



3041 University Avenue
2nd Floor, Suite 6
Morgantown, WV 26505
304-285-3150
www.wvbot.org

WVBOT MINUTES: March 13, 2009

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

ABSENT:

ALSO PRESENT: Vonda Malnikoff, Diana Davis

MEETING CALLED TO ORDER: 11:05 a.m.

PUBLIC COMMENT PERIOD / NEW BUSINESS

TOPIC: WVPTA concerns with Practice Act bill

FINDINGS/CONCLUSIONS: Concerns were reviewed and discussed item by item, with recommendations to amend. Diana Davis, WVOTA, participated in discussion. Marty motioned to amend HB2309 as discussed. Phil seconded. Vote 5-0

ACTION/FOLLOW-UP: Vonda to email written response to WVPTA by end of day.

Gene motioned to enter Executive Session at 12:10 pm. Marty seconded. Vote 5-0.

EXECUTIVE SESSION

Issue 2008 #49 – Complaint; Investigation report submitted.

Issue 2008 #50 – Limited permit void letter sent to applicant. **Case closed.**

Phil motioned to end Executive session at 12:30 pm. Brenda seconded. Vote 5-0.

Gene motioned to accept investigator recommendation to offer consent agreement to licensee for Issue 2008 #49. Phil seconded. Vote 4-0. **Vonda to draft Statement of Charges and Consent Agreement to be approved by Assistant Attorney General, Kate Campbell.**

Gene motioned to approve January 30, 2009 minutes. Marty seconded. Vote 5-0.

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. House Bill 2309 passed the House 2-23-09. The bill is currently in the Senate Government Organization Committee. An information meeting was held 3-12-09 in Cumberland, MD, and a meeting is scheduled in Martinsburg on 3-26-09.

ACTION/FOLLOW-UP: Vonda to continue to facilitate movement of bill through Senate Gov't Org Committee. A Board representative will need to be available for Senate Committee meeting.

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. Gene motioned to accept format of Volunteer license card at 1-30-09 Board meeting. Phil seconded. Vote 4-0.

ACTION/FOLLOW-UP: None.

TOPIC: NBCOT Annual Conference

FINDINGS/CONCLUSIONS: Annual Conference scheduled for October 24-25, 2008 in Phoenix. WVBO should be represented. Registration and travel arrangements made for Phil to attend. Phil attended conference; gave overview. Copies of conference notes copied for file to be kept at Board office.

ACTION/FOLLOW-UP: None.

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.

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. Paperwork completed to renew contract.

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. Written response mailed to licensee 2-3-09.

ACTION/FOLLOW-UP: None.

TOPIC: Review of Legislative Rules

FINDINGS/CONCLUSIONS: Began review of current Legislative Rules. Initial modifications to be consistent with revised Practice Act were emailed to Board members 3-5-09.

ACTION/FOLLOW-UP: Board members to review revisions prior to next meeting.

PURCHASE CARD TRANSACTIONS

The Board reviewed all purchases made on the Purchase Card since the last board meeting.

TREASURER'S REPORT

Cash Balance as of March 1, 2009

\$ 135,175.46

DEPOSITS SINCE LAST BOARD MEETING

February 5, 2009 \$ 860.00

February 27, 2009 2,995.00

TOTAL DEPOSITS \$ 3,855.00

DISBURSEMENTS SINCE LAST BOARD MEETING

January \$ 5,011.97

February 6,375.76

NEW BUSINESS (cont'd)

TOPIC: FY 2010 Budget

FINDINGS/CONCLUSIONS: Budget will be prepared in April. Include new desktop computer and an additional laptop for Board member use. Need to consider possible renewal fee reductions as part of implementation of biennial renewal.

ACTION/FOLLOW-UP: Vonda to calculate potential fee reductions and make proposal to Board prior to submitting budget.

TOPIC: Mid-year newsletter

FINDINGS/CONCLUSIONS: Suggestion was made to wait until May to publish mid-year newsletter to include final result of Practice Act bill, with highlights of changes, and Legislative Rule update.

ACTION/FOLLOW-UP: Vonda to draft newsletter for May Board meeting.

financial

VENDOR	DATE REC'D	AMOUNT	NOTE
1 IS&C	2/5/09	\$125.00	EDP Accounting services – 2nd quarter 2009
2 Auditor's Office	2/10/09	7.00	Transactions for January 2009
3 IS&C	2/23/09	56.85	WVFIMS transactions for Dec 2008 and system support
4 Auditor's Office	3/12/09	22.00	Transactions for February 2009

Phil motioned to pay all bills. Brenda seconded. Vote 5-0.

Correspondence

	<u>correspondence</u>	<u>date rec'd</u>	<u>issue</u>
1	Purchasing Division	2/2/2009	The Buyers Network - February 2009 issue
2	Public Retirement Board	2/9/2009	Increase in Employer contribution rate from 10.5% to 11%
3	Grady Bowyer	2/17/2009	HB 2403 - Rewrite of Article 1 of Chapter 30
4	Brickstreet	2/17/2009	\$16 refund for actual vs. estimated premium
5	Grady Bowyer	2/17/2009	HB2539 to allow Boards to combine administrative staff functions.
6	Stateline	2/19/2009	January 2009 issue
7	Puchasing Division	2/27/2009	The Buyers Network - March 2009 issue
8	WVOTA	3/2/2009	New WVOTA website
9	PEIA	3/2/2009	Open Enrollment Benefit Coordination Training
10	AOTA	3/2/2009	State Policy Update - February 2009
	WV Assoc of Licensing		
11	Boards	3/3/2009	Agenda for 3/13/09 meeting
12	NPDB-HIPDB	3/4/2009	Data Bank News - January 2009
13	Brickstreet	2/2/2009	Renewal Quote Proposal
14	Grady Bowyer	3/10/2009	SB429 - creation of a statewide credentialing verification organization
15	Grady Bowyer	12/8/2008	Per Diem pay for Board members
16	NBCOT	3/11/2009	Survey Complete by 3/27/09

ACTIONS ARE IN BOLD

Meeting adjourned at 2:30 p.m. following the signing of applications. The next regular Board meeting is scheduled for Friday, May 1, 2009 at 11:00 a.m. at the Morgantown office.