

# TBOTE news

The Texas Board of Occupational Therapy Examiners

November 2019

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Previous newsletters, forms, and FAQs are available from the website: [www.ptot.texas.gov](http://www.ptot.texas.gov).

## Next Board Meeting\*

February 7, 2020

Austin, TX

\* Subject to change

## TBOTE BOARD

Stephanie Johnston, OTR, OTD, FAOTA, Chair

Todd Novosad, OTR, Vice Chair

DeLana Honaker, OTR, PhD, CLT, FAOTA,  
Secretary

Blanca Cardenas, Public Member

Jennifer Clark, COTA

Karen Gardner, OTR

Eddie Jessie, Public Member

Sally Harris King, COTA

Pamela D. Nelon, Public member

## Notes from the Coordinator

### Adopted Rule Changes

The Board has adopted rule changes. Please see further information in this newsletter. No rule changes were proposed at the last Board meeting.

## Fingerprint-Based Criminal Background Checks in Effect

Fingerprinting requirements went into effect January 1, 2019.

### Applicants for an OT or OTA Texas License:

Fingerprinting is a required item for initial license issuance.

### OT and OTA Licensees:

Licensees renewing an active status or retired status license or changing status to retired or active **have fingerprinting as a required item for renewal** if they have not previously satisfied TBOTE fingerprinting requirements for the initial issuance of the license or previous renewal or change in status. Licensees renewing a license on inactive status or changing the status to inactive will not have this requirement until changing to active or retired status.

**What if an applicant or licensee has had to be fingerprinted for some other reason?** Previously undergoing a criminal background check through fingerprinting (for TSA, an employer, etc.) **does not exempt** an applicant or licensee from this requirement.

**More Information: Instructions regarding submitting fingerprints appear on the Board's website** at [www.ptot.texas.gov](http://www.ptot.texas.gov). Refer to the related announcement for details.

## TBOTE Board Appointments and Reappointments

In September, Governor Greg Abbott appointed Eddie Jessie as the new public member to the TBOTE Board, replacing Amanda J. Ellis, whose term had expired, and reappointed two professional members, Jennifer Clark and Todd Novosad. The Board thanks Amanda J. Ellis for her service and dedication during her term.

Consequently, all of TBOTE's nine board member positions are now filled by individuals with unexpired terms and the Board is complete.

Thank you to everyone who expressed an interest in serving on the Board. Your efforts were well appreciated.

For a brief introduction to these newly appointed or reappointed members, please see information adapted from the Governor's press release below.

**Eddie Jessie** of Houston is a program forensic compliance monitor at the Harris Center for Mental Health and IDD Services. He is a member of the Alpha Delta Mu Professional Sociology Organization and the National Institute of Sports Professionals. In addition, he serves as a constituent advisory committee member of the Center on Disability and Development at Texas A&M University. Jessie received a Bachelor of Science in social work and a Master of Arts in sociology from Prairie View A&M University.

**Jennifer Clark** of Iola is an occupational therapy assistant at College Station Med Therapy Center. She is a member of the American Occupational Therapy Association. She previously served as vice president of the Student Occupational Therapy Association and is a former member of the Iola Community Center Board. Clark received an Associate of Applied Science in occupational therapy assistant and a Bachelor of Science in business and health care administration from Capella University.

**Todd Novosad** of Austin is a healthcare compliance partner for Ensign Services. He is a member of the Healthcare Compliance Association of America, American Occupational Therapy Association, and the Texas Occupational Therapy Association. Novosad received a Bachelor of Science in occupational therapy from The University of Texas Health Science Center.

*Applying to serve as a public or professional member of the Board:* Please note that individuals may continue to submit applications to serve on the Board; such applications may be considered the next time appointments are needed. **The Governor's Appointments Office is the source for information** concerning the Board membership application process. Please visit its webpage for information: <https://gov.texas.gov/organization/appointments>.

Subchapter B of the OT Practice Act, accessible from the [Act and Rules](#) page, addresses information regarding membership restrictions and serving on the Board.

***Note: The Board does not process or accept applications to serve as a member and cannot address further questions regarding the appointments process. Please direct any questions regarding appointments to the Governor's Appointments Office using the contact information accessible from the corresponding link above.***

## Introduction to Adopted Rule Changes from the October Board Meeting

The rule changes noted below will take effect December 1, 2019. Until then, [the current rules](#) are in effect.

On December 1, 2019, the "September, 2019" compiled PDF version of the OT Rules will no longer be up to date as it will not contain the adopted changes. An up-to-date version of the compiled rules will be available from the [Act and Rules](#) page soon after the changes take effect and will have "December, 2019" on the cover.

Notice of the adoptions has been published in the November 8, 2019, issue of the [Texas Register](#), and notice of the rule changes as proposed, which includes the text of the proposals, was published in the September 6, 2019, issue of the [Texas Register](#).

PDFs of the notices of proposal and adoption are available from the [Act and Rules](#) page.

*A brief introduction to the adopted rule changes appears below; refer to the [Act and Rules](#) page for further information.*

### **Adopted Amendments that take effect December 1, 2019**

#### **§370.1. License Renewal.**

The amendments are adopted to remove language concerning restrictions to renewal for a licensee in default of a student loan pursuant to SB 37 of the 86<sup>th</sup> Regular Legislative Session and to cleanup and clarify provisions in the section.

