



OREGON Occupational Therapy Licensing Board

800 NE Oregon St. Suite 407, Portland, OR 97232

971-673-0198 or Fax 971-673-0226

www.otlb.state.or.us Director: Felicia.M.Holgate@state.or.us July, 2009

NEWSLETTER

BOARD MEMBERS:

Alan King, OTR/L Vice-Chair

Mashelle Painter, BS, COTA

Genevieve deRenne, MA, OTR/L, FAOTA, Chair

Robert Bond, Public Member

Mitch Schreiber, Public Member

Staff: Director, Felicia Holgate; Office Specialist, Gayle Shriver, (2 hours/day)

Mission Statement: To protect the public by supervising occupational therapy practice. The Board is charged with assuring safe and ethical delivery of occupational therapy services.

The next meeting of the OT Licensing Board will be in Portland on Friday, Nov. 6, 2009
Please contact the Director for the Agenda.

Changes on the OT Licensing Board:

We thank **Joyce Brown**, OT Assistant for her dedication for serving eight years on the Board. She spent countless hours taking on board responsibilities dealing with disciplinary cases, reviewing laws and regulations, considering policy direction, and answering the many questions which come to the Board. Joyce provided the board with special understanding into the role of Assistants in the profession. She always gave her insightful comments, and showed concern for what is best for the public and the profession. She truly followed the mission of the board to help assure safe and ethical delivery of occupational therapy services.

Joyce (left) received award at Practitioner's Day at Pacific from Felicia Holgate, Director (Right)



Welcome to Mashelle Painter new OT Assistant Board member

Mashelle Painter is the new Assistant appointed to the Board by the Governor. Mashelle has a long standing commitment to the profession in Oregon. A graduate of MHCC, she has been an OT Assistant for twenty-three years primarily in the field of pediatric and school-based therapy. She also has experience with assistive technology and therapeutic interventions through hippotherapy (treatment using a horse). She is a respected team member, educator and mentor. Mashelle will provide the Board with understanding the role of Assistants in the profession and her experience in Education will be invaluable, since so many Occupational Therapists work in education.

LEGISLATIVE ISSUES

Legislation that passed in Salem that **will affect** OTs includes:

- OTs added to list of mandatory reporters of child abuse
- Mandatory duty to report unprofessional conduct/crimes
- Mandatory duty to report own conviction of misdemeanor or felony; or arrest for felony to Licensing Board within 10 days
- Personal e-mails, phone numbers and addresses of licensees kept confidential
- Fingerprinting authority given to OT Licensing Board



Other issues important to health licensing boards:

- Licensing Boards: appointments, public members, terms, hiring directors
- Additional oversight and reporting for the health related licensing boards
- Collection of data in applications and renewals for healthcare workforce needs assessment
- Changes to Administrative Hearings Office (where discipline cases are appealed)
- Uniform impaired practitioner program (OT Licensing Board does not currently have a program)

You may have heard that on May 15th the Governor made a speech in which he talked about the state budget and mentioned the possibility of “**suspension of the Occupational Therapy Licensing Board**”. What does this mean for the Board?

First, changes to the OT Licensing Board would take Legislative action. The legislature would need to decide to deregulate the OT health profession. The Board and Association agree that this would be bad public policy. The legislature must consider that verification of credentials and investigation of complaints are essential to protect the public. Initial applicants must be scrutinized to verify that they have passed the national certification exam, have not been disciplined, committed crimes or have something in their background affecting the ability to practice safely in Oregon. The public expects that of all health professionals. Occupational Therapy is an important part of Oregon health care. If you are interested in being involved in educating legislators, please contact the Board.

Discipline

The Board considers complaints at every board meeting. Some result in formal discipline such as a public reprimand, suspension or probation. Most are resolved by **Consent Order** which is an agreement signed by both the Board and the licensee/applicant agreeing to the Findings of Fact, Conclusions of Law and Discipline to be imposed.

In the last few years the Board has taken action on the following:

- Suspension for felony conviction for stealing prescription forms, forging Dr. signatures
- Denied application for lying to another board by not reporting an indecent exposure conviction
- Reprimanded an OT for negligence in causing a patient burn from a hot pack
- Suspended a license for a theft in a facility with vulnerable patient present
- Put an OT on probation with conditions of “close supervision” and reports to the Director.

The Board has relative few disciplinary cases compared to other health boards, but as you can see from the examples above, some are very serious. The Board must check that applicants are eligible and that therapists practice safely. The board must investigate complaints to protect the public.

In other discipline cases, when there is no patient harm, the Board can take informal action that is not public. The Board might allow the licensee to work, if they can practice safely, but require additional conditions, such as taking CE, or being closely monitored. The Board might send a letter outlining concerns and ask the licensee to carefully consider the issues. If any new complaints come to the Board, these issues will be reconsidered. The Board might have a licensee who is not currently working, due to a physical or mental issue, to submit a medical or competency exam and notify the board before they start work again.

