

TBOTE news

The Texas Board of Occupational Therapy Examiners

September 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 scheduled
November 21, 2008
February 20, 2009

Busy November Agenda for Board

When the Board holds its next board meeting on November 21st at the Renaissance Hotel in Austin there will be a full and interesting agenda. The Board will have a proposed rule to discuss, and perhaps adopt.

At the last meeting over July 31-August 1st, the Board discussed the OT Practice Act and changes important to the Board. Ordinarily the Texas Board of Occupational Therapy Examiners would have gone through the Sunset process, but the Sunset review of the agency has been postponed twice. This may be seen positively for the agency in that the agency is running successfully. However the agency has not been able to make any needed changes. Until the OT Practice Act goes through Sunset review or legislation is passed to amend the Act, language remains that needs updating.

The Board adopted the 4 proposed rules and proposed changes to §362.1, Definitions. Please visit the Act/Rules page of the website: <http://www.ecptote.state.tx.us/ot/rules.html>

You can email the board with any comments at: info@ecptote.state.tx.us

In addition, the Board met with TOTA to hear about their proposed CE program changes. If you have time during TOTA's Mountain Central Conference to visit the Board meeting; it is open to the public. You can observe, or sign in to make public comment. The Board plans to continue to have a booth in the exhibit hall for licensees to ask questions, or address concerns.

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
Fax: (512) 305-6970
Website: www.ecptote.state.tx.us

Rule Amendment Proposed at August 1, 2008 Board Meeting
Refer to the Online Rules Webpage: <http://www.ecptote.state.tx.us/ot/rules.html>

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



The Department of Aging and Disability Services (DADS) has posted Provider Letter 08-17 which notified nursing homes and assisted living facilities that if they take in patients who are not residents of the facility, they are providing out-patient services and thus must register the facility with this board for OT and/or PT services. Respite care which includes these patients in their bed count is exempt. For more information contact the board.

**Four Rules Adopted
One Amendment Proposed**

The Texas Board of Occupational Therapy Examiners held their quarterly board meeting on July 31-Aug 1, 2008, at which time they adopted the three rules which had been proposed at their April board meeting. Please get the actual wording on the Act/Rules page of the website.

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 (Facilities)**
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.

Proposed

§362.1 Definitions

Several definitions are proposed to be deleted as unnecessary. Two were changed to reflect the same definition as those in the OT Practice Act for OT and OTA. Refer to the Act/Rules page for the proposed wording.



OT Board Formal Disciplinary Actions

OT Board Formal Disciplinary Actions Taken

JULY 31-AUGUST 1, 2008 BOARD MEETING:

- (1) Elene Norris, OTR #111408 (Dallas)** – 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) Amy Lake, OTR #110149 (Dallas)** – 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) Christina Mappes, OTR #110220 (Plano)** – 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) Heather Todd-Casey, OTR #112118 (Fort Worth)** – 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 thirty (30) days.***
- (5) Audra Luspín, OTR #111964 (Austin)** – 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.***
- (6) Lupita Tun, COTA #209976 (Spring)** – practiced in a manner detrimental to the public health and welfare by resigning her position without sufficient prior notice – thereby abandoning her patients. Violation of Section 454.301 of the Act and chapter 374 of the board rules. ***Board Order suspended her license for fifteen (15) days.***
- (7) Ma Charito Del Rosario Basa, OTR #104135 (Houston)** – practiced in a manner detrimental to the public health and welfare by failing to properly document treatments rendered. Violation of Section 454.301 of the Act and chapter 374 of the board rules. ***Board Order suspended her license for sixty (60) days.***

Report Violations to: 800-821-3205 or 512/305-6900 or 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

Email: info@ecptote.state.tx.us

Texas Occupational Therapy Association (TOTA)

512/454-8682 telephone

512/450-1777 fax

www.tota.org

American Occupational Therapy Association (AOTA)

Specialty certification, student fieldwork, national issues, etc.

301/652-2682 telephone

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

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/

Medicare and Medicaid

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

Medicaid: 800/252-8263

SHARS

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

Texas Dept. of State Health Services (TDSH)

512/834-6650 Hospital licensing

www.tshs.state.tx.us

Texas Online Services

License applications, renewals, profile

www.texasonline.com

877-452-9060 Help desk