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WVBOT MINUTES: November 5, 2025

MEMBERS PRESENT: Marty Douglas, Phil Simpson, Gene Brooks, Bambi Hill, Kathy Quesenberry

ABSENT:

ALSO PRESENT: Vonda Malnikoff, Mary Beth Laughery

MEETING CALLED TO ORDER: 6:00 p.m.

PUBLIC COMMENT

Mary Beth Laughery gave an NBCOT update.

Bambi motioned to approve August 22 and October 2, 2025 minutes as written. Phil seconded. Vote 5-0.

OLD BUSINESS

TOPIC: FBI Criminal History Background Checks

FINDINGS/CONCLUSIONS: SB462 modifying Practice Act to grant authority to the Board to require background checks of applicants for compact privileges in other states was signed by the Governor 3/24/25. Upon re-application with FBI, ORI number received 8/1/25. **Executive Secretary CBC completed to allow access to licensee CBC results.**

ACTION/FOLLOW-UP: Waiting for training account in CJIS to complete required training.

TOPIC: Temporary position

FINDINGS/CONCLUSIONS: Discussed filling temporary position to scan old files, help with record retention activities, writing of policies and procedures, and develop continuing education exam on Practice Act/Legislative Rules. Gene motioned to increase current temporary position to Office Assistant 2 and set rate at \$15/hour up to 10 hours/week. Bambi seconded. Vote 5-0. **Temporary employee started 9/25/25.**

ACTION/FOLLOW-UP: None.

TOPIC: State Auditor's seminar / November Board meeting

FINDINGS/CONCLUSIONS: Seminar scheduled for Thursday, Nov. 6th at Holiday Inn in S. Charleston; Board meeting to be held Wednesday, Nov 5th at 6:00 pm. **Kathy, Gene, and Vonda attended Auditor's seminar.**

ACTION/FOLLOW-UP: None.

PURCHASE CARD TRANSACTIONS

The Board reviewed all purchases made on the Purchase Card for August 16, 2025 through October 15, 2025. Gene motioned to approve all purchases. Bambi seconded. Vote 5-0.

TREASURER'S REPORT

Cash Balance as of October 31, 2025
\$ 202,071.36

AUGUST -OCTOBER DEPOSITS

egov receipts:

August	\$2,450
September	3,745
October	9,355

TOTAL DEPOSITS \$ 15,550

AUGUST - OCTOBER DISBURSEMENTS

August	\$ 6,105.37
September	27,294.56
October	8,248.29

TOTAL DISBURSEMENTS \$ 41,648.22

Ending cash balance	6/30/25	\$ 234,089.92
FY2026 Revenue		18,485.00
FY2026 Expenditures		50,503.56
Ending cash balance	7/31/25	\$202,071.36

OT COMPACT UPDATE

Amendments to the FBI CBC Rule and the Data Set Rule were approved by the full Compact Commission on October 30, 2025. The FBI CBC rule adds a section entitled *Legal Impossibility for States Meeting the Criminal Background Check Requirement*, which allows states to issue and accept privileges to practice with a state-based CBC and attestation by the applicant until which time the state receives FBI authority to conduct FBI CBC's. Amendment to the Data Set Rule requires full ssn to be transmitted by states to CompactConnect.

Custom report has been written and tested for upload to CompactConnect. Reviewed website pages for implementation. Only one other state (MN) is currently ready to launch.

Marty motioned to move forward with implementation. Phil seconded. Vote 5-0.

NEW BUSINESS

TOPIC: Use of State LMS for jurisprudence exam for CE credit

FINDINGS/CONCLUSIONS: Discussed creation of one or more exams for CE credit on topics such as the Practice Act, Legislative Rules, supervision, telehealth, Certemy, OT Compact, etc. and use of the state LMS platform. There is no cost to use the system but will cost \$90/hour to upload test. Bambi motioned to move forward. Gene seconded. Vote 5-0.

ACTION/FOLLOW-UP: Creation of exams with help of temporary employee.

TOPIC: New Certemy feature available (MFA)

FINDINGS/CONCLUSIONS: After review of email from Certemy introducing MFA feature, no action was taken.

ACTION/FOLLOW-UP: None.

