



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



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Mark Sanford  
 Governor

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 Director

Minutes of the South Carolina Board of Occupational Therapy  
 Regular Meeting, Consent Agreement, and Licensee Appearances  
 August 6, 2010  
 Synergy Business Park, Kingstree Building, Room 105  
 110 Centerview Drive, Columbia, South Carolina

Board members present were:

- Lesly S. Wilson, PhD, OTR/L, Chairman
- Ricardo Holmes, Sr., OTR/L, Vice Chairman
- Joyce J. Branham, OTR/L
- Susan M. Hardin, OTR/L
- David P. Putman, Public Member
- Linda H. Remick, COTA/L
- Janine P. Turner, OTR/L

Others present were:

- Tina F. Behles, CVR
- Sarah Brittain, OT
- Dean Grigg, LLR Hearing Officer
- Shelia Jones, Administrative Assistant
- Georgia Lewis, LLR Litigation Attorney
- Karen McCreary, OT
- Daniel Muldoon
- Debra Muldoon, OTA
- Sheridon Spoon, Advice Attorney to the Board
- Marisa A. Testani, OT

**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 105, 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 10:05 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 presented. Ms. Branham seconded the motion. The motion passed.

APPROVAL OF MINUTES:

**Motion:** A motion was made by Ms. Hardin to accept the March 26, 2010 minutes. Ms. Branham seconded the motion. The motion passed

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REPORTS:

Administrator's Report:

Chairman Wilson reviewed the Administrator's report from Mrs. Cox. She reported licensee totals to date to be 1464 OTR/L and 670 COTA/L for a total of 2135 licensees. She reported the LLR continues to be in touch with the Governor's office for appointments for members in expired terms. She noted that the new database system from Accela is being tested, and the Occupational Therapy Board is in the first phase of development and implementation. The Board member contact information was reviewed and changes were noted.

OIE/ OGC/ OIS Management Reports:

Office of Investigations and Enforcement (OIE) statistical report was provided by David Love with five (5) cases being worked from 2009 and three (3) cases being investigated from 2010. It was discussed that the reports are updated daily as needed and as actions on the cases are taken. Office of General Counsel (OGC) report noted one case coming before the Board today. Office of Information Services (OIS) report noted that since the last Board meeting in March that twenty-eight (28) new OT licenses were issued, twenty-eight (28) new OTA licenses were issued, and two (2) OT licenses have been reinstated. Chairman Wilson reported that Mrs. Cox made a licensure presentation at the Medical University of South Carolina (MUSC) in July to the new graduates of the occupational therapy education program.

Financial Report:

The report is provided as information. Revenue is collected biennially and is expended over a two-year period. The Board is audited annually and has been found financially sound with no audit exceptions being noted. All monthly financial reports which are fully detailed are kept in the Board's office and in the Financial Department of LLR. New SCEIS system has been implemented for all financial, payroll, and personnel leave reporting across all South Carolina government entities.

DISCIPLINARY ISSUES:

Investigative Review Committee Report (IRC):

There was no report for August 2010.

CONSENT AGREEMENT PRESENTATION:

A Consent Agreement was presented regarding a complaint matter to the Board for their ruling in the matter of the practice occupational therapy which was signed by Karen McCreary, OT License #2073, with a public reprimand and conditions being offered. The State was represented by Georgia Lewis who presented the Consent Agreement. Ms. McCreary by her choice was not represented by counsel. The Hearing Officer was Dean Grigg. A court reporter was present. The presentation commenced.

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

**Motion:** A motion was made by Ms. Turner to come out of Executive Session. The motion was seconded by Mr. Ricardo. The motion carried.

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**Motion:** A motion was made by Ms. Turner to accept the Consent Agreement and have the Board Chairman sign it. The motion was seconded by Mr. Ricardo. The motion carried.

#### APPEARANCES BEFORE THE BOARD:

##### Licensee Appearance Due to Audit Failure:

Licensee, Marisa A. Testani, appeared before the Board without representation regarding reinstatement of the license based on the reinstatement policy of the Board. A court reporter was present and Mr. Spoon was the advice counsel for the Board. The Applicant addressed the Board and the Board asked appropriate questions.

**Motion:** A motion was made by Mr. Putman to go into Executive Session. The motion was seconded by Ms. Hardin. The motion carried.

**Motion:** A motion was made by Ms. Hardin to come out of Executive Session. The motion was seconded by Ms. Remick. The motion carried.

**Motion:** A motion was made by Mr. Ricardo to reinstate the license and no Public Order was issued. The motion was seconded by Ms. Remick. The motion carried.

##### Licensee Appearance for Reinstatement Request:

Debra A. Muldoon, OTA, lapsed License # 2406, appeared before the Board to ask for special consideration of waiving the required 750 required hours of on-site supervision that is required for reinstating a license that has lapsed for more than five (5) years but less than ten (10) years. Ms. Muldoon made a presentation and the Board asked appropriate questions.

**Motion:** A motion was made by Ms. Branham to go into Executive Session. The motion was seconded by Mr. Holmes. The motion carried.

**Motion:** A motion was made by Ms. Branham to come out of Executive Session. The motion was seconded by Mr. Holmes. The motion carried.

**Motion:** A motion was made by Ms. Remick to deny Ms. Muldoon's request of having the required on-site supervision hours waived as part of Ms. Muldoon's planned reinstatement. The motion was seconded by Ms. Turner. The motion carried.

##### Licensee Appearance for Reinstatement Request:

Sarah Brittain, OT, lapsed License # 2629, appeared before the Board to ask for special consideration in reinstating her inactive license by asking that the inactivity period be considered less than three (3) years.

Ms. Brittain made a presentation to show that her reinstatement request was within a few months of the three year deadline and offered other information. The Board asked appropriate questions.

**Motion:** A motion was made by Ms. Branham to go into Executive Session. The motion was seconded by Mr. Holmes. The motion carried.

**Motion:** A motion was made by Ms. Hardin to come out of Executive Session. The motion was seconded by Ms. Turner. The motion carried.

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**Motion:** A motion was made by Ms. Turner to allow Ms. Brittain to reinstate her inactive license with no further requirements. The motion was seconded by Mr. Ricardo. The motion carried

LEGAL:

There were no legal matters discussed.

UNFINISHED BUSINESS:

There was no Unfinished Business before the Board.

NEW BUSINESS:

New Business was tabled until the November 19, 2010 meeting.

DISCUSSION TOPICS:

The Board discussed reviewing the Board's reinstatement requirements and policy at the next meeting. The Board also discussed asking for travel permission for Ms. Hardin and Mr. Putman to attend the annual National Board of Certification in Occupational Therapy (NBCOT) Conference in Indianapolis, IN.

PUBLIC COMMENTS:

There was no public comment.

ANNOUNCEMENTS:

The Board's next meeting will be November 19, 2010.

ADJOURNMENT:

There being no further business the meeting was adjourned at 1:50 p.m.

Respectfully submitted,

Kate K. Cox  
Administrator