

AGENDA ITEM 18

Review of Bagley-Keene Open Meeting Act Top Ten Rules.

**BAGLEY-KEENE OPEN MEETING ACT
TOP TEN RULES
(October 2010)**

[NOTE: GC § = Government Code Section; AG = Opinions of the California Attorney General.]

- 1. All meetings are public. (GC §11123.)**
- 2. Meetings must be noticed 10 calendar days in advance—including posting on the Internet. (GC §11125(a).)**
- 3. Agenda required—must include a description of specific items to be discussed (GC §§ 11125 & 11125.1).**
 - a. No item may be added to the agenda unless it meets criteria for an emergency. (GC §11125(b).)**
- 4. Meeting is “gathering” of a majority of the board or a majority of a committee of 3 or more persons where board business will be discussed. Includes telephone & e-mail communications. (GC § 11122.5; Stockton Newspapers Inc. v. Members of the Redevelopment Agency of the City of Stockton (1985) 171 Cal.App.3d 95.)**
- 5. Law applies to committees, subcommittees, and task forces that consist of 3 or more persons (includes all persons whether or not they are board members). (GC §11121)**
- 6. Public comment must be allowed on open session agenda items before or during discussion of each item and before a vote, unless: (GC §11125.7.)**
 - a. The public was provided an opportunity to comment at a previous committee meeting of the board. If the item has been substantially changed, another opportunity for comment must be provided.**
- 7. Closed sessions (GC §11126.) At least one staff member must be present to record topics discussed and decisions made. (GC § 11126.1).**

Closed session allowed:

- a. Discuss and vote on disciplinary matters under the Administrative Procedure Act (APA). (subd. (c)(3).)**
- b. Prepare, approve or grade examinations. (subd. (c)(1).)**
- c. Pending litigation. (subd. (e)(1).)**

- d. Appointment, employment, or dismissal of executive officer (EO) unless EO requests such action to be held in public. (subd. (a), (b).)

No closed session allowed for:

- a. Election of board officers. (68 AG 65.)
 - b. Discussion of controversial regulations or issues.
- 8. No secret ballots or votes except mail votes on APA enforcement matters. (68 AG 65; GC §11526.)
 - 9. No proxy votes. (68 AG 65.)
 - 10. Teleconference Meetings (GC §11123.)
 - a. Suitable audio or video must be audible to those present at designated location(s). (subd. (b)(1)(B).)
 - b. Notice and agenda required. (subd. (b)(1)(A).)
 - c. Every location must be open to the public and at least one board member must be physically present at the specified location. All members must attend at a public location. (subds. (b)(1) (C), and (F).)
 - e. Rollcall vote required. (subd. (b)(1)(D).)
 - f. Emergency meeting closed sessions not allowed. (subd. (b)(1)(E).)

Reference: January 2010 "Public Meetings" Memorandum & Attached Guide to the Bagley-Keene Open Meeting Act
http://www.dca.ca.gov/publications/bagleykeene_meetingact.pdf

AGENDA ITEM 19

EDUCATION/OUTREACH COMMITTEE REPORT AND BOARD ACTION.

The following are attached for review:

- Highlights from the August 24, 2012, meeting.
- Acceptance of the August 25, 2011, meeting minutes.
- Acceptance of the January 19, 2012, meeting minutes.
- Review draft consumer brochure and selection of photos.



EDUCATION AND OUTREACH COMMITTEE REPORT.

Highlights from August 24, 2012, committee meeting:

- The August 25, 2011, meeting minutes were approved with technical edits.
- The January 19, 2012, meeting minutes were approved as presented.
- The Committee reviewed a draft consumer brochure and discussed edits, including the various types of treatments or services provided.
- The Committee reviewed and discussed proposed website content for Practice Reviewers and Advanced Practice Reviewers and asked that (1) website content be separated into two separate webpages, (2) a Practice Reviewer booklet be developed and added to the webpage, and (3) that a video be added to the Practice Reviewer webpage, with a reviewer describing their personal experience with the review process.
- The discussion of strategies and other information to encourage licensee participation in Practice Reviewers and Advanced Practice Reviewers programs and a review of 2011-2014 Strategic Plan as it relates to Committee's Roles and Responsibilities were both tabled for a future Committee meeting.



