

## Board of Occupational Therapy Virtual Meeting Minutes February 3, 2026

### **1. Roll call**

Marcus Doughty, Chair, called the virtual meeting of the Board of Occupational Therapy to order at 9:02 a.m. on February 3, 2026, in the lower-level Otoe Conference Room at the Nebraska State Office Building located at 301 Centennial Mall South, Lincoln, Nebraska. Pursuant to Neb. Rev. Stat. § 84-1411 of the Nebraska Open Meetings Act, copies of the agenda were e-mailed to the Board members and other interested parties, posted on the DHHS website at <https://dhhs.ne.gov/licensure/Pages/Agendas-and-Minutes.aspx>, and posted in the Nebraska State Office Building East Vestibule on January 15, 2026.

Doughty announced that this is an open meeting and the Open Meetings Act is posted.

### **Members Present:**

The following members answered roll call:

Marcus Doughty, OTD, OTR/L, CHT Board Chair (via Webex)  
Alfred Bracciano, EdD, OTR/L, FAOTA Board Vice-Chair (via Webex)  
Mary Walsh-Sterup, OTR/L, CHT Board Secretary

### **Members Absent:**

Nancy Peetz, Board Member

### **Staff Present:**

Claire Covert-ByBee, Program Manager  
Kim Hitzel, Health Licensing Coordinator  
Abby Hoy-Nissen, Assistant Attorney General (via Webex)  
Kat Amyot, DHHS Legal Attorney  
Tyler Walvoord, DHHS Staff Attorney

### **Members of the Public Addressing the Board**

Melissa Kimmerling, Nebraska Occupational Therapy Association (NOTA):  
[mskimmerling@gmail.com](mailto:mskimmerling@gmail.com) (via Webex)  
Candice Mullendore, Vice-President of Policy and Advocacy NOTA  
[policyandadvocacy.nota@gmail.com](mailto:policyandadvocacy.nota@gmail.com) (via Webex)  
Dr. Tanner Gates 402-502-0043 (via Webex)  
Erin Westover, NOTA President: [President.NOTA@gmail.com](mailto:President.NOTA@gmail.com) (via Webex)

### **2. Adoption of Agenda**

**Motion:** Walsh-Sterup moved, seconded by Bracciano, to adopt the agenda. Voting aye: Bracciano, Doughty, and Walsh-Sterup. Voting nay: none. Motion carried.

### **3. Reaffirmation of Mail Ballot**

The following mail ballots were read into the minutes.

A mail ballot for the approval of August 19, 2025, revised meeting minutes. Voting to approve the revised minutes: Walsh-Sterup, Bracciano, Peetz, and Doughty. Voting nay: none. Minutes were approved September 4, 2025.

The Meeting was paused from 9:07 am until 9:09 am.

### **4. Closed Session**

**Motion:** Doughty moved, seconded by Bracciano, to move 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: Bracciano, Doughty, Walsh-Sterup, Peetz. Voting nay: none. Motion carried.

Board returned to open session at 9:49 a.m.

### **5. Board Recommendations on Applications**

No recommendations were made.

### **6. Scope of Practice: “Is the use of Vision Therapy for the purpose of treating binocular vision disorders within the scope of practice of an Occupational Therapist?”**

Question A: *“Is the use of Vision Therapy for the purpose of treating binocular vision disorders within the scope of practice of an Occupational Therapist?”*

This item will be tabled until the next meeting.

Question B: *Does “Health Management” include medication management/education under the scope of practice of an Occupational Therapist or Occupational Therapy Assistant in Nebraska?*

This item will be tabled until the next meeting.

*C. Does the scope of practice of an Occupational Therapist and Occupational Therapy Assistant include assessing a client’s ability to manage medications, identifying functional or cognitive barriers, establishing routines and systems, providing education to patients and caregivers, and reinforcing safe medication practices?*

This item will be tabled until the next meeting.

### **7. Regulation Revision**

- a. Dry Needling- This item will be tabled until the next meeting.

- b. PAM's Updates-This item will be tabled until the next meeting.

