

West Virginia Board of Occupational Therapy



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www.wvbot.org

WVBOT MINUTES: July 22, 2005

MEMBERS PRESENT: Paula Sisler, Eugene Brooks, and Martin Douglas

ABSENT: Lenny Fink

ALSO PRESENT: Diana Harris, Darlene Ratliff-Thomas from the Attorney General's office, Mary Hager, David Durgin, Amanda Kessler-Rogers, Brenda Hambric, and Diana Davis

MEETING CALLED TO ORDER: 11:08a.m.

11:08 a.m.
Went into executive session
Executive session ended at 11:12 a.m.

NEW BUSINESS

TOPIC: Legislative Rules

FINDINGS/CONCLUSIONS: Amanda Kessler-Rogers thanked Paula for her responses to the comments. Ms. Kessler-Rogers is happy with the changes. Ms. Kessler-Rogers had questions regarding the supervision definition. Paula explained that the supervision is to protect the public and the OT/OTA's.

ACTION/FOLLOW-UP: None

TOPIC: Legislative Rules

FINDINGS/CONCLUSIONS: Diana Davis informed the board of language problems in the legislative rules—2.7.a.-Discrepancy should be discretion, 2.10.-telephonic should be telephone electronic.

ACTION/FOLLOW-UP: Marty is to make changes with the LRMRC.

TOPIC: Legislative Rules

FINDINGS/CONCLUSIONS: Diana Davis had procedural questions on students not being defined in the Legislative Rules. Students cannot be added to the Legislative Rules until the Practice Act is opened. Diana Harris is to make note of this so when the Practice Act is opened definitions can be added for student and intern. Darlene added that the state has no control over the student.

ACTION/FOLLOW-UP: None

TOPIC: Legislative Rules

FINDINGS/CONCLUSIONS: David Durgin had questions regarding General Supervision 2.10. Mr. Dugin is unhappy with the wording. Mr. Durgin would rather have the definition state 'should' instead of 'all' or 'must'. He feels that this is an impossible demand. Paula stated that all paperwork needs to be signed in order to show OT/OTA collaboration and supervision. Ms. Davis said that it is too hard to have all paperwork signed due to unexpected circumstances, ie acute care and patient transferred to another facility, went home etc. and she suggested that we define which notes need to be signed. Having to sign all paperwork is restricting practice for OTA's in this type of setting. She is suggesting that notes where actual treatment is taking place should be signed. Mary Hager suggested that we reword the definition stating—"all paperwork pertaining to the practice of Occupational therapy", this would be a good compromise.

ACTION/FOLLOW-UP: None at this time. Comment period is over and these changes cannot be made. The board will make note of this and when the rules are opened again will make these changes if necessary.

TOPIC: Legislative Rules

FINDINGS/CONCLUSIONS: Mary Hager suggested that the board post a timeline of the legislative rules on the website.

ACTION/FOLLOW-UP: Diana and Bobby to work together on adding this to the website.

TOPIC: Morgantown meeting space

FINDINGS/CONCLUSIONS: Diana Davis can provide a conference room for free when the board is aware of the public attending the meeting so we will have adequate space.

ACTION/FOLLOW-UP: None

TOPIC: Legislative Rules

FINDINGS/CONCLUSIONS: David Durgin is unhappy with the wording is 10.2.a. Darlene said that the wording is correct, the “any person associated with the student” is pertaining to the students college professors.

ACTION/FOLLOW-UP: None

TOPIC: Meeting on June 21, 2005

FINDINGS/CONCLUSIONS: Mr. Durgin questioned the meeting on June 21, 2005 because it was not in the state register. Diana did send paperwork to the state; the Board is unsure why it was not listed in the state register.

ACTION/FOLLOW-UP: Diana is to fax notice to Secretary of State Office and the Governor’s office to confirm receipt and to also mail notice of meeting to them.

Paula motioned to go to old business. Gene seconded. Vote 3-0.

OLD BUSINESS

Paula motioned to accept May minutes. Gene seconded. Vote 3-0

TOPIC: WVBOT Website

FINDINGS/CONCLUSIONS: Rob posted the pictures of the board members on the website. An AOTA link and a WVOTA link have been added to the website. The message board had been added to the website previously.

ACTION/FOLLOW-UP: None

TOPIC: Cathy Whalen’s Insurance bill

FINDINGS/CONCLUSIONS: Letter was sent requesting payment. Ms. Whalen responded with a check in the amount of \$122.50 on June 15, 2005 for one month of her insurance.

