



Tennessee Board of Occupational Therapy Newsletter

Volume 1, Issue 1

Fall 2015

Division of Health Licensure and Regulation ♦ Health Related Boards ♦ 665 Mainstream Drive, 2nd Floor, Nashville, TN 37243
♦ Web: tn.gov/health ♦ Phone: (615) 741-3807 or 1-800-778-4123
Fax: (615) 253-8764 ♦ Office Hours: Monday – Friday 8:00 a.m. to 4:30 p.m. Central Time (except State and Federal holidays)

The mission of the Tennessee Department of Health is to:

Protect, Promote, and Improve the health and prosperity of people in Tennessee.

There are many resources on the Board of Occupational Therapy website, including the rules, statutes, applications, and policy statements. License renewal and licensure verification may also be utilized on this website. The Department recently updated its web appearance with a redesigned looked and user-friendly navigation. We are excited about the new website for the Board as this is a valuable resource. We encourage you use it often.

RESOURCES AND USEFUL LINKS

- [Tennessee Board of Occupational Therapy Home](#)
- [Licensure and Education Information](#)
- [Complaints, Disciplinary Actions and Peer Assistance](#)
- [Applications, Publications and Information](#)
- [Statutes, Rules and Policies](#)
- [National Board of Certification of Occupational Therapy \(NBCOT\)](#)
- [American Occupational Therapy Association \(AOTA\)](#)
- [Tennessee Occupational Therapy Association \(TNOTA\)](#)

ACCESSING THE BOARD'S WEBSITE

- In address bar type: <http://tn.gov/health>
- Click on link titled: "Health Professionals"
- Choose: Health Related Boards,
- Click on link for: "Occupational Therapy"



INSIDE THIS ISSUE

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ABOUT THE BOARD OF OCCUPATIONAL THERAPY



Pursuant to Public Chapter 115 of the Public Acts of 2007, the Committee of Occupational Therapy was replaced by the Board of Occupational Therapy. Its mission is to safeguard the health, safety, and welfare of Tennesseans, by requiring that all who practice occupational therapy within the state be qualified. The Board interprets the laws, rules, and regulations to determine the appropriate standards of practice in an effort to ensure the highest degree of professional conduct. The Board is responsible for the investigation of alleged violations of the Practice Act and

rules and is responsible for the discipline of licensees who are found guilty of such violation.

The administrative staff of the Division of Health Related Boards supports the Board by issuing licenses to those who meet the requirements of the law and rules. Licenses or certificates are awarded in the following categories:

- Occupational Therapist
- Occupational Therapy Assistant
- Physical Agent Modality Certification

Renewal of License

Licensees are responsible for renewing their licenses on time and keeping the Board apprised of changes affecting location and name as this facilitates timely notification from the administrative office. Renewal notices are mailed from the Board's administrative office forty-five (45) days prior to the expiration of the license to the current address on record. Licenses can be renewed on-line sixty (60) days prior to expiration at <https://apps.tn.gov/hlrs/>. It is a violation of the law and of the Board's rules to practice on an expired license.

Contacting the Administrative Office:

Tennessee Board of Occupational Therapy
665 Mainstream Drive, 2nd Floor
Nashville, TN 37243
Phone: (615) 741-3807 Local or (800) 778-4123 Nationwide
Fax: (615) 253-8724

Administrative Staff

Michael Sobowale
Board Director

Zandra Pickett
Board Administrator

Lakita Taylor
Board Manager

COMPLAINTS, DISCIPLINARY ACTIONS & PEER ASSISTANCE

Complaints

If you believe a practitioner's performance or behavior is not acceptable, you may file a complaint through Health Related Boards, Office of Investigations. For information on filing a complaint, please visit:

<http://tn.gov/health/article/OT-complaints>.

You may contact the Complaint Divisions of the Department of Health at 1-800-852-2187 to request a complaint form or download one here:

<http://tn.gov/assets/entities/health/attachments/PH-3466.pdf>.

