



## **BOARD MEETING MINUTES**

**November 14 - 15, 2024**

**Dominican University of California  
 School of Nursing and Allied Health Professionals  
 Creekside Room, Caleruega Hall  
 50 Acacia Avenue, San Rafael, CA 94901**

**Board Members Present**

Richard Bookwalter – Board President  
 Beata Morcos – Board Vice President  
 Denise Miller  
 Sharon Pavlovich  
 Christine Wietlisbach

**Board Staff Present**

Heather Martin – EO  
 Jody Quesada Novey - Manager  
 Helen Geoffroy – Board Attorney  
 Austin Porter - Analyst  
 Karina Clark - Analyst

**Board Members Absent**

Hector Cabrera  
 Lynna Do

**Thursday, November 13, 2024  
 9:30 am - Board Meeting**

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

The meeting was called to order at 9:35 a.m. Vice President Beata Morcos called roll and a quorum was established.

**2. President’s Remarks – Informational Only; no Board Action to be taken.**

Board President Richard Bookwalter thanked Dominican University of California, for hosting the Board meeting. Mr. Bookwalter announced that both he and Executive Officer (EO) Heather Martin attended and presented at the Occupational Therapy Association of California (OTAC) Conference, held in Pasadena, CA. November 8<sup>th</sup>, 2024. The California Board of Occupational Therapy (CBOT) presentation was successful. There is another Board meeting scheduled for December 13<sup>th</sup>, 2024, but it will contain a very short open session before the Board convenes in closed session to hold the EO interviews. EO Heather Martin is retiring, and, on behalf of the Board members, President Bookwalter thanked Ms. Martin for her 19 years of service.

There were no Board member remarks.  
 There were no public comments.

**3. Board Member Remarks – Informational Only; no Board Action to be taken.**

There were no Board member remarks.

**4. Public Comment for Items Not on the Agenda.**

Dominican University faculty member Kristin Jones welcomed Board members and staff to the university. She also stated there may be some students coming in and out throughout the day.

OTAC President Samia Rafeedie chose to introduce herself.

Kristen Neville, State Affairs Manager for the American Occupational Therapy Association (AOTA) chose to introduce herself.

Double Alumnus, Mental Health Occupational Therapist, and President of the Alumni Board at Dominican University Salvador Chavez chose to introduce himself.

**5. Review and vote on approval of revised May 2-3, 2024, Board meeting minutes.**

Board President Richard Bookwalter had a question on page 2, regarding the presentation by Shaun Conway and Francielle Pineda from the National Board for Certification in Occupational Therapy.

- Denise Miller moved to approve the May 2-3, 2024, Board meeting minutes with suggested changes.
- Christine Wietlisbach seconded the motion.

There were no public comments.

**Board Member Vote**

Richard Bookwalter	Yes
Sharon Pavlovich	Absent
Christine Wietlisbach	Yes
Beata Morcos	Yes
Denise Miller	Yes
Hector Cabrera	Absent
Lynna Do	Absent

The motion carried.

**6. Review and vote on approval of the August 22-23, 2024, Board meeting minutes.**

- Denise Miller moved to accept the August 22-23, 2024, Board meeting minutes.
- Beata Morcos seconded the motion.

There were no public comments.

**Board Member Vote**

Richard Bookwalter	Yes
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Sharon Pavlovich	Absent
Christine Wietlisbach	Yes
Beata Morcos	Yes
Denise Miller	Yes
Hector Cabrera	Absent
Lynna Do	Absent

The motion carried.

Board member, Sharon Pavlovich joined the meeting at 9:57a.m.

Mr. Bookwalter asked Board Ms. Pavlovich if she had any comment on the agenda items discussed prior to her arrival. Ms. Pavlovich did not.

**7. Report from the Administrative Committee.**

Board President, Richard Bookwalter, stated that the Administrative Committee consists of the EO, Board President, and Vice President; therefore, there is no legal requirement for notice or an agenda.

Two meetings took place in October, due to changes that would occur by the end of the year. EO Heather Martin would be retiring, the administrative process was discussed and bringing Ms. Martin back as a retired annuitant.

It was explained that the Board Member Guidelines and Procedures Manual is missing the section/language on the role and term limits of the Administrative Committee members. The bold underlined text on the bottom of pages 1 and 2 (Chapter 6) is restored language to identify the term limits of committee members, specific duties, and meeting requirements.

