

**CALIFORNIA BOARD OF OCCUPATIONAL THERAPY**

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State of California  
Department of Consumer Affairs  
Arnold Schwarzenegger, Governor



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**CALIFORNIA BOARD OF OCCUPATIONAL THERAPY  
BOARD MEETING MINUTES  
March 1, 2007  
San Diego, California**

**Board Members Present**

Luella Grangaard, President  
Christine Wietlisbach  
Mary Evert  
Nancy Michel  
Bobbi Jean Tanberg

**Board Members Absent**

Margaret Cunningham

**Staff Present**

Laura Freedman, Legal Counsel  
Heather Martin, Executive Officer  
April Freeman, Associate Analyst

**A. Call to Order, Roll Call, Establishment of a Quorum**

President Luella Grangaard called the meeting to order at 10:01 a.m. Ms. Grangaard swore in Bobbi Jean Tanberg. Secretary Mary Evert called the roll. A quorum of the Board was present.

**B. President's Remarks**

Ms. Grangaard did not make any statements.

**C. Introduction of New Board Member**

Ms. Grangaard introduced Bobbi Jean Tanberg as the Board's new occupational therapy assistant member. She stated that it has been two years since the Board has had an occupational therapy assistant representative on the Board and is happy to have Ms. Tanberg as a member.

**D. Approval of the November 30, 2006, Board meeting minutes**

The Board reviewed the minutes of the November 30, 2006, Board meeting and made typographical corrections.

- ❖ **Mary Evert moved to approve the November 30, 2006, minutes as corrected.**
- ❖ **Christine Wietlisbach seconded the motion.**
- ❖ **The motion carried unanimously.**

**E. Discussion and Consideration of draft 2007 Strategic Plan**

Mary Evert stated that the Strategic Planning Committee met in Ontario. The Committee tried to develop a concept of what the plan would look like when completed

and then worked backwards from there. The Committee reviewed the last plan and decided that some sections could be consolidated to have less redundancy and be clearer.

Ms. Evert stated that the Strategic Plan is in a continual monitoring stage and will be revised on a routine basis. The vision and mission statements will remain the same. The Committee reviewed the core values in the last plan and tried to consolidate into broader categories and assigned each a letter. The core values are not in priority order; they are random.

Ms. Evert went on to state that the Committee's goal at this meeting is to introduce the Board to the style of the new plan and request feedback from members. Comments from members will be considered when the Committee meets again.

Ms. Evert reviewed the core values, strategic goals, and strategic objectives, which she pointed out should relate back to the core values. Ms. Evert stated that the strategic goals will change less frequently than the objectives. The objectives are the portion the Board will work with each year; the goals will be reviewed each year but usually do not change for several years.

Ms. Martin advised members that they could fax their comments to the Board office.

## **F. Practice Committee Report**

Janet Jabri, Practice Committee Chairperson, stated that the Practice Committee meeting held on March 1, 2007 did not have a quorum, although they did have a good discussion as a "committee" of the Committee.

- The committee discussed ethical issues raised by fieldwork students and how those issues are handled by fieldwork coordinators. The committee believes that the Board should provide additional information to students and coordinators concerning their options for resolving these situations. They suggested that the information be added to the Board's frequently asked questions.
- The committee reviewed the joint statement regarding the OT versus PT scope of practice and how referrals are handled, especially mixed referrals. The draft statement has been approved by the PT Board and will be provided to the OT Board for approval at a future meeting. The committee suggested minor changes.
- The committee discussed re-entry requirements for OTs who have not practiced in the last five years. They discussed NBCOT requirements. They suggested 40 hours of continuing education in the area of OT, to specifically include scope of practice, framework and ethics. This issue will be put before the Board for approval at a future meeting.
- The committee discussed advanced practice course providers. The committee is awaiting final application revisions from staff.
- The committee discussed development of expert witness criteria. Ms. Martin will do further research and bring back to the Practice Committee.

Ms. Grangaard discussed attendance by Practice Committee members. She will send an email concerning continued interest, meeting scheduling, and absenteeism. She asked that Committee members who are not able to attend a meeting notify office staff so that the meeting can be cancelled if there is not a quorum. She will also be asking a practitioner from the Board to volunteer to join the Practice Committee.

Ms. Evert asked that the Practice Committee discuss mental health treatment for returning veterans. She recommended having a representative from the Veterans Administration speak to members.

#### **G. Review and Adoption of Proposed Regulations to Amend Title 16, Division 39, California Code of Regulation Section 4123 – Limited Permit**

Ms. Martin explained that the proposed regulatory language has been approved by the Board and that no comments were received from the public.

- ❖ Nancy Michel moved to adopt the proposed language to amend Title 16, Division 39, California Code of Regulations, Section 4123 – Limited Permit.
- ❖ Mary Evert seconded the motion.
- ❖ Motion passed unanimously.

#### **H. Review and Adoption of Proposed Regulations to Amend Title 16, Division 39, California Code of Regulations, Section 4141 - Assessment of Administrative Fines**

Ms. Martin explained that the proposed regulatory language has been approved by the Board and that no comments were received from the public.

- ❖ Mary Evert moved to adopt the proposed language to amend Title 16, Division 39, California Code of Regulations, Section 4141 – Assessment of Administrative Fines with the corrections.
- ❖ Christine Wietlisbach seconded the motion.
- ❖ Motion passed unanimously.

