



South Carolina  
Department of Labor, Licensing and Regulation  
Board of Occupational Therapy



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Mark Sanford  
Governor

Adrienne Riggins Youmans  
Director

Minutes of the South Carolina Board of Occupational Therapy  
Regular Meeting  
September 28, 2007  
Synergy Business Park, Kingstree Building, Room 108  
110 Centerview Drive, Columbia, South Carolina

Board members present were:

Lesly S. Wilson, PhD, OTR, Chairman  
Ricardo Holmes, Sr., OTR, Vice Chairman  
Joyce J. Branham, OTR  
Susan M. Hardin, OTR  
Linda H. Remick, COTA  
Janine P. Turner, OTR

Staff present was:

Kate K. Cox, Board Administrator  
P.C. Faglie, LLR Investigator  
Frank Sheheen, M.S., Program Director for RPP  
Sheridon Spoon, Advice Attorney to the Board  
Jamie Saxon, J.D., LLR Hearing Officer  
Shunna Vance, J.D., Litigation Attorney for the Board  
Sandra Williams, Administrative Assistant  
Richard P. Wilson, J.D., Special Counsel for RPP

CALL TO ORDER:

The Regular Session of the South Carolina Board of Occupational Therapy was held at the Synergy Office Park, Kingstree Building, 110 Centerview Drive, Room 108, Columbia, South Carolina. Whereas, proper notice of date, time, place and agenda information having been properly provided to THE STATE NEWSPAPER and ASSOCIATED PRESS and proper notice also having been posted at the LLR Office Building 24 hours prior to the time scheduled for the meeting and a quorum having been noted as present, Chairman Wilson called the meeting to order at 10:10 a.m. A quorum was present. All votes referenced herein were unanimous unless otherwise noted.

APPROVAL OF AGENDA:

**Motion:** A motion was made by Ms. Remick to approve the Agenda, as amended to move the Disciplinary Issues and Unfinished Business to follow the approval of the Agenda. Ms. Branham seconded the motion. The motion passed.

DISCIPLINARY ISSUES:

Mr. Faglie presented the Investigative Review Committee's (IRC) report concerning two disciplinary issues.

**Motion:** A motion was made by Ms. Branham to accept the IRC's recommendation on Case Number 2006-03 for Dismissal. Ms. Turner seconded the motion. The motion passed.

**Motion:** A motion was made by Ms. Turner to keep Case Number 2006-05 open and to seek more information from the Department of Health and Human Services report. Mr. Holmes seconded the motion. The motion passed.

Ms. Vance presented to the Board a Consent Order on Case Number 2006-06 with the Formal Accusation and facts of the case. The Respondent had signed the Consent Order as written and presented.

**Motion:** A motion was made by Ms. Turner to go into Executive Session. Ms. Branham seconded the motion. The motion passed.

**Motion:** A motion was made by Ms. Branham to come out of Executive Session and return to Open Session. Ms. Hardin seconded the motion. The motion passed.

**Motion:** A motion was made by Mr. Holmes to accept the Consent Order on Case Number 2006-06 with some alterations. Mr. Saxon, LLR Hearing Officer, was asked to detail the alterations for Ms. Vance for the re-writing of the Consent Order. Ms. Remick seconded the motion. The motion passed.

#### UNFINISHED BUSINESS:

Mr. Wilson made a presentation the Recovering Professionals Program (RPP) to the Board. He provided a detailed explanation of the RPP for the Board; he reviewed the Questionnaire from the RPP for Participating South Carolina Health and Medically Related Boards on the RPP; he presented documents from RPP that would apply to the Occupational Therapy Board such as a Memorandum of Agreement between the RPP and the South Carolina Board of Occupational Therapy, Policy on Stayed Orders under Terms of Final Orders when Recommended by the RPP, and the Policy for Missed Drug Screens or Initial Positive Reports; and he asked for questions from the Board. After discussion, Mr. Wilson asked for approval from the Board to become a member of the RPP by approving a Memorandum of Agreement between the RPP and the South Carolina Board of Occupational Therapy Board.