TELECONFERENCE EDUCATION/OUTREACH COMMITTEE MEETING MINUTES

Thursday, August 25, 2011

Committee Members Present

Bobbi Jean Tanberg, Board Member
DeeDee Clark
Diane Mayfield
Danielle Meglio

Committee Members Present

None

Board Staff Present

Heather Martin, Executive Officer

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

The meeting was called to order at 4:10. All committee members were present and a quorum was established.

B. Approval of the February 24, 2011, meeting minutes.

- ❖ Diane Mayfield moved to approve the February 24, 2011, meeting minutes as presented.
- ❖ Danielle Meglio seconded the motion.

Roll Call Vote

Bobbi Jean Tanberg	Aye
DeeDee Clarke	Aye
Diane Mayfield	Aye
Danielle Meglio	Aye

- ❖ The motion was adopted.

C. Review and discussion of the Education/Outreach Committee's Roles and Responsibilities and consideration of recommending changes to the Board.

Heather Martin explained that the Committee's Roles and Responsibilities document is a standing agenda item due to the newness of the Committee. Committee members discussed the fact that 'developing website content' was too narrow of a scope.

- ❖ Diane Mayfield moved to amend the wording of Roles #2 and 3 to 'develop content and communication tools' to educate consumers about occupational therapy and educate

licensees about the regulation of the profession, and add a new #6 'Identify and explore use of various communication tools.'

- ❖ DeeDee Clarke seconded the motion.

Roll Call Vote

Bobbi Jean Tanberg	Aye
DeeDee Clarke	Aye
Diane Mayfield	Aye
Danielle Meglio	Aye

- ❖ The motion was adopted.

D. Discussion and development of consumer-related informational brochures.

Bobbi Jean Tanberg advised the Committee that she contacted the American Occupational Therapy Association (AOTA) regarding linking information for consumer's on AOTA's website to the Consumers page on the Board's website; AOTA approved the request. The Committee agreed that placing a link to What is Occupational Therapy on AOTA's website would provide useful information for those interested in finding out more about occupational therapy. The Committee also suggested placing the same link to AOTA's website in the QuickHits section of the Board's website.

The Committee reviewed several brochures, including other State OT board brochures and website content and other California health board consumer brochures. The Committee discussed the Missouri OT Board's brochure and talked about using that as the model brochure and what amendments could be made to make it specific to California.

The Committee discussed the confusion about what is occupational therapy and the role of the Board and agreed providing information about service providers would be helpful.

- ❖ Bobbi Jean Tanberg moved to direct staff to bring back a draft consumer brochure to review at the next meeting.
- ❖ Diane Mayfield seconded the motion.

Roll Call Vote

Bobbi Jean Tanberg	Aye
DeeDee Clarke	Aye
Diane Mayfield	Aye
Danielle Meglio	Aye

- ❖ The motion was adopted.

To give staff more direction, Committee provided additional recommendations to assist with drafting a brochure, including adding bulleted list of activities across the lifespan to the brochure, e.g., low vision, activities of daily living, self-care skills, mobility, etc.

E. Discussion regarding holding Board and committee meetings that are accessible and informative.

The Committee discussed different ways to increase access to Board and Committee meetings, including suggestions to look into: providing toll-free numbers so interested parties could call into the meeting (without having to attend, in person); the cost and/or limitations of holding meetings via videoconference; web-casting the Board's meeting (where meeting is recorded and made available on Board's website afterward); suggesting that meetings held via teleconference are recorded and made available on the Board's website so licensees could access/listen at their leisure.

Ms. Martin pointed out that only 30+ people receive Board information via United States Postal Mail, 350+ receive information via email, yet the Board's facebook page (OccupationalTherapy Board) has over 1200 'friends.' Thus, Board staff post Board and Committee meeting information on the Board's facebook wall to encourage interest and/or attendance.

F. Review of the Board's Disciplinary Guidelines and complaint data as it relates to attracting licensees to serve as an Expert Witness.