The public and therapists do not hear about these cases, because they are **confidential by law**. The board's primary concern is protection of the public. These cases are dealt with informally when there has not been patient harm due to negligence or incompetence and the Board decides what condition(s) allow the therapist to continue working safely so the public is protected.

Other Federal Legislation on Home Health



AOTA is working in Washington D.C. to pass a Medicare Home Health Flexibility Act, HR 1094. Support this bill to allow an OT to start Home Health services; only an RN, PT or SP can currently open a case. Join colleagues from around the country in advocating for OT! Health care reform has created a “perfect storm of opportunity” with potential to pass the bill and remove a long standing problem for the profession. We can do this now, but we need YOUR help! Passage of HR 1094 cannot and will not wait another year!

AOTA President Penny Moyers Cleveland writes: “As a part of the Centennial Vision, we are pushing forward to strengthen occupational therapy’s role in enhancing the well-being and functional status of older adults so they are more likely to remain safely in their homes. Passage of the Medicare Flexibility Act and gaining initiating service status in Medicare home health will go a long way to raise the profile of occupational therapy and would be a great victory for the profession. Due to the current emphasis on the ‘medical home’ as part of the thinking behind healthcare reform, the time for passage of this bill has come and we need everyone’s help to make that happen. If any healthcare service belongs in the home, it is occupational therapy with its emphasis upon performance and participation in context.”

Please personalize and send a message using the form letter provided. Call your Member of Congress for their support. Federal Affairs urges you to utilize Legislative Action Resources: <http://vocusgr.vocus.com/GRSPACE2/WebPublish/Controller.aspx?SiteName=AOTA&Definition=ViewIssue&IssueID=5579>

If you have questions please contact: **Ralph Kohl, Legislative Representative, AOTA 301-652-6611 x 2018 rkohl@aota.org**

PAIN MANAGEMENT



Send an e-mail to Felicia.M.Holgate@state.or.us when you have completed the one-time pain management requirement. Give the date and class(es) you took for the 6 hour + 1 hour online requirement. **Deadline: May 1, 2010.** Pain Commission list of classes including online classes: <http://www.oregon.gov/DHS/pain/training.shtml> OTA/O also has classes available: www.otao.com

Those licensed after 2009 have two years from date of licensure to complete the Pain CE. The board will **not** issue your 2010 renewal license if this legal requirement is not met.

The Pain Society of Oregon in sponsorship with Sacred Health Medical Center and Peach Health Florence is presenting “Pain Strategies for Practitioners” on August 22 in Florence, October 3 in Portland and November 14 in Eugene. Go to <http://www.painsociety.com/conference>

Information about 2010 renewals: What will change?

A letter with renewal information will be sent in March 2010. It will give your code and a link for online renewals. **Renewal forms are due May 1, 2010.** You can ask that a paper copy be sent to you. We are trying to keep costs down and this is a good way to do that. Remember, that cost savings are passed on to you and are reflected in your renewal fee.

You will have to show that you have completed 30 points of CE in the last two years (except if you just took the NBCOT exam you are exempt from CE for the first year). The new pain management requirement is part of the required 30 points and is a one-time requirement. We will make the supervision form part of the online renewal for those that have an OTR/OTA supervision agreement.

The number of new licensees continues to grow. The budget is stable. The Board keeps costs down. We send information out by e-mail and have everything posted on the web site. The biggest unknown in the board’s budget is cost of investigations, and attorney fees. Although we do not formally discipline many therapists, the Board is busy with cases that are required by law to be kept confidential unless and until the Board takes formal disciplinary action.

Board reducing 2010 Renewal fees

We keep costs down, including staff time so we do not need to hire additional help even with growing licensees. Savings are passed on to you. **The Board voted to reduce the renewal fees in 2010 by \$10 a year** because of a large ending balance and an increase in license numbers. The Director is drafting Administrative Rules on the fee reduction – they will be posted on the web site.

Customer Satisfaction Survey

The OT Licensing Board is a state agency and reports customer satisfaction results to the legislature. Please expect the survey sent by e-mail in the fall. If you do not receive it by October, please contact Felicia.M.Holgate@state.or.us The cost of doing the survey online is low.

Survey for OTs in Education



If you work in Education or pediatrics and have not yet filled out a survey for OTs in Education please do so by going to the following web site:

http://www.surveymonkey.com/s.aspx?sm=r5AocRe1NTG05fEzoXBMHQ_3d_3d

New Commission on Autism Spectrum Disorder

There is a lot of interest in this new Commission charged with creating greater coordination and planning to better engage and provide services for individuals experiencing ASD and their families. The Commission will have 13 members knowledgeable about ASD and shall include:

. . .an individual diagnosed with autism; a parent with a child with autism and another who is a parent of an adult child with autism; a member who represents autism or disability advocacy organization; a member who represents the medical community, a public member.

