

1 EXECUTIVE COUNCIL OF PHYSICAL THERAPY AND
2 OCCUPATIONAL THERAPY EXAMINERS
3 QUARTERLY MEETING
4 April 25, 2008, 12:00 PM
5
6

7 333 Guadalupe, Ste. 2-510
8 Austin, TX 78701
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11 Persons Present: Council Members:

12 L. Suzan Kedron, *Chair*
13 Daniel Reyna, *Public Member*
14 Melinda Rodriguez, *PT*
15 Stephanie Johnston, *OTR*
16 Pamela Nelon, *Public Member*

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18 Staff:

19 John Maline, *Executive Director*
20 Augusta Gelfand, *OT Board Coordinator*
21 Nina Hurter, *PT Coordinator*
22 Jennifer Jones, *Executive Assistant*
23 Kevin Heyburn, *OAG assigned Counsel*

24 Other Board Members:

25 Judith Chambers, *Public Member, OT Board*

26
27 **I. Call to Order.**

28 At 1:00 p.m., Ms. Suzan Kedron, Presiding Officer, called the meeting to order.
29 Ms. Kedron called the roll, and determined that a quorum existed.
30

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32 **II. Public Comment.**

33 There was no public comment.
34

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36 **III. Approval of minutes of February 15, 2008 Executive Council meeting.**

37 The minutes were approved with corrections.
38

39 **Motion: To approve the minutes of February 15, 2008 Executive Council meeting**
40 **as found in Tab 3 with corrections.**

41 **Made by: Melinda Rodriguez**

42 **Second: Stephanie Johnston**

43 **4 ayes, motion passed.**
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46 **IV. Discussion and possible action on Executive Director's Report, concerning**
47 **fiscal and budgetary matters, quarterly performance measures, biannual budget**
48 **planning process, customer service report, legislative actions, agency personnel,**
49 **ongoing projects, and other agency business.**
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1 Mr. Maline presented a report to the council that covered the current FY2008 budget
2 and funds collected and deposited to the Treasury. He also covered the performance
3 measures, discussed the status of the Strategic Plan, provided highlights of the annual
4 customer service report, and status of floor replacement in the offices. Questions were
5 asked of him, all of which he answered.
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7

8 **V. Executive Session for the discussion of personnel matters: the appointment,
9 employment, evaluation, reassignment, duties, discipline or dismissal of the
10 Executive Director of the Executive Council of Physical Therapy and
11 Occupational Therapy Examiners, pursuant to Texas Government Code, Section
12 551.074(a).**

13 Pursuant to Texas Government Code, Section 551.074(a), the Executive Council meet
14 in closed session at 1:43 p.m. The Executive Council returned to open session at 1:54
15 p.m.
16
17

18 **VI. Open session for further discussion and possible action on personnel matters:
19 the appointment, employment, evaluation, reassignment, duties, discipline or
20 dismissal of the Executive Director of the Executive Council of Physical Therapy
21 and Occupational Therapy Examiners, pursuant to Texas Government Code,
22 Section 551.074(a).**

23 Ms. Kedron thanked Mr. Maline on behalf of the council and two boards for his work,
24 and told him that she would forward his performance review at a later date.
25
26

27 **VII. Review and possible action on rule amendments proposed by the Texas
28 Board of Physical Therapy Examiners as follows: §335.1, Licensed Physical
29 Therapist/Licensed Physical Therapist Assistant, and to §347.5,
30 Requirements for Registered Facilities.**

31 Ms. Rodriguez and Ms. Hurter gave a synopsis of the proposed amendments and the
32 rationale the PT Board used to make the proposed changes. There were several
33 questions asked of Ms. Rodriguez and Ms. Hurter by other council members, all of
34 which were answered.
35

36 **Motion: To approved publishing rule §335.1 of the Texas Administrative Code
37 relating to Licensed Physical Therapist/Licensed Physical Therapist Assistant.**

38 **Made by: Daniel Reyna**

39 **Second: Stephanie Johnston**

40 **4 ayes, motion passed.**
41

42 **Motion: To approve publishing rule §347.5 of the Texas Administrative Code
43 relating to Requirements for Registered Facilities.**

44 **Made by: Stephanie Johnston**

45 **Second: Melinda Rodriguez**

46 **4 ayes, motion passed.**
47
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49 **VIII. Review and possible action on rule amendments proposed by the Texas Board of
50 Occupational Therapy Examiners as follows: §373.3, Supervision of a**

1 **Licensed Occupational Therapy Assistant; §375.1, Fees; §376.3,**
2 **Requirements for Facility Registration; and §376. 4, Requirements for**
3 **Registered Facilities.**

4 Ms. Johnston and Ms. Gelfand gave a synopsis of the proposed amendments and the
5 rationale the OT Board used to make the proposed changes. There were several
6 questions asked of Ms. Johnston and Ms. Gelfand by other council members, all of
7 which were answered.
8

9 **Motion: To approve publishing rule §373.3 of the Texas Administrative Code**
10 **relating to Supervision of a Licensed Occupational Therapy Assistant.**

11 **Made by: Daniel Reyna**

12 **Second: Stephanie Johnston**

13 **4 ayes, motion passed.**
14

15 **Motion: To approve publishing rule §375.1 of the Texas Administrative Code**
16 **relating to Fees.**

17 **Made by: Daniel Reyna**

18 **Second: Stephanie Johnston**

19 **4 ayes, motion passed.**
20

21 **Motion: To approve publishing rule §376.3 of the Texas Administrative Code**
22 **relating to Requirements for Facility Registration.**

23 **Made by: Melinda Rodriguez**

24 **Second: Pamela Nelon**

25 **4 ayes, motion passed.**
26

27 **Motion: To approve publishing rule §376.4 of the Texas Administrative Code**
28 **relating to Requirements for Registered Facilities.**

29 **Made by: Daniel Reyna**

30 **Second: Melinda Rodriguez**

31 **4 ayes, motion passed.**
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34 **IX. Discussion and possible action on the review of all Executive Council's rules,**
35 **including possible re-adoption, repeal, or re-adoption with amendments of §651.1**
36 **through §651.3, as required by Texas Government Code, §2001.039.**

37 Mr. Maline reminded the Executive Council about his briefing to members at the last
38 council meeting on the requirement for the Executive Council to review its rules every
39 four years for relevancy. The council must then take action to keep, modify, or eliminate
40 obsolete rules. The members discussed the requirement, and the general consensus
41 seemed to be, that since the Council has so few rules and they are frequently looked at
42 and changed, they should only have to take the action of readopting the rules.
43

44 **Motion: To re-adopt §651.1 through §651.3 of the Texas Administrative Code as**
45 **required by Texas Government Code, §2001.039.**

46 **Made by: Stephanie Johnston**

47 **Second: Daniel Reyna**

48 **4 ayes, motion passed.**
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1 **X. Presiding Officer's Report.**
2 Ms. Kedron-Lyn did not give a report.
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5 **XI. Discussion and possible action on scheduling future Executive Council meeting**
6 **dates, and items for future consideration.**
7 The next Executive Council meeting is scheduled for August 15, 2008, 10:00 am,
8 2-510, in Austin, Texas.
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11 **XII. Adjournment.**
12 **The meeting was adjourned at 2:07 p.m.**
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48 **DATE REVIEWED BY THE COUNCIL: 08/15/08**

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50 **ACTION TAKEN BY THE COUNCIL: Approved with no changes**