

AGENDA ITEM 4

APPROVAL OF THE AMENDED NOVEMBER 7, 2013, BOARD MEETING MINUTES.

The amended minutes are attached for review.



CALIFORNIA BOARD OF OCCUPATIONAL THERAPY TELECONFERENCE BOARD MEETING MINUTES

Thursday, November 7, 2013

Board Member(s) Present

Linda Florey
Kathay Lovell
Nancy Michel
Denise Miller
Sharon Pavlovich

Board Staff Present

Heather Martin, Executive Officer
Norine Marks, Legal Counsel
Kyle Muteff, Legal Counsel
Jeff Hanson, Office Manager
Jody Quesada, Office Technician

9:00 a.m. – Board Meeting

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

President Nancy Michel called the meeting to order at 9:00 am. Secretary Linda Florey called roll; a quorum was established.

2. President's remarks (N. Michel)

President Nancy Michel welcomed Sharon Pavlovich to the Board. Ms. Michel also thanked Nicholas van den Heever, Program Director for the OT Program at West Coast University, for allowing the Board to meet at their beautiful new campus and welcomed the students to the meeting.

Administrative Hearing

9:00 KELLEY, Anjali- Petition for Reinstatement of Revoked License

The hearing began at 9:10 and concluded 9:35 am.

The Board entered into CLOSED SESSION upon conclusion of the administrative hearing.

The Board resumed OPEN SESSION at 10:40.

Ms. Lovell joined the meeting via teleconference and Secretary, Linda Florey called roll; a quorum was maintained.

3. Board member updates/activities.

Secretary, Linda Florey stated that she attended the Occupational Therapy Association of California (OTAC) conference which was well attended and offered informative educational sessions.

Denise Miller stated that she attended the OTAC conference as well. She congratulated her colleagues who received awards at the conference. Ms. Miller shared that she was humbled to be named the 2014 recipient of the Lindy Boggs Award for Advocacy.

Kathay Lovell stated that along with Linda Florey and Heather Martin she worked on edits to the Administrative Manual and had the final results to present later in the meeting.

4. Approval of the September 16, 2013, Board meeting minutes.

- ❖ Linda Florey moved to approve the September 16, 2013, Board meeting minutes with a correction to page 8 that exchanged the word 'Statute' in paragraph five (5) to 'Business and Professions Code Section'.
- ❖ Denise Miller seconded the motion.

No Public Comment

Roll Call Vote

Kathay Lovell	Aye
Nancy Michel	Aye
Denise Miller	Aye
Sharon Pavlovich	Aye
Linda Florey	Aye

The motion was adopted.

5. Approval of the revised April 25, 2013, Board meeting minutes.

- ❖ Nancy Michel moved to approve the revised April 25, 2013, Board meeting minutes.
- ❖ Linda Florey seconded the motion.

No Public Comment

Roll Call Vote

Kathay Lovell	Aye
Nancy Michel	Aye
Denise Miller	Aye
Sharon Pavlovich	Aye
Linda Florey	Aye

The motion was adopted.

6. Discussion and consideration of establishing policy regarding disclosure of administrative citations. (H. Martin)

Executive Officer, Heather Martin stated that part of the recommendation to the Board made by the Sunset Review Committee was to consider posting administrative citations. Ms. Martin explained that CBOT's current method is to provide this information when requested by the public. Ms. Martin reviewed the handouts provided in the meeting materials which outlined the various ways other boards and bureaus have displayed administrative citations and asked for feedback from the Board members as to how they wish to address administrative citations moving forward.

Legal Counsel, Norine Marks suggested that the Board members make their ultimate decision keeping in mind that CBOT will be transitioning to the BreZE system and that they allow Executive Officer, Heather Martin to use her discretion while implementing the Board's suggestions due to Information Technology (IT) restrictions.

- ❖ Denise Miller moved to have Web License Look-Up (WLL) reflect all disciplinary action and citations.
- ❖ Kathay Lovell seconded the motion.

Public Comment

A member of the public who identified herself as an owner of a clinic, stated that it would be very helpful to have access to this information and she was in support of the motion.

