



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

**Thursday and Friday, October 11-12, 2012**

### Board Members Present

Nancy Michel  
Mary Evert  
Linda Florey  
Luella Grangaard  
Kathay Lovell

### Board Staff Present

Heather Martin, Executive Officer  
Norine Marks, Legal Counsel  
Jeff Hanson, Staff Services Manager  
Jody Quesada, Office Technician

### Board Members Absent

Bobbi Jean Tanberg  
Eric Alegria

### **11:30 am - Board Meeting**

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

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

Secretary Linda Florey called roll and a quorum was established.

#### **2. Vice President's remarks.**

Vice President Nancy Michel had no remarks to report.

At approximately 11:40 am the Board entered into Closed Session to deliberate on disciplinary matters followed by a lunch break.

At 1:30 pm the Board returned to Open Session

#### **3. Board member updates/activities.**

Mary Evert reported that she and Linda Florey attended the OTAC conference. Ms. Evert suggested that the California Board of Occupational Therapy(Board) work closely with the Occupational Therapy Association of California (OTAC) and provide data regarding the number of practicing occupational therapists (OTs) and occupational therapy assistants (OTAs).

Ms. Evert reported that OTAC implemented a mechanism titled MyOTlicense.org that keeps an electronic record of a practitioner's professional development units (PDUs), and that a company called Dynamic Learning Online Inc. has begun providing an OTAC benefit that will allow a practitioner to access many continuing education courses at a great value of \$99.00 per year. Lastly, Ms. Evert reported that OTAC will have a float in the 2017 Rose Bowl Parade, celebrating the 100 year anniversary of the founding of the profession.

Luella Grangaard reported that October 1<sup>st</sup> brought about a huge change in the Medicare reimbursement for hospital based outpatient therapy. There will now be a cap of \$1,880.00 per year allotted for basic and an exception amount of \$3,700.00.

Linda Florey reported that Mary Evert received the lifetime achievement award from OTAC. Ms. Florey expressed her interest in CBOT developing a closer working relationship with OTAC and Elizabeth Gomes, Co-Chair of Practice, Ethics & Reimbursement committee.

Heather Martin commented that CBOT has established a working relationship with Ms. Gomes and that recently Ms. Gomes invited Ms. Martin to participate in OTAC's Practice, Ethics & Reimbursement committee conference call to address the Board's use practice reviewers and their roles and responsibilities.

Kathay Lovell expressed her gratitude to Mary Evert for the wonderful job that she has done as a member of the Board.

#### **4. Approval of the March 12, 2012, Board meeting minutes.**

- ❖ Mary Evert moved to approve the March 12, 2012, Board meeting minutes.
- ❖ Luella Grangaard seconded the motion.

##### Roll Call Vote

Mary Evert	Aye
Luella Grangaard	Aye
Kathay Lovell	Aye
Nancy Michel	Aye
Linda Florey	Aye

***The motion was adopted.***

#### **5. Approval of the June 27-28, 2012, Board meeting minutes.**

- ❖ Mary Evert moved to approve the June 27-28, 2012 Board meeting minutes.
- ❖ Luella Grangaard seconded the motion.

Legal Counsel, Norine Marks suggested the following grammatical changes be made to the June 27-28, 2012, minutes:

- The motion on Page 4, Section 9 read: "Mary Evert moved to adopt sections 4101 and 4146 as noticed and modified."
- The motion on Page 5, Section 10 read: "Mary Evert moved to adopt the regulations as noticed and modified."
- The on Page 5, Section 11 to read: "Mary Evert moved to approve the language for noticing." and removing, "barring negative public comment" from the second motion.
- The motion on Page 5, Section 12 to read: "Nancy Michel moved to approve and notice the proposed language as amended."
- The motion on Page 6, Section 13 to read: "Nancy Michel moved to approve and notice the proposed language as amended."

- ❖ Mary Evert moved to accept the minutes as amended.
- ❖ Linda Florey seconded the motion.

Roll Call Vote

Mary Evert	Aye
Luella Grangaard	Aye
Kathay Lovell	Aye
Nancy Michel	Aye
Linda Florey	Aye

***The motion was adopted.***

**6. Approval of the July 31, 2012, Board meeting minutes.**

- ❖ Mary Evert moved to approve the July 31, 2012, Board meeting minutes.
- ❖ Luella Grangaard seconded the motion.