ACTION/FOLLOW-UP: None

TOPIC: File Retention

FINDINGS/CONCLUSIONS: Marty called Dunbar Surplus Property and they do not have any fireproof filing cabinets at this time. The cost of regular filing cabinets through the state is \$75.00. Diana and Paula checked prices of fireproof filing cabinets and at this time the board is not able to purchase any due to the cost of the cabinets.

ACTION/FOLLOW-UP: Marty is to keep in touch with Dunbar Surplus Property to find out when they get fireproof filing cabinets.

TOPIC: Surplus Property Retirement

FINDINGS/CONCLUSIONS: Marty did get papers to fill out for stickers.

ACTION/FOLLOW-UP: Marty is to fill out papers.

TOPIC: Equipment/mailling list

FINDINGS/CONCLUSIONS: Diana spoke with Rob and Joe and there is no way to convert the mailing list. Diana installed Word Perfect so the labels would be on the new computer.

ACTION/FOLLOW-UP: None

TOPIC: Resumes for board positions

FINDINGS/CONCLUSIONS: Still waiting for two new OTR/L board members. Gene is waiting to be reappointed. Diana and Paula have spoken with Jennifer Baldwin numerous times discussing the urgency of hiring new board members. Ms. Baldwin informed the board that many other boards are in the same position and the state is working on the matter.

ACTION/FOLLOW-UP: Diana to stay in contact with Jennifer Baldwin.

TOPIC: Office Space

FINDINGS/CONCLUSIONS: The board is now at the new location in Morgantown.

ACTION/FOLLOW-UP: Diana is to discuss with the landlord of the Morgantown Office adding a doorbell to ring or an intercom system in the office for security reasons and for handicap accessibility.

TOPIC: Legislative Rules and Practice Act

FINDINGS/CONCLUSIONS: Lenny and Gene unable to attend phone conference on May 13, 2005. Meeting cancelled. Paula and Marty collaborated on suggested changes on phone. Diana sent suggested changes to all board members and a vote on the changes was done through email. First draft of changes sent to Secretary of State on May 19, 2005.

ACTION/FOLLOW-UP: None

TOPIC: WV BOT website

FINDINGS/CONCLUSIONS: Diana has been in contact with Jennifer Baldwin and had left message with Max Farley regarding job listing opportunities on the website.

ACTION/FOLLOW-UP: Diana is to follow-up with Max Farley.

TOPIC: Katie Brinkley

FINDINGS/CONCLUSIONS: Diana sent letter to Ms. Brinkley stating that the board cannot accept the contact hours for the Blueprint for Oasis Accuracy workshop.

ACTION/FOLLOW-UP: None

TOPIC: Andrea Hawkins

FINDINGS/CONCLUSIONS: Diana sent letter to Ms. Hawkins stating that the board cannot accept the contact hours for the Evaluation and Assessment and Outcomes to IFSPs that she took.

ACTION/FOLLOW-UP: None

Paula motioned to go into executive session. Gene seconded. Vote 3-0.

EXECUTIVE SESSION

Issue #1: Marty wrote letter. Closed

Issue #4: Marty sent letter on 6-8-05. Closed

Issue #6: Letter sent on 6-7-05, check returned; no response. Diana left message on 7-12-05. Diana to check into

Issue #12: Spoke with lawyer, case is out of our jurisdiction. Paula to write letter. Closed

Issue #13: No complaint filed. Closed

Issue# 2005-14: Applicant with misdemeanor. Received letter from attorney and officer. Limited Permit issued. Closed

Break at 1:00 p.m.

NEW BUSINESS

TOPIC: Revised legislative rule changes

FINDINGS/CONCLUSIONS: After the comment period the board reviewed the comments and made the revisions to the proposed legislative rules. Diana filled out the appropriate forms for the emergency rule change. Changes were filed with the Secretary of State and the LRMRC. Paula motioned to accept all changes and to file changes through the emergency rule process. Marty seconded. Vote 3-0.

ACTION/FOLLOW-UP: Marty is to meet with LRMRC when the board's proposed legislative rule changes are put on their agenda.

TOPIC: New Sign and Mailbox

FINDINGS/CONCLUSIONS: New Sign and Mailbox are needed for the office. Paula motioned to give Diana \$100.00 to buy new sign and mailbox for office. Marty seconded. Vote 3-0.

ACTION/FOLLOW-UP: Diana to buy sign and mailbox.

