

1 EXECUTIVE COUNCIL OF PHYSICAL THERAPY AND
2 OCCUPATIONAL THERAPY EXAMINERS
3 QUARTERLY MEETING
4 November 18, 2016, 8:30 AM
5 333 Guadalupe, Ste. 2-500
6 Austin, TX 78701
7

8 Persons Present:

Council Members:

Roger Matson, *Presiding Officer*
Shari Waldie, *PT*
Philip Vickers, *PT Board Public Member*
Stephanie Johnston, *OTR*
William Hale, *OT Board Public Member*

15 Staff:

John Maline, *Executive Director*
Lea Weiss, *OT Board Coordinator*
Randall Glines, *Staff Services Officer*
Kara Holsinger, *OAG assigned counsel*

Denise Rose, *Governmental Affairs
Consultant, Jackson Walker, LLP*

24
25 **I. Call to Order.**

26 At 8:41 a.m., Mr. Roger Matson, Presiding Officer, called the meeting to order. Mr. Matson
27 called the roll, and a quorum was determined to exist.

28
29 **II. Public Comment.**

30 There was no public comment.

31
32 **III. Approval of minutes of August 26, 2016 Executive Council meeting.**

33 **Motion: To approve the minutes of August 26, 2016 Executive Council meeting as**
34 **found in Tab 3.**

35 The August 26, 2016 meeting minutes were approved with no changes.

36 **Made by: Shari Waldie**

37 **Second: Stephanie Johnston**

38 **4 ayes, motion passed with no changes.**

39
40 **IV. Discussion and possible action on Executive Director's Report concerning fiscal and**
41 **budgetary matters, performance measures, ongoing projects, agency personnel**
42 **matters, status of Sunset Review of the agency and boards, and other agency business.**

43 Mr. Maline presented a report to the executive council on the current status of the agency,
44 which included an update of the current fiscal year's financial status and performance measure
45 statistics. He also discussed the personnel changes in the agency since the last council
46 meeting, updates to the agency financial situation, and a lengthy discussion on the status of
47 the Sunset Review process and what could be anticipated from the December and January
48 Sunset meetings. There were related questions asked of him, all of which he answered.

1 **V. Executive Session pursuant to §551.074 of the Government Code, regarding the**
2 **appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of**
3 **the Executive Director of the Executive Council of Physical Therapy and Occupational**
4 **Therapy Examiners.**

5 The Executive Council went into Executive Session at 9:02 a.m., and returned to open session
6 at 9:07 a.m.
7

8 **VI. Return to open meeting for discussion and possible action regarding the appointment,**
9 **employment, evaluation, reassignment, duties, discipline, or dismissal of the Executive**
10 **Director of the Executive Council of Physical Therapy and Occupational Therapy**
11 **Examiners.**

12 There was no action taken.
13

14 **VII. Review and possible action on a rule proposed by the Texas Board of Occupational**
15 **Therapy Examiners as follows: §372.1, Provision of Services; and new rule §374.5,**
16 **Licensure of Persons with Criminal Convictions.** Lea Weiss gave a synopsis of the
17 proposed amendments and the rationale used by the OT Board to make the proposed
18 changes. There were several questions asked of her by other council members, all of which
19 she answered.

20 **Motion: To approve the forwarding of the proposed amendment to §372.1, Provision of**
21 **Services to the Texas Register for posting.**

22 Made by: Sharie Waldie

23 Second: William Hale

24 4 ayes, motion passed.
25

26 **Motion: To approve the forwarding of the new rule §374.5, Licensure of Persons with**
27 **Criminal Convictions, to the Texas Register for posting.**

28 Made by: Philip Vickers

29 Second: Sharie Waldie

30 4 ayes, motion passed.
31

32 **VIII. Review and possible action on rule amendments proposed by the Texas Board of**
33 **Physical Therapy Examiners as follows: §341.3, Qualifying Continuing Competence**
34 **Activities; and §346.6, License Restoration.**

35 Shari Waldie gave a synopsis of the proposed amendments and the rationale used by the PT
36 Board to make the proposed changes. There were several questions asked of her by other
37 council members, all of which she answered.
38

39 **Motion: To approve the forwarding of the proposed amendment to §341.3, Qualifying**
40 **Continuing Competence Activities, to the Texas Register for posting.**

41 Made by: Stephanie Johnston

42 Second: William Hale

43 4 ayes, motion passed.
44

45 **Motion: To approve the forwarding of the proposed amendment to §346.6, License**
46 **Restoration, to the Texas Register for posting.**

47 Made by: Stephanie Johnston

48 Second: William Hale

49 4 ayes, motion passed.
50
51

1 **IX. Presiding Officer's Report**

2 There was no Presiding Officer's Report.

3
4 **X. Discussion and possible action on scheduling future Executive Council meeting dates, and items for future consideration.**

5 The next Executive Council Meeting is scheduled for Friday, February 10, 2017, 8:30 AM, in
6 Austin, TX, and the one following on May 12, 2017, 8:30 AM.
7

8
9 **XI. Adjournment.**

10 The meeting was adjourned at 9:24 AM.
11

12
13 **DATE REVIEWED BY THE COUNCIL: February 10, 2017**

14
15 **ACTION TAKEN BY THE COUNCIL: Approved as written**