Occupational Therapy Section 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.

1. Administrative Matters
   
   1.1 Agenda Review
   
   1.2 Approval of Minutes
   
   Action Required

   1.3 Executive Director’s Report

   1.4 Executive Session
   
   1.4.1 To discuss pending and imminent court action (ORC 121.22 (G)(3))
   
   1.4.2 To discuss personnel matters related to:
   
   Appointment; Employment; Dismissal; Discipline; Promotion; Demotion; Compensation
   
   (ORC 121.22 (G)(1))
   
   Investigation of charges/complaints against a public employee, licensee, or regulated
   
   individual in lieu of a public hearing (ORC 121.22 (G)(1))
   
   1.4.3 To discuss matters required to be kept confidential by federal law, federal rules, or state
   
   statutes (ORC 121.22 (G)(5))

   1.5 Discussion of Law and Rule Changes

   1.5.1 Safe Haven program rule changes (OPHP) – will discuss in Joint Board
   
   1.5.2 Telehealth (House Bill 122)
   
   1.5.3 4755-7-04 – Supervision
   
   1.5.4 Ethics rule – privacy and confidentiality violations

   1.6 Board Newsletter topics

2. Licensure Applications

   2.1 Application Review Liaison Report
   
   Action Required

   2.2 Releases from Limited License Agreement(s)
   
   Action Required

   2.3 License Application Waiver Requests
   
   Action Required

   2.4 Occupational Therapist/Occupational Therapy Assistant Examination Applications
   
   Action Required
2.5 Occupational Therapist/Occupational Therapy Assistant Endorsement Applications
Action Required

2.6 Occupational Therapist/Occupational Therapy Assistant Reinstatement Applications
Action Required

2.7 Occupational Therapist/Occupational Therapy Assistant Restoration Applications
Action Required

2.8 Application Withdrawals
Action Required

2.9 CE Request(s) for Approval
Action Required
2.9.1 CE Denial Appeal

2.10 Licensure Renewal Report
Action Required

3. Enforcement Division

3.1 Assistant Attorney General Report
Action Required

3.2 Case Review Liaison Report
Action Required

3.3 Releases from Consent Agreement(s)
Action Required

3.4 Notice(s) of Opportunity for Hearing
Action Required

3.5 Consent Agreement(s)
Action Required

3.6 Goldman Hearing(s)

3.7 Affidavit Consideration(s)

3.8 Hearing Officer Report(s)

3.9 Summary Suspension(s)

3.10 Executive Session to discuss proposed disciplinary action against a licensee pursuant to ORC 121.22 (G)(1) and pursuant to 121.22 (G)(5) that involve matters required to be kept confidential under ORC sections 149.43 (A)(2) and 4755.02 (E)(1)

3.11 CE Waiver requests
Action Required

4. Correspondence
Action Required

5. Correspondence
Action Required

6. NBCOT - Occupational Therapist Eligibility Determination Process/Visa Credential Verification Certificate application process
Action Required

7. Open Forum

8. Old Business

9. New Business
9.1 Retreat date and agenda items

10. Next Meeting Preparation
Action Required
10.1 Agenda Items
10.2 Executive Director Assignments

11. Adjournment
Members Present
Nichole Dearth MOT, OTR/L  
Joanne Estes, PhD, OTR/L  
Sarah Heldmann, BS, COTA/L  
Timothy Keck, Public Member  
Anissa Siefert, MOT, OTR/L  
Melissa Van Allen, OTR/L, Chair

Members Absent
None

Legal Counsel
Lindsay Miller

Staff
Missy Anthony, Executive Director  
David Day, Paralegal  
Jefferey Duvall, Enforcement Supervisor  
Aariann Felix, Executive Assistant  
Carlton Jones, Office Professional  
Jaklyn Shucofsky, Investigator

Guests
Jackie Chamberlin, OOTA  
Kristin Neville, AOTA, Teams  
Mary Beth Lavey, Teams

Call to Order
Melissa Van Allen, Chair, called the meeting to order at 9:04am.

The Section began 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
Melissa Van Allen moved that the minutes from the January 20, 2022 meeting be approved as amended. Joanne Estes seconded. All in favor. Motion passed.

Executive Director Report
Executive Director gave updates to tickets within eLicense, updates to the new website, discussed the OTPTAT Board budget, and legislative items concerning licensee regulation.

Discussion of Law and Rule Changes
Sarah Heldmann moved that rule 4755-7-04, Supervision be filed with the Joint Committee on Agency Rule Review. Nichole Dearth seconded. All in favor. Motion passed.

Joanne Estes moved that new rule 4755-7-05 be filed with the Common Sense Initiative with changes. Anissa Siefert seconded the motion. All in favor. Motion passed.

The OT Section recessed at 9:52 AM and reconvened at 10:34
Annisa Siefert moved to approve an extension of limited license for Deborah Schuerger, OTA003816LTD until July 31, 2022 as she has recently received a job opportunity to assist with supversion completion. Seconded by Melissa Van Allen. All in favor. Motion passed.

Annisa Siefert moved to release Terra Sweaney, OTA003816LTD, from her limited license having completed the terms, including the required hours of supervision. Seconded by Joanne Estes. All in favor. Motion passed.

Annisa Siefert made a motion that the Occupational Therapy Section ratify, as submitted, the occupational therapist and the occupational therapy assistant licenses issued by examination, endorsement, reinstatement, and restoration by the Ohio Occupational Therapy, Physical Therapy and Athletic Trainers Board from January 21, 2021 to March 22, 2022, taking into account those licenses subject to discipline, surrender, or non-renewal. Sarah Heldmann seconded the motion.


All in favor. Motion passed.

