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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: 10:13 A.M.

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

December 6, 2018

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State Board of Occupational Therapy
Licensure and Education
December 6, 2018

BOARD MEMBERS:

- Kerri L. Hample, OTD, OTR/L, Chairperson
- Ian J. Harlow, Commissioner of Professional and Occupational Affairs - Absent
- Joanne M. Baird, Ph.D., OTR/L, Vice Chair
- Carolyn M. Gatty, MS, OTR/L, Secretary
- Christine L. Hischmann, MS, OTR/L, FAOTA
- Edward J. Mihelcic, Ph.D., OTR/L

BUREAU PERSONNEL:

- Jacqueline A. Wolfgang, Esquire, Board Counsel
- Paul J. Jarabeck, Esquire, Board Prosecution Liaison
- David Smith, Esquire, Board Prosecutor
- Carol J. Niner, Board Administrator

ALSO PRESENT:

- Christine Daeschner, OTR/L, Legislative Chair, Pennsylvania Occupational Therapy Association,

1 ***

2 State Board of Occupational Therapy

3 Licensure and Education

4 December 6, 2018

5 ***

6 The regularly scheduled meeting of the State
7 Board of Occupational Therapy Licensure and Education
8 was held on Thursday, December 6, 2018.

9 ***

10 Official Call to Order

11 [Kerri L. Hample, OTD, OTR/L, Chairperson, officially
12 called the meeting to order at 10:13 a.m.]

13 ***

14 Introduction of Board Members, Staff, and Audience

15 [Board members, staff, and audience were requested to
16 introduce themselves.]

17 ***

18 Amendment to the Agenda

19 DR. BAIRD:

20 I'd like to add an agenda item that we
21 vote on and bring up the AOTA Conference
22 and who might want to go. Carol has
23 some internal things that she would need
24 to do get approval.

25 CHAIRPERSON HAMPLE:

1 She made the motion. Can I have a
2 second?

3 MS. HISCHMANN:

4 So moved.

5 CHAIRPERSON HAMPLE:

6 All in favor of adding the AOTA
7 Conference to the agenda? Any
8 opposition is no.

9 [The motion carried unanimously.]

10 ***

11 Approval of Minutes of the September 6, 2018 meeting

12 CHAIRPERSON HAMPLE:

13 Let's go to the minutes from
14 September 6.

15 [The Board discussed corrections to the minutes.]

16 CHAIRPERSON HAMPLE:

17 Any other changes, things we need to
18 talk about in there? Hearing none.

19 Could I have a motion to approve
20 the minutes from September 6?

21 MS. HISCHMANN:

22 So moved.

23 CHAIRPERSON HAMPLE:

24 Could I have a second?

25 MS. GATTY:

1 Second.

2 CHAIRPERSON HAMPLE:

3 All in favor?

4 [The motion carried unanimously.]

5 ***

6 Report of Board Regulatory Counsel

7 [Jacqueline A. Wolfgang, Esquire, Board Regulatory
8 Counsel, noted the Status of Regulations Report for
9 discussion. She stated the Code of Ethics and General
10 Revisions regulations were published.

11 Ms. Niner offered no new information regarding
12 the newsletter.

13 Chairperson Hample noted a concern for the length
14 of time for distribution of the Board's newsletter.
15 Ms. Niner commented that newsletters for other Boards
16 moved along recently, and she anticipates publication
17 of this Board's newsletter to be soon.

18 Ms. Wolfgang suggested topics like the Code of
19 Ethics and the General Revisions for the newsletter,
20 as well as announcing to licensees the link to the
21 website for their review of the regulations and noting
22 the importance of professional liability and
23 occupational therapist assistant (OTA) continuing
24 education (CE).

25 Ms. Wolfgang asked Ms. Niner to investigate the

1 publication of newsletters in order to provide an
2 assessment at the next Board meeting.

3 Ms. Wolfgang discussed the 2019 renewals and the
4 importance of clarity regarding the channels of
5 communication with license holders. She noted that
6 the Board indicated to the Independent Regulatory
7 Review Commission (IRRC) that the Board would notify
8 licensees via a newsletter or some communication. She
9 questioned whether the new Code of Ethics would be on
10 the application.

11 Ms. Niner explained that the information had been
12 posted to the website. She stated email notifications
13 were sent for renewals. She will revise the email
14 notification to add information regarding the Code of
15 Ethics and new CE requirements for 2021.

16 Ms. Niner will also include the information with
17 the renewal requirements. The announcement regarding
18 the Code of Ethics and certified occupational therapy
19 assistants (COTAs) requirements will also be added to
20 the website.

