

**GEORGIA STATE BOARD OF OCCUPATIONAL THERAPY
MINUTES OF BOARD MEETING
January 20, 2006**

A meeting of the Georgia State Board of Occupational Therapy was held on January 20, 2006 at the Secretary of State Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia with the following members present:

Members Present:

Kendyl R. Brock, OTR/L, CHT, President
Kathleen H. Conyers, OTR/L, Vice President
Donna J. Domyslawski, OTR/L
Mary Louise Austin, Cognizant

Absent:

Karen L. Cadaret, COTA/L

Others Present:

Brig Zimmerman, Executive Director
Calandra Burke, Board Secretary
Terralyn Gordon, Board Secretary
Sheila Sryock, Board Secretary

Serena Gadson, Application Specialist
Yvonne LeSane, Application Specialist
Wylencia Monroe, Asst. Atty. General
Bikram, Mohanty, GOTA Liaison

Ms. Brock established a quorum of the Board was present and called the Board meeting to order at 10:00 a.m.

Ms. Austin moved and Ms. Domyslawski seconded that the elections of officers remains for 2006 with Kendyl R. Brock, President; Kathleen H. Conyers, Vice President; and Mary Louise Austin, Cognizant.

Agenda: The agenda was reviewed and revised

Ms. Austin moved and Ms. Domyslawski seconded and the Board voted to enter into Executive Session in accordance with O.C.G.A. §43-1-19(h)(2)&(4), O.C.G.A. §43-1-2(k)(1)(2), O.C.G.A. §43-1-2(k)(4) and O.C.G.A. §50-14-2(1) to deliberate on Investigations, Applications and Attorney General's Report and to receive information on Investigations, Applications and Attorney General's Report. Voting in favor of the motion were those present who included Board Members Brock, Domyslawski, Austin and Conyers. The Board concluded Executive Session in order to vote on these matters and to continue with the public session.

Rule 671-4-.02

Ms. Domyslawski moved and Ms. Conyers seconded and the Board voted to consider for adoption the proposed rule amendments and to post the Notice of Intent to Adopt and Notice of Hearing for the proposed rule changes to 671-4-.02 for no less than 30 days prior to the date the Board intends to adopt the proposed rule changes.

Ms. Domyslawski moved and Ms. Conyers seconded and the Board voted that the formulation and adoption of Rule 671-4-.02 do not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A §43-1-19(l), 43-1-25, 43-28-7, 43-28-14.

Ms. Domyslawski moved and Ms. Conyers seconded and the Board voted that it is not legal or feasible to meet the objectives of O.C.G.A.§ 43-1-19(l), 43-1-25, 43-28-7, 43-28-14 to adopt or

implement differing actions for businesses as listed at O.C.G.A. § 50-13-4(3)(A),(B),(C),&(D) and that the formulation and adoption of Rule 671-4-.02 will impact every licensee in the same manner and each licensee is independently licensed, owned and operated in the field of Occupational Therapy. The proposed rule amendments to 671-4-.02 are as follows:

671-4-.02 Unprofessional Conduct Defined.

Unprofessional conduct shall include, but not be limited to, the following:

- (a) Obtaining or attempting to obtain a license by fraud, misrepresentation, or concealment of material facts;
- (b) Violating the ethics of occupational therapy as set forth by the Georgia Board of Occupational Therapy;
- (c) Being grossly negligent in the practice of occupational therapy or as an occupational therapy assistant;
- (d) Using drugs or intoxicating liquors to the extent that these effect the licensee's professional competence;
- (e) Practicing occupational therapy after being adjudged mentally incompetent by a court of competent jurisdiction;
- (f) Being convicted of a crime other than minor offenses defined as "minor misdemeanors", "violations" or "offenses" in any court if the acts for which he or she was convicted are found by the Board to have a direct bearing on whether he or she should be entrusted to serve the public in the capacity of an occupational therapist or occupational therapy assistant;
- (g) Using or holding yourself out as being able to utilize occupational therapy techniques involving physical agent modalities when not certified by the Board to use physical agent modalities;
- ~~(g)~~ (h) Having committed any other conduct which ordinary and reasonable ~~men~~ individuals would consider unprofessional.

Authority O.C.G.A §§ 43-1-19, 43-28-8.1 and 43-28-13.

