



ENFORCEMENT COMMITTEE MEETING MINUTES

Wednesday, April 27, 2011

Committee Members Present

Margaret Fuller
William Levanduski
Claudia Peyton

Board Staff Present

Heather Martin

Committee Members Absent

Nancy Michel, Board Member

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

Ms. Martin called the meeting to order at 2:20 pm.

B. Approval of the February 9, 2011, Enforcement Committee meeting minutes.

The meeting minutes were not available and will be provided at the next meeting.

C. Discussion and consideration of prohibition of teaching continuing education or post-professional courses when a practitioner's license is on probation.

Ms. Martin advised the Committee members that this item was previously before the Committee. However, due to the way the item was previously noticed, the Board could not take action and the item was again before the Committee for consideration.

The Committee reviewed the language as presented. Claudia Peyton commented that the use of "post-professional" in the context of courses was not consistent with the American Occupational Therapy Association's 2010 glossary and recommended that the term "post-professional" not be used.

Ms. Martin indicated that post professional education is used in the advanced practice regulations. Section 4150 defines post professional education and training as "education and training obtained subsequent to the qualifying degree program or beyond current ACOTE standards for the qualifying degree program."

The Committee further discussed the use of "post-professional" as it relates to education.

- ❖ William Levanduski moved to recommend to the Board that practitioners on probation be prohibited from being an instructor of any coursework for continuing competency, continuing education, presentations, workshops, in-services, institutes, or post-professional courses used to satisfy advanced practice requirements, during the first year of probation.
- ❖ Claudia Peyton seconded the motion.
- ❖ Motion passed.

D. Discussion and consideration of amending post-professional education course instructor qualifications.

The Committee discussed the requirement of post-professional course instructors holding a license “free from restrictions due to disciplinary action by this board or any other health care regulatory board” and reviewed draft language provided by Board staff.

- ❖ Margaret Fuller moved to accept the language presented and recommend to the Board required instructors of post-professional courses must have a current and valid license, free from restrictions due to disciplinary action by this board or any other health care regulatory board or agency.
- ❖ William Levanduski seconded the motion.
- ❖ Motion passed.

E. Discussion and consideration of amending proposed regulatory language, Other Acts Constituting Unprofessional Conduct.

The Committee discussed the language presented that would set forth other actions constituting unprofessional conduct. The Committee discussed the various actions and agreed that the requirements were reasonable. However, the Committee felt that a traffic infraction with a fine of \$500 was too low and suggested the amount be raised to \$1,000.

- ❖ Claudia Peyton moved to accept the language with amendments and recommend the Board approve the language to move forward in the regulatory process.
- ❖ Margaret Fuller seconded the motion.
- ❖ Motion passed.

F. Review of pending amendments to the Board’s Disciplinary Guidelines and consideration of recommending additional changes to Disciplinary Guidelines.

Ms. Martin explained that the Board was in the process of amending the Board’s Disciplinary Guidelines. However, the recent revisions were to incorporate the new

Uniform Standards Related to Substance Abuse and the remaining content had not been reviewed since adopted in 2003.

The Committee began review, however, due to time constraints was unable to finish review of the Disciplinary Guidelines

G. Selection of future 2011 meeting dates/locations.

The Committee agreed to meet August 3rd at Scripps Hospital in Encinitas.

H. Public comment on items not on agenda.

There was no public comment.

I. Agenda items for next meeting.

The Committee agreed that additional review of the Disciplinary Guidelines would be necessary at the next meeting.