Texas Board of Occupational Therapy Examiners
BOARD MEETING MINUTES
Videoconference Call
November 7, 2025
1801 Congress Ave Ste 10.900
Austin, TX 78701
9:00 AM

Members Present: Estrella Barrera, OTR, MOT
Jennifer Clark, COTA
Karen Gardner, OTR, Secretary
Chelsea Howell, Public Member
Eddie Jessie, Public Member
Stephanie Johnston, OTR, OTD, FAOTA, Chair
Sally King, COTA
Todd Novosad, OTR, Vice Chair

Members Absent: Blanca Cardenas, Public Member

Counsel Present: Rosalind Hunt, Assistant Attorney General

Staff Present: Amy Carter, Director of Enforcement
Adriana Delgado, Licensing Manager
Randall Glines, Staff Services Officer
Ralph Harper, Executive Director
Lea Weiss, OT Coordinator

The Texas Board of Occupational Therapy Examiners may discuss and/or take action on any of the following agenda items. The Board may go into executive session on any agenda item listed below as authorized by the Open Meetings Act, Texas Government Code Chapter 551.

1. Call to Order

The meeting was called to order at 9:09 AM by Stephanie Johnston, Presiding Officer, who was physically present at the location of the meeting open to the public. She called the roll and announced that a quorum existed.

2. Excusing Board Member absences

Motion: To approve the excuse of Blanca Cardenas for the absence at the meeting
Made by: Chelsea Howell
Second by: Karen Gardner
Motion passed.

3. Public Comment

Leslie Smart, chair of the Texas Occupational Therapy Association's Standards and Practice Committee, presented the comment the association submitted during the public-comment

period for proposed changes to §374.1, Disciplinary Actions, and §374.2, Detrimental Practice. Stephanie Johnston thanked the attendee for the comment.

4. Minutes of August 1, 2025, meeting

Motion: To approve the minutes
Made by: Chelsea Howell
Second by: Sally King
Motion passed.

5. Executive Director's Report concerning fiscal and budgetary matters, performance measures, ongoing projects, agency personnel matters, IT matters, Executive Council activity, recent legislative sessions, and other agency business

Ralph Harper briefed the Board on fiscal and budgetary matters, recent legislative sessions, other agency business and ongoing projects, and IT matters. Ralph Harper and Adriana Delgado addressed agency personnel matters, the agency's new licensing system, and efforts they had implemented to address related issues and the Licensing Department, which Ralph Harper noted was no longer short staffed.

6. Investigation Committee Report concerning:

A. Agreed Orders for case #s: 2025-00469, 2025-00480, 2025-00529, 2025-00563, 2025-00568, 2025-00583, 2025-00641, 2025-00694, 2025-00710, 2025-00721, 2025-00728, 2025-00731, 2025-00745, 2025-00746, 2025-00806, 2025-00811, and 2025-00873

Amy Carter presented motions from the Investigation Committee to approve agreed orders for the following case numbers: 2025-00873, 2025-00710, 2025-00746, 2025-00811, 2025-00806, 2025-00568, 2025-00641, 2025-00563, 2025-00728, 2025-00529, 2025-00694, 2025-00731, 2025-00469, 2025-00480, 2025-00745, and 2025-00583.

The Board approved the agreed orders.

An agreed order for the remaining case was not presented to the Board.

B. Number of cases reviewed, Agreed Orders issued, informal conferences, and other investigative matters discussed during the Investigation Committee Meeting of September 5, 2025

Amy Carter reported that one hundred seven cases were reviewed by the Investigation Committee at the September 5, 2025, meeting. Seventeen orders were issued by the Investigation Committee, sixteen of which were accepted. Two informal conferences were held.

C. Performance measures, on-site investigation visits, school presentations, and other investigative activities during the fourth quarter of Fiscal Year 2025

Amy Carter reported on performance measures, on-site investigation visits, school presentations, and other investigative activities during the fourth quarter of Fiscal Year 2025.

7. Adopting changes to the following rules in 40 Texas Administrative Code (TAC) to revise the sections, including with regard to changes due to the agency's transition to a new licensing system and recent legislation concerning the licensing of military service members, military veterans, and military spouses:

- **A. §361.1. Statutory Authority**
- **B. Chapter 364. Requirements for Licensure**
- **C. §369.1. Display of Licenses**
- **D. Chapter 370. License Renewal**
- **E. Chapter 371. Inactive and Retired Status**
- **F. §375.1. Fees**

Lea Weiss addressed the agenda item and noted changes that could be adopted to the sections, including with regard to changes due to the agency's transition to a new licensing system and recent legislation concerning the licensing of military service members, military veterans, and military spouses.

Lea Weiss noted that public comment was received regarding the proposed amendments to §370.3, Restoration of a Texas License. Lea Weiss shared a possible response to the comment.

