



BOARD MEETING MINUTES

November 14-15, 2019

Board Member(s) Present

Richard Bookwalter – President
Jeff Ferro
Denise Miller
Beata Morcos

Board Staff Present

Heather Martin, Executive Officer
Jody Quesada, Analyst
Jeff Hanson, Enforcement Manager
Reza Pejuhesh, Legal Counsel

Thursday, November 14, 2019

9:30 a.m. - Board Meeting - Sacramento

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

The meeting was called to order at 9:31 a.m., roll was called, a quorum was established. Sharon Pavlovich and Laura Hayth were absent.

2. President's Remarks – Informational only; no Board Action to be taken.

President Richard Bookwalter stated that there would not be a quorum of the Board on Friday, November 15, 2019, resulting in only informational agenda items being discussed on Day 2.

Mr. Bookwalter informed members of the public in attendance that they could introduce themselves at will.

Carlin Daley Reaume, OTD, Assistant Professor / Academic Fieldwork Coordinator at Sacramento City College introduced herself.

3. Board Member Remarks – Informational only; no Board Action to be taken.

There were no Board Member remarks.

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

President Bookwalter read a letter aloud that was submitted by a licensee asking to be placed on the February Board meeting agenda to discuss license surrender. The Board members agreed to add this item to the February agenda.

5. Petitioner Hearings

9:45 a.m. MCCORMICK, Molly – Petition for Reinstatement
10:00 a.m. JONES, Michael – Petition for Reinstatement

10:15 a.m. COX, Susan – Petition for Reinstatement

10:30 a.m. KELLEY, Anjuli – Petition for Early Termination and Modification of Probation.

CLOSED SESSION

The Board convened in Closed Session at 12:13 p.m.

RECONVENE IN OPEN SESSION

The Board reconvened in Open Session at 3:47 p.m.

6. Recess for the day.

The meeting adjourned at 3:47 p.m.

Friday, November 15, 2019

9:30 a.m. - Board Meeting - Sacramento

Board Member(s) Present

Richard Bookwalter – President
Denise Miller
Beata Morcos

Board Staff Present

Heather Martin, Executive Officer
Jody Quesada, Analyst
Jeff Hanson, Enforcement Manager
Reza Pejuhesh, Legal Counsel

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

The meeting was called to order at 9:35 a.m., roll was called, a quorum of the Board was not established. Sharon Pavlovich, Laura Hayth and Jeff Ferro were absent.

8. President's Remarks – Informational only; no Board Action to be taken.

President Bookwalter acknowledged that there was not a quorum of the Board, therefore the Board could discuss, but not take action, on any agenda items, therefore the only agenda items that could be discussed were items 9, 11, 12, and 14.

Mr. Bookwalter welcomed Ivan Altamura of Capitol Advocacy and apologized for any inconvenience that the change in agenda items that could be addressed may have caused him.

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

Executive Officer Heather Martin acknowledged and thanked Heather Kitching and the Occupational Therapy Association of California (OTAC) for their willingness to honor the service of 92-year-old Norma Johnson Stodder and present to her the OTAC President's Award along with including Ms. Stodder in the ceremony on very short notice.

10. Review and vote on approval of the August 15-16, 2019, Board meeting minutes.

The Board was unable to take action due to lack of a quorum.

11. Department of Consumer Affairs – Director's Update (DCA Staff) – May Include Updates Pertaining to the Department's Administrative Services, Human Resources, Enforcement, Information Technology, Communications and Outreach, as well as Legislative, Regulatory and Policy Matters.

Heather Martin referenced the Department of Consumer Affairs' (DCAs') written update that was provided in the meeting materials. Ms. Martin recapped that Kimberly Kirchmeyer was appointed Director of DCA by Governor Newsom. Ms. Martin stated

that she would update the Board at the February Board meeting if there were new Executive Team appointments.

12. Discussion and consideration about the future of license portability.

President Bookwalter reported that he and Executive Officer Heather Martin were asked to participate in the Council of State Governments' National Center for Interstate Compacts Occupational Therapy Licensure Compact Advisory Group meeting that took place in Washington D.C. on October 29-30, 2019.

Mr. Bookwalter reported that in order for a state to participate in a licensure compact, legislation would have to be approved in each state and a minimum of ten states would be required for a compact to operate.

Mr. Bookwalter reported some of the positives highlighted by the advisory group were that a compact would allow for deregulation of the practice, an increase in public access to healthcare without eliminating consumer protection and a compact would help to ease the relocation hardships of military members and their spouses.

Beata Morcos questioned whether the compact would include other disciplines which would make it confusing.

Mr. Bookwalter clarified that it was decided that the compact would include only OTs and OTAs and any licensee on probation would not be able to participate.

Executive Officer Heather Martin reported that she asked the Advisory Group members how applicants for licensure that were denied in one state would be reported to the other states in the compact. Ms. Martin proposed that if an applicant had been previously denied should be a mandatory question on the initial application. The Advisory group agreed to discuss this as a future topic.

Mr. Bookwalter assured the Board members that he and Ms. Martin would continue to participate in Advisory group meetings.

Ms. Martin stated that the OT compact would be on all future agendas.

13. Discussion and consideration of position on Assembly Bill 1592 (Bonta), Athletic Trainers.

The Board was unable to take action due to lack of a quorum.

14. Executive Officer's Report.

a) Operational and budget reports.

Ms. Martin reported that Board staff recruitment efforts include filling two analyst positions and back-filling a clerical position in Enforcement and a part time position in Licensing.

Ms. Martin that there would be better fund condition data available in February.

b) Update on office move.

Ms. Martin reported that the office move date confirmation would be upcoming.

c) BreEZe updates.

Ms. Martin reported that future updates include re-naming the applications in the drop-down box to reduce error and making responses to certain renewal questions required.

d) Pending rulemaking files.

Ms. Martin reminded the Board that there were a number of regulatory amendments needed for the Board to be in compliance with AB 2138 and those amendments were merged in to one large package.

Ms. Martin stated that Legal Counsel Reza Pejuhesh completed the Section 100 change relating to Free Sponsored Healthcare Events and it has been approved.

e) Update on legislation.

Ms. Martin reviewed the included Legislative Update, of which most bills had been chaptered.

f) Presentation of licensing and enforcement data.

Ms. Martin reviewed the include data and charts; she pointed out the Professional Development Unit audit violations represented the largest number of violations.

Denise Miller noted an uptick in OTA violations and asked if the reason was known to staff.

Ms. Martin contributed the possible uptick to the opening of new OTA schools thus increasing the licensed OTA population.

g) Future agenda Items.

Ms. Martin reviewed items listed in her report that would be on a future agenda. The items were:

- Suture Removal
- Consideration of reduction in Advanced Practice education and training requirements for students graduating after a certain date and licensees demonstrating competence in advanced practice areas.
- Recommendation on records retention requirement for an occupational therapy business that closes or is sold.

- Appointment of ad hoc committee members to consider the internship/clinical experience completed as part of a Doctorate of Occupational Therapy and OT Practice Act requirements; discussion regarding multiple examination attempts by new graduates.
- Make appointments to other committees, as appropriate.
- Review/update of Board Member Disciplinary Resource Manual.

15. Suggested agenda items for a future meeting.

There were no additional agenda items added.

16. Election of Officers.

The Board was unable to take action due to lack of a quorum; therefore, this item will be carried over to the February 2020 Board meeting.

Adjournment.

The meeting adjourned at 10:34 a.m.