

**NORTH CAROLINA BOARD OF OCCUPATIONAL THERAPY
JULY 18, 2022
MINUTES**

REGULAR SESSION

Time and Place

The North Carolina Board of Occupational Therapy met in Regular Session via Webex conference call on July 18, 2022 at 9:00 a.m.

Members Present

Laura Echols, Nicole Blackwell, Erica Dolan, Leonard Trujillo, Dr. Kevin Coates and Danielle Ward.

Others Present

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

Members Absent

Young Kim.

Chairperson

Ms. Echols, Chair, called the meeting to order at 9:00 a.m.

Conflict of Interest

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

Approval of Minutes

The May 16, 2022 minutes were approved as amended.

Approval of Treasurer's Report

The treasurer's report for May 1, 2022 through June 30, 2022 was discussed and approved as submitted.

Approval of 2022-2023 Budget

The 2022-2023 budget was discussed and approved as submitted.

Administrator's Report

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

Legal Services Committee

Ms. Blackwell reported the Committee reviewed a bill from Broughton Wilkins Sugg & Thompson, PLLC for the months of May and June 2022 for thirteen (13) disciplinary proceedings. The total hours worked was 15.20 and the total fees are \$3,800. The Board closed seven disciplinary files following the May 2022 Board meeting and currently has twelve (12) disciplinary files pending. Upon motion made and seconded, the bill was approved for payment.

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 14-16, 2019 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 bills pending in the North Carolina General Assembly.

CLEAR

a. 2022 Virtual Symposium

Board members were advised the 2022 Virtual Symposium met in June 2022.

b. 2022 Annual Meeting

Board members were advised the 2022 Annual Meeting is meeting in Louisville, Kentucky on September 14-17, 2022. Ms. Blackwell agreed to attend.

c. 2023 International Congress

Board members were advised the 2023 International Congress is meeting in Dublin, Ireland in the summer of 2023.

d. CLEAR Update

Board members reviewed an email dated June 29, 2022 regarding updates from CLEAR.

AOTA

a. State Regulatory Forum Webinar

Board members were advised the State Regulatory Forum met virtually on May 25, 2022. Ms. Echols and Mr. Trujillo attended and reported on the conference.

b. OT Practice Pulse

Board members reviewed an email dated May 19, 2022 regarding news and updates from AOTA.

c. OT News for You

Board members reviewed an email dated June 2, 2022 regarding news from AOTA.

d. 2022 Spring/Summer State Affairs Newsletter

Board members reviewed an email regarding the State Affairs Newsletter.

NCOTA 2022 Fall Conference/Board Member Appointment

Board members were advised the NCOTA 2022 Fall Conference is meeting in Raleigh, North Carolina on November 4-6, 2022. The Board agreed to present a course on ethics/Board updates or have a scavenger hunt similar to past conferences.

Ms. Heide Dorfman, NCOTA liaison to the Board, reported the NCOTA had approximately 12 applications from persons interested in serving on the Board and, having narrowed the candidate list, will recommend one candidate to the Governor.

Ms. Dorfman also reported a committee of the NCOTA was discussing whether the Practice Act or Rules needed amending.

NBCOT

a. June 2022 State Regulatory E-Newsletter

Board members reviewed an email dated June 9, 2022 regarding the June 2022 State Regulatory E-Newsletter.

b. 2022 State Regulatory Leadership Forum

Board members reviewed an email dated June 22, 2022 regarding the 2022 State Regulatory Leadership Forum. Dr. Coates, Ms. Ward and Ms. Blackwell agreed to attend.

FARB 2022-2024 Forums

Board members were advised of the various FARB forums from 2022 through 2024.

OT Compact Delegate

Board members reviewed an email dated July 1, 2022 regarding the inaugural meeting information. Ms. Ward will attend and report to the Board.

Response to Morgan McCall regarding fingersticks

Board members reviewed an email dated May 18, 2022 from Mr. Wilkins to Morgan McCall regarding fingersticks.

Response to J. Zope regarding patient's religious beliefs

Board members reviewed an email dated May 18, 2022 from Mr. Wilkins to J. Zope regarding patient's religious beliefs.

Response to Heather Kiziah regarding MLD/fibrosis massage

Board members reviewed an email dated May 18, 2022 from Mr. Wilkins to Heather Kiziah regarding MLD/fibrosis massage.

NEW BUSINESS

Email from Valerie Rucker regarding mentorship

The Board reviewed an email dated May 18, 2022 regarding increasing CCA credits for mentorship and agreed the CCA rule-making process completed a few years ago remained appropriate.

Email from Jenna Roth regarding OT/OTA supervision

The Board reviewed an email dated June 9, 2022 regarding OT/OTA supervision and agreed to request that Ms. Roth clarify her questions.

Email from Kimberly Parker regarding OTA's scope of practice

The Board reviewed an email dated June 14, 2022 regarding OTA's scope of

practice and agreed Ms. Blackwell and Ms. Dolan will review the questions with Mr. Wilkins for a recommended response.

Email from Alie LaBree regarding medicine management

The Board reviewed an email dated July 1, 2022 regarding medicine management and agreed OTs/OTAs are allowed to assist clients in placing their weekly medications in a medicine box.

Email from Yasmine Baker regarding billing for an evaluation

The Board reviewed an email dated July 11, 2022 regarding billing for an evaluation and agreed an OT cannot bill for something the OT has not provided and an OT cannot bill for an evaluation if the OT has not assessed the patient.

2023 Board meeting dates

The Board discussed and approved the 2023 Board meeting dates: January 9, 2023, March 20, 2023, May 15, 2023, July 17, 2023, September 18, 2023 and November 13, 2023.

Election of Board officers

Board members were nominated and officers were elected as follows: Laura Echols was elected Chair, Young Kim was elected Vice Chair and Nicole Blackwell was elected Secretary/Treasurer.

Ashley Yow

The Board conducted a hearing on whether Ms. Yow violated the Practice Act or Rules of the Board specifically NCGS 90-270.76(a)(2) and (4) and the AOTA Code of Ethics, specifically, Standards of Conduct 5B, 6F and 6H, due to advertising as a CHT and CLT when she did not possess either credential.

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 12:30 p.m.

Return to Open Session

The Board returned to Open Session at 12:55 p.m.

Closed Session Report

Disciplinary Matters

Mr. Wilkins reported the Board was advised in Closed Session that one disciplinary investigation resulted in a dismissal of the complaint. Eleven cases are currently being investigated.

Ashley Yow

The Board reviewed the testimony and exhibits from the hearing and determined Ms. Yow violated the Practice Act or Rules of the Board specifically NCGS 90-270.76(a)(2) and (4) and the AOTA Code of Ethics, specifically, Standards of Conduct 5B, 6F and 6H, due to advertising as a CHT and CLT when she did not possess either credential. The Board agreed to issue her a Letter of Admonishment and require her to deactivate her website until she is within sixty days of actually accepting and providing OT services to clients, and that she also show proof of completion of three hours or more of CCA in OT scope of practice and ethics, in addition to the required fifteen hours of CCAs to be submitted with her 2024 license renewal.

Adjournment

The Open Session adjourned at 12:55 p.m.

Next Meeting

The next Regular Session meeting will be held at the office of the Board on September 19, 2022 at 9:00 a.m.

Laura Echols, Chair

Nicole Blackwell, Secretary/Treasurer