- Denise Miller moved to adopt the language added to Chapter 6. Committees.
- Beata Morcos seconded the motion.

There were no additional Board member remarks.  
There were no additional public comments.

**Board Member Vote**

Richard Bookwalter	Yes
Sharon Pavlovich	Yes
Christine Wietlisbach	Yes
Beata Morcos	Yes
Denise Miller	Yes
Hector Cabrera	Absent
Lynna Do	Absent

The motion carried.

**8. Report from the Ad Hoc Committee on Disaster Preparedness and Response.**

Committee Chair Richard Bookwalter stated the committee had not met since the last Board Meeting on August 22-23, 2024. EO Heather Martin reported that requests had been submitted to update the Board's licensee and consumer webpages to include a list of links to disaster related resources. A request was made to include a link to these pages on the DCA's Disaster Resources Webpage.

The Disaster Preparedness and Response (DPR) Survey was sent out to every available licensee email address with a deadline of November 30, 2024, to submit responses. Input from the survey will be available to the DPR Response Committee in Spring 2025.

Mr. Bookwalter mentioned that the QR code created for survey was presented at the OTAC conference.

Ms. Miller asked if may be or may be not Occupational Therapists (OT) could be recognized as first responders and be afforded the same benefits, when it comes discounts and priority at banks, grocery stores, hotels, etc. Mr. Bookwalter directed staff to find out how OTs can be accredited as First Responders.

### **Public Comments**

Samia Rafeedie asked how being recognized as First Responders would affect OT practitioner salaries?

Denise Miller responded that salaries would likely not be impacted. Currently, occupational therapists who are making less than nurses and paramedics, are neither afforded the same rates for loans at banks nor granted the same prices at grocery stores, which impacts their overall income.

Samia stated if there were an opportunity for OTAC to engage with CBOT in assisting with First Responder recognition for OTs, they would be willing to help.

Mr. Bookwalter stated that this recognition would be mostly beneficial to the OT practitioner, as the consumer would not benefit from the practitioner being recognized as a First Responder.

There were no additional public comments.

## **9. Report from the EO Selection Committee.**

Christine Wietlisbach announced that the committee reviewed applications for the EO position. Applicants have been narrowed down to two candidates, who will be interviewed on December 13<sup>th</sup>.

President Richard Bookwalter pointed out that there is an outline in the Board Meeting packet on the differences between an Interim and an Acting EO.

Vice President Beata Morcos clarified that an interim EO could be a member of staff and could be appointed by the Board, whether that be for a couple of weeks or a couple of months, until a qualified candidate is appointed.

## **Public Comment**

Samia Rafeedie stated she has not been in California long enough to see another EO in the position. She asked if the public has input when selecting a new EO, or if it is strictly a task of the Board?

Ms. Morcos responded that the decision is strictly a task of the Board.

There were no public comments.

## **10. Report from the Practice Committee.**

Board Member Christine Wietlisbach announced that the Practice Committee had met on October 11, 2024, to discuss the Board's education and training requirements for licensees seeking advanced practice approval in hand therapy and the possibility of reducing those training/education requirements.

The Committee examined the 2023 Accreditation Council for Occupational Therapy Education (ACOTE) standards to determine if ACOTE-accredited education programs adequately cover the six required content areas for advanced practice approval in hand therapy in California. The six (6) required content areas are:

- 1) Anatomy of the upper extremity and how it is altered by pathology.
- 2) Histology as it relates to tissue healing and the effects of immobilization and mobilization on connective tissue.
- 3) Muscle, sensory, vascular, and connective tissue physiology.
- 4) Kinesiology of the upper extremity, such as biomechanical principles of pulleys, intrinsic and extrinsic muscle function, internal forces of muscles, and the effects of external forces.
- 5) The effects of temperature and electrical currents on nerve and connective tissue.
- 6) Surgical procedures of the upper extremity and their postoperative course.

The committee found that the 2023 ACOTE standards adequately cover standards 1 through 5. It was unclear whether content area six was adequately addressed. Committee member Chi-Kwan Shea suggested contacting ACOTE directly to get clear explanation on the language from the ACOTE standards.

EO Heather Martin advised the committee that she would reach out to the Director of ACOTE, Teresa Brininger, for guidance and explanation of the ACOTE standards. An update will be given in the spring.

