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**WVBOT MINUTES:** March 5, 2010

**MEMBERS PRESENT:** Phil Simpson, Kathy Quesenberry, Brenda Hambric, Marty Douglas, Gene Brooks

**ABSENT:**

**ALSO PRESENT:** Vonda Malnikoff

**MEETING CALLED TO ORDER:** 11:05 a.m.

Marty motioned to enter Executive Session at 11:08 a.m. to discuss licensee matters. Gene seconded. Vote 5-0.

### **EXECUTIVE SESSION**

Issue 2009 #60 – Complaint  
Issue 2010 #62 – Complaint  
Issue 2010 #63 – LP Void  
Issue 2010 #64 – Complaint  
Issue 2010 #65 – LP Void  
Board member applications

Marty motioned to end Executive session at 11:30 am. Phil seconded. Vote 5-0.

With regard to issue 2009#60, Marty motioned to dismiss complaint based on findings of investigation with letter to OT. Brenda seconded. Vote 5-0.

With regard to COTA vacancy on the Board, Marty motioned to send a letter to the Governor's office, with applications received, after the end of the Legislative Session, and to send a letter to all applicants. Gene seconded. Vote 5-0.

Gene motioned to approve January 15, 2009 minutes. Phil seconded. Vote 5-0.

### **OLD BUSINESS**

#### **TOPIC: CE credit for on-line Practice Act review & test**

**FINDINGS/CONCLUSIONS:** Discussed the proposal by Diana Davis to make an on-line presentation of the new Practice Act available to licensees to review and take a test for CE credit. Marty motioned to wait until after new Legislative Rules are passed. Gene seconded. Vote 4-0.

**ACTION/FOLLOW-UP: Vonda to pursue with Diana and Infineon, Inc. regarding website capability to offer during 2011 renewal period. Per discussion with Diana, late May to early June would be a good time to work on this.**

#### **TOPIC: NBCOT Annual Conference**

**FINDINGS/CONCLUSIONS:** Annual conference has been scheduled for October 23-24, 2009 in Baltimore. Conference registration, hotel, and airline reservations made for Kathy. Kathy attended conference as scheduled. Kathy shared several items from conference for Board discussion. See addendum A for list. Discussed AG response to questions. Kate responded to additional question as to whether #5 could be covered by 30-28-6 (17). She does not believe the Board has the authority to perform random supervision audits in facilities without such authority expressly written in Code.

**ACTION/FOLLOW-UP: None.**

**TOPIC: Computer upgrades**

**FINDINGS/CONCLUSIONS:** The Board discussed the need to upgrade the office computer and purchase a second laptop for Board member use when traveling. Gene motioned to purchase a new desktop, with upgrade to Windows 7 for existing laptop, and to purchase a new compatible laptop at the same time. Marty seconded. Vote 5-0.

**ACTION/FOLLOW-UP: Vonda to obtain quotes and information regarding a user's license for software for multiple computers once statewide contract is amended to include Windows 7.**

**TOPIC: Review of Comments received by WVPTA regarding Legislative Rules.**

**FINDINGS/CONCLUSIONS:** Regarding Legislative Rule 13-01, the Board agreed to the changes proposed by WVPTA to more clearly indicate that only an occupational therapist, and not an occupational therapy assistant, can supervise an occupational therapy student. Occupational therapy assistants can supervise an occupational therapy assistant student. The Board also agreed to modify 12.5.a. to indicate that only an occupational therapist can supervise limited permit holders.

Regarding Rule 13-05, the Board agreed to add the word "applicable" to 4.5.a. to read "(including applicable fieldwork education)"; the Board agreed to add the phrase "as endorsed by the American Occupational Therapy Association or its successor, or as approved by the WV BOT" to 4.5.b.; Phil motioned to change 4.5.c. to read, "Successful completion of an appropriate continuing education course which includes theory, indications, contra-indications and applications. Gene seconded. The vote was 4-0. Marty motioned to remove 4.5.d. Phil seconded. The vote was 4-0.

To address the question as to how the Board will know if OTA's actually receive the training on new PAM competencies, Phil motioned to add 4.6.a. to the rule stating, "The Board shall conduct random audits of occupational therapy assistants to substantiate competency in physical agent modalities." Gene seconded. The vote was 4-0.

