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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
EDUCATION and LICENSURE
CONDUCTED VIA TELECONFERENCE**

TIME: 9:15 A.M.

Thursday, June 11, 2020

1 State Board of Occupational Therapy
2 Education and Licensure
3 June 11, 2020
4

5 BOARD MEMBERS:
6

7 Kerri L. Hample, OTD, OTR/L, Chairperson
8 Theodore Stauffer, Executive Assistant, Bureau of
9 Professional and Occupational Affairs
10 K. Kalonji Johnson, Acting Commissioner, Bureau of
11 Professional and Occupational Affairs
12 Joanne M. Baird, Ph.D., OTR/L, Vice Chair
13 Carolyn M. Gatty, MS, OTR/L, Secretary
14 Christine L. Hischmann, MS, OTR/L, FAOTA
15 Edward J. Mihelcic, Ph.D., OTR/L
16
17

18 BUREAU PERSONNEL:
19

20 Nicole L. VanOrder, Esquire, Board/Regulatory Counsel
21 Paul J. Jarabeck, Esquire, Board Prosecution Liaison
22 Christina Townley, Acting Board Administrator
23 Marc Farrell, Deputy Policy Director, Pennsylvania
24 Department of State
25
26

27 ALSO PRESENT:
28

29 Christine Daeschner, OTR/L, Legislative Chair,
30 Pennsylvania Occupational Therapy Association
31 (POTA)
32 Amy Gerney, OTD, OTR/L, Pennsylvania Occupational
33 Therapy Association
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1 ***

2 State Board of Occupational Therapy

3 Education and Licensure

4 June 11, 2020

5 ***

6 The regularly scheduled meeting of the
7 State Board of Occupational Therapy Education and
8 Licensure was held on Thursday, June 11, 2020. Kerri
9 L. Hample, OTD, OTR/L, Chairperson called the meeting
10 to order at 9:15 a.m. Joanne M. Baird, Ph.D., OTR/L,
11 Vice Chair, was not present at the commencement of the
12 meeting due to the change in meeting times.

13 ***

14 [Introduction of Board Members, Counsel and Staff]

15 ***

16 [It was noted the meeting was being recorded and
17 presence at the meeting was giving consent to being
18 recorded.]

19 ***

20 Approval of Minutes of March 10, 2020 meeting

21 [The Board discussed corrections to the Minutes.]

22 CHAIRPERSON HAMPLE:

23 Does anyone else have any additions or
24 changes to the Minutes?

25 Can I ask for a motion to approve

1 the Minutes from March 10th?

2 MS. HISCHMANN:

3 So moved.

4 MS. GATTY:

5 Second.

6 CHAIRPERSON HAMPLE:

7 All in favor? Any no? Any
8 abstentions?

9 [The motion carried unanimously.]

10 ***

11 Report of Board Counsel

12 [Nicole L. VanOrder, Esquire, Board/Regulatory
13 Counsel, stated the Proposed Regulatory Package,
14 Licensure by Endorsement, would be discussed during
15 Open Session, as well as Item Nos. 3, 4, 5 and 6.
16 Nicole DiTomo, Esquire, from the Attorney General's
17 Office, would be present during Executive Session for
18 discussion of Item No. 5.

19 Ms. VanOrder noted three documents on the agenda
20 before the Board, including the Annex which the Board
21 had previously approved and sent out as an exposure
22 draft on April 23, 2020, one comment that was
23 received, as well as the Proposed Preamble which she
24 indicated was slightly different than the prior
25 Preamble. She indicated the highlighted areas in the

1 Preamble are subchapters that would be omitted as
2 there are no subchapters in the OT Act.

3 She had further discussion regarding the criteria
4 included in the Preamble including a description of
5 the Proposed Amendments. Ms. VanOrder indicated the
6 Board chose not to include a specific fee with this
7 regulation, and so she assumed it would be the same
8 \$30 fee as for initial licensure; however, that could
9 be changed if the Board wished to include a different
10 fee. She noted package would be sent as proposed,
11 followed by another public comment period.