TOPIC: Internet Access

FINDINGS/CONCLUSIONS: Diana is currently using AOL trial internet service at the office. The board feels that it is necessary to use high speed internet service at the office in order to access the website. Gene motioned to have Diana search for high speed internet service not to exceed \$50.00 per month. Paula seconded. Vote 3-0.

ACTION/FOLLOW-UP: Diana to contact Verizon about cable access and to find lowest price on internet providers.

FINANCIAL REPORT/CORRESPONDENCE

TOPIC: Bills that have been submitted for payment

FINDINGS/CONCLUSIONS: See Attached

ACTION/FOLLOW-UP: None

BILLS RECEIVED---

BILLS RECEIVED	DATE RECEIVED	INFO	AMOUNT
WV Division of Personnel	051605	Billing for 4 th quarter	\$30.88
AG's Office	051705	Whalen hearing and case listing	\$7.00 and \$35.00
IS&C	052405	Expenditures, accounts and transactions for April	\$16.99
Auditor's Office	051205	Transactions for April	\$22.00
Auditor's Office	061505	Transactions for May	\$14.00
BRIMS	070705	Insurance coverage for quarter ending 9/05	\$770.00
PIEA	071205	Yearly admin fees—spoke with Linda, need to pay	\$50.00
AG's office	071205	Phone calls and letters	\$84.00 and \$14.00
AG's office	071205	Attorney board work	\$462.00
BB&T	071205	P-card payment office supplies, advertisement, etc	\$431.54
IS&C	071405	Expenditures, accounts and transactions for June	\$25.60
Pitney Bowes	071905	Ink cartridge	\$122.21

Marty motioned to pay bills listed above. Paula seconded. Vote 3-0. Diana is too submitted above bills for payment.

TOPIC: Invoice received from American Recovery Services on May 24, 2005 and on June 28, 2005

FINDINGS/CONCLUSIONS: Bill is in the amount of \$1607.75 for an AT&T calling card account in 2003

ACTION/FOLLOW-UP: Diana is to follow-up with AT&T and American Recovery Services to determine if this bill needs to be paid.

TOPIC: Notice of Delinquency from Workers Comp received May 25, 2005

FINDINGS/CONCLUSIONS: Diana faxed quarterly report on May 25, 2005. Amount owed is \$0.00.

ACTION/FOLLOW-UP: None

TOPIC: Fiscal year 2006 Expenditure Schedule Personal Proof Listing received June 14, 2005

FINDINGS/CONCLUSIONS: Diana proof read, signed and sent to the budget office on June 16, 2005.

ACTION/FOLLOW-UP: None

TOPIC: Check received for \$122.50 for Ms. Whalen's health insurance on June 15, 2005.

FINDINGS/CONCLUSIONS: Refer to Executive Session.

ACTION/FOLLOW-UP: None

TOPIC: Copy of expenditure schedule received on June 30, 2005.

FINDINGS/CONCLUSIONS: Approved by the budget office. Copy for the board's files,

ACTION/FOLLOW-UP: None

TOPIC: Fixed Assets Inventory received on July 6, 2005

FINDINGS/CONCLUSIONS: Diana added new computer to our assets and sent to the Purchasing Division on July 6, 2005.

ACTION/FOLLOW-UP: None

TOPIC: Publisher's Certificate received from the Dominion Post on July 6, 2005

FINDINGS/CONCLUSIONS: Certificate is from legal advertisement from the Legislative Rule change. Bill was paid with Purchase Card

ACTION/FOLLOW-UP: None

TOPIC: Account Balance received on July 7, 2005

FINDINGS/CONCLUSIONS: Account balance for the beginning of fiscal year 2006 is \$30,143.67.

ACTION/FOLLOW-UP: None

TOPIC: State Treasurer's Office annual debt management certification received on July 12, 2005.

FINDINGS/CONCLUSIONS: Board does not have any outstanding debt. Forms do not need to be filled out.

ACTION/FOLLOW-UP: None

TOPIC: AT&T phone bill received on July 14, 2005 in the amount of \$104.82.

FINDINGS/CONCLUSIONS: Bill is from a calling card account from last year.

ACTION/FOLLOW-UP: Diana is to contact AT&T to find out what the charges are for and if they need to be paid.

TOPIC: Workers Compensation gross wages and premium tax report received on July 19, 2005.

FINDINGS/CONCLUSIONS: Balance for gross wages and premium tax report is \$0.00. Diana submitted to Workers Compensation on July 19, 2005.