**Occupational Therapist/Occupational Therapist Assistant Examination Applications**

<table>
<thead>
<tr>
<th>Elizabeth Burns</th>
<th>Jamison Eleanor Fehring</th>
<th>Samantha Louise Caster</th>
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<tbody>
<tr>
<td>Elaina Carol Davenport</td>
<td>Aubrey Lee Hoyt</td>
<td>Nora Catherine Dooley</td>
</tr>
<tr>
<td>Julie Ann Nelson</td>
<td>Cassandra Link</td>
<td>Jemima Ukwela</td>
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<tr>
<td>Madisen Marie Ritzler</td>
<td>Amanda Catherine Winner</td>
<td>Bria Brickman</td>
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<td>Samantha Noel Fender</td>
<td>Elizabeth H Beattey</td>
<td>Natalie Lynn Sinak</td>
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<tr>
<td>Maria C Cardarelli</td>
<td>Katherine Ann Totedo</td>
<td>Shanda Nicole Geil</td>
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<tr>
<td>Bailey Therese Smith</td>
<td>Emily Marie Fromhold</td>
<td>Abigail Elizabeth Lenz</td>
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<td>Regan Hazel Gajdostik</td>
<td>Courtney Alina Rodrigues</td>
<td>Molly Kathryn Onders</td>
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<tr>
<td>Lauren Elizabeth Martin</td>
<td>Zaina Abdelkareem</td>
<td>Megan Cornett</td>
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<td>Sadie Jayne Cunningham</td>
<td>Lauren Buczek</td>
<td>Lauren Ashley Zukowitz</td>
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<tr>
<td>Marissa Lauren Williams</td>
<td>Claire Catherine Zernich</td>
<td>Alaina Francis Gallagher</td>
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<tr>
<td>Karli Paige Johns</td>
<td>Erika Lorenzen</td>
<td>Allison Ann Ritting</td>
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<tr>
<td>Madison Hodge</td>
<td>Rosa Heryak</td>
<td>Kara Schimmoeller</td>
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<tr>
<td>Taylor Gabrielle Ingram</td>
<td>Jordan Leupp</td>
<td>Ellie Cecala</td>
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<tr>
<td>Esther Traube</td>
<td>Bailey Elizabeth Henry</td>
<td>Brooke Hokes</td>
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<tr>
<td>Stephanie Ann Macke</td>
<td>Cassidy Brown</td>
<td>Allison Morgan</td>
</tr>
<tr>
<td>Abby Anderson</td>
<td>Moriah Christensen</td>
<td>Julie Anna Vondra</td>
</tr>
</tbody>
</table>
Withdrawals
Anissa Siefert recommended that the section grant the application withdrawal requests for OT/OTA examination, endorsement, and reinstatement applications on file with the Board on March 22, 2022 based on the documentation provided. Motion made by Melissa Van Allen, second by Joanne Estes. All in favor. Motion carried.
CE Requests
Nichole Dearth moved that the section approve 41 applications for contact hour approval, deny one application and send two back for more information. Second by Anissa Siefert. Motion carried.

Enforcement Division

Statistics
“New” cases opened since the last meeting: 9
Cases “closed” since the last meeting: 4
Cases “currently open”: 32
Active consent agreements: 2
Adjudication orders being monitored: 0

Joanne Estes recommended that a motion be made accepting the consent agreement for case number OT-21-101 in lieu of going to hearing. Anissa Siefert made the motion and Sarah Heldmann seconded. All in favor. Joanne Estes abstained. Motion approved. The OT Section accepted the consent agreement for Denise Rice, OTA.

Joanne Estes recommended that a motion be made accepting the consent agreement for case number OT-21-109 in lieu of going to hearing. Anissa Siefert made the motion and Sarah Heldmann seconded. All in favor. Joanne Estes abstained. Motion carried. The OT Section accepted the consent agreement for Holly Holton, OT.

Joanne Estes recommended that a motion be made accepting the consent agreement for case number OT-22-005 in lieu of going to hearing. Anissa Siefert made the motion and Melissa Van Allen seconded. All in favor. Joanne Estes abstained. Motion carried. The OT Section accepted the consent agreement for Shannon Galvin, OTA.

Joanne Estes recommended that a motion be made accepting the consent agreement for case number OT-22-008 in lieu of going to hearing. Anissa Siefert made the motion and Melissa Van Allen seconded. All in favor. Joanne Estes abstained. Motion carried. The OT Section accepted the consent agreement for Fawna Picklesimer, OTA.

Joanne Estes recommended that a motion be made accepting the consent agreement for case number OT-22-010 in lieu of going to hearing. Anissa Siefert made the motion and Melissa Van Allen seconded. All in favor. Joanne Estes abstained. Motion carried. The OT Section accepted the consent agreement for Elaine Gardner, OT.

Joanne Estes recommended a motion be made to issue a Notice of Opportunity for Hearing for case number OT-21-104, for billing for services not rendered. Melissa Van Allen made the motion and Anissa Siefert seconded. All in favor. Joanne Estes abstained. Motion carried.

Joanne Estes recommended a motion be made to issue a Notice of Opportunity for Hearing for case number OT-22-001, for failing to respond to continuing education audit. Melissa Van Allen made the motion and Anissa Siefert seconded. All in favor. Joanne Estes abstained. Motion carried.

Joanne Estes recommended a motion be made to issue a Notice of Opportunity for Hearing for case number OT-22-004, for failing to respond to continuing education audit. Melissa Van Allen made the motion and Anissa Siefert seconded. All in favor. Joanne Estes abstained. Motion carried.
Joanne Estes motioned that the OT section grant an extension until November 1, 2022 for the completion requirements for one OTA CE waiver request on file with the board on March 22, 2022 with a reminder that any CE taken cannot count for the next renewal. Anissa Siefert seconded. The motion carried.

**Correspondence**
The OT Section discussed questions received regarding school based OT services, and observation hours.

**AAG Report**
N/A

**OOTA Report**
Jackie Chamberlin updated the section on the language within the MOU they have been working on.

**Open Forum**
N/A

**Old Business**
N/A

**New Business**
Anissa Siefert moved to appoint Sarah Heldmann as OT Section Secretary through the September 2022 OT Section meeting. Joanne Estes seconded. All in favor. Motion passed.

Melissa Van Allen moved to appoint Missy Anthony as the OT Compact Delegate for Ohio through the September 2022 OT Section meeting. Sarah Heldmann seconded. All in favor. Motion passed.

**Adjournment**
There being no further business and no objections, the meeting was adjourned at 12:10 pm.

Respectfully submitted,

_Aariann Felix_

Melissa Van Allen, OTR/L, Chair
Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board, OT Section

Sarah Heldmann, OTA
Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board, OT Section

Missy Anthony, Executive Director
Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board
Ohio Administrative Code Rule 4755-7-09
Impaired practitioner rules and safe haven program for occupational therapists and applicants

(A) For purposes of the rule, an individual license holder who accepts the privilege of practicing as an occupational therapist or occupational therapist assistant in this state is subject to the supervision by the board. The act of filing an application for licensure or being licensed or registered by the board, the individual has given consent to submit to a mental or physical examination, at the individual’s expense when ordered to do so by the board in writing, and to have waived all objections to the admissibility of testimony or examination of reports that constitute privileged communications.

(B) If the occupational therapy section receives information by the filing of a verified complaint with the board office or upon its own information that a license holder’s or applicant’s ability to practice has fallen below the acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs or alcohol, or other substances, or other physical or mental conditions, the occupational therapy section may order the license holder to submit to a mental or physical examination at the license holder’s expense conducted by a designee of the board for the purpose of determining if there is an impairment that is posing a threat to the license holder’s well-being or the treatment of a client whom the license holder serves.

