



Ohio Occupational Therapy, Physical Therapy,
and Athletic Trainers Board

*Occupational Therapy Section
September 11, 2014
9:00 a.m.*

Members Present

Beth Ann Ball, OTR/L, Secretary
Jean Halpin, OTR/L
Mary Beth Lavey, COTA/L
Kimberly Lawler, OTR/L
Trevor Vessels, Public Member

Staff

Diane Moore, Executive Assistant
Adam Pennell, Investigator Assistant
Jeffrey Rosa, Executive Director

Members Absent

Rebecca Finni, OTR/L, Chair

Guest

Heather Meredith, OOTA

Call to Order

Beth Ann Ball, Section Chair called the meeting to order at 9:35 a.m.

The Section began the meeting by reading the vision statement.

The Occupational Therapy Section is committed to proactively:

- Provide Education to the Consumers of Occupational Therapy Services;
- Enforce Practice Standards for the Protection of the Consumer of Occupational Therapy Services;
- Regulate the Profession of Occupational Therapy in an Ever-Changing Environment;
- Regulate Ethical and Multicultural Competency in the Practice of Occupational Therapy;
- Regulate the Practice of Occupational Therapy in all Current and Emerging Areas of Service Delivery.

Approval of Minutes

Action: Jean Halpin moved that the minutes from the July 17, 2014 meeting be approved as submitted Kimberly Lawler seconded the motion. The motion carried.

Special Orders

Election of Officers

Action: Kimberly Lawler nominated Rebecca Finni to be Section Chairperson for the period beginning September 11, 2014 and ending immediately following the September 2015 Section meeting. The nominations were closed. All members present voted to elect Rebecca Finni Section Chairperson.

Action: Jean Halpin nominated Beth Ann Ball to be Section Secretary for the period beginning September 11, 2014 and ending immediately following the September 2015 Section meeting. The nominations were closed. All members present voted to elect Beth Ann Ball Section Secretary.

Appointment of Liaisons

The liaison appointments beginning September 11, 2014 and ending September 30, 2015 are:

Enforcement Division Liaison:	Kimberly Lawler
Licensure Liaison:	Jean Halpin
Continuing Education Liaison:	Mary Beth Lavey
Correspondence Liaisons:	Beth Ann Ball
Rules Liaison:	Rebecca Finni

Action: Kimberly Lawler moved to authorize the Executive Director to accept or reject consent agreements on the Section's behalf for the period beginning September 11, 2014 and ending on September 30, 2015. Jean Halpin

seconded the motion. The motion carried.

Action: Kimberly Lawler moved to authorize the use of signature stamps or electronic signatures by the Section Chairperson, Section Secretary, and the Executive Director for the period beginning September 11, 2014 and ending on September 30, 2015. Jean Halpin seconded the motion. The motion carried.

Action: Kimberly Lawler moved to authorize the Executive Director to make editorial changes to motions for the period beginning September 11, 2014 and ending on September 30, 2015. Mary Beth Lavey seconded the motion. The motion carried.

Action: Mary Beth Lavey moved to authorize the use of hearing officers for the period beginning September 11, 2014 and ending on September 30, 2015. Beth Ann Ball seconded the motion. The motion carried.

Action: Beth Ann Ball moved to authorize the staff to issue licenses to applicants with completed applications and that the Section ratify the licenses issued by the staff at the Section meeting following issuance of the license for the period beginning September 11, 2014 and ending on September 30, 2015. Mary Beth Lavey seconded the motion. The motion carried.

Discussion of Law and Rule Changes

There were no items discussed.

Administrative Reports

Licensure Report

Action: Jean Halpin moved that the Occupational Therapy Section ratify, as submitted, the occupational therapist and occupational therapy assistant licenses issued by examination, endorsement, reinstatement, and restoration by the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board from July 17, 2014 through September 11, 2014, taking into account those licenses subject to discipline, surrender, or non-renewal. Mary Beth Lavey seconded the motion. Kimberly Lawler abstained from voting on the occupational therapy assistant examination applications for Brianna Dodd, Jennifer Gentry, Heather Moor, Brandi Nixon, and Kaylee Tokie. The motion carried.

