

GEORGIA STATE BOARD OF OCCUPATIONAL THERAPY
Board Zoom Meeting Minutes
Friday, November 5, 2021 – 9:00 a.m.

The Georgia State Board of Occupational Therapy met via Zoom meeting on Friday, November 5, 2021. The following members were present:

Board Members Present

Rachele Branson, OTR/L, Chairperson
Robert McClellan, OTR/L, Vice Chair
Pamela Reddick-Collins, OTR/L, Board Member
Casey Vance, Consumer Board Member

Administrative Staff Present

Adrienne Price, Executive Director
Charlotte Mason, Licensing Supervisor
Michelle Hornaday, Board Support Specialist
Meagan Doss, Compliance/Compliance Analyst

Board Members Absent

Rafael Salazar, OTR/L, Board Member
Marla Marlowe, OTR/L, Board Member

Attorney General's Office

Reagan Dean, Senior Assistant Attorney General

Visitors Present

Rosa Lezhnyak
Dr. Irma Alvarado, PhD, OT/L, FAOTA, Professor, School of Occupational Therapy, Brenau University

Call to Order Ms. Branson established that a quorum of the Board was present, and called the meeting to order at 9:03 a.m.

OPEN SESSION

Board Meeting Agenda

Mr. Vance motioned, Ms. Reddick-Collins seconded and the Board voted unanimously in favor of the motion to accept the agenda as presented.

Open Session Minutes – September 20, 2021 Open Session Zoom Meeting Minutes

Ms. Reddick-Collins motioned, Mr. McClellan seconded and the Board voted unanimously in favor of the motion to accept the September 20, 2021 Open Session Zoom Meeting Minutes as presented.

Ratification List: August 13, 2021 – October 29, 2021 Licenses, Reinstatements and PAMs

Ms. Reddick-Collins motioned, Mr. McClellan seconded and the Board voted unanimously in favor of the motion to approve the list of licenses issued from August 13, 2021 – October 29, 2021, licenses issued by reinstatement, the Physical Agent Modalities certifications, and limited permits issued between Board meetings.

Discussion – American Occupational Therapy Association (AOTA) – State Affairs Newsletter - Fall 2021

The Board accepts the correspondence in reference to AOTA as information.

Discussion – National Board for Certification in Occupational Therapy (NBCOT)

1. 2021 Certification Databook - Part 1
2. 2021 Certification Databook - Part 2
3. State Regulatory E-Newsletter – October 2021
4. Emergency Advisory Regarding Licensing Imposter Scam

The Board accepts the correspondence in reference to NBCOT as information.

Petition for Rule Variance – RULVAR BR 671-3-.01(5) Stephanie Shevnerman

Written Comments Received

One written comment was received from Jisin Jose, OTR/L, NY.

Verbal Comments Received

No verbal comments were received.

Reagan Dean joined the meeting at 9:11 a.m.

Mr. McClellan motioned, Mr. Vance seconded and the Board voted unanimously in favor of the motion to grant the petition for variance of BR 671-3-.01(5) based on sufficient evidence to substantiate a substantial hardship.

Board Member Elections

1. Board Chairperson

Ms. Reddick-Collins motioned, Mr. Vance seconded and the Board voted unanimously in favor of the motion to re-elect Rachele Branson as the Board's Chair.

2. Vice Chairperson

Ms. Reddick-Collins motioned, Mr. Vance seconded and the Board voted unanimously in favor of the motion to re-elect Robert McClellan as the Board's Vice Chairperson.

3. Complaints/Disciplinary Cognizant

Ms. Reddick-Collins motioned, Mr. Vance seconded and the Board voted unanimously in favor of the motion to re-elect Rachele Branson as the Board's Complaint/Disciplinary Cognizant.

4. Rules Committee

Mr. McClellan motioned, Ms. Reddick-Collins seconded and the Board voted unanimously in favor of the motion to re-elect Robert McClellan as the Rules Committee Chairperson and Pamela Reddick-Collins as the Rules Committee Vice Chairperson, and to elect Rachel Branson as the Rules Committee Alternate Committee Member.

5. Applications Cognizant

Ms. Reddick-Collins motioned, Mr. Vance seconded and the Board voted unanimously in favor of the motion to re-elect Robert McClellan as the Board's Applications Cognizant.

Board Chair's Report – R. Branson

Ms. Branson addressed staff regarding application processing and indicated applicants have been contacting Board members regarding their status. Ms. Price strongly reiterated the importance of referring all applicants with questions directly to the Board offices due to the potential or implied appearance of favoritism and potential misinformation which may be provided during the exchange.

Executive Director's Report – A. Price

Executive Director's Report presented the Board with statistical data relevant to the processing of applications, the number of licensees, renewal audits and complaints/compliance matters and the status of renewal applications. Additionally, the Executive Director's Report addressed the following:

- OT Licensure Compact

Ms. Reddick-Collins motioned, Mr. Vance seconded and the Board voted unanimously in favor of the motion to accept the Executive Director's Report as presented.

