

**MINUTES**  
**UTAH**  
**BOARD OF OCCUPATIONAL THERAPY**  
**MEETING**

**October 21 2014**

**Room 474– 4<sup>th</sup> Floor – 9:00 a.m.**  
**Heber Wells Building**  
**Salt Lake City, UT 84111**

**CONVENED:** 9:01 a.m.

**ADJOURNED:** 10:32 a.m.

**Bureau Manager:**  
**Board Secretary:**

Suzette Farmer, Ph.D., RN  
Shirlene Kimball

**Conducting:**

Lezlie Adler, MS Chair

**Board Members Present:**

Lezlie Joan Adler, MS  
Van Neilson, public member  
JoAnne Wright, Ph.D.  
Mary Gainer, OTA  
Loriann Helgeson, OTD OTR/L

**Division Staff:**

Mark Steinagel, Division Director  
Ray Walker, Compliance Officer  
David Taylor, Bureau Manager

**TOPICS FOR DISCUSSION**

**DECISIONS AND RECOMMENDATIONS**

May 6, 2014 Minutes:

Dr. Wright made a motion to approve the May 6, 2014 minutes with corrections. Dr. Helgeson seconded the motion. All Board members voted unanimously in favor of the motion.

Introduction of Bureau Manager,  
Suzette Farmer, Ph.D., RN

Dr. Farmer introduced herself and provided a brief summary of her professional background. Board members welcomed Dr. Farmer.

Martine Peeters,  
Licensure application:

Dave Taylor explained that Ms. Peeters' initial application had been denied by the Division because her education did not meet the requirement in the Occupational Therapy Practice Act, section 58-42a-302(1)(d) Qualifications for licensure which reads: graduate with a bachelors or graduate degree in occupational therapy from a program accredited by the Accreditation Council for Occupational Therapy Education. Mr. Taylor indicated that the statute

and rules do not address foreign education for an occupational therapist.

Ms. Peeters submitted an appeal with additional information indicating that she has an expired Florida license, however, is currently licensed in California and would like to be considered for licensure under endorsement. The Department of Commerce remanded the appeal back to the Division and Mr. Taylor indicated he felt that the Board should review the information.

Ms. Peeters and her attorney, James Tanner, were present for the discussion. Ms. Peeters indicated she has NBCOT certification and has been licensed in Florida and California. Dr. Wright indicated that to become NBCOT certified there are very vigorous standards that have to be met. Dr. Helgeson stated NBCOT thoroughly reviews the academic record of an individual who graduated from an educational program in a foreign country and have been practicing as occupational therapists in their country. Dr. Helgeson stated that after reviewing Ms. Peeters documentation; she would feel comfortable issuing the license.

Dr. Wright stated that foreign education was not addressed in statute because if the NBCOT standards changed, we did not want to be locked into old standards. Dr. Wright stated that looking at the application she feels that the NBCOT standards have been met. Dr. Wright made a motion to accept the NBCOT criteria and approve as a benchmark for reviewing applicants who have been foreign trained and seeking licensure in the state of Utah. Mr. Neilson seconded the motion. All Board members voted unanimously in favor of the motion. Dr. Helgeson made a motion to approve Ms. Peeters for licensure. Dr. Wright seconded the motion. All Board members voted unanimously.

Presentation review, Utah Code Section 36-23-107, Sunrise or Sunset review criteria:

Ms. Adler indicated that as chair of the Board, she has been invited to meet with a Legislative Committee regarding sunset review of the Occupational Therapy Practice Act. Ms. Adler stated she has been requested to make a statement on behalf of the Board regarding why the Legislature should support continued licensure of occupational therapists and how licensure protects the public.

Mr. Walker explained the Committee's responsibilities for sunset and sunrise review. Mr. Walker indicated that sunrise is for a new profession before a bill is presented to the Legislature and the sunset is a review of any legislation that has a sunset date. Mr. Steinagel stated that some professions have a sunset bill, others do not and it depends on whether the bill's sponsor feels a sunset date is necessary. Mr. Steinagel stated that the Review Committee consists of three House members, three Senate members, three members who are not Legislators (a public member, a previous DOPL Board member, and one other individual). The Committee meets twice a year and reports to the Management and Business and Labor Committee. Mr. Walker indicated that Utah Code, section 36-23-107, outlines the criteria used to protect the health and safety of the public. He indicated Committee members would be looking at what would happen to society if occupational therapists were not licensed and whether the public would be at an increased risk of harm if the occupational therapists were not licensed. Mr. Walker handed out a document with data regarding licensure statistics for occupational therapists.

Mr. Steinagel stated it helps to have the Legislators see why licensure is important. Mr. Walker indicated Ms. Adler should focus on presenting that Board members have met the requirements for licensure (except for the public member) and that they volunteer to provide expertise in regulating the profession. Board members provide expertise on standards of conduct that members of the profession should comply with, the Board is the fact finder at a hearing and recommends appropriate actions, and one Board member can be assigned to provide expertise to the investigative process. Board members indicated Ms. Adler should stress the importance of having a level of education and certification to protect the public. Dr. Wright stated that having a license leads to a more professional environment. Employers look for individuals who are licensed because the licensed individual is held to a higher standard. The cost to the public is minimal because the Board volunteers their time and only meets once or twice a year. Dr. Wright also indicated that Medicaid and Medicare will not pay for a service if the individual providing the service is not licensed.

In summary, the Board has the function to review the credentials of individuals practicing in the state, and how they are providing service delivery to make certain the right people with the right knowledge serve the public. The public is best served if the individual meets minimum licensure requirements. In addition, it is important to note that federal agencies, such as Medicare and Medicaid, rely on the Board to see that service delivery is by those individuals who are licensed. If the license did not exist, the funding would not exist for Medicare and Medicaid individuals and those services would not be available to those who need them. This is a volunteer Board that fully supports the continuation of the Occupational Therapy Practice Act.

2015 Board schedule:

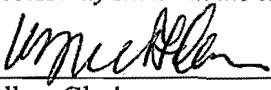
The 2015 Board meeting dates will be April 7, 2015 at 9:00 a.m.; and November 10, 2015 at 9:00 a.m.

Informational Items:

Stevens-Henager College requested voluntary withdrawal of candidacy status from the developing an occupational therapy assistant program at Stevens-Henager College.

*Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.*

4-7-15  
Date Approved

  
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Lezlie Adler, Chair  
Occupational Therapy Licensing Board

4/7/15  
Date Approved

  
\_\_\_\_\_  
Suzette Farmer, Bureau Manager,  
Division of Occupational & Professional Licensing