Occupational Therapist – Examination

Bodde, Laura	Boerst, Sarah	Broach, Holly
Bryner, Ashley	Chronister, Megan	Doench, Jonathan
Frueh, Amanda	Gillette, Jessica	Griffiths, Robert
Hawthorne, Dana	Johnson, Molly	Kamphaus, Sarah
Katzenstein, Jacquelyn	Kelemen, Lindsey	Lawson, Julia
Mayer, Jessalyn	McLaughlin, Aaron	Monheim, Ally
Myers, Kenneth	O'Vonnor, Matthew	Pasek, Kaitlynn
Reindel, Stacy	Schloemp, Dustin	Seelig, Stacey
Seese, Jocelyn	Simko, Kelsey	Stringer, Elizabeth
Trela, Patricia	Ulrey, Miranda	Vanbastelaer, Brittany
Vrtovsnik, Lindsay	Walters, Katie	Weingart, Taylor

Occupational Therapy Assistant – Examination

Adams, Darlene	Balliett, Dawn	Barlow, Rene
Burick,-Harte Holly	Campbell, Jennifer	Carey, Katelyn
Cole, Sarah	Connine, Melissa	Custard, Brittany
Darby, Jareb	Delzeith, Jessica	Detty, Hillary
Dodd, Brianna	Dyer, Ashley	Ellison, Kerri
Everson, Rebecca	Gentry, Jennifer	Gleaton, Tracy
Gnau, Ashley	Godbey, Lori	Heidi, Amber
Henry, John	Hickey, Gratia	Hicks, Kelly
Hilbert, Valerie	Howell, Kaylee	Hughes, Bryan
Hunt, Robert	Jirous, Cassandra	Kaser, Jennifer
Kearns, Shana	Kenny, Taylor	Kilgore, Genevieve

Killian, Kellie
Kvidera, Angela
Leiningar, Sarah
Long, Gary
Mongeon, Stephanie
Morelock, Alexandria
Nixon, Brandi
Petkova Nugent, Rayka
Sayen, Jennifer
Shelton, Amanda
Stiles, Amber
Taylor, Cecilia
Walliser, Susan
Yanno, Caleb

King, Jennifer
Labillois, Kaitlin
Lewis, Erica
McCutchen, Janet
Montgomery, Jennifer
Mosley, Nickolas
Ortman, Emily
Pinkerton, Jared
Schlauch, Dana
Smith-Hay, Julie
Stone, Tiffany
Tokie, Kaylee
Welsh, Sarah

Kirk, Kimberly
Landis, Heather
Lindsay, Rachel
Misch, Kyle
Moor, Hannah
Munn, Jessika
Pelle, Lisa
Richardson, Emily
Schucht, Taylor
Snaveley, Michelle
Stull, Kayla
Urti, Jennifer
Woody, Terra

Occupational Therapist – Endorsement

Bauer, Sarah
Brock, Lauren
Catlett, Leslie
Friedel, Sara
Kayhan, Elaine
Matthews, Ann
Swift, Erin

Blaettner, Amy
Brotsky, Sarah
Chew, Shannon
Gray, Melissa
Kramer, Brittany
Schneider, Nicholas

Bowman, Sarah
Bumgarner, Kathryn
Dipre, Katherine
Jenks, Erin
Lind, Laura
Stapleton, Meghan

Occupational Therapy Assistant – Endorsement

Allison, Lily
Mahon, Karen
Toole, Rachel

Brennan, Lori
Munoz, Rhonda
Wallace, Mollee

Garrett, Lisa
Siegel, Julie

Occupational Therapist – Reinstatement

Dos Santos, Nadia
Ortman, Heather
Stanton, Rachel

Kleppe-Bach, Renee
Simmons, Valerie

Neal, Julie
Spirito, Catherine

Occupational Therapy Assistant – Reinstatement

Berg, Jennifer
Hibbard, Teri
Smith, Mark

Crull, Mary
Pagett, Julie

Hale, Nathan
Riska, Darla

Occupational Therapist – Restoration

Nahhas, Heather

Occupational Therapy Assistant Restoration

None

Limited License Agreements

Jean Halpin reported that Bobbie Jo Henning complied with all terms and conditions and was released from her limited license agreement.

