

**BOARD OF OCCUPATIONAL THERAPY  
MINUTES**

DATE: March 21, 2019

TIME: 9:00 AM CST

LOCATION: Poplar Conference Room  
665 Mainstream Drive, 1st Floor  
Nashville, TN 37243

MEMBERS PRESENT: Amanda Newbern, OT, Board Chair  
Alan Adriaanse, OT Board Member  
Drew Daniel, OT Board Member  
Marilyn Franklin, OT, Board Member  
Anita Tisdale, OT Board Member

STAFF PRESENT: Michael Sobowale, Unit Director  
Mary V. Webb, Unit Manager  
Sabrina Craig-Boyd, Board Administrator  
Lara Gill, Assistant General Counsel  
Lori Leonard, Disciplinary Coordinator  
Noranda French, Division Financial Officer

GUESTS: Elaine Eaton, TnPAP Representative

**Call to Order**

A roll call of Board Members was initiated. With a quorum present, Ms. Newbern called the meeting to order at 9:06 A.M. CST.

**Election of Officers**

Ms. Franklin moved to elect Mr. Daniel as Secretary, Ms. Tisdale seconded the motion. The motion carried. Ms. Tisdale moved for the Board to keep Ms. Newbern as Board Chair, Mr. Adriaanse seconded the motion. The motion carried.

**Minutes**

After review, Mr. Daniel made a motion, seconded by Mr. Adriaanse, to approve the minutes of the October 25, 2018 meeting as written. The motion carried.

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## **Office of General Counsel Report**

Lara Gill, board advisory attorney, presented the Office of General Counsel report as follows:

### **Conflict of Interest Policy**

Ms. Gill discussed the Conflict of Interest policy and reminded members of their obligation to share information regarding any matter in which they might have personal or financial interest in order for a decision to be made on whether a recusal is needed.

### **Litigation**

There are no pending appeals from the board's disciplinary action at this time. There were also no civil suits against the board at this time.

### **Disciplinary Actions**

Ms. Gill presented the report of open complaints with the Office of General Counsel. As of March 7, 2019, there are eight (8) outstanding disciplinary complaints against five (5) respondents who are Occupational Therapist Assistants and three (3) who are Occupational Therapists. Ms. Gill informed the board of a potential contested hearing for this meeting; however, that case has been continued until the July 2019 meeting unless a resolution is reached. If no settlement is reached before the July 25, 2019 meeting, there will be a contested hearing on that date.

### **Rules**

Ms. Gill reminded the board of the need to establish a task force for rule recommendations and revisions.

### **Legislation**

Ms. Gill discussed Senate Bill 0101 is a bill related to Occupational Therapy. It is a capstone bill that opens all of Title 4, Chapter 29, Title 63 and Section 68-1-101 relative to the Board of Occupational Therapy. The bill amends Title 4 (State Government), Chapter 29 (Tennessee Governmental Entity Review Law). Under the current law, the Board would terminate on June 30, 2019. This bill would extend the Board until June 30, 2025. Without this law change, the Board would begin "winding down" and unless other legislation was passed, the Board would cease operations on June 30, 2019.

### **Discussion on Dual Licenses**

There will be a discussion on OTR/OTA dual licenses during the meeting.

### **Order of Compliance**

Ms. Lara Gill presented a petition for an Order of Compliance on for Gail Setzer, OTA #209. Ms. Stezer requested to appear by telephone. According to Department of Health's disciplinary coordinator, Ms. Setzer has satisfactorily complied with all provisions of her previous order and has requested for her probation to be lifted. After review, Mr. Adriaanse made a motioned, seconded by Mr. Daniel, to lift her probation. The motion carried.

### **Investigation and Disciplinary Reports**

Ms. Lori Leonard, Disciplinary Coordinator in the Office of Investigations presented the disciplinary report. There was one (1) occupational therapist on probation and one (1) under a board order or

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reprimand. There were five (5) occupational therapist assistants on probation and one (1) under a board order or reprimand.

Ms. Lori Leonard presented the 2018 year end investigative report for occupational therapists. For the year, there were ten (10) new complaints - three (3) for falsification of records, one (1) for fraud and false billing, one (1) for drugs, one (1) for criminal charges, two (2) for lapsed license, one (1) for criminal conviction, and one (1) for practice beyond the scope. There were seven (7) closed complaints for the year 2018 - One (1) was closed with no action, three (3) were closed with a letter of concern, and three (3) were closed with a letter of warning. At year's end in 2018, there were fourteen (14) open complaints being reviewed and/or investigated.

