



Ohio Occupational Therapy, Physical Therapy,  
and Athletic Trainers Board

*Occupational Therapy Section*  
*January 18, 2018*  
*9:00 a.m.*

**Members Present**

Beth Ann Ball, OTR/L, Chair  
Joanne Phillips Estes, OTR/L  
Mary Beth Lavey, COTA/L  
Anissa Siefert, OTR/L, Secretary

**Members Absent**

Melissa Van Allen, OTR/L

**Legal Counsel**

LaTawnda Moore, AAG

**Staff**

Jennifer Adams, Investigator  
Sarah Crawford, Investigator Assistant  
Diane Moore, Executive Assistant  
Lisa Navarro, Enforcement Division Supervisor  
Melissa Craddock, Executive Director

**Call to Order**

Beth Ann Ball, Section Chair, called the meeting to order at 10:51 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:** Mary Beth Lavey all moved that the minutes from the November 9, 2017, meeting be approved as amended. Anissa Siefert seconded the motion. The motion carried.

**Executive Director's Report**

- The Executive Director informed the Section that the elicense portal is scheduled to shut down on January 19-20, 2018 to implement Board consolidation and to enable the new ODX login security platform.
- The Executive Director informed the Section that beginning January 22, 2018 the OPP licensees will be consolidated with OTPTAT Board. In addition, that Shelley Bango, a part-time Office Professional will be merged with the Board.
- The Executive Director further informed the Section that the Board conducted interviews for candidates seeking to be on the OPP Advisory Council.
- The Executive Director reported that Mary Jane Langlois, Certification Licensing Examiner retired in December 2017.
- The Executive Director gave a brief Legislative update, and informed the Board that the Art Therapy Association visited the Board again, seeking sponsors to regulate art therapy. The OTPTAT Board determined that this was not a good fit for the agency.
- The Executive Director informed the Section of future rule filing priorities.
- The Executive Director informed the Section that she will review the Board's website for needed updates.
- The Executive Director will work on preparing a financial report for the Section.

### Discussion of Law and Rule Changes

The Section discussed proposed language for the CE Volunteering rule. The Section discussed the CE Volunteering rule and determined that the term indigent people does not apply to underinsured individuals. Other key discussion points included whether to consider prohibiting certain practice settings, immunity for working in a free clinic, possible restrictions with volunteer liability and school settings, and acceptable proof of completion of volunteer activity. The Section authorized the Executive Director to proceed with the rules process based on the Section discussion today. The Section will revisit the CE Volunteering rule at the March 2018 meeting.

The Executive Director briefly discussed the CSI Rule process and JCARR filing deadlines. The Executive Director informed the Section that all rules that are out of compliance will be filed soon.

The Section will move forward with filing rules 4755-1-01, 4755-1-02, and 4755-1-03.

### Administrative Reports

#### Licensure Report

**Action:** Mary Beth Lavey 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 November 9, 2017, through January 18, 2018, taking into account those licenses subject to discipline, surrender, or non-renewal. Anissa Siefert seconded the motion. The motion carried.

#### Occupational Therapist – Examination

Kathleen N Carpenter	Lauren Kristin Dillon	Megan Hamaker
Jamie Ann Holtkamp	Samantha Howard	Julia Lantz
Katelyn Marie McCommons	Danitza Alejandra Quipuscoa Aquije	Laura Katherine Saker
Todd Michael Zody		

#### Occupational Therapy Assistant – Examination

Tyler Jeff Agenbroad	Kelsey R. Brogdon	James Bullock
Adrianna Marie Foglesong	Allison Niccole Garey	Kylie Alexis Hambel
Jordan Lavay Main	Kristen Marie McCarty	Allison McClain
Anitabahan Kapil Patel	Neta D. Potts	Kayla Ann Schieferstein
Deborah Ann Shargo	Logan Patricia Shircliff	Molly Glen Spohn
John Russell Thatcher	Hayley Nicole Walker	Christa Danielle Young

#### Occupational Therapist – Endorsement

Rebecca Jo Lynn Almeida	Kristen Ashley Bianco	Garrett Bowers
Lea Cheyney Brandt	Tarah Nicole Holman	Jacquelyn Nicole Hudson
Rosemary Grace Lewis	Tiffani Kay O'Neill	Danielle Nichole Phillips
Jennifer Christine Poelstra	Megan Elizabeth Ramlochan	Katherine Elizabeth Shneyder
Ashley Morgan Thomas	Emily Block Treglia	Lauren Abel Trent

#### Occupational Therapy Assistant – Endorsement

Geoffrey Chase Boehme	Larissa Mae Homan
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#### Occupational Therapist – Reinstatement

Mary Laura Ricker	Rebecca A. Robinson-Brown
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#### Occupational Therapy Assistant – Reinstatement

Michelle M. Eckert	Amanda Whitney Ferguson	Erin Renee Spicer
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### Limited License Agreements

Mary Beth Lavey reported that Carla Qazi, OT, complied with all terms and conditions and was released from her limited license agreement.

