

**BOARD OF OCCUPATIONAL THERAPY  
MINUTES**

DATE: February 9, 2022

TIME: 9:00 AM CST

LOCATION: Poplar Conference Room  
665 Mainstream Dr, 1<sup>st</sup> Floor  
Nashville TN 37243

MEMBERS PRESENT: Amanda Newbern, Board Chair  
Anita Tisdale, Board Member  
Allan Adriaanse, Board Secretary  
Hollie Simpson, Board Member

MEMBERS ABSENT: Dr. Larry Goings

STAFF PRESENT: Noranda French, Unit Director 2  
Tonya Wilkins, Unit Director 1  
Mary V. Bennett, Board Manager  
Sabrina Craig-Boyd, Board Administrator 2  
Lara Gill, Senior Associate General Counsel, OGC  
Roger Knowlton, Intake Coordinator Office of Investigation  
Alicia Grice, Fiscal Manager

GUESTS: Teresa Phillips, Executive Director, TNPAP  
Cindy Blackwell, President, TOTA

**Call to Order**

Ms. Amanda Newbern, Board Chair called the meeting to order at 9:06 am.

A roll call of Board Members was initiated, by Sabrina Craig-Boyd, Board Administrator. Members present were, Amanda Newbern, Anita Tisdale, Allan Adriaanse, and Hollie Simpson.

**Review and Approve Minutes**

Ms. Tisdale made motion, to accept the board meeting minutes for the November 7, 2022 meeting as presented. Ms. Simpson seconded the motion. The motion carried.

## **Office of General Counsel Report**

Presented and discussed by Lara Gill, Sr. Associate of General Counsel

### **CONFLICT OF INTEREST**

If you have a personal or financial interest in the outcome of any issue or matter before this committee which may suggest a bias on your part, you are asked to state that interest on the record so that a determination can be made as to whether there exists a need for recusal. This is true whether the matter relates to a contested case, a rulemaking decision, an application or any other matter before the Committee. You are reminded that it is the duty of this board to protect the health, safety and welfare of the citizens of Tennessee and that the administration of this solemn responsibility is dependent upon avoiding even the appearance of impropriety.

### **LITIGATION**

#### **APPEALS**

There are no pending appeals from Board disciplinary action.

#### **CIVIL SUITS**

None.

**PENDING COMPLAINTS IN OGC** As of February 7, 2023, there are seven (7) outstanding disciplinary cases in OGC. Two of these cases involve occupational therapists and are set for trial on April 27 and August 10, 2023. Out of the other disciplinary matters in OGC that remain, two of those (2) of those cases will be presented to the Board for resolution by a final hearing on the merits.

### **RULES**

The Board voted to convene a task force to draft rules for the occupational therapy compact and revise the rules as a whole that will include a review of the TNOTA's proposed redline of the current rules. The task force is set to convene virtually on February 23, 2023.

### **LEGISLATION**

A non-exhaustive list of legislation that went into effect on Jan. 1, 2023:

#### **SB2295: MEDICATION AIDE RULES**

Allows licensed nursing homes and assisted care living facilities to use a "medication aid" to administer medications under the supervision of licensed, registered or practical nurses. To be certified as a medication aide, applicants would need to work as a certified nurse aide who has practiced in a nursing home, assisted care living facility, or a Program for All-Inclusive Care for at least one year. *People who are licensed as occupational therapy assistants can also apply.* Applicants can also take the NCLEX-RN or NCLEX-PN exam to be a medication aide, without completing a medication aide training program.

#### **HB1195: MEDICAL BILLING**

This law requires health insurance companies, health services providers and healthcare facilities to notify patients whenever the three entities communicate about a patient's medical claim. Also

requires a "utilization review agent" to notify providers or healthcare facilities, as well as patients, when additional information is needed for a prior authorization request.

Ms. Gill requested the Board to vote to allow the Unit Director to sign any previously discussed, and voted upon document, on behalf of the Board, to allow the flow of board business to carry on in the event a signature was not recorded at the time of discussion. A motion was made by Mr. Adriaanse, seconded by Ms. Simpson to approve. The motion carried.