Jean Halpin recommended that, the Section grant modifications to the limited occupational therapist license agreement for restoration file #5272844 based on the documentation provided. **Action:** Kimberly Lawler moved that Section grant modifications to the limited occupational therapist license agreement for restoration file #5272844 based on the documentation provided. Beth Ann Ball seconded the motion. Jean Halpin abstained from voting. The motion carried. The Section granted modifications to the limited license agreement for Julie A. Lufkin.

Jean Halpin recommended that, pursuant to rule 4755-3-05(D) of the Administrative Code, the Section offer a limited license agreement to occupational therapist restoration applicant #5402328 based on the documentation provided. **Action:** Mary Beth Lavey moved that Section grant a limited occupational therapist license agreement to occupational therapist restoration applicant #5402328 based on the documentation provided. Kimberly Lawler seconded the motion. Jean Halpin abstained from voting. The motion carried. The Section granted a limited license agreement to Beth Weiser.

Jean Halpin recommended that, pursuant to rule 4755-3-12 (D)(2) of the Administrative Code, the Section offer a limited license agreement to occupational therapist reinstatement applicant #5403868 based on the documentation provided. **Action:** Kimberly Lawler moved that Section grant a limited occupational therapist license agreement to occupational therapist restoration applicant #5403868 based on the documentation provided. Mary Beth Lavey seconded the motion. Jean Halpin abstained from voting. The motion carried. The Section granted a limited license agreement to Lisa M. Williams.

Continuing Education Report

Action: Mary Beth Lavey moved that the Section approve 80 applications for contact hour approval. Beth Ann Ball seconded the motion. The motion carried.

Assistant Attorney General's Report

None

Case Review Liaison Report

Kimberly Lawler reported that the Enforcement Division opened four cases and closed two cases since the July 17, 2014 meeting. There are currently twelve cases open. There are two consent agreements and one adjudication order being monitored.

Kimberly Lawler reported that Felix Correa and Paula Powell complied with all terms and conditions and were released from their consent agreements.

Enforcement Actions

Kimberly Lawler recommended that the Section accept the consent agreement for case OT FY14-012 in lieu of going to hearing. **Action:** Jean Halpin moved that the Section accept the consent agreement for case OT FY14-012 in lieu of going to hearing. Beth Ann Ball seconded the motion. Kimberly Lawler abstained from voting. The motion carried. The Section accepted the consent agreement for Richard Waite, OT.

Kimberly Lawler recommended that the Section issue a notice of opportunity for hearing for case number OT LD-15-001 for insufficient evidence of rehabilitation for prior disciplinary violations. **Action:** Jean Halpin moved that the Section issue a notice of opportunity for hearing for case number OT LD-15-001 for insufficient evidence of rehabilitation for prior disciplinary violations. Beth Ann Ball seconded the motion. Kimberly Lawler abstained from voting. The motion carried.

Correspondence

1. **Abby Friedberg:** Ms. Friedberg asked the Section questions regarding occupational therapy practitioner requirements in the school system, including supervision and documentation. **Reply:** Under the Ohio Occupational Therapy Practice Act, the occupational therapist is ultimately responsible for all clients served by an occupational therapy assistant. The occupational therapy assistant does not maintain a caseload that is separate from the occupational therapist. The occupational therapist must provide appropriate supervision and assure that treatments are rendered according to safe and ethical standards and in compliance with rule 4755-7-04 of the Administrative Code, which states that "the supervising occupational therapist is ultimately responsible for all clients and is accountable and responsible at all times for the actions of persons supervised, including the occupational therapy assistant, student occupational therapist, student occupational therapy assistant and unlicensed personnel. The supervising licensed occupational therapist need not be on-site, but must be available for consultation and collaboration with the occupational therapy assistant at all times. Supervision is an interactive and collaborative process; simply co-signing client documentation does not meet the minimum level of supervision. Supervision must include a review of the student assessment, reassessment, plan of care, intervention, and the discontinuation of the

