

1 EXECUTIVE COUNCIL OF PHYSICAL THERAPY AND  
2 OCCUPATIONAL THERAPY EXAMINERS  
3 QUARTERLY MEETING  
4 May 15, 2015, 8:30 AM  
5 333 Guadalupe, Ste. 2-500  
6 Austin, TX 78701  
7

8 Persons Present:

Council Members:

9 Roger Matson, *Presiding Officer*  
10 Shari Waldie, *PT*  
11 Phil Vickers, *PT Board Public Member*  
12 Stephanie Johnston, *OTR*  
13 Will Hale, *OT Board Public Member*

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15 Staff:

16 John Maline, *Executive Director*  
17 Lea Weiss, *OT Board Coordinator*  
18 Karen Gordon, *PT Board Coordinator*  
19 Mark Turek, *Investigator*  
20 Jennifer J. Jones, *Staff Services Officer*  
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23  
24 **I. Call to Order.**

25 At 8:42 a.m., Mr. Roger Matson, Presiding Officer, called the meeting to order. Mr. Matson  
26 called the roll, and a quorum was determined to exist.  
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29 **II. Public Comment.**

30 There was no public comment.  
31

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33 **III. Approval of minutes of February 13, 2015 Executive Council meeting.**

34 **Motion: To approve the minutes of the February 13, 2015 Executive Council meeting as**  
35 **found in Tab 3.**

36 The February 13, 2015 minutes were approved with no corrections required.

37 **Made by: Shari Waldie**

38 **Second: Phil Vickers**

39 **5 ayes, motion passed.**  
40

41  
42 **IV. Discussion and possible action on Executive Director's Report concerning fiscal and**  
43 **budgetary matters, performance measures, ongoing projects, agency personnel**  
44 **matters, legislative session, upcoming Sunset Review of the agency and boards and**  
45 **other agency business.**

46 Mr. Maline presented a report to the council of the current status of the agency, which included  
47 an update of the current fiscal year's financial status and performance measure statistics. He  
48 also discussed the personnel changes in the agency since the last council meeting, results of  
49 hearings at the capital with the Senate Finance and House Appropriations committees,  
50 updates to the agency financial requests, major expenses expected this fiscal year and

1 strategy for the remaining months of the fiscal year, and about the Sunset Review process in  
2 very general terms. Several related questions were asked of him, all of which he answered.  
3  
4

5 **V. Review and possible action on rule amendments proposed by the Texas Board of**  
6 **Occupational Therapy Examiners as follows: §362.1, Definitions; §372.1, Provision of**  
7 **Services; §373.1, Supervision of Non-Licensed Personnel; §373.2, Supervision of a**  
8 **Temporary Licensee; §373.3, Supervision of an Occupational Therapy Assistant; §369.1,**  
9 **Display of Licenses; §369.2, Changes of Name or Address of Licensees; §376.8,**  
10 **Restoration of Registration; and Chapter 367, Continuing Education.**

11 Stephanie Johnston gave a synopsis of the proposed amendments and the rationale used by  
12 the OT Board to make the proposed changes. She also discussed the disposition of the rules  
13 that were considered by the OT Board, but not acted on. There were several questions asked  
14 of her by other council members, all of which she answered.  
15

16 **Motion: To approve the forwarding of the amendment to §362.1, Definitions, to the**  
17 **Texas Register for posting.**

18 Made by: Shari Waldie  
19 Second: Stephanie Johnston  
20 4 ayes, motion passed.  
21

22 **Motion: To approve the forwarding of the amendment to §372.1, Provision of Services,**  
23 **to the Texas Register for posting.**

24 Made by: Shari Waldie  
25 Second: Stephanie Johnston  
26 4 ayes, motion passed.  
27

28 **Motion: To approve the forwarding of the amendment to §373.1, Supervision of Non-**  
29 **Licensed Personnel, to the Texas Register for posting.**

30 Made by: Shari Waldie  
31 Second: Stephanie Johnston  
32 4 ayes, motion passed.  
33

34 **Motion: To approve the forwarding of the amendment to §373.2, Supervision of a**  
35 **Temporary Licensee, to the Texas Register for posting.**

36 Made by: Shari Waldie  
37 Second: Stephanie Johnston  
38 4 ayes, motion passed.  
39

40 **Motion: To approve the forwarding of the amendment to §373.3, Supervision of an**  
41 **Occupational Therapy Assistant, 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 amendment to §369.1, Display of Licenses, to**  
47 **the Texas Register for posting.**

48 Made by: Shari Waldie  
49 Second: Stephanie Johnston  
50 4 ayes, motion passed.  
51

1 **Motion: To approve the forwarding of the amendment to §369.2, Changes of Name or**  
2 **Address of Licensees, to the Texas Register for posting.**

3 Made by: Stephanie Johnston

4 Second: Sherri Waldie

5 4 ayes, motion passed.

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7 **Motion: To approve the forwarding of the amendment to §376.8, Restoration of**  
8 **Registration, to the Texas Register for posting.**

9 The OT Board withdrew this rule from consideration, and plans to revisit it at the next OT  
10 Board meeting.

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12 **Motion: To approve the forwarding of the amendment to §367.1 Continuing Education,**  
13 **and to §367.3, Continuing Education Audit, to the the Texas Register for posting.**

14 Made by: Phil Vickers

15 Second: Will Hale

16 4 ayes, motion passed.

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18  
19 **VI. Review and possible action on a rule amendment proposed by the Texas Board of**  
20 **Physical Therapy Examiners as follows: §341.6, License Restoration.**

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

24  
25 **Motion: To approve the forwarding of the amendment to §341.6, License Restoration, to**  
26 **the Texas Register for posting.**

27 Made by: Phil Vickers

28 Second: Stephanie Johnson

29 4 ayes, motion passed.

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31  
32 **VII. Discussion and possible action on creating a new appropriated receipts fee that will**  
33 **finance a quarterly mail out of the boards' newsletters to licensees.**

34 Mr. Maline reported on a proposal made to the PT and OT boards during their respective  
35 earlier board meetings. The discussion centered on whether or not to raise licensee fees by  
36 \$5-10 as recommended by the boards, which would be used as dedicated appropriated  
37 receipts to fund an email mail-out of the two boards' quarterly newsletters, and any other ad  
38 hoc mailings. This is now a practical option for information distribution as the agency has  
39 greater than 90% of licensee email addresses. A number of years ago, the agency mailed out  
40 paper newsletters, but it eventually became financially prohibitive. The council members  
41 thought this was a good idea, and requested Mr. Maline prepare the amendments to the  
42 Executive Council rules and add them to the next meeting's agenda. While the two board's  
43 recommendation was to collect an amount greater than \$5 a licensee per biennium, the  
44 agency will keep the increase to \$5.

45  
46  
47 **VII. There was no Presiding Officer's Report.**

48 The Executive Council discussed Mr. Maline's salary and how ED's salaries are changed, i.e.,  
49 what is the process for doing so IAW state law. Mr. Maline described the process delineated in  
50 the Appropriations Act, and a short history of his salary since 2009.

1 **VIII. Discussion and possible action on scheduling future Executive Council meeting dates,**  
2 **and items for future consideration.**

3 The next Executive Council Meeting is scheduled for Friday, September 11, 2015, at 8:30 a.m.  
4 in Austin, TX.  
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7 **XI. Adjournment.**

8 The meeting was adjourned at 10:35 a.m.  
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11 **DATE REVIEWED BY THE COUNCIL: 9/11/15**

12  
13 **ACTION TAKEN BY THE COUNCIL: Approved with one change (made to this document)**