**Office of Investigations Report**

Mr. Roger Knowlton, Intake Coordinator, with the Office of Investigations presented the board with the Board Statistical Complaint Report.



Tennessee Department of Health  
Board Statistical Complaint Report

Parameters selected: Lic Type: 15 - OCCUPATIONAL THERAPY, 1504 - Occupational Therapist, 1505 - Occupational Therapy Assistant; Case Type: CMP - Complaint;  
Calendar year: 2022  
License Type: 15 - OCCUPATIONAL THERAPY

Complaint Activity	Dec 2021	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
New Complaints Opened		0	0	2	0	0	0	0	0	0	1	1	0	4
Total Closed Complaints		0	0	0	0	0	0	5	3	0	0	4	0	12
62 - Closed - Insufficient		0	0	0	0	0	0	1	1	0	0	1	0	3
7 - Closed BIV,EMS,HCF,AW		0	0	0	0	0	0	0	0	0	0	2	0	2
9 - Complaint Closed		0	0	0	0	0	0	4	1	0	0	1	0	6
94 - Closed - Warning Ltr		0	0	0	0	0	0	0	1	0	0	0	0	1
Currently Open Complaints	14	14	14	16	16	16	16	11	8	8	9	6	6	

**ANALYSIS OF NEWLY OPENED COMPLAINTS**

By Allegation	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
16-Fraud/False Billing	0	0	0	0	0	0	0	0	0	1	0	0	1
26-Unprofessional Conduct	0	0	0	0	0	0	0	0	0	0	1	0	1
42-Practice beyond the Scope	0	0	1	0	0	0	0	0	0	0	0	0	1
47-Outside INV Scope	0	0	1	0	0	0	0	0	0	0	0	0	1
Total:	0	0	2	0	0	0	0	0	0	1	1	0	4

By Region	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
EAST	0	0	0	0	0	0	0	0	0	1	0	0	1



Tennessee Department of Health  
Board Statistical Complaint Report

License Type: 15 - OCCUPATIONAL THERAPY

By Region	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
MIDDLE	0	0	0	0	0	0	0	0	0	0	1	0	1
WEST	0	0	0	0	0	0	0	0	0	0	0	0	0
Out of State	0	0	0	0	0	0	0	0	0	0	0	0	0
Unknown	0	0	0	0	0	0	0	0	0	0	0	0	0
Total:	0	0	0	0	0	0	0	0	0	1	1	0	2



Tennessee Department of Health  
Board Statistical Complaint Report

License Type: 1594 - Occupational Therapist

Complaint Activity	Dec 2021	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
New Complaints Opened		0	0	2	0	0	0	0	0	0	0	1	0	3
Total Closed Complaints		0	0	0	0	0	0	4	1	0	0	2	0	7
62 - Closed - Insufficient		0	0	0	0	0	0	1	0	0	0	0	0	1
7 - Closed BIV,EMS,HCF,AW		0	0	0	0	0	0	0	0	0	0	1	0	1
9 - Complaint Closed		0	0	0	0	0	0	3	1	0	0	1	0	5
Currently Open Complaints	8	8	8	10	10	10	10	6	5	5	5	4	4	

ANALYSIS OF NEWLY OPENED COMPLAINTS

By Allegation	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
26-Unprofessional Conduct	0	0	0	0	0	0	0	0	0	0	1	0	1
42-Practice beyond the Scope	0	0	1	0	0	0	0	0	0	0	0	0	1
47-Outside INV Scope	0	0	1	0	0	0	0	0	0	0	0	0	1
Total:	0	0	2	0	0	0	0	0	0	0	1	0	3

By Region	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
EAST	0	0	0	0	0	0	0	0	0	0	0	0	0
MIDDLE	0	0	0	0	0	0	0	0	0	0	1	0	1
WEST	0	0	0	0	0	0	0	0	0	0	0	0	0
Out of State	0	0	0	0	0	0	0	0	0	0	0	0	0



Tennessee Department of Health  
Board Statistical Complaint Report

License Type: 1594 - Occupational Therapist

By Region	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
Unknown	0	0	0	0	0	0	0	0	0	0	0	0	0
Total:	0	0	0	0	0	0	0	0	0	0	1	0	1



