

# TBOTE news

The Texas Board of Occupational Therapy Examiners

April 2008

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### **The 2007 Rules and 2008 Board Amendments are on the website**

<http://www.ecptote.state.tx.us/ot/rules.html>

Previous newsletters are also on the website, along with Frequently Asked Questions. Download a COTA/LOTA Supervision Form from the Forms page of the website.

Board meetings for 2008

February 1, 2008

April 25, 2008

August 1, 2008

November 21, 2008

## TBOTE Board

Michael Carreon, COTA  
Judith Ann Chambers, public member  
Dely De Guia Cruz, public member  
Cecilia Fierro, OTR, Presiding Officer  
Stephanie Johnston, OTR  
Joseph Messmer, COTA, Secretary  
Clarissa Meyers, OTR, Vice-Chair  
Pamela Nelon, public member  
Bobby James Vasquez, OTR

Board telephone: (512) 305-6900

Email: [info@ecptote.state.tx.us](mailto:info@ecptote.state.tx.us)

Fax: (512) 305-6970

Website: [www.ecptote.state.tx.us](http://www.ecptote.state.tx.us)

## Three Rules Adopted Four Amendments Proposed

The Texas Board of Occupational Therapy Examiners held their quarterly board meeting on February 1, 2008, at which time they adopted the three rules which had been proposed at their October board meeting. Please get the wording on the Act/Rules page of the website.

The amendments were adopted effective Feb. 25<sup>th</sup>.

1. **§367.1, Continuing Education**, which removed the reference to AOTA's CE categories. The amendment added a new rule which states: "Licensees are responsible for choosing Type 1 or Type 2 CE according to the definitions in this section."

Licensees may choose their continuing education without needing to have the course pre-approved. The courses may be online or in person, in Texas or elsewhere, taught by an occupational therapy practitioner or not. This has always been the case. There are only two limitations:

That the course meet the definition for Type 1 or Type 2; and that it not be a part of the Unacceptable Continuing Education Activities listed in §367.2 (b)(1-7).

2. **§372.1, Provision of Services**, which adds "It is a violation of the OT Practice for a COTA to dictate, or attempt to dictate, when occupational therapy services should or should not be provided, the nature and frequency of services that are provided, when the patient should be discharged, or any other aspect of the provision of occupational therapy as set out in the OT Act and Rules."

Also in (e) Plan of Care: "Revision to the plan of care and goals must be documented by the OTR and/or COTA to reflect revision at the time of the change." *Cont. page 2*

Amended §372.1 (e) (4) Only occupational therapy practitioners licensed by the Texas Board of Occupational Therapy Examiners (TBOTE) may implement the plan of care once it is established.

Also, "Revision to the plan of care and goals must be documented by the OTR and/or COTA to reflect revision at the time of the change."

3. **§373.3 Supervision of a Licensed Occupational Therapy Assistant.**

"A COTA/LOTA shall provide occupational therapy only under the supervision of a licensed occupational therapist."

Also: "These (supervision) hours shall be documented on a COTA/LOTA Supervision Log for each employer. The OTR/LOT or employer may request a copy of the COTA/LOTA Supervision Log. The COTA/LOTA Supervision Log is kept by the COTA/LOTA and signed by an OTR/LOT when supervision is given.

**Rule Amendment Proposed at April 25, 2008 Board Meeting**

Refer to the Online Rules Webpage: <http://www.ecptote.state.tx.us/ot/rules.html>

1. **§375.1, Fees**

The board proposed inserting new language in this rule which directs the reader to the Executive Council's OT fee schedule for the actual amounts. The wording which limited payments to checks and money orders was deleted, as Texas accepts online payment with credit cards.

2. **§373.3, Supervision of a Licensed Occupational Therapy Assistant**

The board proposed inserting wording in (b) which recognizes when the COTA/LOTA works as a LOTA/COTA or in another role as pertains to the COTA Supervision Log.

3. **§376.3, Requirements for Registration Application**

The board proposed inserting wording in (a)(5) which requires the notarized signature of the LOT/OTR on the Therapist-in-Charge form.

4. **§376.4, Requirements for Registered Facilities**

The board proposed adding wording to (d) which clarifies that the facility must obtain a new registration and/or renewal certificate if the facility's name and/or physical address change.

**Future Board Meetings and Agenda Items**

**July 31 and August 1, 2008:** 333 Guadalupe St., Austin. Agenda item includes CE and Definitions Chapter. **November 25, 2008:** in conjunction with TOTA's annual conference, Renaissance Hotel, Austin.

Agenda are required to be posted at the Secretary of State's office. You can do a look-up at: [http://info.sos.state.tx.us/pls/pub/pubomquery\\$.startup](http://info.sos.state.tx.us/pls/pub/pubomquery$.startup)

Those wishing to address the board or have items posted to the agenda for discussion should contact the board and ask for the OT Coordinator or email: [info@ecptote.state.tx.us](mailto:info@ecptote.state.tx.us)

**Website Got A Question? Update**

Got a Question has the answers to frequently asked questions and practice questions. Two in- depth questions about school based practice have been modified and updated. Please check the website, Got A Question: <http://www.ecptote.state.tx.us/ot/questions.html>



