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**OCCUPATIONAL THERAPISTS AFFILIATED CREDENTIALING BOARD**  
**Room N208, 4822 Madison Yards Way, 2<sup>nd</sup> Floor, Madison**  
**Contact: Valerie Payne (608) 266-2112**  
**March 10, 2020**

*The following agenda describes the issues that the Board plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a record of the actions of the Board.*

**AGENDA**

**9:30 A.M.**

**OPEN SESSION – CALL TO ORDER – ROLL CALL**

- A. Adoption of Agenda (1-3)**
- B. Approval of Minutes of November 19, 2019 (4-5)**
- C. Conflicts of Interest
- D. Administrative Matters – Discussion and Consideration**
  - 1) Department, Staff and Board Updates
  - 2) Annual Policy Review **(6)**
  - 3) Election of Officers, Appointment of Liaisons and Alternates, Delegation of Authorities **(7-14)**
  - 4) 2020 Meeting Dates **(15)**
  - 5) Board Members – Term Expiration Dates
    - a. Teresa Black – 7/1/2023
    - b. Terry Erickson – 7/1/2023
    - c. Randi Hanson – 7/1/2023
    - d. Laura O’Brien – 7/1/2019
    - e. Amy Summers – 7/1/2018
  - 6) Wis. Stat. s. 15.085(3)(b) – Biannual Meeting with the Medical Examining Board
- E. Legislative and Policy Matters – Discussion and Consideration
- F. Administrative Rule Matters – Discussion and Consideration**
  - 1) Pending and Possible Rulemaking Projects **(16-18)**
    - a. Practice of Occupational Therapy Using Telemedicine
    - b. Update on Rules Revising OT 3, Relating to Biennial Registration
    - c. Update on Rules Revising OT 4, Relating to Supervision and Practice of Occupational Therapy Assistants

**G. AOTA/NBCOT Occupational Therapy Licensure Compact Initiative – Discussion and Consideration (19-20)**

**H. Developing an Occupational Therapy Examining Board – Discussion and Consideration (21)**

**I. Oral Examination Question Review – Discussion and Consideration (22)**

J. Discussion and Consideration of Items Added After Preparation of Agenda:

- 1) Introductions, Announcements and Recognition
- 2) Administrative Matters
- 3) Election of Officers
- 4) Appointment of Liaisons and Alternates
- 5) Delegation of Authorities
- 6) Education and Examination Matters
- 7) Credentialing Matters
- 8) Practice Matters
- 9) Legislative and Administrative Rule Matters
- 10) Liaison Reports
- 11) Board Liaison Training and Appointment of Mentors
- 12) Informational Items
- 13) Division of Legal Services and Compliance (DLSC) Matters
- 14) Presentations of Petitions for Summary Suspension
- 15) Petitions for Designation of Hearing Examiner
- 16) Presentation of Stipulations, Final Decisions and Orders
- 17) Presentation of Proposed Final Decisions and Orders
- 18) Presentation of Interim Orders
- 19) Petitions for Re-Hearing
- 20) Petitions for Assessments
- 21) Petitions to Vacate Orders
- 22) Requests for Disciplinary Proceeding Presentations
- 23) Motions
- 24) Petitions
- 25) Appearances from Requests Received or Renewed
- 26) Speaking Engagements, Travel, or Public Relation Requests, and Reports

K. Public Comments

**CONVENE TO CLOSED SESSION to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85(1)(b), and 448.02(8), Stats.); to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.).**

L. Open Cases

M. Deliberation of Items Added After Preparation of the Agenda

- 1) Education and Examination Matters
- 2) Credentialing Matters
- 3) DLSC Matters
- 4) Monitoring Matters
- 5) Professional Assistance Procedure (PAP) Matters

- 6) Petitions for Summary Suspensions
- 7) Petitions for Designation of Hearing Examiner
- 8) Proposed Stipulations, Final Decisions and Order
- 9) Proposed Interim Orders
- 10) Administrative Warnings
- 11) Review of Administrative Warnings
- 12) Proposed Final Decisions and Orders
- 13) Matters Relating to Costs/Orders Fixing Costs
- 14) Case Closings
- 15) Board Liaison Training
- 16) Petitions for Assessments and Evaluations
- 17) Petitions to Vacate Orders
- 18) Remedial Education Cases
- 19) Motions
- 20) Petitions for Re-Hearing
- 21) Appearances from Requests Received or Renewed

N. Consulting with Legal Counsel

**RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION**

- O. Vote on Items Considered or Deliberated Upon in Closed Session, if Voting is Appropriate
- P. Open Session Items Noticed Above Not Completed in the Initial Open Session
- Q. Delegation of Ratification of Examination Results and Ratification of Licenses and Certificates

**ADJOURNMENT**

**ORAL EXAMINATION OF CANDIDATES FOR LICENSURE**

**ROOM N207**

**10:00 A.M. OR IMMEDIATELY FOLLOWING FULL BOARD MEETING**

**CLOSED SESSION** – Reviewing Applications and Conducting Oral Examinations of **Two (2)** (at the time of agenda publication) Candidate for Licensure and Any Additional Examinations  
 Added After Agenda Preparation –Laura O’Brien & Teresa Black

**NEXT DATE: JUNE 9, 2020**

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 MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC, AND MAY BE CANCELLED WITHOUT NOTICE.