Tennessee Department of Health  
Board Statistical Complaint Report

License Type: 1595 - Occupational Therapy Assistant

Complaint Activity	Dec 2021	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
New Complaints Opened		0	0	0	0	0	0	0	0	0	1	0	0	1
Total Closed Complaints		0	0	0	0	0	0	1	2	0	0	2	0	5
62 - Closed - Insufficient		0	0	0	0	0	0	0	1	0	0	1	0	2
7 - Closed BIV,EMS,HCF,AW		0	0	0	0	0	0	0	0	0	0	1	0	1
9 - Complaint Closed		0	0	0	0	0	0	1	0	0	0	0	0	1
94 - Closed - Warning Ltr		0	0	0	0	0	0	0	1	0	0	0	0	1
Currently Open Complaints	6	6	6	6	6	6	6	5	3	3	4	2	2	

ANALYSIS OF NEWLY OPENED COMPLAINTS

By Allegation	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
16-Fraud/False Billing	0	0	0	0	0	0	0	0	0	1	0	0	1
Total:	0	0	0	0	0	0	0	0	0	1	0	0	1

By Region	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
EAST	0	0	0	0	0	0	0	0	0	1	0	0	1
MIDDLE	0	0	0	0	0	0	0	0	0	0	0	0	0
WEST	0	0	0	0	0	0	0	0	0	0	0	0	0
Out of State	0	0	0	0	0	0	0	0	0	0	0	0	0
Unknown	0	0	0	0	0	0	0	0	0	0	0	0	0



Tennessee Department of Health  
Board Statistical Complaint Report

License Type: 1595 - Occupational Therapy Assistant

By Region	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
Total:	0	0	0	0	0	0	0	0	0	1	0	0	1

**Division of Health Licensure and Regulation Report**

Ms. Alicia Grice presented the Board with the Fiscal Report, Actual Revenue and Expenditures as shown in the chart below and a discussion of a fee increase. Ms. French asked the Board members to consider the OT compact when voting on the fees and that there may be a possibility that fees will need to be increased again.

A motion was made by Mr. Adriaanse, to increase the renewal fees for OTs from \$85 to \$95, and the renewal fees for OTAs from \$60 to \$70, seconded by Ms. Tisdale. The motion carried.

The board will discuss compact fees at a later task force meeting.

<b>Tennessee Board of Occupational Therapy</b>					
Analysis of Operating Expenditures and Carryover Balance					
FY2019 Operating Expenditures					\$ 200,775.13
FY2020 Operating Expenditures					\$ 254,367.94
FY2021 Operating Expenditures					\$ 256,027.00
3 Year Average of the Annual Operating Expenditures					\$ 237,056.69
2 Times 3 Year Average of the Annual Operating Expenditures					<u>\$ 474,113.38</u>
2021 Cumulative Carryover Balance					\$ 369,801.94
FY2020 Operating Expenditures					\$ 254,367.94
FY2021 Operating Expenditures					\$ 256,027.00
FY2022 Operating Expenditures					\$ 266,487.06
3 Year Average of the Annual Operating Expenditures					\$ 258,960.67
2 Times 3 Year Average of the Annual Operating Expenditures					<u>\$ 517,921.34</u>
2022 Cumulative Carryover Balance					\$ 335,289.88
Cumulative carryover does not exceed two times the three-year average of operating expenditures.					

**TNPAP TN Professional Assistance Program**

Ms. Teresa Phillips presented the Board with the TNPAP report.



**Board of Occupational Therapy**  
**Activity Report**  
**July 1, 2022 – December 31, 2022**

	<b>OT</b>	<b>OTA</b>
<b>Monitoring</b>	0	1
<b>Monitoring Type</b>		
Regulatory	0	1
Non-regulatory	0	0
<b>Referrals</b>	0	0
<b>Agreements Activated</b>	0	0
<b>Discharges</b>	0	1
<b>Discharge Reason</b>		
Monitoring Successfully Completed	0	1

