

1 EXECUTIVE COUNCIL OF PHYSICAL THERAPY AND
2 OCCUPATIONAL THERAPY EXAMINERS
3 QUARTERLY MEETING
4 November 19, 2010, 10:00 AM

5
6 333 Guadalupe, Ste. 2-500
7 Austin, TX 78701
8

9
10 Persons Present:

Council Members:

Roger Matson, *Presiding Officer*
Melinda Rodriguez, *PT*
Stephanie Johnston, *OTR*
Frank Bryan, Jr., *PT Public Member*

Staff:

John Maline, *Executive Director*
Augusta Gelfand, *OT Board Coordinator*
Nina Hurter, *PT Board Coordinator*
Jennifer Jones, *Executive Assistant*

Becky Dean, *Governor's Office, Budget & Planning*

23
24 **I. Call to Order.**

25 At 10:10a.m., Mr. Roger Matson, Presiding Officer, called the meeting to order. Mr. Matson
26 called the roll, and a quorum was determined to exist. Judith Chambers, *OT Public Member*,
27 was unable to be present.

28
29 **II. Public Comment.**

30 There was no public comment.

31
32 **III. Approval of minutes of August 6, 2010, Executive Council meeting.**

33 **Motion: To approve the minutes of August 6, 2010, Executive Council meeting as found**
34 **in Tab 3 with no corrections noted.**

35 The minutes were approved with no corrections for the August 6, 2010 Executive Council
36 meeting as found in Tab 3.

37 Made by: Stephanie Johnston

38 Second: Frank Bryan, Jr.

39 3 ayes, motion passed.

40
41 **IV. Discussion and possible action on Executive Director's Report, concerning fiscal and**
42 **budgetary matters, upcoming budget cycle, budget reductions, annual and quarterly**
43 **performance measures, upcoming Sunset review, Legislative Appropriations Report**
44 **(LAR), agency personnel matters, ongoing projects, and other agency business.**

45 Mr. Maline presented a report to the council that primarily covered the previous fiscal year
46 activities, the challenges the agency faces in FY2011 and the upcoming biennium, and how
47 the agency plans to meet those challenges. Discussion ensued and clarifying questions were
48 asked of him, all of which he answered.

1 **V. Discussion and possible action on rule amendments proposed by the Executive Council**
2 **as follows: §§651.1-3, Fees.**

3 Mr. Maline gave a synopsis of the amendments that the council voted on at the last meeting,
4 and reiterated the reasons for the fee increase. The purpose of the fee increase was to allow
5 the agency to raise sufficient revenue for the state so that the State Comptroller would release
6 the FY2011 contingent funds approved by the GAA. There were no questions asked of Mr.
7 Maline as this subject was discussed in depth at the last set of PT and OT board meetings,
8 and when the rule was proposed at the last Executive Council meeting.

9
10 **Motion: To adopt the amendments to §651.1-3. Fees, and forward the approved**
11 **amendments to the Texas Register for posting.**

12 Made by: Frank Bryan, Jr.

13 Second: Melinda Rodriguez

14 3 ayes, motion passed.
15

16
17 **VI. Review and possible action on a rule amendment proposed by the Texas Board of**
18 **Occupational Therapy Examiners as follows: §376.5, Exemptions to Registration,**
19 **exempting ECI from facility registration.**

20 Ms Johnston gave a synopsis of the proposed amendment and the rationale used by the OT
21 Board to make the proposed changes. There were several questions asked of them by other
22 council members, all of which were answered.
23

24 **Motion: To approve the forwarding of the amendment to §376.5, Exemptions to**
25 **Registration, to the Texas Register for posting.**

26 Made by: Melinda Rodriguez

27 Second: Stephanie Johnston

28 3 ayes, motion passed.
29

30
31 **VII. Review and possible action on rule amendments proposed by the Texas Board of**
32 **Physical Therapy Examiners as follows: Chapter 322, §1, Provision of Services; §2,**
33 **Role Delineation, §3, Supervision; §4, Practicing in a Manner Detrimental to the Public**
34 **Health and Welfare; §345.1, Accessible Services; §329.6, License by Endorsement;**
35 **§341.20, Licensees Called to Active Military Service; §329.3, Temporary Licensure for**
36 **Examination Candidates; §341.1, Requirements for Renewal; §329.2, License by**
37 **Examination; §329.5, Licensing Procedures for Foreign-Trained Applicants; and §321.1,**
38 **Definitions.**

39 Ms. Rodriguez and Ms. Hurter gave a synopsis of the proposed amendments and explained
40 the rationale used by the PT Board to develop the rule amendments. There were several
41 questions asked of them by other council members, all of which were answered.
42

43 **Motion: To approve the forwarding of the amendment to Chapter 322, §1, Provision of**
44 **Services, to the Texas Register for posting.**

45 Made by: Frank Bryan, Jr.

46 Second: Stephanie Johnston

47 3 ayes, motion passed.
48

49 **Motion: To approve the forwarding of the amendment to Chapter 322, §2, Role**
50 **Delineation, to the Texas Register for posting.**

1 Made by: Melinda Rodriguez
2 Second: Frank Bryan, Jr.
3 3 ayes, motion passed.

4
5 **Motion: To approve the forwarding of the amendment to Chapter 322, §3, Supervision,**
6 **to the Texas Register for posting.**

7 Made by: Frank Bryan, Jr.
8 Second: Stephanie Johnston
9 3 ayes, motion passed.

10
11 **Motion: To approve the forwarding of the amendment to Chapter 322, §4, Practicing in a**
12 **Manner Detrimental to the Public Health and Welfare, to the Texas Register for posting.**

13 Made by: Stephanie Johnston
14 Second: Frank Bryan, Jr.
15 3 ayes, motion passed.

16
17 **Motion: To approve the forwarding of the amendment to §329.5, Licensing Procedures**
18 **for Foreign-Trained Applicants, to the Texas Register for posting.**

19 Made by: Frank Bryan, Jr.
20 Second: Stephanie Johnston
21 3 ayes, motion passed.

22
23 **Motion: To approve the forwarding of the amendment to §321.1, Definitions, to the**
24 **Texas Register for posting.**

25 Made by: Melinda Rodriguez
26 Second: Stephanie Johnston
27 3 ayes, motion passed.

28
29 **Motion: To approve the forwarding of the amendment to §329.6, License by**
30 **Endorsement, to the Texas Register for posting.**

31 Made by: Stephanie Johnston
32 Second: Frank Bryan, Jr.
33 3 ayes, motion passed.

34
35 **Motion: To approve the forwarding of the amendment to §341.1, Requirements for**
36 **Renewal, to the Texas Register for posting.**

37 Made by: Melinda Rodriguez
38 Second: Stephanie Johnston
39 3 ayes, motion passed.

40
41 **Motion: To approve the forwarding of the amendment to §345.1, Accessible Services, to**
42 **the Texas Register for posting.**

43 Made by: Frank Bryan, Jr.
44 Second: Stephanie Johnston
45 3 ayes, motion passed.

46
47
48 **VIII. Presiding Officer's Report.**

49 There was no report.
50

1 **IX. Discussion and possible action on scheduling future Executive Council meeting dates,**
2 **and items for future consideration.**

3 The next Executive Council meeting is scheduled for Friday, March 11, 2011, 10:00 AM,
4 Austin, TX.

5
6 **XI. Adjournment.**

7 The meeting was adjourned at 11:44 a.m.

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9
10
11 **DATE REVIEWED BY THE COUNCIL:** March 11, 2011

12
13 **ACTION TAKEN BY THE COUNCIL:** Approved without corrections