



BOARD MEETING NOTICE & AGENDA

Thursday, October 11, 2012

The Saint Claire Hotel
Santa Vesta Conference Room
Second Floor
302 South Market Street
San Jose, CA 95113
(408) 295- 2000 Directions only

Friday, October 12, 2012

San Jose State University
School of Applied Arts & Sciences
Central Classroom Building, Room 115
One Washington Square
San Jose, CA 95192-0001
(408) 924-3083 Directions only

9:00 am – OT Department Tour

Teleconference Site (Thursday Only)

2027 Marconi Way
South Lake Tahoe
CA 96150
(530) 318-4700 Directions only

Teleconference Sites (Friday Only)

- 1) Department of Consumer Affairs, 2005 Evergreen Street, Donner Lake Room, Ste. 2170, Sacramento, CA 95815 (916) 263-2294 Directions only
- 2) Rancho Los Amigos National Rehabilitation Center, CART Bldg. Conf. Room, 7601 E. Imperial Highway, Downey, CA 90242 (562) 441-8807 Directions only
- 3) 2699 Atlantic Avenue, Long Beach, CA 90806 (213) 503-7984 Directions only
- 4) 2027 Marconi Way, South Lake Tahoe, CA 96150 (530) 318-4700 Directions only

Thursday

11:30 am - Board Meeting

Friday

9:30 am - Board Meeting

The public may provide comment on any issue before the committee at the time the matter is discussed.

1. Call to order, roll call, establishment of a quorum.
2. Vice President's remarks. (N. Michel)

The Board may convene in CLOSED SESSION pursuant to Government Code Section 11126(c)(3) to deliberate on disciplinary matters.

Return to OPEN Session.

3. Board member updates/activities. (All Board members)
4. Approval of the March 12, 2012, Board meeting minutes.
5. Approval of the June 27-28, 2012, Board meeting minutes.

6. Approval of the July 31, 2012, Board meeting minutes.
7. Disaster Preparedness/Disaster Response Committee Report and Board Action. (*M. Evert*)
 - A. Highlights from September 20, 2012, meeting.
 - B. Acceptance of the June 26, 2011, meeting minutes.
 - C. Review and discussion on establishing a continuing competency requirement related to disaster preparedness/response.
 - D. Review and discussion on including disaster preparedness/response training as an Ethical Standard of Practice.
 - E. Review of practitioner responses from facebook re: whether practitioners currently address disaster preparedness with their clients or what would motivate them to do so.
 - F. Discussion and consideration of strategies, delivery modes, or development of requirements to encourage occupational therapy practitioners to become educated about disaster preparedness and response.
 - G. Discussion and consideration of strategies or methods for occupational therapy practitioners to incorporate disaster preparedness and response into client services or their work place.
8. Enforcement Committee Report and Board Action. (*N. Michel*)
 - A. Highlights from September 11, 2012, meeting.
 - B. Draft meeting minutes from October 4, 2012, provided – no action to be taken.
 - C. Discussion and consideration of developing regulatory language to establish the effective dates of stipulated settlements and default decisions.
 - D. Review of the Board’s Disciplinary Guidelines and consideration of amendments to the Board’s Disciplinary Guidelines and the Uniform Standards Regarding Substance-Abusing Healing Arts Licensees, including when the standards should be imposed.
9. Practice Committee Report and Board Action. (*L. Florey*)
 - A. Highlights from July 17, 2012, meeting.
 - B. Acceptance of the August 25, 2011, Committee meeting minutes.
 - C. Acceptance of the November 4, 2011, Committee meeting minutes.
 - D. Recommended changes to the Practice Committee’s Roles and Responsibilities.
 - E. Discussion and consideration of revising Title 16, Division 39, California Code of Regulations, Section 4123, Limited Permit
 - F. Consideration of revisions to CCR Section 4161, Continuing Competence.
 - G. Discussion and consideration of amending Title 16, Division 39, California Code of Regulations, Sections 4150 – 4155, relating to advanced practices.
 - H. Discussion and review of post-professional education courses submitted by providers.
 - I. Discussion and review of courses submitted by licensees in response to a continuing competency audit.
10. Legislative and Regulatory Affairs Committee Report and Board Action. (*L. Grangaard*)
 - A. Recommended prioritization of previously approved legislative proposals, for the upcoming legislative session, including:

- Amend Business and Professions Code (BPC) Section 146, Violations of specified authorization statutes as infractions; Punishment.
- Amend BPC Section 149, Notice to cease advertising in telephone directory; Contest and hearing; Disconnection of service.
- Amend BPC Section 2570.2, Definitions.
- Amend BPC Section 2570.3, Licensing requirement.
- Amend BPC Section 2570.16, Fees.
- Amend BPC Section 2570.18, Representation.
- Amend BPC 2570.27, Discipline; Initial license issued on probation.
- Add new BPC Section 2572 establishing standards of practice for telehealth by occupational therapists.
- Add new BPC Section requiring mandatory reporting of employees who are terminated or suspended for cause, as specified, and consequences for failure to report.
- Add new BPC Section regarding limiting liability of occupational therapists providing services in an emergency, disaster, or state of war.
- Add new BPC Section establishing new language which would allow the Board to inspect records.

