

NORTH CAROLINA BOARD OF OCCUPATIONAL THERAPY
September 12, 2016
MINUTES

REGULAR SESSION

Time and Place

The North Carolina Board of Occupational Therapy met in Regular Session in the offices of the Board September 12, 2016 at 9:00 a.m.

Members Present

Bill Walsh, Melanee Mills, Dr. Stephen Lang, Lynn Losada and Denise Donica.

Others Present

Charles P. Wilkins, Legal Counsel to the Board and Elizabeth Kirk, Board Administrator.

Members Absent

Ron Taylor

Chairperson

Mr. Walsh, Chair, called the meeting to order at 9:10 a.m.

Conflict of Interest

Mr. Walsh called for any conflicts of interest with the meeting agenda. There were no conflicts or potential conflicts.

Approval of Minutes

The July 18, 2016 minutes were approved as submitted.

To-Do List

The July 18, 2016 to do-list was approved as submitted and reviewed.

Approval of Treasurer's Report

The treasurer's report for July 1, 2016 through August 31, 2016 was discussed and approved as submitted.

Administrator's Report

The administrator's report was reviewed and approved as submitted.

Legal Services Committee

Ms. Donica reported the Committee reviewed a bill from Broughton Wilkins Sugg & Thompson, PLLC for the months of July and August for ten (10) disciplinary proceedings. Since Mr. Taylor was absent, the Committee agreed to postpone approval on this item to the November Board meeting.

OLD BUSINESS

The Board reviewed correspondence and general information received following the last Board meeting.

Strategic Planning Retreat

The Board held a retreat on June 6-8, 2014 at the Rizzo Conference Center in Chapel Hill, NC. The Board reviewed the retreat to-do list developed by Board staff and agreed to continue working on the to-do list.

NC Legislature

Mr. Wilkins reported on proposed laws pending in the North Carolina General Assembly that may affect professional licensing boards.

Online Progress/paperless feasibility

Board staff informed the Board that IT services will be working on creating a reactive website. The Board agreed to provide recommendations for updates to Board staff once the test website has been developed.

AOTA Annual Conference

Board members were advised the AOTA Annual Conference is meeting in Philadelphia, PA on March 30-April 2, 2017. Mr. Walsh and Ms. Donica agreed to attend.

CLEAR Annual Conference

Board members were advised the CLEAR Annual Conference is meeting in Portland, OR on September 15-17, 2016 and the CLEAR 2017 International Congress is meeting in Melbourne, Australia. Ms. Mills and Mr. Wilkins

agreed to attend the 2016 annual conference.

NCOTA Annual Conference

Board members were advised the NCOTA Annual Conference is meeting in Greensboro, NC on November 4-6, 2016. The Board agreed to provide a session on Board updates and a one-hour ethics session and discussed various presentation possibilities.

NBCOT OT Regulator E-Newsletter August 2016

The Board reviewed the August 2016 E-Newsletter contained in an email dated August 17, 2016.

Question regarding Energy Conservation

The Board reviewed an email dated July 20, 2016 from Charles Wilkins to Teresa Wiles in response to her question regarding the definition of energy conservation and whether it would include breathing exercises.

Francisco Alvarado hearing

The Board conducted a hearing on whether Mr. Alvarado had violated the Practice Act or Rules of the Board specifically NCGS 90-270.76(a)(2), (a)(4) and (a)(8) and Rule .0304 (a)(3), (a)(5), (a)(8) and Rule .0304(c) during his application process. Mr. Alvarado did not appear.

NEW BUSINESS

No new business.

Closed Session

Upon motion duly made, seconded and passed, and pursuant to NCGS 143-318.11(a)(1) and (6) as well as NCGS 143-318.18(6), the Board went into Closed Session at 11:55 a.m.

Closed Session Report

Mr. Wilkins reported the Board was advised in Closed Session that one case was closed. Mr. Wilkins is currently investigating one pending complaint. The Board reviewed the request from Broughton, Wilkins, Sugg & Thompson, PLLC for additional special legal fees for working on the PED study and Dental Board case. The Board agreed to pay BWST, PLLC for the special legal fees and further agreed and approved an amendment to its contract

with Broughton, Wilkins, Sugg & Thompson, PLLC.

Francisco Alvarado

The Board reported it had reviewed the evidence presented in Mr. Alvarado's hearing. The evidence presented showed Mr. Alvarado had violated the Practice Act or Rules of the Board by failing to include in his application for an occupational therapist license in North Carolina that he had been fired from his position as an occupational therapist in California and that the reasons for his firing, billing for services not rendered on at least one occasion and forging a parent's signature on a treatment note. These actions constituted grounds for the Stipulated Settlement and Disciplinary Order entered by the California Board of Occupational Therapy and are grounds for license revocation in North Carolina. The Board entered an Order that: (1) revoked Mr. Alvarado's license to practice occupational therapy; (2) required payment of a civil penalty of \$1000; and (3) required payment of disciplinary costs of \$500.

Adjournment

The Open Session adjourned at 2:20 p.m.

Next Meeting

The next Regular Session meeting will be held at the office of the Board on November 14, 2016 at 9:00 a.m.

Bill Walsh, Chair

Denise Donica, Secretary/Treasurer