## **Public Comment**

Samia Rafeedie and Kristen Neville thanked the Committee members and Board members for adopting the new ACOTE standards.

- Christine Wietlisbach moved to accept the August 22, 2024, Committee Minutes.
- Beata Morcos seconded the motion.

There were no additional public comments.

**Board Member Vote**

Richard Bookwalter	Yes
Sharon Pavlovich	Yes
Christine Wietlisbach	Yes
Beata Morcos	Yes
Denise Miller	Yes
Hector Cabrera	Absent
Lynna Do	Absent

The motion carried.

**11. Report from the Ad Hoc Committee on Supervision Standards.**

Board Member and Committee Chair Denise Miller reminded the Board and the public that the Committee was tasked with aligning the current supervision regulatory language with the needs of the occupational therapy profession while ensuring consumer safety.

The Committee met several times since the last Board meeting on August 14<sup>th</sup>, 2024, September 17<sup>th</sup>, 2024, September 25<sup>th</sup>, 2024, and October 23<sup>rd</sup>, 2024. Chair Miller stated that these most recent meetings led to the conclusion of two years of work.

Chair Miller provided an overview of the four meetings.

August 14, 2024

The discussion surrounded California Code of Regulations (CCR), Title 16, Division 39, Article 9, Section 4180, Definitions, and Section 4181, Supervision Parameters. The Committee’s consensus was to use consistent language throughout Section 4180 (a), (b), and (c), add new definitions, and clarify existing definitions including “no more than” and “at any one time”.

September 17, 2024

The discussion included topics such as appropriate ratios pertaining to Level I and II fieldwork students and limited permit holders.

September 25, 2024

The discussion was a culmination of the two previous meetings. The recommendations were as follows:

- Update Section 4181(e)(1) to add the phrase, “engaged in client-related tasks,” which would then make “at any one time” necessary.
- Update Section 4181(g)(2) to replace the word “observing” with the phrase, “Level I fieldwork students that are not engaged in direct patient/client care.”
- Bring two versions of the definition of “student” before the Board showing options that include “pre-accredited” and “candidacy status”.
- Make the aforementioned section gender-neutral.
- Omit the phrases “occupational therapy” and “occupational therapist” throughout the definitions in sections 4180(b)(c) and (d) because the definition of “student” includes the terms.

- Define Level I fieldwork student as, “participation in activities designed to introduce the student to fieldwork, apply knowledge to practice, and develop an understanding of the needs of clients.”.
- Define the Level II fieldwork student as “participation in delivering occupational therapy services, under the direct supervision of a licensee, to clients with the goal of developing competent, entry-level practitioners.
- Propose new language for Section 4181(d) regarding supervision by occupational therapy assistants as follows:

*(d) Occupational therapy assistants may supervise doctoral capstone students completing an experience in research skills, administration, leadership, program and policy development, advocacy, or education, as required by an accredited educational program and no more than a total of three:*

- (1) Aides providing non-client related tasks.;*
- (2) Level I fieldwork students directly engaged in client-related tasks or patient/client care;*
- (3) Level II fieldwork students, at any one time;*
- (4) Doctoral capstone students completing a clinical, direct patient/client care experience, at any one time;*
- (5) Occupational therapist limited permit holders, at any one time; and*
- (6) Occupational therapy assistant limited permit holders, at any one time.*

#### October 23, 2024

The discussion was based around the supervision ratios discussed at the previous meeting and the desire to amend the proposed language of CCR Section 4181 (d)(3) to read, “Level II OTA fieldwork students,”

Kristin Neville of AOTA was present to deliver the concerns of AOTA, which were that OTAs could also supervise and they supported removing CCR Sections 4181(d)(4) & (5). AOTA was concerned that the proposed language might be too detailed, possibly causing confusion which might deter some from becoming supervisors.

The language was approved by the committee as follows:

Approve the proposed language for CCR Section 4181, as presented for recommendation to the Board, **excluding subsection (i)**, the exception language, with the following amendments: update subsection (d)(3), to “Level II fieldwork occupational therapy assistant students,” remove subsections (d)(4) & (d)(5); and add “no more than twenty Level I fieldwork faculty-led students” and “no more than 20 Level I fieldwork students in a faculty-led fieldwork”.

