

**Texas Board of Occupational Therapy Examiners**  
**RULES COMMITTEE MEETING MINUTES**

Rules Committee  
February 19-20, 2016  
Vintage Villas  
4209 Eck Lane  
Austin, TX 78734  
10:00 AM

Committee Members Present: DeLana Honaker, OTR, PhD, FAOTA,  
Rules Committee Chair  
Sally Harris, COTA  
Amanda Jean Ellis, Public Member

Counsel Present: Kara Holsinger, Assistant Attorney General

Staff Present: John Maline, Executive Director  
Mark Turek, Chief Investigator  
Randall Glines, Asst. Licensing Manager  
Lea Weiss, OT Coordinator

Public Attendees: Larry Duron, OTR, TOTA Standards and Practices Chair  
Stephanie Johnston, OTR, Board Chair

**1. Call to Order**

DeLana Honaker, Rules Committee Chair, called the roll and established that a quorum existed.  
The meeting was called to order at 11:30 AM.

**2. Public Comment**

There was no public comment.

**3. Approval of the Minutes of November 6, 2015**

**Motion: To approve the minutes as written**

**Made by: Sally Harris**

**Second by: DeLana Honaker**

**Motion passed.**

**4. Discussion and possible action on proposing a new rule regarding telehealth;  
discussion and possible action on rule amendments, including amendments  
regarding telehealth, to the following rules:**

**A. Chapter 362, Definitions**

**B. §363.1, Consumer/Licensee Information**

**C. §369.1, Display of Licenses**

**D. Chapter 372, Provision of Services**

**E. Chapter 373, Supervision**

**F. §374.2, Detrimental Practice**

**G. §370.3, Restoration of a Texas License**

**H. Chapter 371, Inactive and Retired Status**

**I. §376.1, Facility Definitions; §376.2, Requirement for Practice Setting of  
Licensees; §376.4, Requirements for Registered Facilities; §376.5,  
Exemptions to Registration; §376.7, Failure to Register; and §376.9,  
Disciplinary Action**

1  
2 The Committee discussed changes to §362.1 that would clarify existing definitions with regard  
3 to and add a definition for telehealth, in addition to further cleanups to definitions in the section.  
4

5 The Committee also discussed changes to §372.1 concerning clarifications regarding the  
6 provision of services in general and adding language regarding the use of telehealth as a mode  
7 of occupational therapy service delivery during the provision of services.  
8

9 The Committee, furthermore, discussed changes to §373.1 that would clarify supervision  
10 requirements for non-licensed personnel in general and with regard to the use of non-licensed  
11 personnel during the provision of services via telehealth and discussed changes to §373.3 to  
12 include changes to requirements for the supervision of occupational therapy assistants.  
13

14 The Committee discussed grammatical revisions and cleanups to the sections, as well.  
15

16 **Motion: To recommend changes to §362.1, Definitions; §372.1, Provision of**  
17 **Services; §373.1, Supervision of Non-Licensed Personnel; and §373.3,**  
18 **Supervision of an Occupational Therapy Assistant, as discussed**

19 **Made by: DeLana Honaker**

20 **Second by: Sally Harris**

21 **Motion passed.**  
22

23 DeLana Honaker reordered the agenda to discuss agenda items 5-7 next.  
24

25 When the Committee reconvened on February 20, after agenda item 6, the Committee returned  
26 to this agenda item and discussed the recommended changes and motion made by the  
27 Committee on February 19 concerning §362.1, Definitions; §372.1, Provision of Services;  
28 §373.1, Supervision of Non-Licensed Personnel; and §373.3, Supervision of an Occupational  
29 Therapy Assistant, and discussed revising its recommendations to the Board.  
30

31 **Motion: To recommend revised changes to §362.1, Definitions; §372.1, Provision of**  
32 **Services; §373.1, Supervision of Non-Licensed Personnel; and §373.3,**  
33 **Supervision of an Occupational Therapy Assistant, as discussed**

