

# TBOTE news

The Texas Board of Occupational Therapy Examiners

August 2021

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

## Next Board Meeting

October 29, 2021\*

\* Subject to change

## TBOTE BOARD

Stephanie Johnston, OTR, OTD, FAOTA, Chair

Todd Novosad, OTR, Vice Chair

Karen Gardner, OTR, Secretary

Jacob Boggus, Public Member

Blanca Cardenas, Public Member

Jennifer Clark, COTA

Eddie Jessie, Public Member

Sally Harris King, COTA

## Notes from the Coordinator

### Proposed Rules

The Board proposed rule changes at its last meeting. Please see further information in this newsletter.

## Renewal Requirement Reminder: Training concerning Human Trafficking and Fingerprinting

### Human Trafficking Prevention Training

HB 2059 of the previous legislative session added the completion of a training course approved by the Health and Human Services Commission (HHSC) on the prevention of human trafficking as a condition for license renewal for certain health care practitioners. HB 2059 requires that HHSC approve at least one course available without charge.

This new renewal requirement took effect September 1, 2020.

Refer to the [Continuing Education](#) page for further information regarding this new requirement, including information regarding accessing the list of HHSC approved training courses.

The [Continuing Education](#) page addresses many frequently asked questions regarding this training and includes further details.

Note that this training is now a required CE activity to renew a license and must be completed each renewal period.

### Fingerprinting

The Board's fingerprinting requirement took effect January 1, 2019.

OT and OTA applicants and licensees who have not yet satisfied the fingerprinting requirement (for example, for the issuance or a previous renewal of the license) will need to meet the fingerprinting requirement in order to obtain or renew the license. Fingerprinting is not required for inactive status.

See the [OT Application](#) and [OT Renewal](#) pages for further information.

## Introduction to Proposed Rule Changes from the July Board Meeting

*These are **PROPOSED** rule changes. The current rules are in effect.*

The Board has proposed amendments to §364.5. Recognition of Out-of-State License of Military Spouse.

Notice of the proposal has been published in the August 27, 2021, issue of the *Texas Register*, and a PDF of the notice has been uploaded to the [Act and Rules](#) page.

Please note that the information that follows is just a brief introduction; refer to the full proposal for further information.

**Comments:** Comments on the proposed amendments may be submitted in writing to Lea Weiss, Occupational Therapy Coordinator, Texas Board of Occupational Therapy Examiners, 333 Guadalupe Street, Suite 2-510, Austin, Texas 78701-3942 or to [lea@ptot.texas.gov](mailto:lea@ptot.texas.gov) within 30 days following the publication of this notice in the *Texas Register*.

It is requested when sending a comment that individuals include the rule section to which the comment refers and that comments sent by email include "Public Comment" in the email's subject line.

*A general overview of the proposed changes appears below; refer to the full published proposal for further information.*

### **Proposed Rule Changes**

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

The proposed amendments concern allowing a military spouse to show proof of residency by submitting a permanent change of station order and include adding that individuals update the Board of certain changes.

House Bill 139 of the 87th Regular Legislative Session, to be codified at Texas Occupations Code §55.004(d), provides that: "A state agency that issues a license that has a residency requirement for license eligibility shall adopt rules regarding documentation necessary for a military spouse applicant to establish residency for purposes of this subsection, including by providing to the agency a copy of the permanent change of station order for the military service member to whom the spouse is married." The Bill takes effect September 1, 2021. In accordance with HB 139, the proposed amendment allows a permanent change of station order to serve as proof of residency for a military spouse requesting the authorization provided by the section.

An additional amendment concerns updating the Board of changes. Subsection (b)(2) of the section requires that a military spouse requesting the authorization submit proof of the military spouse's residency in this state and a copy of the military spouse's military identification card. The amendment adds the requirement that individuals who have received the authorization described by the section update the Board of any changes to information as specified under subsection (b)(2) within 30 days of such change(s). The change is proposed to enhance the Board's ability to remain apprised of changes to the information submitted for the authorization.

