

GEORGIA STATE BOARD OF OCCUPATIONAL THERAPY
Committee Meeting Minutes
Professional Licensing Boards
237 Coliseum Drive, Macon, GA
February 13, 2015 - 10:00a.m

The Georgia State Board of Occupational Therapy met on Friday, February 13, 2015. The following members were present:

Board Members Present

Donna Domyslawski, OTR/L, Chair
Rachele Branson, OTR/L, Vice Chair
Melissa Thurlow, OTR/L

Administrative Staff Present

Adrienne Price, Executive Director
Wanda Jaffe, Licensing Supervisor
Tamara Elliott, Board Support Specialist
Kathy Osier, Licensing Supervisor

Attorney General's Office

Janet Jackson, Assistant Attorney General

Visitors Present

Vicki Hill-Hoffman, Integra Rehabilitation
Yolanda Pence, Integra Rehabilitation

OPEN SESSION

Call to Order Ms. Domyslawski established that a quorum of the Board was not present and as a result the members present will proceed with the agenda as a committee of the Board. The committee meeting was called to order at 10:17 am.

Ms. Vicki Hill-Hoffman addressed the Board in reference to Integra Rehabilitation regarding the recruitment of foreign-trained and domestic OT applicants in some of the rural areas of Georgia. She introduced Ms. Yolanda Pence, who accompanied her to the meeting. Hill-Hoffman reported that their recruitment efforts began in 2007 for practitioners with roughly ten (10) external companies within their agency to serve that population after which they started their initiative with Patrick Page Law Firm, an immigration law firm in Minnesota. The company is active in the community for education and for training. She reported about some of their work with the PT Board. She reported that they require their OTs to undergo a three month training period as required to do with the PTs to ensure that they practice safely and appropriately with their predominantly geriatric clients. Ms. Hill-Hoffman stated that Ms. Yolanda Pence is head of Quality Management and is responsible for documentation review. She asked the committee to clarify what is needed from her company to obtain approval of licensure for foreign-trained applicants because previously they would be licensed administratively between meetings and it appears there has been a change in the process.

Ms. Domyslawski informed Ms. Hill-Hoffman that any applicant, foreign or domestic trained, must submit a complete application and meet all licensure qualifications and in addition, they must be legally and lawfully present in the United States. She alluded to the list of acceptable secure and verifiable documents and the affidavit of citizenship which is a part of the application. She stated that the Board's mission is to protect the public probably more than it is to license practitioners and in order to do that the Board must ensure that foreign applicants meet the same standards as those in the state of Georgia to include assessing their ability to speak and understand English, their education and their clinical skills. Ms. Domyslawski also indicated that it was not clear initially that some of the applicants from this company had employment waiting for them. Now that she has heard more about Integra's recruitment process, she finds it encouraging knowing that they have been assessed by their company as well and has employment awaiting them.

Ms. Hill-Hoffman asked Senior Assistant Attorney General Janet Jackson if it would be possible for her company to receive some sort of letter or statement from the Board which indicates that, if the applicants get to the United States and meet the requirements, they will be issued a license. She stated that Mr. Page is not sponsoring these individuals, her company does and he works for them. She realized that this is a fairly new issue to the OT Board as the list of applicants for OT is more than they have ever recruited because it is now becoming more evident that it is difficult to find OT resources in the rural areas in Georgia. She also stated that it is for that reason her company is opening up several centers in Georgia to specialize in treating ALS, short-term rehabs, and other health issues in areas South of Augusta, Dahlonga, Dublin and Plains. Ms. Jackson stated that, since Ms. Hill-Hoffman is represented by the Page Law Firm, it would be more appropriate for board counsel and staff to continue to communicate with Mr. Page on this issue as directed by the Board. Because of the attorney/client relationship between Mr. Page and her company, Mr.

Page may provide written permission for board counsel and staff to communicate with her as his client as required by the Georgia Code of Professional Responsibility for attorneys.

Ms. Adrienne Price, Executive Director, asked if she may address the committee and guests on this issue. Ms. Domyslawski gave Ms. Price the floor. Ms. Price stated that there was a statutory change relevant to the Immigration Act in Georgia which went into effect on July 1, 2013 which now requires that all applicants submit proof that they are either a US Citizen and/or is lawfully present in the United States by submitting an affidavit of citizenship and an approved, unexpired secure and verifiable document. Ms. Price informed Ms. Hill-Hoffman that some of the applicants she has recruited may not currently be eligible to obtain a license if they are unable to produce that documentation; however, if they can and meet all of the requirements, the license may be administratively processed. Ms. Jackson also offered that the second issue with some of the applicants she has sponsored was that until the Board could obtain advice on how to proceed with this statutory change, they voted to table any decision on the applications, which stopped consideration of the applications by the Board. Nothing can be done on those applications until the Board votes and is satisfied that everything is complete.

Ms. Hill-Hoffman thanked the committee for providing feedback as that is the type of information they needed to know and she felt it was very helpful.

Agenda The Committee accepts the agenda as presented

Open Session Board Minutes

1. 11-14-14 Teleconference Open Session Minutes Ms. Thurlow motioned, Ms. Branson seconded and the Committee recommends accepting the November 14, 2014 Open Session Teleconference Minutes as amended

Ratification Lists Ms. Thurlow motioned, Ms. Branson seconded and the Committee recommends approving the list of licenses issued from November 11, 2014 – February 11, 2015, licenses issued by reinstatement, the Physical Agent Modalities certifications and limited permits issued between board meetings.

Discussion: NBCOT New Continued Competency Tools in OT

The Committee recommends accepting the correspondence in reference to NBCOT New Continued Competency Tools in OT as information.

