

**NORTH CAROLINA BOARD OF OCCUPATIONAL THERAPY
MAY 16, 2022
MINUTES**

REGULAR SESSION

Time and Place

The North Carolina Board of Occupational Therapy met in Regular Session via Webex conference call on May 16, 2022 at 9:00 a.m.

Members Present

Laura Echols, Nicole Blackwell, Erica Dolan, Leonard Trujillo, Dr. Kevin Coates, Danielle Ward and Young Kim.

Others Present

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

Members Absent

None.

Chairperson

Ms. Echols, Chair, called the meeting to order at 9:00 a.m.

Conflict of Interest

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

Approval of Minutes

The March 21, 2022 minutes were approved as amended.

Approval of Treasurer's Report

The treasurer's report for March 1, 2022 through April 30, 2022 was discussed and approved as submitted.

Administrator's Report

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

Legal Services Committee

Ms. Blackwell reported the Committee reviewed a bill from Broughton Wilkins Sugg & Thompson, PLLC for the months of March and April 2022 for sixteen (16) disciplinary proceedings. The total hours worked was 13.30 and the total fees are \$3,325. The Board closed four disciplinary files following the March 2022 Board meeting and currently has seventeen (17) disciplinary files pending. Upon motion made and seconded, the bill was 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 14-16, 2019 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 bills pending in the North Carolina General Assembly.

CLEAR

a. 2022 Virtual Symposium

Board members were advised the 2022 Virtual Symposium is meeting in June 2022. Ms. Ward and Ms. Kirk agreed to attend.

b. 2022 Annual Meeting

Board members were advised the 2022 Annual Meeting is meeting in Louisville, Kentucky on September 14-17, 2022. Ms. Blackwell agreed to attend.

c. 2023 International Congress

Board members were advised the 2023 International Congress is meeting in Dublin, Ireland in the summer of 2023.

d. 2022-2023 Membership

Upon motion made, seconded and passed, the Board agreed to renew

their 2022-2023 CLEAR membership.

AOTA

a. 2022 Conference

Board members were advised the 2022 annual conference met virtually and in-person in San Antonio, Texas, March 31, 2022 through April 3, 2022. Mr. Kim and Mr. Trujillo reported on the conference.

b. OT Practice Pulse

Board members reviewed an email dated March 24, 2022 regarding news and updates from AOTA.

c. OT News for You

Board members reviewed an email dated April 21, 2022 regarding news from AOTA.

d. April 2022 ACOTE Actions

Board members reviewed an email dated May 3, 2022 regarding the April 2022 ACOTE Actions.

e. State Regulatory Forum Webinar

Board members were advised the State Regulatory Forum is meeting virtually on May 25, 2022. Ms. Echols, Mr. Kim and Ms. Kirk agreed to attend.

f. Update on Dry Needling

Board members reviewed an email dated May 11, 2022 regarding an update on dry needling.

NCOTA 2022 Spring Conference

Board members were advised the NCOTA 2022 Spring Conference met virtually and in-person in Winston-Salem, North Carolina on April 9, 2022. Board members were also advised the NCOTA 2022 Fall Conference is meeting in Raleigh, North Carolina the first weekend in November. The Board agreed to present a course on ethics/Board updates.

NBCOT

a. 2022 State Regulatory Leadership Forum

Board members reviewed an email dated May 10, 2022 regarding 2022 State Regulatory Leadership Forum.

b. New Tool Focused on Self-Reflection and Growth

Board members reviewed an email dated March 22, 2022 regarding a new tool focused on self-reflection and growth.

FARB

a. 2022-2024 Forums

Board members were advised of the various FARB forums from 2022 through 2024.

b. 2022-2023 Membership

Upon motion made, seconded and passed, the Board agreed to renew their 2022-2023 FARB membership.

OT Compact Delegate

Board members reviewed an email dated March 29, 2022 regarding delegate nominations from all compact member states. Upon motion made, seconded and passed, the Board agreed for Ms. Ward to serve as the delegate.

Response to Mary Kerstein regarding prism adaptation therapy

Board members reviewed an email dated March 22, 2022 from Mr. Wilkins to Mary Kerstein regarding prism adaptation therapy.

Response to Joshua Smith regarding EMGs/NCS

Board members reviewed an email dated March 22, 2022 from Mr. Wilkins to Joshua Smith regarding EMGs/NCS.

Response to and additional questions from Morgan McCall regarding "fingersticks"

Board members reviewed emails to and from Mr. Wilkins regarding "finger sticks".

The Board reviewed whether "completing PT/INR and Glucometer readings" is within the scope of practice of Occupational Therapy in North Carolina. The Board also considered whether "finger sticks" to draw blood or the Vena puncture procedure are within the scope of practice of Occupational Therapy in North Carolina. The Board agreed neither "finger sticks" to draw blood nor a Vena puncture procedure is within the scope of practice of Occupational Therapy in North Carolina.

The Board agreed an OT practitioner may collect information and report information that may be derived from PT/INR and Glucometer testing but

the OT practitioner cannot administer the test or interpret the test readings. The OT practitioner may, through OT interventions, train the patient to perform the tests themselves.

If an OT practitioner is directed by their employer to perform “finger sticks” as a job duty that is not related to the patient’s daily routine or OT plan of care, this may be performed by the OT practitioner but this procedure is not considered OT services and may not be billed as OT.

NEW BUSINESS

Email from Heather Kiziah regarding manual lymphatic drainage and fibrosis massage

The Board reviewed an email dated February 27, 2022 regarding manual lymphatic drainage and fibrosis massage and agreed it is acceptable for her to open her own practice and market her skills in these services so long as she is trained and competent and such training and competence is demonstrated and documented.

Email from J. Zope regarding patients with specific religious beliefs

The Board reviewed an email dated May 12, 2022 regarding patients and their religious rights, including their choice to refuse blood transfusions, and agreed this is a medical issue and the OT practitioner must follow the facility’s medical guidelines.

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 10:35 a.m.

Return to Open Session

The Board returned to Open Session at 12:00 p.m.

Closed Session Report

Disciplinary Matters

Mr. Wilkins reported the Board was advised in Closed Session that four disciplinary investigations resulted in dismissals of the complaints; one Letter of Admonishment was issued, one Consent Order was approved and one

investigation was closed. twelve cases are currently being investigated.

Contract with Broughton, Wilkins, Sugg & Thompson, PLLC

The Board reported the proposed contract with Broughton, Wilkins, Sugg & Thompson, PLLC was approved for fiscal years 2022-2026. The Board members expressed their appreciation and recognition for the outstanding guidance and service provided by Ms. Kirk and Mr. Wilkins.

Adjournment

The Open Session adjourned at 12:00 p.m.

Next Meeting

The next Regular Session meeting will be held at the office of the Board on July 18, 2022 at 9:00 a.m.

Laura Echols, Chair

Nicole Blackwell, Secretary/Treasurer