

**REVIEW AND VOTE ON APPROVAL OF THE FEBRUARY 25-26, 2021, TELECONFERENCE BOARD MEETING MINUTES.**

The meeting minutes are attached for review.



## TELECONFERENCE BOARD MEETING MINUTES

February 25 & 26, 2021

### Board Member(s) Present

Sharon Pavlovich – President  
Jeff Ferro – Vice President  
Beata Morcos – Secretary  
Richard Bookwalter – Board Member  
Lynna Do – Board Member  
Denise Miller – Board Member

### Board Staff Present

Heather Martin – Executive Officer  
Jody Quesada – Associate Analyst  
Helen Geoffroy – Attorney III

**Thursday, February 25, 2021**

### **9:00 am - Board Meeting**

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

The meeting was called to order at 9:02 a.m., roll was called, a quorum was established. All Board members were present.

2. President's Remarks – Informational only; no Board Action to be taken.

President Pavlovich welcomed all in attendance and extended her gratitude to everyone who worked so hard to ensure the meeting took place as well as the participation from the stakeholders.

Ms. Pavlovich reported that the Occupational Therapy Association of California's (OTAC) Western Regional Conference would be taking place March 5-7, 2021, where there would be exciting presentations including that of the staff from Loma Linda. She also expressed her excitement to see the American Occupational Therapy Association's (AOTA) upcoming virtual conference in April 2021, where there will be over 500 sessions available for professional development and continuing education.

3. Board Member Remarks – Informational only; no Board Action to be taken.

Vice President Jeff Ferro reported that the Department of Consumer Affairs (DCA) launched a new training system for Presidents, Vice Presidents and Committee Chairs and he found the training to be very informative and he appreciated DCA's recognition

that Board and Committee members were all busy professionals.

Mr. Ferro reported that he was reelected as the Chair of the Cannabis Advisory Committee and Vice President of the Board of Occupational Therapy.

President Pavlovich congratulated Mr. Ferro.

4. Public Comment Session for items not on the Agenda.

President Pavlovich notified the members of the public in attendance that they were welcome to introduce themselves at will and offer any public comments they may want to share.

Joyce Fries, Academic Fieldwork Coordinator of the Occupational Therapy Assistant Program at Grossmont College, introduced herself and said she was happy to join the meeting.

Carlin Reaume, Academic Fieldwork Coordinator for the Occupational Therapy Assistant (OTA) program at Sacramento City College and OTAC Region 5 Director, introduced herself and said it was good to be in attendance.

Domenique Embrey, Academic Fieldwork Coordinator for entry level master's and OTD programs at Samuel Merritt University – Oakland campus, introduced herself.

Chuck Wilmarth, Vice President, Health Policy and State Affairs at AOTA, introduced himself and said he was looking forward to discussing the Licensure Compact during that agenda item.

Akemi McNeil, Academic Fieldwork Coordinator for the Occupational Therapy program at Stanbridge University, introduced herself and said that she was glad to be in attendance.

Ada Boone Hoerl, Program Director for the Occupational Therapy Assistant at Sacramento City College (SCC) and COTA introduced herself and said that she was happy to attend the Board's meeting.

Jayne Taguchi Meyer, Assistant Professor and one of the Academic Fieldwork Coordinators for the Occupational Therapy Program at the University of St. Augustine, San Marcos campus, introduced herself and said that she was happy to be at the meeting.

5. Review and vote on approval of the November 6, 2020, teleconference Board meeting minutes.

Richard Bookwalter informed the Board of several non-technical edits and noted that his comments reflected on Page 5 of the draft minutes regarding his and Ms. Martin's participation in the Compact Advisory group were not recorded with complete accuracy.

Mr. Bookwalter clarified that the record should be updated to reflect the following:

“Mr. Bookwalter referred to his and Ms. Martin’s participation on the Occupational Therapy Compact Advisory Group and their concern that background checks are not required in all states. Mr. Bookwalter commented that he is relieved to see that a background check has been instituted for Compact participation. He also noted that the 2-year look back would capture most actionable license violations, since most states renew licenses every 1-2 years and would address violations older than 2 years during the renewal process.”

- Richard Bookwalter moved to adopt the November 6, 2020, minutes as amended and authorize Board staff to make non-substantive changes.
- Beata Morcos seconded the motion.