## Rule Reminder: Renewing On Time

If your license's expiration date is approaching, there is no need to wait until the last minute to renew. Once you have met renewal requirements, you may submit your renewal starting approximately three months prior to your license's expiration date. Starting the renewal process early in your renewal window may help you avoid issues at the last minute. In fact, why not create calendar reminders today for your next license renewal?

Renewing online may be convenient, but it does involve accessing both the Board's website and the Texas Online system. Either one of these might be unavailable occasionally due to scheduled and/or unscheduled maintenance, there may be internet browser issues, etc. If your renewal is delayed and you do not complete all requirements, including submitting payment, before your license expires, you will be subject to late fees. If the month changes over the weekend and the online system allows you to submit your renewal late, you will still be subject to late fees.

You may, alternately, renew by paper by submitting a paper renewal application form. Like for an online renewal, all required items must be postmarked before your license expires.

Those renewing late or those moving to or already on inactive status must renew by paper. Those moving to or already on retired status must renew by paper with the Retired License Application/Renewal form.

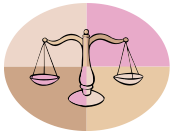
Please see the [OT Forms](#) page to access these documents.

Check the [OT Renewal](#) page for further information, including for further eligibility requirements to renew online and for related renewal links.

Finally, remember that as per §370.1(a), "Licensee Renewal. Licensees are required to renew their licenses every two years by the end of their birth month. A licensee may not provide occupational therapy services without a current license. Licenses and license expiration dates should be verified on the Board's license verification web page."

If your license does not show as being current and unexpired on the license verification page of our website, you may not provide occupational therapy services. Remember that once you have submitted all required items and made payment, it will take at least one or more business days for your renewal to be processed and for your license to show as being renewed on our website.

*Please note that the above is just an overview of the renewal process; please see the full [Act and Rules](#) for further regulations. Please see the [OT Renewal](#) page for further resources, including renewal instructions and renewal links.*



## AUGUST 6, 2021 OT BOARD MEETING

### FORMAL DISCIPLINARY ACTIONS TAKEN

- (1) **Nicole Drake, OT #114098 (Dallas)** – practiced in a detrimental manner by practicing 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) **Genessa De La Garza, OTA #213496 (Mission)** – practiced in a detrimental manner by practicing with an expired license. Violation of Section 454.301 of the Act and chapter 374 of the board rules. ***Board Order suspended license to practice for one hundred twenty (120) days.***
- (3) **Spencer MacDonald, OTA #212407 (Frisco)** – practiced in a detrimental manner by documenting inaccurate information in patient records. Violation of Section 454.301 of the Act and chapter 372 of the board rules. ***Board Order suspended license to practice for thirty (30) days.***
- (4) **Chester Darris, II, OT #114210 (Pearland)** – practiced in a detrimental manner by filing a false or misleading report. Violation of Section 454.301 of the Act and chapter 374 of the board rules. ***Board Order suspended license to practice for thirty (30) days.***
- (5) **Jeanine Verkaik, OTA #214974 (Pflugerville)** – practiced in a detrimental manner by filing a false or misleading report. Violation of Section 454.301 of the Act and chapter 374 of the board rules. ***Board Order suspended license to practice for forty five (45) days.***
- (6) **Shannon McCown, OT #110269 (Fruitvale)** – practiced in a detrimental manner by filing a false or misleading report. Violation of Section 454.301 of the Act and chapter 374 of the board rules. ***Board Order suspended license to practice for forty five (45) days.***
- (7) **Dawn Riley, OTA #210221 (San Antonio)** – practiced in a detrimental manner by filing a false or misleading report. Violation of Section 454.301 of the Act and chapter 374 of the board rules. ***Board Order suspended license to practice for sixty (60) days.***
- (8) **Kimberly Rodriguez, OT #121098 (San Antonio)** – practiced in a detrimental manner by filing a false or misleading report. Violation of Section 454.301 of the Act and chapter 374 of the board rules. ***Board Order suspended license to practice for sixty (60) days.***

### ADMINISTRATIVE SUSPENSIONS REPORTED

- (1) **Brianne Hight, OT #116192 (Clovis, NM)** – failed to complete the fingerprint requirement pursuant to Section 454.255 of the Act and chapter 370.1 of the board rules. ***Board administratively suspended license to practice.***