intervention. The occupational therapy assistant may not initiate or modify a student's plan without first consulting with the evaluating and/or supervising occupational therapist of record. The evaluating and/or supervising occupational therapist of record must provide supervision at least once per week for all occupational therapy assistants who are in their first year of practice. Occupational therapy assistants beyond their first year of practice must be supervised at least once per month. Evidence must be established, either in the client records or in a separate document (e.g.: collaboration log), that the supervision took place. Pursuant to section 4755.04(C) of the Revised Code and rule 4755-7-03 (A) of the Administrative Code, it is the position of the Occupational Therapy Section that occupational therapy assistants may gather and summarize objective information, with or without the patient and/or occupational therapist being present. However, they may not interpret this data. It is the responsibility of the occupational therapist to interpret and make recommendations for the purpose of plan development. Collaboration between the occupational therapy assistant and the occupational therapist must be reflected in the patient documentation. However, third party payer policies, and/or facility policies may be more restrictive than the Ohio Occupational Therapy Practice Act. It is not within the jurisdiction of the Occupational Therapy Section to render billing and reimbursement advice. The Section recommends that you refer to payer policies, i.e. Medicaid for any specific billing and reimbursement requirements in your setting. The Board's website (<http://otptat.ohio.gov/>) contains a variety of resources related to school-based practice. Two items to note include the "Comparison of Responsibilities of School-Based Occupational Therapy Practitioners," which is available under the Occupational Therapy Publications page, and the "Frequently Asked Questions" related to school-based practice. The Section also recommends contacting Cathy Csanyi, the OT/PT Specialty Consultant with the Ohio Department of Education, Office for Exceptional Children at (419) 747-2806 or via email at cathy.csanyi@ode.state.oh.us. In addition, the Ohio Occupational Therapy Association's pediatrics member support group chair may be able to assist you with many of your questions regarding school based practice. You can contact the Ohio Occupational Therapy Association at www.oota.org.

2. **Rachel Gore, OTR/L:** Ms. Gore asked the Section questions regarding supervising occupational therapy assistants and cosigning documentation when working in a PRN position. **Reply:** Pursuant to rule 4755-7-02 (A) of the Administrative Code, supervision must ensure consumer protection. The supervising occupational therapist is ultimately responsible for all clients and is accountable and responsible at all times for the actions of persons supervised. The supervising licensed occupational therapist need not be on-site, but must be available for consultation and collaboration with the occupational therapy assistant at all times. **Supervision is an interactive and collaborative process; simply co-signing client documentation does not meet the minimum level of supervision.** Supervision must include a review of the client assessment, reassessment, treatment plan, intervention, and the discontinuation of the intervention. The evaluating and/or supervising occupational therapist of record must provide supervision at least once per week for all occupational therapy assistants who are in their first year of practice. Occupational therapy assistants beyond their first year of practice must be supervised at least once per month. Evidence must be established, either in the client records or in a separate document (e.g.: collaboration log), that the supervision took place by an OT who is familiar with the client and their needs. If you are in the facility and the occupational therapist of record, you are the supervisor of the occupational therapy assistant. You should participate in the collaborative process regarding supervision and patient care. Our practice act does not define when the documentation needs reviewed and cosigned. Also, it is important to follow the policies of your facility as they do not appear to be in conflict with the practice act.
3. **Carol Leslie, OT/L:** Ms. Leslie asked the Section questions regarding using hypnotherapy as a modality in occupational therapy practice. **Reply:** The Ohio Administrative Code does not address specific evaluation tools, or therapeutic treatment to be used when practicing occupational therapy. While the Ohio Occupational Therapy Practice Act is not specific about the components of therapeutic services, it is the position of the Occupational Therapy Section that occupational therapy practitioners should follow the American Occupational Therapy Association's Guidelines when determining occupational therapy practice in any setting. However, in accordance with section 4755.04 (A)(3) of the Ohio Revised Code, it is the position of the Occupational Therapy Section that occupational therapy practitioners may use specific treatment in the provision of occupational therapy services provided that the occupational therapy practitioner demonstrates and documents competency in it, in accordance with rule 4755-7-08 of the Administrative Code, and is practicing within the occupational therapy scope of practice. It is the position of the Occupational Therapy Section that occupational therapy practitioners should follow the American

Occupational Therapy Association's Guidelines. In addition, you might also consider contacting the Ohio Psychology Board to determine if that Board has any restrictions on the use of this treatment.

