

NORTH CAROLINA BOARD OF OCCUPATIONAL THERAPY
November 14, 2016
MINUTES

REGULAR SESSION

Time and Place

The North Carolina Board of Occupational Therapy met in Regular Session in the offices of the Board November 14, 2016 at 9:00 a.m.

Members Present

Bill Walsh, Melanee Mills, Dr. Stephen Lang, Lynn Losada, Ron Taylor, Danielle Seale and Denise Donica.

Others Present

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

Members Absent

None

Chairperson

Mr. Walsh, Chair, called the meeting to order at 9:10 a.m.

Danielle Seale

Mr. Walsh welcomed Ms. Seale and she was sworn in as a new member of the Board.

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 September 12, 2016 minutes were approved as submitted.

To-Do List

The September 12, 2016 to do-list was approved as submitted and reviewed.

Approval of Treasurer's Report

The treasurer's report for September 1, 2016 through October 31, 2016 was discussed and approved as submitted.

2015-16 Financial Audit

The 2015-16 Financial Audit was discussed and approved as submitted.

Administrator's Report

The administrator's report was reviewed and approved as submitted.

Legal Services Committee

Ms. Donica reported the Committee reviewed a bill from Broughton Wilkins Sugg & Thompson, PLLC for the months of July and August for ten (10) disciplinary proceedings and for the months of September and October for two (2) disciplinary proceedings. Upon motion made and seconded, the bills were approved for payment.

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.

Online Progress/paperless feasibility

Board staff informed the Board that the scanning process is almost complete for the current licensure files and the files in storage will be the next project.

NCOTA Annual Conference

Board members were advised the NCOTA Annual Conference met in Greensboro, NC on November 4-6, 2016. Mr. Walsh, Ms. Donica and Ms. Losada attended and reported on the conference. The Board reviewed questions regarding close supervision that were discussed at the conference and agreed to continue discussion on this topic at a future Board meeting or strategic planning conference.

CLEAR Annual Conference

Board members were advised the CLEAR Annual Conference met in Portland, OR on September 15-17, 2016. Ms. Mills and Mr. Wilkins attended and reported on the conference. Board members were advised the CLEAR Winter Symposium is meeting in St. Petersburg, Florida on January 11, 2017, the CLEAR Annual Educational Conference is meeting in Denver, Colorado on September 13-16, 2017 and the CLEAR 2017 International Congress is meeting in Melbourne, Australia on November 16-17, 2017.

NEW BUSINESS

NBCOT OT Regulator E-Newsletter October 2016

The Board reviewed the October 2016 NBCOT E-Newsletter contained in an email dated November 3, 2016.

AOTA Annual Conference

Board members were advised the AOTA Annual Conference is meeting in Philadelphia, PA on March 30-April 2, 2017. Mr. Walsh and Ms. Donica agreed to attend. Board members also reviewed new and revised documents developed by AOTA in a letter dated October 25, 2016.

Review CCA Pre-Approval Request Form

The Board reviewed the CCA Pre-Approval Request form and agreed to discuss this topic at the January Board meeting.

John Hurtado hearing

The Board conducted a hearing on whether Mr. Hurtado had violated the Practice Act or Rules of the Board specifically NCGS 90-270.76(a)(2), (a)(4), (a)(5), (a)(7) and (a)(9) and Rule .0304(a)(5), (a)(8), (a)(12), (a)(21), Rule .0304(b) and Rule .0308 by failing to properly document time spent providing services as well as providing improper, inappropriate and

incompetent services. Mr. Hurtado appeared with counsel and testified.

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 8:00 p.m.

Closed Session Report

Mr. Wilkins reported the Board was advised in Closed Session that one case was closed. Mr. Wilkins is currently investigating one pending complaint.

John Hurtado

The Board reported it had reviewed the evidence presented in Mr. Hurtado's hearing. The evidence presented showed Mr. Hurtado had violated the Practice Act or Rules of the Board by failing to provide proper and appropriate occupational therapy services to one or more of his patients and inappropriately providing occupational therapy services to non-patients. The Board entered an Order that: (1) placed Mr. Hurtado's license to practice occupational therapy on probation for one year; (2) required that he obtain close supervision by an OT approved by the Board (3) required payment of a civil penalty of \$1000; and (4) required payment of disciplinary costs of \$1000.

Adjournment

The Open Session adjourned at 9:40 p.m.

Next Meeting

The next Regular Session meeting will be held at the office of the Board on January 16, 2017 at 9:00 a.m.

Bill Walsh, Chair

Denise Donica, Secretary/Treasurer