(C) Failure of the individual license holder to submit to a mental or physical examination order by the occupational therapy section constitutes an admission of the allegations against the individual license holder or unless the failure is due to circumstances beyond the individual’s control.

(D) If the occupational therapy section determines that the individual’s ability to practice is impaired the following actions may be taken:

1. The occupational therapy section shall suspend or place restrictions on the individual’s license or registration to practice; or
2. Deny the individual’s application for licensure or registration and require the individual to submit to treatment; or
3. Other requirements as a condition for initial, continued, reinstated or renewed licensure or registration to practice.

(E) The occupational therapy section at its discretion may:

1. Contract with providers of impaired treatment programs.
2. Receive and evaluate reports of suspected impairment from any source.
3. Intervene in cases of verified impairment.
4. Monitor treatment and rehabilitation of the impairment.
(5) Provide post-treatment monitoring and support.

(6) Provide other functions as necessary to carry out the provisions of this rule.

(F) The occupational therapy section approved treatment program shall:

(1) Receive relevant information from the board office and other sources regarding the potential impairment.

(2) Report in a timely fashion any license holder:

   (a) Who refuses to cooperate with an evaluation or investigation.

   (b) Who refuses to submit to treatment/rehabilitation.

   (c) Whose impairment is not substantially alleviated through treatment.

   (d) Who in the opinion of the evaluators is unable to practice counseling, social work, or marriage and family therapy with reasonable skill and safety.

(3) Provide confidentiality of non-public information of the review process.

(4) Provide an initial report of the nature, severity, and progress of the impairment.

(5) Provide periodic reports, at a rate determined by the board concerning the license holder’s progress.

(6) Provide a final report including the treatment outcome and a finding as to the license holder’s fitness to practice.

(7) Follow any requirements outlined in a formal agreement the license holder, or applicant for licensure has entered into with the board.

(G) Pursuant to division (E) of section 4755.06 of the Revised Code, as part of the Ohio occupational therapy, physical therapy, and athletic trainers board’s impairment or diversion program, the board hereby establishes a confidential, non-disciplinary program for the evaluation and treatment of eligible practitioners who need assistance with a potential or existing impairment due to abuse of or dependency on alcohol or drugs or physical or mental illness. This program shall be known as the board’s safe haven program.

(1) The board shall contract with one entity, hereafter referred to as the monitoring organization, to conduct the safe haven program. The monitoring organization shall determine the eligibility for participation in the safe haven program and provide associated services to eligible practitioners.

(2) Eligible practitioners shall include license holders of the board as well as applicants who have applied for a license from the board.
(3) Services provided by the monitoring organization include but are not limited to the following:

(a) Screening and/or evaluation for possible impairment due to abuse of or dependency on alcohol or drugs or other physical or mental illness.

(b) Referral to treatment providers approved by the monitoring organization for the purpose of evaluating and/or treating impairment.

(c) Establishment of individualized monitoring criteria for a duration determined by the monitoring organization to ensure the continuing care and recovery from impairment.

(d) Case management.

(4) The monitoring organization that contracts with the board to conduct the safe haven program may receive referrals from any of the following:

(a) Applicants, and license holders.

(b) Other individuals.

(c) Employers.

(d) Professional societies and associations.

(e) Health care personnel and treatment providers.

(f) Other entities and organizations.

(g) The board.

(5) To participate in the safe haven program, an eligible practitioner must enter into an agreement with the monitoring organization to seek assistance for a potential or existing impairment due to abuse of or dependency on alcohol or drugs or other physical or mental illness. The agreement may specify but is not limited to the following:

(a) Treatment and therapy plan.

(b) Support group participation.

(c) Case management.

(d) Duration of monitoring. Relapses and other failures to comply with the terms of the agreement may result in a longer period of monitoring. As appropriate, an addendum to the agreement may be initiated by the monitoring organization.

(e) Random toxicology testing.
(f) Releases for seeking information or records related to the practitioner’s impairment, including but not limited to family, peers, health care personnel, employers, and treatment providers.

(g) Grounds for dismissal from participation in the safe haven program for failure to comply with program requirements.

(h) Any required fees associated with participation in the safe haven program, including but not limited to fees for toxicology testing.

(6) The board shall not institute disciplinary action based on impairment against a safe haven program participant so long as the participant enters into an agreement with the monitoring organization and complies with the same. The presence of impairment shall not excuse acts or preclude investigation or disciplinary action against a participant for other violations of Chapter 4755 of the Revised Code or other provisions or rules adopted under it.

(7) The monitoring organization shall report to the board for further investigation and/or action any participant who is unwilling or unable to complete or comply with any part of the safe haven program, including evaluation, treatment, or monitoring.

(8) All information received and maintained by the monitoring organization shall be held in confidence subject to Section 2317.02 of the Revised Code and in accordance with federal law.
Suggested edits to other Ohio Administrative Code provisions

Ohio Administrative Code Rule 4755-7-08(A)(9) - Code of ethical conduct.

(9) License holders must report to the occupational therapy section any unprofessional, incompetent, or illegal behavior of an occupational therapist or occupational therapy assistant of which the license holder has knowledge.

(10) Where the alleged violation involves impairment issues and no other provisions of Chapter 4755 of the Revised Code or rules adopted under it, the reporting license holder may make a referral to the safe haven program in lieu of making report to the occupational therapy section.

Ohio Administrative Code 4755-7-08(B)(7) - Code of ethical conduct.

(7) A license holder must not practice occupational therapy while the ability to practice is impaired by alcohol, controlled substances, narcotic drugs, physical disability, mental disability, or emotional disability. If a license holder’s or applicant’s ability to practice is in question, the license holder or applicant must submit to a physical or mental examination or drug/alcohol screen as requested by the occupational therapy section to determine the applicant’s or license holder’s qualifications to practice occupational therapy.

(a) Section (7) shall not be applicable where a license holder or applicant is a participant in the board’s safe haven program and complies with the same.

Ohio Administrative Code 4755-07-08(E) code of ethics

(E) A license holder must self-report to the occupational therapy section, within thirty days, any of the items outlined in paragraphs (E)(1) to (E)(7) of this rule. Failure to comply with paragraphs (E)(1) to (E)(7) of this rule may be grounds for disciplinary action pursuant to section 4755.11 of the Revised Code and in accordance with Chapter 119 of the Revised Code.