Rule 671-3-.08

Ms. Domyslowski moved and Ms. Conyers seconded and the Board voted to consider for adoption the proposed rule amendments and to post the Notice of Intent to Adopt and Notice of Hearing for the proposed rule changes to 671-3-.08 for no less than 30 days prior to the date the Board intends to adopt the proposed rule changes.

Ms. Domyslowski moved and Ms. Conyers seconded and the Board voted that the formulation and adoption of Rule 671-3-.08 do not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A §43-1-19(l), 43-1-25, 43-28-7, 43-28-14.

Ms. Domyslowski moved and Ms. Conyers seconded and the Board voted that it is not legal or feasible to meet the objectives of O.C.G.A.§ 43-1-19(l), 43-1-25, 43-28-7, 43-28-14 to adopt or implement differing actions for businesses as listed at O.C.G.A. § 50-13-4(3)(A),(B),(C),&(D) and that the formulation and adoption of Rule 671-3-.08 impact every licensee in the same manner and each licensee is independently licensed, owned and operated in the field of Occupational Therapy. The proposed rule amendments to 671-3-.08 are as follows:

671-3-.08 Renewal of License/Penalties/Continuing Education Requirements.

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~~(1) A license issued to each occupational therapist and occupational therapy assistant by the Board shall expire on March 31st, of even numbered years. The license may be renewed upon submission of the renewal application, and payment of the required fee, provided all requirements have been met, and proof of completion of specified continuing education hours. Refer to fee schedule, and paragraph (5) of this section of the Rules.~~

~~(2) A license that is renewed on or before January 31st shall receive a renewal discount. A license that is renewed between February 1 and March 31st shall not be eligible for a discount. Refer to fee schedule.~~

~~(3) (2) A license that is not renewed on or before March 31st of the renewal year shall be deemed lapsed, lapse and by operation of law be revoked for failure to renew. An application for restoration shall be required as provided for in 671-3-.09 in order to practice in this State.~~

~~(4) An occupational therapist or occupational therapy assistant who has allowed his/her license to become revoked for failure to renew must apply for restoration of the license as provided for in 671-3-.09 in order to practice in this State.~~

~~(5) (3) A minimum of twenty-four (24) contact clock hours of continuing education related to occupational therapy practice is required for renewal except as otherwise provided in this chapter. At least sixteen (16) hours must be related to direct "hands on" patient care (dpc). Up to eight (8) hours may be in related areas such as administration, supervision, education, documentation, quality assurance, ethics, research methods, professional presentations, and providing Level II fieldwork supervision.~~

~~(a) Direct patient care continuing education includes attendance at live presentations such as workshops, seminars, conferences or formal academic course work. Up to four (4) hours can be obtained by means of in-service educational programs, electronic or web based courses, formal self study courses or computer learning activities. See Rule 671-3-08(10)(a)(4) (8) for documentation requirements.~~

~~(b) General continuing education includes up to four (4) hours for each of the following activities including independent study, mentorship, Level II fieldwork supervision, published professional writing, instructional presentations, research, grants, professional meetings and related activities and up to four (4) hours can be by means of in-service educational programs, electronic or web based courses, formal self study courses, satellite broadcasts or computer learning activities.~~

~~(c) Of the twenty-four (24) hours, no more than eight (8) continuing education hours may be in self study and no more than four (4) hours in the area of general continuing education.~~

~~(d) Each licensee must complete a minimum of two (2) hours of continuing education in the ethics of occupational therapy practice.~~

~~(e) Definitions:~~

~~1. Contact Hour: For purposes of these rules, a contact hour is defined as actual time spent in instruction or organized learning experience excluding meals, breaks, welcome/introductions, and business meetings.~~

~~2. Direct Hands on: For purposes of these rules direct "hands on" patient care includes occupational therapy assessment, treatment planning, occupational therapy implementation and diagnostic related information.~~

~~(6) (4) A licensee who is licensed during the second year of the biennium is not required to meet continuing education requirements for that renewal period.~~

~~(7) (5) Acceptable professional continuing education activities shall include activities relevant to occupational therapy practice that can be deemed to update or enhance knowledge and skills required for competent performance beyond general entry level~~

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occupational therapy and that include a verifiable way to document time spent in the learning activity.