## OT Board Formal Disciplinary Actions

### ***OT Board Formal Disciplinary Actions Taken***

#### ***FEBRUARY 1, 2008 BOARD MEETING:***

- (1) Diana Ramos, OTR #101381 (San Antonio)** – practiced with an expired license. Violation of Section 454.301 of the Act and chapter 374 of the board rules. ***Board Order required thirty (30) hours of community service.***
- (2) Carol Fuentes, OTR #103501 (Boerne)** – practiced with an expired license. Violation of Section 454.301 of the Act and chapter 374 of the board rules. ***Board Order suspended her license for sixty (60) days.***

#### ***APRIL 25, 2008 BOARD MEETING:***

- (1) Laura Easterling, OTR #100457 (Tyler)** – practiced with an expired license. Violation of Section 454.301 of the Act and chapter 374 of the board rules. ***Board Order required fifteen (15) hours of community service.***
- (2) Jennifer Stanaland, OTR #112263 (Fort Worth)** – practiced with an expired license. Violation of Section 454.301 of the Act and chapter 374 of the board rules. ***Board Order required thirty (30) hours of community service.***
- (3) Natalie Reed, COTA #209166 (Humble)** – practiced with an expired license. Violation of Section 454.301 of the Act and chapter 374 of the board rules. ***Board Order required thirty (30) hours of community service.***
- (4) Lana Jokish, OTR #112213 (Austin)** – practiced with an expired license. Violation of Section 454.301 of the Act and chapter 374 of the board rules. ***Board Order required thirty (30) hours of community service.***
- (5) Kristen Wakashige, OTR #111194 (San Antonio)** – practiced with an expired license. Violation of Section 454.301 of the Act and chapter 374 of the board rules. ***Board Order suspended her license for sixty (60) days and required sixty (60) hours of community service.***
- (6) Debbie Williams, COTA #208196 (Paige)** – failed to properly renew her license; did not take sufficient type 2 continuing education. Violation of Section 454.301 of the Act and chapter 367 of the board rules. ***Board Order required thirty (30) hours of community service.***
- (7) Rebecca Truly-Sydnor, LOT #102235 (Denton)** – practiced in a detrimental manner by documenting another licensee's signature without their consent or approval. Violation of Section 454.301 of the Act and chapter 374 of the board rules. ***Board Order suspended her license for ten (10) days.***
- (8) Courtney Moseley, COTA #209858 (Dallas)** – practiced in a detrimental manner by documenting treatments as provided on dates that no such services were rendered. Violation of Section 454.301 of the Act and chapter 374 of the board rules. ***Board Order suspended her license for ninety (90) days.***

**Report Violations to: 800-821-3205 or 512/305-6900 or [www.ecptote.state.tx.us](http://www.ecptote.state.tx.us)**

## Frequently Requested Numbers



### Texas Board of Occupational Therapy Examiners (TBOTE)

Act & Rules, complaints, and practice of OT in Texas

512/305-6900 telephone

512/305-6970 fax

Website: [www.ecptote.state.tx.us](http://www.ecptote.state.tx.us)

Email: [info@ecptote.state.tx.us](mailto:info@ecptote.state.tx.us)

### Texas Occupational Therapy Association (TOTA)

512/454-8682 telephone

512/450-1777 fax

[www.tota.org](http://www.tota.org)

### American Occupational Therapy Association (AOTA)

Specialty certification, student fieldwork, national issues, etc.

301/652-2682 telephone

[www.aota.org](http://www.aota.org)

### National Board for Certification in Occupational Therapy (NBCOT)

National certification exam, and score reports

301/990-7979 telephone

301/869-8492 fax

[www.nbcot.org](http://www.nbcot.org)

### Dept. of Assistive and Rehab. Services (DARS)

Division of Early Childhood Intervention (ECI)

512/424-6790 telephone

512/424-6799 fax

[www.dars.state.tx.us/ecis/](http://www.dars.state.tx.us/ecis/)

### Medicare and Medicaid

[www.medicare.gov](http://www.medicare.gov)

#### Medicare Part A

888/763-9836 (Rehab Dept, Hospital)

#### Medicare Part B

903/463-0720 (independent practitioners)

Medicaid provider fraud, or abuse of a

Medicaid recipient: 512/463-2011 or email

[mfcu@aog.state.tx.us](mailto:mfcu@aog.state.tx.us)

**Medicaid:** 800/252-8263

### SHARS

[www.tea.state.tx/interagency/shars.html](http://www.tea.state.tx/interagency/shars.html)

### Texas Dept. Aging and Disability Services (DADS)

800/458-9858 Long term care & complaints about nursing home, home health agency, or assisted living facility.

800/252-8016 Nursing homes

512/719-3521 Licensing boards

800/228-1570 Home health agency

Elderly or disabled abuse, neglect call 911 or local law enforcement or Department of Family & Protective Services' hot line: 800/252-5400.

[www.dads.state.tx.us](http://www.dads.state.tx.us)

### Texas Dept. of State Health Services (TDSH)

512/834-6650 Hospital licensing

[www.tshs.state.tx.us](http://www.tshs.state.tx.us)

### TBOTE Statistics

New occupational therapist and occupational therapy assistants who took the NBCOT national exam for licensure purposes passed with 92.31%

The Board issued 608 new licenses this past year: September 1 to August 31<sup>st</sup> for both in state and out of state applicants.

The total number of licensees as of August 31, 2007 was 8,364: 6,107 occupational therapists and 2,257 assistants. Even with the tremendous growth; the need for occupational therapy practitioners is not satisfied.

The percentage of those applying online for a Texas license was 75.25% for OTRs and 79.35% for COTAs. For those renewing their Texas license online the percentage was 90.47% for OTRs and 89.75% for COTAs.