

**BOARD OF OCCUPATIONAL THERAPY
MINUTES**

DATE: December 15, 2016

TIME: 10:00 AM CST

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

MEMBERS PRESENT: Amy Burba, OT, Chair
Anita Mitchell, OT Board Member
William Daniel, Consumer Member

MEMBERS ABSENT: Marilyn Franklin, OT Board Member
Louis Tucciarone, OT Board Member

STAFF PRESENT: Michael Sobowale, Unit Director
Mary V. Webb, Board Administrator
Marcina Egedegbe, Board Administrator
Thomas Aumann, Assistant General Counsel
Vanessa Crutcher, Finance Office
Nichelle Dorroh, Office of Investigations

GUESTS: Elaine Eaton, TnPAP Representative
John William, TNOTA Representative
Yvette Hachtel, TNOTA Representative
Christy Vogley, AOTA Representative
Donna Whitehouse, Board Consultant

Call to Order

A roll call was initiated by board chair, Amy Burba. With a quorum present, Ms. Burba called the meeting to order at 10:17 A.M.

Minutes

Anita Mitchell suggested two corrections to the September 22, 2016 meeting minutes—list Amy Burba as the board chair in two places on page 8 instead of Anita Mitchell. There being no further corrections. Mr. Daniel made a motion, seconded by Ms. Mitchell,

to approve the September 22, 2016 board meeting minutes with the noted corrections. The motion carried.

Office of General Counsel Report

Mr. Aumann discussed the Conflict of Interest policy and reminded members of their obligation to share information regarding any matter in which they might have personal or financial interest in order for a decision to be made on whether a recusal is needed.

Mr. Aumann stated that there are no rules pending in Office of General Counsel and there are no open cases pertaining to the Board of Occupational Therapy.

There are no Contested Cases, Agreed Orders, Consent Orders or Orders of Compliance to be presented.

Investigation and Disciplinary Reports

Ms. Nichelle Dorroh, Disciplinary Coordinator, presented the report from the Office of Investigations. There are currently five (5) open complaints on occupational therapists and six (6) open complaints on occupational therapy assistants for a total of eleven (11) open complaints. Ms. Dorroh provided a list of practitioners in which the office is currently monitoring which showed that there are four (4) occupational therapists and three (3) occupational therapy assistants currently being monitored.

Financial Report

Ms. Noranda French presented the report from the Division of Health Licensure and Regulation was present. The financial report for fiscal year 2016 with year –end projection was provided to the Board. The Total Direct Expenditures is \$101,980.62, the Total Allocated Expenditures is \$66,406.22, the Board Fee Revenue is \$224,185.30, the Current Year Net is \$55,798.46, and the Cumulative Carryover is \$377,422.63. This year is the first year that LARS (online licensure renewal system) improvements were extracted directly from the cumulative carryover. Ms. French informed board members that there is a current policy in place for the health related boards which indicates that once a board has two consecutive years of cumulative carryover that is higher than the average expenditures for the past three years, then the board must begin discussions of fee reductions. The board has reached this threshold to comply with the stated policy. Ms. French provided a breakdown of revenue distribution and three fee reduction scenarios for the board to review. After review and discussion by the Board, a motion was made by Ms. Mitchell and seconded by Mr. Daniel to move for a rule-making hearing to change

the biennial renewal fees for occupational therapy licensure to \$85.00 and occupational therapy assistant licensure to \$60.00. The motion carried.

Applicant File Review/Interviews

April Ratchford, OT Applicant – Ms. Ratchford, who was not present at the meeting, is an applicant from the state of Kentucky seeking licensure for Occupational Therapy. Ms. Ratchford signed an Agreed Order from the state of Kentucky to voluntarily surrender her LPN license. The Board decided to defer Ms. Ratchford’s application to the next meeting to speak with Ms. Ratchford about her criminal history. After review and discussion by the Board, a motion was made by Ms. Mitchell and seconded by Mr. Daniel to defer Ms. Ratchford’s application to the next meeting. The motion carried.

Joseph Hunter, OT Applicant – Mr. Hunter’s application was presented before the Board due to multiple prior criminal convictions on his record. After review and discussion by the Board, a motion was made by Ms. Mitchell and seconded by Mr. Daniel to approve Mr. Hunter for a conditional occupational therapy assistant license. The motion carried.

Steven Perkins, OT Applicant – Mr. Perkins, who was not present at the meeting, is an applicant who marked ‘No’ to the question of past criminal convictions on the licensure application for occupational therapy assistant. It had been found that Mr. Perkins had a prior criminal conviction on his record. After review and discussion by the Board, a motion was made by Ms. Mitchell, and seconded by Mr. Daniel to defer Mr. Perkins’ application for licensure to the next meeting. The motion carried.