### **Public Comment**

There was no public comment.

### **Board Member Votes**

Richard Bookwalter: Yes  
Sharon Pavlovich: Yes  
Lynna Do: Yes  
Jeff Ferro: Yes  
Denise Miller: Yes  
Beata Morcos: Yes

6. Update on waivers issued by the Director of Department of Consumer Affairs in response to the COVID-19 pandemic.

Executive Officer Heather Martin reported that the waiver for continuing education renewal requirements was set to expire February 28, 2021, and had not yet been updated so she was not sure when or if it would be renewed.

Ms. Martin stated that an extension to the waiver extending the limited permit expiration date from three months to six months was submitted in December and she was happy to report that it was just approved. Board staff had begun updating the records of affected limited permit holders and added the good news to its Facebook, Twitter, and Instagram accounts.

Ms. Martin notified the Board members that a waiver was requested to extend the 60-day deadline to accept a payment for an initial license. Ms. Martin reported that the language was forwarded to the Director of DCA and she was hoping to hear back soon.

President Pavlovich thanked Ms. Martin for her work and expressed her gratitude that there was traction on these issues.

### **Public Comment**

Joyce Fries asked how long the deadline to accept a license following approval of an application would be extended. Ms. Martin confirmed that it was requested to be extended from 60 to 120 days.

7. Review and discussion on how the COVID-19 pandemic has affected California's OT and OTA students' ability to complete the fieldwork requirement.

President Pavlovich thanked Board staff for the survey that was sent to all California occupational therapy and occupational therapy assistant programs regarding fieldwork challenges during the pandemic. Ms. Pavlovich found it very interesting that there was a number of 2020 students still in need of Level II Fieldwork placement.

Regarding the *AOTA Covid-19 FAQs for Educators and Students* handout that stated that "Simulations and case studies provided online do Not meet the requirements for Level II FW", Denise Miller reported that she recently participated in simulations while doing renewal work for NBCOT. She stated that it felt very intense and realistic to her, like she was with a patient in person. Ms. Miller asked if there were any discussions between the educators and ACOTE surrounding simulation and telehealth.

Ms. Pavlovich stated her appreciation for the documentation that AOTA provided.

### **Public Comment**

Chuck Wilmarth reported that simulation was allowed for Fieldwork I but not Fieldwork II. Mr. Wilmarth said that it was his belief that there would be a process for the public to weigh in about accreditation and he would share any AOTA results.

Dominique Embrey said that these were desperate times and that her program had 30% of its students still in need of completing their Level II Fieldwork. Ms. Embrey reported that sites are closing, practitioners are exhausted, and the next wave of OTs are needed but they are stuck in a holding pattern.

Ada Boone Hoerl expressed her appreciation for the conversation and that it was her belief that it will take a while before there is a return to normalcy. She reported that SCC's OTA program has students that should have graduated in December 2020 and haven't even had their Fieldwork I opportunity. Ms. Boone Hoerl also reported that, due to fieldwork placement challenges, SCC would not have a spring 2021 cohort.

President Pavlovich thanked the members of the public for their input and stated that their comments were very concerning.

Denise Miller stated that listening to the comments made by her professional colleagues brought about a public protection issue. Ms. Miller stated that this was an opportunity to reach out to OTAC and possibly AOTA so that everybody could band together. Ms. Miller suggested a 'call to action' to help OTs and OTAs by thinking creatively, getting folks involved and energized.

Vice President Jeff Ferro refreshed the topic of apprenticeship and suggested revisiting the discussion of implementing an opportunity of a modified way for individuals to learn and how education is delivered.

Executive Officer Heather Martin took the opportunity to thank Domenique Embrey for being instrumental in the development of the fieldwork questions used in the pandemic survey and for assisting Board staff.

**Public Comment**

Ada Boone Hoerl responded with full support to Ms. Miller's suggested 'call to action' and collaboration with OTAC.

Domenique Embrey also expressed her support for Ms. Miller's 'call to action' and suggested that the emphasis be on placement of California's students first.

Jayne Taguchi Meyer expressed her support for coming together with OTAC and agreed with Ms. Embrey's suggestion to focus on California students first.

