

SOUTH CAROLINA DEPARTMENT OF LABOR, LICENSING & REGULATION
South Carolina Board of Occupational Therapy Examiners
Synergy Business Park, Kingstree Building
Via Video/Teleconference
Columbia SC 29211

Friday, November 5, 2021

Board Members Present

Lesly W. James, Ph.D., OTR/L, Chairperson
Ricardo Holmes, Sr., OTR/L, Vice-Chairperson
Hima Dalal, OTR/L
Melissa Hevia, OTA
Rebecca Coleman, OTR/L
Todd Laliberte, OTR/L
Leslie Lyerly, RN

Staff Present

Mack Williams, Board Administrator
Mary League, Advice Counsel

Public notice of this meeting was properly posted at the SC Board of Occupational Therapy Synergy Business Park, Kingstree Building 110 Centerview Drive, held via video/teleconference and provided to all requesting persons, organizations, and news media in compliance with Section 30-4-80 of the South Carolina Freedom of Information Act.

Call to Order

Dr. James, Chair, called the meeting to order at 10:00am. The meeting was held via video/teleconference.

Approval of the Agenda:

Motion: In open session, Ms. Dalal made a motion to approve the November 5, 2021 meeting agenda. The motion is seconded and approved.

Approval / Disapproval of absent Members:

All Members present.

Approval of the Minutes:

Motion: In open session, Ms. Dalal made a motion to approve the August 6, 2021, meeting minutes. The motion was seconded and approved.

New Business

Financing and Staffing: Mr. Dean Grigg, Deputy Director had a discussion with the Board regarding finances and staffing.

Office of Investigations and Enforcement (OIE/IRC) Report: Ms. Amanda Branham, presented the statistical and training report, to the Board.

The Board accepted the statistical and training report, as information.

IRC Recommendations

Ms. Branham presented the IRC report to the Board. Case 2021-5 is recommended for a formal complaint.

Motion: In open session, Ms. Coleman made a motion to accept the IRC recommendation for case 2021-5 for a formal complaint. The motion was seconded and approved.

Office of General Council (ODC) Report: Mr. Gwynne, Office of Disciplinary Counsel, presented the ODC Report.

The Board accepted the ODC report as information.

Finance Report: Mr. Williams, Board Administrator, presented the financial report.

The Board accepted the finance report as information.

Application Hearings:

Initial Applications:

Brooke Hensley: The purpose of this hearing was to determine whether Ms. Hensley should be granted a license as an Occupational Therapist Assistant in South Carolina. Ms. Hensley made a personal appearance by video conference and was not represented by legal counsel.

Motion: In open session, Ms. Hevia made a motion to grant Ms. Hensley a license to practice as an Occupational Therapy Assistant. The motion was seconded and approved.

Richard Steenson: The purpose of this hearing was to determine whether Mr. Steenson should be granted a license as an Occupational Therapist in South Carolina. Mr. Steenson made a personal appearance by video conference and was not represented by legal counsel.

Motion: In open session, Mr. Holmes made a motion to grant Mr. Steenson a license to practice as an Occupational Therapist. The motion was seconded and approved.

Robert Zila: The purpose of this hearing was to determine whether Mr. Zila should be granted license reinstatement to practice as an Occupational Therapist in South Carolina. Mr. Zila made a personal appearance by video conference and was not represented by legal counsel.

Motion: In open session, Mr. Holmes made a motion to go into closed session to protect personal health information. The motion was seconded and approved.

Motion: In closed session, Mr. Laliberte made a motion to go into executive session. The motion was seconded and approved.

Executive Session: No votes were taken during executive session. [11:48 am. – 1:14 pm]

Break [1:15pm. – 1:24 pm]

Motion: In open session, Mr. Holmes made a motion to come out of executive session. The motion was seconded and approved.

Motion: In closed session, Mr. Laliberte made a motion to reinstate the license once the following conditions have been met: Mr. Zila must pass the NBCOT Exam within six months of the Board's order, obtain five hundred hours of direct supervision under a licensed occupational therapist within one year, attend an in person Board approved program to obtain fifty continuing education hours with in one year, pay a civil penalty of \$1,800 for practicing without a license from 2009-present payable with in ninety days from the date of the order. Effective immediately Mr. Zila is prohibited from providing any Occupational Therapy services in the state of South Carolina until all of the above is fully met. The motion was seconded and approved.

Disciplinary Hearings:

Stipulation of Facts

Case 2020-2: Mr. Gwynne, Office of Disciplinary Counsel presented the Stipulation of Facts to the Board. The respondent appeared by video conference and was represented by Mr. J. Paul Porter Esq.

Motion: In open session, Mr. Holmes made a motion to go into closed session to protect health information. The motion was seconded and approved.

Motion: In closed session, Mr. Holmes made a motion to go into executive session to receive legal advice on Case 2020-2. The motion was seconded and approved.

Executive Session: No votes were taken during executive session. [1:53pm. – 2:26 pm]

Motion: In closed session, Ms. Dalal made a motion to come out of executive session. The motion was seconded and approved.

Motion: In closed session, Mr. Holmes made a motion to accept the stipulation of facts and to impose the following sanctions: issue a public reprimand, the respondent must take a six hour Board approved ethics course which must consists of sexual harassment to be completed within one year, and restricted from the practice of home health for four (4) years. The motion was seconded and approved.

Formal Complaint

Case 2020-5: Mr. Gwynne, Office of Disciplinary Counsel presented the formal complaint to the Board. The respondent appeared by video conference and was not represented by legal counsel.

Motion: In open session, Mr. Holmes made a motion to go into closed session to protect personal health information. The motion was seconded and approved.

Motion: In closed session, Mr. Laliberte made a motion to go into executive session. The motion was seconded and approved.

Executive Session: No votes were taken during executive session. [3:48pm. – 4:09 pm]

Motion: In closed session, Ms. Lyerly made a motion to come out of executive session. The motion was seconded and approved.

Motion: In closed session, Ms. Dalal made a motion to impose the following sanctions: Issue a public reprimand, the respondent will be restricted from practicing in a home health setting for four (4) years, the respondent must have onsite supervision for one year and probation until the respondent completes a two (2) hour board approved course on documentation and ethics. The motion was seconded and approved.

Discussion Topics:

Legislative Update: The Board discussed legislative updates. There are no updates at this time.

2022 SCOTA Annual Meeting: The Board discussed the 2022 SCOTA Annual Meeting.

Motion: In open session, Ms. Dalal made a motion for Dr. James, Ms. Coleman, Ms. Hevia and herself attend the 2022 SCOTA Annual Meeting. The motion was seconded and approved.

2022 AOTA Annual Meeting: The Board discussed the 2022 AOTA Annual Meeting.

Motion: In open session, Mr. Laliberte made a motion for Ms. Dalal, Dr. James, Mr. Holmes, and Ms. Hevia attend the 2022 AOTA Annual Meeting. The motion was seconded and approved.

CLEAR Conference: The Board discussed the 2022 CLEAR Conference.


Motion: In open session, Mr. Holmes made a motion for Dr. James, Ms. Lyerly, Ms. Hevia and himself attend the 2022 CLEAR conference. The motion was seconded and approved.

2022 Board Meeting Dates: The Board discussed upcoming 2022 Board Meeting Dates.

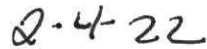
Motion: In open session, Ms. Dalal made a motion to continue meeting by video conference for 2022 and to approve the 2022 Board meeting dates. The motion was seconded and approved.

ADJOURNMENT

There being no other business, the meeting was adjourned at 4:50 p.m.



Administrator



Date