Roll Call Vote

Mary Evert	Aye
Luella Grangaard	Aye
Kathay Lovell	Aye
Nancy Michel	Aye
Linda Florey	Aye

***The motion was adopted.***

**7. Disaster Preparedness/Disaster Response Committee Report and Board Action.**

Mary Evert reported that she submitted a paper on disaster preparedness/response to AOTA for consideration of presenting at the 2013 AOTA conference; although the paper scored 44 out of a possible 45 points, it was not accepted by the committee.

Ms. Evert outlined her alternative plan of action. She proposed that instead of the Board attempting to change an ethics code in California, a positive step forward would be to work with AOTA and the guidelines that frame what is used in California to show standards of good practice.

- ❖ Luella Grangaard moved to accept the report including the June 26, 2012, committee meeting minutes.
- ❖ Linda Florey seconded the motion.

Roll Call Vote

Mary Evert	Aye
Luella Grangaard	Aye
Kathay Lovell	Aye
Nancy Michel	Aye
Linda Florey	Aye

***The motion was adopted.***

**8. Enforcement Committee Report and Board Action.**

Nancy Michel stated that the last Enforcement Committee meeting was actually a sub-committee meeting because a quorum of the Enforcement committee could not be established.

- ❖ Nancy Michel moved to approve for noticing proposed language to establish the effective dates of stipulated settlements and default decisions.

- ❖ Mary Evert seconded the motion.

Roll Call Vote

Mary Evert	Aye
Luella Grangaard	Aye
Kathay Lovell	Aye
Nancy Michel	Aye
Linda Florey	Aye

***The motion was adopted.***

- ❖ Mary Evert moved to approve the Enforcement Committee Report and approve for noticing version one of the amendments to California Code of Regulations (CCR) Section 4147.
- ❖ Luella Grangaard seconded the motion.

Roll Call Vote

Mary Evert	Aye
Luella Grangaard	Aye
Kathay Lovell	Aye
Nancy Michel	Aye
Linda Florey	Aye

***The motion was adopted.***

- ❖ Luella Grangaard moved to delegate the Executive Officer authority to make any technical, non-substantive changes.
- ❖ Mary Evert seconded the motion.

Roll Call Vote

Mary Evert	Aye
Luella Grangaard	Aye
Kathay Lovell	Aye
Nancy Michel	Aye
Linda Florey	Aye

***The motion was adopted.***

Discussion ensued regarding Term 7 titled “Employment Requirements and Limitations” in the Disciplinary Guidelines.

It was proposed that the second paragraph of Term 7 with modifications be changed to read, “While on probation, respondent shall not work **as a traveler or** for a registry,.....”

Discussion ensued regarding Term 23b titled “Submit Biological Fluid or Specimen Samples”, second paragraph from the bottom.

It was proposed that the fourth line of this paragraph be changed to read, “If Respondent tests positive **in violation of term 21 or term 22**, Respondent shall be ordered by the Board.....”

Jeff Hanson asked Board Members to consider suggested language for page 30 of the Disciplinary Guidelines titled “Recommended Language for Issuance and Placement of a License on Probation and Reinstatement of License.”

- ❖ Luella Grangaard moved to approve proposed amendments to Terms 7, 23a, 23b and to add the new language under the section titled “Recommended Language for Issuance and Placement of a License on Probation and Reinstatement of License.”

- ❖ Nancy Michel seconded the motion.

Roll Call Vote

Mary Evert	Aye
Luella Grangaard	Aye
Kathay Lovell	Aye
Nancy Michel	Aye
Linda Florey	Aye

***The motion was adopted.***

- ❖ Mary Evert moved to delegate the Executive Officer authority to make technical, non-substantive changes.
- ❖ Luella Grangaard seconded the motion.

Roll Call Vote

Mary Evert	Aye
Luella Grangaard	Aye
Kathay Lovell	Aye
Nancy Michel	Aye
Linda Florey	Aye

***The motion was adopted.***

## **9. Practice Committee Report and Board Action.**

Linda Florey asked that the Board accept the minutes from the November 4, 2011, meeting.

