

**NORTH CAROLINA BOARD OF OCCUPATIONAL THERAPY
MARCH 20, 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 March 20, 2023 at 9:00 a.m.

Members Present

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

Others Present

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

Members Absent

None.

Chairperson

Ms. Echols, Chair, called the meeting to order at 9:10 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 January 9, 2023 minutes were approved as amended.

Approval of Treasurer's Report

The treasurer's report for January 1, 2023 through February 28, 2023 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 January and February 2023 for seven (7) disciplinary proceedings. The total hours worked was 16.80 and the total fees are \$4,200. The Board closed three disciplinary files following the January 2023 Board meeting and currently has fifteen 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. CLEAR News January 2023

Board members reviewed an email dated January 31, 2023 regarding the January 2023 CLEAR news.

b. 2023 Annual Meeting

Board members were advised the 2023 Annual Meeting is meeting in Salt Lake City, Utah on September 27-30, 2023.

c. 2023 International Congress

Board members were advised the 2023 International Congress is meeting in Dublin, Ireland on May 3-5, 2023.

AOTA

a. 2023 Annual Conference & Expo

Board members were advised the 2023 Annual Conference & Expo is meeting in Kansas City, Missouri on April 20-23, 2023. Ms. Blackwell

and Mr. Kim agreed to attend virtually.

b. Call for comments on ACOTE Standards

Board members reviewed an email dated March 7, 2023 regarding a call for comment on draft ACOTE standards.

NCOTA

a. Spring Conference

Board members were advised the NCOTA 2023 Spring Conference met in Durham, North Carolina on March 18, 2023.

b. Practice Act Discussion

Ms. Dorfman reported a committee of the NCOTA discussed amending the Practice Act or Rules and agreed NCGS 90.270.67(4) should be amended to replace “occupational therapists” with “occupational therapy practitioners” in the second sentence and include additional verbiage for mental health services. Ms. Dolan and Mr. Kim agreed to research and develop wording for the Board to review at their May meeting.

NCBOT Regulatory E-Newsletter January 2023

Board members reviewed an email dated January 18, 2023 regarding the January 2023 Regulatory E-Newsletter.

FARB 2023-2024 Forums

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

OT Compact Delegate

Ms. Ward provided an update to the Board on the progress of the OT compact.

Response to Brian LaRue regarding scope of practice

Board members reviewed an email dated January 16, 2023 from Mr. Wilkins to Mr. Larue regarding scope of practice.

Response to Beth Sanchez regarding medication policy; follow-up email from Nancy Winkler

Board members reviewed an email dated January 16, 2023 from Mr. Wilkins to Ms. Sanchez regarding medication policy. Board members also reviewed an email dated January 22, 2023 from Nancy Winkler as a follow-up to the

response to Ms. Sanchez. The Board does not agree it is the OT/OTA's responsibility to determine drug interactions however, if the drug interactions are automatically determined by the company's EMR system and all the OT/OTA does is document the EMR system found a drug interaction, then the OT/OTA can document that the EMR system found a drug interaction. The OT/OTA cannot "determine drug interactions" through assessment, diagnosis or judgment but can notify the MD and clinical manager about the EMR system determinations.

Response to Kelly Rutherford regarding supervision

Board members reviewed an email dated January 19, 2023 from Mr. Wilkins to Ms. Rutherford regarding supervision.

NEW BUSINESS

Email from Daniel Thompson regarding verbal medication orders

Board members reviewed an email dated January 25, 2023 from Mr. Thompson regarding verbal medication orders and agreed an OT practitioner cannot take verbal medication orders. The Board also agreed an OT practitioner may not "assess" medications the patient is taking. While an OT practitioner may be trained to report and document the medications the patient is taking, the OT practitioner is not trained to "assess" the medications the patient is taking, both prescription and over-the-counter, as that would be in the scope of practice of medicine and nursing. An OT practitioner can document and report all medications the patient is currently using. However, an OT practitioner cannot identify any potential adverse effects and drug reactions, including ineffective drug therapy, significant side effects, significant drug interactions, duplicate drug therapy, and noncompliance with drug therapy as those functions are within the scope of practice of medicine, pharmacy and nursing and are not within the scope of practice of OT in North Carolina.

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 11:15 a.m.

Return to Open Session

The Board returned to Open Session at 11:35 a.m.

Closed Session Report

Disciplinary Matters

Mr. Wilkins reported the Board was advised in Closed Session that fifteen cases are currently being investigated.

Adjournment

The Open Session adjourned at 11:35 a.m.

Next Meeting

The next Regular Session meeting will be held at the office of the Board on May 15, 2023 at 9:00 a.m.

Laura Echols, Chair

Nicole Blackwell, Secretary/Treasurer