#### Public Comment

Samia Rafeedie, OTAC President asked why the June 26, 2024, and April 12, 2024, Committee meeting minutes were not included in this meeting’s materials.

EO Heather Martin stated that they were not included because they were previously accepted by the Board at a prior Board meeting.

- Beata Morcos moved to accept the August 14, 2024, September 17, 2024, and September 25, 2024, Committee meeting minutes.
- Christine Wietlisbach seconded the motion.

There were no additional public comments.

**Board Member Vote**

Richard Bookwalter	Yes
Sharon Pavlovich	Yes
Christine Wietlisbach	Yes
Beata Morcos	Yes
Denise Miller	Yes
Hector Cabrera	Absent
Lynna Do	Absent

The motion carried.

**12. Consideration and possible action to initiate a rulemaking package to amend California Code of Regulations, Title 16, Division 39, Article 9, Section 4180 Definitions, and Section 4181, Supervision Parameters**

Board Member, Denise Miller would like to bring attention to the Ad Hoc Committee meeting minutes of October 23, 2024. The proposed language changes to California Code of Regulation, Title 16, Division 39, Article 9, Section 4180 Definitions and Section 4181, Supervision Parameters.

In CCR section 4180, Definitions, proposed language focused on clarifying the following terms:

- “Accredited”
- “Student”
- “Level I and Level II Field Work”
- “Entry Level Doctoral Capstone Student”
- “Faculty-Led Fieldwork”
- “Client Related Tasks”

In CCR section 4181, Supervision Parameters, proposed language focused on being more prescriptive and clarifying the ‘who’ and ‘how many’ that an occupational therapist and an occupational therapy assistant can supervise.

Mr. Bookwalter stated that the language on the supervision of OT’s only supervising two OTA’s came out of AOTA, OTAC’s and State Legislature, that was negotiated in 2000. The letters submitted to the Board, from both OTAC and AOTA are contradictory to their original request that was honored by the Board. Additionally, the limit on supervision of students, came out of a case brought up by Chuck Wilmarth of AOTA several years ago. Mr. Wilmarth spoke of a case where an Ohio OT was supervising an extraordinary number of students. A complaint was filed and the Ohio State Board, had no recourse but to say there was no limit and no law was broken. Therefore, this Board adopted the



limit of how many Level I field work students can be supervised by an OT, by AOTA's and OTAC's recommendation.

### **Public Comment**

Kristen Neville from AOTA commended the Committee on all their hard work on the Supervision Standards but clarified that OTAC's is requesting that OTA's be removed from CCR section 4181(g).

Samia Rafeedie from OTAC, requested OTA's be removed from CCR Section 4181 because there is already a law that states, OT's can supervise up to three OTA's, and adding them in the proposed language will hinder the number of students, limited permit holders, doctoral capstone students that can be supervised.

EO, Heather Martin, recommended if the Board chose not to include OTA's as part of the three supervisees cap, to keep them in the current regulation, but remove them from 4181(g)(6), as opposed to using the law.

Board member, Christine Wietlisbach, stated she would be in favor of OTAC and AOTA's language change to remove subsection 4181(g)(6). OTA's are capable, licensed, and trained to not require much assistance, supervision, and oversight from their supervising OT as a student would. For the benefit of the consumer and continuity of care, these changes in the language would be beneficial.

- Denise Miller moved to accept the language proposed by the Ad Hoc Committee on Supervision Standards for Section 4181 with the following changes:
  - Change subsection (b) to read "The supervising occupational therapist has the ~~continuing~~ responsibility to ~~follow~~ assure that an occupational therapist follows the progress of each client...";
  - Remove the word "non" from proposed subsection (d)(1);
  - Add proposed subsection (d)(5) to read "Level I fieldwork students exclusively in an observational role or providing non-client related tasks.";
  - Remove proposed subsection (g)(6);
- Beata Morcos seconded the motion.

Kristen Neville and Samia Rafeedie thanked both the Board and the Committee.

### **Board Member Vote**

Denise Miller	Yes
Christine Wietlisbach	Yes
Sharon Pavlovich	Yes
Richard Bookwalter	Yes
Beata Morcos	Yes
Hector Cabrera	Absent
Lynna Do	Absent

The motion carried.

- Denise Miller moved to accept the language proposed by the Ad Hoc Committee on Supervision Standards for CCR Section 4180.
- Beata Morcos seconded the motion.