President Pavlovich thanked the members of the public, confirmed that she believed this to be a consumer protection issue and supported Ms. Miller's 'call to action.'

Executive Officer Heather Martin suggested sending a letter to work sites for a larger reach and suggested that it would be helpful if a work group was formed to assist with the messaging.

Ms. Miller suggested that a letter be tailored and sent to members of emerging practice groups that are not connected to any type of facility.

Secretary Beata Morcos expressed her support for all the comments made and the idea of outreach. Ms. Morcos stated that the focus should be on helping the students get their fieldwork completed, licensed and get them out into workforce. Ms. Morcos also stated that she felt it important that alternate fieldwork settings were accepted.

Richard Bookwalter commented that he was amazed that Kaiser Northern California covered a quarter of the California occupational therapy workforce population, yet he noticed very few fieldwork opportunities at Kaiser. He suggested outreach include Kaiser, Sutter, and other large entities.

**Public Comment**

Joyce Fries stated her full support for the workgroup and volunteered to be a part of it.

Ada Boone Hoerl stated her support of the use of emerging practice areas, that in terms of a site that does not have OT services, it can still be used for Level II fieldwork. Use of emerging practice requires establishing a system of programmatic supervision and documentation, which is currently not an option available at SCC due to staffing and supervision levels that would be required to stay in compliance.

Domenique Embrey stated that she would be happy to volunteer for the workgroup and encouraged the Board to reach out to the California Fieldwork Coordinators group who can bring their experience to the table and right this 'Call to Action'.

Jayne Taguchi Meyer agreed that the issue is critical and stated the importance of appealing to burned out practitioners to let them know how even a little bit of help will significantly help the profession. Ms. Taguchi Meyer also suggested not only reaching out to the large entity sites like Kaiser and Sutter but to their top executives who are making the decisions.

Akemi McNeil stated her appreciation for the comments made regarding reaching out to licensees, sites and top brass but also to put forth effort to encourage the individual OT's to do more outreach.

Denise volunteered to be a part of this workgroup as she has had the opportunity to work with emerging programs and hopes she can bring fresh eyes to a very old problem.

- Denise Miller moved to have the Board as a follow up to the OT/OTA survey consider putting together a workgroup to further address fieldwork sites, OTs, and OTAs in California and next steps.
- Lynna Do seconded the motion.

#### **Public Comment**

Joyce Fries questioned whether the word "consider" should be replaced with "create".

Denise and Lynna withdrew their motion and second respectively.

- Denise Miller moved to have the Board establish a volunteer workgroup to address the issue of fieldwork sites specific to the state of California for OTs and OTAs.
- Lynna Do seconded the motion.

#### **Public Comment**

There was no public comment.

#### **Board Member Votes**

Richard Bookwalter: Yes  
Sharon Pavlovich: Yes  
Lynna Do: Yes  
Jeff Ferro: Yes  
Denise Miller: Yes  
Beata Morcos: Yes

8. Review and discussion of various states' legislation introduced to allow their state to become a member state of the Occupational Therapy Licensure Compact, to facilitate the interstate practice of occupational therapy.

President Sharon Pavlovich commented that the data provided under this agenda item was requested of Board staff at the previous meeting.

Richard Bookwalter stated that the legislative data provided for various states was all pending and that it was interesting to see how each state is going about establishing their language.

President Pavlovich added her appreciation for Georgia's language and asked Board staff to track the bills and bring back any changes throughout the year.

### **Public Comment**

Chuck Wilmarth stated his appreciation for the agenda item and the discussion by the Board. He informed the Board that there is a map available on OTCompact.org that shows which states have legislative bills are pending.

Mr. Wilmarth reported that issues surrounding what a compact state will pay in comparison to what the licensee will be required to pay have arisen and trial lawyers have come forward regarding immunity for the compact commission.

Utah and Nebraska have raised questions regarding the need for the compact in light of their reciprocity laws.

Virginia is the first state to have their Compact legislation pass in the House and the Senate and was sitting on the Governor's desk. Utah's legislation passed in the Senate and stalled in the House, Missouri had bills pending in both chambers and in Ohio Compact legislation had passed the Senate.

