



3041 University Avenue  
2<sup>nd</sup> Floor, Suite 6  
Morgantown, WV 26505  
304-285-3150  
[www.wvbot.org](http://www.wvbot.org)

**WVBOT MINUTES:** January 30, 2009

**MEMBERS PRESENT:** Marty Douglas, Phil Simpson, Gene Brooks, Kathy Quesenberry

**ABSENT:** Brenda Hambric

**ALSO PRESENT:** Vonda Malnikoff

**MEETING CALLED TO ORDER:** 11:10 a.m.

Marty motioned to approve November 7, 2008 minutes. Phil seconded. Vote 4-0.

Phil motioned to enter Executive Session at 11:25 am. Gene seconded. Vote 4-0.

### **EXECUTIVE SESSION**

Issue 2008 #49 – Complaint

Marty motioned to end Executive session at 11:27 am. Gene seconded. Vote 4-0.

### **OLD BUSINESS**

**TOPIC: Process for Code / Rule changes.**

**FINDINGS/CONCLUSIONS:** Based on discussions with the House Government Organization Committee, we need to formulate our proposal for Code changes and submit to the Committee prior to the end of the 2008 Legislative Session to determine need for a study resolution. This study would be conducted by the Legislative Auditor's office during 2008 interim, to be introduced into the 2009 Legislative Session. Code changes need to be approved prior to introducing Legislative Rule changes. Meeting held December 3, 2007 to continue review of current Practice Act, using AOTA Model Practice Act as a guide. Draft was sent to AG for review and comment. Received and reviewed AG comments for sections 30-28-16 forward. Conference call was held on January 28, 2008 to review AG comments on remaining sections. Final draft was mailed to the Chairs of the House Government Organization Committee on February 5, 2008. Chairman has requested that the study (HCR 91) be assigned to the committee during the 2008 interims. A summary of major changes and draft copy was emailed to House Government Organization Committee on 4/23/08. Marty presented an overview at June interims meeting of legislative sub-committee assigned HCR91. Information meetings have been held in Princeton, Charleston, Wheeling, and Morgantown, Parkersburg and Huntington. A conference call was organized by WVOTA with WVPTA to get feedback regarding proposed changes. Kathy and Marty attended Legislative subcommittee meeting on November 16, 2008. The draft Practice Act was approved by the Joint Committee and will be introduced in the 2009 Legislative Session.

**ACTION/FOLLOW-UP: Information meeting still needs to be scheduled in Eastern Panhandle. The bill will be introduced in the House in mid to late February. A Board representative needs to be available for House and Senate Committee meetings.**

**TOPIC: Status of Senate bill 278 / House bill 4129**

**FINDINGS/CONCLUSIONS:** Bill is related to the establishment of special volunteer licenses for health care professionals donating their expertise for the care and treatment of indigent and needy patients in the clinic setting. Bill passed 3/8/08.

**ACTION/FOLLOW-UP: Gene motioned to accept format of Volunteer license card. Phil seconded. Vote 4-0.**

**TOPIC: NBCOT Annual Conference**

**FINDINGS/CONCLUSIONS:** Annual Conference scheduled for October 24-25, 2008 in Phoenix. WVBOT should be represented. Registration and travel arrangements made for Phil to attend. Phil attended conference; gave overview.

**ACTION/FOLLOW-UP: Copies of conference notes copied for file to be kept at Board office.**

**TOPIC: BRIM On-Line Driver Training**

**FINDINGS/CONCLUSIONS:** Required on-line training for all employees who drive a state vehicle, or who drive their personal vehicle and are reimbursed by the state. Employees have until June 30, 2009 to complete their training. Login instructions distributed. Kathy and Vonda have completed training.

**ACTION/FOLLOW-UP: All members to complete on-line training by 6/30/09.**

**PURCHASE CARD TRANSACTIONS**

The Board reviewed all purchases made on the Purchase Card since the last board meeting. Gene motioned to accept all purchases. Marty seconded. Vote 4-0.

