

**BOARD OF OCCUPATIONAL THERAPY
MINUTES**

DATE: January 9, 2020

TIME: 9:00 AM CST

LOCATION: Poplar Conference Room
665 Mainstream Dr, 1st Floor
Nashville TN 37243

MEMBERS PRESENT: Amanda Newbern, President
Drew Daniel, Secretary
Anita Tisdale, Board Member
Allen Adriaanse, Board Member
Hollie Simpson, Board Member

STAFF PRESENT: Mary V. Bennett, Board Manager
Sabrina Craig-Boyd, Board Administrator
Lara Gill, Senior Associate General Counsel
Lori Leonard, Disciplinary Coordinator

Call to Order

With a quorum present, Ms. Newbern called the meeting to order at 9:02AM. A roll call was taken by Sabrina Craig-Boyd with all members present.

Election of Officers

Officer elections began with Mr. Drew Daniel's nomination of Amanda Newbern as Board Chair. Ms. Anita Tisdale seconded the nomination. Motion was adopted and Ms. Newbern was named Board Chair. For the position of Secretary, Ms. Tisdale nominated Mr. Daniel for the position of Secretary. Mr. Allan Adriaanse seconded the motion. Motion was adopted and Mr. Daniel was named Board Secretary.

No public discussion.

Minutes

After a review of the minutes of the October 24, 2019 meeting, Ms. Tisdale made motion to accept the October 24, 2019 board meeting minutes as written. Mr. Adriaanse seconded the motion. The motion was adopted.

Mr. Adriaanse made motion to accept the October 24, 2029 Task Force meeting minutes as written. Mr. Daniel seconded the motion. The motion was adopted.

No public discussion.

Office of General Counsel Report

Senior Associate General Counsel, Lara Gill, began the OGC report with a reminder of the Conflict of Interest policy. "If a board member has a personal or financial interest in the outcome of any issue or matter that's before this board which may suggest a bias on your part, you are asked to state that on the record so that a determination can be made as to whether or not there exists a need for recusal. This is true whether the matter relates to a contested case, a rule making decision, an application, or any other matter before the board." Board members were reminded that it is the duty of the board to protect the health, safety, and welfare of the citizens of Tennessee.

As of the date of this report, there are no pending appeals from board disciplinary action and no civil suits.

As of January 7, 2020, there are four (4) open disciplinary complaints against two (2) respondents who are Occupational Therapy Assistants and two (2) Occupational Therapists.

Ms. Gill informed the board that there are (2) contested cases set to be heard at the October 2020 board meeting. Ms. Gill reminded the board that although the cases are currently set to appear, they could be settled prior to the October meeting date.

Rules

Ms. Gill informed the Board the rule changes have been submitted by the advisory attorney for internal review of the OGC. Once the internal review is complete they will be presented at one of the upcoming meeting dates of either April 30 or July 23.

No public discussion.

Investigative and Disciplinary Reports

Lori Leonard, Disciplinary Coordinator in the Office of Investigations began her report with the summary of currently monitored practitioner. A breakdown is as follows: Occupational Therapist there were four (4) under reprimand, two (2) on probation, and one (1) under suspension. For Occupational Therapy Assistants there were two (2) under reprimand, four (4) under probation, and two (2) under suspension or revocation.

The investigative report breakdown is as follows: the Office of Investigations has opened a total of seven (7) complaints for 2019. Those allegations included one (1) for falsification of records, one (1) for fraud or false billing, one (1) for substance abuse, three (3) for unprofessional conduct, and one (1) for practice beyond the scope.

Investigations closed a total of twelve (12) complaints; one (1) with insufficient evidence, ten (10) closed and sent to the Office of General Counsel for formal discipline, and one (1) closed with a letter of warning.

At the end 2019 there were five (5) open complaints being investigated and/or reviewed for Occupational Therapist. For Occupational Therapy Assistants, there were three (3) open complaints, one (1) for falsification of records, one (1) for lapsed license, and one (1) CE violation.

Total complaints closed in the year 2019 were nine (9). One (1) was closed with insufficient evidence, seven (7) were closed and sent to the Office of General Counsel for formal discipline and one (1) was closed with a letter of warning. There were two (2) open complaints being investigated and/or reviewed.

No public discussion

Division of Health Licensure and Regulations

No financial report at this time.

Applicant Interview/File Review

- A. **Audrey Edgerton**-Ms. Edgerton was not present at the meeting but was contacted by telephone. Ms. Edgerton was required to appear before the board due to indications revealed on her criminal background check. Ms. Gill began the interview with general questions regarding the indication on Ms. Edgerton's background report and the applicants intentions for employment once licensed. Ms. Gill reminded the board of past decisions of similar content whereas an evaluation by a peer assistance program was recommended. Ms. Teresa Phillips with TNPAP was present to give information regarding the peer assistance program and the process in which an applicant/licensee is evaluated. Ms. Newbern made motion to conditionally grant Audrey Edgerton an unrestricted license pending assessment by TNPAP. If monitoring is recommended the applicant must appear before the board for licensure and show compliance with the recommendations. Ms. Tisdale seconded the motion. The motion was adopted.