- ❖ Luella Grangaard moved to accept the November 4, 2011, Practice Committee meeting minutes as presented.
- ❖ Mary Evert seconded the motion.

Roll Call Vote

Mary Evert	Aye
Luella Grangaard	Aye
Kathay Lovell	Aye
Nancy Michel	Aye
Linda Florey	Aye

***The motion was adopted.***

- ❖ Nancy Michel moved to accept the meeting minutes from the August 25, 2011, Practice Committee meeting.
- ❖ Mary Evert seconded the motion.
- ❖

Roll Call Vote

Mary Evert	Aye
Luella Grangaard	Aye
Kathay Lovell	Aye
Nancy Michel	Aye
Linda Florey	Aye

***The motion was adopted.***

Linda Florey proposed removing items 1 and 8 from the Roles and Responsibilities, due to the fact that the current Practice Committee does not have sufficient representation of occupational therapists with advanced practice approval.

- ❖ Luella Grangaard moved to accept the Practice Committee’s recommendation to amend the Roles and Responsibilities.
- ❖ Mary Evert seconded the motion.

Mary Evert reminded the Board that we previously agreed to use Practice Reviewer in place of Expert Reviewer. She stated that this is a technical change that does not need a vote.

Roll Call Vote

Mary Evert	Aye
Luella Grangaard	Aye
Kathay Lovell	Aye
Nancy Michel	Aye
Linda Florey	Aye

***The motion was adopted.***

Ms. Florey reviewed CCR Section 4123. Limited Permit and asked the Board to approve the proposed amendment.

- ❖ Luella Grangaard moved to approve and notice the amendments to CCR Section 4123.
- ❖ Mary Evert seconded the motion.

Roll Call Vote

Mary Evert	Aye
Luella Grangaard	Aye
Kathay Lovell	Aye
Nancy Michel	Aye
Linda Florey	Aye

***The motion was adopted.***

Ms. Florey reported that a sub committee consisting of Richard Bookwalter, Sharon Pavlovich and Heather Martin was appointed to re-evaluate “post professional education and training” as it relates to qualifying for advanced practice (AP) and determine what is considered “beyond ACOTE standards”. The sub committee will draft a recommendation and bring it back to the Practice Committee for discussion.

## **10. Legislative and Regulatory Affairs Committee Report and Board Action.**

Luella Grangaard reviewed the recommended prioritization of previously approved legislative proposals as follows:

- Amend Business and Professions Code (BPC) Section 146, Violations of specified authorization statutes as infractions; Punishment. - **TECHNICAL**
- Amend BPC Section 149, Notice to cease advertising in telephone directory; Contest and hearing; Disconnection of service. - **TECHNICAL**
- Amend BPC Section 2570.2, Definitions. - **HIGH**
- Amend BPC Section 2570.3, Licensing requirement. - **HIGH**
- Amend BPC Section 2570.16, Fees. - **HIGH**

- Amend BPC Section 2570.18, Representation. - **LOW**
- Amend BPC 2570.27, Discipline; Initial license issued on probation. - **MEDIUM**
- Add new BPC Section 2572 establishing standards of practice for telehealth by occupational therapists. - **HIGH**
- Add new BPC Section requiring mandatory reporting of employees who are terminated or suspended for cause, as specified, and consequences for failure to report. - **HIGH**
- Add new BPC Section regarding limiting liability of occupational therapists providing services in an emergency, disaster, or state of war. - **HIGH**
- Add new BPC Section establishing new language which would allow the Board to inspect records. – **HIGH**

- ❖ Nancy Michel moved to accept the recommended prioritization of the legislative proposals.
- ❖ Linda Florey seconded the motion.

Roll Call Vote

Mary Evert	Aye
Luella Grangaard	Aye
Kathay Lovell	Aye
Nancy Michel	Aye
Linda Florey	Aye

***The motion was adopted.***

Ms. Grangaard reviewed the status on Bills from the 2012 legislative session.

Mary Evert requested further detail on SB 924, Direct Patient Access and the outcome of the bill. Ms. Evert expressed the importance of the position the Board took on this bill and that the Board should post the outcome of the bill on the website to keep the OTs and OTAs in the loop on the issue.

