

1 **TEXAS BOARD OF OCCUPATIONAL THERAPY EXAMINERS**

2 Board Meeting
3 333 Guadalupe St #2-510
4 Austin, TX 78701

5
6 June 2, 2006
7 10:00 AM

8
9 Members Present: Jean Polichino, OTR and Presiding Officer
10 Judith Bowen, OTR
11 Grace L. Butler, PhD, Public Member
12 Michael Carreon, COTA
13 Cecilia Fierro, OTR and Secretary
14 Clarissa Meyers, OTR

15
16 Members Absent: David Cabrales, Public Member
17 Dely de la Cruz, Public Member
18 Joe Messmer, COTA
19
20 Frank Knapp, AGG

21
22 Staff: John Maline, Executive Director
23 Augusta Gelfand, OT Coordinator
24 Mark Turek, Chief Investigator
25 Cynthia Machado, Licensing Manager

26
27 Guests: Carren Tshirlig
28 Brigitte Davis, staff
29 Don Meshell, staff

30
31 **I. Call To Order**

32 Jean Polichino, Presiding Officer, established a quorum and called the meeting to order at
33 10:00 AM.

34
35 **2. Public Comment**

36 Carren Tshirlig discussed her situation in which she does not meet the requirements to restore
37 her expired Texas. She does not think she should have to sit for the NBCOT exam, and feels
38 this is prejudicial to Texans.

39
40 **3. Approval of Minutes from February 3, 2006**

41 Motion: To approve minutes as corrected.

42 Made by: Judy Bowen

43 Second by: Grace Butler

44 Motion passed.

45
46 **4. Discussion and Possible Action On Executive Director's Report concerning**
47 **budgetary status and issues, performance measures, strategic plan, the**
48 **Executive Council, the customer service report, and the impact of legislative**
49 **special sessions.**

50 Mr. Maline covered the current financial status of the agency, the current change in personnel
51 with a new investigator. He pointed out the performance measures and growth of OT
52 practitioners in Texas. Lastly he asked that board members share with him for his long range
53 plan any articles they come across with projections for the OT profession. Anecdotally, the

1 board has seen the increase in need for occupational therapy and rise in the number of
2 students in OT programs.

3
4 **5. Investigation Committee Report**

5 **A. Review and Possible Action on Agreed Orders#:** 05-62; 06-21; 06-24; 06-34; 06-36;
6 06-41; 06-48; and 06-52.

7
8 Motion To ratify Agreed Order #06-36
9 The Board voted to ratify the committee's agreed order.

10
11 Motion: To ratify Agreed Order #06-34
12 The Board voted to ratify the committee's agreed order.

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14 Motion: To ratify Agreed Order #06-52
15 The Board voted to ratify the committee's agreed order.

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17 Motion: To ratify Agreed Order # 06-24
18 The Board voted to ratify the committee's agreed order.

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20 Motion: To ratify Agreed Order #06-21
21 The Board voted to ratify the committee's agreed order.

22
23 Motion: To ratify Agreed Order # 05-62
24 The Board voted to ratify the committee's amended agreed order.

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26 Motion: To ratify Agreed Order # 06-41
27 The Board voted to ratify the committee's agreed order.

28
29 **B. Investigation report from the May 13, 2006 committee meeting**

30 The Investigation Committee met on May 13 in Austin and reviewed 31 cases, which resulted
31 in 8 agreed orders, 5 warning letters and with 3 informal conferences.

32
33 **C. Discussion of investigative activities to date**

34 During the 2nd quarter, TBOTE received 30 jurisdictional cases, while the investigators resolved
35 19 cases in an average of 106 days and at a cost of \$87 per case.

36
37 **6. Rules Committee Report**

38 **A.** Discussion and possible proposed amendment to §376.3. Requirements for Facility
39 Registration Application

40 Motion to propose amendments to §376.3 as discussed

41 Made by: Judith Bowen

42 Second by: Grace Butler

43 Motion passed.

44
45 **B.** Discussion and possible proposed amendment to §376.6. Renewal Facility of
46 Registration

47 Motion to propose amendments to §376.6 as discussed

48 Made by: Cecilia Fierro

49 Second by: Michael Carreon

50 Motion passed.

51
52 **C.** Discussion and possible action on proposed amendment for new §371.2. Retired
53 Status

54 Motion to propose amendments to create a new §371.2 as presented.

1 Motion by: Judith Bowen
2 Second by: Grace Butler
3 Motion passed.

4
5 D. Discussion and possible action on proposed amendment to §367.1-3. Continuing
6 Education

7 Motion to propose amendments to §367.1-3, continuing education as discussed

8 Motion by: Judith Bowen
9 Second by: Michael Carreon
10 Motion passed.

11
12 E. Discussion and possible action on proposed amendment to §373.2. Supervision of a
13 Temporary Licensee

14 Motion to propose amendments to §373.2 as discussed

15 Motion by: Clarissa Meyers
16 Second by: Michael Carreon
17 Motion passed.

18
19 The Board recessed at 12:10 PM for lunch and resumed the meeting at 12:48PM.
20 Grace Butler left the meeting at 12:15 PM.

21

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

23 The Coordinator reported on issues with NBCOT's score reports, in that their bi-monthly score
24 reports are not complete. She shared NBCOT's response to her letter that NBCOT plans to
25 unveil a new report this summer. NBCOT's annual conference on September 30 is about
26 evidence based practice and rule making. Board member, Cecilia Fierro will attend and report
27 back to the board. Ms. Gelfand reported that as of June 1st, licensees have begun using the
28 online or paper CE Submission Form as part of their renewal. Also the blue parchment paper
29 the board selected is now being used for all new OT licenses. Lastly, The OT Consumer
30 Complaint Sign is now available online to download.

31

32 **Discussion and possible action on board policy concerning the CE Submission Form as 33 a requirement for license renewal.**

34 The Board voted to require the CE Submission Form for renewals.

35

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

37 Jean Polichino mentioned her correspondence with NBCOT on the question of why OTs and
38 OTAs must wait 90 days before they can retest. She read to the board an email report from
39 TOTA about their improved and modified Approved Provider Program.

40

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

42 August 4, 2006 is the date for the next board meetings in Austin. November 17, 2006 is the
43 date for the fall board meeting to be held in Irving, at the Mandalay Hotel.

44

45 **10. Adjournment**

46 The Board adjourned at 1:12 PM

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49 The Board adopted the Minutes on: August 4, 2006