



**CALIFORNIA BOARD OF OCCUPATIONAL THERAPY**

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**SPECIAL TELECONFERENCE CALIFORNIA BOARD OF OCCUPATIONAL THERAPY  
MEETING MINUTES**

**Thursday, April 13, 2017**

Board Member(s) Present

Denise Miller, OT – President  
Richard Bookwalter, OT - Vice President  
Sharon Pavlovich, OTA – Secretary  
Jeff Ferro  
Beata Morcos

Board Staff Present

Heather Martin, Executive Officer  
Jeff Hanson, Enforcement Coordinator  
Jody Quesada, Enforcement Analyst  
Ileana Butu, Legal Counsel

**3:00 pm – Board Meeting**

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

At 3:04 p.m. President Denise Miller called the meeting to order. Contact was established at each teleconference site. Roll was called; and a quorum was established.

2. Finding of Necessity for Special Meeting. (Gov. Code, § 11125.4(c).)

- ❖ Richard Bookwalter moved that the necessity for a special meeting is supported by the fact that providing the usual 10 day notice of a Board meeting would have posed a hardship on the Board, in that the Board would be deprived of the ability to discuss, deliberate, and take a position on Assembly Bill 1510, legislation that could substantially impact consumer protection and enforcement, before the legislature completes its review and action. The Board's next regularly scheduled meeting is not until June 1 and 2, 2017.
- ❖ Beata Morcos seconded the motion.

**Roll Call Vote**

Denise Miller	Aye
Richard Bookwalter	Aye
Sharon Pavlovich	Aye
Jeff Ferro	Aye
Beata Morcos	Aye

Motion carried.

3. Public Comment session for items not on the agenda.

Public Comment

There was no public comment.

4. Review, discussion, and potential action and/or position related to Assembly Bill 1510 (Dababneh) relating to athletic trainers.

Executive Officer Heather Martin reported that due to time constraints the Ad Hoc committee did not have a quorum for the third and final Ad Hoc meeting thus the committee was unable to submit a formal recommendation to the Board regarding Assembly Bill (AB) 1510. AB 1510 proposes to establish the Athletic Trainer Licensing Committee within the California Board of Occupational Therapy (CBOT).

President Denise Miller gave an overview of the meeting handouts which included copies of AB 1510, Athletic Trainers Educational Competencies, 'highlights' from two CBOT Ad Hoc meetings that were held, a memo from the Board's Legal Counsel Ileana Butu, identifying issues for the Board to consider, and other materials pertinent to concerns regarding the scope of practice, licensure requirements, disciplinary language, clarification about staffing, and other matters pertaining to the administration and coordination of the Athletic Trainer Licensing Committee.

A discussion ensued amongst the Board following a careful review of AB 1510, including proposed changes to the language that would address consumer-protection concerns, cite specific authorities for the Committee to promulgate regulations, impose discipline, hire an Executive Officer and staff. The Board also made recommendations regarding adding language to make the Bill's language to make it consistent with other boards and committees under the umbrella of the Department of Consumer Affairs.

The Board thought the existing language regarding the scope of practice for an Athletic Trainer is overly broad. Specific concern was also raised regarding the 'silence' in the scope of practice about the use of physical agent modalities and the storage and administration and/or dispensation of medications. Consumer protection requires clarification on whether these activities fall within the athletic trainer scope of practice. After further discussion, the Board proposed changes outlined as follows:

- Pertaining to the scope, using a more appropriate reference to athletics, such as 'risk management and injury or illness prevention *in the course of performing athletics, in the practice for athletic events, or in the event of an athletic injury.*'
  - Pertaining to the scope, changing the language from 'rehabilitation and reconditioning from an injury or an illness sustained or exacerbated while participating in physical activity.' to read 'rehabilitation and reconditioning from an injury or an illness sustained or exacerbated during athletic activity or in the event of an athletic injury, or something similar.'
- ❖ Richard Bookwalter moved to accept the proposed legislative changes outlined in AB1510 with the addition of the changes outlined by the Board.
- ❖ Sharon Pavlovich seconded the motion.

**Roll Call Vote**

Denise Miller	Aye
Richard Bookwalter	Aye
Sharon Pavlovich	Aye
Jeff Ferro	Aye
Beata Morcos	Aye

Motion carried.

Public Comment

There was no public comment.

Executive Officer Heather Martin stated that she needed clarification on whether the Board wanted to submit a letter of support if amended or oppose unless amended.

- ❖ Richard Bookwalter moved to oppose unless amended.
- ❖ Beata Morcos seconded the motion.

**Roll Call Vote**

Denise Miller	No
Richard Bookwalter	Aye
Sharon Pavlovich	No
Jeff Ferro	No
Beata Morcos	No

Motion did not carry.

Discussion ensued regarding the difference between ‘support if amended’ or ‘oppose unless amended’.

- ❖ Jeff Ferro moved to support AB 1510, if amended
- ❖ Sharon Pavlovich seconded the motion.

**Roll Call Vote**

Denise Miller	Aye
Richard Bookwalter	No
Sharon Pavlovich	Aye
Jeff Ferro	Aye
Beata Morcos	Aye

Motion carried.

The Board members directed Executive Officer Heather Martin to draft a letter of ‘Support If Amended’ to Assembly Member Matt Dababneh on behalf of the Board.

Mike Chisar, Governmental Affairs Chair, California Athletic Trainers’ Association stated that he understood the concerns posed by the Board. He also thanked the Board for their time, thoughtfulness and thoroughness in reviewing the bill and their willingness to work with the athletic trainers.

5. Adjournment.

The meeting was adjourned at 6:14 p.m.