- B. **Kaci Exum**- Ms.Exum was present at the meeting. Ms. Exum was required to appear before the board due to adverse actions taken by the TN Board of Nursing. Ms. Exum was issued a consent order and did voluntarily surrender her license to the TN Board of Nursing. Ms. Exum explained that she was recently awarded an unrestricted license to practice Occupational Therapy in the state of Alabama contingent upon the results of random drug test for a period of one year. Ms. Gill requested a brief recess to obtain copies of paperwork Ms. Exum provided from the state of Alabama. At 9:55 am, Mr. Daniel made motion for a ten minute recess, Mr. Adriaanse seconded the motion. The motion was adopted. Meeting resumed at 10:05am. After discussion with the TNPAP representative and the advice of General Counsel, Mr. Adriaanse made motion to defer decision on Ms. Exum's application until the next OT Board meeting scheduled for April 30, 2020 pending her TNPAP evaluation and recommendation. Mr. Daniel seconded the motion. The motion was adopted.

TNPAP

Ms. Teresa Phillips presented the board with the current TNPAP report in regards to Occupational Therapist and Occupational and Therapy Assistants. There are no OT's or OTA's currently being monitored through TNPAP.

No public discussion.

Ratification List

Newly Licensed Occupational Therapist

October 11, 2019-December 31, 2019

Babcock, Carmen	Hughes, Jason	Santos, Melissa
Babcock, Madison	Kaegi, Rachel	Schantz, Melissa
Beck, Alyson	Kamu, Natalee	Schnur, Hannah
Beyer, Kaitlyn	Kellams, Katelyn	Smith, Jannah
Briggs, Yvonne	Kilpatrick, Ereann	Statzer, Jessica
Clevinger, Kimberly	Knoblich, Michele	Stella, Tiffany
Cooper, Emma	Knox, Addison	Talib, Emmanuelle
Cunningham, Stacey	Kucera, Jacob	Walker, Eric
Delhay, Michele	Ledford, Cassidy	Waltz, Stefanie
Dharmapal, Elizabeth	Lewis, Rosemary	Warner, Sarah
Dowling, Karissa	Mase, Kathryn	Wilson, Kelsey
Elvin, Amber	Meeks, Samantha	Valvano, David
Feagan, Ashley	Ngirimana, Kristen	
Ferris, Julie	Nissan, Talia	
Frison, Kelsey	Pollock, Lauren	
Hayes, Madison	Reasbeck, Kayla	
Heard, Ashunte	Robinson, Christine	

Newly Licensed Occupational Therapy Assistants

October 11, 2019-December 31, 2019

Adcock, Jessica	Lawson, Kadya
Barber, Alice	Motte, Sandra
Blevins, Alona	Parnell, Princess
Brown, Paige	Senko, Carly
Cagle, Victoria	Snider, Cybil
Cole, Miranda	
Cooper, Kimberly	
Darling, Sherry	
Gainwell, Annie	
Garcia, Lesley	
Harrelson Douglas, Emily	
Hendrickson, Benjamin	
Holland, Brittany	
Jenkins, Sara	
Juels, Katherine	
Laugherty, Miranda	

Reinstated OT and OTA

October 11, 2019-December 31, 2019

OT-Chapman, Jeff OTA-Powers, Donielle
OT-Doyle, Natalie
OT-Lacivita, Burt
OT-Randolph, Allison
OT-Williams, Mary
OT-Yates, Jennifer

Limited Permit

October 11, 2019-December 31, 2019

Closed Application

October 11, 2019-December 31, 2019

Curtis, Elizabeth
Harvey, Jessica
Haynes, Cynthia
Hill, Amy
Mistovich, Peter
Rowell, Peter
Yentes, Angela

Administrative Report

**BOARD OF OCCUPATIONAL THERAPIST
ADMINISTRATOR REPORT**

January 9, 2020

This is an administrative report from Sabrina Craig-Boyd, Board Administrator. The information contained in this report will keep the Board aware of all essential activities pertaining to licensure for Occupational Therapist.

STATISTICAL DATA

As of December 31, 2019 the Board of Occupational Therapy has **3013** active Occupational Therapist and **1691** Occupational Therapy Assistants

LICENSURE STATUS TOTALS FROM THE MONTHS OF
October 11, 2019 through December 31, 2019

OCCUPATIONAL THERAPIST	
New applications received – 48	
New licenses issued – 45	Renewal Total – 45
Reinstatements – 6	Online Renewals – 44
Limited Permit – 0	Paper Renewals – 1
Licenses Retired – 3	
Failed to Renew/Expired Licensees – 18	

OCCUPATIONAL THERAPY ASSISTANT	
New applications received – 44	
New licenses issued – 21	Renewal Total –21
Reinstatements – 1	Online Renewals –18
Limited Permit - 0	Paper Renewals – 3
License Retired- Failed to Renew/Expired Licensees –17	

For this reporting period, the usage rate for utilizing the online renewal portal for Occupational Therapist is 98%; Occupational Therapy Assistants, 86%

Upcoming Board Meeting Dates

- March 19, 2020
- July 23, 2020
- October 22, 2020

Upcoming Conferences

AOTA Annual Conference and Expo, March 26-29, 2020, Boston MA

INTERNET

The Board’s internet website is an excellent location to find valuable board information for licensees and applicants. Please visit the site at <http://tn.gov/health/topic/Chiro-board>. Should you have any suggestions or comments, please feel free to contact the Board at 615.741.3807.