9. Review and discussion of 2020 California legislation to establish a Physical Therapy Licensure Compact and a Nurse Licensure Compact to (NLC) which would authorize the Board of Registered Nursing and the Board of Vocational Nursing and Psychiatric Technicians to issue multistate licenses.

President Pavlovich stated that she found the provided reading interesting and asked for thoughts from her fellow Board members.

Richard Bookwalter said that he found the Physical Therapy (PT) analysis interesting and some of the points raised reminded him of the points that were brought up during OT compact discussions. Background checks were raised in the PT analyses and the compact background check is not as strict as the California DOJ background check in place now. Mr. Bookwalter was disinclined to take a position on these two bills since they are not dealing in occupational therapy.

Denise Miller noted that the legislation to establish a PT and Nursing compact was dated May 2020 and expressed her curiosity as to whether the Board members' thoughts regarding the OT compact have changed knowing that other health care boards have introduced legislation. She also posed the question whether a licensure compact moves the Board's agenda forward so that consumers have more access to care and OT practitioners have additional opportunities to treat.



Vice President Ferro stated his interest to see whether the legislators will modify the public safety issues that may arise.

Secretary Beata Morcos expressed her concern over the passage of AB2138 and limitations it places on regulatory entities in reviewing and applicant's criminal history. Ms. Morcos indicated concern regarding equity in the way other states in the compact conduct their background checks.

Lynna Do worried that a lower standard background check could be a detriment to the profession. She suggested that the Board keep a close eye on the legislation and make sure that if the wording produces a lax background check that the Board should alert the public and ask them to reach out to their elected representatives.

President Pavlovich reported that the information provided regarding the PT and Nursing legislation as well as the other states with OT compact legislation widened her lens and it was very helpful. The information allowed her to believe that the OT compact sounded like a good idea. She found it interesting that PT association supported the PT compact legislation, but the California Board of Registered Nurses opposed the nurse compact legislation in the 2020 analyses.

Executive Officer Martin stated that as of this meeting Nursing Compact legislation had been re-introduced but no legislation had been introduced yet for physical therapists.

### **Public Comment**

Chuck Wilmarth said that it's not a favorable climate for licensure compacts in California and that was one of the reasons that the state Association has decided to hold off on moving forward with OT Compact legislation. OTAC wants to wait and see what happens to the PT and Nursing legislation. Mr. Wilmarth committed to sharing the analyses with Dan Logsdon, Director National Center for Interstate Compacts Council of State Governments and bring back thoughts and observations to a future meeting.

#### 10. Review and discussion of the final Occupational Therapy Licensure Compact.

President Sharon Pavlovich asked the Board members for discussion or their position on the OT Compact.

Richard Bookwalter stated that since this was the final draft even if a change was submitted it would not be made and he did not feel the need to take a position until it becomes relevant to California.

Lynna Do agreed with Mr. Bookwalter and said that she would like to discuss it further when it's relevant.

Denise Miller agreed with Mr. Bookwalter as well and said that in light of the robust discussion during Agenda item 9 that she did not wish to make any further comment.

Vice President Ferro and Beata Morcos had no comment.

### **Public Comment**

Chuck Wilmarth thanked the Board for their feedback and thanked Richard Bookwalter and Heather Martin for their participation on the OT Compact Advisory committee. Mr. Wilmarth stated that he would be happy to return when needed.

President Pavlovich thanked Mr. Wilmarth.

Executive Officer Heather Martin clarified that she was to extend an invitation to Dan Logsdon following his review of the analyses from the PT and Nursing compact.

Ms. Miller asked that OTAC and AOTA be invited to give their position on the OT compact.

11. Update and discussion on 2020 Chaptered bills:
  - a. Assembly Bill (AB) 2113 (Low) Refugees, asylees, and special immigrant visa holders: professional licensing: initial licensure process.

Ms. Martin clarified that AB 2113 would put in to place an expedited application review for refugees, asylees and special immigrant visa holders the same as is currently in place for military spouses. The license requirements are the same, but the application review is expedited.

Ms. Martin reported that the discussion of these bills was informational as they were chaptered.

- b. AB 2520 (Chiu) Access to medical records.

President Pavlovich gave a verbal overview.

- c. Senate Bill (SB) 878 (Jones) Department of Consumer Affairs: license: application: processing timeframes.

