

**NORTH CAROLINA BOARD OF OCCUPATIONAL THERAPY
July 20, 2015
MINUTES**

REGULAR SESSION

Time and Place

The North Carolina Board of Occupational Therapy met in Regular Session in the offices of the Board July 20, 2015 at 9:00 a.m.

Members Present

Bill Walsh, Melanee Mills, Dr. Stephen Lang, Ron Taylor and Denise Donica.

Others Present

Charles P. Wilkins, Legal Counsel to the Board and Elizabeth Kirk, Board Administrator.

Members Absent

Lynn Losada

Chairperson

Mr. Walsh, Chair, called the meeting to order at 9:20 a.m.

Conflict of Interest

Mr. Walsh called for any conflicts of interest with the meeting agenda. There were no conflicts or potential conflicts.

Approval of Minutes

The May 18, 2015 minutes were approved as submitted.

To-Do List

The May 18, 2015 to-list was approved as submitted and reviewed.

Approval of Treasurer's Report

The treasurer's report for July 1, 2014 through June 30, 2015 was discussed and approved as submitted.

2015-2016 Budget

The 2015-2016 Budget was discussed and approved as submitted.

Administrator's Report

The administrator's report was reviewed and approved as submitted. The Board discussed the updates to the online renewal system, specifically uploading the documentation for each CCA added, and the effect the new system had on licensees renewing online versus by mail. The Board discussed allowing various document types and agreed to only allow a "PDF" version of the CCA.

Legal Services Committee

Ms. Donica reported the Committee reviewed a bill from Broughton Wilkins Sugg & Thompson, PLLC for the months of May and June 2015 for twelve (12) disciplinary proceedings and was of the opinion the bill was in order. The Board authorized the bill to be paid.

OLD BUSINESS

The Board reviewed correspondence and general information received following the last Board meeting.

Strategic Planning Retreat

The Board held a retreat on June 6-8, 2014 at the Rizzo Conference Center in Chapel Hill, NC. The Board reviewed the retreat to-do list developed by Board staff and agreed to continue working on the to-do list.

NC Legislature

Mr. Wilkins reported on proposed laws pending in the North Carolina General Assembly that may affect professional licensing boards. Mr. Wilkins informed the Board Senate Bill 469 may be included in the budget bill addressing changes to occupational licensing board reporting requirements.

Board member training in 2015 with Dale Atkinson

The Board reviewed an email from Dale Atkinson's office with a draft agenda for a one-day seminar for the members. The Board reviewed the content areas that Mr. Atkinson presents at other Board member training sessions. The Board discussed what it would like presented at its training session in

November 2015. The Board agreed to cancel the one-day seminar with Mr. Atkinson. Mr. Wilkins will contact the NBCOT regarding its participation in a future seminar. The Board agreed to keep its date in November open pending a report on programs offered by NBCOT and availability.

Online Progress/Online applications/paperless feasibility

Ms. Kirk informed the Board IT services has met with Board staff to implement an online application. The Board agreed to review a draft online application at the September Board meeting and make suggestions/changes, if needed.

FARB Regulatory Law Seminar/Forum

Board members were advised the FARB Regulatory Law Seminar is meeting in Denver, CO on October 1-4, 2015.

NCOTA Annual Conference

Board members were advised the NCOTA Annual Conference is meeting in Raleigh, NC on October 17-18, 2015. The Board agreed to present and attend. Mr. Taylor will lead the presentation currently scheduled for 8:30 a.m. on October 17, 2015. The Board is also currently scheduled to offer a one-hour ethics training session at 4:40 p.m. on October 17, 2015. The Board will discuss the details of the ethics training at its September 2015 meeting. Ms. Donica agreed to produce a draft ethics presentation for consideration in September.

AOTA Annual Conference

Board members were advised the AOTA Annual Conference is meeting in Chicago, IL on April 7-10, 2016.

CLEAR Annual Conference

Board members were advised the CLEAR Annual Conference is meeting in Boston, MA on September 17-19, 2015. Ms. Mills agreed to attend.