Kristen Neville asked for further clarification about whether the Board intended to support the ACOTE standards when using the term “direct supervision” and whether it should be defined in the language. The Board determined that would best be addressed as a separate motion.

There were no additional public comments.

**Board Member Vote**

Denise Miller	Yes
Christine Wietlisbach	Yes
Sharon Pavlovich	Yes
Richard Bookwalter	Yes
Beata Morcos	Yes
Hector Cabrera	Absent
Lynna Do	Absent

The motion carried.

**13. Report on 2024 Chaptered Legislation**

President Bookwalter gave a verbal overview of the included report.

There were no public comments.

**14. Report on Pending Legislation**

President Bookwalter gave a verbal overview of the included report.

There were no public comments.

**15. Review of the American Occupational Therapy Association’s (AOTA) Proposed Guidelines for Reentry into the Field of Occupational Therapy.**

President Bookwalter gave an overview of the included AOTA’s *Guidelines for Reentry Into the Fields of Occupational Therapy* document. The item was meant to be informational and was not an action item.

**Public Comment**

Kristen Neville stated that AOTA updates their documents every five years, and the document currently being shown by the Board was last updated *November/December 2020* and will be reviewed for possible updates next year. Kristen Neville sent the document to all the Board Presidents and EOs throughout the country to be inclusive and request feedback on what may need to be updated/changed.

EO, Heather Martin pointed out the California Board of Occupational Therapy has current re-entry requirements for licensees that have been out of practice for five years or more.

There were no public comments.

**16. Review of AOTA’s Scope of Practice, for possible action and guidance in language and content for Board laws and regulations.**

President Bookwalter pointed out that the Occupational Therapy Scope of Practice, from *The American Journal of Occupational Therapy, 2021, Vol.75 (Supplement 3), 7513410020*, that was included was informational.

Board member, Denise Miller asked Kristen Neville if she had an update on Dry Needling.

AOTA had a position statement that describes how physical agent, mechanical, and instrument-assisted modalities may be used by occupational therapy practitioners (i.e., occupational therapists) as part of a comprehensive plan of intervention designed to enhance engagement in occupation. There is an additional section that relates to instrument assisted modalities, and it specifically cites dry needling, as an instrument assisted modality, that OT’s can provide to clients.

Ms. Neville added that the AOTA had an additional document, called Policy E18, of which AOTA asserts that interventions to support occupations including but not limited to physical agent modalities (PAMs), dry needling, and other techniques may be used in preparation for, or concurrently with occupations and activities or interventions that ultimately enhance a client’s engagement in occupation. member remarks.

There were no public comments.

**17. Discussion on possible action on seeking amendments to Business and Professionals Code Sections 2570.19**

President Bookwalter stated Business and Professionals Code, Section 2570.19(g), reflect the meeting locations of the Board. It currently states, “The Board shall meet and hold at least one regular meeting annually in the cities of Sacramento, Los Angeles and San Francisco...”

The included proposed language states:

“The Board shall meet at least three times a year, meeting at least once each calendar year in northern California and once each calendar year in southern California.”

- Christine Wietlisbach moved to accept the to accept the amended language to BPC Section 2570.19 as presented.
- Denise Miller second the motion.

There were no public comments.

**Board Member Vote**

Richard Bookwalter	Yes
Sharon Pavlovich	Yes
Christine Wietlisbach	Yes
Beata Morcos	Yes

Denise Miller	Yes
Hector Cabrera	Absent
Lynna Do	Absent

The motion carried.

**18. Summary of Proposed Legislative Amendments Approved by the Board.**

EO, Heather Martin gave a condensed version of prior Board-approved Legislative amendments.

There were no public comments.

**CONVENED CLOSED SESSION**

The Board convened in closed session at 3:30pm.

**RECONVENE IN OPEN SESSION**

The Board reconvened in Open Session at 4:25pm.

**ADJOURNMENT**

Board Meeting adjourned at 4:25pm.