(1) Impairment due to abuse of or dependency on alcohol or drugs or other physical or mental illness by physical or mental illness, chemical use, or chemical dependency, that affects the applicant’s or license holder’s ability to practice with reasonable skill and safety. This reporting requirement shall not be applicable where the applicant or license holder is a participant in the board’s safe haven program and complies with the same.
Safe Haven rules notes

Impaired practitioners/safe haven program new rule:

- Reword first sentence. Needs to reflect licensure. Word supervision means different things for most practitioners licensed by the board.
- At individual’s expense: very important.
- (B) – what is a “verified” complaint?
- (D)(2) – check against HB 263. Are these permissible grounds? I think so, since not based on a criminal conviction.
- (F)(2) – “timely is negligible. Suggest concrete period.
- Make permissive. Such as (G)(1) – may contract
- Should require a de-identified report of license holders participating in program at least twice a year

Section specific rules:

- Athletic trainers section

Comparison to other boards:

Dental Board: https://codes.ohio.gov/ohio-administrative-code/rule-4715-21-01

- Contemplates the idea of a report to the board after a relapse and “aftercare” – not in the draft rule for OTPTAT.

Nursing Board: https://codes.ohio.gov/ohio-administrative-code/chapter-4723-6

- Specific to substance abuse
- Can require license restrictions
- Requires license holder to remain free/abstain from drug use aside from MAT

Chiropractic: Cannot find rule

Veterinary: https://codes.ohio.gov/ohio-administrative-code/rule-4741-1-25

- Remain free of alcohol, controlled substances, and prescription drugs, unless prescribed for a valid medical purpose

Medical Board: https://codes.ohio.gov/ohio-revised-code/section-4731.251

- Requires practitioners to be notified that they are eligible
- (E)(1) requires certain procedures – should be considered for 4755
(A) "Telehealth" means health care services provided through the use of information and communication technology by a health care professional, within the professional's scope of practice, who is located at a site other than the site where either of the following is located:

1. The patient receiving the services;

2. Another health care professional with whom the provider of the services is consulting regarding the patient.

(B) An occupational therapist or occupational therapy assistant may provide telehealth services in accordance with section 4743.09 of the Revised Code.

(C) The standard of care for a patient treated through telehealth is equal to the standard of care for in-person services.

(D) The licensee must verify the identity and physical location of the patient or client at the beginning of the telehealth visit.

(E) With respect to the provision of telehealth services, all of the following apply:

1. A licensee may use synchronous or asynchronous technology to provide telehealth services to a patient during an initial visit if the appropriate standard of care for an initial visit is satisfied.

2. A licensee may deny a patient telehealth services and, instead, require the patient to undergo an in-person visit.

3. When providing telehealth services in accordance with this rule, a licensee shall comply with all requirements under state and federal law regarding the protection of patient information. A licensee shall ensure that any username or password information and any electronic communications between the professional and a patient are securely transmitted and stored.

4. A licensee may use synchronous or asynchronous technology to provide telehealth services to a patient during an annual visit if the appropriate standard of care for an annual visit is satisfied.

(F) In order to treat a patient or client located in Ohio, an occupational therapist or occupational therapy assistant must have either an Ohio license or a privilege to practice in Ohio via the occupational therapy compact.
Supervision.

(A) 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, including the:

(1) Occupational therapy assistant;

(2) Student occupational therapist;

(3) Student occupational therapy assistant; and

(4) Unlicensed personnel.

(B) The following factors must be considered by the supervising occupational therapist when determining the appropriate frequency, methods, and content of supervision:

(1) Complexity of the client needs;

(2) Number and diversity of clients;

(3) Skills of the occupational therapist and occupational therapy assistant;

(4) Type and number of practice settings;

(5) Requirements of the practice setting; and

(6) Any other regulatory or administrative requirements.

(C) Occupational therapy assistant.

Supervision of the occupational therapy assistant, as defined in division (C) of section 4755.04 of the Revised Code, requires initial direction and periodic inspection of the service delivery and relevant in-service training. The supervising occupational therapist need not be on-site, but must be available for consultation with the occupational therapy assistant at all times.

(1) The supervising occupational therapist must provide supervision at least one time per week for all occupational therapy assistants who are in their first year of practice.
(2) The supervising occupational therapist must provide supervision at least one time per month for all occupational therapy assistants beyond their first year of practice.

(3) Supervision requires an interactive process between the supervising occupational therapist and the occupational therapy assistant. The interactive process must include, but is not limited to, review of the following:

(a) Client assessment;

(b) Client reassessment;

(c) Treatment/intervention plan;

(d) Intervention; and

(e) Discontinuation of treatment/intervention plan.

(4) Co-signing client documentation alone does not meet the minimum level of supervision.

(5) It is the responsibility of the occupational therapist and occupational therapy assistant to establish evidence that the supervision occurred in accordance with the requirements of this rule. This evidence may include documentation in the client record, or it may exist as a separate document, such as a collaboration log.

(6) The supervising occupational therapy assistant is accountable and responsible at all times for the actions of all student occupational therapy assistants and unlicensed personnel supervised by the supervising occupational therapy assistant.

(D) Student occupational therapist.

(1) A student occupational therapist must be supervised by an occupational therapist who has completed at least one year of clinical practice as a fully licensed occupational therapist.

(a) A student occupational therapist on level II fieldwork must be supervised by an occupational therapist who has completed at least one year of clinical practice as a fully licensed occupational therapist.
(b) No minimum amount of experience is required to supervise a level I fieldwork student occupational therapist. Supervision should be in accordance with current standards set forth by the Accreditation Council for Occupational Therapy Education (ACOTE).

(2) A student occupational therapist must be at least eighteen years old to be supervised by an occupational therapist licensed pursuant to Chapter 4755. of the Revised Code, effective January 1, 2021. This includes supervision for level I and level II fieldwork.

(3) The student occupational therapist, who is being supervised in accordance with the laws and rules governing the practice of occupational therapy, may supervise unlicensed personnel.

(E) Student occupational therapy assistant.

(1) A student occupational therapy assistant must be supervised by an occupational therapist or occupational therapy assistant who has completed at least one year of clinical practice as a fully licensed occupational therapist or occupational therapy assistant.

(a) A student occupational therapy assistant on level II fieldwork must be supervised by an occupational therapist or occupational therapy assistant who has completed at least one year of clinical practice as a fully licensed occupational therapist or occupational therapy assistant.

(b) No minimum amount of experience is required to supervise a level I fieldwork student occupational therapy assistant. Supervision should be in accordance with current standards set forth by ACOTE.

(2) A student occupational therapy assistant must be at least eighteen years old to be supervised by an occupational therapist or occupational therapy assistant pursuant to Chapter 4755. of the Revised Code, effective January 1, 2021. This includes supervision for level I and level II fieldwork.

(3) The student occupational therapy assistant, who is being supervised in accordance with the laws and rules governing the practice of occupational therapy, may supervise unlicensed personnel.

