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**WVBOT MINUTES:** November 17, 2023

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

**ABSENT:** Marty Douglas

**ALSO PRESENT:** Vonda Malnikoff

**MEETING CALLED TO ORDER:** 11:05 a.m.

## **PUBLIC COMMENT**

Reviewed email from SueAnn Woods, AOTA Representative Assembly member, sharing action items from RA fall meeting.

Phil motioned to approve September 15, 2023 minutes as written. Bambi seconded. Vote 4-0.

## **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.**

**ACTION/FOLLOW-UP: Email survey to all licensees in early December.**

### **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 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.**

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

### **TOPIC: PERD Audit**

**FINDINGS/CONCLUSIONS:** Entrance conference held Tuesday, March 28<sup>th</sup> at the Board office. Reviewed correspondence to date. **Received final report 10/2/23; Attended Interim Committee meeting 10/16/23. Reviewed audit overview.**

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

**TOPIC: New website / email address**

**FINDINGS/CONCLUSIONS:** Tekswift estimate to design and build new website increased to \$2,500. The statewide contract with WV Interactive provides website with no upfront cost and \$40/month hosting fee. Prototype designed using websites of the Board of PT and Architects. Website address will change to wvbot.wv.gov. Will also transition to wv.gov email address. Will continue to use Tekswift for Managed IT services. **New website / email address launched early October. Re-directs and auto-response in place. Change will also be communicated in newsletter.**

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

**PURCHASE CARD TRANSACTIONS**

The Board reviewed all purchases made on the Purchase Card for August 16, 2023 through October 15, 2023. Gene motioned to approve all purchases. Phil seconded. Vote 4-0.

**TREASURER’S REPORT**

Cash Balance as of October 31, 2023  
\$ 211,372.01

**SEPTEMBER - OCTOBER DEPOSITS**

9/07/23	\$ 30
9/20	30
10/11	60

egov receipts:

September	\$ 3,130
October	10,070

TOTAL DEPOSITS \$ 13,320

**SEPTEMBER - OCTOBER DISBURSEMENTS**

September	\$ 6,058.89
October	7,874.26

Beginning cash balance 7/1/23	\$ 216,098.10
FY2024 Revenue	20,810.00
FY2024 Expenditures	25,536.09
Ending cash balance 10/31/23	\$ 211,372.01

## **NEW BUSINESS**

### **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.

**ACTION/FOLLOW-UP: Determine appropriate fee for Compact Privileges and file proposed Rule in 2024 to reduce initial licensure fees and add Compact Privilege fee.**

### **TOPIC: Newsletter**

**FINDINGS/CONCLUSIONS:** Reviewed and modified draft newsletter.

**ACTION/FOLLOW-UP: Email newsletter to all licensees.**

### **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.

**ACTION/FOLLOW-UP: Review at next two Board meetings.**

### **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.

**ACTION/FOLLOW-UP: Email comment letter from the Board by December 8, 2023. Include in Newsletter to encourage individual licensee comments.**

### **TOPIC: Auditor's Licensing Board Seminar**

**FINDINGS/CONCLUSIONS:** Gene and Vonda attended on November 2<sup>nd</sup>. Reviewed pertinent information. Next year's meeting scheduled for November 7, 2024.

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

**Correspondence:**

	<u>correspondence</u>	<u>date rec'd</u>	<u>issue</u>
1	OT Compact Commission	9/25/2023	2023 3rd Qtr update / Timeline
2	NBCOT	10/5/2023	email regarding update to staff positions
3	NBCOT	10/9/2023	2023 Certification Databook
4	AOTA	10/10/2023	State Affairs Newsletter Fall 2023
5	NBCOT	10/12/2023	October 2023 OT State Regulatory E-newsletter
6	NBCOT	10/18/2023	Survey request - Cross Profession Minimum Data Set
7	OT Compact Commission	10/31/2023	OTCC 2022-23 Annual Report

**Bills paid September – October 2023**

STO-egov fees	9/5/2023	paid	\$67.50	August egov payments
Vonda Malnikoff	9/18/2023	paid	\$277.06	annual pcard training & website training 8/16-18/23
Phil Simpson	9/18/2023	paid	\$277.72	travel for board mtg 9-15-23
Bambi Hill	9/18/2023	paid	\$233.18	travel for board mtg 9-15-23
Kathy Quesenberry	9/18/2023	paid	\$64.20	travel for board mtg 9-15-23
Martin Douglas	9/18/2023	paid	\$250.22	travel for board mtg 9-15-23
Phil Simpson	9/18/2023	paid	\$200.00	perdiem for 9-15-23 board mtg
Kathy Quesenberry	9/18/2023	paid	\$200.00	perdiem for 9-15-23 board mtg
Martin Douglas	9/18/2023	paid	\$200.00	perdiem for 9-15-23 board mtg
Bambi Hill	9/18/2023	paid	\$200.00	perdiem for 9-15-23 board mtg
BRIM	10/3/2023	paid	\$676.00	insurance premium for qtr ending 12/31/23
STO-egov fees	10/5/2023	paid	\$73.80	September egov payments
IS&C	10/11/2023	paid	\$63.39	Centrex phone billing July 2023
Dept of Admin	10/17/2023	paid	\$112.00	Shared services payroll & AP billing Q1 2024

Phil motioned to enter Executive Session at 1:47 p.m. to discuss licensee complaints. Gene seconded. Vote 4-0.

**EXECUTIVE SESSION**

Issue 2023#01 Complaint

Phil motioned to leave Executive Session at 1:48 p.m. Bambi seconded. Vote 4-0.

Bambi motioned to adjourn at 2:00 p.m. Phil seconded. Vote 4-0. The next regular Board meeting is scheduled for Friday, February 2, 2024 at the Board office in Morgantown. Future tentative meeting dates for 2024 are April 26<sup>th</sup>, August 23<sup>rd</sup>, and November 6<sup>th</sup>.