Roll Call Vote

Kathay Lovell	Aye
Nancy Michel	Aye
Denise Miller	Aye
Sharon Pavlovich	Aye
Linda Florey	Aye

The motion was adopted.

Executive Officer, Heather Martin stated that at the next Board meeting, she would provide information outlining how expansive or limited the information displayed will be, due to IT restrictions.

Ms. Martin asked the Board for direction as to how far back the Board wished to go in terms of posting previously issued citations.

Denise Miller asked for a staff recommendation.

Ms. Martin suggested the beginning posting date January 1, 2013, as well as the citations that are never purged. The Board members agreed.

7. Discussion and consideration of proposed edits to revise the Board's Administrative Manual. (H. Martin)

Denise Miller clarified that the section titled Secretary on page twelve (12), the word 'President' should be replaced with 'Secretary'.

Vice President, Kathay Lovell stated that the committee reviewed the questions and clarifications posed by legal counsel, adjustments were made and the newest version displayed more continuity.

Legal Counsel, Norine Marks stated that she would provide Executive Officer, Heather Martin with government code and business and professions code sections that apply.

- ❖ Nancy Michel moved to accept the Board's Administrative Manual and allow Executive Officer, Heather Martin to make non substantive change.
- ❖ Linda Florey seconded the motion.

No Public Comment

Roll Call Vote

Kathay Lovell	Aye
Nancy Michel	Aye
Denise Miller	Aye
Sharon Pavlovich	Aye
Linda Florey	Aye

The motion was adopted.

8. Report on Pending Regulations: Title 16, Division 39, CCR Section 4128, Retired Status; CCR Section 4130, Fees; Section 4170, Ethical Standards of Practice; Section 4172, Standards of Practice for Telehealth; and Section 4101, Delegation of Certain Functions, Section 4146.5, Effective Dates of Decisions, Section 4147, Disciplinary Guidelines, and Section 4147.5. Uniform Standards Related to Substance Abuse. (H. Martin)

Heather Martin reviewed the current rule making files and detailed the process and versions of California Code of Regulations (CCR), Section 4170 and its current position of fourth modified text.

Legal Counsel, Norine Marks further explained that the changes in the fourth modified text were grammatical and arose from the Director of the Department of Consumers Affairs concern that some of the language was not clear.

Public Comment

Member of the public audience, Diane Gale expressed concern regarding section (b)(2), which outlines the six (6) month prohibition and how it could affect instructor/student relationships. Ms. Gale also questioned why section (h) was removed.

Legal Counsel, Norine Marks addressed the removal of section (h) by stating that the reference to the Code of Ethics document would have been difficult to enforce based on the way it was written, so the Board decided to include more specific policies that could be regulated and enforced.

Executive Officer, Heather Martin addressed the six month prohibition concern in reference to the instructor/student relationship by paraphrasing the remainder of the presented language of section (h) that referred to improper activities as those that interfere with professional judgment and objectivity. Ms. Martin stated that a proper instructor/student relationship would not interfere with said instructor's professional judgment and objectivity.

- ❖ Denise Miller moved to approve the language of the fourth modified text and delegate the Executive Officer to make any technical, non substantive changes barring any negative comment from the public.
- ❖ Nancy Michel seconded the motion.

No Public Comment

Roll Call Vote

Kathay Lovell	Aye
Nancy Michel	Aye
Denise Miller	Aye
Sharon Pavlovich	Aye
Linda Florey	Aye

The motion was adopted.

- ❖ Nancy Michel moved to adopt the third modified text in the event that substantive negative comment about the fourth modified text was presented by the public.
- ❖ Kathay Lovell seconded the motion.

No Public Comment

Roll Call Vote

Kathay Lovell	Aye
Nancy Michel	Aye
Denise Miller	Aye
Sharon Pavlovich	Aye
Linda Florey	Aye

The motion was adopted.

Break was taken, President, Nancy Michel called the meeting back to order at 12:31 pm.