(F) Supervising occupational therapists must confirm that all occupational therapy assistants they supervise hold current, valid licenses to practice occupational therapy in this state prior to allowing the occupational therapy assistant to engage in the practice of occupational therapy.
(G) Occupational therapy assistants must confirm that all occupational therapists by whom they are supervised hold current, valid licenses to practice occupational therapy in this state prior to engaging in the practice of occupational therapy.

(H) Any documentation written by an occupational therapy assistant, student occupational therapist, or student occupational therapy assistant for inclusion in the client's official record must be co-signed by the supervising occupational therapist.
Hello -

Hyperlink numbers for rules are not working in newsletter. Want to ensure the rule reads that OTA Students can be supervised by OT or OTA.

Bullet 3: A level II OTA student must be supervised by an (OT or an) OTA with at least one year of professional practice.

-ACOTE standard C.1.11 for OTA students reads: Document and verify that the student is supervised by a currently licensed or otherwise regulated occupational therapist or occupational therapy assistant (under the supervision of an occupational therapist) who has a minimum of 1 year full-time (or its equivalent) of practice experience as a licensed or otherwise regulated occupational therapist or occupational therapy assistant prior to the onset of the Level II fieldwork.

Ensure that the student supervisor is adequately prepared to serve as a fieldwork educator prior to the Level II fieldwork. The supervising therapist may be engaged by the fieldwork site or by the educational program.

Sarah Heldmann, COTA/L

**CAUTION:** This is an external email and may not be safe. If the email looks suspicious, please do not click links or open attachments and forward the email to csc@ohio.gov or click the Phish Alert Button if available.
**Code of ethical conduct.**

(A) Operations.

License holders must use the provisions contained in paragraphs (A)(1) to (A)(9) of this rule as guidelines for promoting ethical integrity and professionalism. Failure to comply with paragraphs (A)(1) to (A)(9) of this rule may be grounds for disciplinary action pursuant to section 4755.11 of the Revised Code and in accordance with Chapter 119. of the Revised Code.

(1) License holders must familiarize themselves with, seek to understand, and comply with the laws and rules governing the practice of occupational therapy.

(2) License holders must remain abreast of revisions in the laws and rules governing the practice of occupational therapy and must inform employers, employees, and colleagues of those revisions.

(3) License holders must achieve and continually maintain high standards of competence by doing the following:

   (a) Maintain and document competency by participating in professional development, continuing competence, and other educational activities.

   (b) Critically examine and keep current with emerging knowledge relevant to the practice of occupational therapy. A license holder must not perform or attempt to perform techniques and/or procedures in which the license holder is untrained by education or experience.

(4) A person must not practice occupational therapy without a valid license, or without holding student status, including:

   (a) Practicing occupational therapy while a person's license is suspended or revoked.

   (b) Practicing occupational therapy with an expired license or when no longer enrolled as a student in an accredited occupational therapy educational program.

(5) License holders must ensure that a person supervised or directed by the license holder possesses a valid license or is a student occupational therapist or student occupational therapy assistant, as those terms are defined in rule 4755-7-01 of the Administrative Code.
(6) License holders must not aid, abet, authorize, condone, or allow the practice of occupational therapy by any person not legally authorized to provide services.

(7) An applicant or License holder must not cheat or assist others in conspiring to cheat on the certification examination referenced in paragraph (C)(2) of rule 4755-3-01 of the Administrative Code or the state jurisprudence examination.

(8) License holders must not permit another person to use a person's wall certificate, license number, or national provider identifier for any illegal purpose.

(9) License holders must report to the occupational therapy section any unprofessional, incompetent, or illegal behavior of an occupational therapist or occupational therapy assistant of which the license holder has knowledge.

(B) Professionalism of license holder.

Professionalism of the license holder includes conforming to the minimal standards of acceptable and prevailing occupational therapy practice, including practicing in a manner that is moral and honorable. Conduct may be considered unethical regardless of whether or not actual injury to a client occurred. Failure to comply with paragraphs (B)(1) to (B)(17) of this rule may be grounds for disciplinary action pursuant to section 4755.11 of the Revised Code and in accordance with Chapter 119. of the Revised Code.

(1) A license holder must not:

   (a) Forge the signature of other practitioners.

   (b) Forge a wall certificate or any other proof of current licensure, including eLicense Ohio.

(2) An occupational therapy assistant must not provide occupational therapy services without a supervising occupational therapist.

(3) All occupational therapy documentation, including, but not limited to, evaluations, assessments, intervention plans, treatment notes, discharge summaries, and transfers of care must be in written or electronic format.

(4) A license holder must not falsify, alter, or destroy client records, medical records, or billing records without authorization. The license holder must
maintain accurate client and/or billing records.

(5) A license holder must not deliver, obtain, or attempt to obtain medications through means of misrepresentation, fraud, forgery, deception, and/or subterfuge.

(6) A license holder must not initiate, participate in, or encourage the filing of complaints against colleagues that are unwarranted or intended to harm another practitioner.

(7) A license holder must not practice occupational therapy while the ability to practice is impaired by alcohol, controlled substances, narcotic drugs, physical disability, mental disability, or emotional disability. If a license holder's or applicant's ability to practice is in question, the license holder or applicant must submit to a physical or mental examination or drug/alcohol screen as requested by the occupational therapy section to determine the applicant's or license holder's qualifications to practice occupational therapy.

(8) A license holder must preserve, respect, and safeguard confidential information about colleagues, staff, and students, unless otherwise mandated by national, state, or local laws.

(9) A license holder must exercise sound judgment and act in a trustworthy manner in all aspects of occupational therapy practice. Regardless of practice setting, the occupational therapy practitioner must maintain the ability to make independent judgments. A license holder must strive to effect changes that benefit the client.

(10) A license holder must accurately represent the qualifications, views, contributions, and findings of colleagues and students.

(11) A license holder must not misrepresent the credential, title, qualifications, education, experience, training, and/or specialty certifications held by the license holder.

(12) A person licensed by the occupational therapy section has a responsibility to report any organization or entity that holds itself out to deliver occupational therapy services that places the license holder in a position of compromise with this code of ethical conduct.

(13) A license holder must provide appropriate supervision to persons for whom the
practitioner has supervisory responsibility.

(14) A license holder must only seek compensation that is reasonable for the occupational therapy services delivered. A license holder must never place the license holder's own financial interests above the welfare of the license holder's clients. A license holder, regardless of the practice setting, must safeguard the public from unethical and unlawful business practices.

(15) A license holder must 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:

(a) Documenting or billing for services not actually performed.

(b) Performing techniques/procedures in which the license holder cannot demonstrate and document competency, either by experience or education.

(c) Practicing in a pattern of negligent conduct, which means a continued course of negligent conduct or of negligent conduct in performing the duties of the profession.

(d) Delegating occupational therapy functions or responsibilities to a person lacking the ability or knowledge to perform the function or responsibility in question.