For more information go to the Governor's web site at <http://governor.oregon.gov/Gov/boards.shtml>

New OT Assistant School to open through Lane CC in 2010

There is exciting news. Lane Community College is starting an OT Assistant school in Oregon in 2010. For more information contact: Ann Custer, Program Chair, Health Occupations, Services Education Center, Linn-Benton Community College (541) 917-4489 or ann.custer@linnton.edu

Medicare Fraud Alert

Practitioners need to be aware of a scam targeting Medicare providers. The scam involves a fax or mailing instructing a provider to complete re-enrollment forms within 48 hours or risk payment interruption. The forms contain sensitive information. These requests are not coming from the Centers for Medicare and Medicaid Services (CMS) but from scammers who take the information, reregister the provider with Medicare and then reroute their payments to the scammers' accounts. Several days later the accounts are closed and the money leaves the country.

If you receive this type of fax or mailing, call the purported sender (CMS, your Medicare contractor, your Program Safeguard Contractor, or your Zone Program Integrity Contractor) to verify that they requested the information. Do NOT automatically send it in.

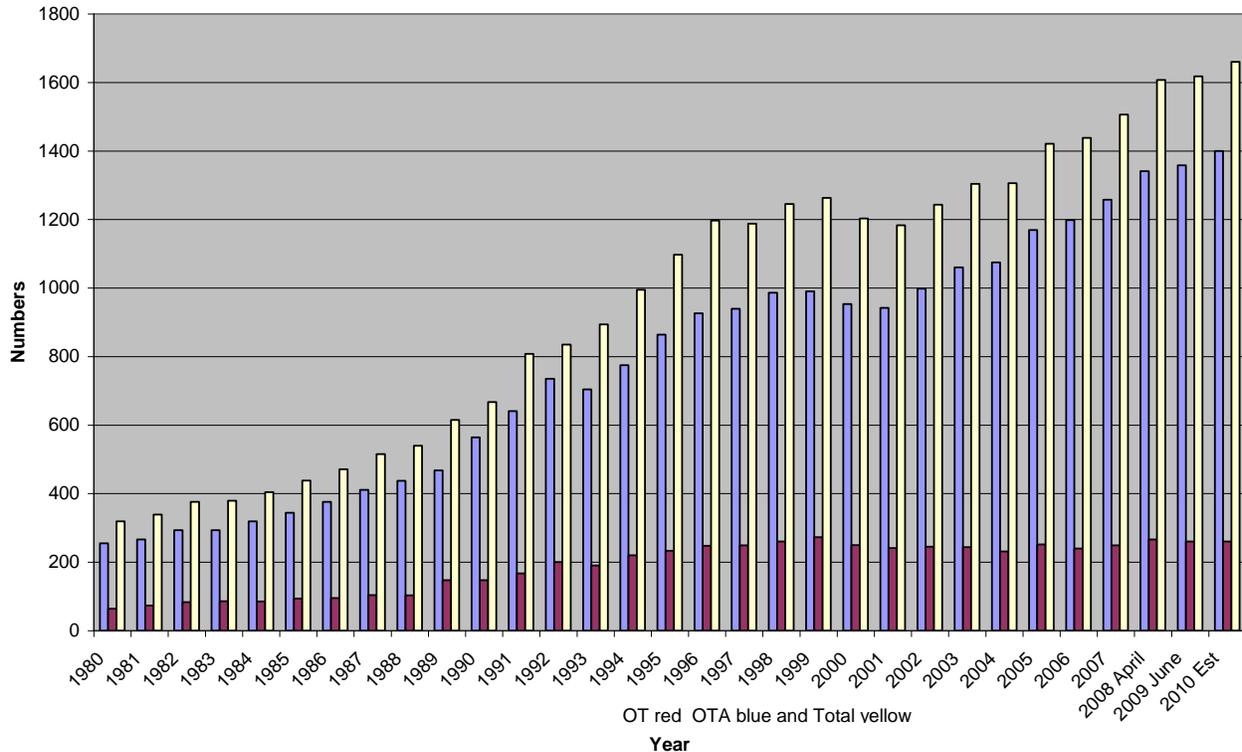
See an [example of a fraud alert](#) and [get more information about Medicare fraud](#). Read [CMS's press release](#) about its efforts to fight fraud. See [AOTA resources on fraud and abuse](#)

*** Keep the Board current on all your contact information (including e-mail) ***

Licensing numbers

As of July 24, 2009 we had a total of 1646 licensees (263 OT Assistant and 1383 OT). We continue to license about a dozen a month. We predict that by next year there will be over 1700 licensed occupational therapist in the state:

History of Occupational Therapists



New healthcare profession site

The Oregon Healthcare Workforce Institute announced a new addition to its website providing information on careers in Oregon's high-demand health care occupations. With support from the Oregon Department of Community Colleges and Workforce Development, the site is designed to help high school students, their parents and teachers, and adult learners explore education and career opportunities in Oregon's health care industry. The link is at <http://www.oregonhwi.org/careers/>

Presently, the site profiles OT as one of the 19 health care occupations and includes video descriptions in English and Spanish. It offers information on education and training programs, career planning, financial aid, and opportunities for bilingual speakers. Links include sources for educational institutions, Oregon's Area Health Education Centers, the Oregon Employment Department.