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WVBOT MINUTES: April 19, 2024

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

ABSENT:

ALSO PRESENT: Vonda Malnikoff, Mary Beth Laughery (virtually)

MEETING CALLED TO ORDER: 11:00 a.m.

PUBLIC COMMENT

Shawn Conway and Francielle Pineda gave a virtual NBCOT update on certification policies, programs, services, and resources.

Gene motioned to approve February 2, 2024 minutes as written. Phil 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 August 23rd 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.**

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.**

ACTION/FOLLOW-UP: File Agency Proposed Rules for 30 day comment period.

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: Lease renewal in process.

PURCHASE CARD TRANSACTIONS

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

TREASURER'S REPORT

Cash Balance as of March 31, 2024
\$ 221,337.86

FEBRUARY - MARCH DEPOSITS

egov receipts:

February	\$ 3,360
March	3,350
TOTAL DEPOSITS	\$ 6,710

FEBRUARY - MARCH DISBURSEMENTS

February	\$10,474.83
March	4,787.88
TOTAL DISBURSEMENTS	\$ 15,262.71

Beginning cash balance 7/1/23	\$ 216,098.10
FY2024 Revenue	72,900.00
FY2024 Expenditures	67,660.24
Ending cash balance 3/31/24	\$ 221,337.86

NEW BUSINESS

TOPIC: Safety Policy, Driver Training, and Confidentiality Pledges

FINDINGS/CONCLUSIONS: Review and sign.

ACTION/FOLLOW-UP: None.

TOPIC: FY25 Expenditure Schedules

FINDINGS/CONCLUSIONS: Reviewed summary.

ACTION/FOLLOW-UP: File by May 1st.

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.

Bills paid February 2024 – March 2024

STO-egov fees	2/5/2024	paid	\$55.80	Jan 24 egov payments
Phil Simpson	2/5/2024	paid	\$200.00	perdiem for 2/2/24 board mtg
Bambi Hill	2/5/2024	paid	\$200.00	perdiem for 2/2/24 board mtg
Kathy Quesenberry	2/5/2024	paid	\$200.00	perdiem for 2/2/24 board mtg
Gene Brooks	2/5/2024	paid	\$200.00	perdiem for 2/2/24 board mtg
Marty Douglas	2/5/2024	paid	\$200.00	perdiem for 2/2/24 board mtg
Phil Simpson	2/5/2024	paid	\$284.08	travel for board mtg 2/2/24
Bambi Hill	2/5/2024	paid	\$238.52	travel for board mtg 2/2/24
Kathy Quesenberry	2/5/2024	paid	\$65.66	travel for board mtg 2/2/24
Gene Brooks	2/5/2024	paid	\$217.08	travel for board mtg 2/2/24
Marty Douglas	2/5/2024	paid	\$255.94	travel for board mtg 2/2/24
Certemy	2/8/2024	paid	\$2,489.50	Q16 payment
Assoc of Lic bds	2/8/2024	paid	\$300.00	FY 24 annual dues
WVInteractive	2/12/2024	paid	\$40.00	Website hosting Jan 2024
IS&C	2/26/2024	paid	\$63.46	Centrex phone billing Jan 2024
AG's Office	2/27/2024	paid	\$312.00	January 2024 billing
STO-egov fees	3/5/2024	paid	\$75.60	Feb 24 egov payments
WVInteractive	3/18/2024	paid	\$40.00	Website hosting Feb 2024
IS&C	3/21/2024	paid	\$63.43	Centrex phone billing Feb 2024

Correspondence:

	<u><i>correspondence</i></u>	<u><i>date rec'd</i></u>	<u><i>issue</i></u>
1	AOTA	2/5/2024	New ACOTE Accreditation Standards adopted
2	NBCOT	3/11/2024	Newsletter
3	AOTA	3/14/2024	Spring 2024 State Affairs Newsletter *see article re NJ lawsuit
4	OTCC- Amanda Perry	3/25/2024	CSG request for letter of support
5	Motivations, Inc.	4/2/2024	Request to be added as a CE provider on our website
6	OTCC- Amanda Perry	4/15/2024	Notice of AOTA hosted webinar re status of OT Compact on April 30th at 2pm

Meeting was adjourned at 2:15 p.m. after the signing of applications.

The next regular Board meeting is scheduled for Friday, August 23, 2024 at the Board office in Morgantown. Final meeting date for 2024 is November 6th in Charleston on the evening before the State Auditor's Licensing Board Seminar.