

# TBOTE news

The Texas Board of Occupational Therapy Examiners

December, 2010

New Website Coming Soon

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The 2010 Rules are posted on the Act/Rules page of the webpage.

<http://www.ecptote.state.tx.us/ot/rules.html>

**Those who subscribe to Board e-news will receive notices of proposed rules, adopted rules, newsletters, etc.**

Previous newsletters, Forms and Frequently Asked Questions are on the website.

## TBOTE Board

Stephanie Johnston, OTR, Chair  
Kathleen Hill, COTA, Secretary  
Katherine Benavidez, OT  
Judith Ann Chambers, public member  
De Lana Honaker, OTR, PhD  
Dely De Guia Cruz, public member  
Pamela Nelon, public member  
Todd Novosad, OTR  
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Board meetings scheduled  
February 18, 2011  
June 10, 2011

## Proposed CE Changes in Chapter 367 Not Adopted

With all the public comment against the changes to Chapter 367, there was no motion to adopt the proposed amendments in this chapter and therefore the rule was not changed.

This means that the rules as printed on the website in the January 1, 2010 edition of the Board Rules stays the same with the board recognizing the Approved Provider Programs of AOTA and TOTA, and licensees responsible for choosing Type 1 or Type 2 according to the definitions in that chapter.

The Continuing Competency language which was not adopted in Chapter 367, was also not adopted in §362.1 Definitions. So these two rules remain the same.

<http://www.ecptote.state.tx.us/ot/rules.html>

## One Rule Adopted

### §370.2, Late Renewal and a New §370.3, Restoration of a Texas License

Since the changes to the OT Practice Act during the legislative session of 2009, the board is now able to allow licensees with expired licenses to return to active licensure or restore their licenses by various choices. Please refer to the wording on the Act/Rules page of the web for the specifics.

## **New Chapter §370.3, Restoration of a Texas License Effective Nov. 28, 2010**

1. If the licensee has a current license in another state they may restore their expired Texas license.
2. If the former licensee's Texas license is expired more than one year and less than 2, he/she may take extra continuing education, as outlined in the new section to restore the expired license.
3. If the license is expired more than two years the former licensee may restore by:
  - a. Taking a refresher or re-entry course through a college or university.
  - b. Obtaining an advanced OT degree
  - c. Re-taking the NBCOT for 'licensure purposes only' and do extra continuing education.

Read the specifics of the adopted rule on the Act/Rules page of the website.  
<http://www.ecptote.state.tx.us/ot/rules.html>

### **Proposed Rule**

At the November 5, 2010 board meeting the board vote to amend §376.5, Exemptions to [Facility] Registration to allow an exemption to facility registration for **ECI** services in the community. Read the proposed rule:  
<http://www.ecptote.state.tx.us/ot/ce/>

### **Board Member prepared a Decision Tree for the Website**

DeLana Honaker, OTR, PhD has prepared a decision tree for choosing Type 1 and Type 2 continuing education choices, which is on the website on the About CE webpage. View it here:  
<http://www.ecptote.state.tx.us/ot/ce/>

*Happy Holidays and Happy New Year 2011*

### **Adoption of §369.3 Use of Titles:**

In August the Board's rule on Use of Titles was amended to require that those licensees who teach occupational therapy or practice occupational therapy to represent themselves as:  
Mary Jones, OTR, PhD or Mary Jones, OT, CHT or Mary Jones, COTA or Mary Jones, OTA

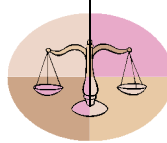
Whether you are a clinician or an educator, if occupational therapy is the reason for your license, this is the credential listed first. Any other credentials should follow. In Texas OT or OTR, OTA or COTA are the only way these are used; not OTR/L. When you come across fellow licensees who use this incorrect way of signing, please do correct them.

However if you have an OT license and you are also an economics professor, a realtor, or an attorney, for example, you can represent yourself with other credentials which this board does not regulate. In these cases you may have two business cards, one in which you list OT first when you are representing yourself as an OT practitioner and another card when you represent yourself as a realtor, or attorney.

### **Tell others...to receive mailings from the board...**



to sign up for board e-news on the home page of the website:  
[www.ecptote.state.tx.us](http://www.ecptote.state.tx.us)



**OT Board Formal  
Disciplinary Actions  
November 5, 2010**

**File a complaint  
or notify authorities  
if you see violations or patient abuse.  
The Code of Ethics requires that you  
report violations**

- (1) Candice Osborne, OTR #112581 (Dallas)** – practiced with an expired license. Violation of Section 454.301 of the Act and chapter 374 of the board rules. ***Board Order required thirty (30) hours of community service.***
- (2) Jennifer Lawson, OTR #112275 (Dallas)** – practiced with an expired license. Violation of Section 454.301 of the Act and chapter 374 of the board rules. ***Board Order required thirty (30) hours of community service.***
- (3) Lauren Henry Sandhu, OTR #110117 (Coppell)** – practiced with an expired license. Violation of Section 454.301 of the Act and chapter 374 of the board rules. ***Board Order required sixty (60) hours of community service.***
- (4) Gail Ritchie, OTR #112730 (McAllen)** – practiced with an expired license. Violation of Section 454.301 of the Act and chapter 374 of the board rules. ***Board Order suspended her license for fifteen (15) days.***
- (5) Deborah Heater, OTR #107678 (Friendswood)** – practiced with an expired license. Violation of Section 454.301 of the Act and chapter 374 of the board rules. ***Board Order suspended her license for forty-five (45) days.***
- (6) Traci Perry, OTR #107035 (Floresville)** – failed the CE audit; failed to take the required number of board approved type 2 CE hours during the renewal period in question. Violation of Section 454.301 of the Act and chapter 367 of the board rules. ***Board Order required thirty (30) hours of community service.***
- (7) Helen Hernandez, COTA #204169 (Houston)** – failed the CE audit; failed to take the required number of board approved type 2 CE hours during the renewal period in question. Violation of Section 454.301 of the Act and chapter 367 of the board rules. ***Board Order required thirty (30) hours of community service.***
- (8) Shelley Neal, COTA #207857 (Dallas)** – failed the CE audit; failed to take the required number of board approved CE hours during the renewal period in question. Violation of Section 454.301 of the Act and chapter 367 of the board rules. ***Board Order suspended her license for thirty (30) days.***
- (9) Laura Parsons, COTA #209050 (Denver, CO)** – failed the CE audit; failed to take the required number of board approved CE hours during the renewal period in question. Violation