9. Discussion and consideration amending Title 16, CCR Section 4110, Application, Section 4112, Review of Application, Section 4120, Renewal of License or Certificate – Forms, Section 4121, Renewal of Expired License or Certificate, Application, Fees; Effective Date of Renewal, Section 4123, Limited Permit, and Section 4127, Inactive License. (H. Martin)

Heather Martin reviewed the provided attachments and reminded the Board members of the fact that the original proposed language was noticed prior to the Department of Consumer Affairs (DCA) issuing a memo that addressed general implementation issues and provided background on DCA's current efforts. Ms. Martin explained that as a result of this memo, she and Vice President, Kathay Lovell were tasked with reviewing the statute, the DCA memo and provide specificity to the implementation of language, while giving consideration to those on active duty. Ms. Martin reported that the most recent changes are outlined in the provided handout.

Discussion ensued amongst the Board members and Board staff with regard to the extent of proffered waivers as they pertain to fees and continuing education for active duty military personnel.

Heather Martin suggested amending page three (3) section (e)(2) by replacing 'However, such practitioners must' with 'but shall' for clarity purposes.

- ❖ Kathay Lovell moved to approve the language as amended.
- ❖ Nancy Michel seconded the motion.

No Public Comment

Roll Call Vote

Kathay Lovell	Aye
Nancy Michel	Aye
Denise Miller	Aye
Sharon Pavlovich	Aye
Linda Florey	Aye

The motion was adopted.

10. Executive Officer's Report. (H. Martin)

a) Board operations and budget update

Heather Martin reviewed the provided expenditure reports and stated that the first quarter of 2013-14 is the most aligned that the Board's revenues and expenditures have ever been with only a twenty thousand dollar difference.

Ms. Martin stated that the performance measures for the first quarter July 1, 2013, through September 30, 2013, were not available.

b) Other Informational Items

Heather Martin reported that CBOT will be included in the second release of BreEZe, which is yet to be determined.

Ms. Martin reported that the Laws and Regulations handbook was "a hit" at the Occupational Therapy Association of California (OTAC) conference where the first five hundred attendees to sign up received a free copy. Ms. Martin stated that Board staff will be sending an email to those on its interested parties list to alert them of the availability of the online version and the ability to purchase printed copies directly from the Board.

11. Enforcement data and reports for the period July 1 – September 30, 2013. (J. Hanson)

Jeff Hanson reviewed the enforcement handouts and offered an update on the Board's oldest outstanding case.

Mr. Hanson stated that the 'complaint received' date was added to the 'final decision' section of the enforcement report so that Board members could see the time progression for the formal disciplinary process.

12. Annual Election of Officers

- ❖ Nancy Michel nominated Denise Miller for President.
- ❖ Linda Florey seconded the nomination.

No other nominations were made

Roll Call Vote

Kathay Lovell	Aye
Nancy Michel	Aye

AGENDA ITEM 5

APPROVAL OF THE FEBRUARY 6, 2014, BOARD MEETING MINUTES.

The draft minutes are attached for review.



CALIFORNIA BOARD OF OCCUPATIONAL THERAPY BOARD MEETING MINUTES

Thursday, February 6, 2014

Board Member(s) Present

Linda Florey, Secretary
Nancy Michel
Denise Miller, President
Sharon Pavlovich

Board Staff Present

Heather Martin, Executive Officer
Norine Marks, Legal Counsel
Kyle Muteff, Legal Counsel
Jeff Hanson, Program Analyst
Jody Quesada, Office Technician

9:00 a.m. – Board Meeting

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

President, Denise Miller called the meeting to order at 9:38 am. Secretary Linda Florey called roll, Vice President, Kathay Lovell and Jeff Ferro were absent; a quorum was established.

2. President's remarks (D. Miller)

President, Denise Miller announced the appointment of new board member, Jeff Ferro. Ms. Miller acknowledged that the Executive Officer's review was completed and that the Board members are very fortunate and happy that Heather Martin will continue in the capacity of Executive Officer.

3. Board member updates/activities.

Nancy Michel congratulated the newly appointed President, Denise Miller, and expressed her happiness to pass on the presidency.

Denise Miller reported the untimely passing of Laura Stewart and Terry Olivas-De La O. President Miller extended her thoughts and prayers to their families.

Secretary, Linda Florey commented on the work that she and Denise Miller are doing on the subject of dealing with the medical records connected to facilities that have gone out of business. Ms. Florey stated that this topic will be on the agenda of the next Board meeting.

