

KENTUCKY BOARD OF LICENSURE FOR OCCUPATIONAL THERAPY
MEETING MINUTES
March 21, 2019

A regular meeting of the Kentucky Board of Licensure for Occupational Therapy was held at the Department of Professional Licensing in Frankfort, KY on March 21, 2019

MEMBERS PRESENT

Joshua Ramsey, Chair
Shara Page, Vice Chair
Stacy Grider, Secretary
Hugh Stroth
Shauna Messer (absent after 1:46pm)
Joshua Skuller

MEMBERS ABSENT

Harold E. Corder II

DEPARTMENT OF PROFESSIONAL LICENSING

Isaac VanHoose, Commissioner
Robin Vick, Administrative Section Supervisor
Megan Woodson, Board Administrator
Chessica Nation, Board Administrator
Courtney Cook, Fiscal Section Administrator

OTHERS

Carson Kerr, Legal Counsel
Marisa Neal, Investigator

Mr. Ramsey called the meeting to order at 1:01pm.

Consent agenda - Minutes, Monthly Financial Report and Legal Fees

Minutes of the February 21, 2019 meeting, legal fees for and financial reports for February 2019 were presented for the Board's review. Mr. Stroth made a motion to approve the consent agenda as presented. The motion, seconded by Mr. Skuller, carried.

DPL Report

Mr. VanHoose advised that HB 178 regarding the reorganization of boards will not be passing. He also announced that DPL will be moving to the new state office building located in downtown Frankfort. This move is expected to happen late summer/early fall.

Board Attorney's Report

Mr. Kerr advised he is filling in for Mr. Downs and is happy to help with any questions the Board may have.

Pending Complaints

Ms. Neal advised of her typical process for investigating complaints. The Board discussed the items they wish to see included in the investigative reports.

Ms. Grider made a motion to go into closed session pursuant to KRS 61.810 1(j). Mr. Skuller seconded the motion and the motion carried at 1:23pm.

Ms. Messer left the meeting at 1:46pm.

Mr. Stroth made a motion to come out of closed session. Ms. Page seconded the motion and the motion carried at 2:05pm.

Ms. Page made a motion to grant an extension for the Respondents to respond to complaints 2018BOT00002, 2018BOT00003, and 2018BOT00004. Mr. Stroth seconded the motion and it carried.

Ms. Grider made a motion to offer an informal settlement to the Respondent of 2019BOT00001 to include a fine and mandatory continuing education hours in ethics in addition to the twelve (12) hours required for renewal. Mr. Skuller seconded the motion and it carried.

Ms. Grider made a motion to dismiss 2019BOT00003 with caution regarding billing practices. Ms. Page seconded the motion and it carried. Mr. Ramsey will send billing information to Mr. Downs to include in the dismissal letter.

Ms. Woodson advised she is awaiting response from the second letters sent to the Respondents of 2018BOT00001 and 2019BOT00002. The Board will review these complaints at the next meeting.

Mr. Stroth made a motion to cancel the April meeting in order to assist with the transition of the Board Administrator from Ms. Woodson to Ms. Nation. Ms. Page seconded the motion. Motion carried. Ms. Nation will continue to send applications electronically for review as time permits.

Old Business

Ms. Woodson advised all forms have been updated on the Board's website. She also advised that the DPAM Certification Application (Form OTB-5) did not get filed with some of the revisions that the Board had intended to make. Also, the Application Form (OTB-1) does not include the Jurisprudence Exam on the checklist of requirements. Ms. Page made a motion to add the Jurisprudence Exam requirement to Form OTB-1. Mr. Skuller seconded the motion and it carried.

Ms. Page made a motion to file DPAM application with the revisions the Board previously intended. Mr. Skuller seconded the motion and it carried.

Mr. Skuller made a motion to remove Section 2 (2) of 201 KAR 28:060 where the Jurisprudence Exam requirement is mentioned for a second time and to also clean up the language of 201 KAR 28:060 Section 2 (3) to make it more clear. Mr. Stroth seconded the motion and it carried.

Ms. Woodson presented the drafted letter to LRC regarding the Board's regulations affected by the Sunset Law. Ms. Woodson will file the letter with LRC.

The Board briefly reviewed the revised version of the Jurisprudence exam updated by Mr. Skuller. Ms. Page made a motion to accept the revised version. Ms. Grider seconded the motion and it carried.

The Board discussed discuss reinstated licenses and the lapse in licensure being reflected on the online verification with Ms. Vick. Ms. Vick will bring this issued to the current database programmers to see what possible solutions may be available.

Ms. Woodson advised that Ms. Nation and Mr. Ramsey will be attending the NBCOT State Regulator Leadership Forum in May.

Ms. Woodson advised that Ms. Page and Mr. Ramsey will be attending the AOTA Annual Conference and & Expo in April.

New Business

The Board discussed a reinstatement payment they received that was returned due to insufficient funds. The Licensee was sent a certified letter asking for repayment and a new payment has not been received at this time. Mr. Ramsey made a motion to send another letter to the Licensee advising that if certified funds are not received within ten (10) days, the license would be revoked. Ms. Grider seconded the motion and it carried.

The Board reviewed the licensure status report.

Supervision Audit Review

The Board review the supervision audits. Mr. Skuller made a motion to approve two (2) and defer one (1) of the audits. Ms. Grider seconded the motion and it carried.

Applications Review

Mr. Stroth made a motion to approve the recommendation of the initial, renewal/reinstatement, CE, DPAM certification, and DPAM course applications reviewed today and through the past month. Ms. Page seconded the motion and it carried.

Assignments for Next Meeting - May 16th @ 1:00pm

Ms. Woodson:

- File letter with LRC regarding regulations affected by the Sunset Law
- Coordinate with Ms. Vick about reinstatement dates on the license verification
- Send the revised DPAM Certification Application and Application Form to Mr. Downs for filing
- Send bad payment letter to Licensee
- Have Jurisprudence Exam updated by programmers

Mr. Ramsey

- Send Mr. Downs a cautionary statement regarding billing for 2019BOT00003

Mr. Downs

- Draft the dismissal with caution letter for 2019BOT00003
- File to revise 201 KAR 28:060 Section 2 (2) and (3) along with the DPAM Certification Application(OTB-5) and Application Form (OTB-1)

Approval of Travel and Per Diem

A motion was made by Ms. Grider to approve travel and per-diem for today's meeting. The motion, seconded by Mr. Stroth, carried.

Adjournment

Mr. Ramsey made a motion to adjourn the meeting at 3:02pm. Ms. Grider seconded the motion and it carried.