertaining to the Board of Occupational and Physical Therapy Examiners.

## **Office of Investigations**

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

**Disciplinary Report** – There is currently one (1) occupational therapist 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.

## **Applicant Interviews/File Reviews**

**Ruth Simmons** – has not practiced since 1987 – A motion was made by Dr. Snodgrass and seconded by Ms. Lake to delay Ms. Simmons' reinstatement until she has reinstated her VA license. If she chooses not to she will then need to retake the examination. The motion carried.

**Carla Hall** – has not practiced in the last five (5) years, retired license in 2003- A motion was made by Dr. Snodgrass and seconded by Ms. Lake to delay the application for licensure for Ms. Hall until she has met the requirements for reinstatement. The motion carried.

**Susan Frost** - has not practiced since 1998 – A motion was made by Dr. Snodgrass and seconded by Ms. Lake to delay the application for licensure until there is a resolution of whether Ms. Frost can use NBCOT exam scores from 1997 whether she will need to retake the examination. The motion carried.

**Shannon Hall – misdemeanor convictions in 1996 and 1999** – A motion was made by Dr. Snodgrass and seconded by Ms. Lake to approve Ms. Hall for licensure by examination. The motion carried.

**Nancy Tomanelli – retired license in 2001-** A motion was made by Dr. Snodgrass and seconded by Ms. Lake to delay the reinstatement application for Ms. Tomanelli until she has met all continued education requirements and paid all applicable fees due. The motion carried.

### **Financial Report**

Ms. Webb presented the financial report which indicated that the Committee had a cumulative carryover of \$472,062.11 as of June 30, 2006.

### **Directors/Administrative Report**

Ms. Webb presented to the Committee the Administrator's report. As of October 30, 2006 there were 1624 active occupational therapists and 808 active occupational therapy assistants. There were 408 retired occupational therapists and 126 occupational therapy assistants. There were 1054 occupational therapists and 332 occupational therapy assistants in failed to renew status.

The number of applicants issued a license from 8/09/06 through 10/30/06 were 40 for occupational therapists and 33 for occupational therapy assistants.

### **Minutes**

A motion was made by Dr. Snodgrass and seconded by Ms. Lake to approve the minutes from the August 11, board meeting as amended. The motion carried.

## **Discussion**

**Supervision of occupational therapy assistants** – Mr. John Williams, OT Lobbyist, stated that a lengthy discussion was held at the State Occupational Therapy Association regarding the supervision of OTAs. Mr. Williams and Ms. Yvette Hechtel, TOTA representative, contributed to the discussion. The Committee requested that Mr. Williams and Ms. Hechtel form a task force and report their findings at the next meeting.

Mr. Williams stated that a task force had been appointed and they had met twice. He also stated that Donna Whitehouse is responsible for keeping the task force on the subject at issue. Ms. Whitehouse will be present for the February 9, 2007 board meeting to give the Committee details of the task force findings.

**Legislation** – Jerry Kosten, Rules Regulations Manager, presented to the Committee a roll call vote regarding the following:

- 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. Kosten stated to the Committee that he had received two (2) responses from the AOTA and NBCOT and they were both very positive. Ms. Webb put copies of the comments in the board books to be reviewed by the Committee.

A motion was made by Dr. Snodgrass and seconded Ms. Lake to adopt the rules as amended. The motion carried.

Each board member present approved by responding “aye” as their name was called.

## **Election of Officers**

A motion was made by Ms. Lake and seconded by Ms. Pech to appoint Dr Snodgrass as the Committee Chair. The motion carried.

A motion was made by Ms. Lake and seconded by Dr. Snodgrass to appoint Ms. Pech as the Committee Secretary. The motion carried.

### **Ratifications**

A motion was made by Dr. Snodgrass and seconded by Ms. Lake 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.

### **Other Board Business**

Dr. Snodgrass asked Ms. Armstrong whether it was a conflict of interest for his place of employment could to offer ethics and jurisprudence courses. Mr. Snodgrass said that Milligan Community College would be offering the course soon. Ms. Armstrong would investigate if there is a conflict of interest.

### **Adjournment**

There being no further business, the meeting was adjourned at 11:30 a.m.

These minutes were ratified at the February 9, 2007 board meeting.