



CALIFORNIA BOARD OF OCCUPATIONAL THERAPY TELECONFERENCE BOARD MEETING MINUTES

Friday, June 21, 2013

Board Member(s) Present

Linda Florey
Kathay Lovell
Nancy Michel
Denise Miller

Board Staff Present

Heather Martin, Executive Officer
Dianne Dobbs, Legal Counsel
Jeff Hanson, Office Manager
Jody Quesada, Office Technician

Board Member(s) Absent

Jayne Meyer

11:30 am – Board Meeting

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

Vice President Lovell called the meeting to order at 11:33 am. Roll was called and a quorum established.

2. Introduction and swearing in of new Board Members: Jaynee Meyer and Denise Miller.

Secretary, Linda Florey swore in Denise Miller.

3. Vice-President's remarks.

Vice President, Kathay Lovell thanked Senior Legal Counsel, Dianne Dobbs for filling in on behalf of Supervising Senior Counsel, Norine Marks.

4. Board member updates/activities.

Nancy Michel had nothing new to report.

Linda Florey reported that she and Kathay Lovell met with Heather Martin to revise the Board's Administrative Manual. Ms. Florey said that the process was going well. Kathay Lovell concurred.

Denise Miller stated that she was honored to be a member of the Board and looked forward to working with the Board members and protecting consumers.

5. Consideration and adoption of proposed regulatory language to amend Title 16, CCR Section 4170, Ethical Standards of Practice.

Heather Martin reviewed the second modified text that was noticed for fifteen (15) days and the subsequent public comment submitted by the Occupational Therapy Association of California (OTAC). Ms. Martin then reference a proposed third modified text that included suggestions made by Senior Legal Counsel Dianne Dobbs.

Nancy Michel asked that a grammatical change be made to page two, section (f), line three. Ms. Michel asked that the word “and” at the end of the sentence be changed to the word “or”.

Linda Florey expressed her concern with the use of “any other manner” in subsection (b)(2), on page one. Ms. Dobbs clarified that “social or any other manner,” encompassed all upcoming and current types of social media. Given Ms. Florey’s concerns, Ms. Dobbs suggested replacing “.....financial, social *or any other manner*,” with “.....financial, social *and the like*.”

- ❖ Nancy Michel moved to notice the language as amended for fifteen (15) days.
- ❖ Linda Florey seconded the motion.

No Public Comment

Roll Call Vote

Kathay Lovell	Aye
Nancy Michel	Aye
Denise Miller	Aye
Linda Florey	Aye

The motion was adopted.

- ❖ Nancy Michel moved to delegate authority to the Executive Officer to adopt the language absent any negative comment.
- ❖ Linda Florey seconded the motion.

No Public Comment

Roll Call Vote

Kathay Lovell	Aye
Nancy Michel	Aye
Denise Miller	Aye
Linda Florey	Aye

The motion was adopted.

- ❖ Nancy Michel moved to delegate authority to the Executive Officer and Legal Counsel to make minor technical, non substantive changes in the final rule making process.
- ❖ Linda Florey seconded the motion.

No Public Comment

Roll Call Vote

Kathay Lovell	Aye
Nancy Michel	Aye
Denise Miller	Aye
Linda Florey	Aye

The motion was adopted.

6. Consideration and adoption of proposed regulatory language to add Title 16, CCR Section 4172, Standards of Practice for Telehealth.

Heather Martin reviewed the second modified text and noted the numerous public comments submitted.

Linda Florey commented that she liked the letter submitted by Mr. Daniel Brown, American Occupational Therapy Association, and his suggestions.

With regard to Mr. Brown's letter, Ms. Dobbs commented that a "good faith effort" could not be regulated by the Board.

- ❖ Nancy Michel moved to adopt the language as presented.
- ❖ Linda Florey seconded the motion.

No Public Comment

Roll Call Vote

Kathay Lovell	Aye
Nancy Michel	Aye
Denise Miller	Aye
Linda Florey	Aye

- ❖ Nancy Michel withdrew her original motion in order to make a revised motion.
- ❖ Linda Florey withdrew her second.
- ❖ Nancy Michel moved to adopt the language as presented and to delegate authority to the Executive Officer and Legal Counsel to make minor technical, non substantive changes in the final rule making process.
- ❖ Linda Florey seconded the motion.

No Public Comment

Roll Call Vote

Kathay Lovell	Aye
Nancy Michel	Aye
Denise Miller	Aye
Linda Florey	Aye

The motion was adopted.

Ms. Martin asked for assistance from the Board members with the clinical verbiage needed to respond to the submitted public comments in the final rulemaking process.

Ms. Dobbs informed Ms. Martin that she could work with legal counsel and one practicing Board member to ensure responses are appropriate.

Vice President, Kathay Lovell asked Linda Florey to be the Board member that would assist Ms. Martin. Ms. Florey agreed to review verbiage drafted by Board staff.

7. Election of Officer(s) to fill vacant position(s).

Ms. Martin indicated that since office of President was vacant, a new President would need to be selected.

- ❖ Linda Florey nominates Nancy Michel for President.
- ❖ Kathay Lovell seconds the motion.

Ms. Michel asked about the length of term of the office and Ms. Martin advised that elections would be held at the November meeting to select officers to serve in 2014.

No Public Comment

Roll Call Vote

Kathay Lovell	Aye
Nancy Michel	Aye
Denise Miller	Aye
Linda Florey	Aye

The motion was adopted.

8. Public comment session for items not on the agenda.

Mr. Ronald Calkins addressed the Board members regarding his displeasure that his photo and personal information was posted at the Department of Consumer Affairs (DCA) in plain view of the public.

Heather Martin apologized to Mr. Calkins and noted that as a result of this oversight, changes were implemented at DCA regarding the posting of pictures and other personal information.

Heather Martin reported that due to the fact that two Board members were unable to attend the next Board meeting scheduled for August 1st, there would not be a quorum that date. Therefore, the August 1st meeting would need to be rescheduled. Ms. Martin asked the Board members to identify dates they were not available to meet and informed them that available meeting dates and times would be presented for the members to choose from.

9. Meeting adjournment.

The meeting adjourned at 12:15 pm.