Times listed for meeting items are approximate and depend on the length of discussion and voting. All meetings are held at 4822 Madison Yards Way, Madison, Wisconsin, unless otherwise noted. In order to confirm a meeting or to request a complete copy of the board’s agenda, please call the listed contact person. The board may also consider materials or items filed after the transmission of this notice. Times listed for the commencement of disciplinary hearings may be changed by the examiner for the convenience of the parties. Interpreters for the hearing impaired provided upon request by contacting the Affirmative Action Officer, 608-266-2112.

**OCCUPATIONAL THERAPISTS AFFILIATED CREDENTIALING BOARD  
MEETING MINUTES  
NOVEMBER 19, 2019**

**PRESENT:** Teresa Black, Terry Erickson, Randi Hanson, Laura O'Brien

**EXCUSED:** Amy Summers

**STAFF:** Valerie Payne, Executive Director; Jameson Whitney, Legal Counsel; Megan Glaeser, Bureau Assistant; and other Department staff

**CALL TO ORDER**

Laura O'Brien, Chairperson, called the meeting to order at 9:39 a.m. A quorum was confirmed with four (4) board members present.

**ADOPTION OF AGENDA**

**MOTION:** Terry Erickson moved, seconded by Randi Hanson, to adopt the Agenda as published. Motion carried unanimously.

**APPROVAL OF MINUTES**

**Amendments to the Minutes**

- Page 6 of the Minutes: Correct initials in the motion and header for case number 18 OTB 006 from "P.M." to "R.V.B."

**MOTION:** Teresa Black moved, seconded by Terry Erickson, to approve the Minutes of September 10, 2019 as amended. Motion carried unanimously.

**ADMINISTRATIVE RULE MATTERS**

**Preliminary Draft Rules for OT 3, Relating to Biennial Registration**

**MOTION:** Teresa Black moved, seconded by Randi Hanson, to delegate authority to the Chairperson to approve the preliminary rule draft of OT 3, relating to biennial registration, for posting for economic impact comments and submission to the Clearinghouse. Motion carried unanimously.

**CLOSED SESSION**

**MOTION:** Terry Erickson moved, seconded by Randi Hanson, to convene to Closed Session to deliberate on cases following hearing (§ 19.85(1)(a), Stats.); to consider licensure or certification of individuals (§ 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (§ 19.85(1)(b), Stats. and § 448.02(8), Stats.); to consider individual histories or disciplinary data (§ 19.85(1)(f), Stats.); and to confer with legal counsel (§ 19.85(1)(g), Stats.). Laura O'Brien, Chairperson, read the language of the motion aloud for the record. The vote of each member was ascertained by voice vote. Roll Call Vote: Teresa Black-yes; Terry Erickson-yes; Randi Hanson-yes; and Laura O'Brien-yes. Motion carried unanimously.

The Board convened into Closed Session at 11:35 a.m.

**DELIBERATION ON DIVISION OF LEGAL SERVICES AND COMPLIANCE  
(DLSC) MATTERS**

**Stipulations and Final Decisions and Orders**

*18 OTB 005 – Erin A. Paul, O.T.*

**MOTION:** Terry Erickson moved, seconded by Teresa Black, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Erin A. Paul, O.T., DLSC Case Number 18 OTB 005. Motion carried unanimously.

**RECONVENE TO OPEN SESSION**

**MOTION:** Teresa Black moved, seconded by Terry Erickson, to reconvene in Open Session. Motion carried unanimously.

The Board reconvened to Open Session at 11:45 a.m.

**VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION,  
IF VOTING IS APPROPRIATE**

**MOTION:** Terry Erickson moved, seconded by Randi Hanson, to affirm all motions made and votes taken in Closed Session. Motion carried unanimously.

*(Be advised that any recusals or abstentions reflected in the closed session motions stand for the purposes of the affirmation vote.)*

**DELEGATION OF RATIFICATION OF LICENSES AND CERTIFICATES**

**MOTION:** Teresa Black moved, seconded by Terry Erickson, to delegate ratification of examination results to DSPS staff and to ratify all licenses and certificates as issued. Motion carried unanimously.

**ADJOURNMENT**

**MOTION:** Terry Erickson moved, seconded by Randi Hanson, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 11:50 a.m.