Bills paid August – October 2025

STO-egov fees	8/7/2025	paid	\$66.03	July egov payments
WVInteractive	8/7/2025	paid	\$40.00	website hosting July 2025
AG's Office	8/19/2025	paid	\$156.00	July 2025 invoice
Marty Douglas	8/25/2025	paid	\$200.00	perdiem for 8/22/25 bd mtg
Bambi Hill	8/25/2025	paid	\$200.00	perdiem for 8/22/25 bd mtg
Gene Brooks	8/25/2025	paid	\$200.00	perdiem for 8/22/25 bd mtg
Phil Simpson	8/25/2025	paid	\$200.00	perdiem for 8/22/25 bd mtg
Kathy Quesenberry	8/25/2025	paid	\$200.00	perdiem for 8/22/25 bd mtg
Marty Douglas	8/25/2025	paid	\$267.40	travel for 8/22/25 board mtg
Bambi Hill	8/25/2025	paid	\$249.20	travel for 8/22/25 board mtg
Gene Brooks	8/25/2025	paid	\$226.80	travel for 8/22/25 board mtg
Phil Simpson	8/25/2025	paid	\$296.80	travel for 8/22/25 board mtg
Kathy Quesenberry	8/25/2025	paid	\$68.60	travel for 8/22/25 board mtg
WVInteractive	9/4/2025	paid	\$40.00	website hosting Aug 2025
ERP Board	9/4/2025	paid	\$178.75	wvOASIS FY2026 annual user fee
IS&C	9/4/2025	paid	\$59.57	Centrex phone billing July 2025
IS&C	9/4/2025	paid	\$6.26	Office of Technology July 2025
Certemy	9/10/2025	paid	\$2,489.50	Q22 payment
STO-egov fees	9/16/2025	paid	\$59.51	August egov payments
STO-excess fund tfr	9/18/2025	paid	\$18,089.92	excess fund transfer as of 6/30/25
AG's Office	9/22/2025	paid	\$208.00	Aug 2025 invoice
BRIM	10/1/2025	paid	\$784.00	insurance premium qtr ending 12/31/25
IS&C	10/1/2025	paid	\$59.57	Centrex phone billing Aug 2025
IS&C	10/1/2025	paid	\$11.74	Office of Technology Aug 2025
WVInteractive	10/6/2025	paid	\$40.00	website hosting Sep 2025
STO-egov fees	10/7/2025	paid	\$79.88	September egov payments
Dept of Admin	10/9/2025	paid	\$226.14	Shared services payroll & AP billing Q1 2026
STO-banking fees	10/16/2025	paid	\$15.00	Returned ACH fee
AG's Office	10/20/2025	paid	\$104.00	Sep 2025 invoice
IS&C	10/27/2025	paid	\$59.49	Centrex phone billing Sep 2025
IS&C	10/27/2025	paid	\$9.00	Office of Technology Sep 2025

Correspondence:

	<u>from</u>	<u>date rec'd</u>	<u>subject</u>
1	ACOTE	9/4/2025	August 2025 actions (UC-Charleston, OTM, Preaccreditation Status)
2	NBCOT	10/1/2025	State Regularoty E-newsletter
3	AOTA	10/9/2025	State Affairs Newsletter Fall 2025
4	NBCOT	10/21/2025	New President and CEO, Reinstatement policy reminder

Bambi motioned to enter executive session at 7:48 p.m. to discuss complaints and application for licensure. Marty seconded. Vote 5-0.

EXECUTIVE SESSION

Issue 2025#02 Complaint
Issue 2025#03 Complaint
Issue 2025#04 Complaint
Issue 2025#05 Application

Bambi motioned to leave executive session at 8:30 p.m. Marty seconded. Vote 5-0.

Issue 2025#02 Phil motioned to dismiss complaint. Gene seconded. Vote 5-0.
Issue 2025#03 Phil motioned to offer Consent Agreement. Marty seconded. Vote 5-0.
Issue 2025#05 Bambi motioned to request corrected application. Gene seconded. Vote 5-0.

Gene motioned to adjourn at 8:40 p.m. after the signing of applications. Marty seconded. Vote 5-0.

The next regular Board meeting is scheduled for Friday, February 6, 2026 at the Morgantown office at 11:00 a.m. Tentative 2026 meeting dates are May 1st and August 21st.