



**BOARD OF OCCUPATIONAL THERAPY**  
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## **BOARD MEETING NOTICE AND AGENDA**

**Department of Consumer Affairs**  
**2005 Evergreen Street**  
**Sacramento, CA 95815**

**(916) 263-2294 *Directions only***

**Meeting Room on July 28, 2010 – Lake Tahoe Room, 1<sup>st</sup> floor**  
**Meeting Room on July 29, 2010 – Camanche Room, 2<sup>nd</sup> floor**

### **9:00 a.m. – Board meeting**

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

1. Call to order, roll call, establishment of a quorum.
2. President's remarks.
3. Board member updates/activities.
4. Approval of the March 11, 2010, Board meeting minutes.
5. Update from the Division of Investigation – *Daryl Walker, Acting Chief*
6. Director's Report - *Representative from Department of Consumer Affairs*
  - A. Enforcement Reform: Consumer Protection Enforcement Initiative (CPEI)
  - B. SB 1441 - Uniform Standards (SB 1441) Regarding Substance Abusing Healing Arts licensees
  - C. Federal Healthcare Reform
  - D. Other Items of Interest

### **10:30 a.m. – Regulatory Hearing, or as soon as practicable thereafter**

Amendment to Title 16, California Code of Regulations (CCR), to amend Section 4141, Assessment of Administrative Fines, add Section 4144, Notification to Other Boards and Agencies, and add section 4145, Public Disclosure; Record Retention.

7. Consideration and adoption of proposed regulatory language to amend CCR Section 4141, Assessment of Administrative Fines, Section 4144, Notification to Other Boards and Agencies, and add section 4145, Public Disclosure; Record Retention.

**10:45 a.m. – Regulatory Hearing, or as soon as practicable thereafter**

Amendment to Title 16, California Code of Regulations, to renumber and amend Section 4147, Disciplinary Guidelines, and add section 4148, Required Actions Against Registered Sex Offenders.

8. Consideration and adoption of proposed regulatory language to renumber and amend CCR Section 4144 to section 4147, Disciplinary Guidelines, and add section 4148, Required Actions Against Registered Sex Offenders.
9. Consideration and adoption of proposed regulatory language to amend CCR Section 4123, Limited Permit, and add section 4125, Representation.
10. Consideration and adoption of proposed regulatory language to amend CCR Sections 4150, Definitions; 4151, Hand Therapy; 4152.1, Use of Topical Medications; 4153, Swallowing Assessment, Evaluation or Intervention; 4154, Post Professional Education and Training; and 4155, Application for Approval in Advanced Practice Areas.
11. Discussion and consideration of amending Title 16, CCR Section 4100, Definitions, and Section 4101, Delegation of Certain Functions, adding Section 4144, Definitions, adding Section 4145, Examination for Competency, adding Section 4146, Other Actions Constituting Unprofessional Conduct, adding Section 4147.5, Revocation for Sexual Contact, and adding Section 4148, Required Actions Against Registered Sex Offenders.
12. Discussion and consideration of amending Title 16, Division 39, California Code of Regulations, Section 4161, Continuing Competency.
13. Discussion and consideration of adding Title 16, Division 39, California Code of Regulations, Section 4170, Ethical Standards of Practice.
14. Discussion and consideration of adding Title 16, Division 39, California Code of Regulations, Section 4171, Notification to Consumers.
15. Discussion and consideration of amending Title 16, Division 39, California Code of Regulations, Section 4180, Definitions and adding Section 4187, Supervision Plan for an Occupational Therapist.
16. Discussion and consideration of amending Title 16, Division 39, CCR, to amend Section 4123 to establish requirements for a retired license and renumber Section 4123 to Section 4125.
17. Regulations Update
  - A. Title 16, Division 39, CCR Section 4100 - Definitions
  - B. Title 16, Division 39, CCR Section 4120 - Renewal of a license
  - C. Title 16, Division 39, CCR Section 4175 - Minimum Standards for Infection Control.
  - D. Title 16, Division 39, CCR Section 4180 – Definitions

18. Legislation Update.

- A. Review Assembly Bills (AB) 1310, 1542, 2385, 2466, and Senate Bills (SB) 294, 999, 1111, 1282, and discussion of Board's position(s).
- B. Consideration of Legislative Proposals for 2011 legislative session:
  - 1) Amend Business and Professions Code (BPC) Section 146, Violations of specified authorization statutes as infractions; Punishment.
  - 2) Amend BPC Section 149, Notice to cease advertising in telephone directory; Contest and hearing; Disconnection of service.
  - 3) Amend BPC Section 2570.2, Definitions.
  - 4) Amend BPC Section 2570.3, Licensing requirement.
  - 5) Amend BPC Section 2570.16, Fees.
  - 6) Amend BPC Section 2570.17, Retired status.
  - 7) Amend BPC Section 2570.18, Representation.
  - 8) Amend BPC Section 2290.5, Telemedicine informed consent, and establishing BPC Section 2572, Standards of practice for telemedicine by occupational therapists.
  - 9) New BPC section requiring registration of occupational therapy aides.
  - 10) New BPC section regarding limiting liability of occupational therapists providing services in an emergency, disaster, or state of war.
  - 11) New BPC section regarding mandatory reporting of employees who are terminated or suspended for cause, as specified, and consequences for failure to report.
  - 12) New BPC section requiring application and fee for providers of post-professional (advanced practice) education courses and the courses they offer and biennial renewal, thereafter.
- C. Any other bills of interest to the Board.

19. Consideration of policy to allow the Board to hear a contested case when an individual has been denied a license based upon allegations that he or she has practiced without a license for a period of more than one year and the individual appeals for an Administrative Procedures Act hearing.

20. Executive Officer's report.

- A. Revenue and expenditure information.
- B. Enforcement Improvement Plan, Uniform Standards Implementation Progress Report.
- C. Report on background checks for licensees.
- D. Report on reporting of actions to and querying of federal data banks.
- E. Personnel updates.
- F. Other informational items.

21. Enforcement data and reports.

22. Strategic Planning Session.

23. Discussion and consideration of future agenda items:

*Next meeting date: November 4, 2010 – University of St. Augustine*

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

25. The Board will convene in CLOSED SESSION pursuant to Government Code Section 11126(c)(3) to deliberate on Disciplinary Decisions.

26. Return to Open Session.

27. Select 2011 Board Meeting dates.

28. Election of Officers of the Board.

29. Adjournment.

ALL TIMES ARE APPROXIMATE AND SUBJECT TO CHANGE.  
ACTION MAY BE TAKEN ON ANY ITEM ON THE AGENDA.

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](http://www.bot.ca.gov).