**Motion:** A motion was made by Ms. Hardin to approve the Memorandum of Agreement between the RPP and the South Carolina Board of Occupational Therapy Board, Policy on Stayed Orders under Terms of Final Orders when recommended by the RPP, and the Policy for Missed Drug Screens or Initial Positive Reports. Ms. Turner seconded the motion. The motion passed.

#### APPROVAL OF MINUTES:

**Motion:** A motion was made by Ms. Branham to accept the March 23, 2007 minutes as printed. Ms. Turner seconded the motion. The motion passed.

#### CHAIRMAN'S REMARKS:

Chairman Wilson thanked Ms. Remick for writing an article for the *SCOTA Script*. She encouraged the Board members to be willing write articles and reminded them that all articles written by Board members need to have LLR approval, as the Board is under a Cabinet Agency of the South Carolina Governor. She discussed the RPP and the need to let the Board's licensees know about the RPP and its services to the Board and the licensees. Mrs. Cox said information will posted on the web and she would investigate doing a mailing or e-mail blast on RPP to all licensees. Mr. Wilson stated he can provide a letter of introduction and explanation about RPP.

Chairman Wilson asked for presenters for the SCOTA meeting on October 13, 2007. Mr. Holmes, Ms. Hardin and Ms. Remick volunteered to assist and said they would meet after the Board meeting to discuss the topics to be covered.

Chairmen Wilson introduced the new Advice Attorney for the Board, Mr. Spoon. Mr. Spoon made a few self introductory comments to the Board.

#### SWEARING IN NEW OFFICERS:

Mr. Spoon conducted a swearing in of the new officers of the Board from the March 2007 election to be Dr. Wilson as Board Chairman and Mr. Holmes as Board Vice Chairman.

#### REPORTS:

##### Administrator's Report:

Mrs. Cox reported the licensee totals to date are 1,238 licensed occupational therapists and 491 licensed occupational therapy assistants for a total of 1,729 licensees. Mrs. Cox stated the professional is growing in the state.

Mrs. Cox reported the Continuing Education (CE) Audit following the on-line renewal was completed with the all audited licensees be compliant at the audit or compliant by September 30, 2007 for five licensees who had intended compliance. They were given the additional time to show compliance where there was confusion of the hours submitted. Mrs. Cox reviewed the Random Audit for the verification of audited licensees' National Board of Certification in Occupational Therapy's (NBCOT) certification. Mrs. Cox reported that seven licensee were not compliant with their certification and were given the extra time to complete their certification. The Board discussed the confusion of dates for getting required CE for renewal for licenses and for NBCOT certification. The Board stated more education on these renewals and renewal dates.

Ms. Cox also reviewed the on-line services available to the Board and the on-line services that are being developed for the Board.

##### Financial Report:

Mrs. Cox stated that the Financial Report is provided as information. She noted for the record revenue is collected biennially and is expended over a two-year period. She reported that she reviews the Board's budget yearly with LLR.

#### LEGAL:

There was no Legal Business.

#### NEW BUSINESS:

The Board reviewed the reinstatement procedure for licenses that have lapsed or were placed on inactive status at renewal time. It was discussed that any licensee who is given a year's temporary license in order to complete supervised hours should have their supervisor report to the Board on their competency within a certain number of months or after completing a certain number of supervised hours. If a class is needed to assure competency it could be identified at this time. Ms. Turner said tests are available in areas of

competency. Chairman Wilson stated that a policy and procedure should be written concerning this matter. This matter was carried over for further discussion and action.

DISCUSSION TOPICS:

The Board discussed the need to present licensure information in the professional schools in South Carolina by making presentations in person and by making schools aware of the information that is available on-line on the Board's web site. Mrs. Cox said she was available to help with this need.

PUBLIC COMMENTS:

There was no public comment.

ANNOUNCEMENTS:

Mrs. Cox announced there would be the annual conference for NBCOT in Alexandria, VA on October 26 and 27, 2007 and that Chairman Wilson and she would attend. She also announced that the last Board meeting for 2007 will be held on December 7, 2007. The meetings for 2008 were announced to be on March 28, June 27, September 26, and December 5, 2008.

ADJOURNMENT:

There being no further business the meeting was adjourned at 1:30 p.m.

Respectfully submitted,



Kate K. Cox  
Administrator