Mr. McClellan motioned, Ms. Reddick-Collins seconded, and the Board voted to enter into Executive Session in accordance with O.C.G.A. §§ 43-1-2 (k); 43-1-19 (h) and 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: Rachele Branson, Robert McClellan, Pamela Reddick-Collins, and Casey Vance.

At the conclusion of Executive Session on Friday, November 5, 2021, Ms. Branson 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 Minutes - September 20, 2021 Executive Session Zoom Meeting Minutes

Ms. Reddick-Collins motioned, Ms. Branson seconded and the Board voted unanimously in favor of the motion to accept the September 20, 2021 Executive Session Zoom Meeting minutes as presented.

Attorney General's Report – R. Dean

Ms. Branson motioned, Mr. Vance seconded and the Board voted unanimously in favor of the motion to accept the Attorney General's Report as presented.

1. MEMO Board Rule 671-3-.06 Limited Permit & 671-3-.08 Renewal of License/Penalties/Continuing Education Requirements

Ms. Branson motioned, Ms. Reddick-Collins seconded and the Board voted unanimously in favor of the motion to accept the amendments as recommended and post BR 671-3-.06 Limited Permit & BR 671-3-.08 Renewal of License/Penalties/Continuing Education Requirements for a Public Rules Hearing.

Ms. Branson motioned, Mr. McClellan seconded and the Board voted unanimously in favor of the motion to release the Attorney General's Memorandum of Authority associated with the rule amendments to the Governor's Office for review.

Rule 671-3-.06. Limited Permits. Amended.

- (1) Upon determination by the Board that all requirements for licensure have been met except for the examination, a ninety (90) day limited permit shall be issued and shall allow the applicant to practice occupational therapy under the supervision of an occupational therapist who holds a current license in this State. ~~This limited permit shall not be issued or renewed if the applicant has ever failed any exam(s) administered or approved by the Georgia Board of Occupational Therapy.~~ **Prior to being issued a limited permit, applicants must submit a complete application and fee, to include Form A and any supplemental documents for approval by the Board. An applicant who fails the exam shall immediately surrender the limited permit.**
- (2) ~~Applicants who have successfully completed a certification examination approved by the Board may be issued a ninety (90) day limited permit. This permit shall allow the applicant to practice occupational therapy, for a period not to exceed 90 days, under the supervision of an occupational therapist who holds a current license in this state.~~ **Applicants who are not able to document licensed practice in occupational therapy within the past 5 years may be issued a ninety (90) day limited permit to complete the required 320 hours of clinical experience under the supervision of a licensed occupational therapist if the applicant has successfully completed a national certification examination approved by the Board. Prior to being**

issued a limited permit, applicants must submit a complete application and fee, to include Form A, and any supplemental documents for approval by the Board.

- (3) ~~The Board may issue an applicant a ninety (90) day limited permit in order to complete the required 320 hours of clinical experience under the supervision of a licensed occupational therapist.~~ Applicants who have failed the examination three or more times or who have failed to pass the examination within five years of completing the academic requirements for licensure may, after passing the exam, be issued a ninety (90) day limited permit for the purposes of demonstrating competency prior to the issuance of a license. See O.C.G.A. § 43-28-20(c). This permit shall allow the applicant to practice occupational therapy, for a period not to exceed 90 days, under the supervision of an occupational therapist who holds a current license in this state. Prior to being issued a limited permit, applicants must submit a complete application and fee, to include Form C, and any supplemental documents for approval by the Board.
- (4) Supervised work experiences may not begin until Board approval is granted, a limited permit has been issued to the applicant, and a copy of the limited permit has been provided to the licensed occupational therapist who has been approved to supervise the applicant.
- (5) Limited permits expire ninety (90) days from the date of issuance and shall not be renewed. If the licensed supervisor approved by the Board can no longer serve in that role, the applicant must submit a new Form C for approval to continue practicing under the limited permit.

Authority: O.C.G.A. Secs. 43-28-6, 43-28-9, 43-28-10, and 43-28-12.

Rule 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. **A licensee may apply for late renewal of a license from April 1st through April 30th of the renewal year upon payment of a late renewal fee, submission of proof of continuing education as established by Board rules and completion of all appropriate forms.**
- (3) **As of May 1st of the renewal year, the license of an applicant who has not applied for renewal is expired and revoked by operation of law.** 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.~~
- (34) ~~Before or on March 31, 2014 and for renewal cycles after that date, 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 during each two (2) year renewal period a minimum of twenty-four (24) continuing education hours prior to the expiration date of the license. Failure to complete continuing education prior to expiration date can result in disciplinary action.
- (5) **Prior approval of continuing education courses is not required.** 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 cardiopulmonary resuscitation (CPR) course may not be submitted to satisfy any of the continuing education requirements or employer sponsored compliance coursework.~~ **Unacceptable activities include, but are not limited to:**

- (a) Orientation,
- (b) Meetings for purposes of policy decisions,
- (c) Non-educational meetings,
- (d) Annual Compliance training,
- (e) Cardiopulmonary resuscitation (CPR) courses.

