

**STATE OCCUPATIONAL THERAPY LICENSURE BOARD**  
**Bureau of Occupational Licenses**  
700 West State Street, P.O. Box 83720  
Boise, ID 83720-0063

**Board Meeting Minutes of 5/11/2015**

**BOARD MEMBERS PRESENT:** Corwin Sutherin - Chair  
Kristin Guidry  
Caren Deangelis  
Michael Spero

**BOARD MEMBERS ABSENT:** Diann Davis-Martin

**BUREAU STAFF:** Tana Cory, Bureau Chief  
Dawn Hall, Administrative Support Manager  
Lori Peel, Investigative Unit Manager  
Maurie Ellsworth, General Counsel  
Mitch Toryanski, Legal Counsel  
Debbie Toncray Technical Records Specialist I

The meeting was called to order at 9:00 AM MDT by Corwin Sutherin.

**APPROVAL OF MINUTES**

Mr. Spero made a motion to approve the minutes of 3/11/2015 and 4/22/2015. It was seconded by Ms. Deangelis. Motion carried.

**LEGISLATIVE REPORT**

Ms. Cory gave the legislative report. She said that the Board's proposed law, HB24 was passed in the Legislature and will go into effect July 1, 2015. This bill revised the continuing education requirements to strike the professional development units and to require only 20 continuing education units for license renewal. Ms. Cory stated that the Board will need to see if this will affect its rules, and the Board could do a temporary rule to reflect the new law after July 1. Ms. Cory asked for the Board's direction on this. Ms. Deangelis agreed to meet with Mr. Hales. Ms. Guidry moved that the Board assign Ms. Deangelis to work with Mr. Hales on the rules update after the law goes into effect. It was seconded by Mr. Spero. Motion carried.

Ms. Cory also reviewed the fee reduction which passed in the Legislature. It went into effect on April 6, 2015. Rule 41 will now read as follows:

#### **041. FEES.**

**01. Fees.** Necessary fees shall accompany applications. Fees shall not be refundable.

**02. Initial Licensure.** The fee for initial licensure of occupational therapists shall be one hundred dollars (\$100) and the fee for occupational therapy assistants shall be seventy-five dollars (\$75).

**03. Limited Permit or Temporary License.** The fee for a limited permit or temporary license shall be twenty-five dollars (\$25).

**04. Active License Renewal Fee.** The annual renewal fee for an active license shall be fifty-five dollars (\$55) for occupational therapists and thirty-five dollars (\$35) for occupational therapy assistants.

**05. Reinstatement Fee.** The fee to reinstate a lapsed license shall be thirty-five dollars (\$35).

**06. Inactive License Renewal Fee.** The annual renewal fee for an inactive license shall be twenty-five dollars (\$25) for occupational therapists and occupational therapy assistants.

**07. Inactive to Active License Fee.** The fee for reinstating an inactive license to an active license is the difference between the current inactive and active license renewal fees.

Ms. Cory also reviewed HB116 and HB117 which Mr. Ellsworth drafted and carried through the Legislature. Mr. Ellsworth explained the purpose of these two bills and the process the Bureau went through to get them approved. HB116 amended and clarified the existing law in order that the boards served by the Bureau may assess attorney fees incurred in investigations and prosecutions. HB117 clarified renewal, reinstatement and reapplication of licensure, and that it is the Board who has the authority to examine these applicants.

Ms. Cory reminded the Board that the deadline to submit any proposed law changes for next year's Legislature is August 1, 2015. Rule changes are due by the third week in August.

#### **FINANCIAL REPORT**

Ms. Hall gave the financial report, which indicated that the Board had a cash balance of \$103,114.14 as of April 30, 2015.

#### **DISCIPLINE**

Mr. Nelson presented a memorandum regarding case number OCT-2015-1. After discussion, the Board gave recommendations for appropriate discipline.