34 **Made by: Sally Harris**

35 **Second by: Amanda Ellis**

36 **Motion passed.**  
37

38 The Committee next discussed continuing the discussion of §370.3 and Chapter 371 during the  
39 Rules Committee Report when the Board would reconvene on February 20.  
40

41 The Committee did not discuss recommending changes related to §363.1, Consumer/Licensee  
42 Information; §369.1, Display of Licenses; §373.2, Supervision of a Temporary Licensee; §374.2,  
43 Detrimental Practice; §376.1, Facility Definitions; §376.2, Requirement for Practice Setting of  
44 Licensees; §376.4, Requirements for Registered Facilities; §376.7, Failure to Register; and  
45 §376.9, Disciplinary Action.  
46

47 The Committee next returned to agenda item 6.  
48

49 **5. Discussion and possible action on proposing rule amendments regarding**  
50 **occupational therapy practice in the home health setting including medication**  
51 **management and the supervision of home health aides**

1 After DeLana Honaker reordered the agenda to discuss items 5-7 on February 19, the  
2 Committee discussed occupational therapy practice in the home health setting including  
3 medication management and the supervision of home health aides. The Committee took no  
4 action on this item.

5  
6 **6. Discussion and possible action on proposing rule amendments regarding the**  
7 **provision of occupational therapy in groups and classes and supervision**

8 The Committee discussed the provision of occupational therapy in groups and classes and  
9 supervision.

10  
11 The Committee continued to agenda item 7 after discussing returning to agenda item 6 when  
12 the Committee would reconvene on February 20.

13  
14 When the Committee reconvened on February 20 at 10:50 AM, the Committee returned to  
15 agenda item 6 and discussed recommending changes regarding proposing a new rule, §372.2,  
16 General Purpose Occupation-Based Instruction. The Committee also discussed further  
17 changes to §373.3, concerning required supervision hours for an occupational therapy  
18 assistant, and changes to §376.5, related to exemptions to facility registration, with regard to  
19 general purpose occupation-based instruction. At the Committee's request, Stephanie Johnston  
20 attended the meeting during this discussion and addressed questions the Committee posed  
21 regarding occupation-based instruction.

22  
23 The Committee next returned to agenda item 4.

24  
25 When the Committee returned to agenda item 6 after discussing agenda item 4 on February 20,  
26 the Committee discussed making a motion to recommend changes to the Board concerning this  
27 item.

28  
29 **Motion: To recommend proposing new rule §372.2, General Purpose Occupation-**  
30 **based Instruction, and changes to §373.3, Supervision of an Occupational**  
31 **Therapy Assistant, and §376.5, Exemptions to Registration**

32 **Made by: Amanda Ellis**

33 **Second by: Sally Harris**

34 **Motion passed.**

35  
36 The Committee next continued to agenda item 8.

37  
38 **7. Discussion and possible action on proposing rule amendments regarding**  
39 **documentation including of progress and goals**

40 The Committee did not discuss this agenda item.

41  
42 The Committee recessed at 4:14 PM on February 19.

43  
44 The Committee reconvened at 10:50 AM on February 20 and returned to agenda item 6.

45  
46 **8. Discussion and possible action on changes to the Jurisprudence Examination**

47 The Committee did not discuss this agenda item.

48  
49 **9. Discussion on §374.4, Code of Ethics**

50 The Committee did not discuss this agenda item.

51

1 **10. Discussion and possible action on questions received by the Texas Board of**  
2 **Occupational Therapy Examiners related to the OT Practice Act and Board Rules**

3 There were no questions discussed.  
4

5 **11. Discussion and possible action on future meeting dates and agenda items**

6 The Committee discussed it did not anticipate meeting in May, 2016. The Committee noted that  
7 the next meeting may be held when the Board meets in August, 2016.  
8

9 **12. Adjournment**

10 The Committee adjourned at 12:27 PM.  
11

12 **Minutes adopted on:** August 4, 2016