

TBOTE *★news*

The Texas Board of Occupational Therapy Examiners

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What's New at TBOTE

This year we are able to mail out this newsletter and a copy of the current rules. The Board has held education Committee and Rules Committee meetings as well as quarterly board meetings. After each of these, newsletters were posted on the web.

Want to be notified of rule changes and newsletters which are posted to the website? Sign up for **E-News!** When we post a rule amendment or newsletter, we send out an email to those signed up for E-News. You can sign up for OT or PT or both.

The website is your portal for license application, renewal, facility registration and renewal, address change forms, blank renewal forms, and the JP exam. While at our website, you can also find information by clicking on these links: Got a Question, License Verification, Board Minutes, Act and Rules, and Forms.

Rule Changes Proposed

Although the Board is mailing out this newsletter and a copy of the TBOTE Rules; be aware that rules are amended throughout the year. The rule amendments (changes) are posted to the website when proposed and again when adopted. Please visit the website: www.ecptote.state.tx.us to stay current with the rules.

The Board has proposed rule amendments in 3 chapters which are posted on the website and will be on the agenda for adoption at the Nov 11th board meeting. The proposed amended rules are:

- §370.1 License Renewal;
- §372.1 Provision of Services; and
- §373.1 Supervision of Non-Licensed Personnel.

Review the rules posted on our website or in the *Texas Register*, and if you wish, send in your comments.

§651.1-3. Fees were amended to become effective September 1, 2005 by the ECPTOTE.

The next scheduled board meeting will be held in conjunction with TOTA's annual conference,

November 11 at the Crowne Plaza Hotel in San Antonio.

New COTA Documentation Rules

Adopted February 27, 2005

COTAs and LOTAs are now required to write the name of the OTR or LOT responsible for the patient or client's Plan of Care in each treatment note. For example, "Per J. Doe, OTR, Mr. Smith was seen at breakfast and practiced using adaptive equipment for improving independence at mealtimes, including a lidded cup with spout and a bowl with a suction bottom." COTAs and LOTAs may have different OTR or LOT supervisors for different patients/clients or at different facilities/locations, but this reference will make it clear who is supervising each individual patient/client. **This Rule applies to ALL treatment notes, whether in the permanent record or in the "soft file" of documentation that may not be entered into the permanent record.**

Does Your Supervision Measure Up?

OTRs and LOTs, if you are supervising a COTA, LOTA or Temporary Licensee who is implementing your Plan of Care (POC), you need to continue to be involved in the case beyond the initial evaluation and the writing of the POC. If you are delegating intervention to a COTA, LOTA or Temporary Licensee, you are not absolving yourself of responsibility for the implementation of the Plan of Care.

TBOTE Rules, Chapter 372.1 (e) (9) require you only delegate to a COTA, LOTA or Temporary Licensee tasks that you and the person you are delegating to agree are within the competency level of that COTA, LOTA or Temporary Licensee. The OTR or LOT **must** be familiar with the scope of the COTA, LOTA or Temporary Licensees' understanding of the patient/client's condition and their capacity to provide the planned intervention. The OTR or LOT should ensure the COTA, LOTA or Temporary Licensee has received any needed training, coaching and/or mentoring before assigning a patient/client or delegating a task. The COTA, LOTA or Temporary Licensee must let the OTR or LOT know if he or she does not feel they are adequately prepared to provide the intervention.

Discharge: Who Writes It?

Only an OTR or LOT has the authority to discharge patients from occupational therapy services.” This is from §372.1 (f) Discharge. The COTA may collect the information for those patients he/she is working directly with and write it down. The OTR must then carefully review the information, making whatever adjustments or addendums that are necessary, determining if goals were met or not, establishing any further needs of the patient in another continuum of care, and then signing off on the discharge.

Don't Find Out the Hard Way

Think that once you have been audited for renewal CE compliance you are home free for the rest of your licensed life? A few licensees seem to think that's the case, and have chosen to ignore the CE requirements after having gone through a successful audit for a previous renewal. But by the luck of the draw, you might get selected any time the lucky license numbers are randomly selected for the quarterly audit. Though the odds might be against it, you *can* be a winner more than once – as more than one licensee has discovered.

If professional responsibility and personal ethics aren't enough to motivate you to meet the CE requirements before you renew your license, maybe common sense is. If you are caught without the required CE, you face disciplinary action from community service to license suspension or revocation – and that's a result you can bet on!

