CALIFORNIA BOARD OF OCCUPATIONAL THERAPY
444 North Third Street, Suite 410
Sacramento, CA 95814
Phone: (916) 322-3394; FAX: (916) 445-6167
E-mail: cbot@dca.ca.gov; Web: www.bot.ca.gov

State of California
Department of Consumer Affairs
Arnold Schwarzenegger, Governor

CALIFORNIA BOARD OF OCCUPATIONAL THERAPY
ADVANCED PRACTICE REGULATORY COMMITTEE
MEETING MINUTES
August 25, 2005
San Diego, California

Committee Members Present
Christine Wietlisbach, Chair
Margaret Cunningham
Staff Present
Gladys Mitchell, Interim Executive Officer
Norine Marks, Legal Counsel
April Freeman, Associate Governmental Program Analyst
Jeff Hanson, Staff Services Analyst
Marsha Gove, Office Technician

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

Chair Christine Weitlisbach called the meeting to order at 4:14 p.m. and called the roll. A quorum was present.

B. Discuss draft regulatory language with regards to the requirements for topical medications (Occupational Therapy Practice Act (OTPA) section 2571)

Ms. Weitlisbach advised Committee members and guests that the Board is required to draft regulatory language regarding the use of topical medications pursuant to OTPA section 2571. She indicated for the record that representatives from the Medical Board of California, Board of Pharmacy, and Physical Therapy Board were present.

Ms. Weitlisbach stated that regulatory language currently used by the Physical Therapy Board was provided for review. She stated that physical therapists use the same types of modalities in the same fashion as occupational therapists, and recommended that the Committee adopt all or part of the Physical Therapy Board's language.

Margaret Cunningham agreed that the Physical Therapy Board's regulations were a good place to start, but pointed out that they did not include training requirements. Ms. Weitlisbach clarified that only occupational therapists who hold advanced practice certifications in physical agent modalities would be authorized to apply topical medications.

Dennis Ming of the Pharmacy Board questioned whether all physical therapists follow the Physical Therapy Board's regulations in applying topical medications. Debi Mitchell of the Physical Therapy Board confirmed that all physical therapists follow the regulations and that there are no written protocols. Each facility has its own protocol.

Kevin Shunke of the Medical Board of California clarified that these medications would only be used on skin that has no tear or opening. Ms. Wietlisbach indicated that this section of law allows occupational therapists to apply topical medications only in conjunction with physical agent modalities.

The Physical Therapy Board did not have an objection to the Board using their regulatory language as a model.

Mr. Ming suggested the Board research modifying Business and Professions Code section 405.9, which would allow occupational therapists to obtain the medications for their patients. Ms. Wietlisbach explained that currently the patient has to pick up their medication from the pharmacy and bring it to their occupational therapy appointment. Ms. Grangaard stated that dexamethasone is stocked in the clinic for use with iontophoresis.

Norine Marks suggested the Committee schedule another meeting in Sacramento to discuss the language after its been drafted. Once the Committee approves the language, it will be reviewed by the full Board.

- **Christine Wietlisbach moved to have staff prepare draft language and provide the draft language to the Committee members as well as the representatives from the Medical Board of California, Board of Pharmacy, and Physical Therapy Board.**
- **Margaret Cunningham seconded the motion.**
- **The motion carried unanimously.**

C. Discuss Advanced Practice Portfolios, Readings and Post Graduate Education

Ms. Wietlisbach advised that the Committee needs to set a deadline for applications for advanced practice certification submitted under the equivalency method.

Ms. Marks indicated that there was some confusion as to whether pending applications were waiting for additional documentation of existing qualifications or being held open while applicants gained additional education or training.

Staff was directed to review all pending portfolios and advise the applicants of the time frame for abandonment.

Gladys Mitchell questioned whether the Board could give applicants a 60-day deadline to submit the outstanding information. Ms. Marks referenced the two-year abandonment clause in Title 16 California Code of Regulations section 4114. Members discussed whether that section was applicable to advanced practice portfolios.

- **Margaret Cunningham moved to have staff review applications and advise applicants of a reasonable time frame to submit outstanding documentation.**
- **Christine Wietlisbach seconded the motion.**
- **The motion carried unanimously.**

The Committee discussed the definition of the term “post-professional.” In regulations, the term is defined as education or training obtained subsequent to a qualifying degree program or above ACOTE standards.

Members discussed the origins of requiring education and training for advanced practice certification be post-professional. They discussed the issue of whether courses and training obtained during a Masters Program (if the applicant has a Bachelor's in OT) would constitute "post-professional." They also discussed what would constitute courses "over and above" ACOTE standards.

Ms. Marks suggested that staff review the original rule-making file to ascertain the intent of the "post-professional" requirement, and determine if the regulation needs to be amended.

- **Christine Wietlisbach moved to have staff provide copies of the Initial Statement of Reasons and the Final Statement of Reasons for the advanced practice rule-making file to the November Board meeting.**
- **Margaret Cunningham seconded the motion.**
- **The motion carried unanimously.**

Ms. Wietlisbach directed staff to add an item to the November Board meeting agenda to discuss occupational therapists in other states who are applying for advanced practice certifications solely for the purpose of using the "credential" in the other state.

D. Public Comment

There was no public comment.

E. Adjournment

The meeting adjourned at 5:00 p.m.