### **8. Voting for Officers**

**Motion:** Walsh-Sterup moved, seconded by Bracciano to elect the following slate of officers.

Chair: Marcus Doughty

Vice-Chair: Mary Walsh-Sterup

Secretary: Alfred Bracciano

Voting aye: Bracciano, Doughty, and Walsh-Sterup. Voting nay: none. Motion carried.

### **9. Voting for Delegates**

**Motion:** Walsh-Sterup moved, seconded by Bracciano for Alfred Bracciano to represent the Board at the AOTA meeting. Voting aye, Bracciano, Doughty, and Walsh-Sterup. Voting nay: none. Motion carried.

### **10. Notice of Meeting Publication**

**Motion:** Walsh-Sterup moved, seconded by Bracciano, that, pursuant to Neb. Rev. Stat. § 84-1411 of the Open Meetings Act, the notice of meetings of this Board be posted virtually on the Nebraska Department of Health and Human Services Licensure Board Meeting Agenda page, posted physically on the Board Meeting Agenda billboard in the lobby of the Nebraska State Office Building, and disseminated to a list of stakeholders and interested parties. Voting aye: Bracciano, Doughty, and Walsh-Sterup. Voting nay: none. Motion carried.

### **11. Schedule Meetings for 2026**

Meetings are scheduled for March 18, 2026, April 14, 2026, May 5, 2026, and September 1, 2026. All meetings begin at 9 am.

### **12. Per Diem**

**Motion:** Bracciano moved, seconded by Walsh-Sterup, that, pursuant to Neb. Rev. Stat. § 38-171, each member of the Board shall receive in 2025 a per diem of \$50.00 and that each Board meeting shall include one half-day of preparation for which each member of the Board shall receive 50% of this per diem. Voting aye: Bracciano, Doughty, and Walsh-Sterup. Voting nay: none. Motion carried.

### **13. Legislative Updates**

There are no new legislative matters directly impacting Occupation Therapy.

### **14. Occupational Therapy Compact Updates**

The Occupational Therapy Compact is Live as of January 12, 2026. Three member states Ohio, West Virginia, and Minnesota have joined. Nebraska is actively working to put the final pieces in place to go active.

### **15. NBCOT Updates**

Kimmerling provided an update on issues that may affect Federal student loans for occupational therapy students which could affect the number of future providers. The website for the NBCOT is <https://www.nbcot.org>.

### **16. NOTA Updates**

Erin Westover, NOTA President commented that there will be a day to lobby the legislature, February 11, 2026. The next NOTA meeting will be in in Kearney, NE, April 18, 2026.

### **17. Application Processing Report**

Covert-ByBee presented this report to the board for informational purposes only. It is a snapshot of licensure activity.

### **18. Topics for Next Meeting**

The topic for the next board meeting will be Regulation Revision.

### **18. Public Comment**

A summary of comments are as follows:

Dr. Gates expressed concern about the Scope of Practice question #1. The concern is there may be occupational therapists practicing outside their scope of practice in relation to binocular vision disorders. He would like the Board to formally address the concerns.

Candice Mullendore requested that the Department update the website to clarify the new Dry Needling statute and that no Occupational Therapist should be practicing Dry Needling until the regulations have been written. The PAM's current application method can be confusing and would like it to be defined and approved. Continuing education for PAM's should also be taken into consideration. Requested the Department to update the state website with information about the Occupational Therapy Compact.

Melissa Kimmerling notified the Board that there is information in the original Model practice Act credentialing review paperwork that may be helpful to the regulation revision. That information was provided by the Nebraska Occupational Therapy Association.

If someone maintains their NBCOT certification would the Board consider that as fulfilling the continuing competency? It would be one pathway that providers could choose to maintain their continuing education. She requested the Board consider this question during the regulation revision.

*These minutes have been approved by the Board of Occupational Therapy on March 3, 2026*

**19. Adjournment**

Meeting adjourned at 10:48 p.m.

Respectfully submitted,

(signature on file)  
Alfred Bracciano