

1 EXECUTIVE COUNCIL OF PHYSICAL THERAPY AND
2 OCCUPATIONAL THERAPY EXAMINERS
3 QUARTERLY MEETING
4 December 4, 2009, 10:00 AM

5
6 333 Guadalupe, Ste. 2-500
7 Austin, TX 78701
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10 Persons Present: Council Members:

11 Roger Matson, *Chair*
12 Daniel Reyna, *PT Public Member*
13 Melinda Rodriguez, *PT*
14 Stephanie Johnston, *OTR*

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16 Staff:

17 John Maline, *Executive Director*
18 Augusta Gelfand, *OT Board Coordinator*
19 Nina Hurter, *PT Board Coordinator*
20 Jennifer Jones, *Executive Assistant*

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22 **I. Call to Order.**

23 At 10:04 a.m., Mr. Roger Matson, Presiding Officer, called the meeting to order.
24 Mr. Matson called the roll, and a quorum was determined to exist. Pamela Nelon was
25 absent.

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28 **II. Public Comment.**

29 There was no public comment.
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32 **III. Approval of minutes of August 28, 2009 and minutes of October 8, 2009,**
33 **Executive Council meeting.**

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35 **Motion: To approve the minutes of August 28, 2009 Executive Council meeting**
36 **as found in Tab 3 with no corrections.**

37 The minutes were approved with no corrections for the Executive Council meeting as
38 found in Tab 3.

39 **Made by: Melinda Rodriguez**
40 **Second: Stephanie Johnston**
41 **4 ayes, motion passed.**

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43 **Motion: To approve the minutes of October 8, 2009 Executive Council meeting**
44 **as found in Tab 3 with no corrections.**

45 The minutes were approved with no corrections for the Executive Council meeting as
46 found in Tab 3.

47 **Made by: Melinda Rodriguez**
48 **Second: Daniel Reyna**
49 **4 ayes, motion passed.**
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2 **IV. Discussion and possible action on Executive Director’s Report, concerning fiscal**
3 **and budgetary matters, annual performance measures, Sunset review, agency**
4 **personnel matters, ongoing projects, and other agency business.**

5 Mr. Maline presented a report to the council that covered the projected FY2010 budget
6 and first three months of fiscal data, and other agency matters that were earlier covered
7 in the two board meeting presentations. Some of the topics discussed included the
8 upcoming Sunset review, FY2009 performance measures, new board member travel
9 reimbursement rates, and new agency personnel. Clarifying questions were asked of
10 him, all of which he answered.

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13 **V. Review and possible action on rule amendments proposed by the Texas Board of**
14 **Physical Therapy Examiners as follows: §329.6, regarding Licensure by**
15 **Endorsement; §347.4, regarding Requirements for Registration Application;**
16 **§347.9, regarding Renewal of Registration; and §347.15, regarding Disciplinary**
17 **Action.**

18 Ms. Rodriguez and Ms. Hurter gave a synopsis of the proposed new rule and
19 amendments and the rational the PT Board used to make the proposed changes.
20 There were several questions asked of Ms. Rodriguez by other council members, all of
21 which were answered.

22
23 **Motion: To approve the forwarding of the amendment to §329.6, Licensure by**
24 **Endorsement, to the Texas Register for posting.**

25 **Made by: Stephanie Johnston**

26 **Second: Daniel Reyna**

27 **4 ayes, motion passed.**

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29 **Motion: To approve the forwarding of the amendment to §347.4, regarding**
30 **Licensure by Endorsement; §347.9, regarding Renewal of Registration; and**
31 **§347.15, regarding Disciplinary Action to the Texas Register for posting.**

32 **Made by: Stephanie Johnston**

33 **Second: Daniel Reyna**

34 **4 ayes, motion passed.**

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37 **VI. Review and possible action on rule amendments proposed by the Texas Board of**
38 **Occupational Therapy Examiners as follows: §367.2, regarding Categories of**
39 **Education; §376.1, regarding Definitions; §376.3, regarding Requirements for**
40 **Registration Application; §376.6, regarding Renewal of Registration; and §376.9,**
41 **regarding Disciplinary Action.**

42 Ms. Johnston and Ms. Gelfand gave a synopsis of the proposed new amendments and
43 the rational the OT Board used to make the proposed changes. There were several
44 questions asked of Ms. Johnston by other council members, all of which were
45 answered.

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2 **Motion: To approve the forwarding of the amendment to §367.2, regarding**
3 **Categories of Education, to the Texas Register for posting.**

4 **Made by: Daniel Reyna**
5 **Second: Stephanie Johnston**
6 **4 ayes, motion passed.**
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8 **Motion: To approve the forwarding of the amendment to §376.1, regarding**
9 **Definitions, to the Texas Register for posting.**

10 **Made by: Melinda Rodriguez**
11 **Second: Daniel Reyna**
12 **4 ayes, motion passed.**
13

14 **Motion: To approve the forwarding of the amendment to §376.3, regarding**
15 **Requirements for Registration Application, to the Texas Register for posting.**

16 **Made by: Daniel Reyna**
17 **Second: Melinda Rodriguez**
18 **4 ayes, motion passed.**
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20 **Motion: To approve the forwarding of the amendment to §376.6, regarding**
21 **Renewal of Registration, to the Texas Register for posting.**

22 **Made by: Melinda Rodriguez**
23 **Second: Daniel Reyna**
24 **4 ayes, motion passed.**
25

26 **Motion: To approve the forwarding of the amendment to §376.9, regarding**
27 **Disciplinary Action, to the Texas Register for posting.**

28 **Made by: Daniel Reyna**
29 **Second: Melinda Rodriguez**
30 **4 ayes, motion passed.**
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33 **VII. Discussion and possible adoption of rule amendments proposed by the**
34 **Executive Council as follows: §§651.1-3, Fees.**

35 Mr. Maline provided a synopsis of the history and rationale for the rule changes to the
36 council members. For reference he used an extract from the October 2nd, 2009 Texas
37 Register as earlier provided members in their packet and which addressed the changes
38 to the rules. The rules would become effective on January 1, 2010. There was one
39 non-substantive change to §651.3 (h), in which the title "Pre-Licensure Approval Letter"
40 was changed to "Preliminary Criminal History Evaluation Letter".
41

42 **Motion: To adopt rule amendments to §§651.1-3, Fees, as previously proposed**
43 **and posted in the Texas Register, with the non-substantive change to §651.3 (h).**

44 **Made by: Daniel Reyna**
45 **Second: Melinda Rodriguez**
46 **4 ayes, motion passed.**
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49 **VIII. Presiding Officers Report**

50 Mr. Matson did not give a report.

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IX. Discussion and possible action on scheduling future Executive Council meeting dates, and items for future consideration.

The next two scheduled meeting dates are: March 5, 2010@10:00AM and June 4, 2010@10:00 AM, both in Austin, TX.

X. Adjournment.

The meeting was adjourned at 10:56 AM.

DATE REVIEWED BY THE COUNCIL:

ACTION TAKEN BY THE COUNCIL: