

1 EXECUTIVE COUNCIL OF PHYSICAL THERAPY AND
2 OCCUPATIONAL THERAPY EXAMINERS
3 QUARTERLY MEETING
4 September 11, 2015, 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
15 Staff:

John Maline, *Executive Director*
Lea Weiss, *OT Board Coordinator*
Karen Gordon, *PT Board Coordinator*
Jennifer J Jones, *Staff Services Officer*
Kara Holsinger, *AG Assigned Attorney*

22
23 **I. Call to Order.**

24 At 8:38 a.m., Mr. Roger Matson, Presiding Officer, called the meeting to order. Mr. Matson
25 called the roll, and a quorum was determined to exist.

26
27 **II. Public Comment.**

28 There was no public comment.

29
30 **III. Approval of minutes of May 15, 2015, Executive Council meeting.**

31 **Motion: To approve the minutes of May 15, 2015, Executive Council meeting – with**
32 **corrections - as found in Tab 3.**

33 The May 15, 2015 minutes were approved with corrections.

34 **Made by: Shari Waldie**

35 **Second: Stephanie Johnston**

36 **4 ayes, motion passed.**

37
38 **IV. Discussion and possible action on Executive Director's Report concerning fiscal and**
39 **budgetary matters, performance measures, ongoing projects, agency personnel**
40 **matters, outcome of legislative session, upcoming Sunset Review of the agency and**
41 **boards and other agency business.**

42 Mr. Maline presented a report to the executive council on the current status of the agency,
43 which included an update of the current fiscal year's financial status and performance measure
44 statistics. He also discussed the personnel changes in the agency since the last council
45 meeting, updates to the agency financial situation, major expenses expected this fiscal year,
46 and the status of the Sunset Review process. He briefed the council on the agency Sunset
47 Evaluation Report, and presented the EC and two boards' recommendations for statute
48 changes. There were related questions asked of him, all of which he answered.
49
50

1 **V. Executive Session pursuant to §551.074 of the Government Code, regarding the**
2 **appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of**
3 **the Executive Director of the Executive Council of Physical Therapy and Occupational**
4 **Therapy Examiners.**

5 The Executive Council went into Executive Session at 9:09 a.m., and returned from Executive
6 Session at 9:58 a.m. and returned to open session at 10:27 a.m.
7

8 **VI. Return to open meeting for discussion and possible action regarding the appointment,**
9 **employment, evaluation, reassignment, duties, discipline, or dismissal of the Executive**
10 **Director of the Executive Council of Physical Therapy and Occupational Therapy**
11 **Examiners.**

12 There was discussion on setting the Executive Director's salary.
13

14 **Motion: To send letters to the Governor's Office and the State Comptroller's Office**
15 **stating that the Executive Council wanted to increase the Executive Director's salary to**
16 **that given in the FY 2016/2017 Appropriations Act (\$93,524 annually, retroactive**
17 **September 1, 2015).**

18 Made by: Phil Vickers

19 Second: Stephanie Johnston

20 4 ayes, motion passed.
21

22 **VII. Discussion and possible action on rule amendments proposed by the Executive Council**
23 **as follows: §§651.1-3, Fees, which will create a new appropriated receipts fee that will**
24 **finance mail outs of the boards' newsletters and other information to licensees and**
25 **stakeholders.**

26 Mr. Maline gave a quick synopsis of the new renewal fee increases and the reasons for
27 increasing them. There were no questions.
28

29 **Motion: To approve the forwarding of the proposed amendment to §§651.1-3, Fees, to**
30 **the Texas Register for posting.**

31 Made by: Stephanie Johnston

32 Second: Shari Waldie

33 4 ayes, motion passed.
34

35 **VIII. Review and possible action on rule amendments proposed by the Texas Board of**
36 **Occupational Therapy Examiners as follows: Chapters 364, Requirements for**
37 **Licensure; 370, License Renewal; and 376, Registration of Facilities; and new rule to**
38 **Chapter 363, Consumer/Licensee Information, concerning the petition for adoption of**
39 **rule changes.**