The adoption includes amendments to reflect law changes already in effect from SB 37, relating to a prohibition on the use of student loan default or breach of a student loan repayment as a ground for refusal to renew a license. Related changes to §370.1 are adopted to remove from the section a provision restricting the renewal of a license for an individual who has defaulted with the Texas Guaranteed Student Loan Corporation.

Additional amendments are adopted as cleanups and clarifications. An amendment is adopted to strike a reference in the section to the number of continuing education hours required per renewal period and to replace such with language referencing continuing education requirements as per Chapter 367, Continuing Education, as previously adopted amendments to that chapter changed the number of required hours from thirty to twenty-four hours. Additional amendments are adopted to remove a redundant reference to the address of record, as language concerning such is already located elsewhere in the OT Rules, and to clarify a provision regarding a restriction on renewal for certain child support issues, including to add a reference to related statutory language in Texas Family Code.

### **§364.5. Recognition of Out-of-State License of Military Spouse.**

The new rule is adopted to add provisions to the OT Rules concerning the recognition of out-of-state licenses of military spouses as required by SB 1200 of the 86<sup>th</sup> Regular Legislative Session. §364.5 will add to the OT Rules provisions concerning the information a military spouse seeking recognition of the out-of-state license must submit to the Board and the conditions under which the military spouse may practice in the state once the individual has received confirmation from the Board that the military spouse is authorized to engage in the practice of occupational therapy. The adoption includes further provisions pursuant to SB 1200.

#### ***CE Reminder***

*Licensees must complete 24 contact hours of continuing education for license renewal, and 1 hour of continuing education is equal to 1 contact hour unless specified otherwise in Chapter 367 of the OT Rules.*

*CE Documentation must identify the licensee by name, and must include the date and title of the course, the name and signature of the authorized signer, and the number of hours or contact hours awarded for the course.*

*When continuing education units (CEUs), professional development units (PDUs), or other units or credits are listed on the documentation, such must be accompanied by documentation from the continuing education provider noting the equivalence of the units or credits in terms of hours or contact hours. Such is not needed for AOTA CEUs, but be sure you know what such represent in hours or contact hours.*

*Remember that a contact hour is **not the same** as a learning credit, PDU, etc. When you renew, **you must attest to your CE in contact hours.***



**OT BOARD FORMAL DISCIPLINARY ACTIONS TAKEN  
OCTOBER 25, 2019 BOARD MEETING**

- (1) **Carol Hawkins, OTR #111795 (Tempe, AZ)** – failed to properly renew her license to practice; lacked sufficient number of hours required for license renewal. Violation of Section 454.301 of the Act and chapter 367 of the board rules. ***Board Order required thirty (30) hours of community service.***
- (2) **Natasha Steinberg, OTR #108638 (Houston)** – failed to properly renew her license to practice; lacked sufficient number of hours required for license renewal. Violation of Section 454.301 of the Act and chapter 367 of the board rules. ***Board Order required thirty (30) hours of community service.***
- (3) **Kimberly Arnold, OTR #108072 (Spring Branch)** – failed to properly renew her license to practice; lacked sufficient number of hours required for license renewal. Violation of Section 454.301 of the Act and chapter 367 of the board rules. ***Board Order accepted the surrender of her license to practice in lieu of other disciplinary action by the Board.***
- (4) **Marc Williams, OTR #112482 (Houston)** – failed to properly renew his license to practice; lacked sufficient number of hours required for license renewal. Violation of Section 454.301 of the Act and chapter 367 of the board rules. ***Board Order required sixty (60) hours of community service.***
- (5) **Julie Ward-Purnell, OTR #102350 (Lampasas)** - practiced in a detrimental manner by accepting money and taking candy/snacks from patients; thus, violating ethical principles relating to Code of Ethics. Violation of Section 454.301 of the Act and chapter 374 of the board rules. ***Board Order suspended her license to practice for thirty (30) days.***
- (6) **Sarah Hodge, COTA #212610 (Greenville)** – practiced in a detrimental manner by inaccurately documenting treatment rendered. Violation of Section 454.301 of the Act and chapter 374 of the board rules. ***Board Order required thirty (30) hours of community service.***
- (7) **Shelbi Madden, COTA #212989 (Palmer)** - practiced in a detrimental manner by resigning/abandoning her position without sufficient prior notice – thereby abandoning the patients she was scheduled to treat. Violation of Section 454.301 of the Act and chapter 374 of the board rules. ***Board Order suspended her license to practice for thirty (30) days.***
- (8) **Michael Pannell, OTR #120072 (Pontotoc, MS)** - practiced in a detrimental manner by resigning/abandoning his position without sufficient prior notice – thereby abandoning the patients he was scheduled to treat. Violation of Section 454.301 of the Act and chapter 374 of the board rules. ***Board Order suspended his license to practice for thirty (30) days.***
- (9) **Chad Devose, COTA #215144 (Hurst)** - practiced in a detrimental manner by inaccurately documenting treatment rendered. Violation of Section 454.301 of the Act and chapter 374 of the board rules. ***Board Order suspended his license to practice for thirty (30) days.***
- (10) **Jennifer Tacker, COTA #212946 (Robinson)** - practiced in a detrimental manner by fraudulently documenting treatment rendered. Violation of Section 454.301 of the Act and chapter 374 of the board rules. ***Board Order suspended her license to practice for thirty (30) days.***