ACTION/FOLLOW-UP: None

TOPIC: Central Mail invoice received on July 19, 2005.

FINDINGS/CONCLUSIONS: Invoice is for postage in the amount of \$7.20.

ACTION/FOLLOW-UP: Diana is to contact Linda Lyter and see if this bill needs to be paid.

CORRESPONDENCE

TOPIC: NBCOT

FINDINGS/CONCLUSIONS: National Conference on October 14 and 15, 2005.

ACTION/FOLLOW-UP: none

TOPIC: WV state board of examiners for licensed practical nurses

FINDINGS/CONCLUSIONS: Legislative laws and rules for practical nurses.

ACTION/FOLLOW-UP: none

TOPIC: Board of Risk and Management

FINDINGS/CONCLUSIONS: Board members need to take a driver training course via internet.

ACTION/FOLLOW-UP: Diana is to contact BRIMS to make employee changes. Board members and Diana are to go to www.state.wv.us/brim and take the drivers training course. Diana is to contact Lenny and have him take the course.

TOPIC: Workers' Compensation Commission

FINDINGS/CONCLUSIONS: Rate Notification effective July 1, 2005-December 31, 2005. As of January 1, 2006 all existing workers' compensation policies will be transferred from the WV Workers' Compensation Commission to a newly formed private mutual insurance company.

ACTION/FOLLOW-UP: None

TOPIC: WV State Treasurer's Office

FINDINGS/CONCLUSIONS: Purchasing Division has extended the contract with BB&T for purchasing cards.

ACTION/FOLLOW-UP: None

TOPIC: NBCOT

FINDINGS/CONCLUSIONS: Survey for OT Boards.

ACTION/FOLLOW-UP: Diana and Paula are to fill out and submit to NBCOT.

TOPIC: WV Employer's Mutual Insurance Company

FINDINGS/CONCLUSIONS: Notice of Election.

ACTION/FOLLOW-UP: None

TOPIC: AOTA

FINDINGS/CONCLUSIONS: Revision of Model State Regulation for Supervision, Roles, and Responsibilities During the Delivery of Occupational Therapy Services; Standard of Practice for Occupational Therapy; Occupational Therapy Code of Ethics; Stands for Continuing Competence and Telerehabilitation Position Paper. These revisions were emailed to all board members from AOTA.

ACTION/FOLLOW-UP: None

TOPIC: AOTA

FINDINGS/CONCLUSIONS: Comments on the Legislative Rule Changes. Comments were taken into consideration when the Agency Approved Rules were submitted.

ACTION/FOLLOW-UP: None

TOPIC: Certificate of Liability Insurance

FINDINGS/CONCLUSIONS: BRIMS certificate for insurance effective date July 1, 2005 to July 1, 2006.

ACTION/FOLLOW-UP: None

TOPIC: Department of Administration

FINDINGS/CONCLUSIONS: Proposal to establish legislative rules regarding Cannibalization of State Property and Waste Disposal of state property.

ACTION/FOLLOW-UP: None

TOPIC: PA Board of Occupational Therapy Newsletter

FINDINGS/CONCLUSIONS: Supervision of OTA's, new board members and disciplinary actions in Pennsylvania.

ACTION/FOLLOW-UP: Diana to make copies and forward to all board members.

TOPIC: Rehab Management Magazine

FINDINGS/CONCLUSIONS: Magazine pertaining to independent living and injuries in youth sports.

ACTION/FOLLOW-UP: None

TOPIC: West Virginia senate memo

FINDINGS/CONCLUSIONS: Blue Book Update—Diana sent updated information to the Blue Book editor on July 7, 2005.

ACTION/FOLLOW-UP: None

TOPIC: Unemployment Compensation

FINDINGS/CONCLUSIONS: Unemployment compensation benefit rate table

ACTION/FOLLOW-UP: Diana is to hang up in office.

TOPIC: Secretary of State

FINDINGS/CONCLUSIONS: Filed copy of the emergency rule changes from the Secretary of State and the LRMRC.

ACTION/FOLLOW-UP: None

Meeting adjourned at 3:02 pm with the signing of applications. The next Board meeting will be on September 9, 2005. This meeting will be held at the Morgantown office from 11:00 a.m. to 3:00 p.m. Please contact the board office by August 16, 2005 if you are planning on attending the meeting so you can be added to the agenda.

Respectfully submitted,

Martin Douglas, OTR/L
WVBOT Secretary/Treasurer

