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wvbot.wv.gov

WVBOT MINUTES: November 6, 2024

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

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.

Marty motioned to approve August 23, 2024 minutes as written. Bambi seconded. Vote 5-0.

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.**

ACTION/FOLLOW-UP: Board members to review AOTA documents for further discussion at next meeting.

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 WV BOT website. Attended first Finance Committee meeting on October 19th. 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.**

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

TOPIC: Legislative Rule review

FINDINGS/CONCLUSIONS: Review Series 1, 3, 5, and 9 for potential amendments to be proposed in 2024. Last day to file public comment period is July 31, 2024. Reviewed draft modified Rules for Series 3, 5, and 9. Additional modifications discussed. Series 3 Fees Rule modified to reduce initial licensure fees and add fee for Compact Privilege. Marty motioned to file Series 3 rule as proposed. Phil seconded. Vote 5-0. Series 5 Advanced Practice Rule modified to add requirements for OT's / COTA's to perform advanced practice treatment techniques. Marty motioned to file as proposed. Gene seconded. Vote 5-0. Series 9 Telehealth Rule modified to add "Compact Privilege to Practice". Marty motioned to file as proposed. Phil seconded. Vote 5-0. No comments received during comment period; Agency Approved rules filed 6/4/24; LRMRC interim meeting Tuesday, August 27th includes 13-09, as well as sunset extensions of 13-07 and 13-08. Marty to attend meeting. **All Rules were passed for introduction during 2025 Legislative Session, with minor formatting changes.**

ACTION/FOLLOW-UP: None.

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.

ACTION/FOLLOW-UP: Work with Senate Attorney on language of 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: Board members to review proposed modified Continuing Competency Rule (13-04) for discussion at next meeting.

PURCHASE CARD TRANSACTIONS

The Board reviewed all purchases made on the Purchase Card for August 16, 2024 through October 15, 2024. Gene motioned to approve all purchases. Phil seconded. Vote 5-0.

TREASURER’S REPORT

Cash Balance as of October 31, 2024
\$ 222,438.07

AUGUST - OCTOBER DEPOSITS

egov receipts:
August \$ 3,460
September 5,270
October 10,190

TOTAL DEPOSITS \$ 18,920

AUGUST - OCTOBER DISBURSEMENTS

August \$ 6,166.11
September 8,432.25
October 6,590.97

TOTAL DISBURSEMENTS \$ 21,189.33

Beginning cash balance 7/1/24	\$ 227,403.91
FY2025 Revenue	23,610.00
FY2025 Expenditures	28,575.84
Ending cash balance 10/31/24	\$ 222,438.07

NEW BUSINESS

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.

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.

ACTION/FOLLOW-UP: Confirm there are no ethical concerns with panel at Auditor’s Licensing Board seminar on 11/7/24.

TOPIC: Auditor’s Licensing Board Seminar

FINDINGS/CONCLUSIONS: Reviewed agenda for seminar. Begins at 8:30 a.m. on November 7th.

ACTION/FOLLOW-UP: Vonda, Bambi, Phil, Gene, and Marty to attend.

Bills paid August 2024 – October 2024

AG's Office	8/5/2024	paid	\$69.00	June 2024 billing
STO-egov fees	8/5/2024	paid	\$52.65	July egov payments
ERP Board	8/23/2024	paid	\$178.75	wvOASIS FY2025 annual user fee
Phil Simpson	8/26/2024	paid	\$200.00	perdiem for 8/23/24 board mtg
Bambi Hill	8/26/2024	paid	\$200.00	perdiem for 8/23/24 board mtg
Kathy Quesenberry	8/26/2024	paid	\$200.00	perdiem for 8/23/24 board mtg
Gene Brooks	8/26/2024	paid	\$200.00	perdiem for 8/23/24 board mtg
Marty Douglas	8/26/2024	paid	\$200.00	perdiem for 8/23/24 board mtg
Kathy Quesenberry	8/26/2024	paid	\$65.66	travel for board mtg 8-23-24
Bambi Hill	8/26/2024	paid	\$238.52	travel for board mtg 8-23-24
Gene Brooks	8/26/2024	paid	\$217.08	travel for board mtg 8-23-24
Marty Douglas	8/26/2024	paid	\$255.94	travel for board mtg 8-23-24
IS&C	8/28/2024	paid	\$63.80	Centrex phone billing July 2024
IS&C	8/28/2024	paid	\$102.65	Computer services July 2024
STO-egov fees	9/9/2024	paid	\$77.85	Aug egov payments
WVInteractive	9/17/2024	paid	\$40.00	Website hosting Aug 2024
Certemy	9/25/2024	paid	\$2,489.50	Q18 payment
BRIM	10/4/2024	paid	\$676.00	insurance premium for qtr ending 12/31/24
IS&C	10/9/2024	paid	\$63.61	Centrex phone billing August 2024
STO-egov fees	10/9/2024	paid	\$118.58	Sep egov payments
Dept of Admin	10/16/2024	paid	\$167.73	Shared services payroll billing Q1 2025
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WVInteractive	10/16/2024	paid	\$40.00	Website hosting Sep 2024
	4			
IS&C	10/30/2024	paid	\$14.26	Computer services Aug 2024
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Correspondence:

	<u>correspondence</u>	<u>date rec'd</u>	<u>issue</u>
1	NBCOT	9/12/2024	Recording links to State Regulatory Forum
2	NBCOT	9/13/2024	Newsletter
3	AOTA	9/17/2024	Feedback request-Guidelines for Reentry into the Field of OT
4	AOTA	10/9/2024	Fall newsletter - see info re FBI CBC legislation in other states
5	OT Compact Commission	10/9/2024	Oct 2024 Newsletter - see projected timeline
6	AOTA (Kristen Neville)	10/15/2024	Dry Needling Webinar - 11/12/24 8:00 pm

Meeting was adjourned at 8:30 p.m. after the signing of applications.

The next regular Board meeting is scheduled for Friday, January 31st, 2025 at the Morgantown office. Future tentative 2025 meeting dates are April 4th and August 22nd.