## Review, Approve/Deny and Ratify Initial Determinations

### Newly Licensed Occupational Therapist

October 25, 2022 – January 26, 2023

#### Newly Licensed Occupational Therapist

Allen, Belinda  
Allison, Chris Ann  
Bowling, Taylor  
Burke, Mercedes  
Burkley, Joy  
Caleb-Taylor, Brittany  
Chelian, Kendall  
Chidester, Andrea  
Curry, Lindsay  
Dimmock, Kathryn  
Downs, Abigail  
Finley, Sarah  
Foshee, Elizabeth  
Glaze, Morgan  
Halat, Lisa  
Hales, Kelsey  
Henn, Sydney  
Hess, Cheney  
Hewett, Christine  
Hill, Amanda  
Holtslag, James  
Hyrniewicki, Myah  
Lewis, Meredith  
Lofgren, Rae  
Lowell, Andrea  
Lucas, Olivia  
Maynard, Maggie  
Miller, Jackson  
Narey, Julia  
Nugent, Amanda  
Oleleh, Isioma  
Oliveri, Amber  
Olson, Heather  
Pardue, Landon  
Pellett, Leah  
Pepping, Bradford  
Post, Alexander  
Richards, Tara  
Robillard, Shannon  
Seravello, Nicole  
Shanks, Emme

#### Reinstated Occupational Therapist

Blackwell, Tori  
Deem, Michelle  
Kaal, Heather  
Pettit, Mariah  
Thomas, Kristen

#### Modality

OTA-Peck, Natalie  
OTA-Warren, Madison  
OT-Adams, Katherine  
OT-Ayers, Rachel  
OT-Cline, Jeremiah  
OT-Deas, Mary  
OT-Fuller, Carrie  
OT-Hyder, Allison  
OT-Long, Stephanie  
OT-Myers, Kara  
OT-O'Dell, Savannah  
OT-Rich, Etta  
OT-Stewart, Jenna  
OT-Walker, Rachel  
OT-Wiley, Kendra  
OT-Williamson, Alexis

#### Temporary Permits

OT-Dimon, Charles  
OTA-Hitt, Lauren

Smith, Miranda

Sprague, Abby

**Newly Licensed Occupational Therapy Asst.**

Bailey, Donald

Byrd, April

Crum, Genna

Eldridge, Hannah

Glade, Melissa

Hord, Frances

Houston, Joselin

Johnson, Olivia

Kelly, Stacey

King, Meghan

Lowe, Amber

Marshall, Christopher

Morgan, Aisha

Mullins, Stephen

Palmer, Presley

Riley, Kinetria

Smith, Zoe

Thompson, Madison

Wadsworth, Taryn

Wendell, Heather

**Reinstated Occupational Therapy Asst.**

Brozenick, Mandy

Hill, Teresa

**Closed Applications**

Fortmann, Sandra

Hardik, Bonnie

Johnson, Lindsey

Parker, Ryan

White, Amy

Buzzard, Lydia

Dennis, Adrian

Hutchins, Michelle

Lofgren, Rae

Ms. Tisdale made motion, to accept the list of Newly Licensed Occupational Therapist. Ms. Simpson seconded the motion. The motion carried.

Ms. Simpson made motion, to accept the list of Reinstated Occupational Therapist. Mr. Adriaanse seconded the motion. The motion carried.

Ms. Tisdale made motion, to accept the list of Occupational Therapist newly credentialed in Physical Agent Modalities. Ms. Simpson seconded the motion. The motion carried.

Mr. Adriaanse made motion, to accept the list of Newly Licensed Occupational Therapy Assistants. Ms. Simpson seconded the motion. The motion carried.

Ms. Simpson made motion, to accept the list of Reinstated Occupational Therapy Assistants. Ms. Tisdale seconded the motion. The motion carried.

Mr. Adriaanse made motion, to accept the list of Occupational Therapists and Assistants newly credentialed in Physical Agent Modalities. Ms. Simpson seconded the motion. The motion carried.

Ms. Tisdale made motion, to accept the list of Temporary Permits, seconded by Ms. Simpson. The motion carried.

