

**NORTH CAROLINA BOARD OF OCCUPATIONAL THERAPY
MARCH 18, 2024
MINUTES**

REGULAR SESSION

Time and Place

The North Carolina Board of Occupational Therapy met in Regular Session in the offices of the Board on March 18, 2024 at 9:00 a.m.

Members Present

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

Others Present

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

Members Absent

Erica Dolan.

Chairperson

Ms. Echols, Chair, called the meeting to order at 9:05 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 8, 2024 minutes were approved.

Approval of Treasurer's Report

The treasurer's report for January 1, 2024 through February 29, 2024 was discussed and approved as submitted.

Administrator's Report

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

Legal Services Committee

Mr. Kim reported the Committee reviewed a bill from Broughton Wilkins Sugg & Thompson, PLLC for the months of January and February 2024 for ten (10) disciplinary proceedings. The total hours worked was 11.40 and the total fees are \$2,850. The Board closed three disciplinary files following the January 2024 Board meeting and currently has eleven 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. 2024 Annual Meeting

Board members were advised the 2024 Annual Meeting is meeting in Baltimore, Maryland on September 16-19, 2024. Ms. Echols and Ms. Ward mentioned they may attend.

b. January 2024 Update

Board members reviewed an email dated January 30, 2024 regarding January 2024 news.

AOTA

a. 2024 Annual Conference & Expo

Board members were advised the 2024 Annual Conference & Expo is meeting in Orlando, Florida on March 21-23, 2024. Ms. Blackwell, Ms. Echols, Mr. Kim and Ms. Rahman agreed to attend.

b. Upcoming Events

Board members reviewed an email dated January 10, 2024 regarding

AOTA upcoming events.

c. ACOTE Accreditation Standards Adopted

Board members reviewed an email dated February 5, 2024 regarding the new ACOTE accreditation standards.

NCOTA Spring Conference

Board members were advised the NCOTA 2024 Spring Conference is meeting in Concord, North Carolina on April 13, 2024.

NBCOT

a. State Regulatory Leadership Forum

Board members were advised the State Regulatory Leadership Forum is meeting virtually on September 10-11, 2024.

b. State Regulatory E-newsletter

Board members reviewed an email dated March 11, 2024 regarding the state regulatory E-newsletter.

FARB 2024 Law Seminar & Conference

Board members were advised the Law Seminar & Conference is meeting in Atlanta, Georgia on September 19-22, 2024.

OT Compact Updates

Ms. Ward provided an update to the Board on the progress of the OT compact. The Board reviewed and discussed an email dated March 14, 2024 from Amanda Perry, Executive Director for the OTCC, regarding a letter of support for grant funding to financially support the data system development. Board staff agreed to send a draft letter to Ms. Ward and Ms. Echols for their review.

Email from NC PT Board regarding vision therapy

Board members reviewed an email dated March 8, 2024 from the NC Physical Therapy Board regarding vision therapy and agreed to appoint a committee to review the questions and provide a response for consideration at the May meeting. Ms. Echols appointed Ms. Blackwell, Ms. Dolan and Ms. Rahman to serve on the committee.

NEW BUSINESS

Emails from Eileen Hume regarding NC law

Board members reviewed emails dated January 22, 2024 and February 5, 2024, respectively, regarding concerns related to federal and state laws and agreed to inform her it was more appropriate to send this information to the NC Occupational Therapy Association or AOTA for further review.

Email from Rochelle Masudal regarding license renewal

Board members reviewed an email dated January 23, 2024 regarding a request to change the license renewal requirements. Changes to the license renewal requirements would require amendments to the Board's Practice Act. The Board agreed there are no compelling reasons to change the license renewal requirements at this time.

Email from Amanda Olson regarding prescribing DME

Board members reviewed an email dated February 26, 2024 regarding prescribing durable medical equipment (DME) and agreed neither the NC Occupational Therapy Practice Act nor the Rules of the Board provide that occupational therapy practitioners may write prescriptions. OT practitioners do not write prescriptions in North Carolina. OT practitioners do make recommendations for the use of durable medical equipment. If a prescription is required, OT practitioners may recommend that a licensed medical provider, such as Medical Doctor, Nurse Practitioner, or Physician Assistant, write a prescription.

Email from Audra Killingsworth regarding pessaries and prescribing DME and adaptive equipment

Board members reviewed an email dated March 7, 2024 regarding pessaries and prescribing durable medical equipment (DME) and agreed OT practitioners in North Carolina who are trained and competent and whose competency has been demonstrated and documented may insert, remove, and fit durable medical equipment (DME) and adjust such equipment to enhance and advance independence.

However, neither the NC Occupational Therapy Practice Act nor the Rules of the Board provide that occupational therapy practitioners may write prescriptions. OT practitioners do not write prescriptions in North Carolina. OT practitioners do make recommendations for the use of durable medical equipment. If a prescription is required, OT practitioners may recommend that a licensed medical provider, such as Medical Doctor, Nurse Practitioner,

or Physician Assistant, write a prescription.

Tina Bradley

The Board conducted a hearing on whether Ms. Bradley violated the Practice Act or Rules of the Board, specifically NCGS 90-270.76(a)(4), 90-270.76(a)(6), 90-270.78(a) as well as Rules .0302(b), .0302(c) and .0304(a)(5), for providing occupational therapy services as a direct support provider to a client in North Carolina with an expired license.

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 11:20 a.m.

Return to Open Session

The Board returned to Open Session at 12:45 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, two resulted in Consent Orders and ten cases are currently being investigated.

Tina Bradley

The Board reviewed the testimony and exhibits from the hearing and determined Ms. Bradley violated the Practice Act or Rules of the Board, specifically NCGS 90-270.76(a)(4), 90-270.76(a)(6), 90-270.78(a) as well as Rules .0302(b), .0302(c) and .0304(a)(5), for providing occupational therapy services to a client in North Carolina while her license was expired. The Board ordered that she pay a civil penalty of \$500 and costs of \$500 for the disciplinary investigation and hearing.

Adjournment

The Open Session adjourned at 12:45 p.m.

Next Meeting

The next Regular Session meeting will be held at the office of the Board or

virtually on May 13, 2024 at 9:00 a.m.

Laura Echols, Chair

Nicole Blackwell, Secretary/Treasurer