**State of Wisconsin  
Department of Safety & Professional Services**

**AGENDA REQUEST FORM**

1) Name and Title of Person Submitting the Request: Kimberly Wood, Program Assistant Supervisor-Adv.		2) Date When Request Submitted: 1/7/2020 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>	
3) Name of Board, Committee, Council, Sections: All Boards			
4) Meeting Date:	5) Attachments: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	6) How should the item be titled on the agenda page? Annual Policy Review	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required: N/A	
10) Describe the issue and action that should be addressed: Please be advised of the following Annual Policy Review items: <ol style="list-style-type: none"> <li>1. Attendance/Quorum – Thank you for your service and for your commitment to meeting attendance. If you cannot attend a meeting, we ask that you let us know ASAP as quorum is required for our Boards, Sections and Councils to meet pursuant to Open Meetings Law. <a href="#">DSPS Boards-Open Meetings Resources</a></li> <li>2. Walking Quorum – Please refrain from discussing Board/Section/Council business with other members outside of legally noticed meetings so to avoid walking quorum issues pursuant to Open Meetings Law. <a href="#">DSPS Boards-Open Meetings Resources</a></li> <li>3. Agenda Deadlines – Please let your executive Director know if you have items to be considered on an upcoming agenda no less than 8 business days prior to a meeting when possible. <a href="#">DSPS Boards-Reference Materials-Meeting Timeline</a></li> <li>4. Travel Voucher and Per Diem Submissions – Please submit all Per Diem and Reimbursement Claims to DSPS within 30 days of date an expense is incurred. <a href="#">DSPS Boards-Travel and Reimbursement-Travel and Reimbursement Overview</a></li> <li>5. Lodging Accommodations/Hotel Cancellation Policy – Lodging accommodations are provided to members who must leave home before 6:00 a.m. to attend a meeting. If you cannot attend a meeting it is the board member’s responsibility to cancel their reservation within the stated cancellation timeframe. If a meeting is changed to a teleconference or cancelled or rescheduled, DSPS staff will make lodging cancellations or modifications as needed. <a href="#">DSPS Boards-Travel and Reimbursement-Travel and Reimbursement Overview</a></li> <li>6. Inclement Weather Policy – In the event of inclement weather the agency may change a meeting from an in-person meeting to a teleconference.</li> </ol>			
11) <span style="float: right;">Authorization</span> <div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="width: 60%; border-bottom: 1px solid black; padding-bottom: 5px;"> <i>Kimberly Wood</i> </div> <div style="width: 35%; border-bottom: 1px solid black; padding-bottom: 5px;">           1/7/2020         </div> </div> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 5px;"> <div style="width: 60%; border-bottom: 1px solid black; padding-bottom: 5px;">           Signature of person making this request         </div> <div style="width: 35%; border-bottom: 1px solid black; padding-bottom: 5px;">           Date         </div> </div> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 5px;"> <div style="width: 60%; border-bottom: 1px solid black; padding-bottom: 5px;">           Supervisor (if required)         </div> <div style="width: 35%; border-bottom: 1px solid black; padding-bottom: 5px;">           Date         </div> </div> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 5px;"> <div style="width: 60%; border-bottom: 1px solid black; padding-bottom: 5px;">           Executive Director signature (indicates approval to add post agenda deadline item to agenda)         </div> <div style="width: 35%; border-bottom: 1px solid black; padding-bottom: 5px;">           Date         </div> </div>			
Directions for including supporting documents: <ol style="list-style-type: none"> <li>1. This form should be attached to any documents submitted to the agenda.</li> <li>2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director.</li> <li>3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.</li> </ol>			

**State of Wisconsin  
Department of Safety & Professional Services**

**AGENDA REQUEST FORM**

<b>1) Name and Title of Person Submitting the Request:</b> Megan Glaeser, Bureau Assistant		<b>2) Date When Request Submitted:</b> February 28, 2020 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>	
<b>3) Name of Board, Committee, Council, Sections:</b> Occupational Therapy Affiliated Credentialing Board			
<b>4) Meeting Date:</b> March 10, 2020	<b>5) Attachments:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>6) How should the item be titled on the agenda page?</b> Administrative Matters: 1) Election of Officers, Appointment of Liaisons and Alternates, and Delegation of Authorities	
<b>7) Place Item in:</b> <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	<b>8) Is an appearance before the Board being scheduled?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>9) Name of Case Advisor(s), if required:</b> N/A	
<b>10) Describe the issue and action that should be addressed:</b> 1) The Board should conduct Election of its Officers for 2020. 2) The new Chairperson should review and appoint/reappoint Liaisons and Alternates as appropriate. 3) The Board should review and then consider continuation or modification of previously delegated authorities.			
<b>11) Authorization</b>			
Megan Glaeser <hr/> <b>Signature of person making this request</b>		February 28, 2020 <hr/> <b>Date</b>	
<hr/> <b>Supervisor (if required)</b>		<hr/> <b>Date</b>	
<hr/> <b>Executive Director signature (indicates approval to add post agenda deadline item to agenda)    Date</b>			
<b>Directions for including supporting documents:</b> 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

## Occupational Therapists Affiliated Credentialing Board

### 2019 Elections and Liaison Appointments

#### *Chairperson*

**NOMINATION:** Teresa Black nominated herself for the Office of Chairperson.

**NOMINATION:** Laura O'Brien nominated herself for the Office of Chairperson.

Christian Albouras, Executive Director, called for nominations three (3) times.

Laura O'Brien was elected as Chairperson by majority voice vote.

#### *Vice Chairperson*

**NOMINATION:** Terry Erickson nominated Teresa Black for the Office of Vice Chairperson.

Christian Albouras, Executive Director, called for nominations three (3) times.

Teresa Black was elected as Vice Chairperson by unanimous voice vote.

#### *Secretary*

**NOMINATION:** Laura O'Brien nominated Amy Summers for the Office of Secretary.

Christian Albouras, Executive Director, called for nominations three (3) times.

Amy Summers was elected as Secretary by unanimous voice vote.

