

**NORTH CAROLINA BOARD OF OCCUPATIONAL THERAPY  
May 14, 2018  
MINUTES**

**REGULAR SESSION**

**Time and Place**

The North Carolina Board of Occupational Therapy met in Regular Session in the offices of the Board May 14, 2018 at 9:00 a.m.

**Members Present**

Denise Donica, Ron Taylor, Bill Walsh, Dr. Stephen Lang, Lynn Losada, Danielle Ward and Laura Echols.

**Others Present**

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

**Members Absent**

None

**Chairperson**

Ms. Donica, Chair, called the meeting to order at 9:10 a.m.

**Conflict of Interest**

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

**Approval of Minutes**

The March 19, 2018 minutes were approved.

**To-Do List**

The March 19, 2018 to do-list was approved as submitted and reviewed.

**Approval of Treasurer's Report**

The treasurer's report for March 1, 2018 through April 30, 2018 was

discussed and approved as submitted.

### **Administrator's Report**

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

### **Legal Services Committee**

Mr. Walsh reported the Committee reviewed a bill from Broughton Wilkins Sugg & Thompson, PLLC for the months of March and April 2018 for seven (7) disciplinary proceedings. The total hours worked was 13.5 and the total fees are \$3,375. The Board closed 2 disciplinary files following the March 2018 Board meeting and currently has 4 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 July 28-30, 2017 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 bills pending in the North Carolina General Assembly.

### **CLEAR Annual Conference**

Board members were advised the 2018 Annual Meeting is meeting in Philadelphia, Pennsylvania on September 26-29, 2018. Ms. Losada agreed to attend. Upon motion made, seconded and passed, the Board agreed to renew the 2018-19 membership with CLEAR.

### **AOTA Annual Conference**

Board members were advised the AOTA Annual Conference met in Salt Lake City, Utah on April 19-22, 2018. Ms. Donica and Mr. Walsh attended and reported on the conference.

### **NBCOT State Regulatory Leadership Forum**

Board members were advised the 2018 State Regulatory Leadership Forum met in Atlanta, Georgia on April 6-7, 2018. Ms. Donica and Ms. Kirk attended and reported on the conference.

### **CAC Annual meeting**

Board members were advised the CAC Annual meeting is in Washington, DC on October 16-17, 2018. Ms. Ward agreed to attend.

### **NCOTA Fall Conference**

Board members were advised the NCOTA fall conference is at Lake Junaluska, North Carolina on November 9-11, 2018.

### **Response to Janet Combs regarding OT concerns**

Board members reviewed an email dated April 11, 2018 from Mr. Wilkins to Janet Combs regarding OT concerns at a facility where she is employed as the rehab director.

### **Response to Anne-Marie Zippay regarding dry needling**

Board members reviewed an email dated April 12, 2018 from Mr. Wilkins to Anne-Marie Zippay regarding dry needling.

### **Review written comments for Rule Changes - .0103, .0803, .0903, .0905**

The Board reviewed written comments on the changes to the rules regarding supervision and the pre-approval of continuing competence activities. Based upon its review of the comments, the Board made several amendments to the proposed rules. Upon motion made, seconded and passed, the Board approved the amendments to the rules and agreed to continue with the rules review process with a projected effective date of July 1, 2018.

## **NEW BUSINESS**

### **Email from OT regarding protocol when change of medical status**

The Board reviewed an email dated March 8, 2018 from an OT regarding proper protocol when the Director of Rehab and the OTA supervised by the OT treat one of the OT's patients, who had a change of medical status and new diagnosis, without advising or consulting the OT or checking with the OT about any contraindications for treatment. The treatment was solely to

meet a frequency day. The OT spoke with the DOR and OTA and asked that they check with her first, if there is a change in medical status of one of her patients. The OT asked what further she can do to protect her license. Upon motion made, seconded and passed, the Board agreed Mr. Wilkins will respond advising the OT she was correct in speaking with the OTA and DOR directly about her concerns. She shall also be advised to document the issue and actions in her supervision log.

### **Email from an OTA regarding screening process**

The Board reviewed an email dated May 9, 2018 from an OTA regarding a new screening process at her facility that asks that the OTA utilize a standardized test as part of a screen prior to receiving physician orders or a written POC. Upon motion made, seconded and passed, the Board agreed Mr. Wilkins will respond advising the OTA that doctor orders are not required to begin OT intervention or OT screens and she is allowed to perform the standardized test as part of the OT screen to build caseload prior to receiving a physician order or OT evaluation.

### **Email from an OTA regarding OT consultation**

The Board reviewed an email dated April 13, 2018 from an OT regarding OT participation in the primary service provider model in early intervention. Upon motion made, seconded and passed, the Board agreed Mr. Wilkins will respond advising the OT that OTs may participate in the primary service provider model in early intervention in collaboration with other disciplines without jeopardizing their OT license.

### **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 4:00 p.m.

### **Return to Open Session**

The Board returned to Open Session at 4:15 p.m.

### **Closed Session Report**

Mr. Wilkins reported the Board was advised in Closed Session that one case was resolved by an Order and four cases are currently being investigated.

### **Adjournment**

The Open Session adjourned at 4:15 p.m.

**Next Meeting**

The next Regular Session meeting will be held at the office of the Board on July 9, 2018 at 9:00 a.m.

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Denise Donica, Chair

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Danielle Ward, Secretary/Treasurer