The form must be completed in its entirety. All materials received in connection with the complaint will become property of the Department of Health and cannot be returned. Please return the complaint to:

**Office of Investigations
665 Mainstream Drive, 2nd Floor, Suite 201
Nashville, TN 37243**

Disciplinary Actions

A listing of monthly disciplinary actions taken by the Board of Occupational Therapy can be found here:

<http://tn.gov/health/article/boards-disciplinary-actions#dars>.

Peer Assistance

The Board of Occupational Therapy has contracted with the Professional Assistance Program to assist in safeguarding health care consumers in Tennessee by providing a consultation, referral, and monitoring program for occupational therapy practitioners whose practice is impaired or potentially could be impaired due to the use of alcohol or drugs, or a psychological or physiological condition.

**Tennessee Professional Assistance Program
545 Mainstream Drive, Suite 414
Nashville, Tennessee 37228-1201
Phone: 615-726-4001 or 1-888-776-0786
Fax: 615-726-4003
www.tnpap.org**

LEGISLATIVE UPDATES

Public Chapter 154

This act allows the Commissioner of Health or his designee to have electronic access to medical records to facilitate investigations when responding to an immediate threat to public health. Today the Commissioner of Health or his designee already has this authority but must go to the facility to review the medical records. This took effect on April 16, 2015.

Public Chapter 94

This act defines "abuse" and "neglect" for purposes of placing a person on the registry of persons who have abused, neglected or misappropriated the property of vulnerable individuals specifically within the statutes that govern the Dept. of Health. It does not impact the definitions within the statutes that govern the Dept. of Intellectual and Developmental Disabilities nor the Dept. of Human Services. It also increases the time within which placement on the registry may be appealed from 30 to 60 days. For rulemaking purposes, this bill became effective on April 10, 2015. All other provisions became effective on July 1, 2015.

Public Chapter 502

This act allows the Joint Government Operations Committee (the legislative committee that reviews all rules) to stay a rule up to 75 days instead of 60 days. Present law authorizes the Joint Government Operations Committee to consider the following factors when reviewing rules: authority, clarity, consistency, justification, necessity and reference. This act adds arbitrariness and capriciousness as two new considerations.

Public Chapter 268

This act makes disclosures of protected healthcare information permissible in medical malpractice lawsuits and became effective on April 24, 2015.

[Click on the public chapter titles to view legislative descriptions in their entirety.](#)

Continued on page 5...

MEETINGS OF THE BOARD

The Board has scheduled meetings throughout the year for purposes of conducting administrative business concerning ratifying licenses, promulgating rules, disciplinary matters, etc. The five (5) members of the Board are appointed by the Governor and serve three (3) year terms. A quorum of three (3) members is required to conduct business. The meetings are open to the public. The Tennessee Open Meetings Act passed by the General Assembly in 1974 requires that meetings of state, city and county government bodies be open to the public and that any such governmental body give adequate notice of such meeting. Open meeting notices can also be accessed at <http://tn.gov/health/calendar/occupational-therapy>.

LIVE-STREAM MEETINGS

As of January 2015, public meetings are live-streamed and viewable via the internet. Links to view a meeting can be accessed by visiting the department's "Calendar of Events" at: <http://tn.gov/health/calendar>. Archived meetings may also be accessed and viewed from the Department of Health website at: <https://web.nowuseeit.tn.gov/Mediasite/Catalog/Full/98fe21d561e9489487745f0c7da678b221>

BOARD MEMBER COMPOSITION

Amy V. Burba, Chair
Occupational Therapist
Hixson, TN

Anita W. Mitchell
Occupational Therapist
Bartlett, TN

Louis Tucciarone, Jr.
Occupational Therapist
Murfreesboro, TN

Marilyn D. Franklin
Occupational Therapy Assistant
La Vergne, TN

Jewel Ann Davis
Consumer Member
Harriman, TN

BOARD MEETING SCHEDULE FOR 2015 & 2016

- ▶ August 20, 2015 – 10:00 AM CST
- ▶ December 4, 2015 – 10:00 AM CST
- ▶ March 17, 2016 – 10:00 AM CST
- ▶ June 16, 2016 – 10:00 AM CST
- ▶ September 15, 2016 – 10:00 AM CST
- ▶ December 15, 2016 – 10:00 AM CST