4. Approval of the November 7, 2013, Board meeting minutes.

Legal Counsel, Kyle Muteff suggested that page 1, item 2, final paragraph, be changed to "...a quorum was maintained."

Mr. Muteff also suggested that page 7, section 15, final paragraph be changed to "...to discuss the evaluation of the Executive Officer."

Discussion ensued whether there was a Closed Session at the end of the meeting to discuss other disciplinary matters; no one present was certain. Board staff indicated they would verify the matter once they returned to the office and reviewed the tapes.

- ❖ Nancy Michel moved to approve the November 7, 2013, Board meeting minutes as amended
- ❖ Linda Florey seconded the motion.

No Public Comment

The motion was adopted.

5. Approval of the December 3, 2013, Board meeting minutes.

- ❖ Linda Florey moved to approve the December 3, 2013, Board meeting minutes as presented.
- ❖ Sharon Pavlovich seconded the motion.

No Public Comment

The motion was adopted.

6. Executive Officer's Report and Possible Board Action. (H. Martin)
Operational Report
Budget Update
BreEZe Update
Other Informational Items

Executive Officer, Heather Martin reviewed her included reports and commented that this is the first time the California Board of Occupational Therapy (CBOT) has had to ask for a budget augmentation. CBOT asked for an \$81, 000 augmentation to cover Attorney General (AG) and Office of Administrative Hearings (OAH) costs. Ms. Martin commented that if the augmentation is approved, CBOT would have six months of funds in reserve and in the event the augmentation is not approved all work on enforcement cases will cease until the beginning of the new fiscal year, July 1, 2014.

Ms. Martin reported that CBOT was moving down the hall from there current location.

Ms. Martin stated that CBOT is in release 2 of the BreEZe implementation and that release 2 will have more functionality than in release 1. Ms. Martin reminded the Board members that each Board and Bureau was responsible to pay for a portion of BreEZe and the amount is based on the number of licensees belonging to each Board or Bureau.

Ms. Martin reported that the implementation of listing of administrative citations and fines on the website will have to be put on hold until BreEZe is up and running; she stated that the current process of public disclosure still stands.

No Public Comment

7. Discussion and consideration of the process and procedure of Board staff when deciding to issue administrative citations.

Jeff Hanson reviewed the included handouts and explained the citation process.

No Public Comment

8. Discussion and consideration of the process and procedure of the Executive Officer when deciding to initiate licensee discipline.

Heather Martin reviewed the provided handouts and explained the discipline process.

No Public Comment

9. Report on Pending Regulations: Title 16, Division 39, CCR Section 4128, Retired Status; CCR Section 4130, Fees; Section 4170, Ethical Standards of Practice; Section 4172, Standards of Practice for Telehealth; and Section 4101, Delegation of Certain Functions, Section 4146.5, Effective Date of Decisions, Section 4147, Disciplinary Guidelines, and Section 4147.5 Uniform Standards Related to Substance Abuse.

Heather Martin briefed the Board members on the supplied regulation update report. Ms. Martin stated due to internal time constraints the Ethical Standards of Practice file was withdrawn and recently re-noticed.

Ms. Martin stated that the Retired Status and Fees along with Standards of Practice for Telehealth are both going into effect on April 1, 2014.

No Public Comment

10. Consideration and adoption of proposed regulatory language to amend Title 16, CCR Section 4110, Application, Section 4112, Review of Application, Section 4120, Renewal of License or Certificate – Forms, Section 4121, Renewal of Expired License or Certificate, Application, Fees; Effective Date of Renewal, Section 4123, Limited Permit, and Section 4127, Inactive License.

Heather Martin reviewed supplied attachments and commented that there was no public comment received during the noticing period.

Legal Counsel, Kyle Muteff reiterated his concern with the lack of consistency between the proposed regulatory language, the statute and the Department of Consumer Affairs (DCA) memo.

- ❖ Nancy Michel moved to adopt the modified text as presented.
- ❖ Linda Florey seconded the motion.

