

Friday, April 21, 2017

The Maryland Board of Occupational Therapy Practice

Chairperson: Vanessa Hughes, COTA/L

55 Wade Ave., Bland Bryant Bldg., 4th Floor

Catonsville, MD 21228

Time: 8:30 a.m.

GENERAL SESSION MINUTES

BOARD MEMBERS PRESENT

Vanessa Hughes, COTA/L, Chairperson
Wanda R. Banks, MA, OTR/L, Vice Chairperson
Kimberly Goodman, MS, OTR/L, Secretary/Treasurer
Daniel Martin, OTR/L, FAAPM, FASSET, CMTPT/CDN
Marylin Pierre, Esquire, Consumer Member

BOARD MEMBERS ABSENT

A.Cassandra Brown, Consumer Member
Kim Sands, OTD, OTR/L

NON-BOARD MEMBERS PRESENT

Donna Ashman, Executive Director
Anthony DeFranco, Board Counsel
Lauren Murray, Assistant Director

GUESTS PRESENT

Kristen Neville, Boards and Commission Legislative Specialist
Sarah Quirk, MOTA
Rachael Faulkner, Policy Partners

8:30 a.m. Committee Work

- 9:08 a.m.
1. Ms. Hughes called the meeting to order.
 2. Ms. Hughes asked for approval or correction of the General Session Agenda – April 21, 2017.
 - Ms. Goodman made a motion to approve. Mr. Martin seconded it. All were in favor.
 3. Ms. Hughes asked for approval or correction of the General Session Minutes – March 17, 2017.

- Mr. Martin made a motion to approve. Ms. Banks seconded it. All were in favor.
4. Ms. Banks presented the license applications from the February Executive Session. There are 29 licenses.
- Ms. Banks made a motion to approve the ratification of the licenses. Ms. Pierre seconded it. All were in favor.

REPORTS

1. Office of Attorney General (OAG) – Anthony DeFranco, Board Counsel
 - Mr. DeFranco had nothing to report

2. Administrative Reports – FY’17
Staff: Donna Ashman
 - a. 2017 License Renewal Update
 - i. Ms. Ashman reported that the Board staff has started preparing for 2017 renewals for odd-year licensees. Bulletin and postcards have been sent out.
 - ii. The bulletin about the Facebook page will be out soon, and all new bulletins will be posted to Facebook.
 - b. Online Licensure and Mobile Phone App Update
 - Ms. Ashman is in the process of requesting the Department to approve a modification of the existing contract with System Automation.
 - c. Records Retention and Disposal Schedule Update
 - i. Ms. Ashman emailed Brandon Wright, now that the Legislative session is over, and requested assistance with a revision to the Board’s Retention Schedule to enable the Board to destroy paper records that have been stored electronically.
 - ii. Ms. Ashman reached out to the Audiology Board, but their Board could not help with the retention issue. Mr. DeFranco stated that Audiology is at the same stage with retention as the OT Board. He suggested that another option for furthering the retention schedule is to have all of the Board Executives agree to a new schedule.

3. Legislation/Regulations Committee –
Kim Sands, OTD, OTR/L,
Marylin Pierre, Esquire, Consumer Member
Staff: Lauren Murray, Donna Ashman
 - a. Ms. Hughes said MOTA hosted a webinar of the Legislative wrap-up.
 - Ms. Quirk, MOTA, will ask the webinar organizers to share the PowerPoint from the webinar with Ms. Murray.
 - b. Ms. Murray provided a list of outcomes of the bills provided by Ms. Neville.
 - i. Ms. Neville confirmed that the bills are in a proper order.