Discussion: NBCOT Request to Serve as Reporting Agent

The Committee recommends responding with “Yes” to confirm interest regarding NBCOT Request to Serve as Reporting Agent as information.

Late Agenda Item – Discussion – Board Rule 671-6-.02 and 671-3-.08

The Committee accepts as information Board Rule 671-6-.02 and 671-3-.08 update as information

Board Elections The Committee recommends accepting the following Board Elections as presented.

1. President – Rachele Branson
2. Vice President – Melissa Thurlow
3. Cognizant - Melissa Thurlow

Board Chair’s Report

Proposed Policy for Initial Licensure of International Applicants

The Chair presented a proposed Board policy about the licensure of international applicants. After discussion, the Committee recommends adoption of the following policy:

In order to meet the Georgia requirements for initial licensure, an international applicant for initial licensure by the Board must be physically and lawfully present in the US under federal immigration law and O.C.G.A. § 50-36-1(f)(1).

Lawful presence in the US must be documented by submitting an identification document listed as a secure and verifiable document on the list maintained by the Office of the Georgia Attorney General under O.C.G.A. § 50-36-1 with an affidavit that complies with the provisions of federal immigration law and O.C.G.A. § 50-36-1(f)(1)(B). Both must be submitted to the Board to complete the licensure application.

The international applicant must meet all requirements for initial licensure for occupational therapy in Georgia prior to issuance of a license.

The Board requires those international applicants to have successfully passed the NBCOT certification process for foreign trained occupational therapy practitioners.

Executive Director's Report

Executive Director's report presented the Board with statistical data relevant to the processing of applications, renewals and complaints/compliance. Ms. Price presented the Board with an update on the North Carolina Board of Dental Examiners vs. Federal Trade Commission which is currently being heard before the Supreme Court, pre-filed bills in the Georgia General Assembly and reminded the Board Members of the annual filing requirements with the Georgia Government Transparency and Campaign Finance Commission. The Committee recommends accepting the report as presented.

Ms. Branson motioned, Ms. Thurlow seconded, and the Committee 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: Ms. Domyslawski, Ms. Branson, and Ms. Thurlow

At the conclusion of Executive Session on Friday, February 13, 2015, 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

OPEN SESSION

Executive Session Board Minutes

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| 1. 11-14-14 Teleconference Executive Session Minutes | Ms. Thurlow motioned, Ms. Branson seconded and the Committee recommends accepting the November 14, 2014 Executive Session Teleconference Minutes as amended. |
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Applications

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| 1. L.R. | Recommend requiring a 320 hour traineeship under a limited permit |
| 2. L.D.C.B. | Recommend approval of licensure upon receipt of documentation regarding citizenship as required in O.C.G.A. §50-36-1(f)(1) and O.C.G.A. §50-36-2 |
| 3. A.D. | Recommend approval for licensure |
| 4. E.M. | Recommend to accept upon receipt the public consent agreement for licensure with a fine of \$100.00 for failure to disclose a failure of the national exam on state application |
| 5. S.M. | Recommend to accept upon receipt the public consent agreement for licensure with a fine of \$100.00 for failure to disclose a failure of the national exam on state application |
| 6. M.P | Recommend approval of licensure upon receipt of documentation regarding citizenship as required in O.C.G.A. §50-36-1(f)(1) and O.C.G.A. §50-36-2 |
| 7. E.S.F.S. | Recommend approval of licensure upon receipt of documentation regarding citizenship as required in O.C.G.A. §50-36-1(f)(1) and O.C.G.A. §50-36-2 |

Attorney General's Report

The Committee recommends accepting the Attorney General's Report as presented.

The Committee recommends that the Memoranda of Advice Part 1 and Part 2 from the Attorney General's Office be shared with the Office of the Secretary of State and the Division Director of the Professional Licensing Boards.

Cognizant's Report

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| 1. OT150007 | Committee recommends upholding the Cognizant's recommendation from June 18, 2014 and closing the complaint file |
| 2. OT150008 | Committee recommends upholding the Cognizant's recommendation from June 18, 2014 and closing the complaint file |
| 3. OT150009 | Committee recommends upholding the Cognizant's recommendation from June 18, 2014 and closing the complaint file |
| 4. OT150016 | The Committee recommends upholding the Cognizant's recommendation to issue a Public Consent Agreement for Licensure with a fine of \$100 for falsification of the application. |

5. OT150017 The Committee recommends upholding the Cognizant's recommendation to issue a Public Consent Agreement for Licensure with a fine of \$100 for falsification of the application.
6. OT150013 New Case to be discussed upon completion of the investigation
7. OT150014 New Case to be discussed upon completion of the investigation
8. OT150015 New Case to be discussed upon completion of the investigation

Executive Session Correspondence from Patrick Law Firm on Behalf of Applicants

The Committee recommends the Executive Director and the Sr. Assistant Attorney General draft a response letter.

Miscellaneous

1. OT080009 The Committee recommends approving the probation termination request.

The Committee recommends that all new complaints be reviewed by the Cognizant between meetings to determine if the nature of the complaint warrants an investigation and if so, refer the case to the investigative division as necessary.

Adjournment No more business was discussed and the meeting adjourned at 1:25p.m.

Minutes recorded by:	Tamara Elliott, Board Support Specialist
Minutes reviewed and edited by:	Kathy Osier, Licensing Supervisor, Wanda Jaffe, Renewal Coordinator & Adrienne Price, Executive Director
Minutes approved on:	February 26, 2015

DONNA DOMYSLAWSKI
BOARD CHAIR

ADRIENNE PRICE
EXECUTIVE DIRECTOR