Public Comment

Guy McCormack, PhD, OTR/L, Professor at Samuel Merritt University, President of the Occupational Therapy (OT) Association and an attendee on behalf of the Occupational Therapy Association of California (OTAC), questioned whether active military personnel practicing occupational therapy in the military would receive continuing education credit.

Heather Martin clarified that occupational therapists (OTs) practicing in the military can request military active status, which enables them to engage in OT practice for the military and in turn utilize continuing education and optional instruction they completed as part of the course requirements for military service toward their continuing education requirements for California licensure.

Discussion ensued amongst legal counsel and the Board members regarding the clarity of the language.

Ms. Martin agreed that this language would not be clear to the licensees and recommended the Board not adopt the language as presented and instruct the executive officer to work with legal counsel to clarify and bring new language back to the next meeting.

- ❖ Nancy Michel and Linda Florey withdrew their motion and second respectively.
- ❖ Nancy Michel moved to have the language revisited by the executive officer and legal counsel and brought back to the next meeting.
- ❖ Sharon Pavlovich seconded the motion.

The motion was adopted.

11. Consideration and adoption of proposed regulatory language to amend Title 16, CCR Section 4151, Hand Therapy and Section 4152, Physical Agent Modalities.

Heather Martin briefed Board members on the proposed language and the public comments received during the noticing period.

Ms. Martin commented that although AOTA is not opposed to the proposed amendments they did offer alternative suggestions to ease the burden on advanced practice applicants.

Public Comment

Dr. Guy McCormack stated that OTAC is in agreement with the letter submitted by AOTA and that OTAC believes certified hand therapists have the education and skills to be qualified to use physical agent modalities (PAMs). Dr. McCormack stated that entry level Master's students meet and exceed the Accreditation Council for Occupational Therapy Education (ACOTE) standards for PAMs.

- ❖ Linda Florey moved to adopt as noticed.
- ❖ Nancy Michel seconded the motion.

Public Comment

Dr. Guy McCormack reiterated that AOTA and OTAC are in favor of Certified Hand Therapists (CHTs) being allowed to use physical agent modalities PAMs without taking additional post-professional education courses but they are in opposition of the number of courses and credits that practitioners are required to take to become qualified to use PAMs.

The motion was adopted.

12. Consideration and adoption of proposed regulatory language to amend Title 16, CCR Section 4161, Continuing Competency.

Heather Martin reviewed the included attachments and stated there were no public comments received during the noticing period.

Public Comment

Dr. Guy McCormack stated that OTAC members are concerned that continuing education requirements between the National Board for Certification in Occupational Therapy (NBCOT) and the California Board of Occupational Therapy (CBOT) are not fully aligned and are difficult for students and practitioners to sort out. Dr. McCormack suggested that offering a table that covered CBOTs and NBCOTs requirements would be helpful.

- ❖ Linda Florey moved to adopt the language as noticed.
- ❖ Nancy Michel seconded the motion.

The motion was adopted.

13. Consideration and adoption of proposed regulatory language to amend Title 16, CCR Section 4170, Ethical Standards of Practice.

Heather Martin reviewed included attachments and the included public comment submitted by OTAC outlining their concern about the extensive detail related to reporting, competency and appropriate patient care services.

Ms. Martin asked the Board members to develop a subcommittee to bolster regarding patient harm. President, Denise Miller and Sharon Pavlovich volunteered for the subcommittee.

Legal Counsel, Norine Marks offered that the Board of Psychology has a two year timeframe in place.

Public Comment

Dr. Guy McCormack stated OTAC members are concerned about the proposed regulation's informed consent, whistleblowing requirement, and the length of time required before establishing a personal relationship with a client.

President Miller addressed Dr. McCormack's final concern by reiterating that the actual work on this language was done comparably to other boards and bureaus. Ms. Miller stated that the newly established subcommittee will take all Dr. McCormack's good points into consideration.

- ❖ Linda Florey moved to direct the sub committee to work on the regulation.
- ❖ Nancy Michel seconded the motion.

No public comment

The motion was adopted.

14. Enforcement data and reports for the period October 1 – December 30, 2013.

Jeff Hanson reviewed the attached enforcement reports and stated that the Board's two oldest complaints have been completed since the printing of the report.