40 Stephanie Johnston gave a synopsis of the proposed amendments and the rationale used by
41 the OT Board to make the proposed changes. She also discussed the disposition of several
42 related rules that were considered by the OT Board, but not acted on. There were several
43 questions asked of her by other council members, all of which she answered.
44

45 **Motion: To approve the forwarding of the proposed amendment to §363.2, Petition for**
46 **the Adoption of a Rule, to the Texas Register for posting.**

47 Made by: Shari Waldie

48 Second: Stephanie Johnston

49 4 ayes, motion passed.
50

1 **Motion: To approve the forwarding of the proposed amendment to §370.1 - §370.3,**
2 **License Renewal, to the Texas Register for posting.**

3 Made by: Shari Waldie

4 Second: Will Hale

5 4 ayes, motion passed.

6
7 **Motion: To approve the forwarding of the proposed amendment to §376.1 - §376.10,**
8 **Registration of Facilities, to the Texas Register for posting.**

9 Made by: Phil Vickers

10 Second: Shari Waldie

11 4 ayes, motion passed.

12
13 **Motion: To approve the forwarding of the proposed amendment to §364.1 - §364.3,**
14 **Requirements for Licensure, to the Texas Register for posting.**

15 Made by: Shari Waldie

16 Second: Stephanie Johnston

17 4 ayes, motion passed.

18
19 **IX. Review and possible action on rule amendments proposed by the Texas Board of**
20 **Physical Therapy Examiners as follows: §323.3, Adoption of Rules; §329.1, General**
21 **Licensure Requirements and Procedures; §329.6, Licensure by Endorsement; §341.20,**
22 **Licensees Called to Active Military Service; and Chapter 347, Registration of Physical**
23 **Therapy Facilities.**

24 Shari Waldie gave a synopsis of the proposed amendment and the rationale used by the PT
25 Board to make the proposed changes. There were several questions asked of her by other
26 council members, all of which she answered.

27
28 **Motion: To approve the forwarding of the proposed amendment to §323.3, Adoption of**
29 **Rules, to the Texas Register for posting.**

30 Made by: Stephanie Johnston

31 Second: Shari Waldie

32 4 ayes, motion passed.

33
34 **Motion: To approve the forwarding of the proposed amendment to §329.1, General**
35 **Licensure Requirements and Procedures, to the Texas Register for posting.**

36 Made by: Stephanie Johnston

37 Second: Shari Waldie

38 4 ayes, motion passed.

39
40 **Motion: To approve the forwarding of the proposed amendment to §329.6, Licensure by**
41 **Endorsement, to the Texas Register for posting.**

42 Made by: Stephanie Johnston

43 Second: Shari Waldie

44 4 ayes, motion passed.

45
46 **Motion: To approve the forwarding of the proposed amendment to §341.20, Licensees**
47 **Called to Active Military Service, to the Texas Register for posting.**

48 Made by: Stephanie Johnston

49 Second: Shari Waldie

50 4 ayes, motion passed.

1 **Motion: To approve the forwarding of the proposed amendment to §347, Registration of**
2 **Physical Therapy Facilities, to the Texas Register for posting.**

3 Made by: Stephanie Johnston

4 Second: Shari Waldie

5 4 ayes, motion passed.

6
7 **X. Presiding Officer's Report.**

8 There was no Presiding Officer's Report.

9
10 **XI. Discussion and possible action on scheduling future Executive Council meeting dates,**
11 **and items for future consideration.**

12 The next Executive Council meeting is scheduled for November, 20, 2015, 8:30 am in Austin,
13 TX.

14
15 **XII. Adjournment.**

16 The meeting was adjourned at 10:59 AM.

17
18
19 **DATE REVIEWED BY THE COUNCIL: 11/20/2015**

20
21 **ACTION TAKEN BY THE COUNCIL: Approved with no changes noted.**