#### **I. Review and Adoption of Proposed Regulations to Amend Title 16, California Code of Regulations Section 4152.1 – Use of Topical Medications**

Ms. Martin explained that the proposed language previously adopted by the Board was rejected by the Office of Administrative Law. The language did not meet the clarity or consistency standards. The Board reviewed the modified language which has more information concerning the protocols and a list of medications.

- ❖ Mary Evert moved to adopt the modified language noticed on April 6, 2007, for the regulatory amendments to Title 16, Division 39, California Code of Regulations, Section 4152.1, and to delegate authority to the Executive Officer to make any technical, non-substantive changes.
- ❖ Nancy Michel seconded the motion.
- ❖ The motion carried unanimously.

- ❖ Mary Evert moved to amend the motions to adopt the modified language for the regulatory amendments to Title 16, Division 39, California Code of Regulations, Section 4123 and 4141, to delegate authority to the Executive Officer to make any technical, non-substantive changes.
- ❖ Nancy Michel seconded the motion.
- ❖ The motion carried unanimously.

## **J. Executive Officer's Report**

Ms. Grangaard advised members that the Board has been short staffed for quite some time. A work assessment was performed in which four additional positions were justified, however, only two positions were approved. Ms. Martin added that remaining staff have been stepping up to assist with the duties of the two vacancies.

Ms. Grangaard further stated that the license renewal fee reduction required extensive computer reprogramming that took longer than expected and encountered problems. The office staff had to cashier approximately 1,700 renewals in the months of January and February. Ms. Grangaard stated that she appreciated Ms. Martin's efforts.

### **1. Budget Report**

Ms. Martin stated that the revenue is strong and explained that the numbers in the Board packet are based on the old fees. She will have a better idea of the revenue at the next meeting when the fee reduction is reflected.

Ms. Martin discussed expenditures. She explained that some areas were overspent and some areas were under spent, but only the bottom line counts. She indicated that a bound copy of the laws and regulations will be sent to all licensees. The cost is approximately \$35,000. The Board is also purchasing a new copy machine. Two new positions will be effective July 1, 2007 and will include funding for salary, computers, cubicles, etc. Ms. Martin stated that the Board's enforcement costs are adequate.

Ms. Martin discussed the Board's impending office move. The Department of Consumer Affairs is now agreeable to the Board moving to a larger space in the current complex or another building on Evergreen in spring of 2008. The Board has been given special funding for the move.

### **2. Update on Internal Audit**

Ms. Martin stated that the audit follow-up was due in December. She stated that there was confusion regarding the procedure for the audit follow-up. She was under the impression that the Department would visit the Board for a follow-up and then the Board would respond. She did not find out until later that the Board was supposed to initiate the contact the Department and provide follow-up information.

### **3. 2007 Board Action Plan**

Ms. Martin stated that the Action Plan will be brought to the May meeting.

### **4. Personnel Updates**

Ms. Martin did not have any personnel updates.

### **5. Other Informational Items.**

Ms. Martin stated that the Senate Business and Professions Committee is carrying legislation to strike the term “certificate” from the Occupational Therapy Practice Act. The only verb used will be “approved.” Credentials for occupational therapy assistants will include COTA/L, license COTA, etc.

Ms. Martin explained the flight change policy for Southwest Airlines. When flights are booked through the state’s portal, SWAbiz.com, travelers can no longer reschedule their flight to an earlier flight. They can, however, reschedule their flight to the next available flight within two hours.

Ms. Martin discussed the Board’s recent educational outreach. She visited UCLA in January and provided an inservice to OTs. She also observed OT practice at Eisenhower Medical Center in ICU and orthopedics. She stated she learned a lot. Mary Evert suggested she visit a school district in the Sacramento area.

### **K. Enforcement Data for the period of October 1, 2006 – December 31, 2006**

Ms. Martin provided enforcement statistics to the Board for the period October 1, 2006 through December 31, 2006. She stated that the citation and fine volume has not been great because the Enforcement Analyst has been working on other tasks.

Ms. Martin stated that information on probations is posted on the Board’s website. Consumers can also call the Board to obtain copies of public documents. She stated that some Boards post PDF documents online, or publish “Hotsheets” with disciplinary information.

### **L. Proposed Agenda for May 24, 2007**

- OT/PT Joint Statement regarding Scope of Practice
- Approval of Strategic Plan

### **M. Future Agenda Items**

Ms. Wietlisbach requested that the Board discuss ACOTE Standards. Ms. Evert suggested an ad hoc committee be established to review ACOTE Standards. Ms. Grangaard offered to put together information and distribute to members via email.

## **N. Public Comment Session**

Gigi Smith appreciated the legislative update. She will add the information to her website.

Steve Hartzell thanked the Board and advised members that the public can obtain information on specific bills through [www.leginfo.ca.gov](http://www.leginfo.ca.gov).

## **O. Closed Session pursuant to Government Code Section 11126(c)(3) to Deliberate on Disciplinary Decisions**

## **P. Return to Open Session**

The Board returned to open session at 11:55 a.m.

## **Q. Adjournment**

The meeting adjourned at 11:55 a.m.