No Public Comment

15. Proposed Agenda Items for May 22, 2014, meeting.

1. What to do with patient records after a business has closed.
2. Proposed language for CCR Section 4170
3. Military language regarding renewal waiver and expedited application for spouse.

16. Public Comment Session for items not on agenda.

Dr. Guy McCormack stated that CBOT's font on the biennial renewal form is too small and the printed expiration date on pocket licenses is also too small.

The Board entered into CLOSED SESSION at 12:23 pm, pursuant to Government Code Section 11126(c)(3), to discuss disciplinary matters.

The Board meeting adjourned at 12:42 pm.

DRAFT

AGENDA ITEM 6

APPROVAL OF THE MAY 15, 2014, BOARD MEETING MINUTES.

The draft minutes are attached for review.

CALIFORNIA BOARD OF OCCUPATIONAL THERAPY
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CALIFORNIA BOARD OF OCCUPATIONAL THERAPY TELECONFERENCE MEETING MINUTES

Thursday, May 15, 2014

Board Member(s) Present

Richard Bookwalter
Jeff Ferro
Linda Florey
Kathay Lovell
Nancy Michel
Denise Miller
Sharon Pavlovich

Board Staff Present

Heather Martin, Executive Officer
Kyle Muteff, Legal Counsel
Jeff Hanson, Program Analyst
Jody Quesada, Office Technician

12:30 pm - Board Meeting

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

President, Denise Miller called the meeting to order at 1:01 pm. Secretary, Linda Florey called roll; a quorum was established.

2. Introduction and swearing in of new Board Members: Richard Bookwalter and Jeffrey Ferro.

President, Denise Miller swore in new Members Richard Bookwalter and Jeff Ferro.

3. President's remarks.

Denise Miller welcomed Jeff and Richard to the Board and thanked Governor and Assembly Speaker for the appointments.

4. Board member updates/activities.

Sharon Pavlovich reported that she had been accepted to the Harvard Macy Institute's Program for Educators in the Health Professions and looked forward to traveling to Boston the following week.

Denise Miller said she attended the American Occupational Therapy Association (AOTA) conference in Baltimore where she received the Lindy Boggs award, a political advocacy award. Ms. Miller stated that there was a lot of focus on telehealth and occupational therapists practicing in primary care.

Jeff Ferro stated that he was a public member appointed by the Assembly Speaker's Office, and worked for a labor union. Mr. Ferro said he anxiously awaited the opportunity to meet the other Board members and he looked forward to helping out and working the State's business on behalf of the consumers.

Richard Bookwalter stated that he has been an occupational therapist (OT) for eighteen years and works for Kaiser Northern California and is glad to be a part of the Board.

Linda Florey, Kathay Lovell, Nancy Michel had nothing to report.

5. Consideration and modification or adoption of proposed regulatory language to amend Title 16, CCR Section 4110, Application, Section 4112, Review of Application, Section 4120, Renewal of License or Certificate – Forms, Section 4121, Renewal of Expired License or Certificate, Application, Fees; Effective Date of Renewal, Section 4123, Limited Permit, and Section 4127, Inactive License.

Heather Martin explained that the language was reviewed at the February Board meeting and direction was given to her and Legal Counsel, Kyle Muteff to come back and discuss the language including Mr. Muteff presenting legal reasons why he believed the amendments were not necessary and why this was something that can be accomplished by Board staff without amending the regulations.

Legal Counsel, Kyle Muteff stated that he reviewed the proposed regulatory language and he did not think it would pass the review by the Office of Administrative Law (OAL), due to lack of clarity. Mr. Muteff further explained that the language was unnecessary because the statute already stated the Board's obligation to do the exact things that are outlined in the noticed language. Mr. Muteff recommended that the language be removed so as to not hold up the remaining regulatory edits in the package.

Mr. Muteff asked that the Board consider amending the second modified draft language in CCR Section 4110, to read: or by providing the same information via on-line submission, if available....

- ❖ Richard Bookwalter moved to adopt the language with the modifications recommended by Mr. Muteff.
- ❖ Nancy Michel seconded the motion.