CAC Annual Meetings

Board members were advised the CAC Annual Meetings is in Washington, DC on November 12-13, 2015. Ms. Mills agreed to attend.

Email from Nadine Gardner and Ann Spock – treating patients with chronic respiratory conditions

The Board reviewed and agreed to a second response to a February 25, 2015 email from Nadine Gardner and Ann Spock regarding treating patients with chronic respiratory conditions.

NEW BUSINESS

The Board reviewed correspondence and general information received following the last Board meeting as set forth in the agenda.

2016 Board meeting dates

The Board discussed and approved 2016 Board meeting dates.

Election of Board Officers

Mr. Wilkins informed Mr. Taylor of the process to advise the Governor of his willingness to be appointed to the Board for a second term.

Elections were held. Board members were nominated and elected as follows: Mr. Walsh was elected Chair, Mr. Taylor was elected Vice Chair and Ms. Donica was elected Secretary/Treasurer.

NBCOT

a. Provider's Request for Pre-Approval of CCA

The Board reviewed NBCOT's request for pre-approval of its continuing competence activity. The Board agreed to review the CCA in more detail before responding.

b. Email launching NBCOT Navigator

The Board reviewed an email dated February 3, 2015 launching the NBCOT Navigator.

c. NBCOT's Review of NBCOT Navigator Tools

The Board reviewed an email dated June 30, 2015 providing a review of the NBCOT navigator tools.

d. Regulatory Update – FTC Guidance on Supervision

The Board reviewed an email dated June 22, 2015 providing a regulatory update on the FTC to issue guidance for states on supervision needed for state action immunity.

2015 ACOTE Accreditation Actions

The Board reviewed the April 2015 ACOTE accreditation actions.

2015 AOTA State OT Licensure Counts

The Board reviewed the 2015 OT and OTA licensure totals for June 2015.

Email from Laura Johnson, PT - Scope of Practice

The Board reviewed a July 8, 2015 email from Laura Johnson, PT regarding the following four OT scope of practice questions:

1. Are Occupational Therapists allowed to treat Low Back Pain and Neck Pain in North Carolina? If so, to what extent?
2. Are OTs allowed to perform Manual Therapy on the back and neck such as Myofascial Release, Joint Mobilizations, Joint Manipulations?
3. Are OTs allowed to evaluate patients for the need for walkers, canes, rollators, crutches, and wheelchairs?
4. Are OTs allowed to train and educate patients on how to use walkers, canes, crutches, rollators, and wheelchairs?

The Board agreed with the following responses to the questions:

With regard to questions 1 & 2, in general, neither the North Carolina Practice Act nor the Rules of the Board define specific areas of the body that OTs can or can't treat. OTs are often trained in the modalities you list and may provide occupational therapy interventions so long as the OT practitioner is trained and competent in the modality and/or technique and the OT practitioner's competence has been demonstrated and documented. Of course, it is also understood that the OT practitioner must be able to justify the necessity of the modality/technique in terms of improving occupational performance.

With regard to questions 3 & 4, reference is made to ACOTE Standard B.5.12 that states:

1. OT practitioners "Provide recommendations and training in techniques to enhance functional mobility, including physical transfers, wheelchair management, and mobility devices."
2. OTA practitioners "Provide training in techniques to enhance functional mobility, including physical transfers, wheelchair management, and mobility devices."

Mr. Wilkins will respond to Ms. Johnson's email.

Closed Session

Upon motion duly made, seconded and passed, and pursuant to NCGS 143-318.11(a)(1) and (6) as well as NCGS 143-318.18(6), the Board went into Closed Session at 2:50 p.m.

Closed Session Report

Mr. Wilkins reported the Board was advised in Closed Session that one complaint was finalized with a Consent Order and one complaint was dismissed. He is currently investigating three new complaints.

Adjournment

The Open Session adjourned at 3:05 p.m.

Next Meeting

The next Regular Session meeting will be held at the office of the Board on September 21, 2015 at 9:00 a.m.

Bill Walsh, Chair

Denise Donica, Secretary/Treasurer