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**WVBOT MINUTES:** January 31, 2025

**MEMBERS PRESENT:** Marty Douglas, Phil Simpson, Kathy Quesenberry

**ABSENT:** Gene Brooks, Bambi Hill

**ALSO PRESENT:** Vonda Malnikoff, Mary Beth Laughery, Kayleigh Nolan

**MEETING CALLED TO ORDER:** 11:03 a.m.

## **PUBLIC COMMENT**

Mary Beth Laughery gave an NBCOT update, noting the upcoming retirement of Shaun Conway, a new planning tool, myEBPtool, and the Why Choose OT? campaign. She also noted OT was named the 8<sup>th</sup> best healthcare job of 2025 by US News & World Report.

Kayleigh Nolan gave a WVOTA update, noting the annual conference to be held at the University of Charleston on October 4<sup>th</sup> and Legislative Day at the Capitol on February 18<sup>th</sup>.

Marty motioned to approve November 6, 2024 minutes as written. Phil seconded. Vote 3-0.

## **OLD BUSINESS**

### **TOPIC: COTA Supervision Rules**

**FINDINGS/CONCLUSIONS:** Discussed whether modifying COTA supervision rules is necessary to better protect consumers and the potential implications of doing so. Reviewed supervision rules in other states. Provided all Board members with AOTA summary of state COTA supervision rules. Discussed need for education regarding current supervision rules. Agreed to conduct an email survey of OT's and OTA's to determine if there is widespread concern that current rules are not adequate to protect consumers and/or are not being followed. Reviewed and finalized survey for distribution. Survey conducted in December. Results summarized. Reviewed OT/OTA Collaboration Position Statement. Presented three AOTA documents related to Supervision, Documentation, and an Ethics Advisory Opinion on supervision and collaboration. **Discussed need for training and awareness of current supervision rules and use of the Supervisory Statement.**

**ACTION/FOLLOW-UP: Re-establish training session with WVU graduating class; Create a training presentation with exam that can be taken for CE credit to be posted on WVBOT website.**

### **TOPIC: OT Licensure Compact**

**FINDINGS/CONCLUSIONS:** Discussed changes needed to Legislative Rules as a result of passage of SB221, i.e. Series 3 – Fees and Series 9 – Telehealth. Phil motioned to hold Rule changes until 2023, after Compact Commission meets to establish compact rules and determine member state fee. Bambi seconded. Vote 5-0. A state representative must be appointed to serve on the compact commission. Marty motioned to nominate Vonda. Bambi seconded. Vote 5-0. Efforts to start the process to gain authority to require FBI criminal background checks have been unsuccessful. Attended initial Commission meeting on August 3-4. Added link to OT Compact website to WVBOT website. Attended first Finance Committee meeting on October 19<sup>th</sup>. Have continued to participate in Finance Committee meetings and attend Executive Committee meetings. RFP for data system to be released within next 30 days. Latest timeline estimates March-August 2025 for completion of data system, with additional time required to integrate states. FBI Access Request completed 7/11/23. It is still unclear if Compact Legislation provides sufficient authority to require FBI CBC's. Reviewed minutes from Annual meeting

held October 16, 2023. Reviewed correspondence with WV State Police regarding attempts to obtain FBI authorization to conduct CBC's. Reviewed minutes from recent meetings. Received notification from FBI, via WV State Police, that Compact Code does not grant sufficient authority to conduct criminal background checks. Moved this item to New Business. Reviewed status of Compact. Additional funding to be requested of AOTA and NBCOT. Data system contract awarded; development underway. **Compact privileges expected to be issued by late 2025 for those states who have met all requirements. Volunteered to participate as pilot state in testing of CompactConnect, the data system for data transfer between states and OTCC.**

**ACTION/FOLLOW-UP: Attend additional meetings as needed.**

**TOPIC: FBI Criminal History Background Checks**

**FINDINGS/CONCLUSIONS:** Received response from FBI, via WV State Police, that Compact Code does not grant sufficient authority to require CBC's of applicants for Compact Privileges. Will need to add to Practice Act. Working with Senate Attorney to write bill for 2025 Legislative session. Agreed to limit bill to adding this authority and technical change to remove duplicate section for volunteer licenses. Will attempt to limit FBI CBC requirement to applicants for Compact Privilege only. Will communicate and ask for support from WVOTA to advocate for passage. **Presented summary of issues related to the FBI CBC requirement for participation in the OT compact, including the FBI tendency to deny authorization to licensure compacts.**

**ACTION/FOLLOW-UP: Marty motioned to propose language that would require background check of applicants for compact privileges only. Phil seconded. Vote 3-0. Vonda to communicate to Senate Attorney writing the bill.**

**TOPIC: Supervision of capstone students for Continuing Education credit**

**FINDINGS/CONCLUSIONS:** Discussed request to propose a rule change to 13-04, Continuing Education and Competence, to include mentorship of capstone students as a qualifying activity for CE hours. Jacob Greenfield (WVU) described the 14 week mentorship process. Current rule awards 6 hours/student for level 2 fieldwork supervision, with a maximum of two students per renewal period. Consensus of the Board was to propose a rule change to award the same number of hours (6) for mentorship of a capstone student, with the same maximum of two students per renewal period. Vonda provided a comparison of the current AOTA Model Continuing Competence Guidelines to our current Rule with suggested changes/updates. Modified Rule would be proposed summer 2025 for the 2026 Legislative Session.