(6) 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) At least twelve (12) hours of the required twenty-four (24) continuing education hours must be on a topic related to direct patient care. This includes occupational therapy assessment, treatment planning, occupational therapy implementation and diagnostic related information. This must include attendance at live presentations such as workshops, seminars, conferences, or formal academic coursework, or real-time, interactive webinars. To qualify as a real-time, interactive webinar, the licensee must have the ability to ask questions, receive an answer, and interact with other attendees at the time the session is taking place. It may not be a pre-recorded session.
- (b) Each licensee must complete a minimum of two (2) hours of the required twenty-four (24) continuing education hours in the ethics of occupational therapy practice. These hours may be obtained online.
- (c) A maximum of ten (10) of the required twenty-four (24) can be in "General" continuing education hours may be obtained by Level II fieldwork supervision, published professional writing and instructional presentations, pre-recorded electronic or web based courses, formal self-study courses, satellite broadcasts, computer learning activities, webinars, or viewing videotapes in a professional setting. These hours may also be related to administration, supervision, documentation, quality assurance and research.

(47) 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.

(58) ~~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.

(69) ~~Beginning the licensure renewal biennium of April 1, 2018 through March 31, 2020,~~ Persons licensed to practice as an occupational therapist or an occupational therapy assistant, or persons who file an application for reinstatement of licensure, must submit documentation of completed continuing education courses and experiences for renewal or issuance of a license.

(10) Licensees and applicants for reinstatement may register earned CE credits for courses and experiences with an online recording and reporting system approved by the Board. Licensees and applicants may register with a Board approved online system ~~prior to April 1, 2018~~ to document CE credits for license renewal and reinstatement.

- (a) The Georgia State Board of Occupational Therapy has approved the online recording and reporting system of CE Broker, Inc. for the purpose of this rule.
- (b) Licensees and applicants shall incur no additional costs from CE Broker, Inc. for using this service.
- (c) Every licensee or applicant subject to the rules of the Georgia State Board of Occupational Therapy shall be deemed to have given such person's consent to the Board and its representatives to access their continuing competence record retained within the online database for the purposes of auditing and verifying completion of the Board's continuing competency requirements.

- (d) If a licensee or applicant has not registered earned CE credits with the Board approved online recording and reporting system, the licensee or applicant **must** include all CE certificates of completion with the license renewal application or application for reinstatement.

(711) Procedures for verifying to the Board that the continuing education requirements for licensure renewal have been met:

- (a) Respond ~~appropriately~~ **accurately** to questions on renewal of license application;
- (b) Retain original continuing education documentation in personal files to submit to the Board if requested for a continuing education audit;
- (c) Documentation as specified in this rule must be maintained by the licensee for no less than four (4) years from the beginning date of the ~~licensure-renewal~~ **renewal period or reinstatement**.

(812) 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
 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;
- (b) For "General" continuing education as referenced in this rule, if obtained at a conference, workshop or live presentation, required documentation is as noted above. All other must include:
 1. Explanation of the relationship of the activity to occupational therapy and your professional growth.
 2. Date(s) and clock hours of the activity;
 3. Other information as may be requested.
- (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~~ **is required in order to receive credit for serving as the primary clinical fieldwork educator for Level II occupational therapy and occupational therapy assistant fieldwork students.;** ~~and,~~
 - ~~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;~~
- (d) For published professional writing, applied research, and instructional presentations, as referenced in this rule, including first time or significantly revised presentations or an academic class session, workshop, seminar, in-service or professional meeting program session:
 1. Description of the presentation or research including location, title, date, hours of presentation, general content description, and type of audience; and,

2. Verification of the presentation, research or formal thank you note signed by the sponsor or program official.
- (e) Documentation of pre-recorded 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 should be documented on the appropriate board form, available on the Board website, upon request by the Board.

Authority: O.C.G.A. §§ 43-1-4, 43-1-7, 43-1-19, 43-1-25, and 43-28-14

Complaint Summary Report – R. Branson

Mr. McClellan motioned, Ms. Reddick-Collins seconded and the Board voted unanimously in favor of the motion to accept the following recommendations made in Executive Session:

OT220005 Close the case.

OT220006 Close the case with a Letter of Concern regarding a failure to monitor a patient appropriately post knee surgery.

Miscellaneous Executive Discussion – OT180025

Ms. Reddick-Collins motioned, Mr. McClellan seconded and the Board voted unanimously in favor of the motion to refer to the Attorney General’s Office for a hearing for Indefinite Suspension with terms and conditions as discussed in Executive Session.

Adjournment No further business was discussed and the meeting adjourned at 10:55 p.m.

Minutes recorded by: Michelle Hornaday, Board Support Specialist

Minutes reviewed and edited by: Charlotte Mason, Licensing Supervisor & Adrienne Price, Executive Director

Minutes approved on: March 1, 2022

RACHELE BRANSON
BOARD CHAIR

ADRIENNE PRICE
EXECUTIVE DIRECTOR