Ms. Lori Leonard presented the 2018 year end investigative report for occupational therapist assistants. There were eleven (11) new complaints - Three (3) were for falsification of records, five (5) were for unprofessional conduct, one (1) for violation of order, one (1) for practice on lapsed license, and one (1) for criminal conviction. There were thirteen (13) closed cases for occupational therapy assistants - One (1) closed for insufficient evidence to discipline, seven (7) were sent to the Office of General Counsel for disciplinary action, one (1) was closed with no action, one (1) was closed with a letter of concern, and three (3) were closed with a letter of warning. At year's end 2018, there were nine (9) open complaints being reviewed and/or investigated.

Ms. Lori Leonard presented the 2019 year to date investigation report. For occupational therapists, there were four (4) new complaints - One (1) for falsification of records, one (1) for fraud or false billing, and two (2) for unprofessional conduct. There were three (3) closed complaints sent to the Office of General Counsel for formal discipline. Currently there are eleven (11) open complaints being reviewed.

Ms. Lori Leonard presented the 2019 year to date investigation report. For occupational therapy assistants, there was one (1) new complaint for lapsed license. There were four (4) closed complaints sent to the Office of General Counsel for formal discipline. Currently, there are five (5) open complaints being reviewed.

### **Financial Report**

Ms. Noranda French, Division Financial Officer, presented the Board's 2019 mid-year financial report. As of December 31, 2018, total expenditures consisting of both direct and allocated expenditures totaled \$75, 443. As of this date, the Board generated revenue in the amount of \$121, 700, leaving the board with an end of mid-year net in the amount of \$46, 256. At the end of the fiscal year ending June 30, 2019, the Board is projected to close with a projected current year net in the amount of \$70, 148 which will be added to the board's reserves.

### **Applicant Interviews/Reviews**

- A. Kim Joffe- Ms. Joffe appeared by telephone. Ms. Joffe applied for a license by reciprocity. Ms. Joffe's criminal background check revealed past incidents and history of charges of DUI, Failure to Properly Maintain Travel Lane, Possession of Dangerous Drugs without a Prescription, and Domestic Battery in the State of Nevada. After review and discussion of her past history with this applicant, Ms. Newbern made a motion, seconded by Mr. Daniel, to grant Ms. Joffe a license, contingent upon her submission of a physician's clearance to work to the Board, submitting to an

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evaluation and completion of an evaluation by Tennessee Peer Assistance program (TnPAP), and complying with all recommendations, including successful completion of any recommended monitoring program by TnPAP. The motion carried

- B. Sonja Jones- Ms. Jones requested to appear by telephone. Ms. Jones was required to appear before the board due to adverse information in her application file consisting of an out-of-state discipline by Consent Order issued by the North Carolina Board of Occupational Therapy for charges of erroneous documentation and billing discrepancy while working as an occupational therapist in the state of North Carolina which led to her license being placed on probation for one (1) year. Her criminal background check also revealed that Ms. Jones pled no contest to charges of passing bad checks and Driving Under the Influence (DUI) in the State of Georgia for which she was ordered to complete court-ordered terms, including being placed on probation prior to disposition. Ms. Tisdale made a motion, seconded by Mr. Daniel, to grant Ms. Jones an unrestricted license. The motion carried.
- C. Calicia Moss- Ms. Moss was present at the meeting for an interview with the Board due to discipline by Tennessee Board of Licensure for Massage Therapy by Agreed Citation for failure to maintain sufficient number of continuing education (CE) credits. After interviewing this applicant, Mr. Adriaanse made a motion, seconded by Mr. Daniel, to grant an unrestricted license. The motion carried.

### **Tennessee Professional Assistance Program (TnPAP)**

Ms. Eaton, TnPAP representative, reported that zero (0) licensees were being monitored, there were zero (0) referrals, two (2) were recently discharged from the program with one (1) professional completing the program and one (1) declining a recommendation of evaluation.

### **Ratification of Initial Determinations**

Mr. Daniel made a motion, seconded by Ms. Tisdale, to ratify the list presented on newly licensed Occupational Therapists and Occupational Therapy Assistants, including Occupational Therapists and Occupational Therapy Assistants with modalities, license reinstatements, and closed files. The motion carried:

#### Newly License Occupational Therapist

Adrian, Brittany	McNamee, Karen	Williams, Devon Ford
Alexander, Staley Brooke	McCormick, Kelly	Wirth, Melissa Marie
Anderson, Melissa	McCurry, Benjamin	Wright, Sydney Grace
Ballast, Julie Suzanne	McDaniel, Abbey	
Barber, Kacie	McDonald, Jamie	
Barbrow, Amanda Lynn	McIntosh, Cortney Brooke	
Bennett, Constance Nicole	McKinney, Katherine Elizabeth	
Berger, Cameron	McMahon, Wendy Sue	
Bonine, Ellen Jean	Meek, Abigail Christine	
Brayton, Savannah R.	Miller, Jordan	

