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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

F I N A L M I N U T E S

MEETING OF:

**STATE BOARD OF OCCUPATIONAL THERAPY
LICENSURE AND EDUCATION**

TIME: 10:00 A.M.

PENNSYLVANIA DEPARTMENT OF STATE
Board Room C
One Penn Center
2601 North Third Street
Harrisburg, Pennsylvania 17110

May 25, 2017

State Board of Occupational Therapy
Licensure and Education
May 25, 2017

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BOARD MEMBERS:

Kerri Hample, OTD, OTR/L, Chairperson
Katelin Lambert, Director of Operations, present on
behalf of Ian Harlow, Commissioner of
Professional and Occupational Affairs
Edward J. Mihelcic, PhD, OTR/L, Vice Chair
Joanne M. Baird, PhD, OTR/L, Secretary
Christine L. Hischmann, MS, OTR/L, FAOTA
Carolyn M. Gatty, MS, OTR/L

BUREAU PERSONNEL:

Jacqueline Wolfgang, Esquire, Board Counsel
Paul J. Jarabeck, Esquire, Board Prosecution Liaison
Carol J. Niner, Board Administrator

Justin R. Cowan, Director of the Bureau of Finance
And Operations

1 ***

2 State Board of Occupational Therapy

3 Licensure and Education

4 May 25, 2017

5 ***

6 The regularly scheduled meeting of the State Board of
7 Occupational Therapy Licensure and Education was held
8 on Thursday, May 25, 2017. Kerri Hample, OTD, OTR/L,
9 Chairperson, called the meeting to order at 10:04 a.m.

10 Katelin Lambert, Director of Operations, was
11 noted to be present on behalf of Ian Harlow,
12 Commissioner of Professional and Occupational Affairs.

13 ***

14 Approval of Minutes of the December 7, 2016 meeting.

15 CHAIRPERSON HAMPLE:

16 Are there any changes or anything that
17 needs to be addressed? Would you like to
18 make a motion to accept them?

19 MS. GATTY:

20 So moved.

21 MS. HISCHMANN:

22 Second.

23 CHAIRPERSON HAMPLE:

24 Go ahead, let's take a vote on that. All
25 those in favor?

1 [The motion carried unanimously.]

2 ***

3 Appointments

4 BFO Budget Presentation - Fee Reports

5 [Justin R. Cowan, Director of the Bureau of Finance
6 and Operations, referred Board members to the 2015-
7 2016 Expenditures, 2016-2017 Budget Information and
8 the 2017-2018 Proposed Budget Planning Report for
9 further discussion. Board members had questions for
10 Mr. Cowan regarding the initial application fee
11 increase and recreational therapy.

12 Chairperson Hample noted the Board as a whole
13 has not discussed recreational therapy. She did not
14 oppose to recreational therapy becoming a part of the
15 Occupational Therapy Board.

16 Expenditures for Board travel were also
17 discussed.]

18 ***

19 [Katelin Lambert, Director of Operations, discussed
20 the PALS computerized database project and its
21 effectiveness in increasing the automation of the
22 process. She indicated the process for Occupational
23 Therapy is scheduled to begin in July and should go
24 live in August.]

25 ***

1 Report of Board Regulatory Counsel

2 [Jacqueline Wolfgang, Esquire, Board Counsel, reported
3 that the Governor's Policy Office did approve the Code
4 of Ethics on April 3, 2017. She indicated new updates
5 will need to be made to the preamble and the
6 regulatory analysis form, but no changes are necessary
7 on the pending general regulations.

8 Chairman Hample discussed occupational therapy
9 assistants practicing without the continued competency
10 requirement. It was noted there was currently no
11 requirement for assistants to maintain malpractice
12 insurance. Registered occupational therapists are
13 mandated to have malpractice insurance.]

14 ***

15 Report of Board Counsel

16 [Jacqueline Wolfgang, Esquire, Board Counsel, informed
17 the Board of a matter for deliberation during
18 Executive Session. Ms. Wolfgang recently posted House
19 Resolution No. 15, which declared April Occupational
20 Therapy Month. She referred Board members to the
21 Status of Cases for further review.]

