



OCCUPATIONAL THERAPY PRACTICE BOARD MEETING MINUTES - WEBINAR

October 6, 2015
12:00 PM
Department of Health
111 Israel Rd. SE, Room 124
Tumwater, WA 98501

On October 6, 2015 the Occupational Therapy Practice Board met at The Department of Health in Tumwater by webinar. In accordance with the Open Public Meetings Act, notices were sent to individuals requesting notification of meetings.

MEMBERS PRESENT

BETH ROLLINGER, OT, CHAIR
SHERYL ZYLSTRA, OT
ANN ERICKSON, OT
BRENDA LEMPE, COTA

MEMBERS PRESENT VIA PHONE

DI IRONS, PUBLIC MEMBER

GUESTS PRESENT

KARIN SCHULZE

STAFF PRESENT

KATHY WEED, PROGRAM MANAGER
SANDIE PEARSON, PROGRAM SUPPORT
TRINA CASTLE, EXECUTIVE DIRECTOR
TANYA MILLS, CREDENTIALING SUPERVISOR
PEGGY OWEN, DISCIPLINARY CASE MANAGER
JANET STAIGER, STAFF ATTORNEY
DEBRA DEFREYN, AAG

Tuesday, October 6, 2015– 12:00 p.m. – OPEN SESSION

1. CALL TO ORDER

The meeting was called to order by board chair, Beth Rollinger, at 12:05 p.m.

1.1 Introductions

The board, staff, and audience members who were present by webinar introduced themselves.

1.2 Approval of Agenda

A motion was made and seconded to approve the agenda as presented. The board voted and approved the agenda as presented.

1.3 Approval of the July 17, 2015 Meeting Minutes

Board members reviewed and discussed the July 17, 2015 Meeting Minutes. A motion was made and seconded to approve the July 17, 2015 Meeting Minutes. The board voted in favor of approving the July 17, 2015 Meeting Minutes as presented.

2. **CORRESPONDENCE** – The board reviewed and discussed correspondence received by program staff.

2.1 Definition of “in association with” per WAC 246-847-135 – Board members discussed the question regarding a limited permit holder and whether a supervisor would need to be present on the premises at all times or would regularly scheduled meetings with the supervising OT be sufficient. Ms. Weed clarified that the question was in reference to limited permit holders. Board members discussed that “in association” is defined in WAC 246-847-010 (10) Definitions. Board members directed Ms. Weed to draft a response on the board’s behalf. Ms. Weed’s response will include the information that a limited permit holder must have a supervisor on the premises per WAC 246-847-010.

2.2 Is it permissible for an occupational therapist to serve as the “licensed professional” to determine whether a school pupil needs accommodation for a standardized test? For example, for an extended testing period due to difficulties with attention. Ms. Defreyn shared that the question appears to be related to requesting an ADA accommodation. She explained that the type of accommodation is determined by each individual request; and requests need to be reviewed by those who have the authority to grant or deny the request. Board members directed Ms. Weed to draft a response on the board’s behalf.

3. **DISCUSSION ON RAP BACK** – Catherine Woodard, Associate Director of Discipline, Nursing Quality Assurance Commission (NQAC) provided a presentation on pending legislation HB 2080, or more commonly known as Rap Back. Ms. Woodard explained that Rap Back is a new service offered by the FBI that allows the subscriber (such as NQAC) to receive notifications each time an applicant (nurse) or licensee (nurse) has a change in criminal history anywhere in the country. It is a federal background check that captures past criminal behaviors and alerts to any current criminal activity anywhere in the country. Ms. Woodard explained that the current law would need to be changed to allow Rap Back. The existing law allows Washington State Patrol (WSP) to retain only criminal fingerprints. A change in law would allow WSP and the FBI to retain applicant and licensee fingerprints in order to use the Rap Back service. A change in the Uniform

Disciplinary Act and Nurse Practice Act would specifically allow the NQAC and other health professions as deemed necessary to use the Rap Back service. Ms. Woodard also shared that the costs involved would be a pass-through fee and is expected to be nominal.

Ms. Woodard shared that there is some opposition to changing the law. The nursing association is opposed as it doesn't want nurses singled out. Also opposing a change in the law is the WA State Office of Schools and Public Instruction (OSPI). OSPI currently has a law in place and doesn't see a need to change.

NQAC is attending multiple board and commission meetings presenting Rap Back information and asking for support regarding the law change required. If the board determined they wanted to support the change in law to Rap Back, it could submit a letter or testify during the legislative hearing.

