TBOTE news

The Texas Board of Occupational Therapy Examiners **November 2024**

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*Previous newsletters, forms, and FAQs are available from the website: **ptot.texas.gov**.*

Next Board Meeting
*February 7, 2025**
** Subject to change*

TBOTE BOARD

Stephanie Johnston, OTR, OTD, FAOTA, Chair
Todd Novosad, OTR, Vice Chair
Karen Gardner, OTR, Secretary
Estrella Barrera, OTR, MOT
Blanca Cardenas, Public Member
Jennifer Clark, COTA
Beverly Ferguson, Public Member
Eddie Jessie, Public Member
Sally King, COTA

Notes from the Coordinator

Proposed and Adopted Rules

The Board neither proposed nor adopted rule changes at its last meeting.

Renewal Requirement Reminder: HHSC Approved Human Trafficking Training Required each Renewal Period

As part of the minimum hours of required continuing education for each renewal, OTs and OTAs must complete a training course on human trafficking that is approved by the Health and Human Services Commission (HHSC).

Only human trafficking training courses that are approved by HHSC pursuant to HB 2059 of the 86th Legislative Session may be used to meet this requirement; no other courses may be used to satisfy this requirement.

See below some quick FAQs regarding the requirement. Further information, including regarding the content below, is available from the Continuing Education page.

When can I complete the HHSC approved human trafficking prevention training?

Like all CE required for license renewal, the training must be completed during the licensee's current renewal period, prior to license renewal. Licensees are encouraged to not wait until the last minute to complete this required training. Refer to the OT Rules for further regulations.

I have already taken/will take a human trafficking training course that is not approved by HHSC. Can I use that to meet the human trafficking training requirement?

No. Unless a human trafficking training course is approved by HHSC pursuant to HB 2059 (86th Legislative Session), it may not be used to meet the human trafficking training requirement. Refer to HHSC's related web page, a link to which is below, for a link to HHSC's list of approved human trafficking training courses. Refer to the OT Rules for further regulations regarding this training.
https://www.hhs.texas.gov/services/safety/texas-human-trafficking-resource-center/health-care-practitioner-human-trafficking-training

Remember that a human trafficking training course approved or offered by AOTA or TOTA may not be used to satisfy the human trafficking training requirement unless it is also approved by HHSC.

While a human trafficking training course that is not approved by HHSC cannot be used to meet the human trafficking training requirement, it might be eligible for CE, in general; refer to Chapter 367, Continuing Education, of the OT Rules to determine if the activity might be counted toward the CE hours remaining after completing the human trafficking training requirement.

TBOTE Board Member Appointment

Governor Greg Abbott recently appointed Beverly Ferguson as a public member of the TBOTE Board. For a brief introduction to this newly appointed member, please see an excerpt from the Office of the Governor's press release, below.

Governor Greg Abbott has appointed Beverly Ferguson to the Texas Board of Occupational Therapy Examiners for a term set to expire on February 1, 2027. The Board licenses and regulates occupational therapy services in Texas.

Beverly Ferguson of League City is the president and founder of The Life Coach Institute, Inc. She received a Bachelor of Science in Applied Sociology from McMurry University and a Master of Education in Counseling and Human Development from Hardin Simmons University.

New Licensing System Transition

The Executive Council of Physical Therapy and Occupational Therapy Examiners (ECPTOTE) is in the process of transitioning to a new licensing system that will allow for a greater integration of certain online and licensing functions, including concerning online renewals and initial applications.

It is anticipated that the rollout of the new system will be sometime mid/late January.

Applicants and licensees will be able to access an increased variety of services in the new system, including the ability to submit and pay for additional applications online, including for late renewals, a replacement license, and license verifications.

Further information and details will be available from our website and via mass email as the rollout nears.

Supervision of an Occupational Therapy Assistant with a Regular License: General Overview

Note: This is just a general overview. Refer to the full OT Act and Rules for further requirements. In addition, this article addresses the supervision of an OTA with a regular license. Refer to the full OT Act and Rules for further requirements regarding the supervision of an OTA with a temporary license.