**ACTION/FOLLOW-UP: Marty motioned to file rule as presented at November meeting. Phil seconded. Vote 3-0.**

**TOPIC: Temporary position**

**FINDINGS/CONCLUSIONS:** Discussed filling temporary position to scan old files, help with record retention activities, writing of policies and procedures, and provide backup for Executive Secretary.

**ACTION/FOLLOW-UP:** Vonda to research hiring process with State HR/payroll and Budget office. Explore possibility of an OTD student providing Board support as a capstone project.

**TOPIC: AOTA Individual Associate Membership**

**FINDINGS/CONCLUSIONS:** Discussed purchasing an Associate Membership for Executive Secretary to provide access to AOTA practice resources available only to members. Marty motioned to purchase membership in FY26. Bambi seconded. Vote 5-0. **Confirmed with panel at Auditor’s Licensing Board seminar on 11/7/24 there are no ethical concerns with this purchase.**

**ACTION/FOLLOW-UP:** Include in Expenditure schedules for FY2026 and purchase Associate Membership.

**PURCHASE CARD TRANSACTIONS**

The Board reviewed all purchases made on the Purchase Card for October 16, 2024 through January 15, 2025. Marty motioned to approve all purchases. Phil seconded. Vote 3-0.

**TREASURER’S REPORT**

Cash Balance as of December 31, 2024  
\$ 244,096.00

**NOVEMBER - DECEMBER DEPOSITS**

11/25/24       \$ 30  
egov receipts:  
November     \$ 14,550  
December     \$ 25,100

TOTAL DEPOSITS   \$ 39,680

**NOVEMBER - DECEMBER DISBURSEMENTS**

November     \$ 10,267.70  
December     \$ 7,754.37

TOTAL DISBURSEMENTS   \$ 18,022.07

Beginning cash balance 7/1/24	\$ 227,403.91
FY2025 Revenue	63,290.00
FY2025 Expenditures	46,597.91
Ending cash balance 12/31/24	\$ 244,096.00

**NEW BUSINESS**

**TOPIC: Election of officers for 2025**

**FINDINGS/CONCLUSIONS:** Phil motioned to keep current officers. Marty seconded. Vote 3-0.

**ACTION/FOLLOW-UP:** None.

**TOPIC: 2025 OT renewal update**

**FINDINGS/CONCLUSIONS:** Total OT renewals due: 501; Non-renewal letters sent 1/15/25: 71 (14%); Actively licensed OT's as of 1/15/25: 949

**ACTION/FOLLOW-UP:** None.

**TOPIC: OT Compact Rules – public comment period ending 2/14/25**

**FINDINGS/CONCLUSIONS:** Three draft rules reviewed. Marty made a motion that no comments be submitted. Phil seconded. Vote 3-0.

**ACTION/FOLLOW-UP:** None.

**Bills paid November 2024 – December 2024**

STO-egov fees	11/12/2024	paid	\$229.28	Oct egov payments
Phil Simpson	11/12/2024	paid	\$400.00	perdiem for 11/6/24 & 11/7/24
Bambi Hill	11/12/2024	paid	\$400.00	perdiem for 11/6/24 & 11/7/24
Kathy Quesenberry	11/12/2024	paid	\$200.00	perdiem for 11/6/24
Gene Brooks	11/12/2024	paid	\$400.00	perdiem for 11/6/24 & 11/7/24
Marty Douglas	11/12/2024	paid	\$400.00	perdiem for 11/6/24 & 11/7/24
Phil Simpson	11/12/2024	paid	\$69.68	travel for 11/6/24 & 11/7/24
Bambi Hill	11/12/2024	paid	\$85.76	travel for 11/6/24 & 11/7/24
WVInteractive	11/12/2024	paid	\$40.00	website hosting Oct 2024
IS&C	11/18/2024	paid	\$63.70	Centrex phone billing Sep 2024
Vonda Malnikoff	11/21/2024	paid	\$344.38	travel to pcard seminar and licensing board seminar
IS&C	11/25/2024	paid	\$11.26	Office of Technology Sept 2024
STO-egov fees	12/12/2024	paid	\$330.08	Nov egov payments
WVInteractive	12/16/2024	paid	\$40.00	website hosting Nov 2024
Certemy	12/23/2024	paid	\$2,489.50	Q19 payment

**Correspondence:**

	<b><u>correspondence</u></b>	<b><u>date rec'd</u></b>	<b><u>issue</u></b>
1	OT Compact Commission	1/10/2025	Jan 2025 Newsletter - see projected timeline
2	ACOTE	1/22/2025	December 2024 Accreditation actions (UC-Beckley)
3	Anthony Eates - Deputy AG	1/29/2025	Governor's Executive Orders

Marty motioned to enter executive session at 12:49 to discuss complaint received against licensee. Phil seconded. Vote 3-0.

**EXECUTIVE SESSION**

Issue 2024#01 Reviewed & discussed complaint and information gathered to date.

Marty motioned to leave executive session at 1:40. Phil seconded. Vote 3-0.

Meeting was adjourned at 1:55 p.m. after the signing of applications.

The next regular Board meeting is scheduled for Friday, April 4<sup>th</sup>, 2025 at the Morgantown office. Future tentative 2025 meeting date is August 22<sup>nd</sup>.