

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, May 6, 2022

Board Members Present

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

Absent Members

Nadine Hanner, OT

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 10:01am. The meeting was held via video/ teleconference.

Approval of the Agenda:

Motion: In open session, Mr. Holmes made a motion to approve the May 6, 2022 meeting agenda. The motion is seconded and approved.

Approval / Disapproval of absent Members:

Motion: In open session, Mr. Holmes made a motion to approve the absence of Ms. Hanner. The motion was seconded and approved.

Approval of the Minutes:

Motion: In open session, Mr. Holmes made a motion to approve the February 4, 2022, meeting minutes. The motion was seconded and approved.

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

The Board accepted both reports as information.

IRC Recommendations

Ms. Branham presented the IRC report to the Board. Case #2021-9, 2021-10 recommended for dismissal and Case #2021-11 recommended for formal complaint.

Motion: In open session, Ms. Coleman made a motion to accept the IRC recommendation for two dismissals and one for a letter of caution. The motion was seconded and approved.

Office of General Council (ODC) Report: Ms. Baldwin, 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 Hearing:

Timmiri Wooters: The purpose of this hearing was to determine whether Ms. Wooters should be granted a license as an Occupational Therapist in South Carolina. Ms. Wooters 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. Wooters a license to practice Occupational Therapy. The motion was seconded and approved.

Disciplinary Hearings:

Stipulation of Facts

Case 2019-1: Ms. Baldwin, Office of Disciplinary Counsel presented the Stipulation of Facts to the Board. The respondent appeared by video conference and was represented by Ms. Daphne S Withrow Esq.

Motion: In open session, Ms. Hevia made a motion to go into executive session to receive legal advice on Case 2019-1. The motion was seconded and approved.

Executive Session: No votes were taken during executive session. [12:09pm. – 1:11 pm]

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

Motion: Ms. Hevia made a motion to accept the Stipulation of Facts, and that 40-36-110 (f) was not proven by the state in the stipulation of fact, but there was a violation of 40-36-110 (6) and 40-1-110 (1) and the following sanctions will be a: public reprimand; a civil penalty of \$1500 for each violation for a total of \$3000 to be paid within six months from the date of the order; complete additional continuing education consisting of three hours in documentation and one hour in billing; and proof of competition be provided to the board within six months from the date of the order. The continuing education should be pre-approved by the board staff. The motion was seconded and approved.

Formal Complaint

Case 2021-5: Ms. Baldwin, 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, Ms. Hevia made a motion to go into executive session to receive legal advice on Case 2021-5. The motion was seconded and approved.

Executive Session: No votes were taken during executive session. [1:41pm. – 1:45pm]

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

Motion: In open session, Ms. Lyerly made a motion to accept the Stipulation of Facts and because there was no intent to deceive or any fraudulent intent, to dismiss with a Letter of Caution and to be more attentive to licensure requirements. The motion was seconded and approved.

Discussion Topics:

Discuss criminal background parameters and board disciplinary actions for new applications: The Board discussed criminal background parameters and disciplinary actions for new applications.

Motion: In open session, Mr. Holmes made a motion to allow staff to approve initial applications that have yes answers that are misdemeanor first offense beyond five years. A felony must make a board appearance. The motion was seconded and approved.

Motion: In open session, Ms. Lyerly made a motion to allow staff to approve initial applications that have disciplinary action from other states that have been resolved. The motion was seconded and approved.

OTA Virtual Supervision: The Board discussed virtual supervision. The board indicated that supervision must be in accordance with section 40-36-300 and therapists should be mindful of HIPPA precaution and guidelines.

Motion: In open session, Ms. Dalal made a motion to go into executive session to get legal advice on the investigative process. The motion was seconded and approved.

Executive Session: No votes were taken during executive session. [10:33 am – 10:42 am]

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

2022 SCOTA Annual Meeting: Dr. James and Ms. Hevia updated the board on their attendance to the SCOTA annual meeting.

2022 AOTA Annual Meeting: Dr. James and Mr. Holmes updated the board on their attendance to the AOTA annual meeting.

Legislative Update: Mr. Williams updated the Board on the OT Licensure Compact.

Motion: In open session, Ms. Colman made a motion to adjourn meeting. The motion was seconded and approved.

ADJOURNMENT

There being no other business, the meeting was adjourned at 3:31pm.

[Redacted Signature]

Administrator

8-5-2022
Date