## **INVESTIGATIVE REPORT**

Ms. Peel gave the investigative report, which is linked above.

### **PRESENTATIONS BY MR. TORYANSKI, NEW LEGAL COUNSEL**

Mr. Ellsworth introduced Mr. Toryanski as the Bureau's newest legal counsel who will be working with all the Boards on telehealth, Board training, and other issues.

Mr. Toryanski reviewed the Supreme Court decision regarding the North Carolina State Board of Dental Examiners, which has the potential to affect boards throughout the United States.

Mr. Toryanski also briefly reviewed the change in Idaho Code § 67-2614 in relation to the laws and rules of the Board. This statute changes the Bureau-wide reinstatement fee of a license to a total of \$35. Mr. Toryanski asked the Board if it would like to keep its reinstatement fee at \$35 or join with other Boards the Bureau serves which have agreed to change their rules to refer to the Bureau statute. The Board agreed to allow the rule to be changed to point to the Bureau statute.

Mr. Toryanski reviewed the various trainings available to the Boards that the Bureau serves, and let the Board know it could add the training to its agenda at any time. It was suggested to start with Regulatory Rules and Guidance at the next meeting.

### **TELEHEALTH**

Ms. Cory reviewed HB189 regarding telehealth and the process it went through with the Telehealth Council and its passage through the Legislature.

Mr. Toryanski briefly reviewed the language of HB189 regarding telehealth, and reminded the Board that the deadline for rules is the third week of August.

Ms. Cory let the Board know that the Telehealth Council will be continuing to work on issues regarding telehealth, i.e. reimbursement. She will also copy the Board members on emails to other Boards regarding telehealth.

Mr. Sutherin will send the white paper on telehealth that the American Occupational Therapy Association (AOTA) has completed to Ms. Toncray who will distribute it to the Board for their review. Mr. Sutherin will also forward the white paper regarding telehealth from the Director of OT at Idaho State University (ISU).

## **OLD BUSINESS**

To Do List – The Board reviewed the to do list and no action was taken.

## **NEW BUSINESS**

### **BUDGET REVIEW**

The Board reviewed the annual budget form and determined no changes were needed.

### **ACCELERATED CARE PLUS – REGARDING PHYSICAL AGENT MODALITIES**

The Board contacted Mr. Escovedo regarding his question on Physical Agent Modalities (PAM). The Board chose some time ago to not have special cards or licenses showing that an occupational therapist is qualified, but they will need to show proof of this education. It is on the honor system. Mr. Escovedo stated they are asked many times in the field to prove their competence on this. The Board assured him that the occupational therapists will need to simply show proof of education.

### **HOMECEUCONNECTION.COM: CONTINUING EDUCATION RULES CLARIFICATION**

Ms. Deangelis will respond to the question from HomeCEUConnection.com regarding the continuing education rules.

### **EXECUTIVE SESSION**

After Ms. Deangelis left the meeting, Ms. Guidry made a motion that the Board go into executive session under Idaho Code § 67-2345(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the Executive Session was to consider license application materials. It was seconded by Mr. Spero. The vote was: Mr. Sutherin, aye; Ms. Guidry, aye; and Mr. Spero, aye. Motion carried.

Mr. Spero made a motion to come out of executive session. It was seconded by Ms. Guidry. The vote was: Mr. Sutherin, aye; Ms. Guidry, aye; and Mr. Spero, aye. Motion carried.

## **APPLICATIONS**

Mr. Spero made a motion to approve the following for licensure pending receipt of verification of licensure:

Applicant 901138954

It was seconded by Ms. Guidry. Motion carried.

## **CE FOR REINSTATEMENT**

Mr. Spero moved that the individuals who have not met the continuing education requirements be sent to investigations. It was seconded by Ms. Guidry. Motion carried.

The Board reviewed and approved the continuing education (CE) audit documents.

## **CE COURSES**

Ms. Guidry moved to authorize Mr. Sutherin to review and approve the following continuing education courses. It was seconded by Mr. Spero. Motion carried.