- ❖ Mary Evert moved to direct the Executive Officer to compose a factual piece on the death of SB 924 and the impact to consumer protection.
- ❖ Nancy Michel seconded the motion.

Roll Call Vote

Mary Evert	Aye
Luella Grangaard	Aye
Kathay Lovell	Aye
Nancy Michel	Aye
Linda Florey	Aye

***The motion was adopted.***

**11. Review and consideration of legislative protocol when the Board is unable to meet and discuss pending legislation.**

Heather Martin reviewed alternative solutions for handling time sensitive legislative matters. Ms. Martin stated that per the government code the Board can call a meeting with two days notice. Ms. Martin also suggested the Board wait to receive the legislative calendar for the upcoming session, and subsequently schedule a one hour conference call, once a week during the three week period when the policy committees are meeting. Thus, the latest information can be provided to and discussed by the Board, allowing them time to submit any changes in regards to the Board’s position on the bills.

Discussion ensued and the Board members suggested changes to the draft policy which would tailor it to the needs of CBOT. The Board asked Ms. Martin to make these changes and submit a new draft to the Board at the next meeting.

- ❖ Luella Grangaard moved to accept the draft policy with amendments.
- ❖ Nancy Michel seconded the motion.

Roll Call Vote

Mary Evert	Aye
Luella Grangaard	Aye
Kathay Lovell	Aye
Nancy Michel	Aye
Linda Florey	Aye

***The motion was adopted.***

**12. Discussion and consideration of amending Title 16, CCR Section 4101, Delegation of Certain Functions, to allow the Executive Officer to Grant a Motion to vacate a default decision and schedule a hearing.**

- ❖ Nancy Michel moved to approve and notice the amendments to CCR Section 4101/
- ❖ Luella Grangaard seconded the motion.

Roll Call Vote

Mary Evert	Aye
Luella Grangaard	Aye
Kathay Lovell	Aye
Nancy Michel	Aye
Linda Florey	Aye

***The motion was adopted.***

**13. Executive Officer's report.**

*Budget information.*

Heather Martin reviewed the fact that the Board cannot increase fees or increase the enforcement budget until the outstanding general fund loans are paid back to us. The first general fund loan is slated to be repaid in fiscal year 2012/13 and the second repayment is slated for fiscal year 2013/2014, thus the fee increases and fee additions will take effect in FY 2014/15.

*Personnel update.*

Ms. Martin reported that despite the fact that the Board's workload supports the need for additional staff, due to concerns in the disparity between revenue collected and the Board's expenditures, the Board is unable to request additional staff.

*Performance measurements.*

Ms. Martin supplied the Board members with graphs displaying the performance measurements.

*Other informational items.*

Ms. Martin reported that Board staff will be sending more than 10,600 letters to OTs advising and reminding them that if they are working in a supervisory capacity that they are responsible to verify that the practitioners have a valid license; failing to do so can result in the supervisor receiving a citation and fine along with the practitioner.



Ms. Martin reported that AOTA is hadn't finalized their model language for telehealth and hopes AOTA will make it available in spring 2013.

#### **14. Report on Pending Regulations.**

Ms. Martin reviewed the chart she created that updated the Board members on the status of pending regulations.

Luella Grangaard asked Ms. Martin if she had found anyone to sponsor the redefinition of occupational therapy. Ms. Martin replied that she had not yet found an author. Mary Evert suggested Ms. Martin contact Denise Miller as a source of assistance in locating an author.

#### **15. Enforcement data and reports for the periods 4/12/2012 - 6/30/2012, July 1, 2011 - June 30, 2012, and 7/1/2012 – 9/30/2012.**

Jeff Hanson reviewed the enforcement data and reports. Mr. Hanson reported that our timeframes have improved and Mr. Evert congratulated Board staff on that fact.

#### **Adjournment**

The meeting adjourned at 3:53 pm

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

**Friday, October 12, 2012**

Board Members Present

Bobbi Jean Tanberg  
Nancy Michel  
Mary Evert  
Linda Florey  
Luella Grangaard  
Kathay Lovell

Board Staff Present

Heather Martin, Executive Officer  
Norine Marks, Legal Counsel  
Jeff Hanson, Staff Services Manager  
Jody Quesada, Office Technician

**9:50 am - Board Meeting**

**Secretary Florey called roll and a quorum was established.**

**16. Discussion and consideration of continuing the standing Committees, including Disaster Preparedness/Disaster Response Committee, Education and Outreach Committee, Enforcement Committee, Legislative and Regulatory Affairs Committee, and Practice Committee.**

President Tanberg recommended that she and another Board member work with Heather Martin on bringing back to the Board a recommendation on how the committees can still work but lessen the amount of staff time required to support the committees.