Ms. Martin provided complaint data and referenced the Board's Disciplinary Guidelines as it relates to the volume and types of cases the Board needed reviewed by Expert Witnesses.

G. Review of proposed Fact Sheets and FAQs for individuals serving as an Advanced Practice Reviewer and Expert Witness.

The Committee discussed the fact that use of the term 'Expert' could be off-putting to some licensees and discussed alternative names to use. The Committee also recommended the webpage for Expert Witness and Advanced Practice application reviewers be separated into two different webpages and provided other suggestions to provide more information to licensees, e.g., the frequency the person would need to review complaint cases or advanced practice applications, the time commitment, etc.

- ❖ Diane Mayfield moved to recommend the Board change the title of Expert Witness to Practice Reviewer and direct staff to update the Board's website accordingly.
- ❖ Danielle Meglio seconded the motion.

Roll Call Vote

Bobbi Jean Tanberg	Aye
DeeDee Clarke	Aye
Diane Mayfield	Aye
Danielle Meglio	Aye

- ❖ The motion was adopted.

H. Discussion regarding providing information via podcasts.

The Committee discussed how podcasts could be posted on the Board's website and that could maybe be a way to 'demystify' the complaint review process. Committee members suggested that if a recording of someone explaining the review process could be put on the Board's website and/or made into a podcast, that may be a way of getting out the word regarding complaint and/or case reviews.

- ❖ DeeDee Clarke moved to recommend Heather Martin contact someone who has previously reviewed cases and them be recorded while explaining the review process for posting on the board's website.
- ❖ Diane Mayfield seconded the motion.

Roll Call Vote

Bobbi Jean Tanberg	Aye
DeeDee Clarke	Aye
Diane Mayfield	Aye
Danielle Meglio	Aye

- ❖ The motion was adopted.

I. Agenda items for next meeting.

No additional items were suggested.

J. Public comment on items not on agenda.

No public comment was provided.

K. Adjournment

The meeting adjourned at 6:16 pm.



TELECONFERENCE EDUCATION AND OUTREACH COMMITTEE MEETING MINUTES

Committee Members Present

Bobbi Jean Tanberg, Board Member
DeeDee Clark
Diane Mayfield
Danielle Meglio

Committee Members Present

None

Board Staff Present

Heather Martin, Executive Officer

January 19, 2012

4:00 pm – Committee Meeting

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

The meeting was called to order at 4:15. All committee members were present and a quorum was established.

B. Approval of the August 25, 2011 meeting minutes.

The item was tabled until the next meeting.

C. Review and discussion of the Education/Outreach Committee's Roles and Responsibilities and consideration of recommending changes to the Board.

Ms. Martin explained that the Roles and Responsibilities document reflected edits from the Committee's last meeting. The Committee reviewed the rules and responsibilities document provided and made additional edits.

- ❖ Diane Mayfield moved to recommend the Board approved the Roles and Responsibilities document as edited.
- ❖ Danielle Meglio seconded the motion.

Roll Call Vote

Bobbi Jean Tanberg	Aye
DeeDee Clarke	Aye
Diane Mayfield	Aye
Danielle Meglio	Aye

❖ The motion was adopted.

D. Review and discussion of informational consumer brochure.

The Committee discussed a draft brochure entitled *A Consumer's Guide* with edits from the last meeting. The Committee further discussed what information would be helpful to consumers and directed additional edits.

- ❖ Danielle Meglio moved to direct Heather Martin to revise the brochure and provide a website mockup at the next meeting.
- ❖ Diane Mayfield seconded the motion.

Roll Call Vote

Bobbi Jean Tanberg	Aye
DeeDee Clarke	Aye
Diane Mayfield	Aye
Danielle Meglio	Aye

❖ The motion was adopted.

E. Review and discussion of proposed website content for Advanced Practice Reviewers and Practice Reviewers and discussion regarding strategies and other information to encourage licensee participation in both programs.

The Committee reviewed the information on the Board's website relating to recruitment of Practice Reviewers. The Committee discussed different information that an occupational therapist would need to know when considering whether to submit an application to the Board.

