

Friday, February 19, 2016

The Maryland Board of Occupational Therapy (OT) Practice (Board)

Location: Spring Grove Hospital Center  
55 Wade Avenue – Bland Bryant Building, 4th Floor  
Conference Room

Chairperson: Iyna Adams, OTR/L, CPAM

9:00 a.m.

**GENERAL SESSION MINUTES**

**BOARD MEMBERS PRESENT**

Iyna Adams, OTR/L, Chairperson  
Vanessa Hughes, COTA/L, Vice Chairperson  
Wanda R. Banks, MA, OTR/L  
Kimberly Goodman, MS, OTR/L  
Kim Sands, OTD, OTR/L  
A.Cassandra Brown, Consumer Member  
Marylin Pierre, Esquire, Consumer Member

**NON-BOARD MEMBERS PRESENT**

Donna Ashman, Executive Director  
Anthony DeFranco, Board Counsel  
Marilyn Pinkney, Licensing Coordinator

**GUEST**

Eric Shapiro, HyperHeal Hyperbarics

1. Ms. Adams called the General Session meeting to order at 9:10 a.m.
2. Ms. Brown motioned that the February 19, 2016 General Session Agenda be approved as amended. Ms. Pierre seconded the motion. The Board voted unanimously in favor.
3. Ms. Sands motioned that the January 15, 2016 General Session Minutes be approved as amended. Ms. Pierre seconded the motion. The Board voted unanimously in favor.

## REPORTS

1. Office of the Attorney General (OAG) – Anthony DeFranco, Board Counsel
  - a. HB 979 – Occupational Licenses – Denial for Criminal Conviction – Notice of Prohibition & Task Force - Mr. DeFranco reported that if this proposed legislation is enacted, it would require licensing boards to post a notice on their websites such as, “The Board may not deny a license to an applicant solely on the basis of the applicant’s prior conviction of a crime except in accordance with §1-209 of the criminal procedure article.” Mr. DeFranco directed the Board to keep this bill on the radar.
  
2. Legislative/Regulations Committee – Kim Sands, OTD, OTR/L, Marilyn Pierre, Consumer Member
  - a. Legislative Report
    - i. SB 109 – Health Occupations Boards - Criminal Background Records Checks - Required – Donna Ashman, Executive Director, reported that this bill was heard in the Senate on January 27, 2016 and was subsequently passed by a vote of 40 to 6. Ms. Ashman stated this bill will now move to the House for a hearing where it is expected to be opposed by representatives from the Job Opportunities Task Force. Ms. Neville, Health Occupation Boards Legislative Specialist, suggested that the Board(s) should be prepared to provide examples, beyond protecting the public at large, of reasons why the authority to conduct criminal background checks is necessary. Ms. Neville also indicated that she would gather statistics on the numbers of licenses granted to applicants with criminal backgrounds to illustrate that when this authority has been granted to a Board, it has been applied on a case by case basis.
  
    - ii. HB 770 – Criminal Procedure – Nonviolent Felonies – Stet, Shielding, and Expungement – Ms. Ashman summarized that this bill proposes to dispose of a charge for a nonviolent felony if the court finds that the disposition is in the interest of justice. Mr. DeFranco stated that if this bill were to pass, the Allied Health Boards would be exempt.
  
    - iii. SB 17 - Open Meetings Act – Retention of Minutes and Recordings – Ms. Ashman summarized that this bill proposes to increase from 1 - 5 years, the number of years after the date of an open session that a public body is required to keep a copy of minutes of the open session and to post the minutes online.
  
    - iv. SB 529 – Open Meetings Act – Requirements for Providing Agendas – Ms. Ashman summarized that this bill proposes to require a public body to provide an agenda containing all available information regarding matters to be discussed at the open portion of a meeting and whether a portion of the meeting may be closed.

v. HB 823 - General Provisions - Open Meetings Act – Enforcement and Training – Ms. Ashman summarized that this proposal would authorize the State Open Meetings Law Compliance Board, under specified circumstances, to issue specified orders and impose specified civil penalties as well as to expand the scope of the training requirements under the Open Meetings Act to include all employees, officials, and members of public body.

vi. SB 418 - End of Life Options Act – Ms. Ashman stated this bill authorizes an individual to request aid in dying by making specified requests; prohibiting another individual from requesting aid in dying on behalf of an individual.

b. Regulations Report

i. Chapter 10.46.04, Continuing Competency Requirements – Ms. Ashman reported that the Final Proposed Regulations, Chapter 10.46.04, was published in the 2/19/16 Maryland Register with an effective date of Friday, February 29, 2016. Ms. Ashman stated that the Board office would distribute an Eblast notice to the licensees explaining the biennial renewal implementation plan.

