

**ADVISORY BOARD ON OCCUPATIONAL THERAPY
MINUTES**

January 9, 2003

The Advisory Board on Occupational Therapy met on Thursday, January 9, 2003 at 9:00 a.m. at the Department of Health Professions. Barbara Gallagher OT, Chair, called the meeting to order. A quorum was declared.

MEMBERS PRESENT: Barbara Gallagher, O.T., Chair
Patricia D. Cooper, O.T. Vice-Chair
Theodore H. Darby, Jr.
Annette Ernst, O.T.

MEMBERS ABSENT: Gregory J. Pleasants, M.D.

STAFF PRESENT: William L. Harp, M.D., Executive Director, Medicine
Ola Powers, Deputy Executive Director-Licensing
Nicole Gordon, Recording Secretary

GUESTS PRESENT: Elizabeth Hancock, Virginia Law & Government Affairs
Rebecca E. Argabrite Grove, President of VOTA

APPROVAL OF MINUTES OF SEPTEMBER 9, 2002

Ms. Ernst moved to approve the minutes dated September 12, 2002. The motion was seconded, discussed and carried.

ADOPTION OF AGENDA

Ms. Ernst moved to adopt the agenda. The motion was seconded, discussed and carried.

PUBLIC COMMENTS OF AGENDA ITEMS

Rebecca Argabrite Grove had concerns regarding Type 1 and Type 2 CE requirements. Ms. Ernst commented that CE's should reflect an attempt to improve skills to better protect the public.

REPORT OF OFFICERS

There were no reports.

OLD BUSINESS

None reported

NEW BUSINESS

1. REGULATORY CHART

Information only

2. REGULATIONS EFFECTIVE OCTOBER 23, 2002.

Information only

3. PROPOSED LEGISLATION FOR 2003 SESSION OF THE GENERAL ASSEMBLY

A copy of House Bill 1441 was distributed. This House Bill deals with the disciplinary procedures with hospital reporting. It specifically states that “any hospital or nursing home that has not paid civil penalties assessed for failing to report disciplinary actions and certain disorders of health pursuant to § 54.1-2906 shall not be issued a license or certification or a renewal of such.”

An addition to § 54.1-2400 would add a section dealing with a confidential consent agreement. A confidential consent agreement shall be subject to the confidentiality provisions of § 54.1-2400.2. A confidential consent agreement shall include findings of fact and may include an admission or a finding of a violation. A confidential consent agreement shall not be considered either a notice or order of any health regulatory board, but it may be considered by a board in future disciplinary proceedings. A board shall enter into a confidential consent agreement with a practitioner involving a standard of care violation only once during any 10-year period.

This bill would add § 54.1-2408.2. This section would impose a three-year minimum period for reinstatement after revocation. When the certificate, registration or license of any person certified, registered or licensed by one of the health regulatory boards has been revoked, the board may, after three years and upon the payment of a fee prescribed by the Board, consider an application for and grant a new certificate, registration or license in the same manner as the original certificates, registrations or licenses are granted.

4. IMPACT OF 2002 LEGISLATION HB-217

Dr. Harp informed the Advisory Board they now could sit on informal conference panels and be a voting member for a disciplinary case if an OT is noticed for a hearing.

5. FREQUENTLY Asked Questions

Ms. Powers presented a draft of Continued Competency Q&A's and general FAQ's for the board's review and comment.

6. NBCOT MEETING IN APRIL 2003

NBCOT's National Conference will be held in Louisville, KY April 11 & 12, 2003. Barbara Gallagher and Patricia Compton expressed their desire to attend.

7. BOARD MEMBER ORIENTATION DATES

Tentative dates were discussed for orientation in February 2003. Once confirmed, members will be notified.

ANNOUNCEMENTS

The next meeting is scheduled for May 8, 2003 at 9am.

ADJOURNMENT

With no further business to discuss, the meeting was adjourned.

Barbara Gallagher, O.T.,
Chairman

William L. Harp, MD
Executive Director

Nicole Gordon,
Recording Secretary