- ❖ Mary Evert moved to establish an adhoc committee consisting of Bobbi Jean Tanberg and Luella Grangaard to work with Heather Martin to review the committees function and purpose and consider ways to lessen the amount of staff time required to support the committees.
- ❖ Nancy Michel seconded the motion.

No public discussion.

Roll Call Vote

Eric Alegria	Aye
Mary Evert	Aye
Luella Grangaard	Aye
Kathay Lovell	Aye
Nancy Michel	Aye
Bobbi Jean Tanberg	Aye
Linda Florey	Aye

***The motion was adopted.***

**17. President's remarks. (B. Tanberg)**

President Tanberg congratulated Mary Evert on receiving the lifetime achievement award from OTAC and thanked her for her service and mentorship. Heather Martin presented Mary Evert with a plaque commemorating her service.

President Tanberg thanked the Board members from their service and the staff for the progress made on the Board's performance goals.

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

Legal Counsel, Norine Marks reviewed the Bagley-Keene Open Meeting Act and reiterated that after a meeting is noticed and locations are announced, that they cannot be changed due to the fact that the public may already be making their own arrangements to attend at those specific locations.

No public discussion.

## 19. Education and Outreach Committee Report and Board Action.

President Tanberg asked the Board members if they had any suggestions on the content of the brochure presented.

Mary Evert suggested that under the section headed "Occupational Therapy Helps People With:" that "prevention/risk reduction" be added as a bullet directly above "and much much more!"

Ms. Evert suggested that under the section headed What Are My Rights..., to strike the first bullet and alter the last bullet to read: "To receive competent, professional services...."

- ❖ Mary Evert moved to approve the brochure and make the corrections and re-ordering as presented.
- ❖ Linda Florey seconded the motion.

No public discussion.

### Roll Call Vote

Eric Alegria	Aye
Mary Evert	Aye
Luella Grangaard	Aye
Kathay Lovell	Aye
Nancy Michel	Aye
Bobbi Jean Tanberg	Aye
Linda Florey	Aye

### ***The motion was adopted.***

Board members decided to use the photos displaying the little girl playing a game, apple cutting and a cropped and zoomed in version of the driving photo as the initial three photos in the brochure.

- ❖ Luella Grangaard moved to accept the photos chosen by the Board members.
- ❖ Nancy Michel seconded the motion.

No public discussion.

### Roll Call Vote

Eric Alegria	Aye
Mary Evert	Aye
Luella Grangaard	Aye
Kathay Lovell	Aye
Nancy Michel	Aye
Bobbi Jean Tanberg	Aye
Linda Florey	Aye

***The motion was adopted.***

## **20. Review and consideration of draft Sunset Report.**

Luella Grangaard and Eric Alegria thanked Board staff for all their hard work in putting together the Board's Sunset Report.

Ms. Grangaard reviewed the new issues located on page 35 of this section in hopes of soliciting input from the practitioners.

Le Ondra Clark, consultant for Senate Committee on Business, Professions and Economic Development (Senate B&P), reported that she will be reviewing the Board's report and asked that Board include as much detail as possible up front.

Heidi Pendleton added all ACOTE accredited schools perform an annual review and the questions involve meeting the new standards. Ms. Pendleton reported that ACOTE might have some helpful information available.

Luella Grangaard asked for input from the Board members on any changes that should be made.

Linda Florey suggested that in Section 1 – Background and Description of the Board and Regulated Profession, the second paragraph from the bottom of page 2 should be replaced with the information found at the top of page 15 of the same section.

Ms. Grangaard asked that page 51, item 49 be changed to reflect the year 2013.

Heather Martin suggested that any additional changes be emailed to her no later than Friday, October 19, 2012, for updating and preparation of the report to be submitted to Senate B&P.

