

1 EXECUTIVE COUNCIL OF
2 PHYSICAL THERAPY AND OCCUPATIONAL THERAPY EXAMINERS
3 AGENDA
4 QUARTERLY MEETING
5 Board Room
6 333 Guadalupe, Ste. 2-500
7 Austin, TX 78701
8 August 3, 2018 12:01 p.m.

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10 Persons present:

11 Council Members

12 **Roger Matson**, Presiding Officer
13 **Stephanie Johnston**, OTR
14 **Barbara Sanders**, PT
15 **Philip Vickers**, PT Board Public Member

16 Staff:

17 **John Maline**, Executive Director
18 **Karen Gordon**, PT Board Coordinator
19 **Mark Turek**, Chief Investigator
20 **Randall Glines**, Staff Services Officer

21 Person's absent:

22 **Amanda Ellis**, OT Board Public Member

23 **I. Call to order.**

24 At 1:01 p.m., Mr. Roger Matson, Presiding Officer, called the meeting to order. Mr.
25 Matson called the roll, and a quorum was determined to exist.

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28 **II. Public comment.**

29 There was no public comment.

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32 **III. Discussion and possible action on excusing council member absences.**

33 Amanda Ellis was originally scheduled to act in the stead of Public Member
34 Will Hale, whose term had expired. Ms. Ellis was excused ahead of time
35 due to a scheduling conflict.

36 **Motion: To excuse Amanda Ellis.**

37 **Made by: Stephanie Johnston**

38 **Second: Barbara Sanders**

39 **4 ayes, motion passed.**

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42 **IV. Approval of minutes of May 11, 2018 Executive Council meeting as found in Tab 2.**

43 The May 11, 2018 meeting minutes were approved with no changes.

44 **Made by: Barbara Sanders**

45 **Second: Stephanie Johnston**

46 **4 ayes, motion passed.**

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V. Discussion and possible action on Executive Director's Report concerning fiscal and budgetary matters, performance measures, ongoing projects, agency personnel matters, past legislative session, and other agency business.

Mr. Maline briefly covered the Executive Director's Report previously presented at the PT and OT Board Meetings.

VI. Discussion and possible action on rule amendments proposed by the Texas Board of Occupational Therapy Examiners as follows; Chapter 364, Requirements for Licensure; Chapter 370, License Renewal; Chapter 371, Inactive and Retired Status; and Section 374.1, Disciplinary Actions:

Stephanie Johnston discussed the details of all the rule changes brought before the Executive Council that were occasioned by SB317, 85th Legislature. There were some questions by other council members, all of which she answered.

Motion: To approve publishing proposed amendments to Section 364.1, Requirements for Licensure.

Made by: Philip Vickers

Second: Barbara Sanders

4 ayes, motion passed.

Mr. Vickers recommended that during the OT Board's possible adoption of the rule it consider changing the phrase "...on a form..." with "...in the manner..." Ms. Johnston said she would bring the recommendation to the OT Board's attention at their next meeting.

Motion: To approve publishing proposed amendments to Section 370.1, License Renewal; Section 370.3, Restoration of a Texas License; Section 371.1, Inactive Status; and Section 371.2, Retired Status.

Proposed rule amendments were addressed together due to their relationship.

Made by: Stephanie Johnston

Second: Barbara Sanders

4 ayes, motion passed.

Mr. Vickers again recommended that during the OT Board's possible adoption of the rules it consider changing the phrase "...on a form..." with "...in the manner..." in each rule. Ms. Johnston said she would bring the recommendation to the OT Board's attention at their next meeting.

Motion: To approve publishing proposed amendments to Section 374.1, Disciplinary Actions.

Ms. Johnston explained the rule change and its rationale. There were no questions or comments.

Made by: Stephanie Johnston

Second: Philip Vickers

4 ayes, motion passed.

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VII. Discussion and possible action on rule amendments proposed by the Texas Board of Physical Therapy Examiners as follows; Section 329.1, General Licensure Requirements and Procedures; Section 341.1, Requirements for Renewal; Section 341.6, License Restoration; Section 341.8, Inactive Status; Section 341.9, Performing Voluntary Charity Care; Section 344.1, Administrative Fines and Penalties; addition of Section 322.5, Telehealth to Chapter 322, Practice; and Section 341.2, Continuing Competence Requirements.

Barbara Sanders discussed the details of all the rule changes brought before the Executive Council that were occasioned by SB317, 85th Legislature. There were some questions by other council members, all of which she and Karen Gordon answered.

The following proposed rule amendments were taken up together.
Motion: To approve publishing proposed amendments to Section 329.1, General Licensure Requirements and Procedures; Section 341.1, Requirements for Renewal; Section 341.6, License Restoration; Section 341.8, Inactive Status; and Section 341.9, Performing Voluntary Charity Care.

The five rule amendments were approved together with no changes.

Made by: Stephanie Johnston
Second: Barbara Sanders
4 ayes, motion passed.

Motion: To approve publishing proposed amendments to Section 344.1, Administrative Fines and Penalties.

There were no questions or discussion or recommended changes.

Made by: Barbara Sanders
Second: Stephanie Johnston
4 ayes, motion passed.

Motion: To approve the addition of Section 322.5, Telehealth to Chapter 322, Practice.

There were no questions or discussion or recommended changes.

Made by: Stephanie Johnston
Second: Philip Vickers
4 ayes, motion passed.

Motion: To approve publishing proposed amendments to Section 341.2, Continuing Competence Requirements.

There were no questions or discussion or recommended changes.

Made by: Stephanie Johnston
Second: Barbara Sanders
4 ayes, motion passed.

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VIII. Presiding Officer's Report.

There was no Presiding Officer's report

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

The next Executive Council meeting is scheduled for November 30, 2018 at 1:00 p.m.

X. Adjournment.

The meeting was adjourned at 1:53 p.m.

DATE REVIEWED BY THE COUNCIL: February 1, 2019

ACTION TAKEN BY THE COUNCIL: Approved with changes.