As defined by the OT Practice Act, an occupational therapy assistant assists in the practice of occupational therapy under the general supervision of an occupational therapist.

For example, note the following from the OT Rules.

From §372.1, Provision of Services

- Only an occupational therapist may initiate, develop, modify or complete an occupational therapy plan of care and only the occupational therapist may dictate, or attempt to dictate, when occupational therapy services should or should not be provided, the nature and frequency of services that are provided, when the client should be discharged, or any other aspect of the provision of occupational therapy as set out in the OT Act and Rules.
- Except where otherwise restricted by rule, the supervising OT may only delegate to an OTA tasks that they both agree are within the competency level of that OTA.
- In each intervention note, the occupational therapy assistant must include the name of an occupational therapist who is readily available to answer questions about the client's intervention at the time of the provision of services. The occupational therapist in the intervention note may be different from the occupational therapist who wrote the plan of care. The occupational therapy assistant may not provide services unless this requirement is met.

From §372.2, General Purpose Occupation-Based Instruction

- When general purpose occupation-based instruction is being provided pursuant to §372.2, the OT must approve the curricular goals/program prior to the OTA's initiating instruction.

Refer to the full OT Act and Rules for further requirements.

Please note that due to rule changes that took effect June 1, 2019,

- OTAs with a regular license are no longer required to submit to the Board the Occupational Therapy Assistant Supervision Form.
- OTAs with a regular license are no longer required to notify the Board of supervisor changes.
- OTAs with a regular license are no longer required to receive supervision hours or maintain a supervision log.

NOVEMBER 8, 2024, BOARD MEETING
FORMAL DISCIPLINARY ACTIONS TAKEN

1. **Christene Maas, OT #108811 (Austin)** - failed to properly renew license during the audited renewal period. Violation of Section 454.301 of the Act and Chapter 367 of the board rules. ***Board Order required 10 hours of community service.***

2. **Grace Aina, OT #116385 (Richmond)** - failed to properly renew license during the audited renewal period. Violation of Section 454.301 of the Act and Chapter 367 of the board rules. ***Board Order required 10 hours of community service.***

3. **Jessica Gorman, OT #113910 (Galveston)** - failed to properly renew license during the audited renewal period. Violation of Section 454.301 of the Act and Chapter 367 of the board rules. ***Board Order required 10 hours of community service.***

4. **Daphne Jefferson, OTA #211063 (San Antonio)** - failed to properly renew license during the audited renewal period. Violation of Section 454.301 of the Act and Chapter 367 of the board rules. ***Board Order required 10 hours of community service.***

5. **Shelby Karal, OT #119716 (Kyle)** - failed to properly renew license during the audited renewal period. Violation of Section 454.301 of the Act and Chapter 367 of the board rules. ***Board Order required 10 hours of community service.***

6. **Lisa Koblenz, OT #111868 (Hockley)** - failed to properly renew license during the audited renewal period. Violation of Section 454.301 of the Act and Chapter 367 of the board rules. ***Board Order required 10 hours of community service.***

7. **Stanley Powell, OT #113928 (Fort Worth)** - failed to properly renew license during the audited renewal period. Violation of Section 454.301 of the Act and Chapter 367 of the board rules. ***Board Order required 10 hours of community service.***

8. **Cindy Ridge, OTA #210203 (La Vernia)** - failed to properly renew license during the audited renewal period. Violation of Section 454.301 of the Act and Chapter 367 of the board rules. ***Board Order required 10 hours of community service.***

9. **Amalia Torres, OTA #211810 (El Paso)** - failed to properly renew license during the audited renewal period. Violation of Section 454.301 of the Act and Chapter 367 of the board rules. ***Board Order required 10 hours of community service.***

10. **Cidney Kyser, OTA #216300 (Dallas)** - failed to properly renew license during the audited renewal period. Violation of Section 454.301 of the Act and Chapter 367 of the board rules. ***Board Order required 30 hours of community service.***

11. **Hsin-Yen Wang, OT #115174 (Cypress)** - failed to properly renew license during the audited renewal period. Violation of Section 454.301 of the Act and Chapter 367 of the board rules. ***Board Order required 30 hours of community service.***