Motion: To adopt proposed rule §361.1, relating to Statutory Authority, §364.1, relating to Requirements for Licensure, §364.2, relating to Initial License by Examination, §364.3, relating to Temporary License, §364.4, relating to Licensure by Endorsement, §364.5, relating to Recognition of Out-of-State License of Military Service Members and Military Spouses, §369.1, relating to Display of Licenses, §370.1, relating to License Renewal, §370.2, relating to Late Renewal, §370.3, relating to Restoration of a Texas License, §371.1, relating to Inactive Status, §371.2, relating to Retired Status, and §375.1, relating to Fees, as published, with an effective date of December 1, 2025, or as soon as possible thereafter, and the response to the comment
Made by: Todd Novosad
Second by: Chelsea Howell
Motion passed.

8. Adopting changes to 40 TAC §374.1, Disciplinary Actions, including to revise the Schedule of Sanctions, and §374.2, Detrimental Practice, to revise the section

Lea Weiss and Amy Carter addressed the agenda item and noted changes that could be adopted to §374.1, Disciplinary Actions, including to revise the Schedule of Sanctions, and §374.2, Detrimental Practice, to revise the section.

Lea Weiss noted that public comments were received regarding the proposed amendments to the sections. Lea Weiss shared a possible response to the comments.

Motion: To adopt proposed rule §374.1, relating to Disciplinary Actions, and §374.2, relating to Detrimental Practice, as published, with an effective date of December 1, 2025, or as soon as possible thereafter, and the response to the comments

Made by: **Eddie Jessie**
Second by: **Jennifer Clark**
Motion passed.

The Board recessed at 10:26 AM and reconvened at 10:37 AM. Stephanie Johnston called the roll and announced that a quorum existed.

9. Proposed rule changes pursuant to SB 912 (89th Regular Legislative Session) concerning a CE tracking system and the development of an RFO and/or RFP

Lea Weiss addressed the agenda item and the general process and timeline with regard to developing and soliciting responses to a Request for Offers (RFO) for services. The Board discussed an in-progress RFO draft concerning the implementation of a CE tracking system pursuant to SB 912.

The Board recessed during the agenda item at 12:52 PM and reconvened at 12:59 PM. Stephanie Johnston called the roll and announced that a quorum existed. Jennifer Clark was not in attendance for the remainder of the meeting.

10. OT Coordinator's Report, concerning developments in the field of occupational therapy and updates regarding regulatory matters in occupational therapy, including Board licensing, CE audit, and entry-level occupational therapy accreditation statistics and updates; recent and developing legislation; and trends and developments in occupational therapy regulations

Lea Weiss reported on Board licensing, CE audit, and entry-level occupational therapy accreditation statistics and updates and legislation during the recent regular legislative session.

11. Presiding Officer's Report, concerning developments in the field of occupational therapy and updates regarding regulatory matters in occupational therapy, including entry-level occupational-therapy accreditation updates; trends and developments in occupational therapy regulations, practice, standards, and guidelines; Board and committee appointment updates; and regulatory conferences and events

Stephanie Johnston thanked Leslie Smart for representing the Texas Occupational Therapy Association and Jennifer Clark and Todd Novosad for their years of service as board members, including while the Board awaited new appointees. Stephanie Johnston also noted that she asked Lea Weiss to respond that the Board's position was neutral with regard to a request from the Texas Medical Board (TMB) regarding the Board's position concerning the possible certification by TMB of occupational therapists and occupational therapy assistants as acudetox specialists, as licensees use modalities and it is the responsibility of an individual to ensure he or she is able to use such.

12. Future Board meeting dates and agenda items for future consideration

Stephanie Johnston noted that board meetings had been scheduled for February 6, 2026; May 1, 2026; August 7, 2026; and October 30, 2026, with possible committee meetings to be held February 5 and 6, 2026; April 30 and May 1, 2026; August 6 and 7, 2026; and October 29 and 30, 2026.

13. HB 1522 (89th Regular Legislative Session), concerning Texas Government Code section 551.043

Stephanie Johnston determined that a quorum was present and announced that it was 1:08 PM on November 7, 2025, and that the Board would go into closed session pursuant to Texas Government Code §551.071 to discuss legal matters under Agenda Item 13. Stephanie Johnston requested that all non-board members except for legal counsel, Amy Carter, Ralph Harper, Randall Glines, and Lea Weiss leave the meeting and wait in the waiting room. The Board went into closed session.

After checking if any non-board members needed to be readmitted to the meeting, the Board returned to open session. Stephanie Johnston conducted a roll call of members, determined that a quorum existed, and announced that it was 1:30 PM on November 7, 2025, and that the Board was back in open session.

Stephanie Johnston noted that no action was taken in closed session.

14. Adjournment

The Board adjourned at 1:31 PM.

Minutes approved on: February 6, 2026