21 Ms. Wolfgang updated the Board on the Child Abuse
22 Reporting Requirement regulation (16a-679), stating
23 that the Bureau decided to focus on the Pennsylvania
24 State Board of Dentistry and send one package through
25 the regulatory process. She stated, as soon as the

1 Dentistry package is finalized, the Board will make
2 the necessary changes to their package for a quick
3 passage through the regulatory process.

4 Ms. Wolfgang discussed the pending Educational
5 Programs regulatory package (16A-6712). She commented
6 that the prior Board vote to send the Proposed Annex
7 for 16A-6712. She discussed the definition section
8 changes.

9 Chairperson Hample noted a concern with taking
10 the equivalent piece out of the regulation due to the
11 act including the word "equivalent." She believed the
12 word "equivalent" was no longer relevant except for
13 the licensees who have been practicing for years.

14 Dr. Baird stated the state licensure definition
15 would leave the Board open to further scrutiny due to
16 the current multiple entry points within the
17 profession. She could see no harm in leaving out the
18 entry-level degree requirements language.

19 Ms. Gatty suggested taking out the brackets and
20 referring to the academic requirements of an
21 educational program described by the act, specifically
22 8(a)2 or an equivalent program as defined in our
23 definition, and then making the second part on the
24 accreditation piece another requirement.

25 Ms. Wolfgang stated the act states four-year

1 program or its equivalent as established by the Board.

2 Chairperson Hample questioned, if we put this
3 regulation in, then we are defining the approved part
4 and ignoring the equivalent part?

5 Ms. Wolfgang referenced the proposed language
6 that defines equivalent as a doctorate, master's, or
7 certificate program. She explained that individuals
8 coming from another state who graduated with a
9 certificate but have successfully completed an
10 educational program for an occupational therapist that
11 is accredited and recognized by the Board would meet
12 the educational requirements.

13 Dr. Baird noted that the definitions under § 42.1
14 would be deleted.]

15 CHAIRPERSON HAMPLE:

16 Can I have a motion to strike the
17 definitions from the Proposed Annex of
18 § 42.1?

19 MS. GATTY:

20 So moved.

21 CHAIRPERSON HAMPLE:

22 How about a second?

23 DR. BAIRD:

24 I second.

25 CHAIRPERSON HAMPLE:

1 All in favor? Anyone say no? It
2 unanimously carries that we are going to
3 strike the definitions and then move
4 forward with the exposure draft.

5 [The motion carried unanimously.]

6 ***

7 Report of Board Counsel

8 [Jacqueline A. Wolfgang, Esquire, Board Counsel, noted
9 matters for discussion during Executive Session.]

10 ***

11 Report of Board Prosecution - No Report

12 ***

13 Report of Board Chairperson

14 [Kerri L. Hample, OTD, OTR/L, Chairperson, discussed
15 her Board representation at the Pennsylvania
16 Occupational Therapy Association (POTA) Conference.
17 She clarified the difference between Occupational
18 Therapy State Boards and the Licensure Boards versus
19 the association. She shared the revised continued
20 competency act and Code of Ethics.

21 Chairperson Hample reviewed a lengthy, positive
22 discussion as to the entry level of the profession.
23 She noted the formation of a collaborative
24 relationship between the Board and POTA.

25 Chairperson Hample noted the American

1 Occupational Therapy Association (AOTA) conference
2 scheduled to be held in New Orleans, LA, April 4 - 7,
3 2019. She discussed sending a representative from the
4 Board and sought volunteers to attend. Dr. Baird and
5 Ms. Hischmann offered to attend on the Board's behalf.
6 Chairperson Hample will be presenting at this
7 conference.]

8 CHAIRPERSON HAMPLE:

9 I'm going to make the motion to go
10 forward with Joanne and Christine as
11 being the two representatives from the
12 Board.

13 Can I have a second?

14 DR. GATTY:

15 I second.

16 CHAIRPERSON HAMPLE:

17 All in favor? Anybody say no?

18 So, we're going to put forward
19 those two names.

20 [The motion carried unanimously.]

21 CHAIRPERSON HAMPLE:

22 In the past, we have put though a third
23 name. Mine will be the third name going
24 in.

25 ***

1 Miscellaneous

2 [Chairperson Hample noted a National Board of
3 Certification in Occupational Therapy (NBCOT)
4 Regulatory E-Newsletter for the Board's information.
5 She also noted that NBCOT has been approved by the
6 Board as a provider for Pennsylvania.

7 Chairperson Hample referred to an email regarding
8 the Call for Comments - Model CE Guidelines for the
9 Board's review.]