Agreed Citations

Ms. Bennett presented to the Board the Agreed Citations as follows.

- A. Jasmine Cozine- Ms. Cozine was issued an agreed citation for CE Violation. Mr. Adriaanse made motion to amend the agreed citation with any corrections as needed. Mr. Daniel seconded the motion. The motion was adopted.

After discussion regarding the wording on the Agreed Citations, Ms. Gill advised the board members to table the agreed citations until the next board meeting. Ms. Newbern made motion to defer action on the remaining agreed citation for the January 9, 2020 agenda to the next meeting on April 30, 2020. Ms. Tisdale seconded the motion. The motion was adopted.

No public discussion.

Correspondence

- A. Rachel Moody, OT-Ms. Moody submitted a request the board to accept certification from PAMS course taken in 2014 to apply for Physical Agent Modality application submitted in 2020. Mr. Adriaanse made motion to deny the application to accept the physical agent certification for 2014 for Rachel Moody, Amie Goins, Peggi Houston, and Lindsey Williams as the certification falls outside of the two (2) year requirement for adding the credential to the license. Ms. Tisdale seconded the motion. The motion was adopted.

No public discussion

Legislation

No discussion regarding legislation at this time.

No public discussion.

Rule Making

After discussion of the current policy in regard to Continuing Education violations, Ms. Gill presented the board with a proposal of the changes discussed as follows, in paragraph 2 of the current Board of Occupational Therapy policy statement on non-compliance of continued competence, "If the Tennessee licensed Occupational Therapist or Occupational Therapy Assistant fails or refuses to cure the deficiency after ninety (90) days of the date of notification, the Board will present to the licensee and agreed citation which specifies a payment of a civil penalty in the amount of three hundred dollars (\$300). Payment is due within sixty (60) days of notification from the Board." Ms. Tisdale made motion to accept the policy amendment as presented by Ms. Gill. Mr. Daniel seconded the motion. The motion was adopted. Ms. Gill continued with wording of this policy to include the effective date of January 1, 2021. Changes to paragraph 3 of this policy were presented by Ms. Gill as follows, "Failure to execute

the agreed citation or omit the civil penalty described therein within sixty (60) days of the agreed citation is sent to the licensee or if the licensee fails to respond to the Board's request for documentation or make up deficient continued credit hours after notification by the Board may result in further disciplinary action. This will be effective January 1, 2021. Adopted by the Board of Occupational Therapy on March 12, 2009, amended and ratified by the Board of Occupational Therapy on January 9, 2020." Mr. Adriaanse made motion to accept the amended policy on non-compliance of continued competence education, as presented by Ms. Gill. Mr. Daniel seconded the motion. The motion was adopted.

After discussion of the current policy in regards to lapsed license, Ms. Gill requested Board members to submit their policy change requests for both the policy on non-compliance and the policy on lapsed license, to her in writing within thirty (30) days, to be presented at the next Board meeting for consideration.

No public discussion.

Old and New Business

- A. Ratification of April 30 meeting date. Ms. Newbern made motion to move the next scheduled board meeting date from its original ratified date of March 19, 2020 to April 30, 2020. Mr. Daniel seconded the motion. The motion was adopted.
Ms. New
- B. Ratification of Board Meeting dates for 2021- Ms. Newbern made motion to ratify the proposed board meeting minutes for 2021 as January 14, 2021, April 29, 2021, July 29, 2021, and October 7, 2021. Ms. Simpson seconded the motion. The motion was adopted. At the request of General Counsel, Ms. Newbern made motion to hold the Rule Making Hearing at the next scheduled board meeting on April 30, 2020. Ms. Tisdale seconded the motion. The motion was adopted.
- C. AOTA Conference 2020 approval of attendees- Ms. Newbern made motion to approve board members Anita Tisdale, Hollie Simpson, and Allan Adriaanse and one administrative staff member to attend the meeting March 26-29, 2020. Ms. Tisdale seconded the motion. The motion was adopted.
- D. CE Broker –Ms. Newbern made motion to adopt CE Broker as the CE tracking service for the Board of Occupational Therapy, with an optional use for the calendar year of 2020 and mandatory as of January 1, 2021 with a 100% compliance check. Ms. Tisdale seconded the motion. The motion was adopted.

No public discussion.

Adjourn

Mr. Daniel made motion to adjourn at 12:15pm. Mr. Adriaanse seconded the motion. The motion was adopted.

THESE MINUTES HAVE BEEN RATIFIED AT THE BOARD OF OCCUPATIONAL THERAPY MEETING ON APRIL 30, 2020.