President Pavlovich asked Ms. Martin how the Board was doing on posting the required timeframes.

Ms. Martin assured Ms. Pavlovich that due to a quarterly report required of all Boards and Bureaus that compliance would be met. The only difference being that the Board would be responsible for posting on its website.

- d. SB 1474 (Committee on Business, Professions and Economic Development)

Ms. Martin stated that this bill refers to the CBOT and its Sunset Report due date being extended to 2023 which meant hearings will be held in 2022 and if the CBOT is successful it would be approved to continue operation to 2027.

### **Public Comment**

There was no public comment.

12. Discussion and consideration establishing a position on the following bills:

a. AB 114 (Maienschein) Medi-Cal benefits: rapid Whole Genome Sequencing.

The consensus of the Board was to “Watch” this bill in case any changes pertaining to occupational therapy are made.

b. SB 256 (Pan) Medi-Cal: covered benefits.

The Board members discussed social determinants and personal stories of caring for family members and work-related situations. The consensus of the Board was to “Watch” this bill.

c. SB 306 (Pan) Sexually transmitted disease: testing.

President Pavlovich gave an overview of the bill that would allow an infected individual to also gain medication for their partner and the health professional prescribing could not be held accountable.

- Richard Bookwalter moved to “Watch” all three bills.
- Jeff Ferro seconded the motion.

**Public Comment**

There was no public comment.

**Board Member Votes**

Richard Bookwalter:	Yes
Sharon Pavlovich:	Yes
Lynna Do:	Yes
Jeff Ferro:	Yes
Denise Miller:	Yes
Beata Morcos:	Yes

The Board convened in Closed Session at 1:00 p.m.

Deliberation and voting on disciplinary matters concluded at 3:25 p.m.

**RECONVENE IN OPEN SESSION**

The Board reconvened in Open Session at 3:25 p.m.

The meeting adjourned at 3:26 p.m.

## Friday, February 26, 2021

### Board Member(s) Present

Sharon Pavlovich – President  
Jeff Ferro – Vice President  
Beata Morcos - Secretary  
Lynna Do – Board Member  
Denise Miller – Board Member

### Board Staff Present

Heather Martin – Executive Officer  
Jody Quesada – Associate Analyst  
Helen Geoffroy – Attorney III

### 9:00 am - Board Meeting

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

The meeting was called to order at 9:02 a.m., roll was called, a quorum was established. Lynna Do joined the meeting at 9:22 a.m.

President Sharon Pavlovich offered members of the public the opportunity to introduce themselves at will.

Chuck Wilmarth, Vice President, Health Policy and State Affairs at AOTA introduced himself and said he was glad to join.

Ada Boone Hoerl, Program Director of OTA program at Sacramento City College, introduced herself and said she was glad to join.

Carlin Reaume, Academic Fieldwork Coordinator for the OTA program at Sacramento City College and OTAC Region 5 Director, introduced herself.

Jayne Taguchi Meyer, Assistant Professor and one of the Academic Fieldwork Coordinators for the Occupational Therapy Program at the University of St. Augustine, San Marcos campus, introduced herself.

President Pavlovich thanked them for their attendance and welcomed all to the Board meeting.

### 13. Public Comment Session for items not on the Agenda.

Ada Boone Hoerl shared that Sacramento City College's OTA program was unable to enroll a new cohort for the Spring of 2021 due to a backlog of uncompleted fieldwork and the program had almost three full cohorts waiting for entrance in to the program which is a great example of the interest and dedication of future students.

Ms. Boone Hoerl suggested that the Health Workforce Initiative was a way to open more doors for outreach support and she shared her concern that all parties involved should be mindful that the group of students gaining fieldwork placement during the pandemic are

going to need a lot of support in that process due to the huge gap between their didactic training and fieldwork.

President Pavlovich thanked Ms. Boone Hoerl for her thoughtful comments and suggestions.

#### 14. Update on status of Board's Committees and next steps.

Executive Officer Heather Martin explained that due to the amount of time that had elapsed since the initial show of interest for the Practice and OTD committees, Board staff reached out to each potential committee member to verify whether or not they were still interested. Ms. Martin reported that most responded and for those that responded affirmatively, a packet of materials was going to be sent to their address of record for them to complete and return to the Board. After return and verification of the required paperwork an Oath of Allegiance would be scheduled.

