

1 EXECUTIVE COUNCIL OF PHYSICAL THERAPY AND
2 OCCUPATIONAL THERAPY EXAMINERS
3 QUARTERLY MEETING
4 March 4, 2016, 8:30 AM
5 333 Guadalupe, Ste. 2-500
6 Austin, TX 78701
7

8 Persons Present:

Council Members:

Roger Matson, *Presiding Officer*
Shari Waldie, *PT*
Phil Vickers, *PT Public Member*
Stephanie Johnston, *OTR*
Will Hale, *OT Public Member*

14 Staff:

John Maline, *Executive Director*
Lea Weiss, *OT Board Coordinator*
Karen Gordon, *PT Board Coordinator*
Jennifer J Jones, *Staff Services Officer*
Randall Glines, *Asst. Licensing Manager*

21 Guest:

Texas Sunset Advisory Commission
Erick Fajardo, *Policy Analyst*
Joe Walraven, *Policy Analyst*
Alan Leonard, *Policy Analyst*

Jackson Walker, LLP
Denise Rose, *Governmental Affairs*
Consultant

31
32 **I. Call to Order.**

33 At 8:40 a.m., Mr. Roger Matson, Presiding Officer, called the meeting to order. Mr. Matson
34 called the roll, and a quorum was determined to exist.

35
36 **II. Public Comment.**

37 There was no public comment.

38
39 **III. Approval of minutes of November 20, 2015 Executive Council meeting.**

40 **Motion: To approve the minutes of November 20, 2015, Executive Council meeting as**
41 **found in Tab 3.**

42 The November 20, 2015 minutes were approved with no changes noted.

43 **Made by: Stephanie Johnston**

44 **Second: Shari Waldie**

45 **4 ayes, motion passed.**

46
47 **IV. Discussion and possible action on Executive Director's Report concerning fiscal and**
48 **budgetary matters, performance measures, ongoing projects, agency personnel**
49 **matters, status of Sunset Review of the agency and boards, and other agency business.**

1 Mr. Maline presented a report to the executive council on the current status of the agency,
2 which included an update of the current fiscal year's financial status and performance measure
3 statistics. He also discussed the personnel changes in the agency since the last council
4 meeting, updates to the agency financial situation, major expenses expected this fiscal year,
5 and the status of the Sunset Review process. There were related questions asked of him, all
6 of which he answered.
7

8 **V. Discussion and possible action on proposing a rule review of the following chapter of**
9 **the Council Rules as required by §2001.039 of the Government Code: Chapter 651,**
10 **Fees.**

11 Mr. Maline informed the Executive Council that every state agency has a requirement to review
12 all its rules every four years, and if necessary, either delete an obsolete rule, modify it, or
13 continue it unchanged. As its first step, the Executive Council must announce its intent to
14 review its rules in the Texas Register, and request input from all interested parties. Posting in
15 the Texas Register the intent to conduct a rule review is the first step in the process.

16 **Made by: Shari Waldie**

17 **Second: Phil Vickers**

18 **4 ayes, motion passed.**
19

20 **VI. Review and possible action on rule amendments proposed by the Texas Board of**
21 **Occupational Therapy Examiners as follows: §Chapter 367, Continuing Education;**
22 **Chapter 362, Definitions; §372.1, Provision of Services; §373.1, Supervision of Non-**
23 **Licensed Personnel; §373.3, Supervision of an Occupational Therapy Assistant; §370.3,**
24 **Restoration of a Texas License; Chapter 371, Inactive and Retired Status; §376.5,**
25 **Exemptions to Registration; and proposed new §372.2, General Purpose Occupation-**
26 **Based Instruction.**

27 Stephanie Johnston gave a synopsis of the proposed amendments and the rationale used by
28 the OT Board to make the proposed changes. She also discussed why there was such a
29 relatively large number of rules proposed by the OT Board (the time was available at the board
30 retreat). There were several questions asked of her by other council members, all of which
31 she answered.
32