Board members discussed the Rap Back service and determined to place further discussions regarding support of Rap Back as a future agenda item.

4. **DISCUSSION ON PRESENTATIONS TO SCHOOLS** – The board discussed and considered taking action on the presentation of material to schools, including who will present and which schools to approach for presentations. Ms. Zylstra shared that University of Puget Sound would like to offer the presentation to its first year students. Ms. Rollinger suggested that the material be presented to student associations, and during classroom sessions. Tanya Mills, Credentialing Supervisor shared that students like to review the application for licensure and the DOH website. She also shared that students seem to want the presentation to be interactive. Other topics, such as discipline case examples, were suggested to be included in the presentation to students. Ms. Weed will reach out to schools to determine which schools would like to have the information presented. An evaluation form will be developed for students/faculty to provide feedback regarding the presentation. An update regarding the presentation, interested schools, and the feedback form will be placed as an agenda item on a future agenda.
5. **DISCUSSION ON MEETING WITH OTHER BOARDS** – The board discussed whether to meet with other boards such as the Board of Hearing and Speech and the Physical Therapy Board. This topic was discussed during the Board/Commission Leadership Forum. Ms. Zylstra shared that she could see the importance of meeting with other boards if a policy or standard was being changed or implemented. Ms. Castle reported that this was discussed at the Board of Hearing and Speech Meeting. Hearing and Speech Board members discussed that it may be beneficial for a speech-language pathology member(s) attend a future Occupational Therapy Practice Board meeting in an effort to open the lines of communication between the two boards.
6. **PRESENTATION ON BOARD POLICIES** – The board reviewed and discussed current policies and determined whether to update, rescind, or re-approve.

6.1 Policy 2.1 Affirmative Responses to Personal Data Questions – Ms. Weed will bring a draft matrix for board review and discussion at a future meeting. The board tabled this to be placed as an agenda item at a future meeting.

7. UPDATE ON RULES ACTIVITY – The board received an update on rule sections that were included with the CR 101 form, Proposal Statement of Inquiry. The board also discussed whether to schedule rules workshops. Ms. Weed reported that the CR 101 had been filed and included the following rules:

- WAC 246-847-010 – Definitions
- WAC 246-847-030 – Occupational Therapists Acting in a Consulting Capacity
- WAC 246-847-055 – Initial Application for Individuals Who Have Not Practiced Within the Past Four Years
- WAC 246-847-065 – Continuing Competency
- WAC 246-847-068 – Expired License
- WAC 246-847-070 – Inactive Credential
- WAC 246-847-100 – Examination Dates
- WAC 246-847-125 – Applicants Currently Licensed in Other States or Territories
- WAC 246-847-140 – Supervised Fieldwork Experience-Occupational Therapists
- WAC 246-847-170 – Code of Ethics
- WAC 246-847-210 – Sexual Misconduct
- WAC 246-847-XXX – Other sections for discussion such as telehealth and military equivalence

Board members reviewed, discussed and prioritized the list of rules included in the CR 101 that had been filed. The board determined to begin with working on the following from the above list:

- WAC 246-847-065 Continued Competency
- WAC 246-847-100 Examination Dates
- WAC 246-847-170 Code of Ethics
- WAC 246-847-210 Sexual Misconduct
- WAC 246-847 XXX Military Equivalence

Ms. Erickson suggested that each board member work individually on recommendations of draft language and bring their individual recommendations to the next in-person meeting or rules workshop. Board members agreed to individually review and work on recommended draft language that will be reviewed and continued to be worked on by the full board at the next in-person meeting.

8. REVEIW OF LISTS AND LABELS REQUEST – The board reviewed lists and labels requests to determine whether the request should be approved or denied.