12 Ms. VanOrder referred Board members to the May 20,
13 2020 comment from Elizabethtown College Department of
14 Occupational Therapy for further discussion. Ms.
15 VanOrder indicated she would add a line to the
16 Preamble acknowledging the Board had received this
17 supportive comment.

18 Ms. Hischmann referred to page two of the Annex
19 for further discussion of the Definition section of
20 the Licensure by Endorsement. Ms. VanOrder indicated
21 that the only definitions that have been added through
22 this Annex are the definitions for Act 41 and
23 jurisdiction.

24 There was further discussion regarding the
25 educational program package.]

1 ***

2 MS. VANORDER:

3 If there are no changes, I would ask the
4 Board to consider a motion to direct
5 Board Counsel to proceed with preparing
6 the Regulatory Package and publishing the
7 regulation as proposed for rulemaking
8 package 16A-6713, Act 41 Licensure by
9 Endorsement.

10 MS. GATTY:

11 I make that motion.

12 MS. HISCHMANN:

13 Second.

14 CHAIRPERSON HAMPLE:

15 All in favor? Any no? Anybody
16 abstaining?

17 [The motion carried unanimously.]

18 ***

19 Report of Board Prosecution

20 [Paul J. Jarabeck, Esquire, Board Prosecution Liaison,
21 noted no Consent Agreements on the agenda for this
22 month's agenda. He noted cases continue to come in
23 and were being reviewed during this time of
24 teleworking.]

25 ***

1 Report of Board Chairperson

2 [Kerri L. Hample, OTD, OTR/L, Chairperson, reminded
3 Board members of the changes in occupational therapy
4 with regard to scope of practice over the last four
5 months and noted the possibility of increased
6 telehealth. She expressed the importance of vigilance
7 going forward.

8 Chairperson Hample indicated there were many
9 issues with the temporary or provisional licenses that
10 would have to be addressed on future agendas.

11 In response to an inquiry by Ms. Hischmann
12 regarding telehealth, Ms. VanOrder explained that was
13 a regulatory suspension aimed at addressing the COVID-
14 19 pandemic period and would be in place as long as
15 necessary. Chairperson Hample stated the issue had
16 become more of a reimbursement issue than anything
17 else.

18 ***

19 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
20 9:59 a.m. the Board entered into Executive Session
21 with Nicole L. VanOrder, Esquire, Board Counsel, for
22 the purpose of conducting quasi-judicial deliberations
23 on a number of matters that are currently pending
24 before the Board and to receive the advice of Counsel.
25 The Board returned to open session at 10:44 a.m.]

1 ***

2 [Joanne M. Baird, PhD., OTR/L, Vice Chair, entered the
3 meeting at 10:00 a.m. during Executive Session due to
4 the time being changed from 10:00 a.m. to 9:00 a.m.]

5 ***

6 [It was noted that Edward J. Mihelcic, PhD., OTR/L,
7 was not present during Executive Session due to
8 technology issues.]

9 ***

10 MOTIONS

11 MS. VANORDER:

12 I believe the Board will entertain a
13 motion in regards to Item No. 3 on the
14 agenda regarding Patrick David Hogue,
15 COTA/L, Case No. 19-67-009461.

16 DR. BAIRD:

17 I move to adopt the Final Adjudication
18 and Order as drafted for David Patrick
19 Hogue, Case No. 19-67-009461.

20 (Incorporated Motion correction found at
21 pp. 11-12).

22 CHAIRPERSON HAMPLE:

23 Can I have a second?

24 MS. GATTY:

25 Second that.

1 CHAIRPERSON HAMPLE:

2 All in favor? Anyone no? Anyone
3 abstaining?

4 [The motion carried unanimously.]

5 ***

6 MS. VANORDER:

7 I believe the Board will entertain
8 another motion with regards to Item No.
9 4 on the agenda, Shane K. Thomas, OTA,
10 Case No. 19-67-006483.

11 DR. BAIRD:

12 I move to adopt the Final Adjudication
13 and Order with the amendment for Shane
14 K. Thomas, OTA, Case No. 19-67-006483.
15 (Incorporated Motion correction found at
16 pp. 11-12).

17 MS. GATTY:

18 Second.

19 CHAIRPERSON HAMPLE:

20 All in favor? Anyone no? Any
21 abstention or recusal?

22 [The motion carried unanimously.]