Name Changes in the Database

Some of you have a name that requires capitalization in the middle, such as O'Brian, or McDonald, or spelling such as de la Garza. Our database did not allow for this individualization. Now we have a new field that corrects some of the problems e.g. capitalization, punctuation, hyphenation, spacing, abbreviated names, or names containing apostrophes. If you are not satisfied with the way we've been capitalizing, punctuating or spacing your name, send in the corrections and we'll make the changes in this

new field. When next you renew, the correction should be reflected in your next renewal license and wallet card. Visit our website and use the “Address Correction” form from the home page. The address correction form will allow you to correct your name or address. Visit: http://www.ecptote.state.tx.us/ot/forms/address_change.php . If you do not have access to the internet, write out the correct spelling, spacing, etc. on a postcard or letter and mail or fax it to us.

Online Renewals

When you go on line to renew, and the name and/or spellings of your name is not correct, stop the online renewal and contact the agency to make the correction before you renew. If you email, use our form or write us before your renewal deadline. We can then make the changes and have the corrected spelling up online in 2-5 days. If we have to print out a new license when it's not renewal time, there is a charge. Therefore, make sure your name is correct in our database BEFORE you renew.

Waiting until midnight the night before your renewal is problematic. Your computer network may not work. The State's online renewal system may be unavailable due to maintenance during the night which may make the system temporarily unavailable. You lack of planning may result in a late renewal. What to do? First, don't wait until the very last minute. Second, there is a blank, downloadable renewal form on the website, and we check the postmark. Should you mail your renewal the last day of the month, it will not be late, but the renewal card will take some days to be processed and returned to you. Even with overnight mail, last minute renewal may mean days you cannot work without a current renewal card in hand.

Licensees are renewing online at rates of 88%. One benefit is that you can pay with a check or credit card. Another is the speed of the transaction - we receive them overnight. The third is that you can print out a receipt that allows licensees to continue practice for up to 30 days. Our licensees like the online services!



Professional Profiles Online

You Are Online 24/7

How do consumers find a health professional, such as a doctor or an OT Practitioner? The yellow pages are one way; referrals are another. In 2004, the State of Texas added a third avenue when it decreed that professional information about various professional and occupational license holders should be available online for the public. OTRs, COTAs, and registered OT facilities were among those professionals chosen for online profiles. The Board provides the basic information about each individual or registered facility with a current license to Texas Online, the division of the Department of Information Resources (DIR) responsible for the state's web services. That information is available to consumers, and to licensees who need to manage their profile, 24 hours a day, seven days a week.

Make Your Profile More “Attractive” – No Surgery Required

The Board only collects and provides the most basic information about each licensee. Our information includes a business address, when you got your license in Texas and when it expires, and whether you have had any disciplinary action against your license. Not enough to give the consumer a professional picture of you. If you are an OTR in private practice, adding voluntary information into your online profile essentially enhances your outreach. When consumers go online to look for an occupational therapy practitioner, they can search by the following categories: Types of insurance you accept; specialty certifications; practice settings; zip code, translation services; and more. You can also add a link to your own website.

Access and Add to Your Profile Information

Getting to the “Licensee Profile Management” page on the State’s online system is easy – just go to the Board’s home page (www.ecptote.state.tx.us) and select “Update your Profile” under Online Services. That link takes you directly there. You will need your license number and SSN to access your Professional Profile. Once you are in, you can add and edit all of the information mentioned above. You cannot edit your address or other

information held by the Board. If you see an error, or need to make an update to existing information, such as an address, contact the Board at info@ecptote.state.tx.us, or 512/305-6900, or use the Change your Address link on our website.

JP Exam Changes Based on Your Feedback

We’ve heard that the JP exam was not giving you the correct answers when your answer was incorrect. We’ve made changes to the JP exam so that the number of wrongly answered questions and the correct answers appear on the last page. You may have to scroll down the page to read this summary.