4. **Houman Babi, OT/L:** Ms. Babi asked the Section questions regarding recommended documentation for transfer of care. **Reply:** The example that you provided does meet the intent of the rule. In accordance with rule 4755-7-08 (C)(2) of the Ohio Administrative Code, each occupational therapy practice should determine a system that will allow for transfer of care in situation where an occupational therapist is terminating the client/therapist relationship. That transfer of care must be documented in the client's medical record by identifying the new occupational therapist by name, if there is an occupational therapist, or transferring to the individual responsible for management of therapy services, if there's not an occupational therapist, for reassignment. The occupational therapist who accepted the transfer of care is then responsible for supervising all aspects of the occupational therapy program that are delegated to occupational therapy personnel. If the transfer is to an individual responsible, it is their responsibility to provide an OT to assume the contract as occupational therapist of record along with the facility's established system.
5. **Darlene Shively, OT/L:** Ms. Shively asked the Section questions regarding documenting plan of care for preschoolers with disabilities and physician referrals. **Reply:** IEP goals and objectives are written by the educational team and do not constitute the occupational therapy treatment/intervention plan. According to rule 4755-7-02 (A) of the Administrative Code, occupational therapist shall assume professional responsibility for the following activities, which shall not be wholly delegated, regardless of the setting in which the services are provided: (1) Interpretation of referrals or prescriptions for occupational therapy services; (2) Interpretation and analysis for evaluation purposes; (3) Development, interpretation, and modification of the treatment/intervention plan and the discharge plan. In addition to identifying the IEP goals/objectives to be addressed by the occupational therapy practitioner, a separate occupational therapy treatment/intervention plan should include intervention approaches, types of interventions to be used, outcomes, and any additional occupational therapy goals not listed in the IEP. Regarding your second question, rule 4755-7-02(A)(3) of the Ohio Administrative Code states that the occupational therapist shall assume professional responsibility for development, interpretation, and modification of the treatment/intervention plan and the discharge plan. Rule 4755-07-02(B)(9) of the Ohio Administrative Code states that an occupational therapy practitioner shall exercise sound judgment and act in a trustworthy manner in all aspects of occupational therapy practice, and regardless of practice setting, the occupational therapy practitioner shall maintain the ability to make independent judgments, and strive to effect changes that benefit the client. **There is nothing in the Ohio Revised Code that requires the occupational therapist to obtain a signed script from a doctor before providing occupational therapy services designated on an IEP for a preschooler with a disability.** However, if your employer is billing Medicaid for your services, you may wish to refer to Medicaid policies to determine what they require. Insurer policies and/or federal regulations may be more or less restrictive than the Ohio Occupational Therapy Practice Act. In any situation, licensees should follow the more restrictive policies. The Section recommends two additional resources: Cathy Csanyi, the OT/PT Specialty Consultant with the Ohio Department of Education, Office for Exceptional Children at (419) 747-2806 or via email at cathy.csanyi@ode.state.oh.us, and the Ohio Occupational Therapy Association's pediatrics member support group chair at www.oota.org. Both may be able to assist you further with some of your questions regarding school-based practice. You may wish to review the Help Me Grow website at <http://www.ohiohelpmegrow.org/> for the laws and rules that govern early intervention services.
6. **Martha Philippon, OTR/L:** Ms. Philippon asked the Section questions regarding whether there are restrictions for a newly licensed occupational therapy assistant to work in a home health setting. **Reply:** There is nothing in the Ohio Occupational Therapy Practice Act that would prohibit a newly licensed occupational therapy assistant from working in a home health setting. The supervising occupational therapist must provide supervision at least once per week for all occupational therapy assistants who are in their first year of practice. Occupational therapy assistants beyond their first year of practice must be supervised at least once per month. Evidence must be established, either in the client records or in a separate document (e.g.: collaboration log), that the supervision took place. Another important component to consider is, according to rule 4755-7-08 (B)(15) of the Ohio Administrative Code, a licensee shall adhere to the minimal standards of acceptable prevailing practice. Failure to adhere to minimal standards of practice, whether or not actual injury to a client occurred, includes, but is not limited to: (b) Performing

