

Wisconsin Department of Safety and Professional Services
Division of Policy Development
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Tony Evers, Governor
Dawn B. Crim, Secretary

**VIRTUAL/TELECONFERENCE
OCCUPATIONAL THERAPISTS AFFILIATED CREDENTIALING BOARD**

Virtual, 4822 Madison Yards Way, Madison

Contact: Tom Ryan (608) 266-2112

June 7, 2022

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 (1-4)**
- B. Approval of Minutes of March 8, 2022 (5-12)**
- C. Reminders: Conflicts of Interest, Scheduling Concerns
- D. 9:30 A.M. PUBLIC HEARING – Clearinghouse Rule 22-027 (OT 2), Relating to Licensure Requirements (13-22)**
 - 1) Review and Respond to Public Hearing Comments and Clearinghouse Report
- E. 9:30 A.M. PUBLIC HEARING – Clearinghouse Rule 22-028 (OT 3), Relating to Continuing Education (23-33)**
 - 1) Review and Respond to Public Hearing Comments and Clearinghouse Report
- F. Administrative Matters – Discussion and Consideration**
 - 1) Department, Staff and Board Updates
 - 2) Board Members – Term Expiration Dates
 - a. Black, Teresa L. – 7/1/2023
 - b. Erickson, Terry – 7/1/2023
 - c. Hanson, Randi J. – 7/1/2023
 - d. O’Brien, Laura M. – 7/1/2019
 - 3) Wis. Stat. s. 15.085(3)(b) – Biannual Meeting with the Medical Examining Board
- G. National Board for Certification in Occupational Therapy (NBCOT) – Overview and Introduction to Resources and Services – Discussion and Consideration**
- H. Legislative and Policy Matters – Discussion and Consideration
- I. Consideration of Formation of an Occupational Therapy Examining Board – Discussion and Consideration (34)**

Added Via Noticed Agenda:

J. Public Agenda Request: Wisconsin Occupational Therapy Association (WOTA) Provisional Licensure Request – Discussion and Consideration (*Additional Materials*)

K. Occupational Therapy (OT) Licensing Compact Update – Discussion and Consideration

L. Administrative Rule Matters – Discussion and Consideration (35)

- 1) Scope Statement: OT 1 to 5, Relating to Implementation of the Occupational Therapy Licensure Compact **(36-37)**
 - a. 2021 Wisconsin Act 123 **(38-50)**
- 2) Rule Draft: OT 1 to 6, Relating to Telehealth **(51-58)**
 - a. 2021 Wisconsin Act 121 **(59-60)**
- 3) Pending and Possible Rulemaking Projects **(61)**

M. Credentialing Matters – Discussion and Consideration

- 1) Credentialing Statistics and License Counts (*Additional Materials*)

N. COVID-19 – Discussion and Consideration

O. 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 Policy Matters
- 10) Administrative Rule Matters
- 11) Liaison Reports
- 12) Board Liaison Training and Appointment of Mentors
- 13) Informational Items
- 14) Division of Legal Services and Compliance (DLSC) Matters
- 15) Presentations of Petitions for Summary Suspension
- 16) Petitions for Designation of Hearing Examiner
- 17) Presentation of Stipulations, Final Decisions and Orders
- 18) Presentation of Proposed Final Decisions and Orders
- 19) Presentation of Interim Orders
- 20) Petitions for Re-Hearing
- 21) Petitions for Assessments
- 22) Petitions to Vacate Orders
- 23) Requests for Disciplinary Proceeding Presentations
- 24) Motions
- 25) Petitions
- 26) Appearances from Requests Received or Renewed
- 27) Speaking Engagements, Travel, or Public Relation Requests, and Reports

P. 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 440.205, 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.).

Q. Deliberation on Division of Legal Services and Compliance Matters

1) Case Closings

- a. 21 OTB 004 – K.J.L. **(62-69)**

R. 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

S. Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

T. Vote on Items Considered or Deliberated Upon in Closed Session if Voting is Appropriate

U. Open Session Items Noticed Above Not Completed in the Initial Open Session

V. Delegation of Ratification of Examination Results and Ratification of Licenses and Certificates

ADJOURNMENT

NEXT MEETING: SEPTEMBER 13, 2022

ORAL INTERVIEW OF CANDIDATES FOR LICENSURE

VIRTUAL/TELECONFERENCE

10:15 A.M. OR IMMEDIATELY FOLLOWING FULL BOARD MEETING

CLOSED SESSION – Reviewing Applications and Conducting Oral Interviews of **Zero (0)** (at the time of agenda publication) Candidates for Licensure and Any Additional Examinations
Added After Agenda Preparation – Laura O’Brien & Teresa Black

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 at 608-266-2112, or the Meeting Staff at 608-266-5439.



Occupational Therapy Affiliated Credentialing Board 6/7/2022 (Open Session)
PUBLIC AGENDA REQUEST FORM **ADD: "Public Agenda Request: Wisconsin Occupational Therapy Association (WOTA) Provisional Licensure Request" after item "I. Consideration of Formation of an Occupational Therapy Examining Board"**

Instructions:

1. Fill out this form, and then save to your device.
2. Return to the "[Suggest an Agenda Item](#)" page and select the appropriate Board or Council from the Board/Council list.
3. Attach your completed "Public Agenda Request" form and send.

First Name: Laura

Last Name: Kocum

Association/Organization: Wisconsin Occupational Therapy Association

Subject: Licensing Delays

Issue to Address:

We have a number of WOTA Members who are finding 6 month+ delays in receiving their license. We would like the board to consider if there is a way to create a "gap" license while the final one is processed, or another solution to enable OTs and OTAs to begin working while the license processing takes place. This is intended to solve an urgent need, and hopefully a temporary one. We have patients who are facing service delays because of a lack of OTs and OTAs in clinics. We are concerned that treatment delays will create additional health issues.

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

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Jennifer Lamb License/Permit Program Associate - Lead		2) Date When Request Submitted: 6/3/22													
		Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting													
3) Name of Board, Committee, Council, Sections: Occupational Therapy Affiliated Credentialing Board															
4) Meeting Date: June 7, 2022	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? OT and OTA licenses issued in 2021 and 1/1/2022 to 5/31/2022													
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 (<u>Fill out Board Appearance Request</u>) <small>(name)</small> <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:													
10) Describe the issue and action that should be addressed: ACT 10 = 2021 OT = 5 issued OTA = 0 issued ACT 10 = 1/1/2022-05/31/22 OT = 14 issued OTA = 0 issued															
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%;">11)</td> <td style="width: 40%; text-align: center;">Authorization:</td> <td style="width: 20%;"></td> </tr> <tr> <td style="border-bottom: 1px solid black;"> Signature of person making this request <i>Jennifer N. Lamb</i> </td> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black; text-align: right;"> Date 06/03/22 </td> </tr> <tr> <td style="border-bottom: 1px solid black;"> Supervisor (if required) <i>Samantha Lange</i> </td> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black; text-align: right;"> Date 6/3/2022 </td> </tr> <tr> <td style="border-bottom: 1px solid black;"> Executive Director signature (indicates approval to add post agenda deadline item to agenda) </td> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black; text-align: right;"> Date </td> </tr> </table>				11)	Authorization:		Signature of person making this request <i>Jennifer N. Lamb</i>		Date 06/03/22	Supervisor (if required) <i>Samantha Lange</i>		Date 6/3/2022	Executive Director signature (indicates approval to add post agenda deadline item to agenda)		Date
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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.															