3. Continuing Competency Requirement Committee - Kimberly Goodman, MS, OTR/L,  
Kim Sands, OTD, OTR/L

a. Course Reviews - The Continuing Competency Requirement Committee reported that the course sponsor submissions have been reviewed and are business as usual.

b. American Occupational Therapy Association (AOTA) Approved Provider Program – update - Ms. Goodman stated that she had reviewed the AOTA Approved Provider Program guidelines. As a result of her review, Ms. Goodman sent an email inquiry to AOTA inquiring as to their process for auditing the providers. Ms. Goodman is awaiting a response and will report to the Board when a response is received. Ms. Ashman shared the background with the Board leading up to the Board’s decision to grant pre-approval to the AOTA Approved Provider Program. Ms. Ashman also stated that, other than this incident, she could not recall any prior concerns about courses offered through this AOTA program.

4. Administrative Reports – Donna Ashman, Executive Director

a. Correspondence & Inquiries

i. The Board reviewed an email dated February 17, 2016, from Mr. Eric M. Shapiro, President & Founder of HyperHeal Hyperbarics, Inc., requesting an opportunity to address the Board and bring attention to a specialized field of medicine in the hopes of gaining licensure Board recognition via the Board of Occupational Therapy. The Board considered the request and agreed that Mr. Shapiro could address the Board. Mr. Eric Shapiro, EMT, CHT, LDS, DMT,

gave a presentation to The Board. Mr. Shapiro provided the Board with materials on this training. The Board had a question and answer discussion and learned that there are only two individuals in the State of Maryland who have completed this specific training. As a possible model for Mr. Shapiro to follow, Ms. Ashman referenced other groups which have sought Maryland licensure in the recent past: Naturopaths, Kinesiology and the Athletics Trainers. Ms. Adams concluded the discussion by informing Mr. Shapiro that the Board would review the information but could not guarantee the outcome.

ii. The Board reviewed an email inquiry dated February 14, 2016, questioning whether any changes have been made to the definition of “occupational therapy procedures” since the last amendment in 2008. The Board directed Ms. Ashman to provide a response indicating that the definition is still current.

iii. The Board reviewed an email inquiry dated 2/18/16 on Dry Needling – The Board directed Ms. Ashman to prepare a response stating the Board intends to develop regulations specific to dry needling in the near future, but until then, Maryland occupational therapists are not authorized to utilize dry needling.

b. Legislative Audit - Ms. Ashman reported that the legislative audit is still ongoing and will remain on the agenda until the audit is complete.

c. Information Technology Audit - Ms. Ashman reported that the Information Technology audit will conclude on February 29, 2016 and that Ms. Lane, Deputy Director, will attend the “Exit Meeting.” Ms. Ashman also reported that Ms. Lane, Deputy Director, is working on the Board’s website redevelopment as required by DHMH. The primary reason for redeveloping the website is to accommodate use on mobile devices. Ms. Ashman further indicated stated that during this process, many of the links on the current site are not working. In the interim, the staff is redirecting users until the problems are fixed.

d. 2016 Renewals – Ms. Ashman shared a copy of the Biennial Implementation Procedures that the office has developed. She stated that the on-line renewal site will be operational from 5/2/16 through 6/30/16.

e. L2000 database migration – Ms. Ashman reported that she and Ms. Lane, Deputy Director, attended their first meeting with System Automation to review the plan to migrate the Board’s database to the new platform, MyLicense. She stated that they are in the planning phase now and implementation would not begin until after 6/30/16 when the 2016 renewal project is complete.

f. Board investigator position - Ms. Ashman shared that she and Ms. Hughes, Board Vice \* Chairperson have identified an investigative and security company that will begin providing investigative services to the Board. She stated that she will keep the Board apprised of their progress with this arrangement.