Mary Beth Lavey recommended that the Section grant an extension request to complete the requirements listed in a limited license agreement dated June 3, 2016, for occupational therapy assistant restoration file #5567126, based on the documentation provided. The new deadline to complete the terms of the limited license agreement is June 30, 2018 with an opportunity to request another extension provided that there is positive documentation that progress has been made. **Action:** Joanne Estes moved an extension request to complete the requirements listed in the limited license agreement dated June 3, 2016, for occupational therapy assistant restoration file #5567126, based on the documentation provided. The new deadline to complete the terms of the limited license agreement is June 30, 2018 with an opportunity to request another extension provided that there is positive documentation that progress has been made. Anissa Siefert seconded the motion. The motion carried.

In regards to occupational therapist restoration file #3486260, the Section clarified that observing and shadowing will not count towards the supervised clinical practice hours. Volunteering hours would count provided that the individual is actively practicing as an occupational therapist pursuant to the Ohio Occupational Therapy Practice Act and pursuant to the terms outlined in the limited license agreement. The Section referred the limited license holder to the limited license agreement to review the competency areas of supervised clinical practice by which individual will be evaluated.

#### Continuing Education Report

**Action:** Joanne Estes moved that the Section approve forty applications and deny one application for contact hour approval. Beth Ann Ball seconded the motion. The motion carried.

The Section requested revisions to the CE request for approval to include the definition of ethics education and to add a Section for the applicants to indicate whether they are requesting ethic education on the form.

#### Assistant Attorney General's Report

LaTawnda Moore, AAG had no formal report for the Section.

#### Enforcement Report

Mary Beth Lavey reported that the Enforcement Division opened six cases and closed two cases since the November 9, 2017, meeting. There are currently nine cases open. There are two consent agreements and three adjudication orders being monitored.

Mary Beth Lavey informed the Board that Maribeth Wolverton, OT, and Diane Clark, OTA have complied with all terms and conditions and will be released from their consent agreement.

#### **Enforcement Actions:**

Mary Beth Lavey recommended that the Section issue a notice of opportunity for a hearing for case number OT FY18-005, for practicing as an occupational therapy assistant prior to obtaining a license. **Action:** Joanne Estes moved that the Section issue a notice of opportunity for a hearing for case number OT FY18-005, for practicing as an occupational therapy assistant prior to obtaining a license. Beth Ann Ball seconded the motion. Mary Beth Lavey abstained from voting. The motion carried.

Mary Beth Lavey recommended that the Section issue a notice of opportunity for a hearing for case number OT FY18-006, for conviction of a misdemeanor that occurred during the occupational practice and fraudulent billing. **Action:** Joanne Estes moved that the Section issue a notice of opportunity for a hearing for case number OT FY18-006, for conviction of a misdemeanor that occurred during the occupational practice and fraudulent billing. Anissa Siefert seconded the motion. Mary Beth Lavey abstained from voting. The motion carried.

Mary Beth Lavey recommended that the Section issue a notice of opportunity for a hearing for case number OT LD-18-001, for having been disciplined by another jurisdiction (Board of Nursing) for having been indicted for illegal processing of drug documents and theft of drugs. This individual received treatment in lieu of conviction. This individual has had her LPN license permanently revoked. **Action:** Joanne Estes moved that the Section issue a notice of opportunity for a hearing for case number LD-18-001, for having been disciplined by another jurisdiction (Board of Nursing) for having been indicted for illegal processing of drug documents and theft of drugs. This individual received treatment in lieu of conviction. This individual has had her LPN license permanently revoked. Anissa Siefert seconded the motion. Mary Beth Lavey abstained from voting. The motion carried.

**Affidavit Hearing**

Good Morning. My name is Beth Ann Ball, Chairperson of the Occupational Therapy Section of the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board. Let the record show that this proceeding was called to order at 11:50 am on January 18, 2018, at the Riffe Center 77 S. High Street, Columbus, Ohio 43215. Member of the Board Present for the proceeding are:

The Executive Director called roll:

Beth Ann Ball	Present
Joanne Estes	Present
Mary Beth Lavey	Present
Anissa Siefert	Present
Melissa Van Allen	Absent

It will be noted for the record that a majority of the member of the board are present. There will be one adjudication proceeding today. The proceeding is in the matter of case number OT-17-032, Ashley Miller.