- ii. She highlighted the NC Dental Bill. She said that she will be in the conversation with the Office of Administrative Hearings when they begin working out the details to implement the bill.
- c. COMAR 10.46.01-07 Revisions
 - i. Ms. Ashman highlighted that the term “Criminal Records Check” will be changed to “Criminal History Records Check” throughout the document, as recommended by Ms. Neville.
 - ii. Ms. Murray and Ms. Ashman explained the proposed changes, which included the adding language relative to the Criminal History Records Check, online licensure and the mobile verification application.
 - iii. 10.46.01
 - 1. It was suggested by Ms. Quirk (a guest) that the word “evaluation” be added in 10b, under the definition for “Evaluation.” The Board agreed.
 - 2. Ms. Hughes asked if the definition for “Limited Occupational Therapy” should define with whom the OTA would be collaborating. The order of the definition and the addition of adding “occupational therapist” was changed.
 - 3. Ms. Murray asked if the word “reevaluation” should be added to 23b.
 - 4. Ms. Hughes suggested removing the word “other” from 30a and 31a. Ms. Pierre emphasized the importance of the word, so it was kept.
 - 5. Ms. Neville suggested not using the words “penalty fee” for the Address Change, but Mr. DeFranco suggested just taking out the word “penalty.”
 - 6. Ms. Ashman asked inquired about charging a fee for Name Change. Ms. Hughes suggested that perhaps another time would be better. Ms. Pierre said that it could be gender bias, and Ms. Ashman agreed.
 - 7. The Board agreed to change the words “phone app” to “mobile application software.”
 - 8. Ms. Hughes asked for a motion to approve the regulation proposal with edits. Ms. Goodman made a motion. Ms. Banks seconded it. All in favor.
 - iv. 10.46.04
 - Ms. Hughes asked for a motion to approve the regulation proposal. Mr. Martin made a motion. Ms. Banks seconded it. All in favor.
 - v. 10.46.05
 - Ms. Hughes asked for a motion to approve the regulation proposal with edits. Ms. Goodman made a motion. Mr. Martin seconded it. All in favor.

- vi. Mr. DeFranco asked if the Board was including the Sanctioning Guidelines Worksheet in this proposal. Ms. Neville will ask if these could be included with the same changes for other Boards. Otherwise, the Board will include the deletion of the Sanctioning Guidelines Worksheet in the current regulations changes.
 - Ms. Hughes asked for a motion to approve the deletion of Sanctioning Guidelines Worksheet. Ms. Banks made a motion. Ms. Goodman seconded it. All in favor.

4. Continuing Education Committee –

Kimberly Goodman, MS, OTR, Kim Sands, OTD, OTR/L, Staff: Denise Goetz

- Ms. Goodman had nothing to report.

5. Executive Committee –

Vanessa Hughes, COTA/L, Chairperson

Wanda Banks, MA, OTR/L, Vice Chairperson

Kimberly Goodman, MS, OTR/L, Secretary/Treasurer

Staff: Donna Ashman

a. Correspondence & Inquiries for Board review

- i. 3/31/17—An email asking about dismissing a student from school-based OT services
 - 1. Ms. Banks said that it is up to the school system.
 - 2. Ms. Hughes said that the Board has no position, as the decision should be based on the policies of the facility.
- ii. 4/1/17—An email regarding Pressotherapy.
 - 1. Mr. Martin explained that Pressotherapy includes the use of a segmented body suit that acts as a mechanical pressure garment assisting the body in processing fluid. Mr. Martin stated that while the use of the assistive device is within the scope of practice, those who use Pressotherapy should seek additional training in lymphedema management to ensure that use is within the licensee's demonstrated competency level.
 - 2. Ms. Ashman and Ms. Murray will draft a reply to the email and Mr. Martin will review the email before it is sent out.
- iii. 4/18/17—An email asking about filling out others' clarification orders and billing to CMS.
 - 1. After Board discussion, Ms. Hughes summarized that the first question is not very clear, but that if an OT signs off on another's order, then they are taking responsibility. She

suggests that Ms. Murray reach out to the writer of the email to obtain contact information in order for Ms. Goodman to discuss the matter and obtain clarification.