Tennessee Professional Assistance Program (TnPAP)

Ms. Eaton presented the TnPAP report to the Board. For the current quarter, there are currently two (2) occupational therapists being monitored and there was one (1) referral. To date, there are two (2) occupational therapy assistants currently being monitored.

Ratifications

Ms. Mitchell made a motion, seconded by Mr. Daniel, to ratify the list presented on newly licensed occupational therapists and occupational therapy assistants, including occupational therapist and occupational therapy assistants with modalities, and reinstatements. The motion carried.

Occupational Therapist Initial Licensees - 36

AGA, LENSSA
AGNEW, SARAH

ANDERSON, CANDICE
BANES, STACY

BEAN, STACY
BEMENT, JILL

BROWN, JELISSA
CAMPANA, LINDSAY
CASSELL, MIRIAM
CHHIN, SAVUTH
ECKER, SHAWNA
FRESHWATER,
STEPHEN
FRYE, HANNAH
GILBERT, ALYSON
GLOWACKI, MEGHAN
HARDER, PAMELA

HILL, ALANA
HINKLEY, EMILY
JACKMAN, EVAN
MASON, KRISTIN
MATHEWSON, SCOTT
MAYRHOFFER,
CARRIE
NANNEY, JENNIFER
NICHOLSON, LAURA
NORRIS, ALEXANDRA
ONUORA, ILUOBE

PATTON, BRITTANY
SCHNACKE-SASSE,
COURTNEY
STEVENSON, JASON
SWIFT, YVON
TRAPANI, WILLIAM
WAGNER, MELISSA
WALKER, SHELBY
WEISS, KAREN
WINTER, AUTUMN
WOLLENZIN, KRISTIN

Occupational Therapy Assistant Initial Licensees - 25

AMMONS, REBECCA
ARNOLD, DANIELLE
BAHR, EMILY
BARNETT, OLIVIA
BOAKYE, FATMATA
BOATWRIGHT,
MELISSA
DANIEL, ELIZABETH
FIRESTINE, MELISSA

FORD, SONIA
GREEN, KYLE
HALLOCK, KAYLA
HARPER, ETTA
HEFNER, LYNN
HOOD, KRISTY
LITTLEJOHN, ALISSA
OVERWYK, ASHLEY
POLLOCK, LAUREN

ROBERTS, BRENDA
SHELTON, KATESSIA
SMITH, MICHAEL
STEWART, JOSHUA
STRONG, VIRGINA
SVETTE, STACEY
WATSON, SYBILLIA
WRIGHT, KANDICE

Occupational Therapist Reinstatements - 9

KEENE, SARAH
KETZNER, KAREN
KNORR, RAMONA

LARRIVEE, JENNIFER
O'HARA, JODI
PAULEY, VALERIE

RIGGS, LARRY
VETTER, LAURA
YANCEY, JORDAN

Occupational Therapy Assistant Reinstatements - 0

Occupational Therapist Modality Certifications - 26

BLOOM, DOUG
CHAMBLIN, ASHLEY
CLAYTON, SHELBY
COUCH, ADDISON
CRANE, DANIEL
CRAWFORD, JENNIFER
CROTWELL, BETH
EHLERS, JENNIFER

FUGATE, CHRISTINE
GERMAIN, JASMINE
HANKS, MISTIE
ISAACS, ROBIN
MASHBURN, MARY
MAY, SHERRI
MCLAUGHLIN,
BEVERLY

MILFORD, EVIN
MUETHER, ERIKA
POWELL, JANET
PUCKETT, KATHRYN
RODGERS, ANNA
SHUGART, ERIC
SIMONIAN, LAUREN
USOVA, NADEZHDA

WEST, LAUREN

WILKINS, KATELYN

YOUMANS, ASHLEY

Occupational Therapy Assistant Modality Certifications - 7

CRAVENS, JENNIFER

MOORE, AMI

WATSON, MELANIE

DAVIS, EMILY

RUSHING, LEA ANNA

LAY, GINGER

SIMONIAN, LAUREN

Administrative Report

Ms. Marcina Egedegbe, Interim Board Administrator, presented the Administrative report. Currently there are 2721 total active OT licensees and 1517 OTAs as of September 20, 2016.

Licensing activities from September 21, 2016 through December 9, 2016:

OT	OTA
New applications received - 36	New applications received - 26
New licenses issued - 41	New licenses issued - 26
Reinstatements - 9	Reinstatements - 0
Number of paper renewals - 51	Number of paper renewals - 27
Number of renewals on line - 197	Number of renewals on line - 108
Number of licensees who retired - 1	Number of licensees who retired - 0
Failed to Renew/Expired Licenses - 27	Failed to renew/Expired Licenses - 18
Modality Certifications - 26	Modality Certifications - 7

The online renewals constitute a usage rate of approximately 79% for OT renewals during this period and 80% for OTAs.