(e) Failing to ensure that duties assumed by or assigned to other occupational therapy practitioners match credentials, qualifications, experience, and scope of practice.

(f) Violating confidentiality rights by failing to protect and keep confidential personal health information or other private information about clients, other facility care recipients, employees, colleagues, and students without authorization or consent unless otherwise mandated or permitted by relevant law.

(g) Failure to respect privacy rights by accessing personal health information or other private information about clients, other facility care recipients, employees, colleagues, and students without authorization or consent unless otherwise mandated or permitted by relevant law.

(16) A license holder must respect the rights, knowledge, and skills of colleagues
and other health care professionals.

(17) A license holder must not use or participate in the use of any form of communication that contains false, fraudulent, deceptive, or unfair statements or claims.

(C) License holder and client interactions.

The license holder must demonstrate concern for the well-being of the client. Failure to comply with paragraphs (C)(1) to (C)(17) of this rule may be grounds for disciplinary action pursuant to section 4755.11 of the Revised Code and in accordance with Chapter 119. of the Revised Code.

(1) A license holder must 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:

(a) Failing to assess and evaluate a client's status or establishing an occupational therapy intervention plan prior to commencing treatment/intervention of an individual.

(b) Providing treatment interventions that are not warranted by the client's condition or continuing treatment beyond the point of reasonable benefit to the client.

(c) Providing substandard care as an occupational therapy assistant by exceeding the authority to perform components of interventions selected by the supervising occupational therapist.

(d) Abandoning the client by inappropriately terminating the practitioner-client relationship by the license holder.

(e) Causing, or permitting another person to cause, physical or emotional injury to the client, or depriving the client of the person's dignity.

(2) A license holder must transfer the care of the client, as appropriate, to another health care provider in either of the following events:

(a) Elective termination of occupational therapy services by the client; or

(b) Elective termination of the practitioner-client relationship by the license holder.
(3) A license holder must ensure the client's rights to participate fully in the client's care, including the client's right to select the occupational therapy provider, regardless of the practice setting.

(4) A license holder must respect the person's right to refuse professional services or involvement in research or educational activities.

(5) A license holder must disclose any professional, personal, financial, business, research, or volunteer affiliations that may pose a conflict of interest to those with whom the license holder may establish a professional, contractual, or other working relationship.

(6) A license holder must not influence a client or the client's family to utilize, purchase, or rent any equipment based on direct or indirect financial interests of the license holder. Recommendations of equipment must be based solely on the therapeutic value of that equipment to the client. A license holder who owns or has a direct financial interest in an equipment or supply company must disclose the financial interest to the client if the license holder sells or rents, or intends to sell or rent, to that client.

(7) A license holder must not intentionally or knowingly offer to pay or agree to accept any compensation, directly or indirectly, overtly or covertly, in cash or in kind, to or from any person or entity for receiving or soliciting clients or patronage, regardless of the source of the compensation.

(8) A license holder must refer to or consult with other service providers whenever such a referral or consultation would be beneficial to care of the client. The referral or consultation process should be done in collaboration with the client.

(9) A license holder must not exploit a client, or the parent/guardian of a minor client, sexually, physically, emotionally, financially, socially, or in any other manner.

(10) A license holder must not engage in conduct that constitutes harassment or verbal or physical abuse of, or unlawful discrimination against, clients, the parent/guardian of a minor client, students, and/or colleagues.

(11) A license holder must not engage in any sexual relationship or conduct,
including dating, with any client, or engage in any conduct that may reasonably be interpreted by the client to be sexual, whether consensual or nonconsensual, while a practitioner-client relationship exists and for six months immediately following the termination of the practitioner-client relationship. In the case of minors, the practitioner-client relationship extends to the minor's parent or guardian.

(a) A license holder must not intentionally expose or view a completely or partially disrobed client in the course of treatment if the exposure or viewing is not related to the client diagnosis or treatment under current practice standards.

(b) A license holder must not engage in a conversation with a client that is sexually explicit and unrelated to the occupational therapy intervention plan.

(12) A license holder must not engage in sexual harassment of clients, the parent/guardian of a minor client, students, and/or colleagues. Sexual harassment includes, but is not limited to, making unwelcome sexual advances, requesting sexual favors, and engaging in other verbal or physical conduct of a sexual nature that results in:

(a) Withholding occupational therapy services to a client;

(b) Creating an intimidating, hostile, or offensive environment; or

(c) Interfering with the client's ability to recover.

(13) A license holder must advocate for clients to obtain needed services through available means.

(14) A license holder must provide accurate and relevant information to clients about the clients' care and to the public about occupational therapy services.

(a) A license holder must not guarantee the results of any therapy, consultation, or therapeutic procedure. A guarantee of any sort, expressed or implied, oral or written, is contrary to professional ethics.

(b) A reasonable statement of prognosis is not improper, but successful results are dependent upon many uncontrollable factors. Hence, any warranty is deceptive and unethical.
(15) A license holder must obtain informed consent from the client.

(a) A license holder, unless otherwise allowed by law, must not provide care without disclosing to the client or the client's representative, the benefits, substantial risks, if any, or alternatives to the recommended evaluation or intervention.

(b) Information relating to the practitioner-client relationship is confidential and may not be communicated to a third party not involved in that client's care without the prior written consent of the client or the client's representative or unless otherwise allowed by law. Information must be disclosed when required by law for the protection of the client or the public.

(16) A license holder must safeguard the public from underutilization or overutilization of occupational therapy services.

(17) A license holder must respect the rights and dignity of all clients and provide care as described in paragraphs (C)(17)(a), (C)(17)(b), and (C)(17)(c) of this rule.

(a) A license holder must recognize individual differences with clients and must respect and be responsive to those differences.

(b) A license holder must be guided by concern for the physical, psychosocial, and socioeconomic welfare of clients.

(c) A license holder must recognize and understand the impact of the cultural components of age, economics, gender, geography, race, ethnicity, religious and political factors, marital status, sexual orientation, and disability of all clients.

(D) Cooperation.

In accordance with division (A)(19) of section 4755.11 of the Revised Code, license holders must cooperate with an investigation by the occupational therapy section. Failure to cooperate is conduct detrimental to the best interest of the public and grounds for disciplinary action. Cooperation includes responding fully and promptly to any questions raised by the occupational therapy section and providing copies of the medical records and other documents requested by the occupational therapy section. Failure to comply with paragraphs (D)(1) to (D)(7) of this rule may be grounds for disciplinary action pursuant to section 4755.11 of the Revised Code.
and in accordance with Chapter 119. of the Revised Code.

(1) A license holder must respond fully and truthfully to a request for information from the occupational therapy section.

(2) A license holder must comply with a subpoena issued by the occupational therapy section.

