

Friday, October 18, 2019

The Maryland Board of Occupational Therapy Practice

Chairperson: Wanda Banks, MA, OTR/L

Spring Grove Hospital Center, Tuerk Building, 2nd Floor

GENERAL SESSION MINUTES

9:00—GENERAL SESSION -- OPEN MEETING

In Attendance

Members of the Board

Chairperson..... Wanda Banks
Vice Chairperson..... Dan Martin
OT Member..... Rae Ann Smith
Consumer Member..... E.J. Quinn
Consumer Member..... Marilyn Pierre

Staff

Deputy Director..... Jo-Ann Lane
Board Counsel..... Carla Boyd

Guests

None

Absent

OTA Member..... Sarah Quirk
Executive Director..... Lauren Murray

1. Ms. Banks called the meeting to order at 9:10 am.
2. Ms. Banks asked for approval of the October General Session Agenda. Mr. Martin made a motion to approve the agenda. Ms. Pierre seconded the motion. All were in favor.
3. Ms. Banks asked for approval of the September General Session Minutes. Ms. Smith made a motion to approve the minutes. Mr. Quinn seconded. All were in favor.
4. Ms. Banks asked for approval of ratification of 24 occupational therapists and 18 occupational therapy assistants presented at the September Executive Session. Mr. Martin made a motion to approve the ratification. Ms. Smith seconded it. All were in favor.

REPORTS

1. Administrative Reports – FY'20

Staff: Jo-Ann Lane (representing Lauren Murray)

a. Fingerprinting Update

In Ms. Murray's absence, Denise Goetz has been recording the results of the criminal history background checks from the September group into our database. Approximately 70 individuals from the first group have not completed their fingerprint requirement. A hold will be placed on their database record until they complete the background check.

b. Temporary Employee Update

A replacement has been identified and began with the Board in the middle of October.

2. Legislation/Regulations Committee –

Sarah Quirk, COTA/L

Marylin Pierre, Esquire, Consumer Member

Staff: Lauren Murray

a. Nothing to report with session in recess.

b. Dry Needling Regulation Development: Daniel Martin, OTR/L, FAAPM, FASSET, CMTPT/CDN, Sarah Quirk, COTA/L

- i. Mr. Martin presented at the MOTA Conference. He reported that the audience seemed receptive. He would like to follow in the Physical Therapy board's footsteps and develop an OT Task Force to start a dialogue concerning dry needling.

3. Continuing Education Committee –

Kimberly Goodman, MS, OTR/L

Kim Sands, OTD, OTR/L

Sarah Quirk, COTA/L

Staff: Denise Goetz

Ms. Lane reported that the Board staff has received the results from NBCOT verifying certification of the 2019 renewal candidates. This will be discussed further in the Executive Session.

4. Secretary's Report

Nothing to report.

5. Executive Committee--

Wanda Banks, MA, OTR/L

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

Kimberly Goodman, MS, OTR/L

Staff: Jo-Ann Lane (for Lauren Murray)

1. Correspondence

- a. MDH Constituent Inquiry from September 26, 2019: A constituent inquired whether nutrition was within the scope of occupational therapy practice.
 - i. Ms. Boyd stated that The Annotated Code of Maryland, Title 10, defines occupational therapy principles to include health promotion strategies and practices that enhance performance abilities. (§10-101 (o) (5)). This would include nutrition.
 - ii. Ms. Lane will email the constituent.
- b. Inquiry from October 8, 2019 regarding an occupational therapist from Virginia evaluating a student in Maryland. Per §10-401 (a) Practicing occupational therapy of the Statute, "Except as otherwise provided in this title, a person may not practice, attempt to practice, or offer to practice occupational therapy in this State unless licensed to practice occupational therapy by the Board." Therefore, the Virginian therapist cannot evaluate the student in Maryland unless they hold an active Maryland occupational therapy license.
- c. Inquiry from October 16, 2019 regarding frequency of re-evaluations. The individual wanted to know how long an OTR can go between evaluation and re-evaluation. Ms. Boyd said this was not in the Board's purview but insurance carriers or facilities may have rules.

UNFINISHED BUSINESS

1. Office of Legislative Audit – Ms. Lane explained that a preliminary meeting was held between the auditors and the Boards and Commissions. They will be looking into all boards, with an emphasis on the Board of Physicians, Board of Nursing, Office of Healthcare Quality and the Maryland Medical Cannabis Commission. They are beginning with fiduciary responsibilities.

NEW BUSINESS

1. Open Meetings Act

Ms. Boyd shared a flowchart with the Board members illustrating which items are considered subject to the Open Meetings Act. It is the Attorney General's opinion that emailing a quorum of the Board is considered a meeting if actual material. This is open to the public and subject to notice, an agenda and minutes. Discussions occurring within committees do not fall within the Open Meetings Act. The flowchart will provide guidance to the Board members. Ms. Lane will upload the document to the SOP folder on dropbox for the Board's members.

2. Report from MOTA Conference.

Mr. Martin reported that the guest speaker at the MOTA Conference spoke about the Patient Drive Payment Module (PDPM) changes that are taking place beginning

October 1st in skilled nursing facilities. This affects the frequency and duration of patient visits. Ms. Boyd said that the statute states practitioners have an ethic duty to provide quality care to their patients. If questions arise from licensees, the Board will address them on a case by case basis.

ANNOUNCEMENTS

1. Future meeting – The November meeting will take place at the Board Office on the 15th. Ms. Pierre announced that she will be absent.

The meeting was adjourned at 9:42 a.m.