<b>2019 ELECTION RESULTS</b>	<b>3/13/18</b>	<b>9/10/19</b>
<b>Chairperson</b>	<del>Brian Holmquist</del>	Laura O'Brien
<b>Vice Chairperson</b>	<del>Laura O'Brien</del>	Teresa Black
<b>Secretary</b>	<del>Mary Kassens</del>	Amy Summers



**Appointment of Liaisons and Alternates**

<b>2019 LIAISON APPOINTMENTS</b>	<b>3/13/19</b>	<b>9/10/19</b>
<b>Credentialing Liaisons</b>	Laura O’Brien, <del>Mary Kassens</del> Alternate – <del>Brian Holmquist</del> , Amy Summers	Laura O’Brien, Teresa Black <i>Alternate: Amy Summers</i>
<b>Education and Exams Liaisons</b>	Laura O’Brien, <del>Amy Summers</del> Alternate – <del>Brian Holmquist</del>	Laura O’Brien, Teresa Black <i>Alternate: Amy Summers</i>
<b>Monitoring Liaisons</b>	<del>Laura O’Brien</del> , Alternate – <del>Amy Summers</del>	Amy Summers <i>Alternate: Laura O’Brien</i>
<b>Professional Assistance Procedure Liaisons</b>	Amy Summers Alternate – Laura O’Brien, <del>Brian Holmquist</del>	Amy Summers <i>Alternate: Laura O’Brien</i>
<b>Legislative Liaisons</b>	<del>Laura O’Brien</del> Alternate – <del>Brian Holmquist</del>	Teresa Black <i>Alternate: Terry Erickson</i>
<b>Travel Liaisons</b>	<del>Brian Holmquist</del> Alternate – <del>Laura O’Brien</del>	Teresa Black <i>Alternate: Amy Summers</i>
<b>Administrative Rules Liaisons</b>	Laura O’Brien Alternate – <del>Brian Holmquist</del>	Laura O’Brien <i>Alternate: Teresa Black</i>
<b>Screening Panel</b>	<del>Amy Summers, Laura O’Brien</del> Alternate – <del>Brian Holmquist</del>	Terry Erickson, Teresa Black <i>Alternate: Laura O’Brien</i>

**Delegation of Authorities**

***Document Signature Delegation Updated Language***

**MOTION:** Teresa Black moved, seconded by Terry Erickson, to delegate authority to the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) to sign documents on behalf of the Board in order to carry out its duties. Motion carried unanimously.

**MOTION:** Terry Erickson moved, seconded by Teresa Black, in order to carry out duties of the Board, the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) has the ability to delegate signature authority for purposes of facilitating the completion of assignments during or between meetings. The members of the Board hereby delegate to the Executive Director or

DPD Division Administrator, the authority to sign on behalf of a board member as necessary. Motion carried unanimously.

*Delegated Authority for Urgent Matters*

**MOTION:** Laura O'Brien moved, seconded by Terry Erickson, that, in order to facilitate the completion of urgent matters between meetings, the Board delegates its authority to the Board Chairperson (or, in the absence of the Chairperson, the highest-ranking official or longest serving board member in that succession), to appoint liaisons to the Department to act in urgent matters. Motion carried unanimously.

*Monitoring Delegations*

**MOTION:** Teresa Black moved, seconded by Laura O'Brien, to adopt the "Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor" as presented in the 9/10/2019 Agenda materials. Motion carried unanimously.

*Credentialing Authority Delegations*

**Delegation of Authority to Credentialing Liaison (Generic)**

**MOTION:** Terry Erickson moved, seconded by Laura O'Brien, to delegate authority to the Credentialing Liaison(s) to serve as a liaison between DSPS and the Board and to act on behalf of the Board in regard to credentialing applications or questions presented to them. Motion carried unanimously.

**Delegation of Authority to DSPS When Rule and Statute Criteria is Met**

**MOTION:** Laura O'Brien moved, seconded by Terry Erickson, to delegate credentialing authority to DSPS to act upon applications that meet all credentialing statutory and regulatory requirements without Board or Board liaison review. Motion carried unanimously.

*Delegated Authority for Application Denial Reviews*

**MOTION:** Laura O'Brien moved, seconded by Teresa Black, that the Department's Attorney Supervisors, DLSC Administrator, and their designee are authorized to serve as the Board's designee for purposes of reviewing and acting on requests for hearing as a result of a denial of a credential. Motion carried unanimously.

*Voluntary Surrenders*

**MOTION:** Teresa Black moved, seconded by Amy Summers, to delegate authority to the assigned case advisor to accept or refuse a request for voluntary

surrender pursuant to Wis. Stat. § 440.19 for a credential holder who has a pending complaint or disciplinary matter. Motion carried unanimously.

***Education, Continuing Education and Education Delegation(s)***

**MOTION:** Terry Erickson moved, seconded by Laura O'Brien, to delegate authority to the Education and Examination Liaisons to address all issues related to education, continuing education, and examinations. Motion carried unanimously.

***Authorization for DSPS to Provide Board Member Contact Information to National Regulatory Related Authorities***

**MOTION:** Laura O'Brien moved, seconded by Terry Erickson, to authorize Department staff to provide national regulatory related authorities with all Board member contact information that the DSPS retains on file. Motion carried unanimously.