~~(8)~~ (6) The Board may consider exceptions to the above continuing education requirements if pre-approval is requested and justified.

~~(9)~~ (7) Prior approval of courses for continuing education is not required. The Board may approve continuing education upon request from a licensee or provider. Each licensee must still submit the documentation requirements for continuing education and related fee.

(a) A provider may complete an Application for Approval of Continuing Education Program by the Georgia State Board of Occupational Therapy and submit a program description, program objectives, detailed time schedule, speakers' names and qualifications and sample certificate or proof of attendance. The provider shall identify a contact person, sponsoring person or agency, program title, location, date, target audience, type of program and number of contact hours requested.

(b) Upon review of the completed application, the Board shall notify the provider as to the number and category of approved contact hours. The Board shall make information about approved programs available to licensees.

~~(10)~~ (8) Documentation of continuing education which the Board deems as acceptable proof of completion include the following:

(a) For continuing education courses that include attendance and participation at a presentation such as a workshop, seminar, conference or in-service educational program:

1. A certificate of completion or similar documentation signed by program official and a program description including sponsor, course title, date, program objective/learning outcomes, content description, agenda or schedule.

2. A shortened description may be accepted for programs specifically exempted by the Board such as AOTA and GOTA Conferences; and

(b) Formal self study, viewing of videotapes in a professional setting, satellite broadcasts, or computer learning activities that must include:

1. Verified instructional time by the course sponsor; a certificate of completion or similar documentation signed by program official; and

2. A program description including sponsor, course title, date, program objective/learning outcomes, content description

(c) For general education under 671-3-.08 ~~(5)~~ (3) (b) documentation must include:

1. How activity relates to occupational therapy

2. Date and clock hours

3. Other information as may be requested

(d) For Level II Fieldwork Supervision involving serving as the primary clinical fieldwork educator for Level II occupational therapy or occupational therapy assistant fieldwork students:

1. Verification provided by the school to the fieldwork educator with the name of the student, school and dates of fieldwork or the signature page of the completed student evaluation form with evaluation scores and comments blocked out and;

2. A description of the fieldwork including name and type of facility, name of the fieldwork educator and times spent in direct supervision of the student.

(e) For professional presentations to include first time or significantly revised presentation or an academic class session, workshop, seminar, in-service or professional meeting program session:

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1. Verification of presentation or formal thank you note signed by the sponsor or program official and;
 2. Presentation description including location, title, date, hours of presentation, general content description, and type of audience.
- (f) Continuing education listings should be documented on the appropriate board form, available on the website.
- ~~(11)~~ (9) Procedure for verifying to the Board that the continuing education requirements for licensure renewal have been met:
- (a) Respond appropriately to renewal questionnaire.
 - (b) Retain documentation in personal files and submit to the Board if selected for audit.
 - (c) Documentation as specified in 671-3-.08(9)(7) must be maintained by the licensee for no less than three (3) years from the beginning date of the licensure period.

Authority O.C.G.A §§ 43-1-19, 43-28-12 and 43-28-14.

Development of Code of Ethics Rule discussion:

The Board discussed and developed a code of ethics based on the AOTA Code of Ethics. Mr. Zimmerman will present in rule format next meeting for further discussion and development.

Minutes: Ms. Conyers moved, Ms. Domyslowski seconded and the Board voted to approve as amended the Regular Board Meeting Minutes of November 18, 2005.

Correspondence:

The Board considered the following correspondence and matters of interest:

Nikki Thornton, Freedom Designs, Incorporated: Will the Georgia State Licensing Board of Occupational Therapy accept University of Pittsburgh continuing education for therapists renewing their licenses, and if the board will not, does she need to file applications with APTA and AOTA?

Board Response: There is no pre-approval. File with each professional association.

Probation Report:

Cassandra Thorne: Ms. Domyslowski moved and Ms. Conyers seconded and Board voted to accept the continuing education submitted.

Executive Director's Report:

Mr. Zimmerman provided the Board with information on the following:

- Financial Disclosure Statement, Board Member Mileage Reimbursement Change, Occupational Therapy Journal.
- Renewal Audit: 1% - Hold all received until 03/17/2006 meeting for Board review. After 03/17/2006, forward to Board president Brock for review.