Ms. Martin reported that the Practice committee only had two potential members' commitment at present time and a minimum of four were needed. She also reminded the Board that a new legislative session would begin soon and appointments to the Legislative/Regulatory Affairs committee could be made and every committee must have at least one Board member and three volunteers.

Richard Bookwalter stated that since there are multiple areas of practice that it would be beneficial for the committee members should represent different areas of practice.

President Pavlovich agreed that diversity was important, but she also recognized the Board's difficulty in getting volunteers at all. She went on to ask the Board members if any of them were willing to Chair a committee.

Mr. Bookwalter volunteered to be the chair the Legislative/Regulatory Affairs committee.

Jeff Ferro volunteered to serve on the Legislative/Regulatory Affairs committee.

President Pavlovich volunteered to be the Chair of the OTD Ad Hoc committee.

Beata Morcos, Denise Miller and President Pavlovich volunteered to serve on the Sunset Review committee.

#### **Public Comment**

Chuck Wilmarth stated that with regard to the OTD Ad Hoc committee, the ACOTE accreditation staff would be happy to assist with any questions that arise.

President Pavlovich thanked Mr. Wilmarth for his offering.

#### 15. Update on the Occupational Therapy Workforce Study conducted by the California Community Colleges Chancellor's Office and the AB 2105 report about apprenticeships and alternative models.

Vice President Jeff Ferro stated that the original Fieldwork committee came together during the end of 2018 or beginning of 2019 to discuss possible alternatives to fieldwork when it was reported to the Board that some of the private schools were securing a good portion of the fieldwork placements because they could afford to pay for them. This resulted in some less fortunate not having the same access to fieldwork that would ultimately give them entry into the profession. The Fieldwork committee's objective was to investigate alternatives to assist the students who did not attend these private schools and although multiple alternatives were discussed, apprenticeship seemed like the best avenue at the time.

Executive Officer Heather Martin was instrumental in collaborating with the California Community College Centers of Excellence to conduct an OTA workforce study. With more than 550 OTAs, representing 16% of all active licensees, completing the survey, their responses provided "insight into the demographic composition of OTAs in California, their education, licensure, job characteristics such as work tasks, scheduling, and compensation," information that is critical for planning for well-prepared and well-educated OTAs in sufficient numbers to meet the healthcare needs of the state.

Vice President Ferro concluded that since the OTA Workforce study data is now available that this may be the perfect time to resume the Fieldwork committee.

President Pavlovich and the Board members commented that the survey included tons of great demographics and the amount of data provided would require more time to pour over and digest.

### **Public Comment**

Ada Boone Hoerl, OTA Program Director at Sacramento City College, COTA and member of the Fieldwork committee thanked Executive Officer Heather Martin and Board staff for their work on this very important topic. Ms. Boone Hoerl stated that she poured over the survey data as well as state and national data. She brought to the Board's attention that it is important to recognize that Sacramento City College has the only OTA program that serves Northern California and was concerned that the SCC OTA program could be impacted by data that is used and not always accurate or available but counted on for support and implementation of needed programs such as apprenticeships or other new pathways.

Regarding OTAs having multiple jobs, Ms. Boone Hoerl reported that OTAs from the SCC program tend to choose and desire work in the pediatric field which is usually a school system where the pay is on lower end of the scale and offers less work hours due to the school year.

Ms. Boone Hoerl stated that it is her dream to create an OTA to OT bridge program in California. Due to lack of access Ms. Boone Hoerl has not yet to pursued becoming an OT.

SCC is very active in equity improvement. SCC staff is finding that it's the gateway courses that prevent the profession from contributing to more balanced equity in terms of practitioner demographics. The science and math courses effectively 'weed out' people

that otherwise would be wonderful practitioners, thus SCC has been focusing on these issues.

Ms. Boone Hoerl volunteered to return to the Fieldwork committee if it started again because she is vested and interested in this topic.

Ms. Boone Hoerl stated that she would like to know the source of the data in the survey because the strength of the projection data is going to be critical in developing the Apprentice program and new pathways.

President Pavlovich asked if Ada's notes can be forwarded to staff for review.

