

CALIFORNIA BOARD OF OCCUPATIONAL THERAPY

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State of California
Department of Consumer Affairs
Arnold Schwarzenegger, Governor



**CALIFORNIA BOARD OF OCCUPATIONAL THERAPY
PRACTICE COMMITTEE MEETING MINUTES**

**March 1, 2007
San Diego, California**

Committee Members Present

Janet Jabri, Chairperson

Luella Grangaard

Deborah Bolding

Staff Present

Laura Freedman-Eidson, Staff Counsel

Heather Martin, Executive Officer

April Freeman, Associate Analyst

Committee Members Absent

Barbara Rodrigues

Judith Palladino

Pamela Roberts

Mary Kay Gallagher

Roberta Murphy

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

Chairperson Janet Jabri called the meeting to order at 8:45 am, called the roll. A quorum was not present. Legal counsel advised that the members present are considered a "committee" of the Committee and could still have discussion, but could not make any official recommendations from the Practice Committee to the Board.

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

This item was item was deferred to the next meeting due to the lack of a quorum.

C. Approval of the November 30, 2006, Committee meeting minutes

This item was item was deferred to the next meeting due to the lack of a quorum.

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

This item was item was deferred to the next meeting due to the lack of a quorum.

E. Report on pending Committee assignments.

Heather Martin stated that the Advanced Practice course provider application and instructions have not been revised since the August meeting. She explained that the Board is still suffering from limited staff resources. She stated that the revisions will be made before the next Committee meeting.

F. Discussion and consideration of requirements, including but not limited to continuing competency requirements, for applicants who haven't practiced within the last five years [Business & Professions Code Section 2570.14].

Ms. Martin reminded the committee that the Practice Committee had deferred this item to the Board, and stated that at the November 2006 meeting, the Board referred the issue back to the Committee. There were two requests by the Board; (1) determine how other Boards handle applicants who have not practiced in the past five years, and (2) whether NBCOT requires that practitioners take the exam again. Ms. Martin learned from NBCOT that they do not require practitioners to retake the exam; they simply pay a delinquency fee and have to complete the 36 hours of continuing competency, which is already required to renew the certificate.

Deborah Bolding stated that she did some research individually and believes that practitioners should take 40 hours of continuing education, specifically including scope of practice, ethics, OT framework.

The committee discussed the possibility and availability of refresher courses, which are generally a week long (40 hours).

Ms. Martin gave an overview of the proposed language that was provided at the January Practice Committee meeting, specifically that completion of continuing competency to satisfy B&P 2570.14 would be directly related to OT and pursuant to section (b) only.

The committee agreed that 40 hours of continuing education was appropriate for practitioners reentering the profession after a five year absence. The breakdown of the hours would be as follows: 1 hour on scope of practice, 1 hour on OT framework, 1 hour on ethics, and the remaining 37 hours directly related to the delivery of OT services.

Ms. Freedman advised the committee could still report on the issue at the Board meeting and the Board could add it to their agenda for a future meeting.

G. Review and consideration of draft Joint Practice Statements from the Board of Physical Therapy and Board of Occupational Therapy regarding Scope of Practice and the PT's Responsibility when Supervising an OT Obtaining an Advanced Practice Certification.

Ms. Martin provided copies of the draft joint statement by the Physical Therapy Board and CBOT titled *Clarification of a Physical Therapists & Occupational Therapists Scope of Practice*. She stated that the language was presented to the PT Board in February and they adopted it pending adoption by the Board. The joint statement regarding supervision of advanced practice applicants was not provided to the committee because it needs additional work.

Ms. Bolding stated that the second sentence in the fourth paragraph was confusing and should be deleted. She believes it is redundant with the last sentence in the paragraph; however, the last sentence is clearer.

Luella Grangaard liked the last paragraph and felt the language will be helpful in clarifying OT and PT roles.

The committee members agreed with the language modifications.

H. Discussion of ethical standards at fieldwork sites.

Ms. Grangaard stated that she has had discussions with students on fieldwork sites who have witnessed unethical behavior, but feel that reporting the incident would jeopardize their future licensure. Issues included aides working inappropriately. She further questioned how fieldwork coordinators should deal with the possibility of unethical situations while searching for fieldwork sites for their students. Ms. Grangaard would like the Board to provide students and fieldwork coordinators with guidelines for reporting unethical situations.

Gigi Smith commented on the situation students are placed in during internship and that they aren't comfortable relaying the information during the internship, so the fieldwork coordinators only learn of the situations months later on a second hand basis. She has questioned the schools responsibility to investigate based on the students' interpretations of the events that occurred. She believes the problems might arise from the students not completely understanding the regulations.

Ms. Grangaard would like guidelines provided to schools, fieldwork coordinators, fieldwork sites, and interns.

Ms. Bolding understands how students can misinterpret situations; however, she also feels it's important for them to know that they can report concerns directly to the Board.

Ms. Freedman cautioned that if the guidelines are too specific, the Board may be required to adopt them as regulations.

Ms. Jabri explained that the guidelines would be a reiteration of the law and regulations and provide options available to them. The guidelines could be part of the Frequently Asked Questions portion of the web site.

Ms. Martin suggested that this issue be discussed as part of the Board's Strategic Plan concerning education and outreach.

Ms. Jabri stated that is it the recommendation of the committee of the Practice Committee that the guidelines be put in the FAQs.

I. Discussion of reporting requirements of students and supervising occupational therapists.

Discussed under previous item.

J. Discussion and development of Expert Witness criteria.

Ms. Martin stated that at the January Practice Committee it was suggested that the Department of Consumer Affairs' Office of Examination Resources (OER) assist the Board in developing criteria for expert witnesses. If criteria were developed, then staff could apply the criteria to review applications and determine a score to ascertain whether a practitioner is qualified to be an expert witness. Ms. Martin stated that Ms. Bolding requested that staff research what other Boards do concerning expert witnesses. Staff resources have not allowed this assignment to be completed. She stated that several Boards have expert witness informational booklets to inform witnesses of what is expected of them, how to write a report, etc. She will have additional information concerning starting an expert witness program at the next Practice Committee meeting.

K. Future Agenda Items

Ms. Bolding requested that the Practice Committee discuss the intent of advanced practice course providers who are equipment vendors.

L. Public Comment Period

No public comment.

M. Adjournment

The meeting adjourned at 9:40 a.m.