***Optional Renewal Notice Insert Delegation***

**MOTION:** Teresa Black moved, seconded by Laura O'Brien, to the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession), to provide a brief statement or link relating to board-related business within the license renewal notice at the Board's or Board designee's request. Motion carried unanimously.

***Legislative Liaison Delegation***

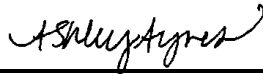
**MOTION:** Terry Erickson moved, seconded by Laura O'Brien, to delegate authority to the Legislative Liaisons to speak on behalf of the Board regarding legislative matters. Motion carried unanimously.

***Travel Delegation***

**MOTION:** Laura O'Brien moved, seconded by Terry Erickson, to delegate authority to the Travel Liaisons to approve any Board Member travel. Motion carried unanimously.

**State of Wisconsin  
Department of Safety & Professional Services**

**AGENDA REQUEST FORM**

<b>1) Name and Title of Person Submitting the Request:</b>  Ashley Ayres Monitoring and Intake Supervisor Division of Legal Services and Compliance		<b>2) Date When Request Submitted:</b>  December 31, 2019  Items will be considered late if submitted after 4:30 p.m. and less than: <ul style="list-style-type: none"> <li>▪ 10 work days before the meeting for Medical Board</li> <li>▪ 14 work days before the meeting for all others</li> </ul>	
<b>3) Name of Board, Committee, Council, Sections:</b>  Occupational Therapists Affiliated Credentialing Board			
<b>4) Meeting Date:</b>  March 10, 2020	<b>5) Attachments:</b>  <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>6) How should the item be titled on the agenda page?</b>  Appointment of Monitoring Liaison and Delegated Authorities	
<b>7) Place Item in:</b>  <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both	<b>8) Is an appearance before the Board being scheduled?</b>  <input type="checkbox"/> Yes ( <a href="#">Fill out Board Appearance Request</a> ) <input checked="" type="checkbox"/> No	<b>9) Name of Case Advisor(s), if required:</b>	
<b>10) Describe the issue and action that should be addressed:</b>  1. Appoint primary and alternate liaisons for Monitoring, and for the Professional Assistance Procedure (PAP).  2. Adopt or reject the Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor document as presented in today's agenda packet.  3. Delegate authority to Board Counsel to sign Monitoring orders on behalf of the Board/Section, after the Board/Section has taken action on Monitoring agenda items.  <i>Current practice is for Department Monitors to draft Monitoring orders after Board meetings, send them to Board Counsel for review, and then send them to the Executive Director for subsequent review and signature. With the new proposed process, Department Monitors would only send their orders to Board Counsel for review and signature, eliminating the need for a second review by the Executive Director.</i>			
<b>11) Authorization</b>  <div style="display: flex; justify-content: space-between;"> <div style="width: 60%;">  </div> <div style="width: 35%;">                 December 31, 2019             </div> </div> <hr/> Signature of person making this request <span style="float: right;">Date</span> <hr/> Supervisor (if required) <span style="float: right;">Date</span> <hr/> Executive Director signature (indicates approval to add post agenda deadline item to agenda) <span style="float: right;">Date</span>			
<b>Directions for including supporting documents:</b> 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

## **Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor**

The Monitoring Liaison (“Liaison”) is a Board/Section designee who works with department monitors to enforce Board/Section orders as explained below.

### **Current Authorities Delegated to the Monitoring Liaison**

The Liaison may take the following actions on behalf of the Board/Section:

1. Grant a temporary reduction in random drug screen frequency upon Respondent’s request if he/she is unemployed and is otherwise compliant with Board/Section order. The temporary reduction will be in effect until Respondent secures employment in the profession. The Department Monitor (“Monitor”) will draft an order and sign on behalf of the Liaison.
2. Grant a stay of suspension if Respondent is eligible per the Board/Section order. The Monitor will draft an order and sign on behalf of the Liaison.
3. Remove the stay of suspension if there are repeated violations or a substantial violation of the Board/Section order. In conjunction with removal of any stay of suspension, the Liaison may prohibit Respondent from seeking reinstatement of the stay for a specified period of time. The Monitor will draft an order and sign on behalf of the Liaison.
4. Grant or deny approval when Respondent proposes continuing/remedial education courses, treatment providers, mentors, supervisors, change of employment, etc. unless the order specifically requires full-Board/Section approval.
5. Grant a maximum of one 90-day extension, if warranted and requested in writing by Respondent, to complete Board/Section-ordered continuing education.
6. Grant a maximum of one extension or payment plan for proceeding costs and/or forfeitures if warranted and requested in writing by Respondent.
7. Grant full reinstatement of licensure if Respondent has fully complied with all terms of the order without deviation. The Monitor will draft an order and obtain the signature or written authorization from the Liaison.
8. Grant or deny a request to appear before the Board/Section in closed session.
9. Board Monitoring Liaison may determine whether Respondent’s petition is eligible for consideration by the full Board/Section.
10. (*Except Pharmacy*) Accept Respondent’s written request to surrender credential. If accepted by the Liaison, Monitor will consult with Board Counsel to determine if a stipulation is necessary. If a stipulation is not necessary, Monitor will draft an order and sign on behalf of the Liaison. If denied by the Liaison, the request to surrender credential will go to the full Board for review.
11. (*Except Pharmacy*) Grant Respondent’s petition for a reduction in drug screens per the standard schedule, below. If approved, Monitor will draft an order and sign on behalf of the Liaison.
  - a. Year 1: 49 screens (including 1 hair test, if required by original order)
  - b. Year 2: 36 screens (plus 1 hair test, if required by original order)
  - c. Year 3: 28 screens plus 1 hair test
  - d. Year 4: 28 screens plus 1 hair test
  - e. Year 5: 14 screens plus 1 hair test

12. (*Dentistry only*) – Ability to approve or deny all requests from a respondent.
13. (*Except Nursing*) – Board Monitoring Liaison may approve or deny Respondent's request to be excused from drug and alcohol testing for work, travel, etc.