This proceeding shall be an affidavit-based adjudication relative to the Notice of Opportunity for Hearing mailed to the respondent in the aforementioned case and believed to have been properly served according to the Administrative Procedures Action (Chapter 119. Of the Ohio Revised Code).

As the respondent did not properly request a hearing in these cases, this proceeding will be held before the board pursuant to *Goldman v. State Medical Board of Ohio*. The individual named does not have the ability to present written or oral testimony today, but may be present to hear the proceedings and outcome.

You have already received the sworn affidavit from the Board's Enforcement Division Supervisor, and accompanying exhibits for the Goldman Proceeding in your board packet. The affidavit contains the evidence and testimony upon which you will deliberate. Please take a few moments to review the evidence and testimony.

In lieu of a stenographic record being made, let the minutes reflect that the original sworn affidavit and exhibits shall be kept as the official record of the proceeding in the aforementioned matter in the Board office.

I will now recognize Senior Associate Attorney General, LaTawnda Moore, for the purpose of providing a brief synopsis of the case. Ms. Moore you may present your case.

LaTawnda Moore provided a synopsis of the case.

Having heard Ms. Moore's synopses, may I now have a motion to admit the findings of facts and exhibits outlined in the sworn affidavit in the aforementioned case into evidence?

**Action:** Joanne Estes moved that the Section admit the findings of facts and exhibits outlined in the sworn affidavit in the aforementioned case into evidence. Mary Beth Lavey seconded the motion.

The Executive Director called roll:

Beth Ann Ball	Yes
Joanne Estes	Yes
Mary Beth Lavey	Abstained
Anissa Siefert	Yes
Melissa Van Allen	Absent

The motion carried.

There being no further evidence to come before the board, this proceeding is now closed at 12:01 pm.

The procedural and jurisdictional matters having satisfied, we will now continue with the proceedings by deliberation on the sworn affidavit and exhibits.

At this time, is there a motion to recess the meeting in order to go into private session for the purpose of quasi-judicial deliberation on case number OT-17-032, Ashley Miller and to reconvene the meeting after deliberations are complete?

**Action:** Anissa Siefert moved that the Section recess the meeting in order to go into private session for the purpose of quasi-judicial deliberation on case number OT-17-032, Ashley Miller and to reconvene the meeting after deliberations are complete. Joanne Estes seconded the motion.

The Executive Director called roll:

Beth Ann Ball	Yes
Joanne Estes	Yes
Mary Beth Lavey	Yes
Anissa Siefert	Yes
Melissa Van Allen	Absent

The motion carried.

The Section went into private session at 12:02 pm and came out at 12:14 pm.

In the matter of case number OT-17-032, Ashley Miller after review of the evidence, the Board makes the following findings of fact:

1. The Board had jurisdiction to conduct a hearing in this matter pursuant to *Goldman v. State Medical Board of Ohio*, 110 Ohio App. 3d 124, 673 N.E. 2d 677 (1996).
2. On or about January 11, 2017, Miller submitted a fraudulent CPR card to her employer, which was ultimately her previous CPR card physically altered. CPR certification was a requirement of her continued employment with Mercy Health-Fairfield Hospital.
3. In the documents obtained by the Enforcement Division, Miller reports home/financial complications which prevented her CPR renewal.
4. A CPR renewal course was offered through Miller's employer.
5. Miller made no effort to contact the board office.
6. Miller did not request a hearing on the aforementioned charge.

In the matter of case number OT-17-032, Ashley Miller after review of the evidence, the Board makes the following conclusions of law:

1. Miller was properly served with the Notice of Opportunity for Hearing pursuant to R.C. 119.07.
2. R.C. 119.07 required Miller to request a hearing within thirty (30) days of the mailing of the Notice.
3. A preponderance of the evidence establishes that Miller knowingly submitted a fraudulent American Heart Association cardio pulmonary resuscitation (CPR) card to her employer, Mercy Health-Fairfield Hospital, as detailed in the Findings of Facts, violates Ohio Rev. Code § 4755.11 (A)(2), (3), (5) & (16), and Ohio Administrative Code §§ 4755-7-08 (B)(11) & (17).

**Action:** Joanne Estes moves to revoke the occupational therapist license for Ashley Miller. Anissa Seifert seconds the motion.

