

**BOARD OF OCCUPATIONAL THERAPY
MINUTES**

DATE: January 14, 2021
TIME: 9:00 AM CST
LOCATION: Iris Conference Room
665 Mainstream Dr, 1st Floor
Nashville TN 37243

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

STAFF PRESENT: Noranda French, Unit Director
Mary V. Bennett, Board Manager
Sabrina Craig-Boyd, Board Administrator
Maranda Snipes, Board Administrator
Lara Gill, Senior Associate General Counsel
Lori Leonard, Disciplinary Coordinator
Maria McCormick, Division of Health Licensure and
Regulation

DUE TO COVID-19, THIS MEETING WAS CONDUCTED VIRTUALLY THROUGH WEBEX MEETINGS.

Call to Order

With a quorum present, Ms. Newbern called the meeting to order at 9:06AM. A roll call was taken by Noranda French with all members present. Ms. Tisdale made a motion to proceed with the meeting electronically. Mr. Daniel seconded the motion. Roll call – Mr. Adriaanse, aye, Ms. Tisdale, aye, Ms. Newbern, aye, Ms. Simpson, aye. The motion passed.

Introduction of new HRB Director, George Darden and General Counsel for TN Department of Health, Grant Mullins

Mr. Darden and Mr. Mullins introduced themselves to the Board members.

Minutes

After a review of the minutes of the October 22, 2020 meeting, Mr. Adriaanse made motion to accept the board meeting minutes as presented. Mr. Daniel seconded the motion. Adriaanse, aye, Tisdale, aye, Newbern, aye, Simpson, aye, Daniel, aye. The motion passed.

No public discussion.

Office of General Counsel Report

Senior Associate General Counsel, Lara Gill presented the Office of General Counsel report:

Appeals

At this time there are no pending appeals from the Board disciplinary action.

Civil Suits

At this time there are no pending civil suits.

Pending Complaints in OGC

There are six (6) outstanding disciplinary complaints against one (1) respondents who are occupational therapy assistants and five (5) who are occupational therapists.

Rules

The rule changes have been submitted to your advisory attorney to OGC for internal review at OGC. Once internal review is complete the rules can be set for rulemaking hearing.

Legislation

Ms. Gill informed the Board that there was an amendment issued that allows OT's and OTA's to practice telehealth which is scheduled to expire on April 1st of 2022.

Ms. Gill informed the Board that there is anticipated legislation to amend TCA 49-10-1401. It would allow for claim reimbursement for services provided by PT's, PTA's, OT's, and OTA's (among others) who provide treatment within their scope of practice without the referral of a referring practitioner if all treatment is provided at a local education agency to an eligible student.

Discussion

A proposed position statement regarding the practice of telehealth beyond the Covid 19 pandemic will be presented to the Board at the next meeting for consideration. The Board may vote to issue this statement or decline to issue this statement.

Investigative and Disciplinary Reports

Lori Leonard, Disciplinary Coordinator in the Office of Investigations, began her report with the summary of currently monitored practitioners. A breakdown is as follows: Occupational Therapist there were four (4) under reprimand, two (2) on probation, one (1) under suspension, and one (1) under revoked or surrendered license. For Occupational Therapy Assistants there were one (1) under reprimand, three (3) under probation, one (1) under suspension, and one (1) under revoked or surrendered license.

For Occupational Therapists -The investigative report breakdown is as follows: The Office of Investigations has **opened** a total of seven (7) complaints for 2020. Those allegations included one (1) for falsification of records, one (1) regarding substance abuse, two (2) regarding unprofessional conduct, one (1) regarding a violation of an order, and two (2) for practice beyond the scope.

Investigations **closed** a total of eight (8) complaints; one (1) with insufficient evidence, three (3) closed and sent to OGC for formal discipline, one (1) closed with no action, one (1) closed with a letter of concern and two (2) closed with a letter of warning.

For Occupational Therapy Assistants-The investigative report breakdown is as follows: The office of Investigations has **opened** a total of nine (9) complaints; one (1) regarding abuse, one (1) regarding falsification of records, three (3) regarding a violation of an order, one (1) regarding a lapsed license, one (1) regarding Covid-19, and two (2) regarding unprofessional conduct. One (1) complaint has been closed and sent to OGC for formal discipline, two (2) were closed with no action, and one (1) was closed with a letter of warning.

Division of Health Licensure and Regulations

No report at this time.

TNPAP

Ms. Theresa Phillips was available to present the TNPAP report. At this time there were no Occupational Therapists being monitored by TNPAP. For Occupational Therapy Assistants, there was one (1) licensee being monitored. TNPAP has two (2) referrals during the time frame of July 1, 2020- December 31, 2020. TNPAP had two (2) agreements entered and no discharges during this time frame.

No public comment.

