

**GEORGIA STATE BOARD OF OCCUPATIONAL THERAPY**  
**Board Meeting Minutes**  
**August 16, 2013 \* 10:00 a.m.**  
**Professional Licensing Boards**  
**237 Coliseum Drive, Macon, GA**

The Georgia Board of Occupational Therapy met on Friday, August 16, 2013, at 237 Coliseum Drive, Macon, Georgia. The following members were present:

**Board Members present**

Donna Domyslawski, OTR/L, Chair  
Rachele Branson, OTR/L, Vice Chair  
Mary Louise Austin, Consumer Member  
Robert Cooper, OTR/L  
Melissa Thurlow, OTR/L

**Administrative Staff Present:**

Josh Waters, Executive Director  
Tamara Elliott, Board Support Specialist  
Wanda Jaffe, Licensing Analyst Supervisor

**Attorney General's Office:**

Janet Jackson, Assistant Attorney General

**Guest Attendees:**

Christina Barnard  
Allen Patmon

Ms. Branson established a quorum and called the meeting to order at 10:15am

**OPEN SESSION**

**Agenda:** Approved as amended.

**Public Rules Hearing**

Mr. Cooper made a motion to accept changes and repost Rule 671-3-.08 Renewal of License/Penalties/Continuing Education Requirements. Mrs. Branson seconded and the Board voted unanimously in favor of the motion.

Mr. Cooper made a motion to accept Economic Impact Statement. Ms. Austin seconded, and the Board voted unanimously in favor of the motion.

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

**SYNOPSIS OF PROPOSED CHANGES TO THE GEORGIA BOARD OF OCCUPATIONAL THERAPY  
RULE FOR CHAPTER 671-3 LICENSE REQUIREMENTS, RULE 671-3-.08 RENEWAL OF  
LICENSE/PENALTIES/CONTINUING EDUCATION REQUIREMENTS**

**Purpose:** The purpose of this rule amendment is to adjust and clarify the number, type and documentation of Continuing Education Hours required to renew a license.

**Main Features:** The rule amendment for example provides for an increase in the number of "general" CE's, explains "general" CE's, clarifies the number of face-to-face CE Hours required and specifies the effective date of these changes begins after March 31, 2014.

**DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED AMENDMENT TO THE  
GEORGIA BOARD OF OCCUPATIONAL THERAPY RULE FOR CHAPTER 671-3 LICENSE  
REQUIREMENTS, RULE 671-3-.08 RENEWAL OF LICENSE/PENALTIES/CONTINUING EDUCATION  
REQUIREMENTS**

[Note: underlined text is proposed to be added; lined-through text is proposed to be deleted.]

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

(1) A license issued 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. Refer to fee schedule.

(2) A license that is not renewed on or before March 31st of the renewal year shall be deemed lapsed. An application for reinstatement shall be required as provided for in Rule 671-3-.09 in order to seek reinstatement of a lapsed license to practice in this State. Practicing with an expired license is prohibited by law and practice during this period may result in disciplinary action for unlicensed practice.

**(3) On or before March 31, 2014 and for renewal cycles after that date, Beginning April 1, 2014,** the continuing education requirements contained in this rule will be required for the renewal or reinstatement of a license. Except as otherwise provided, each licensee is required to complete a minimum of twenty-four (24) continuing education hours prior to the expiration date of the license. At least sixteen hours must be related to direct "hands on" patient care (dpe). Up to 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. 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 entry level occupational therapy. A continuing education hour is defined as actual time spent in instruction or organized learning experiences excluding meals, breaks, welcome/introductions, and business meetings.

(a) Continuing Education (CE) hours obtained from January 1st until March 31st of an even numbered year ~~will~~ can be counted toward the following biennium renewal period rather than the current biennium renewal period if the licensee has obtained all hours required for renewal by December 31st of the prior odd numbered year.