The Executive Director called roll:

Beth Ann Ball	Yes
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Joanne Estes	Yes
Mary Beth Lavey	Abstained
Anissa Siefert	Yes
Melissa Van Allen	Absent

The motion carried.

The occupational therapist license of Ashely Miller is hereby revoked. Effective January 18, 2018.

The Executive Director is hereby instructed to prepare an adjudication order to carry out the mandates of this Board and serve the order on OT-17-032, Ashley Miller, in the manner prescribed by law.

This concludes the matter of OT-17-032, Ashley Miller.

### **Correspondence**

The Section reviewed the correspondence and provided feedback to the Correspondence Liaison.

The Section drafted a standard response for pelvic floor therapy in occupational therapy practice. *Response:* The Ohio Occupational Therapy Practice Act does not speak to the provision of pelvic floor therapy. 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 physical agent modalities in the provision of occupational therapy services provided that the occupational therapy practitioner demonstrates and documents competency in the modality, in accordance with rule 4755-7-08 of the Ohio Administrative Code, and is practicing within the occupational therapy scope of practice. If the modality will be administered by an occupational therapy assistant both the supervising occupational therapist and occupational therapy assistant must document and demonstrate competency in the techniques or modality in accordance with rule 4755-7-03 of the Ohio Administrative Code as follows: Delegation. (A) Occupational therapy assistant. The occupational therapy assistant may implement the occupational therapy treatment/intervention plan established by the supervising occupational therapist. The supervising occupational therapist shall consider the following when delegating to the occupational therapy assistant: (1) The clinical complexity of the client; (2) The competency of the occupational therapy assistant; (3) The occupational therapy assistant's level of training in the treatment/intervention technique; and (4) Whether continual reassessment of the client's status is needed during treatment/intervention. (5) Notwithstanding paragraphs (A)(1) to (A)(4) of this rule, the occupational therapy assistant may respond to acute changes in the client's condition that warrant immediate action. Please consider the ethical implementation of providing this type of technique. Striefel's article re: boundaries and scope of practice in treating these conditions offers additional information on this topic. Full citation: Striefel, S. (2006). Boundaries and scope of practice issues in treating pelvic floor disorders. *Biofeedback*, 34(1), 3-6.

### **Old Business**

None

### **New Business**

#### **NBCOT Presentation Request**

Shaun Conway with NBCOT requested to give a presentation to the Board regarding updates on NBCOT Certification and occupational therapy service. The Section will invite NBCOT to the May 2018 Section meeting.

#### **CE Audit**

The Executive Director reported that the occupational therapy assistant CE Audit was not conducted due to technical issues with elicence. The Section is required to conduct a minimum of five percent every renewal period. The Section agreed to conduct five percent of the renewed occupational therapy assistant licensees. The Section provided guidance to Board staff regarding handling CE Audits that are out of compliance.

### **Open Forum**

Joanne Estes and Melissa Craddock will present at University of Cincinnati and Xavier University. The Section will present in August 2018, at the annual OT/PT School Based Institute with Melissa Craddock and Jennifer Wissinger. The next NBCOT Conference will be held in April 2018 in Atlanta, Georgia. NBCOT will cover the cost for the Section Chair and the Executive Director.

**Ohio Occupational Therapy Association (OOTA) Report**

There was no formal report for the Section.

**Items for Next Meeting**

Standard Agenda Items

CE Volunteering Rule

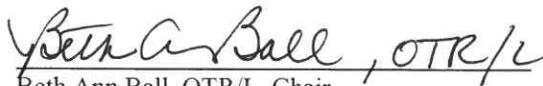
**Next Meeting Date**

The next regular meeting date of the Occupational Therapy Section is scheduled for Thursday, March 22, 2018.

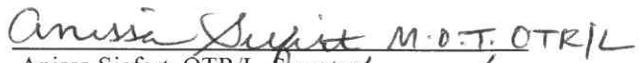
**Action:** There being no further business and no objections, Beth Ann Ball adjourned the meeting at 2:34 p.m.

Respectfully submitted,

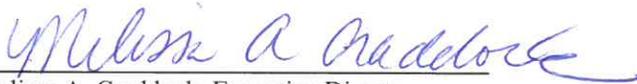
*Diane Moore*



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



Anissa Siefert, OTR/L, Secretary  
Ohio Occupational Therapy, Physical Therapy,  
and Athletic Trainers Board, OT Section



Melissa A. Craddock, Executive Director  
Ohio Occupational Therapy, Physical Therapy,  
and Athletic Trainers Board

AS:dm