8.1 The board reviewed, discussed and voted to approve a lists and labels request from CE International.

- 8.2 The board reviewed, discussed and voted to approve a lists and labels request from Overlake Hospital.
 - 8.3 The board reviewed, discussed and voted to approve a lists and labels request from Providence St. Peter Hospital.
 - 8.4 The board reviewed and discussed a lists and labels request from Professional Assured Home Health. The board requested program staff contact Professional Assured Home Health and ask that they submit more information and a flyer regarding their request.
 - 8.4 The board reviewed, discussed and voted to deny a lists and labels request from Cambia Health Solutions (Regence and Asuris). The requester does not meet the definition and is not considered a “professional association” or an “educational organization”.
9. **BUSINESS PLAN** – The board reviewed the Business Plan and determined whether updates were needed at this time. The updated Business Plan includes outreach to schools to improve and maintain dialog with schools and colleges and to find ways the board can connect with the OT educational programs. Board members approved the updated Business Plan as presented.
10. **EXECUTIVE DIRECTOR REPORT** – The following information was provided to the board by Executive Director, Trina Castle.
- 10.1 Current Budget Report – Ms. Castle provided an updated budget report to the board members. Ms. Castle explained that the 2015-2017 biennium began July 1, 2015 and is currently being finalized. An updated budget report will be provided to the board at the next meeting.
 - 10.2 Citrix – Ms. Castle updated the board on efforts made by the department to secure Citrix access for all board, commission, and committee members. The department is moving forward and will be issuing DOH email addresses and hard tokens to board members at the January 2016 meeting. A presentation and instructions will be provided at the January 2016 meeting. Once implemented, board members will have secure remote access to the departments server for board related work and business.
 - 10.3 National Practitioner Data Bank – Ms. Castle provide board members information regarding NBCOT’s request that the board approve the NBCOT Authorized Agent Initiative for reporting disciplinary actions to the National Practitioner Databank (NPDB). Ms. Castle shared that at this time Department of Health has not approved any second party vendors for reporting this information. She also shared that there are no other states that are using NBCOT for this purpose. Ms. Rollinger asked if the department sends information to the National Data Bank.

Ms. Castle clarified to board members that the Department of Health currently is responsible for sending information to the National Data Bank.

11. PROGRAM MANAGER REPORT – Information was provided to the board by Program Manager, Kathy Weed.

11.1 Licensing Statistics – Tanya Mills, Credentialing Supervisor provided updated information regarding the number of acting and pending licenses, and number of credentials issued within 14 days. Information provided to the board is as follows:

	OT	OTA
Active Licenses	3289	984
Pending Licensure	56	31
% Issued w/in 14 Days	96%	100%

12. CONFERENCE ATTENDANCE – The board discussed sending a member to the CAC Conference scheduled for November 12 – 13, 2015 in Washington, D.C. and other conferences of interest. Board members discussed sending a representative to the CAC Conference. The board suggested checking with Di Irons, Public Member to see whether she is available to attend the CAC Conference scheduled for November 12-13, 2015. The board voted in favor of sending Ms. Irons to the CAC Conference if she is available to attend.

13. MEETING DATES FOR 2016 – The board discussed and set the following meeting dates for 2016:

Meeting Date and Time	Meeting Location
Friday, January 8, 2016 at 10:00 a.m.	Tumwater
Thursday, April 28, 2016 at 10:00 a.m.	Kent
Friday, July 22, 2016 at 8:00 a.m.	Richland
Monday, October 3, 2016 at 12:00 p.m.	Webinar Only

Updated meeting information will be posted to the Occupational Therapy webpage.

14. AGENDA ITEMS FOR FUTURE MEETINGS- The board discussed agenda items for future meetings:

- Rap Back update and discussion
- Rules update
- DOH Policy – Affirmative Responses to Personal Data Questions - matrix
- Information on AOTA Conference
- CAC Conference Update/Report
- Election of Chair and Vice-Chair

15. CONSENT AGENDA-GENERAL INFORMATION

A copy of the current issue of “The Sentinel News for DOH Employees” was provided to board members.

Ms. Weed thanked Brenda Lempe, OTA for serving on the board. Ms. Lempe is not eligible for re-appointment. Ms. Weed also thanked Ms. Rollinger, OT for serving on the board. Ms. Rollinger, OT, is eligible to be reappointed to the board.

16. OPEN FORUM FOR PUBLIC COMMENT

There was no public comment at this time.

17. ADJOURNMENT

The board adjourned at 2:36 p.m. The next regularly scheduled board meeting is January 8, 2016 and is scheduled to be held in Tumwater. Updated meeting information will be posted on the Occupational Therapy website.

CLOSED SESSION – 2:37 p.m.

15. APPLICATION REVIEWS

The board reviewed and approved one request for a CE Extension.

Exception Applicant K	Approved
Foreign Trained Applicant 15-11	Approved

16. DISCIPLINARY CASE REVIEWS

See Disciplinary Meeting Minutes.

Respectfully submitted:

Approved:

Kathy Weed
Program Manager

Beth Rollinger, Chair
Occupational Therapy Practice Board