**Current Authorities Delegated to the Department Monitor**

The Monitor may take the following actions on behalf of the Board/Section, draft an order and sign:

1. Grant full reinstatement of licensure if CE is the sole condition of the limitation and Respondent has submitted the required proof of completion for approved courses.
  2. Suspend the license if Respondent has not completed Board/Section-ordered CE and/or paid costs and forfeitures within the time specified by the Board/Section order. The Monitor may remove the suspension and issue an order when proof completion and/or payment have been received.
  3. Suspend the license (or remove stay of suspension) if Respondent fails to enroll and participate in an Approved Program for drug and alcohol testing within 30 days of the order, or if Respondent ceases participation in the Approved Program without Board approval. This delegated authority only pertains to respondents who must comply with drug and/or alcohol testing requirements.
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**State of Wisconsin  
Department of Safety & Professional Services**

**AGENDA REQUEST FORM**

<b>1) Name and Title of Person Submitting the Request:</b> Megan Glaeser, Bureau Assistant		<b>2) Date When Request Submitted:</b> February 28, 2020 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>	
<b>3) Name of Board, Committee, Council, Sections:</b> Occupational Therapy Affiliated Credentialing Board			
<b>4) Meeting Date:</b> March 10, 2020	<b>5) Attachments:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>6) How should the item be titled on the agenda page?</b> 2020 Meeting Dates	
<b>7) Place Item in:</b> <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	<b>8) Is an appearance before the Board being scheduled?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>9) Name of Case Advisor(s), if required:</b> N/A	
<b>10) Describe the issue and action that should be addressed:</b>  Please review the finalized 2020 meeting dates. Any conflicts should be identified so to ensure quorum.  3/10/2020 6/9/2020 9/15/2020 11/17/2020			
<b>11) Authorization</b>			
Megan Glaeser		February 28, 2020	
<b>Signature of person making this request</b>		<b>Date</b>	
<b>Supervisor (if required)</b>		<b>Date</b>	
<b>Executive Director signature (indicates approval to add post agenda deadline item to agenda)    Date</b>			
<b>Directions for including supporting documents:</b> 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

**State of Wisconsin  
Department of Safety & Professional Services**

**AGENDA REQUEST FORM**

1) Name and Title of Person Submitting the Request:  <b>Dale Kleven</b> <b>Administrative Rules Coordinator</b>		2) Date When Request Submitted:  <b>2/27/20</b> Items will be considered late if submitted after 12:00 p.m. on the deadline date: ▪ 8 business days before the meeting	
3) Name of Board, Committee, Council, Sections:  <b>Occupational Therapists Affiliated Credentialing Board</b>			
4) Meeting Date:  <b>3/10/20</b>	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? <b>Administrative Rule Matters – Discussion and Consideration</b> <b>1. Pending and Possible Rulemaking Projects</b> <b>a. Practice of Occupational Therapy Using Telemedicine</b> <b>b. Update on Rules Revising OT 3, Relating to Biennial Registration</b> <b>c. Update on Rules Revising OT 4, Relating to Supervision and Practice of Occupational Therapy Assistants</b>	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both		8) Is an appearance before the Board being scheduled?  <input type="checkbox"/> Yes ( <a href="#">Fill out Board Appearance Request</a> ) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:
10) Describe the issue and action that should be addressed:			
11) Authorization			
Signature of person making this request  <b><i>Dale Kleven</i></b>		Date  <b><i>February 27, 2020</i></b>	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)    Date			
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, Provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			



**645—208.3(147) Telehealth visits.** A licensee may provide occupational therapy services to a patient utilizing a telehealth visit if the occupational therapy services are provided in accordance with all requirements of this chapter.

**208.3(1)** “Telehealth visit” means the provision of occupational therapy services by a licensee to a patient using technology where the licensee and the patient are not at the same physical location for the occupational therapy session.

**208.3(2)** A licensee engaged in a telehealth visit shall utilize technology that is secure and HIPAA-compliant and that includes, at a minimum, audio and video equipment that allows two-way real-time interactive communication between the licensee and the patient. A licensee may use non-real-time technologies to prepare for an occupational therapy session or to communicate with a patient between occupational therapy sessions.

**208.3(3)** A licensee engaged in a telehealth visit shall be held to the same standard of care as a licensee who provides in-person occupational therapy. A licensee shall not utilize a telehealth visit if the standard of care for the particular occupational therapy services cannot be met using technology.