10 CHAIRPERSON HAMPLE:

11 Can I have a motion for Chairperson
12 Hample to respond as the Board Chair in
13 support of continuing education
14 guidelines as drafted by AOTA?

15 [The Board discussed the proper response mechanism.]

16 CHAIRPERSON HAMPLE:

17 I will write a letter and submit it to
18 AOTA and go through the survey
19 questions.

20 Can I have a motion to do that?

21 MS. HISCHMANN:

22 So moved.

23 CHAIRPERSON HAMPLE:

24 How about a second?

25 DR. GATTY:

1 I second.

2 CHAIRPERSON HAMPLE:

3 All in favor? All right.

4 [The motion carried unanimously.]

5 ***

6 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
7 11:07 a.m. the Board entered into Executive Session
8 with Jacqueline A. Wolfgang, Esquire, Board Counsel,
9 for the purpose of conducting quasi-judicial
10 deliberations and to have attorney-client
11 consultation. The Board returned to open session at
12 11:46 a.m.]

13 ***

14 MOTIONS

15 MS. WOLFGANG:

16 Pursuant to Section 708(a)(5) of the
17 Sunshine Act, the Board entered into
18 Executive Session with Board Counsel for
19 the purpose of conducting quasi-judicial
20 deliberations and to have attorney-
21 client consultation regarding the
22 applications of Lileith Brown and
23 Victoria Calhoon.

24 I believe the Board would entertain
25 motions at this time.

1 DR. BAIRD:

2 I move that the Board grant the
3 application of Lileith Brown, and the
4 applicant's disclosed criminal history
5 and/or outside employment shall not be a
6 bar to hold a license to practice
7 occupational therapy.

8 CHAIRPERSON HAMPLE:

9 Can I have a second?

10 MS. HISCHMANN:

11 Second.

12 CHAIRPERSON HAMPLE:

13 All in favor? Any no? The motion
14 carries unanimously.

15 [The motion carried unanimously.]

16 ***

17 DR. BAIRD:

18 I move that the Board grant the
19 application of Victoria Calhoon, and
20 that the applicant's disclosed criminal
21 history and/or outside employment shall
22 not be a bar to hold a license to
23 practice occupational therapy.

24 CHAIRPERSON HAMPLE:

25 Second?

1 MS. HISCHMANN:

2 Second.

3 CHAIRPERSON HAMPLE:

4 All in favor? No? The motion carries
5 unanimously.

6 [The motion carried unanimously.]

7 ***

8 [The Board recessed from 11:48 a.m. until 11:53 a.m.]

9 ***

10 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
11 11:53 a.m. the Board re-entered into Executive Session
12 with Jacqueline A. Wolfgang, Esquire, Board Counsel,
13 for the purpose to discuss personnel issues. The Board
14 returned to open session at
15 12:15 p.m.]

16 ***

17 MS. WOLFGANG:

18 I just want to announce that the purpose
19 for the Executive Session was also to
20 discuss personnel matters pursuant to
21 Section 708(a)(5) of the Sunshine Act.

22 ***

23 Adjournment

24 CHAIRPERSON HAMPLE:

25 So can I have a motion to adjourn?

1 MS. HISCHMANN:

2 So moved.

3 DR. GATTY:

4 Second.

5 CHAIRPERSON HAMPLE:

6 All in favor? We're adjourned.

7 [The motion carried unanimously.]

8 ***

9 [There being no further business, the State Board of
10 Occupational Therapy Licensure and Education Meeting
11 adjourned at 12:15 p.m.]

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CERTIFICATE

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



Amber Garbinski,
Minute Clerk
Sargent's Court Reporting
Service, Inc.

STATE BOARD OF OCCUPATIONAL THERAPY
LICENSURE AND EDUCATION
REFERENCE INDEX
December 6, 2018

	TIME	AGENDA
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8		
9	10:13	Official Call to Order
10		
11	10:14	Introduction of Board Members and
12		Audience Members
13		
14	10:18	Approval of Minutes
15		
16	10:18	Report of Regulatory Counsel
17		
18	10:49	Report of Board Counsel
19		
20	10:31	Report of Prosecutorial Division
21		
22	10:50	Report of Board Chairperson
23		
24	11:07	Executive Session
25	11:46	Return to Open Session
26		
27	11:48	Recess
28	11:53	Return to Open Session
29		
30	11:53	Executive Session
31	12:15	Return to Open Session
32		
33	11:41	Motions
34		
35	11:02	Miscellaneous
36		
37	12:15	Adjournment
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