(3) A license holder must provide information or documents within the time frame specified by the occupational therapy section.

(4) A license holder must appear and provide information at an interview requested by the occupational therapy section.

(5) A license holder must not deceive, or attempt to deceive, the occupational therapy section regarding any matter, including by altering or destroying any record or document.

(6) A license holder must not interfere with an investigation or disciplinary proceeding by willful misrepresentation of facts before the agency or the occupational therapy section, or by use of threats or harassment against any client or witness to prevent the client or witness from providing evidence in a disciplinary proceeding or any other legal action.

(7) A license holder must not refuse to provide testimony in an administrative hearing.

(E) A license holder must self report to the occupational therapy section, within thirty days, any of the items outlined in paragraphs (E)(1) to (E)(7) of this rule. Failure to comply with paragraphs (E)(1) to (E)(7) of this rule may be grounds for disciplinary action pursuant to section 4755.11 of the Revised Code and in accordance with Chapter 119. of the Revised Code.

(1) Impairment by physical or mental illness, chemical use, or chemical dependency, that affects the applicant's or license holder's ability to practice with reasonable skill and safety.

(2) Conviction of a felony or intervention in lieu of a felony.

(3) Conviction of a misdemeanor when the act that constituted the misdemeanor occurred during the practice of occupational therapy.
(4) The termination, revocation, or suspension of membership by a state or national occupational therapy professional association.

(5) The termination, revocation, suspension, or sanctioning of a credential issued by a state or national professional credentialing organization.

(6) The termination, revocation, suspension, or sanctioning of a professional license in the state of Ohio or another state.

(7) A positive drug and/or alcohol screening.

(8) A finding of malpractice by a court of competent jurisdiction.
OT License Report

OT License by Endorsement-13

OT011961 Kyla Sharp
OT011995 Mackenzie Farmer
OT011984 Nicholas Payne
OT011972 Kara Nicole Stoehr
OT011983 Christina Marie Picha
OT011994 Maddison Maree Menna
OT011971 Samantha Marie Stephenson
OT011982 PATRICIA ANDREA LAWS
OT011979 Samantha Kudelko
OT011975 Shelby Evelyn Wood
OT011970 Stacy Mehaffey
OT011989 Megan Rose Klein
OT011978 Zhenni Li

OT License by Examination-27

OT011959 Madeleine Doyle
OT011969 Ryan Trimmer
OT011962 Alexa M Fees
OT011968 Angela Miller
OT011967 Braylie Wells
OT011976 Jaclyn Strohmeyer
OT011986 Mary Ann Davis
OT011958 Laura Elizabeth Schneider
OT011964 Olivia Irene Kotlarz
OT011973 Emma Marie Hall
OT011963 Kelly Elizabeth Frank
OT011996 Brian Philip Harrington
OT011988 Katrina Doseck
OT011974 Holly Hutchison
OT011990 Margie Ann Mackenzie Ferguson
OT011960 Alexandra Hale
OT011957 Johanna Schmitz
OT011992 Jarryd M Osborne
OT011965 Ashley Marie Moga
OT011981 Whitney C Okafor
OT011980 Brenna Schroeder
OT011985 Heather Lynn Haley
OT011977 Emily Diane Mackall
OT011993 Richard Lee Xie
OT011966 Kate Elizabeth Feltz
OT011991  Kylie Stewart

OTA License by Endorsement-3

OTA008215  Jessica Shailynn Willard
OTA008210  Mary Savannah Giesey
OTA008213  Jesslin Alencheril

OTA License by Examination-18

OTA008200  Kaylee Lentz
OTA008211  Victoria Edelston
OTA008199  Amanda Marie Moyle
OTA008207  Rebekah D Garcia
OTA008203  Megan Nichole Kelly
OTA008212  Montana LaRusch
OTA008208  Gerald Edward Hinkle
OTA008214  Nicholas Aaron Carter
OTA008196  Salina N Imparato
OTA008197  Ashley Mikayla Kroger
OTA008201  Kailey Miller
OTA008206  Sarah J Beam
OTA008209  Lana T Dischert
OTA008198  Katelyn Ann Woods
OTA008216  Jennifer Gates
OTA008204  Alisha Good
OTA008202  Micah Edward Joseph Rzeszutek
OTA008205  Noel Lynn Orians
Application Withdraws List

Occupational Therapy

Angela Miller   OT011968
Kaylee Lentz    OTA008200
Mary Giesey    APP-000518832
Angela Miller   OT011968
Jessica Willard APP-000518115
Kaylee Lentz    OTA008200
Noel Orians     OTA008205
ENFORCEMENT STATISTICS FOR OCCUPATIONAL THERAPY SECTION MEETING

Date: 05/19/2022

Statistics:

“New” cases opened since the last meeting: 03

Cases “closed” since the last meeting: 10

Cases “currently open”: 24

Active consent agreements: 05

Adjudication orders being monitored: 00

*Statistics as of 05/03/2022
Before The Ohio
Occupational Therapy, Physical Therapy and Athletic Trainers Board

IN RE:
The eligibility of [redacted], to retain license as an
in the
State of Ohio

Case No: OT-22-011

Consent Agreement

This CONSENT AGREEMENT constitutes an Adjudication Order within the meaning of section 119.01(D) of the Ohio Revised Code. This Consent Agreement ("Agreement") is entered into by and between [redacted] and the OHIO OCCUPATIONAL THERAPY, PHYSICAL THERAPY AND ATHLETIC TRAINERS BOARD, [redacted] ("Board").

The Board is a state agency, charged with enforcing relevant provisions of Ohio Revised Code Chapter 4755 and all rules promulgated thereunder. [redacted] hereby enters into this Agreement being fully informed of [redacted] rights, including those under Chapter 4755 and Chapter 119, Ohio Revised Code, including the right to representation by counsel and an adjudication hearing.

In consideration of the forgoing and mutual promises hereinafter set forth, [redacted] and the Board hereby agree as follows:

Jurisdiction and Predicate Facts

1. The Ohio Occupational Therapy, Physical Therapy and Athletic Trainers Board, Section, is empowered by section 4755.11(A) of the Ohio Revised Code to suspend, revoke, or refuse to issue or renew an occupational therapist license, occupational therapy assistant license, occupational therapist limited permit, occupational therapy assistant limited permit, or reprimand, fine, place a license or limited permit holder on probation, or require the license or limited permit holder to take corrective action courses, for any of the following:
   
   (2) Violation of any provision of sections 4755.04 to 4755.13 of the Revised Code;
   
   (3) Violation of any lawful order or rule of the occupational therapy section;
   
   (24) Failure to complete continuing education requirements as prescribed in rules adopted by the occupational therapy section under section 4755.06 of the Revised Code.