Unless otherwise noted, all meetings will be held at the following location:

665 Mainstream Drive
Poplar Conference Room, Ground Floor
Nashville, TN 37243



NATIONAL CONFERENCES

Federation of Associations of Regulatory Boards (FARB) 40th Annual Forum
Clearwater Beach, FL
January 28-31, 2016

American Occupational Therapy Association (AOTA) 96th Annual Conference & Expo – 2016
Chicago, IL
April 7-10, 2016

Annual Education Conference (CLEAR)
Portland, OR
September 15-17, 2016

IMPORTANT REMINDERS

Electronic Notifications Opt-In

Licensees who prefer to receive notifications by electronic means instead of by regular United States mail from the Department of Health should request to “opt-in” from the portal on the Board’s website at: <https://apps.tn.gov/hlrs/>. Licensees may also submit a written request to the Board’s Administrative Office.

Please note that once you choose to opt-in to receive electronic notifications, ALL notices from the Health Department, including license renewal notices, will be sent by electronic mail. License renewal notification will be sent from the Board’s Administrative Office forty-five (45) days prior to the expiration of the license to the current e-mail address on record with Tennessee Department of Health. Also, you will be required to notify the Administrative Office should there be any changes to your email address.

Updating Your Practitioner Profile

Pursuant to Tennessee Health Care Consumer Right – to-Know Act, 1998, T.C.A. §63-51-101, et seq., licensed occupational therapists have a continuing duty and the responsibility to notify the Department of Health of any changes or updates to information submitted on the mandatory practitioner’s profile questionnaire within thirty (30) days of the occurrence of such event. Changes include any change of address. A copy of the questionnaire can be found at: <http://health.state.tn.us/downloads/PH-3585.pdf>.

To check the accuracy of your profile, please visit: <https://apps.health.tn.gov/Licensure/>.

Changes may be submitted on the form to the Board’s Administrative Office at:

**Office of Health Related Boards
Board of Occupational Therapy
665 Mainstream Drive, 2nd Floor
Nashville, TN 37243**

LEGISLATIVE UPDATES CONT’D:

Public Chapter 261

The act provides for the practice of telehealth. It outlines the following:

- Defines a healthcare provider
- Establishes a provider-patient relationship by mutual consent and mutual communication
- Specifies that telehealth does not create a new standard care
- Prohibits any board from creating a more restrictive standard of professional practice for telehealth service
- Allows a physician to prescribe by means of telemedicine and follow all prescribing applicable statutes such as checking the Controlled Substance Monitoring Database; however, pain management clinics are not permitted
- There is no separate telehealth license required by the Board of Medical Examiners