23 ***

24 MS. HISCHMANN:

25 I move that the Board grant the

1 application of Alexis Hocker, Item No. 6
2 on the agenda.

3 ACTING COMMISSIONER JOHNSON:

4 I second.

5 CHAIRPERSON HAMPLE:

6 All in favor? Anyone no? Any
7 abstention or recusals?

8 [The motion carried unanimously.]

9 ***

10 Report of Acting Commissioner

11 [K. Kalonji Johnson, Acting Commissioner, Bureau of
12 Professional and Occupational Affairs, thanked the
13 Board for their patience and flexibility as the staff
14 continue to navigate through the new method of doing
15 things.

16 In response to inquiries by Chairperson Hample,
17 Acting Commissioner Johnson noted virtual may be the
18 new format for a while. He and Mr. Stauffer
19 elaborated on some questions regarding software
20 matters.

21 Chairperson Hample inquired as to getting
22 occupational therapists graduated and into the
23 workforce. Field work was being held up, and the
24 students could not take the exam and obtain licensure
25 due to the emergency pandemic. Acting Commissioner

1 Johnson stated he has been working through the Policy
2 Office to raise all of these concerns with the
3 Department of Health and the Governor's Office. He
4 suggested the educational institutions come up with
5 creative solutions on how to proceed with the
6 education of the allied health professions.]

7 ***

8 [Christina Townley, Acting Board Administrator, noted
9 she and staff had been keeping up with applications.
10 Acting Commissioner Johnson commended Ms. Townley and
11 staff for teleworking and noted the level of
12 productivity had increased in this and other
13 departments who work from home.]

14 ***

15 MOTIONS (CONTINUED)

16 MS. VANORDER:

17 Item Nos. 3 and 4 were not Hearing
18 Examiner Orders. Perhaps we could adopt
19 the earlier motions for 3 and 4 to
20 Motions adopting the Final Adjudications
21 and Orders for those matters as drafted.

22 DR. BAIRD:

23 I move to adopt the Adjudications and
24 Orders for Patrick David Hogue, COTA/L,
25 Case No. 19-67-009461, and Shane K.

1 Thomas, OTA, Case No. 19-67-006483.

2 MS. HISCHMANN:

3 Second.

4 CHAIRPERSON HAMPLE:

5 All in favor? Anyone no? Any
6 abstentions?

7 [The motion carried unanimously.]

8 ***

9 Adjournment

10 CHAIRPERSON HAMPLE:

11 Can I have a motion to adjourn the
12 meeting?

13 MS. HISCHMANN:

14 So moved.

15 ACTING COMMISSIONER JOHNSON:

16 Second.

17 CHAIRPERSON HAMPLE:

18 All in favor? Anyone no? Any
19 abstentions?

20 [The motion carried unanimously.]

21 ***

22 [There being no further business, the State Board of
23 Occupational Therapist Education and Licensure Meeting
24 adjourned at 11:11 a.m.]

25 ***

1 [The next meeting is scheduled for September 3, 2020
2 followed by one scheduled for December 10, 2020.]

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7 CERTIFICATE

8
9 I hereby certify that the foregoing summary
10 minutes of the State Board of Occupational Therapy
11 Education and Licensure, was reduced to writing by me
12 or under my supervision, and that the minutes
13 accurately summarize the substance of the State Board
14 of Occupational Therapy Education and Licensure.

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16 _____

17 Derek Richmond,
18 Minute Clerk
19 Sargent's Court Reporting
20 Service, Inc.

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STATE BOARD OF OCCUPATIONAL THERAPY
EDUCATION AND LICENSURE
REFERENCE INDEX
JUNE 11, 2020

1
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3
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5
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TIME	AGENDA
9:15	Official Call to Order
9:17	Roll Call
9:25	Approval of Minutes
9:25	Report of Board Counsel
9:50	Report of Board Prosecution
9:51	Report of Chairperson
9:59	Executive Session
10:44	Return to Open Session
10:44	Motions
10:49	Report of Acting Commissioner
11:06	Report of Board Administrator
11:09	Motions (Continued)
11:11	Adjournment