~~(b) 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(7) for documentation requirements. At least fourteen (14) hours of the required twenty-four (24) continuing education hours must be related to direct "hands on" patient care. This includes occupational therapy assessment, treatment planning, occupational therapy implementation and diagnostic related information.~~

~~(c) 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. A maximum of six (6) hours of the required twenty-four (24) continuing education hours can be in "General" continuing education. This includes areas related to administration, supervision, documentation, quality assurance and research.~~

~~(d) 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. A maximum of four (4) hours of the required twenty-four (24) continuing education hours may be used for Level II fieldwork supervision, published professional writing and instructional presentations.~~

~~(e) Each licensee must complete a minimum of two (2) hours of continuing education of the required twenty-four (24) continuing education hours in the ethics of occupational therapy practice.~~

~~(f) Definitions:~~

~~1. Continuing Education Hour: For purposes of these rules, a continuing education 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.~~

~~(f) At least twelve (12) of the required twenty-four (24) continuing education hours must be obtained by attendance at live presentations such as workshops, seminars, conferences or formal academic coursework.~~

~~(g) A maximum of twelve (12) of the required twenty-four (24) continuing education hours may be obtained by electronic or web based courses, formal self study courses, satellite broadcasts, computer learning activities, webinars, or viewing videotapes in a professional setting.~~

(4) An individual who is applying for licensure in Georgia for the first time (never having held a Georgia OT or OTA license) and who is licensed during the second year of the biennium renewal period is not required to meet continuing education requirements for that initial renewal period only.

(5) Prior approval of continuing education courses is not required. Each licensee randomly selected for a CE audit must submit to the Board supporting documentation as specified in this rule.

~~(6) 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 occupational therapy and that include a verifiable way to document time spent in the learning activity. Procedures for verifying to the Board that the continuing education requirements for licensure renewal have been met:~~

~~(a) Respond appropriately to questions on renewal of license application;~~

~~(b) Retain continuing education documentation in personal files and submit to the Board if selected for a continuing education audit;~~

~~(c) Documentation as specified in Board Rule 671-3-.08(7) must be maintained by the licensee for no less than three (3) years from the beginning date of the licensure period.~~

(7) Documentation of continuing education which the Board deems as acceptable proof of completion includes the following:

(a) For continuing education courses that include attendance and participation at a **live** 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. ; or, **and**~~

2. A program description including sponsor, course title, date(s), program objectives/learning outcomes, content description, and agenda or schedule. 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: F or "General" continuing education under Board Rule 671-3-.08(3)(c), if obtained at a conference, workshop or live presentation, required documentation is as noted above. All other must include:~~

1. ~~Verified instructional time by the course sponsor; a certificate of completion or similar documentation signed by program official; and Explanation of the relationship of the activity to occupational therapy and your professional growth.~~

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

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

1. ~~How activity relates to occupational therapy;~~

2. Date(s) and clock hours of the activity;

3. Other information as may be requested.

~~(d) c) 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. 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; and,

4. 2. 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:~~

(d) For published professional writing and instructional presentations [Board Rule 671-3-.08(3)(d)] including first time or significantly revised presentations or an academic class session, workshop, seminar, in-service or professional meeting program session:

1. Presentation description including location, title, date, hours of presentation, general content description, and type of audience; and, Verification of presentation or formal thank you note signed by the sponsor or program official; and

2. Verification of presentation or formal thank you note signed by the sponsor or program official. Presentation description including location, title, date, hours of presentation, general content description, and type of audience.

(e) Documentation of electronic or web based course, formal self-study courses, satellite broadcasts, computer learning activities or viewing of videotapes in a professional setting must include:

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

2. A program description including sponsor, course title, date(s), program objectives/learning outcomes, and content description.

(f) Continuing education listings should be documented on the appropriate board form, available on the Board website ([www.sos.ga.gov/plb/ot](http://www.sos.ga.gov/plb/ot)).

~~(8) 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(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. §§ 43-1-4, 43-1-19, 43-1-25, 43-28-7, 43-28-8, 43-28-13 and 43-28-14.**

### **Approval of Minutes:**

Ms. Thurlow motioned, Ms. Branson seconded and the Board voted unanimously in favor of the motion to approve the Board Minutes.

- May 17, 2013 Conference Call Open Session Minutes

### **Licenses to Ratify May 18, 2013-August 15, 2013**

Ms. Austin motioned, Ms. Branson seconded and the Board voted unanimously in favor of the motion to approve the ratified list of licenses from May 18, 2013-August 15, 2013.

Ms. Thurlow motioned, Mr. Cooper seconded and the Board voted unanimously in favor of the motion to approve the committee list of ratified licenses.

### **Petition for Waivers**

Ms. Austin motioned, Ms. Branson seconded, and the Board voted unanimously in favor of the motion to approve James Brown petition for rule waiver request.