Cognizant Member's Report:

No Report

Enforcement Report:

No Report

Liaison Report:

- Renewals,
- Adoption of a OT Code of Ethics
- Continuing Education Hours

Attorney General's Report:

Brenda Johnson: Ms. Conyers moved and Ms. Domyslawski seconded and the Board voted to accept the Administrative Law Judge's final decision.

M.H.: Ms. Conyers moved and Ms. Austin seconded and the Board voted to close and flag.

Attorney General's Advice/Discussion:

PAMS (Physical Agent Modalities) - Ongoing discussion

Physical Agent Modality:

Board voted to notify licensees certified with limited Modalities to expand their given practice from limited to "All Modalities". The Board discussed allowing the timeframe for licensees to respond to the Board's letter by June 30, 2006.

Applications:

G.H.B.:

- Ms. Conyers moved and Ms. Domyslawski seconded and the Board voted to send to enforcement.
- Ms. Domyslawski moved and Ms. Austin seconded and the Board voted to send applicant's application and letter of explanation to the Wyoming and Nebraska Boards.
- Ms. Conyers moved and Ms. Austin seconded and the Board voted to forward to the Attorney General's office upon receipt of enforcement findings.

Michelle Souther:

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License No.	Licensee Name	Profession	Issue Date
OTA000912	Brummett, Angela Annette	Occupational Therapy Assistant	11/17/2005
OTA000913	White-Gibbons, Gwendolyn	Occupational Therapy Assistant	11/22/2005
OTA000914	Blakely, Amy Leigh	Occupational Therapy Assistant	11/22/2005
OTA000915	Tucker, Ian Ray	Occupational Therapy Assistant	12/1/2005
OTA000916	Finch, Jessica	Occupational Therapy Assistant	12/1/2005
OTA000917	Joseph, Nathalie Roselle	Occupational Therapy Assistant	12/1/2005
OTA000918	Smith, Jessica Connor	Occupational Therapy Assistant	12/13/2005

Ms. Domyslawski moved and Ms. Conyers seconded and the Board voted to approve applications Occupational Therapist licensure by application determined to have met licensure requirements as follows:

License No.	Licensee Name	Profession	Issue Date
OT004273	Scott, Natalie S.	Occupational Therapist	11/22/2005
OT004274	White, Shelly Rae	Occupational Therapist	11/22/2005
OT004275	Balse, Padmini Dilip	Occupational Therapist	11/22/2005
OT004276	Jones, Keavy Linnea	Occupational Therapist	11/22/2005
OT004277	Reece, Julia Ann	Occupational Therapist	12/1/2005
OT004278	Pendleton, Alicia Ann	Occupational Therapist	12/1/2005
OT004279	Novak, Melissa Marie	Occupational Therapist	12/1/2005
OT004280	Parker, Elizabeth Anna	Occupational Therapist	12/8/2005
OT004281	Oliver, Deborah C.	Occupational Therapist	12/14/2005
OT004282	Mendez, Melanie E.	Occupational Therapist	12/14/2005
OT004283	Haydel, Stella McDonald	Occupational Therapist	12/14/2005
OT004284	Nemerov, Carol S.	Occupational Therapist	12/14/2005
OT004285	Cooper, Laurie Ann	Occupational Therapist	12/14/2005
OT004286	Barrett, Miranda K.	Occupational Therapist	12/14/2005
OT004287	McKinley, Yvonne Marie-Zerda	Occupational Therapist	12/14/2005
OT004288	Abad, Carla Gay Gayosa	Occupational Therapist	12/21/2005
OT004289	D'Antoni, Catherine Anne	Occupational Therapist	12/30/2005
OT004290	Matlock, Patrice Renee	Occupational Therapist	12/30/2005
OT004291	Funderburk, Paige Nuelle	Occupational Therapist	12/30/2005
OT004292	Bell, Maya Naima	Occupational Therapist	12/30/2005
OT004293	Whigham, Corey Tremayne	Occupational Therapist	1/3/2006
OT004294	Smouse, Karen Richter	Occupational Therapist	1/6/2006

Ms. Domyslawski moved and Ms. Austin seconded and the Board adjourned the meeting at 1:40 p.m.

Minutes recorded by:

Minutes reviewed and edited by:

Calandra Burke, Board Secretary

Brig Zimmerman, Executive Director

Kendyl Brock, President

Mollie L. Fleeman, Division Director