22 ***

23 Report of Board Prosecution

24 [Paul J. Jarabeck, Esquire, Board Prosecution Liaison,
25 followed up on a matter previously discussed by

1 Kenneth Suter, Esquire, Board Prosecution Liaison,
2 with regard to the language within the Act, that the
3 Act did not outline the ability to have an examination
4 of a licensee.

5 Ms. Wolfgang added the OT Act would have to be
6 amended and that this cannot be addressed through
7 regulatory changes.

8 Mr. Jarabeck formally introduced himself to
9 Board members. He discussed the Voluntary Recovery
10 Program administered by the Department of State in
11 which a case manager would work with an individual
12 with a diagnosed impairment. He will update Board
13 members in the future with regard to the matter.]

14 ***

15 Report of Board Chairperson

16 [Kerri Hample, OTD, OTR/L, Chairperson, updated the
17 Board regarding the AOTA Conference. She urged Board
18 members to provide feedback.

19 Ms. Gatty will provide a synopsis of the
20 licensure portability matter as discussed at the
21 meetings.

22 Mr. Mihelcic reported on attending a meeting with
23 regard to intervention modalities and legal recourse.
24 He noted more lawsuits are pending in connection with
25 active COTA versus the OTR statewide.

1 Ms. Baird noted a discussion within the
2 profession to change the way field work and education
3 are performed.

4 Chairperson Hample suggested a conversation be
5 held to include the fact that temporary licensure is
6 no longer relevant, that the provisional license may
7 be more relevant in today's healthcare environment.
8 She indicated AOTA would be happy to see Pennsylvania
9 pilot the program.

10 Ms. Baird thanked Board members and
11 representatives for financially supporting her
12 attendance at the conference. Ms. Baird attended
13 several sessions dealing with regulatory changes and
14 changes within the system with regard to ACOTE.

15 Ms. Gatty also thanked the Board members. She
16 attended sessions on evidence-based topics and AOTA
17 practices as well as state and national issues.

18 Chairperson Hample discussed two distinct models
19 of COMPACT, a new OT assessment. She noted a task
20 force would decide the model.

21 Chairperson Hample indicated the next AOTA
22 conference will be held in Salt Lake City, Utah, in
23 April 2018. Ms. Gatty and Mr. Mihelcic requested to
24 attend the POTA conference scheduled for October 2017
25 in State College.]

1 CHAIRPERSON HAMPLE:

2 Could I have a motion for the three of us
3 to go to POTA?

4 MS. HISCHMANN:

5 So moved.

6 MS. BAIRD:

7 I second.

8 CHAIRPERSON HAMPLE:

9 All in favor. Anybody say no?

10 [The motion carried unanimously.]

11 ***

12 Report of Commissioner

13 [Katelin Lambert, Director of Operations, Professional
14 and Occupational Affairs, informed the Board she will
15 return for the September meeting and provide a
16 demonstration for the PALS project. Ms. Lambert
17 updated the Board with regard to renewals and
18 continuing education functionality. She mentioned the
19 work on all forms for the OT Board was scheduled for
20 July.

21 Ms. Lambert discussed Board appointments. She
22 noted approximately 50 vacancies Bureau-wide out of
23 300 Board seats.

24 Ms. Lambert announced the new and public Board
25 member training scheduled for September 28, 2017, in

1 State College.

2 Ms. Lambert reported on a savings of
3 approximately \$236,000 annually by reducing the Board
4 meeting frequency. It was noted that fact does not
5 impact this specific Board.

6 Ms. Lambert answered questions regarding the
7 PALS project.]

8 ***

9 Report of Board Administrator

10 [Carol J. Niner, Board Administrator, reviewed
11 information requested on renewals. She discussed
12 licensees who are licensed in other states but desire
13 to keep their Pennsylvania license active. It was
14 noted that the Act requires the liability insurance to
15 be maintained in order to have an active PA license.