**Board Administrative Report**

**BOARD OF OCCUPATIONAL THERAPIST  
ADMINISTRATOR REPORT**

February 9, 2023

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 January 26, 2023, the Board of Occupational Therapy has **3563** active Occupational Therapist and **1828** Occupational Therapy Assistants

**LICENSURE STATUS TOTALS FROM THE MONTHS OF  
October 25, 2022- January 26, 2023**

<b>OCCUPATIONAL THERAPIST</b>	
Total applications received – 478	
New licenses issued – 52	Renewal Total – 373
Reinstatements – 5	Online Renewals – 351
Limited Permit – 1	Paper Renewals – 22
Licenses Retired – 10	
Failed to Renew/Expired Licensees –42	
<b>OCCUPATIONAL THERAPY ASSISTANT</b>	
Total applications received – 252	
New licenses issued – 20	Renewal Total – 197
Reinstatements – 2	Online Renewals – 184
Limited Permit – 1	Paper Renewals – 13
License Retired- 10	
Failed to Renew/Expired Licensees – 30	

**For this reporting period, the usage rate for utilizing the online renewal portal for Occupational Therapist is 94 % ; Occupational Therapy Assistants, 93 %**

**Upcoming Board Meeting Dates**

April 27, 2023

August 10, 2023

October 26, 2023

## **INTERNET**

The Board's internet website is an excellent location to find valuable board information for licensees and applicants. Please visit the site at <https://www.tn.gov/health/health-program-areas/health-professional-boards/ot-board.html>. Should you have any suggestions or comments, please feel free to contact the Board at 615.741.3807.

## **Agreed Citation**

Michelle Louise Deems, OT 3145 - Ms. Deems was issued an agreed citation for practicing on an expired license. Ms. Tisdale made motion, with a modification of changing the number in parentheses. from a 2, to 3, to match the spelling. Mr. Adriaanse seconded the motion. The motion carried.

## **Correspondence**

Joyce Young – Correspondence from July 2022 with no response.

A motion was made by Mr. Adriaanse, to deny the request for noncompliance of continuing education hours, due to no response for additional information. The motion was seconded by Ms. Simpson. The motion carried.

## **Discuss and take action, if needed regarding rulemaking hearings, rule amendments, and policies.**

### A. Dry Needling Rules Effective March 19, 2023

Ms. Gill explained to the Board that OTs can start dry needling if they have the educational criteria.

Ms. French stated that she will work on a separate application for the dry needling credential and bring it to the task force meeting on February 23, 2023 for review and approval.

A motion was made by Mr. Adriaanse, seconded by Ms. Simpson to review and approve the application at the February 23, 2023 task force meeting. The motion carried.

### B. Dry Needling Board Consultant

Mr. Adriaanse made a motion, for the Board to contact the TPTA to find a potential Board Consultant who can review and approve dry needling. The motion carried.

## **Old and New Business**

### A. Election of Officers

Mr. Adriaanse was elected Board Chair, and he accepted the nomination. A motion was made by Ms. Newbern, seconded by Ms. Tisdale to approve the nomination. The motion carried.

Ms. Newbern was elected Secretary, and she accepted the nomination. A motion was made by Mr. Adriaanse, seconded by Ms. Simpson to approve the nomination. The motion carried.

B. Ratification of 2024 board meeting dates.

Ms. Simpson made motion, to accept the proposed board meeting dates for 2024, seconded by Mr. Adriaanse. The motion carried.

February 8, 2024  
April 25, 2024  
July 25, 2024  
October 24, 2024

C. AOTA Updates Model Occupational Therapy Practice Act for State Regulation

Ms. Blackwell asked the Board to consider receiving a revised copy of the practice act prior to the task force meeting, so that all components are thoroughly reviewed prior to decision making on any potential rule changes. The board agreed to accept the revised copy.

Ms. Blackwell also expressed a concern that there were two (2) policies that are not yet posted to the Board's website that were previously discussed. Ms. French assured Ms. Blackwell that she will get the policies posted to the board's website following the meeting.

**Adjourn**

With no further business to discuss, Mr. Adriaanse made a motion, to adjourn at 10:15 am. Ms. Tisdale seconded the motion. The motion carried.

**THESE MINUTES WERE RATIFIED AT THE AUGUST 10, 2023 BOARD MEETING.**