2015 CONFERENCE UPDATE:

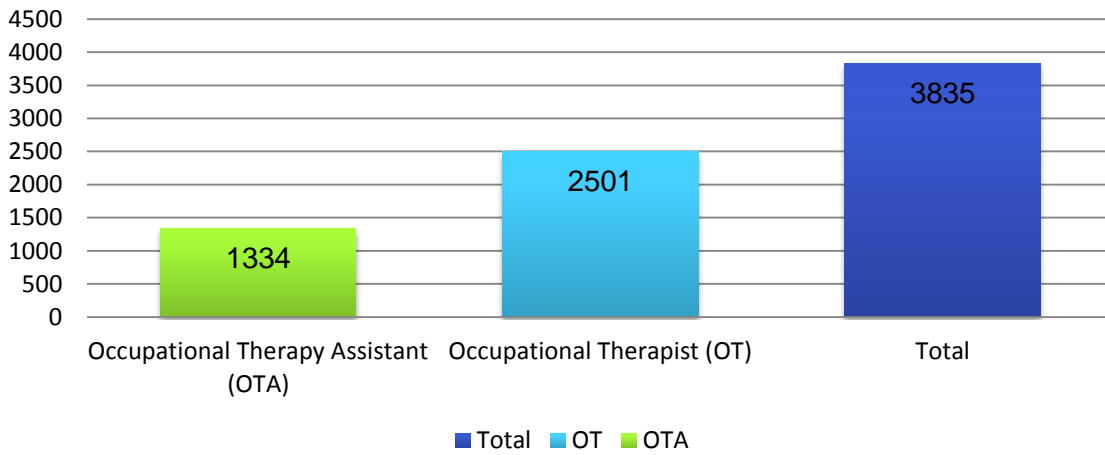
American Occupational Therapy Association (AOTA) 95th Annual Conference & Expo

The Board’s administrative staff had the opportunity to attend the 2015 AOTA 95th Annual Conference and Expo held at the Music City Center in Nashville, Tennessee. With nearly 8,000 attendees, the exhibit booth for the Tennessee Board of Occupational Therapy was effective in establishing its presence as the state’s licensing authority. Current license holders, license applicants, and occupational therapy students were provided with information relative to the rules, regulations, and statutory requirements for licensure to practice occupational therapy in Tennessee.

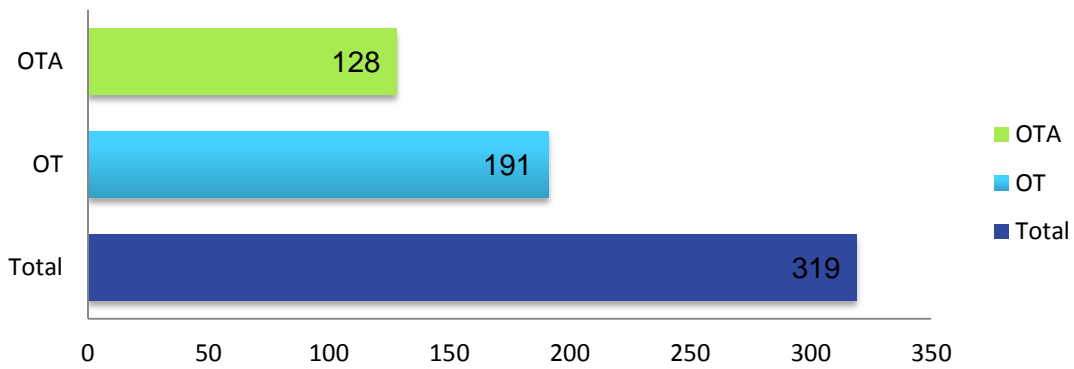
Exhibiting at the conference was a premiere networking opportunity, which the administrative office extends its thanks for being able to attend.