**208.3(4)** Any occupational therapist or occupational therapist assistant who provides an occupational therapy telehealth visit to a patient located in Iowa shall be licensed in Iowa.

**208.3(5)** Prior to the first telehealth visit, a licensee shall obtain informed consent from the patient specific to the occupational therapy services that will be provided in a telehealth visit. At a minimum, the informed consent shall specifically inform the patient of the following:

- a. The risks and limitations of the use of technology to provide occupational therapy services;
- b. The potential for unauthorized access to protected health information; and
- c. The potential for disruption of technology during a telehealth visit.

**208.3(6)** A licensee shall only provide occupational therapy services using a telehealth visit in the areas of competence wherein proficiency in providing the particular service using technology has been gained through education, training, and experience.

**208.3(7)** A licensee shall identify in the clinical record when occupational therapy services are provided utilizing a telehealth visit.

[ARC 3590C, IAB 1/17/18, effective 2/21/18]

## Chapter Med 24

### TELEMEDICINE

Med 24.01 Authority and scope.  
 Med 24.02 Definition of telemedicine.  
 Med 24.03 Physician–patient relationship.  
 Med 24.04 Wisconsin medical license required.

Med 24.05 Standards of practice and conduct.  
 Med 24.06 Equipment and technology.  
 Med 24.07 Internet diagnosis and treatment.

**Med 24.01 Authority and scope.** The rules in this chapter are adopted by the medical examining board pursuant to the authority delegated by ss. 15.08 (5), 227.11, and 448.40, Stats., and govern the standards of the practice of medicine using telemedicine. The rules in this chapter may not be construed to prohibit any of the following:

(1) Consultations between physicians or the transmission and review of digital images, pathology specimens, test results, or other medical data by physicians related to the care of patients in this state.

(2) Patient care in consultation with another physician who has an established physician–patient relationship with the patient.

(3) Patient care in on–call or cross–coverage situations in which the physician has access to patient records.

(4) Treating a patient with an emergency medical condition. In this subsection, “emergency medical condition” means a medical condition manifesting itself by acute symptoms of sufficient severity that the absence of immediate medical attention will result in serious jeopardy to patient health, serious impairment to bodily functions, or serious dysfunction of a body organ or part.

(5) Use of telemedicine by a physician assistant licensed by the medical examining board to provide patient care, treatment, or services within the licensee’s scope of practice under s. Med 8.07.

History: CR 15–087: cr. Register May 2017 No. 737, eff. 6–1–17.

**Med 24.02 Definition of telemedicine.** In this chapter, “telemedicine” means the practice of medicine when patient care, treatment, or services are provided through the use of medical information exchanged from one site to another via electronic communications. Telemedicine does not include the provision of health care services only through an audio–only telephone, email messages, text messages, facsimile transmission, mail or parcel service, or any combination thereof.

History: CR 15–087: cr. Register May 2017 No. 737, eff. 6–1–17.

**Med 24.03 Physician–patient relationship.** A physician–patient relationship may be established through telemedicine.

History: CR 15–087: cr. Register May 2017 No. 737, eff. 6–1–17.

**Med 24.04 Wisconsin medical license required.** A physician who uses telemedicine in the diagnosis and treatment of a patient located in this state shall be licensed to practice medicine and surgery by the medical examining board.

History: CR 15–087: cr. Register May 2017 No. 737, eff. 6–1–17.

**Med 24.05 Standards of practice and conduct.** A physician licensed to practice medicine and surgery by the medical examining board shall be held to the same standards of practice and conduct, including patient confidentiality and recordkeeping, regardless of whether health care services are provided in person or by telemedicine.

History: CR 15–087: cr. Register May 2017 No. 737, eff. 6–1–17.

**Med 24.06 Equipment and technology.** A physician licensed to practice medicine and surgery by the medical examining board who provides health care services by telemedicine is responsible for the quality and safe use of equipment and technology that is integral to patient diagnosis and treatment. The equipment and technology used by the physician to provide health care services by telemedicine shall provide, at a minimum, information that will enable the physician to meet or exceed the standard of minimally competent medical practice.

History: CR 15–087: cr. Register May 2017 No. 737, eff. 6–1–17.

**Med 24.07 Internet diagnosis and treatment.**

(1) When a physician uses a website to communicate to a patient located in this state, the physician may not provide treatment recommendations, including issuing a prescription, unless the following requirements are met:

(a) The physician shall be licensed to practice medicine and surgery by the medical examining board as required under s. Med 24.04.

(b) The physician’s name and contact information have been made available to the patient.

(c) Informed consent as required under s. 448.30, Stats., and ch. Med 18.

(d) A documented patient evaluation has been performed. A patient evaluation shall include a medical history and, to the extent required to meet or exceed the standard of minimally competent medical practice, an examination or evaluation, or both, and diagnostic tests.

(e) A patient health care record is prepared and maintained as required under ch. Med 21.

(2) Providing treatment recommendations, including issuing a prescription, based only on a static electronic questionnaire does not meet the standard of minimally competent medical practice.

History: CR 15–087: cr. Register May 2017 No. 737, eff. 6–1–17.

