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WVBOT MINUTES: February 2, 2024

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

ABSENT:

ALSO PRESENT: Vonda Malnikoff, Mary Beth Laughery, Jacob Greenfield

MEETING CALLED TO ORDER: 11:10 a.m.

PUBLIC COMMENT

Mary Beth Laughery gave an NBCOT update, noting the continuation of the Why Choose OT initiative to promote OT as a career choice. Jacob Greenfield gave an update from WVOTA, including Legislative Day scheduled for February 20th.

Phil motioned to approve November 17, 2023 minutes as written. Marty 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.**

ACTION/FOLLOW-UP: Review survey results and current OT/OTA Collaboration Position Statement for discussion/recommendations at April 19 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 WVBOT 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**

ACTION/FOLLOW-UP: Attend additional meetings as needed. Continue attempts to acquire authorization to require FBI CBC's.

TOPIC: Potential fee reduction

FINDINGS/CONCLUSIONS: Reviewed analysis of potential reduction of initial licensure fees to be more in line with border states. Discussed need to add fee for a Compact Privilege. Phil motioned to file proposed Legislative rule in 2024 to reduce initial licensure fees to \$75 for OT and \$50 for OTA. Bambi seconded. Vote 4-0. **Reviewed modified Rule to reduce initial licensure and Limited Permit fees, and add Compact Privilege fee.**

ACTION/FOLLOW-UP: Combine this agenda item with Legislative Rule review below for future meetings.

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.**

ACTION/FOLLOW-UP: Review and finalize modified Rules to open for public comment at April 19 meeting.

TOPIC: OT Compact Commission Data Set Rule

FINDINGS/CONCLUSIONS: The OT Compact Commission has published a Data Set Rule for public comment until 12/8/23 which includes information the Board will be required to provide to the Commission on ALL licensees. Reviewed a comment letter to be sent from the Board. **Emailed comment letter to OTCC; attended Executive Committee and Rules Committee meetings to further voice concerns. Reviewed response from OTCC as posted on their website.**

ACTION/FOLLOW-UP: None.

PURCHASE CARD TRANSACTIONS

The Board reviewed all purchases made on the Purchase Card for October 16, 2023 through January 15, 2024. Bambi motioned to approve all purchases. Phil seconded. Vote 5-0.

TREASURER'S REPORT

Cash Balance as of January 31, 2024
\$ 229,890.56

NOVEMBER - JANUARY DEPOSITS

egov receipts:

November	\$ 15,680.00
December	24,490.00
January	5,210.00

TOTAL DEPOSITS \$ 45,380

NOVEMBER - JANUARY DISBURSEMENTS

November	\$ 7,676.60
December	12,186.63
January	6,998.22

TOTAL DISBURSEMENTS \$ 26,861.45

Beginning cash balance 7/1/23	\$ 216,098.10
FY2024 Revenue	66,190.00
FY2024 Expenditures	52,397.54
Ending cash balance 1/31/24	\$ 229,890.56

NEW BUSINESS

TOPIC: Election of Officers for 2024

FINDINGS/CONCLUSIONS: Phil motioned to keep current officers for 2024. Gene seconded. Vote 5-0.

ACTION/FOLLOW-UP: None.

TOPIC: OT Renewal update from 12/31/23

FINDINGS/CONCLUSIONS: Total OT renewals due: 471 Non-renewal letters sent 1/10/24: 66 (14%)

As of 1/10/24: OT's 908

ACTION/FOLLOW-UP: None.

TOPIC: Office lease renewal

FINDINGS/CONCLUSIONS: Current lease expires 6/30/24. Bambi motioned to move forward with renewal of lease. Gene seconded. Vote 5-0.

ACTION/FOLLOW-UP: Vonda to complete Lease Renewal Requisition and forward to Real Estate Division.

Bills paid November 2023 – January 2024

Certemy	11/1/2023	paid	\$2,489.50	Q14 payment
STO-egov fees	11/6/2023	paid	\$224.33	October egov payments
IS&C	11/7/2023	paid	\$63.36	Centrex phone billing Aug 2023
WVInteractive	11/13/2023	paid	\$40.00	Website hosting Oct 2023
Phil Simpson	11/20/2023	paid	\$200.00	perdiem for 11-17-23 board mtg
Bambi Hill	11/20/2023	paid	\$200.00	perdiem for 11-17-23 board mtg
Kathy Quesenberry	11/20/2023	paid	\$200.00	perdiem for 11-17-23 board mtg
Gene Brooks	11/20/2023	paid	\$400.00	perdiem for 11-17-23 board mtg & 11-2-23 seminar
Phil Simpson	11/20/2023	paid	\$277.72	travel for board mtg 11-17-23
Kathy Quesenberry	11/20/2023	paid	\$64.20	travel for board mtg 11-17-23
Gene Brooks	11/20/2023	paid	\$212.22	travel for board mtg 11-17-23
Bambi Hill	11/20/2023	paid	\$233.18	travel for board mtg 11-17-23
Vonda Malnikoff	11/20/2023	paid	\$411.36	travel to Interim committee mtg & auditors seminar
IS&C	12/4/2023	paid	\$63.39	Centrex phone billing Sep 2023
STO-egov fees	12/5/2023	paid	\$352.80	November egov payments
WVInteractive	12/11/2023	paid	\$40.00	Website hosting Nov 2023
Certemy	12/12/2023	paid	\$2,489.50	Q15 payment
IS&C	12/18/2023	paid	\$62.65	Centrex phone billing Oct 2023
AG's Office	12/26/2023	paid	\$268.00	November 2023 billing
BRIM	1/3/2024	paid	\$676.00	insurance premium for qtr ending 3/31/24
IS&C	1/8/2024	paid	\$62.42	Centrex phone billing Nov 2023
STO-egov fees	1/9/2024	paid	\$612.45	December egov payments
WVInteractive	1/18/2024	paid	\$40.00	Website hosting Dec 2023
Dept of Admin	1/22/2024	paid	\$240.00	Shared services payroll billing Q2 FY 2024
Encova	1/29/2024	paid	\$211.00	Workers Comp premium 3/29/24 - 3/29/25
IS&C	1/29/2024	paid	\$62.84	Centrex phone billing Dec 2023

Correspondence:

	<u>correspondence</u>	<u>date rec'd</u>	<u>issue</u>
1	OT	12/6/23	Correspondence re: new NBCOT rule re: reinstatement of Certification effective 1/1/27
2	NBCOT	12/6/23	Newsletter
3	ACOTE	1/3/24	December 2023 Accreditation Actions (WVU-OTD Accreditation)
4	Shaun Conway-NBCOT	1/10/24	NBCOT presentation request for 2024
5	NBCOT	1/23/24	Save the Date for State Regulatory Leadership Forum, Sep 10-11

Phil motioned to enter Executive Session at 1:00 p.m. to discuss licensee complaint. Marty seconded. Vote 5-0.

EXECUTIVE SESSION

Issue 2023#01 Complaint

Marty motioned to leave Executive Session at 1:03 p.m. Gene seconded. Vote 5-0.

Marty motioned to dismiss complaint. Gene seconded. Vote 5-0.

Gene motioned to adjourn at 1:15 p.m. after the signing of applications and discussion of future meeting dates. Bambi seconded. Vote 5-0. The next regular Board meeting is scheduled for Friday, April 19, 2024 at the Board office in Morgantown. Future tentative meeting dates for 2024 are August 23rd, and November 6th in Charleston on the evening before the State Auditor's Licensing Board Seminar.