- James Brown                      Approve

**Mr. Branson motioned, Ms. Cooper seconded, and the Board voted to enter into Executive Session in accordance with O.C.G.A. §43-1-2(k) (1) (2), O.C. G.A. §43-1-2 (k) (4), O.C.G.A. §43-1-19 (h) (2) & (4) and O.C.G.A. §50-14-2(1) to deliberate on Applications, to receive the Attorney General's, Enforcement, and Cognizant Reports, and to conduct Applicant Interviews. Voting in favor of the motion were those present who included Board Members: Domyslawski Branson, Austin, Cooper and Thurlow.**

At the conclusion of Executive Session on Friday, August 16, 2013, Ms. Domyslawski declared the meeting to be “open” pursuant to the Open and Public Meeting Act O.C.G.A. § 50-14-1 et seq. No votes were obtained during Executive Session.

#### Visitor Applications

- C.B. Must complete incomplete application before license can be issued
- A.P. Staff will mail the limited permit once the licensing analyst reviews and issues it

#### Correspondence from Laurie Hill

Ms. Austin motioned to send a no legal advice letter and refer Ms. Hill to the AOTA Telehealth position paper. Mr. Cooper seconded and the Board voted unanimously in favor of the motion.

#### Correspondence from Traci Witherspoon

Ms. Austin motioned to send letter clarifying that if Ms. Witherspoon is using any type of physical agent modality she will need to be PAM certified. However, if she is using biofreeze only then it does not require a PAM certification. Mr. Cooper seconded and the Board voted unanimously in favor of the motion.

#### Correspondence from Yoham Judith

Ms. Austin motioned to send letter explaining that the Board does not pre approve CE and does not issue certificates. Refer to Rule 671-3-.08 number (5)(6)(7). Mr. Cooper seconded and the Board voted unanimously in favor of the motion.

#### Correspondence from Deidra Williams

Ms. Austin motioned to send letter clarifying that the consensus of the Board is that an OTA with a limited permit would require direct supervision and you must have proof of direct supervision. Refer to Rule 671-2-.02 Rule 671-2-.03, Rule 671-2-.04, and Rule 671-3-.06 Mr. Cooper seconded and the Board voted unanimously in favor of the motion.

#### Correspondence from Nancy Gogal

Ms. Austin motioned to refer to Rule 671-2-.02, Rule 671-2-.03, Rule 671-2-.04, and Rule 671-3-.06 Mr. Cooper seconded and the Board voted unanimously in favor of the motion.

#### Revised Board Policies

Mr. Cooper motioned to add a 3<sup>rd</sup> bullet under Board Policy I. Policy for applications for licensure. Ms. Austin seconded and the Board voted unanimously in favor of the motion.

Mr. Cooper motioned to amend wording in Board Policy IV Policy for Fine Scale for Unlicensed Practice. Ms. Branson seconded and the Board voted unanimously in favor of the motion.

## GEORGIA STATE BOARD OF OCCUPATIONAL THERAPY BOARD POLICIES

### I. August 01, 2003: Policy for applications for licensure:

- Administrative Authority granted to issue licenses and Limited Permits where answers to the conviction question is “No” and the applicant has met all licensure requirements subject to board final approval.
- Physical Agent Modalities: applicants for certification to use Physical Agent Modalities may count hours of modalities related instruction in academic programs. Occupational therapists may check the paragraph on the application form and receive 54 general hours towards certification. In addition they may receive credit for additional specific hours if required documentation is submitted. Documentation for specific modality coursework must include dates, session start and stop times, topics, instruction and course or session objectives. Proof of attendance may be a signed statement of attendance by the instructor for each course submitted, a copy of the official grade report or a copy of the transcript.
- **Anyone who holds a Certified Hand Therapy (CHT) credential is considered by the Board to have met the requirements for Physical Agent Modalities (PAM) certification.**

### IV. Amended 5-17-13 - Policy for Fine Scale for Unlicensed Practice:

That applicants determined to have practiced the profession without a license for less than 1 calendar month (30) days may be reinstated with a letter of concern. Applicants determined to have practiced the profession for more than one month may be offered an administrative consent agreement for licensure with a public reprimand and a fine as follows:

30-60 days - \$50.00

60-90 days - \$100.00.

