

West Virginia Board of Occupational Therapy

3041 University Ave. 2nd Floor, Suite 6 Morgantown, WV 26505

www.wvbot.org

2008 MID-YEAR NEWSLETTER



Board Members

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Practice Act update

Over the past year, the Board has actively been reviewing the current West Virginia Occupational Therapy Practice Act, the AOTA Model Practice Act, and practice acts from other states, in an effort to update our Act. In the thirty years since the current Act was adopted in 1978, the scope of Occupational Therapy has radically expanded and changed wherein now practitioners provide services to individuals of all ages in a wide range of settings. In addition to more clearly defining the scope of Occupational Therapy, other proposed changes include removing the physician referral requirement in order to enable patients with non-medical conditions access to occupational therapy services.

Also proposed is a change in the license renewal requirement to a biennial renewal.

The proposed Practice Act was sent to both the Senate and House Chair of the Government Organization Committee on February 5th, 2008, requesting they adopt a study resolution during the 2008 interim session, for introduction as a Bill in the 2009 Legislative Session.

To obtain a draft copy of the proposed Practice Act submitted to the legislature, send your request to the Board at vmalnikoff@wvbot.org or to the address shown above.

State meetings

As part of the process of revising our Practice Act, the Board will hold a series of meetings across the state, to allow practitioners the opportunity to review and discuss proposed changes. Licensees are encouraged to attend a meeting in your area, as the changes will impact all practitioners and your input and support is needed. If your facility would like to host one of these meetings in your area, please contact the Board at 304-285-3150 or vmalnikoff@wvbot.org. Watch the Board website, www.wvbot.org, for more information and schedule as it becomes available.

Board News

- ❖ The Board unanimously voted during its January 11th, 2008 meeting to maintain current officers for 2008.
- ❖ The Board unanimously voted to renew the current office lease, which expires in May, for another three year term.
- ❖ After 2008 license renewal, there were 449 OTR's and 254 COTA's licensed in WV.

www.wvbot.org

We are always looking for ways to improve our website to make it more beneficial and user-friendly to practitioners. If you have suggestions or feedback, please email them to the Board at vmalnikoff@wvbot.org.

Disciplinary Actions

Investigations into complaints continue to be conducted as necessary to assure compliance to licensure laws and to protect the public. There have been no new disciplinary actions taken by the Board.

Position Statement – Electronic Signatures

At the April 4, 2008 Board meeting, the WV BOT approved the following Position Statement regarding the “**Use of Electronic Signatures to Demonstrate Supervision**”. You may also view this and other Position Statements on the website.

REVIEW OF LEGISLATIVE RULES:

West Virginia Code currently dictates that Direct and General Supervision “is demonstrated through co-signatures on all paperwork pertaining to the practice of occupational therapy for the person requiring direct / general supervision. All paperwork pertaining to the practice of occupational therapy must be signed and dated by the supervising licensed occupational therapist.”

POSITION CLARIFICATION:

With the trend toward maintaining records and submitting information electronically, the question of how to meet supervision co-signature requirements is often asked.

The purpose of co-signatures is to document the fact that certain actions occurred in accordance with the predicate rule (e.g. *approved*, *reviewed*, and *verified*). Given the various electronic systems being used with a range of capabilities, this purpose may be accomplished in a variety of ways where electronic records replace paper copies. A system may allow a (C)OTA to forward progress notes to the OT(R) for review and electronic approval. In addition, electronic notes made by supervising OT(R)'s should indicate the date and nature of the supervision provided (i.e. review of progress notes, inspection of service delivery, meeting to review the outcome of service delivery). In all cases, the system must clearly state that it is an “electronic signature”.

Regardless of the system being used, it is the mutual responsibility of the OT(R) and (C)OTA to ensure that the act of supervision is clearly documented and available for inspection in the event of an audit or investigation.

