

Friday, August 18, 2017

The Maryland Board of Occupational Therapy Practice

Chairperson: Wanda R. Banks, MA, OTR/L

**55 Wade Ave., Bland Bryant Bldg., 4th Floor
Catonsville, MD 21228**

Time: 8:30 a.m.

GENERAL SESSION MINUTES

Board Members Present

Wanda R. Banks, MA, OTR/L, Chairperson

Kim Sands, OTD, OTR/L

Daniel Martin, OTR/L, FAAPM, FASSET, CMTPT/CDN, Vice Chairperson

Marilyn Pierre, Esquire, Consumer Member

Ed Quinn, Captain USN (Ret), Consumer Member

Board Members Absent

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

Non-Board Members Present

Donna Seidel, Director

Grant Gerber, Acting Board Counsel

Guests Present

Rachael Faulkner, MOTA

Kate Eglseder, MOTA

Sam Talisman, AOTA

Chrissy Vogeley, AOTA

Kristen Neville, MDH

- 9:07 a.m.
1. Ms. Banks called the meeting to order at 9:05 am.
 2. Ms. Banks welcomed Mr. Ed Quinn who has been appointed to serve on the Board as a Consumer member.
 3. Approval or correction of the General Session Agenda – August 18, 2017.
Ms. Pierre made a motion to approve the agenda. Mr. Martin seconded it. All were in favor.
 4. Approval or correction of the General Session Minutes – June 16, 2017.
Mr. Martin made a motion to approve the minutes. Ms. Sands seconded it. All were in favor.
 5. Ratify 108 license applications presented during the prior month's Executive Session. Ms. Banks license applications from the previous month's executive session

for ratification. Ms. Sands made a motion to approve and Mr. Martin seconded it. All were in favor.

REPORTS

1. Office of Attorney General (OAG) – Grant Gerber, Acting Board Counsel
 - Mr. Gerber provided an update on the regulations being drafted by the Office of Administrative Hearings for the purpose of implementing Chapter 614 of the Laws of Maryland (Secretaries of Principal Departments – Supervision and Review of Decisions and Actions by Units Within Departments). He also reported on recommendations for immunity for Board members relative to Board decisions with anti-trust implications. Mr. Gerber stated that another meeting is planned for October 16, 2017.
 - Ms. Seidel provided background on the NC Dental Board matter that preceded the above referenced regulations. Ms. Banks then invited Mr. Quinn to introduce himself followed by Board member and staff introductions.

2. Administrative Reports – FY’17
 - Staff: Donna Seidel
 - a. 2017 License Renewal Update
 - Ms. Seidel reported that 94% of the licensee eligible to renew actually renewed and that 84% of the licensees who renewed maintain current NBCOT certification. These records will be verified by NBCOT and the State continuing competency requirements will be waived. A portion of the remaining 16% that is not NBCOT certified will be audited by the Board.
 - b. Online Licensure and Mobile Phone App Update
 - Ms. Seidel reported that the request for funding of this project has been approved and that a meeting with the vendor has been scheduled to develop the project schedule.
 - c. Records Retention and Disposal Schedule Update
 - Ms. Seidel reported that the updated Records Retention and Disposal Schedule is still in the office Walter Zerlaut for review.
 - d. Ms. Seidel reported that a new “Board of Occupational Therapy” sign is planned for the outside of the building and throughout the campus.
 - e. Ms. Seidel stated that she is seeking proposals for construction of a wall to enclose the OT Board meeting area.

3. Legislation/Regulations Committee –
 - Kim Sands, OTD, OTR/L,
 - Marylin Pierre, Esquire, Consumer Member
 - Staff: Donna Seidel
 - a. COMAR 10.46.01-07. Ms. Seidel reported that several comments had been received relative to the proposal and that she had provided responses. Subsequently, a Notice of Final Action will be published.
 - b. 2018 Occupational Therapy Statutory Revisions – Departmental Proposal. Ms. Ashman reported that Legislative and Regulatory Proposal has been reviewed by the Office of Governmental Affairs (OGA) and several edits

were suggested. While most of the suggestions were non-substantive, Ms. Neville suggested that one matter be referred to the Executive Session for discussion.

c. COMAR 10.09.17.01--04 and .06 Physical Therapy Services (Medical Care Programs). The Board had discussion relative to the statement of purpose for this regulatory proposal which indicated that occupational therapy services are currently prescribed by nurse practitioners and physician assistants. The Board was uncertain as to whether this was correct and directed Ms. Seidel to comment on the regulatory proposal prior to the deadline of 8/20/17.

4. Continuing Education Committee –

Kim Sands, OTD, OTR/L, Staff: Denise Goetz

- Ms. Sands inquired whether the committee will participate in the audit of continuing competency requirements and Ms. Seidel confirmed that that would be the case.

5. Executive Committee –

Wanda Banks, MA, OTR/L, Chairperson

Daniel Martin, OTR/L, FAAPM, FASSET, CMTPT/CDN, Vice Chairperson

Staff: Donna Seidel

- a. There was no correspondence for Board review
- b. There was discussion about Board member availability for document review during the interim between Board meetings. The Board agreed that a text message with a due date for a response should be issued when it is necessary to alert members between Board meetings.

6. Jurisprudence Exam Committee –

Wanda Banks, MA, OTR/L, Chairperson

Marylin Pierre, Esquire, Consumer Member

Staff: Donna Seidel

- Ms. Seidel reported that the automation of the Jurisprudence Exam will require that the format of the questions be such that all answers will be yes or no. Ms. Seidel also noted that questions related to the new regulatory amendments should be added.

UNFINISHED BUSINESS

1. The Board reviewed an analysis of the Board's use of a private investigative company and decided to continue using the services.

NEW BUSINESS

1. No New Business.

ANNOUNCEMENTS

ADJOURNMENT

The meeting was adjourned at 11:10 a.m.