2. [redacted] was initially licensed as an [redacted] in the State of Ohio on [redacted]
3. [Redacted] held a license to practice as an [Redacted] in the State of Ohio during the continuing education reporting period of July 1, 2018, to June 30, 2020, and was subject to all laws and rules of Ohio regulating the practice of [Redacted].

4. [Redacted] failed to remedy [Redacted] deficiency of eight (8) contact hours for the 2018 continuing education audit. Disciplinary action of [Redacted] license was issued.

5. On September 9, 2021, as a result of being selected for disciplinary continuing education audit conducted by the Board, [Redacted] was sent an audit notice letter via email.


Admissions

1. [Redacted] hereby admits and acknowledges that [Redacted] has received proper notice of [Redacted] right to a formal hearing pursuant to Ohio Revised Code Chapter 119.

2. [Redacted] hereby knowingly waives all rights to a formal hearing in this matter, and agrees that this Agreement shall have the full force and effect of an Order duly entered in accordance with those procedures set forth in Ohio Revised Code Chapter 119 and Chapter 4755 relating to administrative proceedings.

3. [Redacted] admits that the facts as set forth above are true and accurate and expressly waives all rights to challenge said facts.

4. [Redacted] admits that the facts set forth above constitute a violation of Ohio law thereby subjecting [Redacted] to disciplinary action by the Board, pursuant to section 4755.11 of the Ohio Revised Code.

Terms

WHEREFORE, in consideration of the foregoing, and in lieu of any further disciplinary action, [Redacted] and the Board, knowingly and voluntarily agree to the following terms:

1. This Consent Agreement shall serve as a written reprimand.

2. [Redacted] shall pay a fine of $500.00. This fine shall be paid within thirty (30) days of the effective date of the agreement. Acceptable forms of payment include cashier’s check, business check, or money order. Payments should be made payable to “Ohio Treasurer of State.” Payment may also be made via credit card by contacting the Board’s Enforcement Division.

3. [Redacted] shall complete twenty (20) contact hours of continuing education, which must include one (1) hour of AOTA approved ethics, prior to renewal and within the time frame of 7/1/2020 to 6/31/2022. Previous hours submitted to the Board shall not be counted toward the 2022 renewal.
3. [Name] agrees to be audited for continuing education credits for the next renewal cycle. Upon receiving the audit notice, [Name] shall submit twenty (20) hours of continuing education, which must include one (1) hour of AOTA approved ethics.

4. [Name] shall provide a copy of the consent agreement to any current and future employers during the term of this agreement. The copy shall be given to [Name] supervisor(s), or whoever is responsible for evaluating [Name] work performance. [Name] employer(s) must send written notification on company letterhead to the Enforcement Division indicating that they were provided with a copy of this agreement. [Name] shall ensure that this notification by [Name] employer is received within (30) days of the effective date of this agreement. If [Name] changes employers during the course of this agreement, [Name] shall ensure that written notification by [Name] new employer(s) is received within thirty (30) days of [Name] start date of [Name] new position. If [Name] is not employed within thirty (30) days of the effective date of this agreement, [Name] shall submit a statement to that effect to the Enforcement Division of the Board.

5. [Name] agrees to abide by all federal, state, and local laws, and all laws and rules governing the practice of [Name] in the State of Ohio.

6. Failure to abide by the terms of this Agreement shall constitute an actionable violation in and of itself without further proof and may subject [Name] to any and all disciplinary remedies to the [Name] Section including, but not limited to, revocation.

7. [Name] hereby releases the Ohio Occupational Therapy, Physical Therapy and Athletic Trainers Board, its members, employees, agents and officers jointly and severally from any and all liability from the within matter.

8. All parties to this Agreement understand that this Agreement is a public record and may be published on the Board’s website and reported to appropriate organizations, data banks, and governmental bodies, including, but not limited to, the United States Department of Health and Human Services’ National Practitioner Data Bank (NPDB).

9. By [Name] signature on this Agreement, [Name] agrees that in the event the Board, in its discretion, does not approve this Agreement, this settlement offer is withdrawn and shall be of no evidentiary value and shall not be relied upon or introduced in any disciplinary action or appeal by either party. [Name] agrees that should the Board reject this Agreement and if this case proceeds to hearing, [Name] will assert no claim that the Board was prejudiced by its review and discussion of this Agreement or of any information relating thereto.

10. By adopting and executing this Agreement, the Board hereby acknowledges that this Agreement is a full and final settlement of the within matter and agrees that it will not pursue further action against [Name] resulting from the aforementioned conduct.

11. This Agreement contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Agreement.
12.  has had the opportunity to review the Agreement and receive the advice of the legal counsel of choice regarding it and all of its terms, conditions and requirements.

I, have carefully read the above agreement and I enter into it freely and voluntarily with full knowledge of its force and effect, and full knowledge of my rights under Ohio law. By executing this agreement, I recognize that if, in the discretion of the Board it appears that I have breached any terms or conditions of this consent agreement, the Board may initiate formal disciplinary proceedings which may be based solely upon a breach of the consent agreement. If the Board finds a breach of this consent agreement, it may impose any disciplinary remedy available under Ohio law.

The terms and conditions of this agreement shall not become effective until approved by the Board and executed pursuant to its approval.

Melissa Anthony
Executive Director

DATE

Counsel to
(If represented)

DATE

Lindsay Miller
Associate Assistant Attorney General

DATE
<p>| 4 – May | King Tom | May an OTR/L, COTA/L do diathermy and e-stim in OH? If so, are there any regulations for use? Thank you! |</p>
<table>
<thead>
<tr>
<th>Contact</th>
<th>Question</th>
<th>Board Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shambaugh Barbara</td>
<td>Scenario: Ohio licensed PTA and licensed ATC. The ATC was trained in dry needling. Is this person allowed under the practice act to perform dry needling when in the role of a PTA?</td>
<td>PT and AT</td>
</tr>
<tr>
<td>Meloy Heather</td>
<td>Hello, my name is Heather Meloy I am a PTA and Denials Appeals Specialist with TMC. We are a contract therapy company and we have just acquired a couple of facilities in Ohio, in which we will be contracted in. I wanted to ask you a question about Physical Therapy/Occupational Therapy documentation guidelines to ensure we are meeting these guidelines. The regs state “all documentation shall be co-signed by the supervising PT/OT.” The way our EMR/documentation system is set up is that the progress note includes all the daily notes for that progress period (whether done by PT or PTA / OT/OTA) and then the PT/OT cosigns the progress note itself attesting that they have reviewed every treatment note etc. Will this suffice or does the PT/OT need to sign each respective daily note. Thank you in advance for any guidance you have on this.</td>
<td>PT and OT</td>
</tr>
</tbody>
</table>