

**NORTH CAROLINA BOARD OF OCCUPATIONAL THERAPY
JULY 17, 2023
MINUTES**

REGULAR SESSION

Time and Place

The North Carolina Board of Occupational Therapy met in Regular Session virtually and in the offices of the Board on July 17, 2023 at 9:00 a.m.

Members Present

Laura Echols, Erica Dolan, Dr. Kevin Coates, Young Kim, Nicole Blackwell and Sarah Rahman.

Others Present

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

Members Absent

Danielle Ward.

Chairperson

Ms. Echols, Chair, called the meeting to order at 9:07 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 15, 2023 minutes were approved.

Approval of Treasurer's Report

The treasurer's report for May 1, 2023 through June 30, 2023 was discussed and approved as submitted.

Approval of 2023-2024 Budget

The 2023-2024 budget was reviewed 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 2023 for fifteen (15) disciplinary proceedings. The total hours worked was 26.70 and the total fees are \$6,675. The Board closed seven disciplinary files following the May 2023 Board meeting and currently has twelve 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 2023 Annual Meeting

Board members were advised the 2023 Annual Meeting is meeting in Salt Lake City, Utah on September 27-30, 2023. Ms. Dolan, Ms. Rahman and Ms. Ward agreed to attend.

AOTA

a. 2023 Annual Conference & Expo

Board members were advised the 2023 Annual Conference & Expo met in Kansas City, Missouri on April 20-23, 2023. Ms. Blackwell and Mr. Kim reported on the conference.

b. April 2023 ACOTE Actions

Board members reviewed an email dated May 23, 2023 regarding the

April 2023 ACOTE Actions.

c. State Affairs Newsletter – Summer 2023

Board members reviewed an email dated May 25, 2023 regarding the Summer 2023 state affairs newsletter.

d. Policy E-18/Dry needling discussion

Board members reviewed and discussed an email dated May 8, 2023 regarding Policy E18 adopted by the AOTA Representative Assembly. Ms. Dolan and Ms. Rahman agreed to work on documentation to provide to the Board and the Board agreed to review the history on this topic, the Board’s previous position and parameters surrounding the use of dry needling and discuss at its September 2023 meeting.

NCOTA

a. Fall Conference

Board members were advised the NCOTA 2023 Spring Conference is meeting in Salisbury, North Carolina on November 3-5, 2023. The Board agreed to discuss providing a presentation at the conference at their September meeting. Ms. Blackwell, Ms. Dolan, Ms. Echols and Ms. Rahman agreed to attend.

b. Practice Act Discussion

The Board reviewed the amendment to the ‘Scope of Practice’ statement on the Practice Act and Rules page on the Board’s website to include “occupational therapists” and “occupational therapy assistants.” Ms. Dorfman agreed to send the NCOTA’s Practice Act Ad Hoc Committee’s suggested changes to the NCBOT Practice Act and Rules for consideration by the Board at a future meeting.

NCBOT 2023 OT State Regulatory Forum

a. May 2023 Regulatory Newsletter

Board members reviewed an email dated May 23, 2023 regarding the May 2023 Regulatory Newsletter.

b. OTR Exam Update

Board members reviewed an email dated July 7, 2023 regarding an update to the OTR exam.

c. 2023 OT State Regulatory Forum

Board members reviewed an email dated July 10, 2023 regarding the 2023 OT State Regulatory Leadership Forum.

FARB 2023-2024 Forums

Board members were advised of the various FARB forums from 2023 through 2024.

OT Compact Updates

Ms. Kirk reported that there have been requests to complete surveys regarding software/IT programs and background checks.

NEW BUSINESS

Review memorandum to OT/OTA schools

a. Request from Nancy Bagatell to address Board regarding memorandum

Board members reviewed an email dated May, 2023 from Ms. Kirk to schools in NC providing occupational therapy instruction. Ms. Bagatell appeared before the Board and requested additional input and expressed her concerns regarding the memorandum. The Board agreed for Mr. Wilkins to contact the NBCOT regarding its interpretation of OT/OTA, OTR/COTA and OT/L/OTA/L.

Email from Reagan Crummey regarding scope of practice/training

Board members reviewed an email dated June 22, 2023 from Ms. Crummey regarding scope of practice and training for the Safe and Sound Protocol and agreed the therapeutic listening tool is within the scope of practice of occupational therapy and is permitted as a physical agent modality.

2024 Board meeting dates

The Board discussed and approved the 2024 Board meeting dates: January 8, 2024, March 18, 2024, May 20, 2024, July 15, 2024, September 16, 2024 and November 18, 2024.

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.

Dena Brown

The Board conducted a hearing on whether Ms. Brown violated the Practice Act or Rules of the Board specifically NCGS 90-270.76(a)(4) and Rules

.0802(a) and .0304(a)(5) for failing to timely complete her continuing competence activities prior to her license being renewed for three renewal periods.

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 12:20 p.m.

Return to Open Session

The Board returned to Open Session at 1:30 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, one resulted in a Consent Order and twelve cases are currently being investigated.

Dena Brown

The Board reviewed the testimony and exhibits from the hearing and determined Ms. Brown violated the Practice Act or Rules of the Board specifically NCGS 90-270.76(a)(4) and Rules .0802(a) and .0304(a)(5) for failing to timely complete her continuing competence activities prior to her license being renewed for three renewal periods. The Board agreed to issue her a letter of reprimand and require she pay a civil penalty of \$100 and disciplinary costs of \$350 within sixty days of the entry of the Order.

Adjournment

The Open Session adjourned at 1:30 p.m.

Next Meeting

The next Regular Session meeting will be held at the office of the Board on September 18, 2023 at 9:00 a.m.

Laura Echols, Chair

Nicole Blackwell, Secretary/Treasurer