

1 **Texas Board of Occupational Therapy Examiners**

2 BOARD MEETING

3 June 13, 2014

4 333 Guadalupe, Suite #2-510

5 Austin, TX

6 9:00 AM

7
8 Members Present: Stephanie Johnston, OTR, Chair
9 Todd Novosad, OTR, Vice Chair
10 Angela Sieffert, OTA, Secretary
11 Jennifer B. Clark, COTA
12 Amanda Ellis, Public Member
13 Will Hale, Public Member
14 DeLana Honaker, OTR, PhD
15 Pamela Nelon, Public Member
16

17 Members Absent: Catherine Benevidez, OT
18

19 Staff: Kara Holsinger, Assistant Attorney General
20 John Maline, Executive Director
21 Mark Turek, Chief Investigator
22 Danielle DeVellis, Investigator
23 Augusta Gelfand, OT Coordinator
24 Lea Weiss, Assistant Licensing Manager
25

26 Guests: Judith Joseph, TOTA Standards & Practice Chair
27 Joanne Ripple, TOTA, Gulf Coast East, Standards & Practice Chair
28

29 **1. Call to Order**

30 The meeting was called to order at 9:07 AM by Stephanie Johnston, Presiding Officer. She called the
31 roll and announced that a quorum existed. Ms. Johnston welcomed TOTA's representatives, Judith
32 Joseph and Joanne Ripple. Augusta introduced Danielle DeVellis, Investigator, and Lea Weiss,
33 Assistant Licensing Manager and the future OT Coordinator. Lea greeted the board and shared her
34 work email address with the board and TOTA guests.
35

36 **2. Public comment**

37 Public Comment was postponed to item #8.
38

39 **3. Approval of the Minutes of February 21, 2014**

40 **Motion: To adopt the minutes as written**

41 **Motion by: DeLana Honaker**

42 **Second by: Angela Sieffert**

43 **Motion passed.**
44

45 **4. Discussion and possible action on Executive Director's Report concerning fiscal and**
46 **budgetary matters, performance measure, ongoing projects, agency personnel matters,**
47 **and other agency business**

48 Mr. Maline briefed the Board on the fiscal standing of the agency and its recent changes in personnel.
49 He discussed the new website and its problems and some of the issues & costs involved. He also
50 talked of the changes in the new computers and operating system, in addition to the slower database
51 with the new operating system and huge number of new licensees. The agency also had a recent
52 server crash and had to pay for data recovery services. All of these events occurred during the last
53 quarter so there have been increased costs and with personnel turnover, the need for more personnel

1 training. The PT fixed date testing has greatly increased the work load which has also stressed
2 employees who have worked some Saturdays to try to deal with the workload. Mr. Maline also
3 discussed the current lower receipts for goods and services for this fiscal year and possible actions for
4 less revenue for the future, as well as the need for more personnel to be requested for the next
5 budgetary cycle.

6
7 **5. Investigation Committee Report**

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9 **A. Review and possible action on Agreed Orders for cases: 14-027; 14-030; 14-055;
10 14-067; and 14-069.**

11 The Board ratified #14-027; 14-030; 14-055; 14-067.

12
13 **B. Discussion and possible action on the Investigation Committee Meeting of May
14 16, 2014.**

15 Mr. Turek reported forty-eight investigations were reviewed at this meeting, resulting in the committee's
16 issuance of five Agreed Orders.

17
18 **C. Discussion and possible action on investigative activities to date.**

19 Mr. Turek reported on performance measures, school presentations, and on-site investigations since
20 the last board meeting.

21
22
23 **6. Education Committee Report**

24 **Discussion and possible action on proposed recommendations from the Education
25 Committee on Chapter 367 to discuss post-tests, repeating courses, voluntarism, adjunct
26 facility, and other continuing education issues**

27
28 Todd Novosad, Chair summarized the Education Committee's discussions and their recommended
29 proposed rule amendments to §367.2, Categories of Education, to address CE credit for licensees who
30 create a new courses at or through an accredited college or university.