- ❖ Mary Evert moved to approve the Sunset Report and amendments, absent any substantive changes.
- ❖ Nancy Michel seconded the motion.
- ❖ Luella Grangaard moved to amend the motion by adding a scheduled teleconference meeting to highlight any substantive changes on October 26, 2012 at noon.
- ❖ Mary Evert accepted the amendment to her motion.
- ❖ Nancy Michel seconded the motion.

### ***No public discussion***

#### Roll Call Vote

Eric Alegria	Aye
Mary Evert	Aye
Luella Grangaard	Aye
Kathay Lovell	Aye
Nancy Michel	Aye
Bobbi Jean Tanberg	Aye
Linda Florey	Aye

***The motion was adopted.***

Luella Grangaard welcomed the San Jose State Occupational Therapy students and explained the Sunset report, the purpose of the review, and how the review process affects CBOT.

**21. Consideration and adoption of proposed regulatory language to amend Title 16 to renumber CCR Section 4122 to 4127, add new section 4128, Retired Status, and amend Section 4130, Fees.**

Heather Martin reviewed the modified text explained that outstanding general fund loans prompted a change in the effective dates of the fee increases.

- ❖ Luella Grangaard moved to adopt the language as noticed and modified.
- ❖ Nancy Michel seconded the motion.

Jennifer Snyder representing OTAC and AOTA wanted to clarify that by 2014 the Board will not have the funds to cover expenses without a fee increase.

Heather Martin referred Ms. Snyder to agenda item 13 of the Board Meeting materials which included a historical fund condition.

Roll Call Vote

Eric Alegria	Aye
Mary Evert	Aye
Luella Grangaard	Aye
Kathay Lovell	Aye
Nancy Michel	Aye
Bobbi Jean Tanberg	Aye
Linda Florey	Aye

***The motion was adopted.***

- ❖ Nancy Michel delegated authority to the Executive Officer to make technical, non substantive changes.
- ❖ Luella Grangaard seconded the motion.

Roll Call Vote

Eric Alegria	Aye
Mary Evert	Aye
Luella Grangaard	Aye
Kathay Lovell	Aye
Nancy Michel	Aye
Bobbi Jean Tanberg	Aye
Linda Florey	Aye

***The motion was adopted.***

**22. Consideration and adoption of proposed regulatory language to amend Title 16, CCR Section 4154, Post-Professional Education and Training.**

Heather Martin reviewed the material provided along with the public comment letter submitted by AOTA and OTAC in which they ask for additional revisions.

- ❖ Nancy Michel moved to approve the language as presented.
- ❖ Luella Grangaard seconded the motion.

Discussion ensued Board members regarding the letter from AOTA and OTAC and whether the proposed changes outlined in the letter should be discussed under this section because the request involves a much broader issue than the language in the regulatory proposal.

Heather Martin suggested that if the Board members were not going to accept the public comment, that the Board direct Jennifer Snyder to provide this information at the next Practice Committee meeting because the Practice Committee is reviewing the general continuing competency regulations and the proposed recommendations might be more appropriate in a different regulatory package.

In response to public comment provided by AOTA and OTAC, Ms. Martin proposed amended changes to the language of California Code of Regulation Section 4154.

- ❖ Mary Evert moved to approve the proposed language amendments suggested by Heather Martin and delegate her authority to make technical, non substantive changes.
- ❖ Nancy Michel seconded the motion.
- ❖ Mary Evert withdrew her motion.
- ❖ Nancy Michel withdrew her second.
  
- ❖ President Tanberg recalled the original motion on the floor that adopted the proposed the regulatory language as noticed.

Roll Call Vote

Eric Alegria	Aye
Mary Evert	Nay
Luella Grangaard	Aye
Kathay Lovell	Aye
Nancy Michel	Aye
Bobbi Jean Tanberg	Nay
Linda Florey	Aye

Norine Marks reminded the Board to take public comment and then revisit their motion if necessary.

Jennifer Snyder cautioned the Board on behalf of AOTA and OTAC that passing this regulation without providing an exception for providers that are instructors will highly complicate the visiting instructors that come and speak at the AOTA and OTAC conferences or provide post professional seminars. Ms. Snyder stated that if the Board is concerned with addressing the requests from AOTA and OTAC, then AOTA and OTAC request that the Board hold off passing the regulations until there are further discussions.

