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**CALIFORNIA BOARD OF OCCUPATIONAL THERAPY
PRACTICE COMMITTEE MEETING MINUTES
July 25, 2007
Sacramento, California**

Committee Members Present

Deborah Bolding, Chairperson
Christine Wietlisbach
Pamela Roberts
Roberta Murphy
Barbara Rodrigues

Committee Members Absent

Mary Kay Gallagher
Judith Palladino

Staff Present

Heather Martin, Executive Officer
Norine Marks, Staff Counsel
April Freeman, Associate Analyst

A. Call to order, roll call, establishment of a quorum

The meeting was called to order at 3:10 pm. The roll was called and a quorum was established.

B. Approval of the August 16, 2006, Committee meeting minutes

The Committee reviewed the draft minutes of the August 16, 2006, meeting. Deborah Bolding stated that the minutes should reflect that she was present at the meeting.

- Roberta Murphy moved to approve the minutes of the August 16, 2006, Practice Committee meeting as amended.
- Pamela Roberts seconded the motion.
- Motion passed unanimously.

C. Approval of the January 18, 2007, Committee meeting minutes

The Committee reviewed the draft minutes of the January 18, 2007, meeting.

- Pamela Roberts moved to approve the minutes of the January 18, 2007, Practice Committee meeting.
- Roberta Murphy seconded the motion.
- Motion passed unanimously.

D. Approval of the May 24, 2007, Committee meeting minutes

The Committee reviewed the draft minutes of the May 24, 2007, meeting. Pamela Roberts and Barbara Rodrigues pointed out spelling errors in their names.

- Barbara Rodrigues moved to approve the minutes of the May 24, 2007, Practice Committee meeting as amended.
- Roberta Murphy seconded the motion.
- Motion passed unanimously.

E. Discussion and review of Frequently Asked Questions (FAQs) regarding supervision to be provided to schools, fieldwork coordinators, fieldwork sites, and interns and posted on the Board's website.

The Committee reviewed and discussed the draft questions. Deborah Bolding questioned if the title should be modified to reflect which audience that the questions are written for.

- Deborah Bolding moved to revise the FAQs to reflect in the title that these are FAQs for OTAs and to establish FAQs for fieldwork students and coordinators, limited permit holders, and OT students.
- Barbara Rodrigues seconded the motion.
- Discussion: Barbara Rodrigues states that more categories of questions would be better. Pamela Roberts stated that a disclaimer about referencing medical laws should be included. Heather Martin agreed and requested that legal staff develop language that advises readers that the FAQs are only referring to the OT Practice Act.
- Motion passed unanimously.

The Committee discussed the meaning of the term "weekly review" in question two. Roberta Murphy explained that the "meeting" for the review could take many different forms. The Committee recommended that paragraph four from the preamble be added to the end of the answer for question two concerning how often services provided by the OTA must be reviewed by the supervising OT.

The Committee also pointed out two typos.

- Deborah Bolding moved to have staff make the recommended modifications and bring back to the Committee in addition to the FAQs for the additional categories.
- Pamela Roberts seconded the motion.
- Motion passed unanimously.

F. Review and discussion of *Application to Provide Advanced Practice Post-Professional Education* and application review process.

The Committee reviewed the application and suggested revising the instructions to clarify the length of time necessary for review and approval.

The Committee discussed options for providing applicants a better understanding of what is expected of the statement of learning. A recommendation was made that applicants be referred to information concerning adult learning.

G. Review and discussion of proposed regulatory language to amend Title 16, Division 39, California Code of Regulations, Section 4161 – Continuing Competency

Ms. Martin stated that proposed revisions to Section 4161(b)(5) might not be appropriate because ACOTE is modifying the fieldwork requirements to be calculated on a weekly basis versus hourly.

The Committee pointed out that fieldwork supervisors do not always supervise the entire length of the student's fieldwork. Supervisors may share students and there is not always a primary supervisor. Due to these circumstances, members recommended modifying the language so that credit can be earned for supervising only a portion of a student's fieldwork. Ms. Rodrigues recommended giving .5 PDUs for every sixty (60) hours of supervision.