Executive Officer Heather Martin stated that it was possible, and it could be included in a future meeting for additional discussion.

Chuck Wilmarth commended the Board and the California Community Colleges for creating this report and stated that although he has seen workforce studies it has never been with this level of detail. He wondered if this report could be shared with other state regulatory boards because it could be inspirational to boards.

President Pavlovich thanked Ms. Boone Hoerl and Mr. Wilmarth for their input.

#### 16. Discussion on reports identified in Item 14 and possible action and/or potential next steps.

Denise Miller asked when the next iteration of the study will be available.

Executive Officer Heather Martin stated that she hoped to be able to bring final reports to the May meeting.

Ms. Miller suggested the Board consider presenting the final reports at a future conference and possibly in a teleconference with OTA program directors.

Vice President Ferro asked if it was feasible to bring back the Fieldwork committee.

President Pavlovich asked that Board reach out to the Fieldwork committee members and get a show of interest.

Denise Miller suggested that Board staff ensure that the outreach detailed that differences of the two committees needed. One committee is the Fieldwork Outreach committee which would address the immediate and desperate need and would develop a message for large employers, licensees and sites and the 2<sup>nd</sup> is a long-term assignment and would consist of the original fieldwork committee who would address apprenticeship, work force study and barriers.

Board member Lynna Do expressed her interest in participating on the Fieldwork committee that would address apprenticeships and other alternatives.

## **Public Comment**

Ada Boone Hoerl informed the Board that with regard to Fieldwork committee on Apprenticeship that even if SCC is not chosen for an apprenticeship pilot she would hope that the school that is chosen for the pilot would take today's documents as a model to see how they would apply to OTA apprenticeship development. Ms. Boone Hoerl felt that it would be a good foundation for crafting the next steps for designing a pilot and a would inform the discussion that would be needed with ACOTE on this new and non-traditional approach.

President Pavlovich thanked Ada for her thoughtful comments and information.

### 17. Executive Officer's Report.

#### a. Operational and budget reports.

Executive Officer Heather Martin reported there were two new hires and she is looking at a re-organization before beginning any new recruitments. Regarding Strategic Plan Action Planning, Board staff reached out to SOLID to assist staff in completing an action plan. The six-month revenue and expenditure information was provided. The fund condition was not provided because there were unresolved payment issues and an updated fund condition would be provided in May.

#### b. Presentation of licensing and enforcement data.

Standard reports identifying second quarter License and Enforcement data were provided. Ms. Martin reported that OT applications were flat and there was a drop in OTA applications for licensure and it would be interesting to see if the OTA applications would increase when/if the fieldwork issue gets cleared up. Due to impacts of COVID and holidays there has been a bottleneck for citations to be issued and an uptick should be notable at the next meeting. Ms. Martin informed the Board that there are 21 cases at the Attorney General's office and her best estimate would be that there would be four to six Enforcement cases for Board member review at the May meeting.

#### c. Update on pending rulemaking files.

Ms. Martin stated that the Board has one Section 100 package currently at the OAL and she and Jeff are working on final documents for resubmission to DCA Legal regarding AB 2138 and the Disciplinary Guidelines regulations package that was first submitted in October 2019, and has now surpassed the original 180 pages. The Board has one other package that will be submitted to Legal for the first time in March; the package includes changes to Advanced Practice language regarding the removal of post-professional and a number of different topics the Board previously approved.



d. Future agenda Items.

Denise Miller asked that Board staff follow up on a few items from the previous meeting such as:

- Reaching out to AOTA regarding any new ACOTE guidelines that could be added to a future agenda.
- Revisit and vote on the need for a Disaster Preparedness committee.

In addition to Ms. Miller's suggestions, Ms. Martin outlined the list of future items.

- Practice Committee to consider the following:
  - Suture removal.
  - Review of ACOTE Guidelines and consider reducing advanced practice education and training requirements for students graduating after a certain date (date TBD).
  - Review of education and training requirements for licensees demonstrating competence in advanced practice areas and consideration of reducing education/training hours needed.
  - Recommendation on records retention requirement for an occupational therapy business that closes or is sold or if the practitioner is no longer in private practice.
- OTD ad hoc committee members to consider the following:
  - Internship/clinical experience completed as part of a Doctor of Occupational Therapy (OTD) and the OT Practice Act requirements.
  - Discussion regarding multiple examination attempts by new graduates.
- Make appointments to other committees, as appropriate.