**State of Wisconsin  
Department of Safety & Professional Services**

**AGENDA REQUEST FORM**

<b>1) Name and Title of Person Submitting the Request:</b>  Valerie Payne, Executive Director, on behalf of Laura O'Brien		<b>2) Date When Request Submitted:</b>  3/4/2020 Items will be considered late if submitted after 4:30 p.m. and less than: <ul style="list-style-type: none"> <li>▪ 10 work days before the meeting for Medical Board</li> <li>▪ 14 work days before the meeting for all others</li> </ul>	
<b>3) Name of Board, Committee, Council, Sections:</b>  Occupational Therapists Affiliated Credentialing Board			
<b>4) Meeting Date:</b>  3/10/2020	<b>5) Attachments:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>6) How should the item be titled on the agenda page?</b> After Administrative Rule Matters  AOTA/NBCOT Occupational Therapy Licensure Compact Initiative – Information and Discussion	
<b>7) Place Item in:</b> <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both	<b>8) Is an appearance before the Board being scheduled?</b>  <input type="checkbox"/> Yes ( <a href="#">Fill out Board Appearance Request</a> ) <input checked="" type="checkbox"/> No	<b>9) Name of Case Advisor(s), if required:</b>	
<b>10) Describe the issue and action that should be addressed:</b>  Discuss AOTA/NBCOT Occupational Therapy Licensure Compact Initiative movement toward an interstate licensure compact agreement.  <a href="https://www.nbcot.org/News#compactupdate">https://www.nbcot.org/News#compactupdate</a>			
<b>11) Authorization</b>			
<i>Valerie Payne</i>		3/4/2020	
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)		Date	
<b>Directions for including supporting documents:</b> 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, Provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

# AOTA/NBCOT Occupational Therapy Licensure Compact Initiative Update

January 31, 2020

We are pleased to share this update from Dan Logsdon from the National Center for Interstate Compacts regarding progress that is being made on the joint AOTA/NBCOT Occupational Therapy Licensure Compact Initiative.

The Occupational Therapy Licensure Compact initiative is steadily moving forward to create an occupational licensure compact for the OT profession with support from AOTA and NBCOT. The Advisory Group for the project held its initial meeting during the last week of October 2019 in Washington, DC. Since that initial meeting, the Advisory Group has convened by phone to develop recommendations for the project Drafting Team, which will meet in late February to begin drafting the text of the compact.

The Drafting Team is expected to complete a draft compact in early May. That document will then go back to the Advisory Group for comment before being distributed to stakeholders for comment in the summer of 2020.

The project team is determined to have a draft ready for consideration by state legislatures in 2021.

## Dan Logsdon

Director, National Center for Interstate Compacts  
The Council of State Governments



Please let us know if you have any questions.

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Vice President of State Affairs and Health Policy  
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**State of Wisconsin  
Department of Safety & Professional Services**

**AGENDA REQUEST FORM**

1) Name and Title of Person Submitting the Request:  <b>Valerie Payne, Executive Director, on behalf of Laura O'Brien</b>		2) Date When Request Submitted:  <b>3/4/2020</b> Items will be considered late if submitted after 4:30 p.m. and less than: <ul style="list-style-type: none"> <li>▪ 10 work days before the meeting for Medical Board</li> <li>▪ 14 work days before the meeting for all others</li> </ul>	
3) Name of Board, Committee, Council, Sections:  <b>Occupational Therapists Affiliated Credentialing Board</b>			
4) Meeting Date:  <b>3/10/2020</b>	5) Attachments: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	6) How should the item be titled on the agenda page? <b>After Administrative Rule Matters</b>  <b>Developing an Occupational Therapy Examining Board – Information and Discussion</b>	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both	8) Is an appearance before the Board being scheduled?  <input type="checkbox"/> Yes ( <a href="#">Fill out Board Appearance Request</a> ) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:	
10) Describe the issue and action that should be addressed:  <b>Discussion of the process steps for developing an Occupational Therapy Examining Board</b>			
11) <b>Authorization</b>			
<i>Valerie Payne</i> <hr/> <b>Signature of person making this request</b>		3/4/2020 <hr/> <b>Date</b>	
<hr/> <b>Supervisor (if required)</b>		<hr/> <b>Date</b>	
<hr/> <b>Executive Director signature (indicates approval to add post agenda deadline item to agenda)    Date</b>			
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**State of Wisconsin  
Department of Safety & Professional Services**

**AGENDA REQUEST FORM**

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<b>3) Name of Board, Committee, Council, Sections:</b>  Occupational Therapists Affiliated Credentialing Board			
<b>4) Meeting Date:</b>  3/10/2020	<b>5) Attachments:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>6) How should the item be titled on the agenda page?</b> After Administrative Rule Matters  Oral Examination Question Review – Discussion and Consideration	
<b>7) Place Item in:</b> <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both	<b>8) Is an appearance before the Board being scheduled?</b>  <input type="checkbox"/> Yes ( <a href="#">Fill out Board Appearance Request</a> ) <input checked="" type="checkbox"/> No	<b>9) Name of Case Advisor(s), if required:</b>	
<b>10) Describe the issue and action that should be addressed:</b>  The Board will designate a member to work with a department exam specialist to review the current oral examination questions to determine if updates are needed.			
<b>11) Authorization</b>			
<i>Valerie Payne</i>		3/4/2020	
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)		Date	
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