

1 **TEXAS BOARD OF OCCUPATIONAL THERAPY EXAMINERS**

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2 Board Meeting  
3 333 Guadalupe St #2-510  
4 Austin, TX 78701  
5 August 4, 2006  
6 10:00 AM  
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8 Members Present: **Jean Polichino, OTR and Presiding Officer**  
9 **Cecilia Fierro, OTR and Secretary**  
10 **Dely de la Cruz, Public Member**  
11 **Clarissa Meyers, OTR**  
12 **Joe Messmer, COTA**  
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14 Members Absent: David Cabrales, Public Member  
15 Judith Bowen, OTR  
16 Grace L. Butler, PhD, Public Member  
17 Michael Carreon, COTA  
18  
19 Frank Knapp, AGG  
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21 Staff: John Maline, Executive Director  
22 Augusta Gelfand, OT Coordinator  
23 Mark Turek, Chief Investigator  
24 Cynthia Machado, Licensing Manager  
25

26 Guests: Jeff Grymkoski, State Auditor's Office  
27 Carol Elder, staff

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29 **I. Call to Order**

30 Jean Polichino, Presiding Officer, called the meeting to order at 10:03 AM. She called the roll  
31 and established that a quorum existed.  
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33 **2. Public Comment**

34 No comment  
35

36 **3. Approval of Minutes from July 2, 2006**

37 Motion: To approve minutes as corrected.

38 Made by: Joe Messmer

39 Second by: Dely de la Cruz

40 Motion passed.  
41

42 **4. Discussion and Possible Action On Executive Director's Report concerning fiscal**  
43 **and budgetary matters, quarterly performance measures, customer service**  
44 **report, the agency strategic plan, the Executive Council, the legislative**  
45 **appropriations request, agency personnel, ongoing projects, the upcoming**  
46 **legislative session, and other agency business.**

47 Mr. Maline covered the current financial status of the agency, the current change in personnel  
48 with a new investigator who is currently on maternity leave. He pointed out the performance  
49 measures and growth of OT practitioners in Texas. He mentioned that Suzan Kedron, Chair of  
50 the Executive Council of PT and OT Examiners, had attended Governor Perry's meetings for  
51 agency chairs and reported back on the 10% budget cuts and constraints. Mr. Maline reported  
52 that he and accountant, Nell McMillan, are scheduled to appear for a legislative budget hearing

1 on September 13<sup>th</sup>. Mr. Maline discussed the approximately 2,500 responses to the customer  
2 surveys and the positive results reflecting the agency's performance.

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4 **5. Investigation Committee Report**

5 **A. Review and Possible Action on Agreed Orders#:** 06-26.

6 No action.

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8 **B. Investigation report from the August 4, 2006 committee meeting**

9 The Investigation Committee met on August 4th in Austin and reviewed 25 cases, which  
10 resulted in 8 agreed orders, 2 warning letters.

11  
12 **C. Discussion of investigative activities to date**

13 During the 3<sup>rd</sup> quarter, TBOTE received 18 jurisdictional cases, while the investigators resolved  
14 16 cases in an average of 93 days and at a cost of \$94.66 per case.

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16 The board recessed at 10:34AM and returned at 10:44AM.

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18 **6. Rules Committee Report**

19 Discussion and possible adoption of proposed amendments to rules:

20 **A. §§367.1-.3. Continuing Education**

21 Motion: To adopt the amendments to §§ 367.1-3 with minor language changes.

22 Made by: Joe Messmer

23 Second by: Dely de la Cruz

24 Motion passed.

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26 **B. §371.2 Retired Status**

27 Motion: To adopt amendments to §371.2 as posted

28 Made by: Joe Messmer

29 Second by: Cecilia Fierro

30 Motion passed.

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32 **C. §373.2. Supervision of a Temporary Licensee**

33 Motion: To adopt amendments §373.2 as posted

34 Motion by: Cecilia Fierro

35 Second by: Clarissa Meyers

36 Motion passed.

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38 **D. §376.3 Requirements for Registration Application**

39 Motion: To adopt amendments to §376.3 as posted

40 Motion by: Joe Messmer

41 Second by: Clarissa Meyers

42 Motion passed.

43  
44 **E. §373.6 Renewal of Registration**

45 Motion: To adopt amendments to §376.6 as posted

46 Motion by: Dely de la Cruz

47 Second by: Cecilia Fierro

48 Motion passed.

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50 **7. OT Coordinator's Report**

51 Ms. Gelfand pointed out her written report, which listed the school visits during the year, an  
52 increase over previous years.

1 **8. Presiding Officer's Report**

2 She mentioned that Ms. Fierro would be attending the NBCOT annual conference and asked  
3 the Board to let Ms. Fierro know if any issues the Board would like her to address with NBCOT.  
4

5 **9. Discussion and possible action on future meeting dates and agenda items**

6 November 17, 2006 is the date for the fall board meeting to be held in conjunction with TOTA's  
7 Mountain Central Conference in Irving, at the Mandalay Hotel.

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9 **10. Adjournment**

10 The Board adjourned at 11:14 AM

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13 The Board adopted the Minutes on: November 17, 2006