Frequently Asked Questions about Continuing Education

- Q: Do my CE hours have to be broken down to 15 in Type 1 and 15 in Type 2?
- A: No. You may take all your CE hours in Type 2. but you must have at least 15 in Type 2.
- Q: Can I count CPR for CE?
- A: Yes, you can count it one time in your professional career, as you can all CE. Of course, CPR is Type 1 CE.
- Q: I want to attend a conference and see that just part of the material is specific to Type 2. How do I count it?
- A: A conference may have some Type 1 and some Type 2 hours. You can count the conference for both types. Save the agenda and mark which workshops or lectures you attended, and which was Type 1 and Type 2.

For more information about this subject, read Chapter 367 of the Rules, past newsletters, the CE page of the website or phone the office.



Important: GSC Courses Are Strictly Type 1
<http://www.ecptote.state.tx.us/ot/newsletter.html>

Students on Fieldwork

Are students considered non-licensed personnel? No. Fieldwork Students work under the aegis of the college or university and under the fieldwork supervision contracted between the school and the employer. While on fieldwork they are on a protected status, not subject to Rules. Read more: <http://www.aota.org/featured/area2/links/link16dt.asp> or in the OT Practice Act §454.005.



OT Board Formal Disciplinary Actions

Taken April 22, 2005

- (1) **Ann Hoover, OTR #102735 (Fort Worth)** – practiced in an unregistered facility. **Board Order required sixty (60) hours of community service.**
- (2) **Jason Little, COTA #209226 (Mexia)** – practiced beyond the scope of his license and without a physician's order for the modality rendered. **Board Order suspended his license for thirty (30) days.**
- (3) **William Leonard, COTA #209250 (Houston)** – practiced with an expired license. **Board Order suspended his license for forty-five (45) days.**

Actions Taken July 22, 2005

- (1) **Rudy Torres, COTA #208860 (La Grange)** – failed to properly renew his license (CE audit). **Board Order required thirty (30) hours of community service and completion of the lacking continuing education.**
- (2) **Georgina Garcia, COTA #206796 (Justin)** – failed to properly renew her license (CE audit). **Board Order suspended her license for thirty (30) days and required completion of the lacking continuing education.**
- (3) **Lisa Harris, OTR #108508 (Austin)** – practiced with an expired license. **Board Order required thirty (30) hours of community service.**
- (4) **Faith Stilen, OTR #110030 (Sugar Land)** – practiced in an unregistered facility. **Board Order required sixty (60) hours of community service.**
- (5) **Harold Clark, OTR #106141 (Granview)** – failed to properly document occupational therapy services rendered to patients. **Board Order suspended his license for thirty (30) days.**
- (6) **Kelly English, COTA #205249 (Austin)** – was convicted of illegally importing a controlled substance into the United States. **Board Order required compliance with all of the conditions of the Order of Probation as directed by the United States Probation Office – Western District of Texas.**
- (7) **Linda Allrad, COTA #208471 (Sealy)** – was convicted of knowingly communicating false information that a consumer product has been tainted. **Board Order revoked her license to practice.**

Unethical or Unlicensed Practice Hotline: 800-821-3205 or 512/305-6900



Helpful Resources

Texas Board of Occupational Therapy Examiners (TBOTE)

Act & Rules, complaints, and practice of OT in Texas

512/305-6900 telephone

512/305-6970 fax

www.ecptote.state.tx.us

Texas Occupational Therapy Association (TOTA)

512/454-8682 telephone

512/450-1777 fax

www.tota.org

American Occupational Therapy Association (AOTA)

Specialty certification, student fieldwork, national issues, etc.

301/652-2682 telephone

www.aota.org

National Board for Certification in Occupational Therapy (NBCOT)

National certification exam, and score reports

301/990-7979 telephone

301/869-8492 fax

www.nbcot.org

Medicare and Medicaid

Trailblazer Health Enterprises (Medicare Program Administrator) www.the-medicare.com

Medicare Part A

(Rehab departments, hospital) 888/7639836

Medicare Part B (independent practitioners) 903/463-0720

Medicaid 800/252-8263

SHARS

www.tea.state.tx/interagency/shars.html

Texas Dept. Aging and Disability Services (DADS)

www.dads.state.tx.us

Long term care 800/458-9858

Nursing homes 800/252-8016

Licensing boards 512/719-3521

Home health agency 800/228-1570

Texas Dept. of State Health Services (TDSH)

www.tshs.state.tx.us

Hospital licensing 512/834-6650

Texas Online Services

License applications, renewals, profile

www.texasonline.com

Help desk: 877-452-9060

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