- iv. Mr. Martin stated that he was invited to offer a seminar for MOTA. Mr. Martin inquired about a potential conflict of interest in that he serves on the Board and the course would be approved by the Board for Continuing Competency contact hours.
 - 2. Ms. Hughes stated that she did not believe ~~it~~ that there would be a conflict since Mr. Martin does not serve on Competency Requirement (CCR) Committee.
 - 3. Mr. DeFranco suggested that Mr. Martin pose the question to the State Ethics Committee.
 - 4. Ms. Ashman suggested that in the future, the name of the host requesting review of the Continuing Competency Course could be redacted by the Board staff prior to submission to the Board's CCR committee for review.
 - 5. All Board members agreed that Mr. Martin's presentation will be permitted to be submitted to the CCR committee for consideration.

6. Jurisprudence Exam Committee –
Wanda Banks, MA, OTR/L
Marylin Pierre, Esquire, Consumer Member
Staff: Lauren Murray, Donna Ashman

- a. Status Report for Online Licensure
 - The Committee is still revising this version, and it will be updated in accordance with the new regulations.
- b. The Board has the option to add the JP exam to online renewals.
 - i. This exam could be questions based on changes to regulations, amongst other topics. Ms. Goodman inferred that this would need to be constantly updated. Ms. Ashman and Ms. Hughes agreed that adding these changes might be too complicated.
 - ii. This may be revisited at a later date.

UNFINISHED BUSINESS

- 1. Report from AOTA Convention (Ms. Goodman)
 - a. Ms. Goodman provided handouts from the Licensure and Portability Meeting. This meeting defined the interstate compacts and what the ad-hoc committee with AOTA had examined. There was someone at the meeting who was

speaking to the physician and nursing compact. AOTA is in agreement with moving forward with compacts.

- i. Ms. Hughes asked if they addressed disciplinary actions, but Ms. Goodman said that disciplinary actions are determined by the licensee's state in which they practice.
 - ii. Ms. Pierre asked if the compact is different than reciprocity. Ms. Goodman explained that the states in the compact would only need the license in one state.
 - iii. Ms. Ashman asked if this is still a proposal, and Ms. Goodman said that this is just a workgroup so far.
 - iv. There is a fee for the state to be a part of the compact.
 - b. Ms. Goodman went to two telehealth seminars.
 - i. The biggest conversations were about ethics.
 - ii. They also talked about how the relationship between OT and patient may be affected.
 - iii. There were also concerns regarding technology and maintaining privacy.
 - c. Ms. Goodman went to a case management seminar, and shared that roles overlap between being an OT and a case manager.
 - d. She attended a seminar about Neuroplasticity and Sexuality within the role of an Occupational Therapist.
 - e. 13,000 people attended the conference, and it was the highest attended AOTA conference ever.
 - f. The opening ceremonies included a video on the history of Occupational Therapy.
 - g. Ms. Hughes asked that there be a folder added to Dropbox for the AOTA conference, and Ms. Murray will include all of Ms. Goodman's information
 - h. The 2018 AOTA conference will be held in Utah.
2. June Board Meeting Planning at Howard County Loan Closet (Ms. Hughes)
- a. Ms. Hughes believes that this would not be a good time to do this at the Loan Closet.
 - b. The Board will do something special for the meeting in June, and Ms. Hughes will speak with the Board Office to plan.

NEW BUSINESS

1. Board Officer Nominations (Ms. Brown)
 - i. Ms. Ashman said that the Board will present a slate of nominations at the May meeting, and they will vote in the June Meeting.
 - ii. If anyone wants to opt out of the nominations, they should email Ms. Ashman. She will send out an email with the officer options.
2. Board Member List (1979-Present)

- Ms. Ashman emailed ~~out~~ this list to the Board.
3. New Consumer Member Appointed
 - Ed Quinn is the Board's new Consumer Member who will start 7/1/17.
 4. New Neighbors
 - Behavioral Health is moving into the offices at the end of the hall. Ms. Ashman will discuss what will meet with their representatives to discuss the potential impact on the OT Board office.

ANNOUNCEMENTS

1. Maryland State Ethics Commission (SEC)--Financial Disclosure Filing deadline 4/30/17.
2. Ms. Neville added that the Department will be changing its name as of July 1 to the Maryland Department of Health.

ADJOURNMENT—11:06 a.m.