12. **Kenya Williamson, OTA #215594 (Trotwood, OH)** - failed to properly renew license during the audited renewal period. Violation of Section 454.301 of the Act and Chapter 367 of the board rules. ***Board Order required 30 hours of community service.***

13. **Camellia Flanagan, OTA #203593 (Houston)** - failed to properly renew license during the audited renewal period. Violation of Section 454.301 of the Act and Chapter 367 of the board rules. ***Board Order suspended license to practice for 30 days.***

14. **Evelyn Aponte, OTA #215624 (El Paso)** - practiced in a detrimental manner by practicing with a suspended license. Violation of Section 454.301 of the Act and Chapter 374 of the board rules. ***Board Order suspended license to practice for 30 days.***

15. **Janice McCullough, OT #105273 (Aubrey)** - practiced in a detrimental manner by intentionally making or filing a false or misleading report. Violation of Section 454.301 of the Act and Chapter 374 of the board rules. ***Board Order suspended license to practice for 30 days.***

16. **Nicholas Rodriguez, OTA #215783 (Houston)** - practiced in a detrimental manner by intentionally making or filing a false or misleading report. Violation of Section 454.301 of the Act and Chapter 374 of the board rules. ***Board Order suspended license to practice for 30 days.***

17. **Neil Riles, OT #109153 (Midlothian)** - practiced in a detrimental manner by intentionally making or filing a false or misleading report. Violation of Section 454.301 of the Act and Chapter 374 of the board rules. ***Board Order suspended license to practice for 30 days.***

18. **Katherine Martinez, OTA #216388 (San Antonio)** - practiced in a detrimental manner by intentionally making or filing a false or misleading report. Violation of Section 454.301 of the Act and Chapter 374 of the board rules. ***Board Order suspended license to practice for 30 days.***

19. **Antwan Hill, OTA #215283 (Watauga)** - practiced in a detrimental manner by intentionally making or filing a false or misleading report. Violation of Section 454.301 of the Act and Chapter 374 of the board rules. ***Board Order suspended license to practice for 30 days.***

20. **Melissa Kennedy, OTA #213517 (Valley Mills)** - practiced in a detrimental manner by intentionally making or filing a false or misleading report. Violation of Section 454.301 of the Act and Chapter 374 of the board rules. ***Board Order suspended license to practice for 45 days.***

21. **Jennifer Polak, OT #118267 (Katy)** - practiced in a detrimental manner by intentionally making or filing a false or misleading report. Violation of Section 454.301 of the Act and Chapter 374 of the board rules. ***Board Order suspended license to practice for 45 days.***

22. **Kayla Risen, OTA #217268 (New Braunfels)** - practiced in a detrimental manner by intentionally making or filing a false or misleading report. Violation of Section 454.301 of the Act and Chapter 374 of the board rules. ***Board Order suspended license to practice for 45 days.***

23. **Xavier Hernandez, OT #114388 (San Antonio)** - practiced in a detrimental manner by intentionally making or filing a false or misleading report and by practicing with a suspended license. Violation of Section 454.301 of the Act and Chapter 374 of the board rules. ***Board Order suspended license to practice for 90 days.***

24. **Antonio Flores, OTA #216641 (San Antonio)** - practiced in a detrimental manner by violating ethical principles relating to Code of Ethics and other occupational therapy standards. Violation of Section 454.301 of the Act and Chapter 374 of the board rules. ***Board Order suspended license to practice for 45 days and refrain from practicing in the home health environment for 36 months.***

25. **Jose Rodriguez, OTA #214457 (Laredo)** - practiced in a detrimental manner by violating ethical principles relating to Code of Ethics and other occupational therapy standards. Violation of Section 454.301 of the Act and Chapter 374 of the board rules. ***Board Order accepted the surrender of license to practice.***

26. **Jared Cordum, OT #124285 (Clovis, NM)** - practiced in a detrimental manner by violating ethical principles relating to Code of Ethics and other occupational therapy standards. Violation of Section 454.301 of the Act and Chapter 374 of the board rules. ***Board Order accepted the surrender of license to practice.***