

Texas Board of Occupational Therapy Examiners

BOARD MEETING

September 7, 2012

9:30 am

333 Guadalupe St, #2-150

Austin, TX

Members Present: Will Hale, Public Member
DeLana Honaker, OTR
Stephanie Johnston, OTR
Todd Novosad, OTR
Angela Sieffert, OTA

Members Absent: Catherine Benavidez, OT
Judith Chambers, Public Member
Kathleen Hill, COTA
Pamela Nelon, Public Member

Staff: John Maline, Executive Director
Kara Holsinger, Assistant Attorney General
Mark Turek, Chief Investigator
Augusta Gelfand, OT Coordinator
Cynthia Machado, Licensing Manager

1. Call to Order

The meeting was called to order at 10:11 AM by Stephanie Johnston, Presiding Officer.

2. Public comment

There was no public comment.

3. Approval of Minutes of May 18, 2012

Motion: To adopt the minutes as written

Motion by: DeLana Honaker

Second Angela Sieffert

Motion passed.

4. Discussion and possible action on Executive Director's Report concerning fiscal and ongoing projects, agency personnel matters, and other agency business

John Maline briefed the Board on the current status of the agency's income and expenses. He reported the funds returned after his "finding of fact" from the comptroller's office. Mr. Maline reviewed some issues since the last board meeting. The agency is dealing with compatibility issues with the website, which need to be addressed. He covered how the performance measures had been affected by the fewer board meetings and increased number of licensees. He discussed the changes to the facility fees as a result of new proposed rule changes, and past vague fees. Mr. Maline passed out more recent financial information and discussed his meeting and presentation to the LBB.

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

The Board went into executive session at 10:50AM.

6 Return to Open Meeting at 11:10AM. Discussion and possible action regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the Executive Director of the Executive Council of Physical Therapy and Occupational Therapy Examiners

Stephanie reported positively on John's performance and the board's satisfaction as Executive Director with the agency

7. Investigation Committee Report

- a. Discussion and possible action on agreed orders for case #s:** 12-017; 12-039; 12-096; 12-098; 12-104; 12-105; 12-108; 12-110; 12-111; 12-112; 12-113; 12-114; 12-115; 12-117; 12-147; 12-153; and 12-168.

The board ratified the agreed orders for 12-017; 12-039; 12-096; 12-104; 12-105; 12-108; 12-110; 12-111; 12-112; 12-113; 12-114; 12-115; 12-117; 12-147; 12-153; and 12-168.

b. Discussion and possible action on Investigation Committee meeting of August 10, 2012

The Investigation Committee reviewed 79 cases which resulted in 17 agreed orders, and held one informal conference.

c. Discussion and possible action on investigative activities to date

Mr. Turek discussed his travel for school presentations and investigations. He reminded the Board of the impact of the reduction of Board/committee meetings [due to the budget cuts], on the agency's investigation performance measures.

8. Education Committee Report

- a.** Discussion and possible action on proposed amendments to §§367.1-3, Continuing Education
Todd Novosad discussed the proposed changes to the Chapter including a new category for voluntarism at OT Board's which produce an outcome.

Motion: To proposed and publish the rule amendments to §§367.1-3.

Made by: DeLana Honaker

Second: Todd Novosad

Motion passed.

b. Discussion and possible action on email from licensee about supervision through electronic means.

Todd Novosad reviewed the committee's discussion and the committee's decision to postpone the discussion until the next education committee meeting.

9. Rules Committee Report

Discussion and possible action on proposed amendments to:

§376.4 Requirements for Registered Facilities

§376.6 Renewal of Registration

§376.8 Restoration of Registration

Todd Novosad presented the amendments to the three facility rules

Motion To proposed and publish the rule amendment to §376.4, §376.6, and §376.8

Made by: Angela Sieffert

Second by: Todd Novosad

Motion passed.

10. Rule Adoption. Discussion and possible adoption of proposed amendments to §376.10; Change in Occupational Therapy Facility Ownership

Motion To adopt §376.10 as published.

Make by: Todd Novosad

Second: DeLana Honaker

Motion passed.

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

Ms Gelfand discussed website and compatibility issues. She reminded the Board that the next meeting will be at the Renaissance Hotel in conjunction with the TOTA conference and will check to see that the board meeting room is available before the meeting for a committee meeting. She passed out copies of the most recent exam report to show that NBCOT has added a column to tell us how many times the exam has been taken for each test taker.

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

Ms. Johnston will represent the board at the NBCOT conference. She also mentioned a TOTA conference presentation she and DeLana Honaker are doing this November.

13. Discussion and possible action on scheduling future board meeting dates, and agenda items for future consideration

14. Adjournment at 12:42PM.

Minutes adopted on November 2, 2012.