Ms. Egedegbe, Board Administrator, informed the board of the upcoming AOTA 2017 Annual Conference and Exposition to be held in Philadelphia, PA March 30-April 2, 2017. After review and discussion by the Board, a motion was made by Ms. Mitchell and seconded by Mr. Daniel to have Ms. Mitchell attend the AOTA conference. The motion carried.

Mr. Sobowale, Board Director, indicated there were no Agreed Citations to present to the Board at this time.

Correspondence

Mr. Sobowale, Board Director, informed the board that there was no new correspondence to discuss.

New Board Business

Discuss process of approval for modality certification courses

Mr. Aumann discussed approval and pre-approval of physical agent modality certification as referenced in the Board rules. According to the Board rules, approval of all training courses should be made by the Board, and the Board is given the power to approve all physical agent modality courses. The Board has the authority to determine how to review physical agent modality courses. The Board has the option to review the proposed courses as a Board and decide or delegate physical agent modality course review and approval to the Board consultant/task force. Yvette Hachtel, TNOTA Representative, explained to the Board the approval process for physical agent modality courses and the differences between course provider and modality applicant processes for pre-approval. Mr. Aumann informed the Board that although the Board consultant is able to make a recommendation for approving physical agent modality courses, the Board has the final say in approving the course and/or course provider. Donna Whitehouse, Occupational Therapy Board Consultant, recommended the board appoint one or more people who could meet the certification and educational criteria to evaluate the curriculum of proposed physical agent modality courses. Ms. Whitehouse informed the board that she would be able to assist the board to identify a reviewer for physical agent modality courses and/or course providers. After review and discussion by the Board, a motion was made by Ms. Mitchell and seconded by Mr. Daniel, to nominate one or more consultants who meet the education and training criteria to serve as a consultant to review courses submitted by physical agent modality course providers seeking board approval. The motion carried. The Board will have names submitted to the administrative board staff by Ms. Whitehouse by the next Board meeting on March 16, 2017.

Review and discuss reciprocity of modality certification for out of state applicants

Mr. Sobowale informed the Board that due to the increase in the number of reciprocity applicants who have modality certification in another state, these, applicants are requesting their modality certifications also be recognized with their reciprocity application for licensure in Tennessee. The Board rules do not explicitly recognize the reciprocity of the modality certification if the certification was obtained greater than two years ago. The rule changes proposed by TNOTA, which are to be reviewed, address the reciprocity of the modality certification. Ms. Burba decided to defer discussion of modality reciprocity to a later meeting.

Review OT/OTA fee schedule

Mr. Sobowale presented the current fee schedule as stated in the rules. The breakdown of various fees is listed separately. The proposal is to combine all application related fees into one fee in order to bring clarity to the fee schedule as well as to properly assign the application fee in the online licensing system. The board administrative staff prepared a

revised fee schedule for the board to review. The fee schedule revision would require a rule change and a motion for a rule-making hearing. After review and discussion by the Board, a motion was made by Ms. Mitchell and seconded by Mr. Daniel to add the fee schedule revision to the already scheduled rule-making hearing. The motion carried.

Discuss and take action, if needed, regarding rule changes proposed by TNOTA

Mr. Aumann presented proposals from previous discussion by TNOTA at the last meeting in September to be added to the agenda for the December meeting. The proposals are concerning the board rules which may need to be updated or changed. Mr. Aumann was provided with a draft of the proposed changes to the rules to review and he determined that any correspondence to be addressed at the board meetings must be received at least two weeks prior to the board meeting.

Ms. Hachtel advised the Board that the proposed rule changes are due to updates of the professional organization documentation and language. Since the last revision to the rules, Ms. Hachtel informed the Board that the practices of telehealth and educational standards from educational bodies are new standards which should be reflected in the current rules. Ms. Hachtel presented to the board a number of proposed changes to the rules for a rule-making hearing.

Ms. Whitehouse contributed to the discussion by advising the Board that no audits of supervision for temporary permit holders have been performed in recent years. In addition, in the licensure law it states that physical therapists are allowed to supervise occupational therapists seeking certification in the use of physical agent modalities. Mr. John Williams commented that there was extensive discussion on supervision and monitoring at the recent TNOTA annual meeting. Due to the extensive proposed rule changes, Mr. Aumann advised that discussion may need to be continued at the next meeting. After review and discussion by the Board, a motion was made by Ms. Mitchell and seconded by Mr. Daniel to continue this discussion at the next board meeting. The motion carried.

Adjournment

Without any objections or further business to discuss, the meeting adjourned at 11:52 A.M.

Amy Burba, OT, Chair

Date

These minutes were ratified by the Board at the March 16, 2017 meeting.