16 Ms. Wolfgang explained that because of the
17 medical malpractice crisis, insurers could not provide
18 coverage, so MCARE provides coverage to practitioners
19 as well as hospitals. She noted that OTs employed by
20 a hospital may fall under this umbrella of coverage;
21 however, the coverage is not direct coverage for
22 occupational therapists.

23 Mr. Jarabeck explained that access to a policy
24 number provides an easier verification of coverage.

25 Ms. Niner provided a further explanation of the

1 matter.]

2

3 Proposed Meeting Dates

4 [Carol J. Niner, Board Administrator, discussed the
5 proposed 2018 meeting dates.]

6

7 [Pursuant to Section 708(a)(5) of the Sunshine Act,
8 the Board entered into executive session with
9 Jacqueline Wolfgang, Esquire, at 11:43 a.m. for the
10 purpose of conducting quasi-judicial deliberations on
11 matters currently pending before the Board and to
12 receive the advice of Counsel. The Board returned to
13 open session at 12:14 p.m.]

14

15 MOTIONS:

16 MS. WOLFGANG:

17 Pursuant to Section 708(a)(5) of the
18 Sunshine, the Board entered into Executive
19 Session with Board Counsel for the purpose
20 of conducting quasi-judicial deliberations
21 and to have attorney/client consultations
22 regarding Commonwealth of Pennsylvania
23 Bureau of Professional and Occupational
24 Affairs vs. Melissa Sue Mulig, File No.
25 15-67-06103, Docket No. 1259-67-16. I

1 believe the Board would entertain a motion
2 at this time.

3 MS. BAIRD:

4 I move that the Board approve and issue as
5 its final determination the Adjudication
6 and Order presented by Board Counsel in
7 the following matter: Commonwealth of
8 Pennsylvania Bureau of Professional and
9 Occupational Affairs vs. Melissa Sue
10 Mulig, File No. 15-67-06103, Docket No.
11 1259-67-16.

12 [There was no second to the motion.]

13 CHAIRPERSON HAMPLE:

14 All in favor? Any no?

15 [The motion carried unanimously.]

16 ***

17 Miscellaneous

18 [Christine L. Hischmann, MS, OTR/L, FAOTA, apologized
19 for missing two of the three meetings last year.

20 Ms. Hischmann discussed a disciplinary action in
21 a case that had been filed five years earlier and
22 inquired whether the case was now moving along more
23 quickly. Ms. Wolfgang explained the reason for the
24 stay in the case.]

25 ***

1 Adjournment

2 CHAIRPERSON HAMPLE:

3 How about a motion to adjourn.

4 MS. HISCHMANN:

5 So moved.

6 MR. MIHELICIC:

7 Second.

8 CHAIRPERSON HAMPLE:

9 All in favor? We're adjourned and
10 we'll meet again in September.

11 ***

12 [The meeting adjourned at 12:21 p.m.]

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CERTIFICATE

I hereby certify that the foregoing summary minutes of the State Board of Occupational Therapy Education and Licensure meeting, was reduced to writing under my supervision, and that the minutes accurately summarize the substance of the State Board of Occupational Therapy Education and Licensure meeting.



Danielle Obert,

Minute Clerk

Sargent's Court Reporting

Service, Inc.

STATE BOARD OF OCCUPATIONAL THERAPY
EDUCATION AND LICENSURE
REFERENCE INDEX
May 25, 2017

	TIME	AGENDA:
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8		
9	10:04	Call to Order
10		
11	10:05	Approval of Minutes
12		
13	10:06	Appointments - Justin R. Cowan
14		
15	10:42	Report of Board Regulatory Counsel
16		
17	10:45	Report of Board Counsel
18		
19	10:46	Report of Board Prosecution
20		
21	10:53	Report of Board Chairperson
22		
23	11:24	Report of Director of Operations
24		
25	11:30	Report of Board Administrator
26		
27	11:40	Proposed Meeting Dates
28		
29	11:43	Executive Session
30	12:14	Return to Open Session
31		
32	12:15	Motions
33		
34	12:21	Adjournment
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