## UNFINISHED BUSINESS

1. There was no unfinished business for discussion by the Board.

## NEW BUSINESS

1. License Ratification – Wanda R. Banks, MA, OTR/L, Ms. Banks reported that the applicants for licensure will be presented to the Board for ratification after 2 applicants are reviewed in the Executive Session and the General Session is reopened for a final vote.
2. Nominations Committee – Ms. Adams, Board Chairperson, requested volunteers to serve on a Nominations Committee. The Committee will be charged with: a. reviewing the Bylaws; b. reviewing Robert's Rules; and, c. outlining a nominating process. Ms. Adams announced that her term ends June 30, 2016 and therefore, a new Chairperson, and possibly other officers as well, need to be elected. Ms. Adams motioned that the full Board create a proposal of how they will establish the process for this committee. Ms. Banks seconded the motion. The Board voted unanimously in favor.

## ANNOUNCEMENTS

1. Ms. Ashman reminded Board members to file their Financial Disclosure Forms with the Ethics Commission by April 30, 2016.
2. Ms. Ashman stated that she and all Board members received an invitation to attend the AOTA Annual Conference in Chicago this April and that the registration costs would be waived. Ms. Ashman gave a background on the process for Board members to request out-of-state travel on behalf of the Board. The Department generally approves out-of-state travel for one Board administrator and one Board member per fiscal year.
3. Ms. Ashman reported that she and Ms. Adams, Board Chairperson have been invited to attend the NBCOT Leadership Forum in New Orleans, 5/11/16-5/13/16. The expenses for participation will be paid by NBCOT

## ADJOURNMENT

Pursuant to the Maryland Government Article, Section 10-508(a)(13), Annotated Code of Maryland, Ms. Adams closed the General Session meeting at 10:50 a.m.

Ms. Adams reopened the General session meeting at 11:50 a.m.

1. License Ratification – Wanda R. Banks, MA, OTR/L

Ms. Banks motioned to ratify the 19 applications for licensure during the period of January 15 - February 19, 2016 and to accept the reinstatement reviewed in the closed session. Ms. Brown seconded. The Board voted unanimously in favor.

Ms. Hughes motioned to ratify the application for licensure reviewed in the closed session. Ms. Banks seconded the motion. The Board voted unanimously in favor.

Derkina, Dace	OCCUPATIONAL THERAPIST	
Ndoping, Manekeu	OCCUPATIONAL THERAPIST	
Barrett, Hannah S	OCCUPATIONAL THERAPIST	
Cimiluca, Nicole A.	OCCUPATIONAL THERAPIST	
Jett, Emily A.	OCCUPATIONAL THERAPIST	
Ruiz, Amy E.	OCCUPATIONAL THERAPIST	
Reamer, Megan	OCCUPATIONAL THERAPIST	
Wineholt, Jacqueline C	OCCUPATIONAL THERAPIST	
<b>Pre reviewed OTs</b>		<b>8</b>
<b>Pre reviewed OT reinstatements</b>		<b>0</b>
Wolters, Kayla M.	OCCUPATIONAL THERAPY ASSISTANT	
Walker, Lisa M.	OCCUPATIONAL THERAPY ASSISTANT	
Allen, Stephen	OCCUPATIONAL THERAPY ASSISTANT	
Pennell, Tracy L	OCCUPATIONAL THERAPY ASSISTANT	
Stawasz, Jessica L	OCCUPATIONAL THERAPY ASSISTANT	
Rouse, Kirsti M.	OCCUPATIONAL THERAPY ASSISTANT	
Angleberger, Melissa	OCCUPATIONAL THERAPY ASSISTANT	
Nyamari, Dennis	OCCUPATIONAL THERAPY ASSISTANT	
<b>Pre reviewed OTAs</b>		<b>8</b>
Maxwell, Danielle		
<b>Pre reviewed reinstated OTAs</b>		<b>1</b>
<b>Grand Total Pre reviewed licensees</b>		<b>17</b>

**Applicants awaiting CCR review:**

<b>Total applicants with reviewed CCR</b>	<b>0</b>

**Applicants awaiting Board review:**

Appiagyei, Persis	OCCUPATIONAL THERAPIST - Reinstatement
DeMarchi, Justin	OCCUPATIONAL THERAPIST
<b>Total applicants Board reviewed</b>	<b>2</b>

**TOTAL NUMBER OF LICENSES RATIFIED:**

<b>OCCUPATIONAL THERAPISTS</b>	<b>10</b>
<b>OCCUPATIONAL THERAPY ASSISTANTS</b>	<b>9</b>
<b>GRAND TOTAL</b>	<b>19</b>

Pursuant to the Maryland Government Article, Section 10-508(a)(13), Annotated Code of Maryland, Ms. Adams adjourned the General Session meeting at 11:53 a.m.