

AGENDA ITEM 5

REVIEW AND VOTE ON APPROVAL OF THE JUNE 26, 2024, COMMITTEE MEETING MINUTES.



DRAFT

**AD HOC COMMITTEE ON SUPERVISION STANDARDS
 MEETING MINUTES**

June 26, 2024

Committee Members Present

Denise Miller, OT, Board
 Member/Chair
 Sharon Pavlovich, OTA, Board
 Member
 Cesar Arada, OT
 Ada Boone Hoerl, OTA
 Candace Chatman, OT
 Joyce Fries, OT
 Dominique Hendershot-Embrey, OT
 Heather Kitching, OT
 Kersten Laughlin, OT
 Julie McLaughlin Gray, OT
 Liz Phelps, OT
 Erin Schwier, OT
 Penny Stack, OT

Board Staff Present

Heather Martin, Executive Officer
 Rachael Hutchison, Analyst
 Jeanine Orona, Analyst

Committee Members Absent

Beata Morcos, Board Member
 Jessica Padilla, OTA
 Terry Peralta-Catipon, OT
 Samia Rafeedie, OT
 Sheryl Ryan, OT

**Wednesday, June 26, 2024
 8:00 am – Committee Meeting**

1. Call to order, roll call, establishment of a quorum.

The meeting was called to order at 8:15 a.m., roll was called, and a quorum was established.

2. Committee Chair’s Opening Remarks.

Chair Denise Miller thanked all in attendance for their time and announced that there were guests in attendance and offered them the opportunity to introduce themselves if they wished.

Julie Mclaughlin Gray, the Associate Chair for Curriculum and Faculty at the University of Southern California, introduced herself as she was not in attendance at the previous meeting.

Kristen Neville, State Affairs Manager with the American Occupational Therapy Association (AOTA) introduced herself.

Chair Miller announced that Teresa Brininger, PhD, MBA, OT, and Director of Accreditation at AOTA, accepted the committee's invitation and was in attendance as a special guest.

Chair Miller reminded that ACOTE is the accrediting body of the Occupational Therapy (OT) profession, and the California Board of Occupational Therapy (Board) is the regulatory entity of the occupational therapy profession in California that is beholden to protect the consumer.

Chair Miller informed the committee that the focus of the meeting was to make a recommendation to the Board regarding regulatory language for supervision standards. This would be an opportunity to ask Dr. Brininger clarifying questions pertaining to ACOTE standards that may assist the expert practitioners of the committee to formulate recommendations to not only clarify the regulatory language.

Teresa Brininger introduced herself as the Director of Accreditation at AOTA.

3. Public Comment for Items Not on the Agenda.

There were no public comments for items not on the agenda.

4. Consideration and possible recommendation to the Board on amending California Code of Regulations (CCR), Title 16, Division 39, Article 9, Section 4180, Definitions, and Section 4181, Supervision Parameters.

Chair Miller noted that although there were previous robust discussions that resulted in recommendations being submitted to the Board, those recommendations ultimately produced the need for larger discussions and opportunities for additional expert practitioners to ask questions and receive clarification in an open forum.

Dr. Brininger reported that the ACOTE standards were written to be general and not prescriptive. The standard that applies to fieldwork is C.1.7 which refers to the ratio of fieldwork educators to students. The states that the program needs to ensure the ratio enables proper supervision and consumer protection. Dr. Brininger stated it was up to the state of California if they wished to put more limitations on that standard.

Dr. Sharon Pavlovich reminded the committee that the consensus of the previous meeting included many ratio examples due to varied Level I fieldwork settings. The committee discussed numbers as high as 30 and as low as 10 or 15 but ended at supervision of no more than 20 Level I fieldwork students in a faculty-led fieldwork, which seemed reasonable for consumer safety.

Chair Miller thanked Dr. Pavlovich for her summary and added that the committee never intended to be prescriptive but in terms of aligning with ACOTE, she asked that the committee continue the discussion.

Ada Boone Hoerl stated that following her review of the 2023 ACOTE Standards, C.1.11, Level 1 Fieldwork she felt that the definition of “faculty led” should be defined at the Board level because Level I students utilize virtual and simulated environments which means there is no risk to the consumer and the ratio could then be higher.

Candace Chatman thanked Ms. Boone Hoerl for her enlightening explanation. Asked if the topic of “at any one time” was discussed.

Dr. Pavlovich recalled that the choosing of the phrase “at any one time” seemed to cover all the options that would best protect the consumer.

Chair Miller agreed.

Penny Stack asked if Ms. Boone Hoerl could give her opinion on faculty led fieldwork versus a site visit or field trip.