Modifications to the Rules were forwarded to WVPTA on 11/30/09. On 12/21/09, a response from WVPTA indicated they had additional concerns. These concerns were discussed and a response drafted. Phil motioned to respond to WVPTA, striking "(including applicable fieldwork education)" from 13-5-4.5.a. and documenting why the Board believes no further changes are necessary. Brenda seconded. Vote 3-0

Modified Rules have passed the House and are awaiting Senate approval.

**ACTION/FOLLOW-UP: Vonda to continue to track Rules and submit Final Rule Filing upon passage.**

**TOPIC: Review of proposed PT Practice Act**

**FINDINGS/CONCLUSIONS:** See addendum B for list of comments/concerns forwarded to WVOTA, who is handling all communication with WVPTA and WVBPT.

**ACTION/FOLLOW-UP: None.**

**PURCHASE CARD TRANSACTIONS**

The Board reviewed all purchases made on the Purchase Card since the last board meeting. Brenda motioned to accept all purchases. Gene seconded. Vote 5-0.

**TREASURER'S REPORT**

Cash Balance as of March 1, 2010

\$ 183,920.04

**DEPOSITS SINCE LAST BOARD MEETING**

January 7, 2010	\$ 8,430.00
January 14, 2010	1,810.00
January 21, 2010	890.00
January 28, 2010	1,050.00
February 4, 2010	1,200.00
February 18, 2010	1,430.00
February 25, 2010	680.00

TOTAL DEPOSITS \$15,490.00

**DISBURSEMENTS SINCE LAST BOARD MEETING**

January	\$ 5,200.64
February	8,263.59

**NEW BUSINESS**

**TOPIC: Infineon, Inc. contract renewal**

**FINDINGS/CONCLUSIONS:** After discussion of options for renewing website support contract, Marty motioned to accept proposal for a new website template with Joomla CMS capability to allow Board to maintain and update website for a one time fee of \$680 plus \$38.95 / month hosting charge. Phil seconded. Vote 5-0.

**ACTION/FOLLOW-UP: Vonda to work with Infineon on new website design and contract renewal.**

**TOPIC: PLANS Job Content questionnaire**

**FINDINGS/CONCLUSIONS:** PLANS is the project being conducted by the WV Division of Personnel to update and modernize the state classification and compensation plan. Questionnaire due by April 23<sup>rd</sup> and includes a Supervisor Review section.

**ACTION/FOLLOW-UP: Vonda to complete employee section and forward to Kathy for completion of supervisor review section.**

**TOPIC: Telerehabilitation survey**

**FINDINGS/CONCLUSIONS:** Board completed survey.

**ACTION/FOLLOW-UP: Vonda to consult AG regarding question on regulatory authority and submit survey.**

**financial**

	<b>VENDOR</b>	<b>DATE REC'D</b>	<b>AMOUNT</b>	<b>NOTE</b>
1	AG's Office	1/20/2010	\$91.00	December questions
2	Brickstreet	2/1/2010	\$169.00	First half annual worker's comp premium
3	IS&C	2/1/2010	\$100.00	EDP Accounting Svcs - 2nd qtr 2010
4	Auditor's Office	2/15/2010	\$16.00	Transactions for January 2010
5	IS&C	2/15/2010	\$14.97	WVFIMS transactions for January 2010
6	AG's Office	2/17/2010	\$42.00	January questions

Gene motioned to pay all bills. Marty seconded. Vote 5-0.

**correspondence**

	<b><u>correspondence</u></b>	<b><u>date rec'd</u></b>	<b><u>issue</u></b>
1	NBCOT WV Consolidated Public	1/19/2010	VISA certificates 4th Qtr 2009 / 2010 Exam Handbook
2	Retirement Board	1/25/2010	Increase in employer contribution rates for FY2011
3	Purchasing	2/1/2010	The Buyers Network - February 2010
4	Stateline	2/2/2010	January 2010 issue
5	Brickstreet	2/1/2010	Workers Comp Renewal Quote (same as last year)
6	WV Assoc of Lic Boards	2/24/2010	February 19th meeting minutes (see 6.B.)
7	Dept of Health & Human Svcs	2/25/2010	Info regarding upcoming changes in NPDB and HIPDB Expansion of NPDB to include all licensed health care practitioners
8	NPDB - HIPDB	3/1/2010	
9	Purchasing	3/1/2010	The Buyers Network - March 2010

Meeting adjourned at 1:20 following the signing of applications. The next regular Board meeting is scheduled for Friday, May 21, 2010 at 11:00 a.m. at the Morgantown office.