

Friday, September 20, 2019

The Maryland Board of Occupational Therapy Practice

Chairperson: Wanda Banks, MA, OTR/L

Spring Grove Hospital Center, Tuerk Building, 2nd Floor

GENERAL SESSION MINUTES

9:00—GENERAL SESSION -- OPEN MEETING

In Attendance

Members of the Board

Chairperson.....Wanda Banks
Vice Chairperson.....Dan Martin
OTA Member.....Sarah Quirk
Consumer Member.....E.J. Quinn

Staff

Deputy Director..... Jo-Ann Lane
Board Counsel.....Carla Boyd

Guests

Boards and Commissions Director.....Kim Lang

Absent

Secretary.....Kimberly Goodman
OT Member.....Rae Ann Smith
Consumer Member.....Marylin Pierre
Executive Director.....Lauren Murray

1. Ms. Banks called the meeting to order at 9:05 am.
2. Ms. Banks asked for approval of the September General Session Agenda. Mr. Martin made a motion to approve the agenda. Ms. Quirk seconded the motion. All were in favor.
3. Ms. Banks asked for approval of the June General Session Minutes. Ms. Quirk made a motion to approve the minutes. Mr. Quinn seconded. All were in favor.
4. Ms. Banks asked for approval of ratification of 19 occupational therapists and 9 occupational therapy assistants presented at the July Executive Session. Mr. Martin made a motion to approve the ratification. Ms. Quirk seconded it. All were in favor.

REPORTS

1. Administrative Reports – FY'20

Staff: Jo-Ann Lane (representing Lauren Murray)

a. Fingerprinting Update

In Ms. Murray's absence, Denise Goetz has been recording the results of the criminal history background checks from the September group into our database.

b. Temporary Employee Update

The temporary employee has elected to end her employment with the Board. Ms. Murray is arranging for a replacement.

2. Legislation/Regulations Committee –

Sarah Quirk, COTA/L

Marylin Pierre, Esquire, Consumer Member

Staff: Lauren Murray

a. Nothing to report with session in recess.

b. Dry Needling Regulation Development: Daniel Martin, OTR/L, FAAPM, FASSET, CMTPT/CDN, Sarah Quirk, COTA/L

i. Ms. Quirk and Ms. Lane attended the teleconference discussing proposed dry needling regulations for the Board of Chiropractic Examiners.

Ms. Quirk distributed the proposed language to the Board members.

ii. Mr. Martin and Ms. Quirk will be presenting dry needling information to MOTA on October 4, 2019.

c. Ms. Boyd reported that the Council of State Governments will hold a teleconference next week with stakeholders in the OT community to work on a proposed Interstate Licensure Compact Initiative which would result in dual licensure across state lines. They are in the early stages and expect to have an overview by the end of October. Thereafter, there will be monthly teleconferences.

3. Continuing Education Committee –

Kimberly Goodman, MS, OTR/L

Kim Sands, OTD, OTR/L

Sarah Quirk, COTA/L

Staff: Denise Goetz

Nothing to report.

4. Secretary's Report

Nothing to report.

5. Executive Committee--

Wanda Banks, MA, OTR/L

Daniel Martin, OTR/L, FAAPM, FASSET, CMTPT/CDN

Kimberly Goodman, MS, OTR/L

Staff: Lauren Murray

1. Correspondence

- a. Inquiry from August 2, 2019: An OT asked for assistance with a patient billing dispute.
 - i. Ms. Boyd stated that the Board's statute and regulations do not cover billing issues.
 - ii. It was suggested that she discuss this with her supervisor to try and resolve.
- b. Inquiry from August 12, 2019. An OTA asked if a COTA is allowed to be a 1099 employee (contractor). Ms. Boyd stated that this is not within the Board's purview. The individual can check with their facility.
- c. Inquiry from August 14, 2019 regarding OTs and medication orders. The members stated this is not within the Board's purview.
- d. Inquiry from July 23, 2019 regarding the number of people in groups. Since this is a billing issue, it is outside of the Board's purview.
- e. Inquiry from July 31, 2019 regarding Level II student billing and Medicare. Billing issues are not within the Board's purview.
- f. Inquiry from September 9, 2019 regarding the need for a doctor's order for a pro bono televisit with stroke patients.
 - i. Ms. Boyd explained that neither the statute nor regulations require a physician's order for the provision of occupational therapy services in Maryland. Other entities, such as the individual's facility or insurance providers may have different requirements.
 - ii. Ms. Boyd also suggested that we send this individual the Board's Telehealth position statement.
- g. Inquiry from September 16, 2019 regarding the start of a private practice in Maryland.
 - i. Ms. Boyd explained that neither the statute nor regulations require a physician's order for the provision of occupational therapy services in Maryland. Other entities, such as the individual's facility or insurance providers may have different requirements.
 - ii. It was suggested that this individual consult with an attorney familiar with business law for the additional questions.
 - iii. Questions regarding facilities and equipment are not within the Board's purview.
- h. Inquiry from September 17, 2019 regarding the Board's approval of a MAG zip jacket. Ms. Boyd indicated that the Board is not authorized, under its Practice Act, to approve equipment and other such items.

- i. Inquiry from September 18, 2019 asking if manual lymphatic massage is within the scope of practice.
 - i. Mr. Martin stated that manual lymph drainage is within the scope of occupational therapy practice.
 - ii. Ms. Boyd stated that it is not within the Board's purview to opine on how the individual should market her skills.
 - iii. The individual should review the Board's Code of Ethics (Comar 10.46.02).

UNFINISHED BUSINESS

NEW BUSINESS

1. Ms. Banks announced that Ms. Goodman, Secretary, has resigned. The Board staff was asked to reach out to Kim Bernardi for a replacement.
2. AOTA Interstate Licensure Compact Initiative. The members received a copy of the AOTA announcement.
3. Ms. Lane informed the Board members that the Office of Legislative Audits (OLA) has initiated its regular fiscal compliance audit of the Health Occupations Boards & Commissions for the period of September 28, 2015 through September 24, 2019.

ANNOUNCEMENTS

1. Future meeting – The October meeting will take place at the Board Office on the 18th. Ms. Quirk announced that she will be absent.

The meeting was adjourned at 9:35 a.m.