Suggested information to add included:

The amount of time spent to review a case and write an opinion will vary by case; no minimum number of cases required; participation will be based on a reviewers' availability; reviewing a case is optional - reviewers can decline to review a case; cases are reviewed at reviewers convenience; cases infrequently go to hearing; if a case goes to hearing, travel expenses are reimbursed.

Heather Martin will incorporate the Committee's suggestions and will bring a mock-up of website content to the next meeting.

Review and discussion of the Advanced Practice reviewer information on the Board's website was tabled due to time constraints.

F. Review of 2011-2014 Strategic Plan as it relates to Committee's Roles and Responsibilities.

Review the Board's Strategic Plan as it relates to the Committee's Roles and Responsibilities was tabled due to time constraints.

G. Agenda items for next meeting.

No future agenda items were noted.

H. Public comment on items not on agenda.

No public comments were provided.

I. Adjournment

The meeting adjourned at 6:10 pm.

WHAT ARE MY RIGHTS WHEN RECEIVING OCCUPATIONAL THERAPY SERVICES?

- To receive competent professional services.
- To verify the credentials, names, and titles of the service provider.
- To receive a clear explanation of the services being offered or provided.
- To refuse any services offered.
- To know that all records will be kept confidential.
- To obtain copies of your records.
- To file a complaint with the California Board of Occupational Therapy about a licensed or unlicensed occupational therapist or occupational therapy assistant.
- To request reasonable accommodation(s) to access services.
- To receive competent services in accordance with the ethical standards of practice while maintaining a professional relationship.

WHAT DO I DO IF I THINK MY RIGHTS HAVE BEEN VIOLATED?

If you suspect that someone is practicing without a license or has acted in an unprofessional manner, you may report such instances to the California Board of Occupational Therapy by filing a written complaint. Complaint forms and an authorization to release records can be found on the Board's website and can be emailed, faxed, or mailed to the Board.

State of California

A CONSUMER'S GUIDE TO OCCUPATIONAL THERAPY

More information about occupational therapy can be found on the American Occupational Therapy Association's website: www.aota.org

<INSERT ANOTHER
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If you would like more information
from the Board,
please call, write, email or fax:

California Board of Occupational Therapy
2005 Evergreen Street Suite 2050
Sacramento, CA 95815

Phone: (916) 263-2294
Fax: (916) 263-2701

Website: www.bot.ca.gov

Department of Consumer Affairs
California Board of Occupational Therapy
2005 Evergreen Street Suite 2050
Sacramento, CA 95815

Phone: (916) 263-2294

CALIFORNIA BOARD OF OCCUPATIONAL THERAPY MISSION AND RESPONSIBILITY:

The mission of the California Board of Occupational Therapy is to regulate occupational therapy by serving and protecting California's consumers and licensees.

It is also the Board's duty to investigate all complaints against its licensees in a fair and equitable manner.

The Board is responsible for developing, implementing and administering the rules and regulations necessary to regulate the profession. The Board also investigates complaints related to the practice of occupational therapy.

WHAT IS OCCUPATIONAL THERAPY?

"Occupational Therapy" is the use of purposeful activity or interventions designed to achieve functional outcomes which promote and maintain health, and prevent injury or disability.

Occupational therapy assists individuals in reaching the highest possible level of independence to take care of yourself, your home, and fully participate in your community.

OCCUPATIONAL THERAPY HELPS PEOPLE WITH:

- developmental disabilities
- learning disabilities
- job-related injuries
- neurological problems
- orthopedic injuries
- birth defects
- stroke
- psychosocial disorders
- mental illness
- low vision
- cognitive impairment
- chemical dependence
- driving difficulties
- swallowing problems
- age-related disorders
- traumatic injury
- post-surgery rehabilitation
- developing healthy lifestyles
- ergonomic solutions
- adaptive equipment
- *and much, much more!*

Occupational therapy includes assessment or treatment by means of skilled observation or evaluation through the administration and interpretation of standardized or non-standardized tests and measurements.

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**Occupational therapy
enables clients
to maximize their capacity
to participate in life activities
that are important
and meaningful to them.**

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