Ms. Marks clarified the Board's original motion to adopt the proposed amended language of section 4154 as noticed, that written and oral public comment was heard and rejected and finally that a roll call vote was being called for.

Roll Call Vote

Eric Alegria	Aye
Mary Evert	Nay
Luella Grangaard	Aye
Kathay Lovell	Aye
Nancy Michel	Aye
Bobbi Jean Tanberg	Nay
Linda Florey	Aye

***The motion was adopted.***

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

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

Discussion ensued regarding incorporating another agency's document in the Board's ethical standards.

- ❖ Nancy Michel withdrew her initial motion.
- ❖ Nancy Michel moved that this item be forwarded to a sub committee for review and brought back to a subsequent Board meeting.
- ❖ Eric Alegria seconded the motion.

No public discussion.

Roll Call Vote

Eric Alegria	Aye
Mary Evert	Aye
Luella Grangaard	Aye
Kathay Lovell	Aye
Nancy Michel	Aye
Bobbi Jean Tanberg	Aye
Linda Florey	Aye

***The motion was adopted.***

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

Heather Martin gave an overview of the section and the handouts provided by AOTA and OTAC and the California Orthopaedic Association.

- ❖ Nancy Michel moved to adopt the proposed language as noticed.
- ❖ Mary Evert seconded the motion.

Luella Grangaard requested that the Board add verbiage in section A that states the practitioner is required to reside in California for enforcement and disciplinary issues. Discussion ensued.

- ❖ Nancy Michel withdrew her initial motion.
- ❖ Mary Evert withdrew her second.
- ❖ Nancy Michel moved to delegate a sub-committee consisting of Luella Grangaard and Bobbi Jean Tanberg to review Title 16, CCR Section 4172 and bring it back to the next Board Meeting.
- ❖ Mary Evert seconded the motion.

Jennifer Snyder requested that the sub committee review AOTA and OTAC's suggested changes and take them in to consideration.

Heather Martin stated that all of the suggestions will be considered when discussed by the sub-committee.

Roll Call Vote

Eric Alegria	Aye
Mary Evert	Aye
Luella Grangaard	Aye
Kathay Lovell	Aye
Nancy Michel	Aye
Bobbi Jean Tanberg	Aye
Linda Florey	Aye

***The motion was adopted.***

**25. Election of Officers.**

**President**

Nancy Michel nominated Bobbi Jean Tanberg for President.  
Linda Florey seconded the nomination.

Mary Evert nominated Luella Grangaard for president.

Bobbi Jean Tanberg declined the nomination.  
Luella Grangaard accepted the nomination.

**Vice President**

Kathay Lovell nominated Bobbi Jean Tanberg for Vice President.

Bobbi Jean Tanberg accepted the nomination.

**Secretary**

Mary Evert nominated Linda Florey for Secretary.

Linda Florey accepted the nomination.

- ❖ Nancy Michel moved to accept the slated nominations of Luella Grangaard for President, Bobbi Jean Tanberg for Vice President and Kathay Lovell for Secretary.
- ❖ Kathay Lovell seconded the motion.

No public discussion.

Roll Call Vote

Eric Alegria	Aye
Mary Evert	Aye
Luella Grangaard	Aye
Kathay Lovell	Aye
Nancy Michel	Aye
Bobbi Jean Tanberg	Aye
Linda Florey	Aye

***The motion was adopted.***

**26. Selection of 2013 Board meeting dates.**

Luella Grangaard encouraged that the Board members find dates in which all Board members can attend future Board meetings in person since the teleconference is very difficult to follow.



Proposed dates for future Board meeting are as follows:

- January 31, 2013
- May 8-9, 2013, in Sacramento
- August 1, 2013
- November 7, 2013

Heather Martin reviewed the motion made the previous day in which the Board members agreed to hold teleconference meetings once a week for three weeks during the time the legislative policy committees are meeting to discuss legislation.

**27. Public comment session for items not on the agenda.**

There was no public comment.

**28. Proposed Agenda Items for Next Meeting.**

At approximately 12:20 pm the Board entered into Closed Session to deliberate on disciplinary matters.

At 12:48 pm the Board returned to Open Session and adjourned.

**Adjournment.**