techniques/procedures in which the licensee cannot demonstrate and document competency, either by experience or education. (e) Failing to ensure that duties assumed by or assigned to other occupational therapy practitioners match credentials, qualifications, experience, and scope of practice. Because you have written about this concern, it appears that you understand that supervision is a collaborative process and in the first years of practice, it requires extra effort.

7. **Email Correspondent:** The Email Correspondent asked the Section questions regarding workload requirements in educational service centers. **Reply:** Your correspondence was referred to the Enforcement Division of the Ohio OTPTAT Board.

Joint Correspondence

JB1. Vikki Spencer: Ms. Spencer asked the Occupational and Physical Therapy Sections questions regarding requirements addressing the availability of a social worker in an outpatient occupational and physical therapy setting. **Reply:** Your questions relate to issues that are outside the Ohio Physical Therapy Practice Act. The Physical Therapy Section recommends that you contact the Ohio Chapter or Reimbursement Department of the American Physical Therapy Association. The Sections recommend that you contact the Counselor, Social Worker and Marriage and Family Therapist Board at cswmft.info@cswb.ohio.gov to address your questions regarding requirements for social workers in outpatient settings.

JB2. Mary-Ann Plitt, PTA: Ms. Plitt asked the Occupational and Physical Therapy Sections questions regarding requirements for occupational therapists being a clinical instructor and questions regarding physical therapist assistant's ability to carrying over continuing education to the next renewal period. **Reply:** It is unclear from your email if the student is a student occupational therapist or student occupational therapy assistant. It is also unclear if the student is completing Level I or Level II clinicals. The Section recommends that you review the Accreditation Council for Occupational Therapy Education (ACOTE) Standards regarding supervision of students. You may also want to contact the institution you will be receiving students from and contact the academic field work coordinator to review their guidelines for student placement. **In response to your second question,** any courses taken beyond the required number of continuing education credits cannot be utilized for the next approval period.

Old Business

Review Aging Limited License Agreements

The Section reviewed the aging limited license agreement report. The Section will review the updated report at the November 2014 Section meeting.

Review Draft Rule Language for CE Credit for Supervision of Level I Students

The Section made revisions to the draft language for continuing education credit for supervision of Level I students. The Section will review the revised document at the November 2014 Section meeting.

New Business

Review AOTA/NBCOT PDU Documents

The Section reviewed the AOTA continuing competence requirements and NBCOT's professional development unit activities chart.

Open Forum

There were no items discussed.

Ohio Occupational Therapy Association (OOTA) Report

Heather Meredith gave a brief report to the Section.

Items for Next Meeting

- Review Aging Limited Permit Agreements
- Review Draft Language for CE Credit for Supervision of Level I Students

Next Meeting Date

The next regular meeting date of the Occupational Therapy Section is scheduled for Thursday, November 13, 2014.

Action: Kimberly Lawler moved to adjourn the meeting. Jean Halpin seconded the motion. The motion carried. The meeting adjourned at 1:30 p.m.

Respectfully submitted,
Diane Moore

ABSENT

Rebecca Finni, OTR/L, Chairperson
Ohio Occupational Therapy, Physical Therapy,
and Athletic Trainers Board, OT Section

Beth Ann Ball, OTR/L, Secretary
Ohio Occupational Therapy, Physical Therapy,
and Athletic Trainers Board, OT Section

Jeffrey M. Rosa, Executive Director
Ohio Occupational Therapy, Physical Therapy,
and Athletic Trainers Board

BB:jmr:dm