33 **Motion: To approve the forwarding of the proposed amendment to §367.1, Continuing**
34 **Education to the Texas Register for posting.**

35 **Made by: Shari Waldie**

36 **Second: Philip Vickers**

37 **4 ayes, motion passed.**
38

39 **Motion: To approve the forwarding of the proposed amendment to §367.2, Categories**
40 **of Education to the Texas Register for posting.**

41 **Made by: Shari Waldie**

42 **Second: Will Hale**

43 **4 ayes, motion passed.**
44

45 **Motion: To approve the forwarding of the proposed amendment to §367.3, Continuing**
46 **Education Audit to the Texas Register for posting.**

47 **Made by: Philip Vickers**

48 **Second: Will Hale**

49 **4 ayes, motion passed.**
50

51 **Motion: To approve the forwarding of the proposed amendment to §362.1, Definitions**

1 **to the Texas Register for posting.**

2 Made by: Will Hale

3 Second: Shari Waldie

4 4 ayes, motion passed.

5
6 **Motion: To approve the forwarding of the proposed amendment to §372.1, Provision of**
7 **Services, to the Texas Register for posting.**

8 Made by: Will Hale

9 Second: Shari Waldie

10 4 ayes, motion passed.

11
12
13 **Motion: To approve the forwarding of the proposed amendment to §373.1, Supervision**
14 **of Non-Licensed Personnel, to the Texas Register for posting.**

15 Made by: Will Hale

16 Second: Philip Vickers

17 4 ayes, motion passed.

18
19 **Motion: To approve the forwarding of the proposed amendment to §373.3, Supervision**
20 **of an Occupational Therapy Assistant, to the Texas Register for posting.**

21 Made by: Shari Waldie

22 Second: Philip Vickers

23 4 ayes, motion passed.

24
25
26 **Motion: To approve the forwarding of new §372.2, General Purpose Occupation-Based**
27 **Instruction, to the Texas Register for posting.**

28 Made by: Shari Waldie

29 Second: Philip Vickers

30 4 ayes, motion passed.

31
32 **Motion: To approve the forwarding of the proposed amendment to §370.3, Restoration**
33 **of a Texas License, to the Texas Register for posting.**

34 Made by: Shari Waldie

35 Second: Philip Vickers

36 4 ayes, motion passed.

37
38 **Motion: To approve the forwarding of the proposed amendment to §376.5, Exemptions**
39 **to Registration, to the Texas Register for posting.**

40 Made by: Shari Waldie

41 Second: Philip Vickers

42 4 ayes, motion passed.

43
44 **Motion: To approve the forwarding of the proposed amendment to Chapter 371,**
45 **Inactive and Retired Status, to the Texas Register for posting.**

46 Made by: Shari Waldie

47 Second: Philip Vickers

48 4 ayes, motion passed.

49
50 **VII. Review and possible action on a rule amendment proposed by the Texas Board of**
51 **Physical Therapy Examiners as follows: §329.2., Licensure by Examination.**

1 Shari Waldie gave a synopsis of the proposed amendment and the rationale used by the PT
2 Board to make the proposed change. There were several questions asked of her by other
3 council members, all of which she answered.
4

5 **Motion: To approve the forwarding of the proposed amendment to §329.2, Licensure by**
6 **Examination, to the Texas Register for posting.**

7 Made by: Stephanie Johnston

8 Second: Philip Vickers

9 4 ayes, motion passed.
10

11 **VIII. There was no Presiding Officer's Report.**

12
13 **IX. The next Executive Council Meeting is scheduled for Friday, May 20, 2016, 8:30 am, in**
14 **Austin, TX.**

15
16 **XI. Adjournment.**

17 The meeting was adjourned at 10:20 AM.
18
19

20 **DATE REVIEWED BY THE COUNCIL: 5/20/2016**

21
22 **ACTION TAKEN BY THE COUNCIL: APPROVED**