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Bumbalough, Taylor Morgan  
Burns Katherine Alaine  
Campos, Jennifer  
Carnahan, Katelin  
Cole, Caitlin  
Collins, Joshua  
Cornwall, Courtney  
Corry, Sarrah Michelle  
Crabill, Lyndsey  
Curtis, Rachelle  
Douglas, Katherine  
Dunleavy, Emily  
Flamm, Kaylin  
Forsyth, Sarah  
Freeman, Marissa  
Friedrichs, Susan  
Gardner, Katlyn  
Green, Cheri  
Hall, Meagan  
Halpern, Erica  
Karding, Alan  
Hayes, Michelle  
Hernandez, Max  
Hicks, Joshua  
Hilt, Mikayla  
Holland, Natalie  
Hudson, Kyle  
Johnson, April  
Johnston, Sarah  
Jordan, Gigi Helen  
Joy, Whitney Blair  
Kan, Chelsea Dazzi  
Kelly, Michelle Lynn  
Keys, Lindsey  
King, Maria Elizabeth  
Kitchens, Rebecca  
Koser, Lucy-Lynn  
Leitnaker, Dylan  
Lieberman, Alexa  
Lunsford, Jennifer

Mulick, Amy  
Munn, Kirby  
Novak, Mary  
Olsen, Lindsey Nicole  
Oresko, Jordan  
Pacillo, Kelley  
Panebianco, Michelle  
Pappas, Meaghan  
Parkhurst, Lucy Warren  
Patel, Bhumika Girish  
Payne, Lauren Willard  
Piazza, Moriah Noelle  
Powers, Mackenzie  
Quick, Hailey, Beth  
Ray, Lauren Olivia  
Reuter, Ann  
Ritter, Rebecca  
Roberson, Sarah  
Robinson, Michelle  
Rogers, Rachel Lauren  
Sargent, Krishunda  
Schmidt, Amdanda Kelsey  
Scobee, Chloe  
Scott, Nazrin  
Sieben, Laken Danielle  
Sisco, Rhysa  
Smith, Cassie  
Smith, Dorothy  
Sneed, Sarah Diane  
Stacey, Amanda Nicole  
Stange, Dakotah  
Stiffler, Meghan Nicole  
Strong, Claire Elizabeth  
Taylor, Elena Joy  
Taylor, Kori Henard  
Teal, Tina Anne  
Thomas, Marguiez  
Tillman, Jordan  
Tong, Shannon  
West, Taylon

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## Newly Licensed Occupational Therapy Assistants

Belcher, Crystal	Nixon, Madalyn
Cicinelli, Carlye	Novilla, Karoline
Coleman, Tiffany	Quinn, Terri
Cooper, Michael	Rodgers, Samantha
Deal, Alisha	Rogers, Andrea
DeNop, Billy	Sandifur, Chelsey
Dorman, Lacy	Shelton, Courtney
Dunn, Teaira	Sonntag, Sydney
Earhart, Morgan	Thompson, Sarah
Guerrisky, Elizabeth	Tidwell, Marquita
Hale, Patricia	Tolley, Linda
Hall, Gwindell	Travis, Sheila
Hallock, Jayne	Washington, Sharon
Kolko, Sharon	Watkins, Allison
Howard, Clayton	Watkins-Lynch, Kassandra
Johnson, Sarah	Wilson, Courtney
Jones, Merritt	
Joy, Tarran	
Keeran, Katlin	
Keller, David	
Korieski, Kirby	
Lanier, Jessica	
Layfield, Tameka	
Medlin, Faith	
Merritt, Suzanne	
Morris, Kiara	
Mundy, Michele	

## Reinstated Occupational Therapist and Occupational Therapy Assistants

Arnold, Joan	Stewart, Cheryl
Hildson, April	Swift, Yvon
Griffith, Olivia	Hare, Lisa
Lake, Martha	Lopez, Audrey
Lewis, Donnie	Michaels, Jessica
Link, Michelle	Wright, Tanya
Morgan, Roderick	

## Occupational Therapist and Occupational Therapy Assistants with Modalities

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Anderson, Melissa  
 Buchanan, Amanda,  
 Cobble, Brittney  
 Campos, Jennifer  
 Collings, Joshua  
 Campbell, Kimberly  
 Essary, Sarah  
 Geulff, Clara

Maliga, Ariana  
 Murray, Katherine  
 Potash, Gwen  
 Sherlog, Pamela  
 Stevenson, Jason  
 Tolley, Linda

