

CALIFORNIA BOARD OF OCCUPATIONAL THERAPY

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State of California
Department of Consumer Affairs
Arnold Schwarzenegger, Governor



**CALIFORNIA BOARD OF OCCUPATIONAL THERAPY
BOARD MEETING MINUTES
May 24, 2007
Oakland, California**

Board Members Present

Luella Grangaard, President
Christine Wietlisbach
Mary Evert
Nancy Michel
Bobbi Jean Tanberg

Staff Present

Heather Martin, Executive Officer
Norine Marks, Legal Counsel
April Freeman, Associate Analyst
Jeff Hanson, Staff Analyst

A. Call to Order, Roll Call, Establishment of a Quorum

President Luella Grangaard called the meeting to order at 10:17 a.m. Secretary Mary Evert called the roll. A quorum of the Board was present.

OPEN SESSION – PETITIONER AND ADMINISTRATIVE HEARING

Administrative Law Judge Mary Margaret Anderson presided over the Petition for Reinstatement of Revoked License hearing of Alvin Prasad. A court reporter was present to capture the testimony.

CLOSED SESSION

At 1:00 p.m., Board convened in closed session pursuant to Government Code section 11126(c)(3) in order to discuss and vote on the above petition for reinstatement.

OPEN SESSION

The Board reconvened in open session at 3:10 p.m.

B. Regulatory Hearing – Consideration of proposed regulatory language to amend Title 16, Division 39, California Code of Regulations Section 4154 – Post Professional Education and Training, and Section 4155 – Advanced Practice Certification

Due to the length of the administrative hearing, the Board did not conduct the regulatory hearing. The Board decided to withdraw the current proposal and re-notice the regulation package in order to schedule and hold a public hearing at the Board's July meeting in Sacramento.

C. Practice Committee Report

Due to the length of the administrative hearing, this Practice Committee did not give a report.

D. President's Report

Due to the length of the administrative hearing, the President did not give a report.

E. Approval of the December 28, 2006, Board meeting minutes

The Board reviewed the draft minutes of the December 28, 2006, Board meeting.

- ❖ Christine Wietlisbach moved to approve the minutes of December 28, 2006.
- ❖ Mary Evert seconded the motion.
- ❖ Motion passed unanimously.

F. Approval of the March 1, 2007, Board meeting minutes

The Board reviewed the draft minutes of the March 1, 2007, Board meeting.

- ❖ Christine Wietlisbach moved to approve the minutes of March 1, 2007.
- ❖ Mary Evert seconded the motion.
- ❖ Motion passed unanimously.

G. Executive Officer's Report

Due to the length of the administrative hearing, the Executive Officer did not give a report.

H. 2007 Legislation Update

Due to the length of the administrative hearing, the legislation update was not given.

I. Enforcement Data for the period of January 1 – March 31, 2007

The Board was provided with enforcement statistics for the period of January 1 through March 31, 2007, however, due to the length of the administrative hearing, the data was not discussed.

J. Review of Committee Organization and Structure

Due to the length of the administrative hearing, this item was tabled until the next meeting.

K. Consideration of proposed revisions to the Disciplinary Guidelines

Due to the length of the administrative hearing, this item was tabled until the next meeting.

L. Discussion of development of language for Infection Control Guidelines

Due to the length of the administrative hearing, this item was tabled until the next meeting.

M. Review and consideration of draft Joint Practice Statements between the Board of Physical Therapy and Board of Occupational Therapy

- ❖ Mary Evert moved to direct the Executive Officer to construct language similar to the first sentence in the third paragraph in the “Scope of Practice” statement to be added to the “PT’s Responsibility when Supervising at OT obtaining Advanced Practice Certification” statement, and incorporate the recommendations of the Practice Committee.
- ❖ Bobbi Jean Tanberg seconded the motion.
- ❖ Motion passed unanimously.

N. Review and adoption of proposed regulatory language to amend Title 16, Division 39, California Code of Regulations Section 4141, Assessment of Administrative Fines

- ❖ Mary Evert moved to adopt the modified text to the proposed regulatory language to amend Title 16, Division 39, California Code of Regulations, Section 4141.
- ❖ Christine Wietlisbach seconded the motion.
- ❖ Motion passed unanimously.

O. Review and adoption of proposed regulatory language to amend Title 16, Division 39, California Code of Regulations Section 4152.1 – Topical Medications

The Board discussed the modifications to the proposed language and the comments received by the American Occupational Therapy Association (AOTA). Ms. Martin commented that the term “protocol” should not be replaced in the language because the term is expressly used in the statute. Members discussed the other recommendation and determined that all of the issues were discussed and resolved at the last meeting. The suggestions made would cause redundancy in the language.

- ❖ Christine Wietlisbach moved to reject the comments received from AOTA.
- ❖ Bobbi Jean Tanberg seconded the motion.
- ❖ Motion passed unanimously.

- ❖ Christine Wietlisbach moved to adopt the modified text to the proposed regulatory language to amend Title 16, Division 39, California Code of Regulations, Section 4152.1.
- ❖ Bobbi Jean Tanberg seconded the motion.
- ❖ Motion passed unanimously.

P. Review and adoption of proposed regulatory language to amend Title 16, Division 39, California Code of Regulations Section 4154 – Post Professional Education and Training, and Section 4155 – Advanced Practice Certification.

- ❖ Mary Evert moved to withdraw the proposed regulatory language to amend Title 16, Division 39, California Code of Regulations Section 4154 and Section 4155, re-notice the modified text, and schedule a public hearing the for next Board meeting.
- ❖ Christine Wietlisbach seconded the motion.
- ❖ Motion passed unanimously.

Q. Review and approval of proposed regulatory language to amend Title 16, Division 39, California Code of Regulations Section 4161 – Continuing Competency.

The Board was presented with two sets of proposed language to consider. Option 1 included only the language recommendation by the Practice Committee concerning applicants who have not practiced occupational therapy in the five years immediately proceeding submission of an application. Option 2 included the modification made in Option 1 in addition to language recommended by staff.

- ❖ Christine Wietlisbach moved to approve Option 1 as the proposed regulatory language to amend Title 16, Division 39, California Code of Regulations Section 4161.
- ❖ Mary Evert seconded the motion.
- ❖ Motion passed unanimously.

- ❖ Bobbi Jean Tanberg moved to schedule the language recommended by staff for the next Practice Committee meeting for discussion and recommendation.
- ❖ Mary Evert seconded the motion.
- ❖ Motion passed unanimously.

R. Future Agenda Items

No additional future agenda items were discussed.

S. Public Comment Session

There was no public comment.

CLOSED SESSION - The Board convened in closed session pursuant to Government Code section 11126(c)(3) to deliberate on disciplinary decisions.

OPEN SESSION - The Board returned to open session at 4:10 p.m.

Adjournment

The meeting adjourned at 4:15 p.m.