B. Update on pending bills. (*copies of bills not provided*)

- Assembly Bill numbers: 1435, 1588, 1733, 1896, 1904, 1932, and 2570.
- Senate Bill numbers: 764, 924, 975, 1228, 1274, 1327, and 1575.

11. Review and consideration of legislative protocol when the Board is unable meet to discuss pending legislation. (*L. Grangaard*)
12. Discussion and consideration of amending Title 16, CCR Section 4101, Delegation of Certain Functions, to allow the Executive Officer to Grant a Motion to vacate a default decision and schedule a hearing.
13. Executive Officer's report. (*H. Martin*)
 - A. Budget information.
 - B. Personnel update.
 - C. Performance measurements.
 - D. Other informational items.
14. Report on Pending Regulations. (*H. Martin*)
15. Enforcement data and reports for the periods 4/12/2012 - 6/30/2012, July 1, 2011 - June 30, 2012, and 7/1/2012 – 9/30/2012. (*J. Hanson*)
16. Discussion and consideration of continuing the standing Committees, including Disaster Preparedness/Disaster Response Committee, Education and Outreach Committee, Enforcement Committee, Legislative and Regulatory Affairs Committee, and Practice Committee.

Friday - 9:30 am

17. President's remarks. *(B. Tanberg)*
18. Review of Bagley-Keene Open Meeting Act Top Ten Rules.
19. Education and Outreach Committee Report and Board Action. *(B. Tanberg)*
 - A. Highlights from the August 24, 2012, meeting.
 - B. Acceptance of the August 25, 2011, meeting minutes.
 - C. Acceptance of the January 19, 2012, meeting minutes.
 - D. Review draft consumer brochure.
20. Review and consideration of draft Sunset Report. *(L. Grangaard)*
21. Consideration and adoption of proposed regulatory language to amend Title 16 to renumber CCR Section 4122 to 4127, add new section 4128, Retired Status, and amend Section 4130, Fees. *(B. Tanberg)*
22. Consideration and adoption of proposed regulatory language to amend Title 16, CCR Section 4154, Post-Professional Education and Training. *(B. Tanberg)*
23. Consideration and adoption of proposed regulatory language to amend Title 16, CCR Section 4170, Ethical Standards of Practice. *(B. Tanberg)*
24. Consideration and adoption of proposed regulatory language to add Title 16, CCR Section 4172, Standards of Practice for Telehealth. *(B. Tanberg)*
25. Election of Officers. *(B. Tanberg)*
26. Selection of 2013 Board meeting dates.
27. Public comment session for items not on the agenda.

*Note: The Board may not discuss or take action on any matter raised during this public comment session, except to decide whether to place the matter on the agenda of a future meeting.
[Government Code Sections 11125 and 1125.7(a)]*
28. Proposed Agenda Items for Next Meeting.

The Board may convene in CLOSED SESSION pursuant to Government Code Section 11126(c)(3) to deliberate on disciplinary matters.

The Board may convene in CLOSED SESSION pursuant to Government Code Section 11126(a)(1) to discuss Evaluation of the Executive Officer.

Return to OPEN Session.

Adjournment.

Public comments will be taken on agenda items at the time the item is heard. Action may be taken on any item listed on the agenda. Agenda items may be taken out of order for convenience, to accommodate speakers or to maintain a quorum. For further information on this meeting and agenda, contact Tabatha Montoya at (916) 263-2294 or submit a written request to her at 2005 Evergreen Street, Suite 2050, Sacramento, California, 95815.

The meeting is accessible to the physically disabled. A person who needs disability related Accommodations or modifications in order to participate in the meeting shall make a request to Tabatha Montoya at (916) 263-2294 or by mailing a written request to 2005 Evergreen Street, Suite 2050, Sacramento, California, 95815. Providing at least five working days notice before the meeting will help ensure the availability of accommodations or modifications. This agenda as well as Board meeting minutes can be found at the Board's website at www.bot.ca.gov.

**The Saint Claire Hotel, 302 South Market Street, San Jose, CA 95113
(408) 295- 2000**