**Public Comment**

There was no public comment.

18. Review and discussion of the *Definition of Occupational Therapy Practice* for the American Occupational Therapy Association's Model Practice Act.

Denise Miller referred to the 2011 version of the Model Practice Act and commented that what she reviewed was a very good move in the right direction but questioned whether the occupational therapy role in mental health was sufficiently addressed. Through experience with the Board's Practice Act, Ms. Miller questioned the verbiage used without an included example and how that leaves language open to interpretation as the Board has learned from experience.

President Sharon Pavlovich referred to page 6 of the proposed revised (clean) version and the use of "occupational deprivation" and whether it is all inclusive because there are so many types of occupational deprivation. Ms. Pavlovich's second concern is in the same version page 6, section A, 1 and why the sentence abruptly ends with participation.

Richard Bookwalter questioned what AOTA planned on doing with this document and interested in hearing AOTA's perspective.

### **Public Comment**

Chuck Wilmarth informed the Board that Meghan Pudeler, Manager of State Affairs at AOTA led the staff effort to revise this model definition and that she would be available for questions and comments.

Mr. Wilmarth reported that the mental health language used in their document was taken straight from the California Practice Act. However, if the Board had any suggestions on how else to enhance this language, he welcomed them.

Regarding the purpose of this document he advised that the final version will be put forth as model language for the state associations' use.

The goal was to incorporate as many concepts as possible and have a balance of the framework and other documents. Its difficult to get every concept included.

Meghan Pudeler thanked the Board for their comments. This aligns with the practice framework. A number of other states have used California's language on mental health.

Denise Miller stated that her comment wasn't specific to the language used as she feels California did a great job, rather a suggestion on how to enhance it with a mental health intervention example used under the Intervention topic it to make the language clearer.

Ms. Pudeler responded that it was great feedback and she has written it down to take back for feedback.

Mr. Wilmarth thought it a great idea as well.

President Pavlovich and Ms. Miller thanked Ms. Pudeler and Mr. Wilmarth.

Mr. Bookwalter asked whether occupational deprivation and occupational justice were viewed as controversial terms to use within AOTA or in certain states.

Ms. Pudeler stated that she believed that both terms came from the practice framework and she asked if there were specific suggestions.

Mr. Bookwalter stated that he is fine with the terms but was just curious if anyone opposed them.

President Pavlovich asked if deprivation was meant to be all inclusive and what AOTA's intent was.

Ms. Pudeler said that she didn't have further information on the topic, but she would be taking Ms. Pavlovich's comment back and would like to reach out if more information was needed.

Ms. Miller asked if AOTA considered including occupational therapy engagement in the document and specifically under number 19.

Ms. Pudeler and Mr. Wilmarth agreed that they had enough information to convey the Board's questions and concerns and a written letter is not needed.

#### 19. Suggested agenda items for a future meeting.

Denise Miller added an item for consideration at future meetings. She proposed considering having practitioners attend and speak to the Board about use of artificial intelligence in practice, digital, telehealth, wearables etc., and wants the Board to be mindful of the future.

Richard Bookwalter stated that he received two emails from the same person asking why Alcoholics Anonymous (AA) is not listed on the CBOT website. The author of the email also asked permission for AA to be placed on the CBOT website as a resource.

Ms. Martin stated that she would need to check with the DCA legal department about posting information on the Board's website and report back at the May meeting.

President Pavlovich asked that the Board discuss how students can participate with the Board.

Secretary Beata Morcos wanted to revisit the acquisition of tablets for meeting materials so that the Board can be mindful of "going green".

#### **Public Comment**

There was no public comment.

Lunch break commenced at 12:36 p.m. – 1:15 p.m.

#### **CONVENE CLOSED SESSION**

The Board convened in Closed Session at 1:19 p.m.

Deliberation and voting on disciplinary matters concluded at 1:56 p.m.

#### **RECONVENE IN OPEN SESSION**

The Board reconvened in Open Session at 1:56 p.m.

#### **Adjournment.**

The meeting adjourned at 1:56 p.m.