Ms. Boone Hoerl stated that in her interpretation of ACOTE’s language a faculty led site visit is where the faculty are supervising the actions and the interventions of the students during a site visit as opposed to a faculty member assigning a Level I student to go to a site and have the onsite staff conduct supervision.

Ms. Stack and Chair Miller thanked Ms. Boone Hoerl immensely for her helpful insight and opinion.

Julie Mclaughlin-Gray stated her surprise that the number is the same for Level I and Level II. She opined that Level I should have a maximum of four and Level II, could remain three.

Dr. Pavlovich reminded that pertaining to the definition of numbers, the committee must also take in to account the workload of the supervisor. If the number of Level I students is increased, it ultimately adds to the workload of the supervising OT and the committee must be mindful due to the repercussions on that supervisor.

Liz Phelps stated that in her review of the proposed language in CCR Section (d)(6)(2), she was under the impression that the reference of “no more than a total of three.....”

was referring to a combination of three of any of the mentioned categories and additional specificity in that section would be needed.

Ms. Chatman proposed that a definition of “at any one time” be added to CCR Section 4180.

Ms. Boone Hoerl commented that as the language currently stands that an OT can supervise three trained licensed Occupational Therapy Assistants (OTAs). Ms. Boone Hoerl expressed her concern that including the supervision of trained and licensed OTAs with the supervision of students may negatively impact patient care performed by OTAs. This impact could be reflected in Ots choosing to supervise the maximum number of students instead of OTAs because it is cheaper to pay the students to offer services as a part of their training than supervising and paying an OTA.

Public Comment

Kristen Neville commented that she enjoyed the discussion and looked forward to having a written copy of Ms. Boone Hoerl’s opinion on “faculty led” because it was so well spoken

Ms. Neville commented that the language of the supervision topic can become very complicated pertaining to the appropriate ratio due to the different situations, experiences, and practice settings. Ms. Neville offered to share AOTA’s official document on supervision if the committee was interested.

Dr. Brininger clarified at Chair Miller’s request that ACOTE does not have a prescribed number and whatever the Board came up with, would be more restrictive than the ACOTE standard.

Chair Miller assured Ms. Brininger the supervision ratios that were put forth up to that point were based on the expert knowledge of the current panel of committee members.

Executive Officer Heather Martin stated that pertaining to the concerns about the clarity of “no more than three” it was a great idea to move “At any one time,” to the beginning of that proposed language. She noted that defining “faculty led fieldwork” versus “faculty led site visits” should be considered. Ms. Martin applauded Ms. Boone Hoerl’s request to remove OTAs from the proposed language and giving them their own section since they are licensed professionals.

Ms. Martin advised the committee that any proposed regulatory change would require Board staff to explain a detailed justification of all ratios.

Ms. Martin suggested removing the OTAs from the proposed language.

Chair Miller summarized Mr. Martin’s comments as direction for the next committee meeting discussion.

- Discuss the definition of “at any one time”
- Discuss the usage of “total” versus “maximum”
- Discuss the definition of “no more than”
- Discuss faculty led fieldwork in relation to faculty led site visits. Ms. Boone Hoerl’s explanation to be used.

Ms. McLaughlin-Gray supported the removal of OTAs from the proposed language because licensed professionals should not be lumped in with students.

Ms. Chatman agreed that OTAs need to be removed from the proposed language and would prefer that OTA had a section of their own.

Ms. Boone Hoerl agreed that OTAs should be removed from the proposed language. She asked that direction and clarification on whether it violates the proposed language if a supervising OT was supervising three OTAs and each of those OTAs was supervising three students would count as the supervising OT having 12 under their supervision.

Dr. Pavlovich asked if the use of the word “service” on page three of CCR Section 4181(f) should be further defined at the next meeting.

Chair Miller noted the ask.

Chair Miller asked for an affirmative response from committee members that agreed OTAs should be removed from the proposed language. She announced that a consensus to do so had been received.

5. Review of CCR Title 16, Division 39, to identify other sections possibly effected by proposed amendments to CCR Sections 4180 and 4181 and recommend proposed regulatory amendment(s) to the Board to ensure consistency.

Chair Denise Miller asked that it be noted in the record that agenda item 5 was discussed during the discussion of agenda item 4.

6. New suggested agenda items for a future meeting.

Executive Officer Heather Martin reported that the quorum was lost and that she was thankful that no votes were pending. She advised Chair Miller that she would reach out to committee members regarding the necessity of a quorum.

Liz Phelps thought the loss of a quorum was due to many of the committee members thinking the meeting was only 90 minutes and not two hours.

Public Comment

There were no public comments.

Chair Miller thanked everyone for their time and wished all a Happy Fourth of July.

Meeting adjournment.

The meeting adjourned at 9:49 am.