**BOARD MEETING MINUTES**

**November 14 - 15, 2024**

**Dominican University of California**

**School of Nursing and Allied Health Professionals  
Creekside Room, Caleruega Hall  
50 Acacia Avenue, San Rafael, CA 94901**

**Board Members Present**

Richard Bookwalter – Board President  
Beata Morcos – Board Vice President  
Denise Miller  
Sharon Pavlovich  
Christine Wietlisbach

**Board Staff Present**

Heather Martin – EO  
Jody Quesada Novey - Manager  
Helen Geoffroy – Board Attorney  
Austin Porter - Analyst  
Karina Clark - Analyst

**Board Members Absent**

Hector Cabrera  
Lynna Do

**Friday, November 15, 2024  
9:30 am - Board Meeting**

**19. Call to order, Roll Call, Establishment of Quorum**

The meeting was called to order at 9:36 a.m. Vice President Beata Morcos called roll and a quorum was established.

**20. President’s Remarks – Informational Only; No Board Action to be Taken.**

President Richard Bookwalter acknowledged Board members, Denise Miller and Sharon Pavlovich for their many years of dedication and service, as their Board member term would be ending December 31, 2024. Their expertise and knowledge would be missed by the Board and staff. Mr. Bookwalter also acknowledged and thanked EO Heather Martin for her hard work and dedication, as she too would be greatly missed.

**21. Board Member Remarks – Information Only; No Board Action to be Taken.**

Board member, Sharon Pavlovich, thanked the Board for a “wild ride”, as she replaced Bobbi Jean Tanberg in the middle of her term. Ms. Pavlovich stated that EO Heather Martin relieved any doubts she was having. It was apparent in the way Ms. Martin spoke that she loved and knew her craft. CBOT’s staff was wonderful and supportive, she extended her thanks to them as well.

Ms. Pavlovich stated that she was excited to be invited to be part of the AOTA 2030 Strategic Planning. She thanked the Board members for the experiences and memories and expressed her hope to see them and Board staff in the future.

Board member, Denise Miller stated serving on the Board had been one of the most singular satisfying things she has done in her career. It was a privilege to be appointed by the Governor, time and again. It was a full circle and humbling experience. Ms. Miller expressed her thanks for the achievements she has seen come to fruition and language changes made to tele-health, supervision, and discipline, which will have an impact for years to come. She extended her thanks to Ms. Martin and her staff.

Board President Richard Bookwalter reported that there would be three Occupational Therapist, openings on the Board, starting January 1<sup>st</sup>, 2025, as his term was also coming to an end. He will serve the one-year grace period, if the Governor allows, but it may not be the case if a replacement is appointed.

### **Public Comments**

Melissa Gear, Deputy Director, Department of Consumer Affairs, advised the Board members that if they had specific potential practitioners that they would like to refer for Board member placement, to let her know directly, so that she can put those names at the top of the list for the Governor to consider and help move them through the process.

There were no additional public comments.

### **22. Public Comment for Items not On the Agenda.**

Occupational Therapist, Esmeralda Cortez introduced herself to the Board. Board President Richard Bookwalter welcomed Ms. Cortez to the meeting and thanked her for being present.

There were no other public comments.

### **23. Consideration and Possible Action to Initiate a Rulemaking Package to Amend California Code of Regulations, Title 16, Division 39, Article 9, Section 4148. Mental or Physical Examination of Fitness for Licensure, and Section 4101. Delegation of Certain Functions, to Include Authority to Order Examinations Authorized in Section 4148.**

EO Heather Martin gave an overview of California Code of Regulations, Title 16, Division 39, Article 9, Section 4101 and Section 4148. which authorizes a physical or mental examination of a licensee if there are concerns of an impairment to be ordered by an EO and what the proposed language changes would look like if that included the same delegation for an applicant.

DCA Attorney, Helen Geoffroy, stated that she conferred with the DCA Regulatory Attorney, and they agreed the current regulation in California Code of Regulations, Title 16, Division 39, Article 9, Section 4148. Mental or Physical Examination of Fitness for Licensure, and Section 4101. Delegation of Certain Functions, to Include Authority to Order Examinations Authorized in Section 4148 is weak in the language as to who has authority to order an evaluation. Other Boards and Bureaus have adopted the rule to give EO's the authority to order mental/health evaluations and have been approved as recent as 2019.

President Bookwalter, stated that has been in the regulations for a licensee to be evaluated, but since recently there was a need to have an applicant evaluated, the requirement for change to the current regulation is necessary. The current regulation would require the Board President to review the order pertaining to an applicant and would give the Board president previous knowledge of the Case which would lead to the Board President having to recuse themselves. EO Heather Martin recommended that the Board approve the language.