90-days and up - \$100.00; plus an additional \$100.00 for each month thereafter

Administrative authority is granted to the administrative staff to offer administrative consent agreement for licensure for unlicensed practice and a monetary fine (as defined above) when application and documentation **show evidence of unlicensed support unlicensed** practice for less than one (1) year. Any applications presenting evidence of unlicensed practice over one (1) year must be presented to, and reviewed by, the full Board. The board shall vote to accept all consent orders.

For the purpose of unlicensed practice, administrative consent agreements for licensure, the Board considers the calendar month as violation rather than actual number of days, such that an applicant that works on the last day of the month and the first day of another month will be considered as two months of unlicensed practice.

#### **X. 8-16-2013- References for Reinstatement:**

For purposes of reinstatement of those out of practice longer than 5 years:

Rule 671-3-.09 (2a) may be satisfied by a completed Form B (Certification of completion of Supervised Clinical Experience).

#### **Application Amendment**

Ms. Branson motioned to add "*Anyone who holds a Certified Hand Therapy (CHT) credential is automatically PAM qualified*" to the instruction page of application. Mr. Copper seconded and the Board voted unanimously in favor of the motion.

Mr. Cooper motioned to add "*For purposes of reinstatement of those out of practice longer than 5 years: Rule 671-3-.09 (2a) may be satisfied by a completed Form B (Certification of completion of Supervised Clinical Experience).*" to the instruction page of application. Ms. Thurlow seconded and the Board voted unanimously in favor of the motion.

#### **Board Rule Discussion**

- 671-3-.02 References No Changes to be made

#### **Attorney General's Report -J. Jackson**

No Report

#### **Board Chair Report -D. Domyslawski**

No Report

#### **Executive Director's Report – J. Waters**

No Report

**Mr. Cooper motioned, Ms. Branson seconded, and the Board voted to enter into Executive Session in accordance with O.C.G.A. §43-1-2(k) (1) (2), O.C. G.A. §43-1-2 (k) (4), O.C.G.A. §43-1-19 (h) (2) & (4) and O.C.G.A. §50-14-2(1) to deliberate on Applications, to receive the Attorney General's, Enforcement, and Cognizant Reports, and to conduct Applicant Interviews. Voting in favor of the motion were those present who included Board Members: Branson, Austin, Cooper and Thurlow.**

**At the conclusion of Executive Session on Friday, August 16, 2013, Ms. Domyslawski declared the meeting to be "open" pursuant to the Open and Public Meeting Act O.C.G.A. § 50-14-1 et seq. No votes were obtained during Executive Session.**

#### **Executive Minutes:**

Ms. Branson motioned, Ms. Austin seconded and the Board voted unanimously in favor of the motion to approve the Board Minutes.

- May 17, 2013 Conference Call Executive Session Minutes

**Attorney General's Report -J. Jackson**

Ms. Branson motioned to approve the AG's report, Ms. Thurlow seconded and the Board voted unanimously in favor of the motion.

- T.S.M. Insufficient Evidence      Refer to IC

Mr. Cooper made a motion to accept the following recommendations based on deliberations made in Executive Session. Ms. Branson seconded and the Board voted unanimously in favor of the motion.

**Cognizant's Report -R. Branson**

- No Report

**Licensure by Application**

- K.T.      Issue license under probation, under a consent agreement with quarterly reports from employer and personal reports for 2 (two) years.
- C.E.      Approve with LOC
- B.M.      Approve
- A.P.      Approve-limited permit
- W.F.      Approve
- L.S.      Approve; send LOC in reference to practicing within the scope of practice and applicant is not to do Physical Modality until he/she has certification; Staff refer to MT Board
- T.G.      Issue license under CO with \$1250 fine for ULP

**Licensure by Reinstatement**

- T.F.      No Action
- H.C.      Approve
- J.D.      Complete 16 Live presentation CE, 2 hours in Ethics, Complete Professional and Personal Reference Form
- K.R.      Complete 12 additional CEs; Refer to the new policy on references

**Applications for Physical Agent Modalities (PAM)**

- M.B.      Request additional information
- W.P.      Approve
- J.Y.      Approve

No more business was discussed and the meeting adjourned at 1:40 p.m.

**Minutes recorded by:**

Tamara Elliott, Board Support Specialist

**Minutes reviewed and edited by:**

Wanda Jaffe, Licensing Analyst Supervisor

**DONNA DOMYSLAWSKI**

Board Chair

**JOSH WATERS**

Executive Director