

Minutes of the January 26, 2016 Board of Occupational Therapy Meeting

CALL TO ORDER

Mary Walsh-Sterup, Chairperson, called the meeting of the Board of Occupational Therapy to order at 9:05 a.m. on Tuesday, January 26, 2016, in the Nebraska State Office Building, Lower Level Conference Room B, 301 Centennial Mall South, Lincoln, Nebraska. The meeting was duly publicized by distribution of the Notice of Meeting Agenda at least 10 days prior to the meeting and posting the agenda at the entrance of the Department of Health and Human Services at least 24 hours prior to the meeting.

Ms. Walsh-Sterup announced that this is a public meeting and the Open Meetings Law was posted.

The following Board Members and Department Staff were present at the meeting: Lisa Andersen, Nancy Peetz, Linda Storz, Mary Walsh-Sterup, Becky Wisell, Administrator, Claire Covert-ByBee, Program Manager, Jacye LaFayette-Dymacek, Health Licensing Coordinator, Ed Vierk, Assistant Attorney General, Ami Huff, Assistant Attorney General and Investigator Jeff Newman.

Ms. Storz moved, seconded by Ms. Andersen to adopt the agenda. Voting aye: Andersen, Peetz, Storz, and Walsh-Sterup. Voting nay: None. Motion carried.

Ms. Storz moved, seconded by Ms. Andersen moved to approve the minutes from the October 6, 2015 meeting. Voting aye: Andersen, Peetz, Storz, and Walsh-Sterup. Voting nay: None. Motion carried.

CLOSED SESSION

Ms. Andersen moved, seconded by Ms. Storz to go into closed session at 9:10 a.m. to hear discussions regarding confidential information and to protect the reputation of individuals named or referenced in such discussions. Voting aye: Andersen, Peetz, Storz, and Walsh-Sterup. Voting nay: None. Motion carried.

OPEN SESSION

Ms. Andersen moved, seconded by Ms. Storz to return to open session at 10:30 a.m. Voting aye: Andersen, Peetz, Storz, and Walsh-Sterup. Voting nay: None. Motion carried.

DECISIONS

Ms. Andersen moved, seconded by Ms. Storz to declare that Deslie Ervin, Susan Peña, Janelle Rolls, and Allison Widup all passed their oral jurisprudence examination regarding 172 NAC 114, the Rules and Regulations Relating to Occupational Therapy. Voting aye: Andersen, Peetz, Storz, and Walsh-Sterup. Voting nay: None. Motion carried.

Ms. Andersen moved, seconded by Ms. Storz to offer Jenna Holt a one-year probationary license to practice as an Occupational Therapist based on her misdemeanor convictions and misrepresentation of material facts in failure to disclose all convictions on her application. Voting aye: Andersen, Peetz, Storz, and Walsh-Sterup. Voting nay: None. Motion carried.

SCOPE OF PRACTICE

After discussion, Ms. Storz moved, seconded by Ms. Andersen that it is within the scope of practice of a Nebraska licensed Occupational Therapist to perform lymphedema therapy. Voting aye: Andersen, Peetz, Storz, and Walsh-Sterup. Voting nay: None. Motion carried.

After discussion, Ms. Andersen moved, seconded by Ms. Storz that to reaffirm the January 21, 2010 opinion which states:

That the task such as insertion and removal of the cannulas and adjustment of the rate of flow as per physician direction and facility guidelines is permitted within the scope of practice of occupational therapy by the occupational therapist and for the certified occupational therapy assistant who has demonstrated competency to the occupational therapist.

Ms. Walsh-Sterup wanted to address that an occupational therapist or certified occupational therapy assistant is not permitted to delegate as a routine task the task of insertion and removal of the cannulas and adjustment of the rate of flow to an occupational therapy aide unless the aide has become a certified medication aide. However, if the facility wants to utilize occupational therapy aides to do this as a routine task, then the aide would have to become a certified medication aide.

Voting aye: Andersen, Peetz, Storz, and Walsh-Sterup. Voting nay: None. Motion carried.

After discussion, Ms. Storz moved, seconded by Ms. Andersen that it is within the scope of practice of a Nebraska licensed Occupational Therapist Assistant to perform Instrument Assisted Soft Tissue Mobilization. Voting aye: Andersen, Peetz, Storz, and Walsh-Sterup. Voting nay: None. Motion carried.

MISCELLANEOUS

Ms. Covert-ByBee provided information to the Board regarding proposed legislation currently being considered by the Nebraska Unicameral. This was for informational purposes only.

Ms. Peetz moved, seconded by Ms. Storz to name Mary Walsh-Sterup as Chairperson, Lisa Andersen as Vice-Chairperson, and Linda Storz as Secretary and Investigative Consultant. Voting aye: Andersen, Peetz, Storz, and Walsh-Sterup. Voting nay: None. Motion carried.

Ms. LaFayette-Dymacek provided information regarding the 2016 NBCOT State Regulatory Leadership Forum being held in New Orleans, Louisiana May 11-13. Ms. Walsh-Sterup and Ms. LaFayette-Dymacek will be attending this forum.

Ms. LaFayette-Dymacek provided information regarding the 2016 AOTA Annual Conference and Expo being held in Chicago, Illinois April 7-10. Ms. Walsh-Sterup, Ms. Andersen, and Ms. Storz will be attending this conference.

Ms. LaFayette-Dymacek provided a copy of the NCSL Telehealth White Paper. This was for informational purposes only.

Ms. LaFayette-Dymacek provided a copy of the AOTA's Representative Assembly Official Documents. This was for informational purposes only.

Ms. LaFayette-Dymacek presented information regarding the NBCOT Navigator Online CE Assessment Tool. The Board tabled discussion regarding this topic in order to gather more information to discuss it at the next meeting.

Ms. LaFayette-Dymacek provided an updated application processing report. This report was for informational purposes only.

The next meeting will be held July 19, 2016 at 9:00 a.m. in the Lower Level B Conference Room of the Nebraska State Office Building in Lincoln.

Ms. Covert-ByBee provided a brief recap of the topics covered during the meeting.

ADJOURNMENT

There being no further business, the meeting was adjourned at 11:32 a.m.

Respectfully submitted,

Linda Storz, Secretary

Prepared by: Jacye LaFayette-Dymacek, Health Licensing Coordinator