**THE HEALING HEART  
INTUITIVE ANATOMY**

**INSTITUTE FOR BRAIN POTENTIAL  
CALMING AN OVERACTIVE BRAIN**

**ST. JOSEPH REGIONAL MEDICAL  
TUMOR BOARD/CANCER COMMITTEE**

**OPTIMA HEALTHCARE SOLUTIONS  
CONTINUITY ASSESMENT/RECORD EVALUATION MOBILITY SELF CARE**

**POSTURAL CARE USA, ST. ALPHONSUS RMC  
POSTURAL CARE: THEORY AND PRACTICE**

**MOBILITY RESEARCH  
WHAT WORKS: ELICITING AN ENERGY-EFFICIENT GAIT PATTERN**

**MOBILITY RESEARCH  
ADVANCING OUR UNDERSTANDING & INFLUENCE ON SWING PHASE OF GAIT**

**MOBILITY RESEARCH  
PILATES PRINCIPLES AND PWB - IMPROVING OUTCOMES**

**ST. LUKE'S HEALTH PARTNERS & ST. LUKE'S  
CENTER FOR SPINE WELLNESS: SPINE CARE CONFERENCE**

**MOBILITY RESEARCH  
PEDIATRIC ORTHOPEDIC DEFORMITY AND ADVANCED TREATMENT OPTIONS**

**ACCELERATED CARE PLUS  
HEAD AND NECK PENS**

**ACCELERATED CARE PLUS  
ADJUNCTIVE SEMG FOR DYSPHAGIA REHABILITATION (5-HR)**

**ACCELERATED CARE PLUS  
ADJUNCTIVE SEMG FOR DYSPHAGIA REHABILITATION (7-HOUR)**

**ST. JOSEPH REGIONAL MEDICAL  
TUMOR BOARD**

**ST. JOSEPH REGIONAL MEDICAL  
CANCER COMMITTEE**

**MOBILITY RESEARCH  
MOTOR CONTROL AND MOTOR LEARNING FOR INDIVIDUALS WITH MILD  
COGNITIVE IMPAIRMENT**

**ADVANCED HEALTHCARE  
DYNAMIC CORE ACTIVITIES TO PROMOTE FUNCTIONAL OUTCOMES**

**MOBILITY RESEARCH  
TREADMILL TRAINING FOR STUDENTS WITH AUTISM AND APRAXIA  
PROTOCOL - PART 1**

**MOBILITY RESEARCH  
TREADMILL TRAINING FOR STUDENTS WITH AUTISM AND APRAXIA  
PROTOCOL - PART 2**

**ST. LUKE'S REHABILITATION  
OUTPATIENT BRAIN INJURY PROGRAM TOOLKIT**

**ST. LUKE'S REHABILITATION  
UNDERSTANDING DISABILITY RATINGS**

**ST. LUKE'S REHABILITATION  
UNDERSTANDING WORK RESTRICTIONS**

**ST. LUKE'S REHABILITATION  
UNDERSTANDING IMPAIRMENT RATINGS**

**ST. LUKE'S REHABILITATION  
INSTRUMENTED-ASSISTED STM (IASTM) IN SPORTS MEDICINE**

**ST. LUKE'S REHABILITATION  
FAI DIAGNOSIS & TREATMENT**

**ST. LUKE'S REHABILITATION  
MANAGEMENT OF THE HEMIPARETIC UPPER EXTREMITY**

**NEXT MEETING** as a conference call will be scheduled at a later time.

**ADJOURNMENT**

Ms. Guidry made a motion to adjourn the meeting at 11:00 AM. It was seconded by Mr. Spero. Motion carried.

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Corwin Sutherin, Chair

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Kristin Guidry

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Caren Deangelis

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Diann Davis-Martin

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Michael Spero

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Tana Cory, Bureau Chief