of Section 454.301 of the Act and chapter 367 of the board rules. **Board Order suspended her license for forty-five (45) days and required twenty-two (22) hours of continuing education.**

**(10) Holly Light, OTR #113422 (Edinburg)** – practiced in a detrimental manner by resigning her position without sufficient prior notice. Violation of Section 454.301 of the Act and chapter 374 of the board rules. **Board Order suspended her license for ten (10) days.**

**(11) Lisa Anne Smith, OTR #113286 (Volente)** – practiced in a detrimental manner by leaving a patient unsupervised after placing the patient on an e-stim machine. Violation of Section 454.301 of the Act and chapter 374 of the board rules. **Board Order suspended her license for thirty (30) days.**

**(12) Phoung Lao, OTR #112238 (Fort Worth)** – practiced in a detrimental manner by resigning her position without sufficient prior notice. Violation of Section 454.301 of the Act and chapter 374 of the board rules. **Board Order suspended her license for thirty (30) days.**

**(13) Edward Santiago, COTA #210931 (Midlothian)** – practiced occupational therapy without a valid Texas license. Violation of Section 454.201 of the Act. **Board Order suspended his license for thirty (30) days.**

**The board orders vary according to variable such as:**

- a. How long did the violation continue?**
- b. Did the licensee take care of the matter, or did we have to reach them?**
- c. What did the licensee do him or herself to rectify the situation?**

## **TBOTE EMAIL ADDRESSES CHANGED**

All employees at the Executive Council of Physical Therapy and Occupational Therapy Examiners are now reached directly through <first name>@ptot.texas.gov

## **Monthly Update on Web**

There is a monthly update of those former licensees who are eligible to restore their license and the list is posted to our website, and updated each month.

As of January 1, 2010 those licensees whose Texas license is expired more than one year, but less than two may restore their expired license by completing extra continuing education. Each month that list of eligible former licensees is updated and posted to the homepage of the website to reflect which people are currently eligible.

**NOTICE:** The Executive Council voted to raise fees for all Applications and Renewals effective January 1, 2011. Those who are eligible to renew in the months of December, January or February may renew in December at the 2010 rates before the higher rates go into effect. The new rates will be OT application \$140 and OTA application \$100. OT Renewal rises to \$242 and OTA renewal to \$180. The new fees will affect restoration fees and late fees.



## Frequently Requested Numbers

### **Texas Board of Occupational Therapy Examiners (TBOTE)**

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

512/305-6900 telephone

512/305-6970 fax

Website: [www.ecptote.state.tx.us](http://www.ecptote.state.tx.us)

Email: [info@ecptote.state.tx.us](mailto:info@ecptote.state.tx.us)

### **Texas Occupational Therapy Association (TOTA)**

512/454-8682 telephone

512/450-1777 fax

[www.tota.org](http://www.tota.org)

### **American Occupational Therapy Association (AOTA)**

Specialty certification, student fieldwork, national issues, etc.

301/652-2682 telephone

[www.aota.org](http://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](http://www.nbcot.org)

### **Dept. of Assistive and Rehab. Services (DARS)**

Division of Early Childhood Intervention (ECI)

512/424-6790 telephone

512/424-6799 fax

[www.dars.state.tx.us/ecis/](http://www.dars.state.tx.us/ecis/)

### **Early Childhood Education DARS, ECI**

4900 N Lamar

Austin, TX 78751-2399

<http://www.dars.state.tx.us/ecis/index.shtml>

### **Medicare and Medicaid**

[www.medicare.gov](http://www.medicare.gov)

#### **Medicare Part A**

888/763-9836 (Rehab Dept, Hospital)

#### **Medicare Part B**

903/463-0720 (independent practitioners)

Medicare fraud, or abuse of a Medicare: 800-447-8477.

#### **Medicaid:** 800/252-8263

Medicaid provider fraud, or abuse of a Medicaid recipient: 512/463-2011 or email

[mfcu@aog.state.tx.us](mailto:mfcu@aog.state.tx.us)

### **School Health and Related Services (SHARS)**

[www.tea.state.tx.interagency/shars.html](http://www.tea.state.tx.interagency/shars.html)

### **Texas Dept. Aging and Disability Services (DADS)**

800/458-9858 Long term care & complaints about nursing home, home health agency, or assisted living facility.

800/252-8016 Nursing homes

512/719-3521 Licensing Boards

800/228-1570 Home health agency

Elderly or disabled abuse, neglect call 911 or local law enforcement or Department of Family & Protective Services' hot line: 800/252-5400.

[www.dads.state.tx.us](http://www.dads.state.tx.us)

### **Texas Dept. of State Health Services (TDSH)**

512/834-6650 Hospital licensing

[www.tshs.state.tx.us](http://www.tshs.state.tx.us)

### **Texas Online Services**

License applications, renewals, profile

[www.texasonline.com](http://www.texasonline.com)

877-452-9060 Help desk