Limited Permit

Good, Danielle  
 Henard, Amelia  
 Rosenbalm, Manda  
 Thigpen, Daniel

Tucci, Alexandra  
 Utz, Stephanie  
 Bartlett, Erica

Closed Files

Basham, Vicki  
 Haney, Shelley  
 James, Shandi  
 Sims, Leslie  
 Smailis, Katherina  
 Tuskey, Emma  
 Witt, Jennifer

Belt, Natalie  
 Boettcher, Tracy  
 Davis, Vanessa  
 Duffy, Varina  
 Major, Leslie  
 Masters, Michelle  
 Michell, Anna

**Administrative Report**

Sabrina Craig-Boyd, Board Administrator presented the following report from the Administrative Office:

**A. STATISTICAL REPORT** - The Board has 2879 total active OT licensees and 1621 OTAs as of March 12, 2019

**B. Licensing activities from October 19, 2018 through March 12, 2019:**

OT	OTA
New applications received – 136	New applications received – 87
New licenses issued – 86	New licenses issued – 58
Reinstatements – 13	Reinstatements –11
Number of paper renewals – 83	Number of paper renewals – 47
Number of renewals on line – 390	Number of renewals on line – 240
Number of licensees who retired – 9	Number of licensees who retired – 9
Failed to Renew/Expired Licensees – 46	Failed to renew/Expired Licensees –27
Modality Certifications – 5	Modality Certifications – 9

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**The online renewals constituted a usage rate of approximately 82% of OT renewals during this period and 83% for OTAs.**

### **Upcoming Board Meeting Dates**

July 25, 2019  
October 24, 2019  
March 19, 2020  
July 23, 2020  
October 22, 2020

Ms. Newbern questioned the possibility of adding an extra board meeting date in 2020 and asked the administrative office to inquire about room availability. Ms. Franklin made a motion to approve the 2020 board meeting dates as presented with the possibility of adding an additional date at a future meeting. Mr. Adriaanse seconded the motion. The motion carried.

### **Agreed Citations**

There were no Agreed Citations to report for this time period.

### **Conflict of Interest**

Board members were given new conflict of interest statements to sign and return to the administrative office.

### **Correspondence**

David McGuire – Mr. McGuire, current Tennessee Occupational Therapy Association President, and co-founder of a new continuing education management company called, ‘dabr Interactive’ made a presentation to the Board on proposals for online CE management on behalf of board licensees. Following his presentation, the Board took his proposal under advisement.

Discussion on Dual Licensure - A formal request for dual licensure was received by the administrative office and presented to the Board at this time. Ms. Newbern made a motion, seconded by Mr. Daniel, to authorize Ms. Gill, to respond to the request with instructions to the requester on procedures to seek a formal advisory opinion from the Board. The motion carried.

Advanced Rehabilitation Services - The board’s administrative office made a formal request to remove Advanced Rehab Services from the list of approved course providers. Advanced Rehab Services does not meet the minimum PAMS course requirements set forth by the rules governing Occupational Therapy in the State of Tennessee. Ms. Tisdale made a motion, seconded by Mr. Daniel, to remove Advanced Rehab Services from the list of approved PAMS course providers posted on the board’s website. The motion carried.

Morgan Taylor’s Request for Approval of Physical Agent Modalities (PAMS) Course - Morgan Taylor submitted a PAMS course for board approval. The board found that the information provided conflicted with the current rules regarding PAMS certification. The Board made a decision to table the item until the next meeting, providing Ms. Taylor time to submit additional requested information.

Emmy Dagnan’s Request for Approval of Physical Agent Modalities (PAMS) Course – Emmy Dagnan submitted a PAMS course offered by Belmont University for approval. The Board reviewed the submitted material. After review, Mr. Adriaanse made a motion, seconded by Ms.

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Tisdale, to accept Belmont University's PAMS Certification course taught by Emmy Dagnan as an approved modality course provider. The motion carried.

### **Legislation**

There was no new legislation to report at this time.

### **Rule Making**

There were no items on the agenda regarding rule making. Mr. McGuire with the TNOTA submitted the names of those nominated by the TNOTA to participate on the task force established by the Board to update board rules as follows: Kaylin Flamm, Gwen Fox, Jessica Crow, Susan McDonald, Cindy Blackwell, and David McGuire.

### **OT Conferences**

NBCOT Forum, May 21-22, 2019, Baltimore, Maryland - Mr. Sobowale requested Board approval to send representatives to this conferences. Newbern made a motion, seconded by Ms. Tisdale, to send one (1) board representative and 1 administrative staff representative to this conference. Ms. Tisdale second the motion. The motion carried.

### **Adjournment**

There being no other business to discuss, a motion was made by Mr. Daniel, seconded by Mr. Adriaanse, to adjourn the March 21, 2019 board meeting. The motion carried.

The meeting adjourned at 12:30pm.

**These minutes were ratified by the Board at the July 25, 2019 meeting.**