31 **Motion: To award up to 10 CE hours for the creation of a new course at or through an
32 accredited college or university**

33 **Made by: Education Committee**

34 **Motion passed.**

35
36 Mr. Novosad discussed the wording change recommended by the Committee to update §367.3,
37 Continuing Education Audit.

38 **Motion: To delete "and has signed to that fact on the renewal form" from the rule**

39 **Made by: Education Committee**

40 **Motion passed.**

41
42 **7. Rules Committee Report.**

43 **Discussion and possible action on proposed recommendations on:**

44 **A. §372.1 & proposed new §372.2, Provision of Services, to add Telehealth**

45 **B. Proposed amendment to §373.3, Supervision of an Occupational Therapy Assistant.**

46 DeLana Honaker presented the Rules Committee discussion and possible changes to language related
47 to "face-to-face and "on site" as it pertains to Telehealth. They discussed licensing issues, possible
48 investigative issues, other states' rules pertaining to telemedicine, and technological issues that may
49 arise during Telehealth OT services with regard to the practice and profession of OT in the state of
50 Texas.

51
52 Ms. Honaker also outlined the rules in the law that would need to be amended. In regards to
53 supervision in §373.3, Ms. Honaker suggested adding "active" to encourage more engaged supervision
54 including teaching into the supervision of occupational therapy assistants. Ms. Gelfand mentioned the

1 upcoming NBCOT fall conference, which will include the topic of Telehealth and regulatory agencies.
2 Mr. Maline said that Lea Weiss, who will be the OT Coordinator at that time, and DeLana Honaker, who
3 is the Rules Committee Chair, will attend this conference and report back to the Board at the November
4 7th board meeting in Sugar Land.

5
6 The Board discussed the Rules Committee report and agreed that the Board needed more information
7 before proceeding with any rule amendments regarding Telehealth in OT practice or supervision.
8

9 **8. Discussion and possible action on the OT Coordinator's Report. The Coordinator's**
10 **report may concern any item listed on the agenda and on events that have occurred**
11 **between this meeting and the Board's last meeting.**

12 Augusta Gelfand noted that there are currently 12,857 active licensees, and this has increased the
13 numbers for initial licensing and renewal, culminating in an increased number of CE audits. She
14 mentioned the Austin Community College school presentation recently was her last. In the future Mark
15 Turek will add some of her school material to his presentation.
16

17 Despite the problems with the website, it does allow for editing online of CE submissions, and that the
18 work the Education Committee did to revise the Jurisprudence Exam has been well worth it. She also
19 addressed that OT license issuance has been slowed due to the fixed date testing on the PT side.
20

21 **9. Discussion and possible action on the Presiding Officer's Report. The Presiding**
22 **Officer's report may concern any item listed on the agenda and on events that have**
23 **occurred between this meeting and the Board's last meeting**

24 Ms. Johnston offered her thanks on the part of the Board for Augusta Gelfand's long-time commitment
25 and dedication to the practitioners of occupational therapy and their clients.
26

27 Ms. Judith Joseph, OTR and Chair of Standards and Practice presented Augusta Gelfand with a
28 retirement basket and thanked her for all her 14 plus years as OT Coordinator. Ms. Stephanie
29 Johnston, OTR and Chair of the Board presented Ms. Gelfand with a letter of congratulations from
30 Governor Perry and a retirement basket of gifts. She invited the Board to join her for a luncheon for
31 Augusta at a nearby restaurant.
32

33 **10. Discussion and possible action on scheduling future board meeting dates and agenda**
34 **items for future consideration**

35 The Board has scheduled future board meetings for September 4-5, 2014 in Austin, and November 7,
36 2014 in Sugar Land. They scheduled a Rules Committee meeting for Thursday, November 6, 2-5 PM
37 and asked Judith Joseph if she will let us know about a meeting room at the Sugar Land Marriott Town
38 Square, in conjunction with TOTA's annual conference.
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41 **11. Adjournment**

42 The Chair called an adjournment at 10:50 AM.
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44 **Minutes adopted on: September 5, 2014**