The Committee discussed how a fieldwork supervisor would document the amount of time they supervised the student. Ms. Roberts recommended that the supervisor must be one of the supervisors signing the official fieldwork evaluation form.

The Committee approved of the modifications to subsection (b)(9).

Ms. Martin requested feedback concerning OTs/OTAs earning PDUs for attending outreach events given by Board staff concerning licensing and other regulatory requirements. The Committee agreed that it would be a good incentive for practitioners to attend such meetings. This topic will be placed on the next Committee agenda.

H. Review and discussion of proposed regulatory language to amend Title 16, Division 39, California Code of Regulations, Section 4181 – Supervision Parameters

The Committee reviewed and approved of the proposed language in Section 4181(e).

The Committee also discussed modifying subsection (a)(2) regarding documentation of the supervision process because the current language is not clear. Christine Wietlisbach clarified that the supervising OT must be involved in the patient's care; not just performing the evaluation and letting the OTA perform all of the treatments. The language in subsection (a)(2) is meant to require that the supervising OT either (1) treat the patient themselves and document the treatment, or (2) provide a co-signature of the OTA's treatment. The Committee discussed language that would clarify the requirement.

- Deborah Bolding moved modify language in Title 16, Division 39, California Code of Regulations, Section 4181(a)(2) to read: Verification of the supervision process shall include either documentation of direct client care by the supervising occupational therapist, or co-signature of the occupational therapy assistant's documentation.
- Roberta Murphy seconded the motion.
- Motion passed unanimously.

I. Discussion and development of Expert Witness Program

The Committee reviewed the draft language for the Board's website page linking to the Expert Reviewer Application. The Committee recommended that the language clarify that the Expert Reviewer would be reimbursed for travel expenses.

Ms. Martin discussed the possibility of having the Department of Consumer Affairs' Office of Examination Resources (OER) analyze the application and provide a system of weighting the applications in order to select the most qualified candidates. The Committee requested that staff obtain additional information from OER concerning the process and time frame.

The Committee recommended adding a question to the application which would require the applicant to describe their public speaking and/or teaching experience in the past three years.

The Committee recommended adding an area on the application where applicants could list additional specialty certifications such as CHT, AOTA, etc.

J. Discussion and review of OTs being eligible for a credential issued by the California Commission on Teacher Credentialing

Ms. Martin advised the Committee an email was received requesting that the Board assist in introducing a bill to make occupational therapists eligible to apply for a Health Services Credential.

Cherylin Lew spoke as a member of the public and explained that occupational therapists are currently considered "classified" workers, similar to custodians and food services workers. Because they are not considered "credentialed," they cannot hold positions of leadership in the school district. She stated that legislation needs to be proposed in order to allow occupational therapists to be eligible for a credential.

The Committee discussed the topic and noted that it is an important issue, but ultimately did not feel that the Practice Committee was an appropriate avenue for addressing the problem. They believe that the issue would be better address by the Occupational Therapy Association of California (OTAC) or the American Occupational Therapy Association (AOTA).

K. Discussion regarding an Occupational Therapy Assistant performing a Functional Capacity Evaluation (FCE)

Due to time constraints, this item was tabled for the next Committee meeting.

L. Discussion of future Practice Committee meeting dates and times

Ms. Martin advised the Committee that the next Board meeting is currently schedule for September 18, 2007, however, will probably be changed because of staff conflicts. She requested feedback from members as to whether they still prefer to meet the afternoon before the Board meeting. The Committee agreed that meeting the day before the Board meeting would be fine.

M. Future agenda items

No additional future agenda items were discussed.

N. Public comment session

Kim Morgan expressed her opposition to the Board's proposed regulatory amendment to Title 16, Division 39, California Code of Regulations, Sections 4154 and 4155 – Advanced Practice.

Jeff Steckler recommended that applicants for the Expert Reviewer Program attend an interview and complete an essay question.

Linda DeMeo expressed her opposition to the Board's proposed regulatory amendment to Title 16, Division 39, California Code of Regulations, Sections 4154 and 4155 – Advanced Practice.

O. Adjournment.

The meeting adjourned at 6:00 p.m.