The Board's Attorney, Helen Geoffroy stated that the language may have to change as a part of the process, but it is consistent with other DCA's Board and Bureaus. It is also consistent with the current process, of the Board not being involved in the application process, unless there is a statement of issues. Therefore, it would be possible to achieve the desired outcome of granting the EO the power to order the mental and/or physical examination of an applicant.

- Sharon Pavlovich moved to approve, the language [as presented] for 4101 and 4148.
- Denise Miller seconded the motion.

There were no additional public comments.

**Board Member Vote**

Denise Miller	Yes
Christine Wietlisbach	Yes
Sharon Pavlovich	Yes
Richard Bookwalter	Yes
Beata Morcos	Yes
Hector Cabrera	Absent
Lynna Do	Absent

The motion carried.

**24. Report on Necessity of Fee Increases and Discussion on Next Steps.**

EO Heather Martin stated that due to higher than projected revenue, fees will not increase in 2024 or the beginning of January 2025. The contracted fee study done this year, will be available for review by the Board upon completion.

Lastly, if the Board is successful in being granted a fee increase, it should go in to effect July 2026 and the budget should stay in the positive as long as expenditures don't increase.

President Bookwalter, stated the previous fee increase, did not require a law be passed because the Board had the authority to increase the fees already in place. But since there are new categories being added to the current fee categories, legislature will need to approve.

There were no additional public comments.

**25. Discussion and Possible Action on Including Occupational Therapy Assistants as Practice Reviewers.**

EO Heather Martin provided screen shots of California Board of Occupational Therapy's (CBOT) website regarding the solicitation of Practice Reviewers. The current number of reviewers under contract is small and the Board struggles to employ new reviewers. Ms. Martin offered that including Occupational Therapy Assistants (OTA) as being able to act as Practice Reviewers may increase the pool of contracted reviewers and ensure that cases that need to be reviewed are completed in a timely manner.

- Denise Miller moved to approve including OTAs as Practice Reviewers, on the application for Practice Reviewer.
- Sharon Pavlovich second the motion.

There were no additional public comments.

**Board Member Vote**

Denise Miller	Yes
Christine Wietlisbach	Yes
Sharon Pavlovich	Yes
Richard Bookwalter	Yes
Beata Morcos	Yes
Hector Cabrera	Absent
Lynna Do	Absent

The motion carried.

**26. EO's Report.**

**a) Administrative Update, including information on the Board's budget, personnel, BreEZe, and 2025 meetings.**

EO Heather Martin reported that year to date revenue is at \$48,000 and expenses were not currently up to date as it does not show the current fee study, which will be approximately \$35,000. This should be included in future expense report.

Currently CBOT's office space lease is in soft year, there were four years of firm lease and in early 2024, soft lease started, this gives the Board and staff the ability request additions to office space. This may be needed, as there are now two managers in the office and they both require office space.

BreEZe updates are:

1. Expedited applications for Military Personnel and Spouses
2. BreEZe credit card fee has been passed on to end users.

Credit card fees were being charged to the Board at the cost of approximately \$40,000 per year, which should now reflect as a positive in our revenue. This change occurred in the middle of fiscal year 23/24, and it will show in the new budget for fiscal year 25/26.

**b) Pending Regulatory Proposals**

The included Regulation proposal matrix was brought before the Board for review.

**c) Enforcement Unit Data**

Forty cases were submitted to the Attorney General's office during the quarter.

Citations issued: 105 citations to OTs and 43 citations issued to OTAs. This number is expected to increase for the next quarter.

**d) Licensing Unit Data**



Licensing data is available on DCA's website and as a link on CBOT's website. This helps employers and the public who want to check licensure status.

**e) Future Agenda Items**

The included future agenda items were reviewed.

**f) Data or Information Requested at Prior Board Meeting.**

Ms. Martin reviewed the provided chart with dry needling licensing entity actions per state.

There were no public comments.

**27. New Suggested Agenda Items for a Future Meeting.**

There were no Board comments.

There were no additional public comments.

**28. Election of 2025 Board Officers.**

Beata Morcos accepted the nomination and was elected Board President

Christine Wietlisbach accepted the nomination and was elected Board Vice President

Richard Bookwalter accepted the nomination and was voted Board Secretary

**ADJOURNMENT**

The Board meeting adjourned at 11:52 a.m.