## **TREASURER'S REPORT**

Cash Balance as of January 28, 2009  
\$ 137,696.22

### **DEPOSITS SINCE LAST BOARD MEETING**

November 6, 2008	\$ 3,090.00
November 13, 2008	4,120.00
November 20, 2008	6,152.00
November 26, 2008	5,570.00
December 4, 2008	11,020.00
December 11, 2008	9,440.00
December 18, 2008	9,820.00
December 23, 2008	5,500.00
December 31, 2008	5,310.00
January 8, 2008	4,310.00
January 22, 2008	1,570.00

TOTAL DEPOSITS \$65,902.00

### **DISBURSEMENTS SINCE LAST BOARD MEETING**

October	\$ 7,258.92
November	7,664.94
December	3,865.62

## **NEW BUSINESS**

### **TOPIC: Elect Offices for 2009**

**FINDINGS/CONCLUSIONS:** Gene motioned to keep current officers for 2009. Phil seconded. Vote 4-0.

**ACTION/FOLLOW-UP:** None.

### **TOPIC: Infineon, Inc. 2009 plans/rates**

**FINDINGS/CONCLUSIONS:** Infineon, Inc. (previously Easy Computer) has submitted proposal for 2009 rates for website support agreement. Gene motioned to renew contract with Infineon at the monthly rate of \$69. Phil seconded. Vote 4-0.

**ACTION/FOLLOW-UP:** Vonda to complete paperwork to renew contract.

**TOPIC: 2009 License Renewal Update**

**FINDINGS/CONCLUSIONS:** Number of licensees as of 1/12/09: 470 OT's, 272 OTA's. Non-renewal letters mailed 1/8/09.

**ACTION/FOLLOW-UP: None.**

**TOPIC: Review Medicare and Ethics courses for CE credit**

**FINDINGS/CONCLUSIONS:** Reviewed request by OT to accept Medicare course for CE credit. Marty motioned not to accept Medicare or ethics courses for CE credit consistent with current position statement. Phil seconded. Vote 4-0.

**ACTION/FOLLOW-UP: Vonda to respond to OT.**

**TOPIC: Review of Legislative Rules**

**FINDINGS/CONCLUSIONS:** Began review of current Legislative Rules.

**ACTION/FOLLOW-UP: Vonda to make initial modifications to Rules consistent with revised Practice Act being introduced in 2009 Legislative Session. Draft to be emailed to Board members for review prior to next Board meeting.**

**financial**

<b>VENDOR</b>	<b>DATE REC'D</b>	<b>AMOUNT NOTE</b>
1 IS&C	11/10/2008	\$75.00 EDP Accounting services - 1st quarter 2009
2 IS&C	11/10/2008	\$16.29 WVFIMS transactions for Sept 2008 + July/Aug rate adjustment
3 Auditor's Office	11/12/2008	\$10.00 Transactions for October 2008
4 Attorney General Office	11/17/2008	\$63.00 October calls / research
5 IS&C	11/25/2008	\$19.13 WVFIMS transactions for Oct 2008
6 Auditor's Office	12/11/2008	\$17.00 Transactions for November 2008
7 IS&C	12/15/2008	\$17.68 WVFIMS transactions for Nov 2008
8 Attorney General Office	12/16/2008	\$7.00 November call
9 Auditor's Office	1/12/2009	\$12.00 Transactions for December 2008
10 Division of Personnel	1/21/2009	\$32.50 personnel billing for 3rd qtr fte's
11 IS&C	1/29/2009	\$15.24 WVFIMS transactions for Dec 2008

Phil motioned to pay all bills. Gene seconded. Vote 4-0.

## Correspondence

	<u>correspondence</u>	<u>date rec'd</u>	<u>issue</u>
1	Stateline	11/13/2008	October 2008 issue
2	AOTA	11/17/2008	AJOT Nov/Dec 2008 issue; AOTA documents; PAM position paper
3	Stateline	11/25/2008	November 2008 issue
4	Purchasing Division	12/1/2008	The Buyers Network - December 2008 issue
5	Grady Bowyer	12/11/2008	Rewrite of Article 1 of Chapter 30 (Code for all Licensing Boards)
6	WV Board of Optometry	12/15/2008	Request to consolidate resources
7	NBCOT	12/19/2008	Request for info regarding attendance at 2009 annual conference; <b>Email response to NBCOT 2-2-09</b>
8	Inside Brickstreet	12/29/2008	Winter 2008 issue
9	Purchasing Division	12/31/2008	The Buyers Network - January 2009 issue
10	Dept. of Administration	1/5/2009	Reduction in mileage reimbursement rate to 44.5 cents per mile
11	Office of the Attorney General	1/12/2009	Ethics Commission Opinion on Agendas and Executive Sessions; <b>Follow up with Kate Campbell for clarification</b>
12	Stateline	1/13/2009	December 2008 issue
13	NBCOT	1/22/2009	2009 Certification Examination Handbook & Application
14	Board of Risk & Insurance Mgmt	1/29/2009	FY 2010 premium

### ACTIONS ARE IN BOLD

Meeting adjourned at 2:20 p.m. following the signing of applications. The next regular Board meeting is scheduled for Friday, March 13, 2009 at 11:00 a.m. at the Morgantown office.