Occupational Therapy Board Ratification List **October 13, 2020 through December 31, 2020**

Ms. Tisdale made a motion to accept the ratifications for newly licensed OT’s, OTA’s, modalities applicants, and reinstatements as presented, Mr. Daniel seconded the motion. Roll call – Ms. Newbern, aye, Ms. Simpson, aye, Ms. Tisdale, aye, Mr. Adriaanse, aye, Mr. Daniel, aye. The motion passed.

Ms. Tisdale made a motion to accept the closed applications as listed. Ms. Simpson seconded the motion. Roll call – Ms. Newbern, aye, Ms. Simpson, aye, Ms. Tisdale, aye, Mr. Adriaanse, aye, Mr. Daniel, aye. The motion passed.

No public discussion.

Administrative Report

**BOARD OF OCCUPATIONAL THERAPY
ADMINISTRATOR REPORT
January 14, 2021**

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 Therapy.

STATISTICAL DATA

As of December 31, 2020, the Board of Occupational Therapy has 3161 active Occupational Therapists and 1739 active Occupational Therapy Assistants.

LICENSURE STATUS TOTALS FROM THE
MONTHS OF
October 31, 2020 through December 31, 2020

OCCUPATIONAL THERAPIST	
New applications received – 399	
New licenses issued – 33	Renewal Total – 305
Reinstatements – 5	Online Renewals – 272
Limited Permit – 0	Paper Renewals – 33
Licenses Retired – 4	
Failed to Renew/Expired Licensees – 22	

OCCUPATIONAL THERAPY ASSISTANTS	
New applications received – 238	
New licenses issued – 46	Renewal Total – 164
Reinstatements –0 Limited Permit- 0	Online Renewals – 144 Paper Renewals- 20
Licenses Retired –6	
Failed to Renew/Expired Licensees – 15	

For this reporting period, the usage rate for utilizing the online renewal portal for Occupational Therapists is 89% and Occupational Therapy Assistants is 87%

Upcoming Board Meeting Dates

- April 29, 2021
- July 29, 2021
- October 7, 2021

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/OT-board>. Should you have any suggestions or comments, please feel free to contact the Board at 615.741.3807.

Correspondence

Carly Parker, Request for extension – Ms. Parker requested that the Board accept her modalities application outside of the required time frame. Ms. Tisdale made a motion to deny the applicant’s request. Ms. Simpson seconded the motion. Roll call – Ms. Newbern, no, Ms. Simpson, aye, Ms. Tisdale, aye, Mr. Adriaanse, aye, Mr. Daniel, aye. The motion passed.

Molly Taylor, Request for extension – Ms. Parker requested that the Board accept her modalities application outside of the required time frame. Mr. Adriaanse made a motion to deny the applicant’s request. Mr. Daniel seconded the motion. Roll call – Ms. Newbern, no, Ms. Simpson, aye, Ms. Tisdale, aye, Mr. Adriaanse, aye, Mr. Daniel, aye. The motion passed.

Crystal Spradlin, Request for Waiver of Continuing Education– Ms. Spradlin requested a waiver of continuing education for the 2018-2019 period due to illness. Mr. Adriaanse made a motion to deny the request. Ms. Simpson seconded the motion. Roll call - Newbern, aye, Simpson, aye, Adriaanse, aye, Daniel, aye, Tisdale, abstained. The motion passed.

Legislation

No public discussion.

Old and New Business

OT Telehealth Practice – Ms. French informed the Board that Governor Lee has extended Executive orders 71, 72, and 73. Executive order 73 allows online continuing education in lieu of in-person continuing education through February 27, 2021.

Ratify Meeting Dates for 2022

Mr. Daniel made a motion to ratify the Board meeting dates for 2022. Mr. Adriaanse seconded the motion. Roll call – Ms. Newbern, aye, Ms. Simpson, aye, Ms. Tisdale, aye, Mr. Adriaanse, aye, Mr. Daniel, aye. The motion passed.

Election of Officers– Ms. Simpson made a motion to nominate Ms. Newbern for Board Chair. The motion was second by Mr. Adriaanse. Roll call – Ms. Simpson, aye, Ms. Tisdale, aye, Mr. Adriaanse, aye, Mr. Daniel, aye. The motion passed.

Ms. Simpson made a motion to nominate Mr. Daniel for Board Secretary. Mr. Adriaanse seconded the motion. Roll call – Ms. Simpson, aye, Ms. Tisdale, aye, Mr. Adriaanse, aye. The motion passed.

Adjourn

Mr. Daniel made motion to adjourn the meeting. Mr. Adriaanse seconded the motion. Roll call – Ms. Newbern, aye, Ms. Tisdale, aye, Ms. Simpson, aye, Mr. Adriaanse, aye, Mr. Daniel, aye. The motion passed.