STATISTICAL DATA

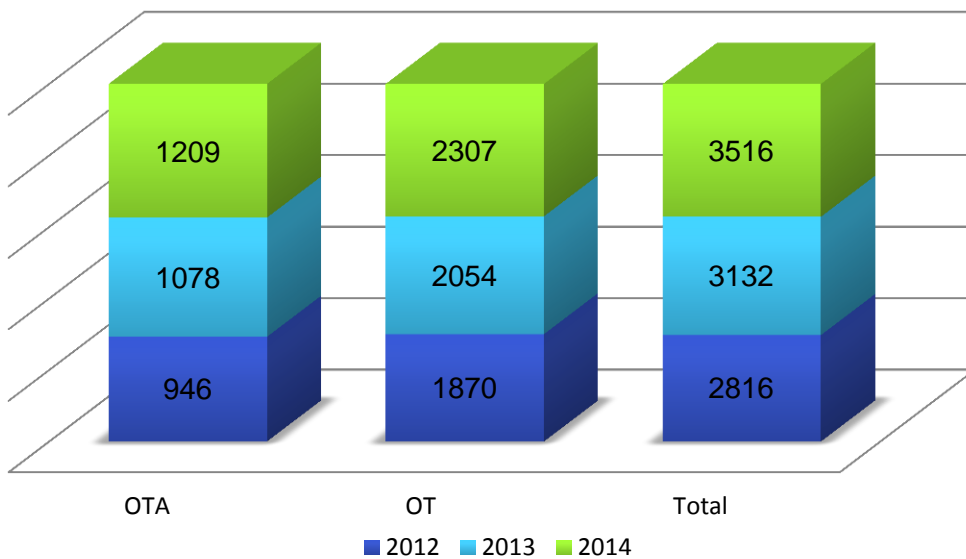
Total Number of Licenses as of 10/6/15



Applications Received from 1/1/15 to 10/6/15



Number of Licenses by Profession and Year



Q: I have moved and/or changed my place of employment. How do I update my address with the Board?

A: Changes in address must be submitted in writing to the Board's administrative office within 30 days. Please include your name, profession, license number, old address and new address. Please also specify if the change is to your mailing or practice address.

Q: How do I report a name change and/or request an updated license?

A: Changes in name must be submitted in writing to the Board's administrative office, along with documentation supporting the change (i.e. marriage certificate, divorce decree). Please include your name, profession and license number. If you wish to receive a duplicate copy of your license, reflecting the updated name, you must specify this in your request and include a check or money order in the amount of \$25.00 for each license type (i.e. Wallet/Renewal size or Wall size).

Q: I am applying for a license in another state and need primary source verification. How do I obtain this?

A: Requests for license verification must be submitted in writing to the Board's administrative office. Please include your name, profession, license number and address which the verification must be sent. Please also include a check or money order in the amount of \$25.00 per request.

Q: Can I renew my license online?

A: Certainly! License renewals may be processed up to sixty (60) days prior to the license expiration date. Please visit <https://apps.tn.gov/hlrs/> and choose "Go Now" under Professional License.

Q: I am no longer practicing occupational therapy. How do I retire my license?

A: To retire your license, please complete the Affidavit of Retirement form, have it notarized and forward it to the administrative office. The form may be downloaded from the Board's website at: <http://tn.gov/assets/entities/health/attachments/PH-3460.pdf>. Please inquire with the Board office regarding requirements to reinstate a retired license.

QUESTIONS AND ANSWERS



Q: Am I required to do continuing education to maintain my license?

A: Pursuant to Rule 1150-02-.12(3): Occupational Therapists and Occupational Therapy Assistants are required to complete twenty-four (24) continued competence credits for the two (2) calendar years (January 1 - December 31) that precede the licensure renewal year.

(4) Twelve (12) of the required twenty-four (24) continued competence credits must be directly related to the delivery of occupational therapy services.

(5) One (1) hour of the required twenty-four (24) continued competence credits shall pertain to the AOTA Code of Ethics or other ethics related continued competence activities which have implications for the practice of occupational therapy.

(6) One (1) hour of the required twenty-four (24) continued competence credits shall pertain to the occupational therapy portions of T.C.A. §§ 63-13-101, et seq., the Tennessee Occupational and Physical Therapy Practice Act, and shall pertain to Chapter 1150-02, General Rules Governing the Practice of Occupational Therapy.

New license/certificate holders by examination or reciprocity, shall be exempted from the continuing education requirements of 1150-02-.12 for the calendar year in which they are licensed. However, the use of physical agent modalities by any licensee requires additional certification pursuant to Rule 1150-02-.04

Q: My license has expired. How do I reinstate my license?

A: Pursuant to rule 1150-02-.09, reinstatement of an expired license may be accomplished upon payment of the past due renewal and state regulatory fees and the late renewal fee as provided in Rules 1150-02-.06; and by submitting proof of continuing competence requirements as provided in Rule 1150-02-.12.