No Public Comment

Roll Call Vote

Richard Bookwalter	Aye
Jeff Ferro	Aye
Linda Florey	Aye
Kathay Lovell	Aye
Nancy Michel	Aye
Denise Miller	Aye
Sharon Pavlovich	Aye

The motion was adopted.

- ❖ Nancy Michel moved to delegate authority to the Executive Officer to adopt the language barring receiving any negative comments and the authority to make any technical, non-substantive changes.
- ❖ Kathay Lovell seconded the motion.

No Public Comment

Roll Call Vote

Richard Bookwalter	Aye
Jeff Ferro	Aye
Linda Florey	Aye
Kathay Lovell	Aye
Nancy Michel	Aye
Denise Miller	Aye
Sharon Pavlovich	Aye

The motion was adopted.

6. Discussion and possible action regarding proposed legislation, including:

a) Senate Bill (SB) 626 (Beall), Workers' Compensation.

Heather Martin explained that this was a two-year bill, not amended since last year, and died in Committee last month.

b) SB 1445 (Evans), Developmental Services: Regional Centers...Telehealth.

Heather Martin reported that this bill was amended in April 2014. Ms. Martin asked the Board if they wanted to establish a position on this bill.

The Board members asked Ms. Martin to watch this bill and bring the latest version to the next Board meeting.

c) Assembly Bill (AB) 809 (Logue), Telehealth.

Heather Martin reported that this bill was amended June 25, 2013.

The Board members asked Ms. Martin bring the latest information to the next Board meeting.

Discussion ensued amongst the Board members regarding consumer consent as it relates to telehealth.

d) AB 1890 (Chau), Athletic Trainers.

President, Denise Miller asked if any of the public wanted to speak on the issue. Mike Chisar, MPT, ATC, Governmental Affairs Committee Chair of the California Athletic Trainers Association obliged.

Heather Martin explained that this is a bill for Athletic Trainers to become licensed in California. Ms. Martin gave an overview of all included documents. Ms. Martin stated that there is a possibility that come this fall the Board may be asked to not only discuss the bill from a legislative point of view but in a broader capacity as well.

Mike Chisar gave background information on the athletic trainers and explained their intent to become licensed in California. Mr. Chisar stated that the athletic trainers may be interested in becoming a committee under the California Board of Occupational Therapy (CBOT) as part of the ultimate goal to become licensed.

Mr. Chisar stated there are approximately 2700 athletic trainers in California, sixteen accredited programs and they currently require a Bachelor's degree.

Discussion ensued regarding the reasons other Board/Bureaus were opposing the athletic trainers becoming licensed.

Discussion ensued regarding Board member concern that out of state athletic trainers would be coming to California to practice from states with lesser standards than California. Mr. Chisar stated that out of state trainers would only be able to work with the group they came to town with.

Mr. Chisar commented that the fact that licensure of athletic trainers (ATs) is not currently required in California, is a consumer protection issue; lack of regulation by the State of California allows unlicensed ATs and those ATs with licenses revoked by another state, the ability to come and work in California without any regulatory oversight.

President, Denise Miller asked Mr. Chisar to provide documentation and facts that establish clear focused information to build the athletic trainers case as to why CBOT should take them on. Ms. Miller stated that a clear delineation would have to be made from a scope of practice stance.

Linda Florey inquired about how this would affect CBOT staff, current services, workload and budget. Jeff Ferro questioned whether CBOT taking on the athletic trainers would diminish consumer protection.

Board members requested that Mr. Chisar provide additional information for the Members to consider, including the benefits and hindrances to CBOT, encouraged the scope of practice language to be not quite so broad. The Board members asked Ms. Martin bring any information Mr. Chisar provides to the next Board meeting for further discussion.

7. Proposed Agenda Items for June 24, 2014, meeting.

- Discussion and consideration of records retention requirement if a business is closed or sold or if the practitioner is no longer in private practice.
- Administrative hearings
- Deadlines of when the Committees meet in regard to the athletic trainers.

8. Public Comment session for items not on the agenda.

There were no public comments.

The Board entered into CLOSED SESSION at 3:16 pm, pursuant to Government Code Section 11126(a)(1), to discuss disciplinary matters.

The Board meeting adjourned at 3:46 pm.