

**MINUTES**

**UTAH  
OCCUPATIONAL THERAPY  
LICENSING BOARD  
MEETING**

**September 6, 2011**

**Room 474 – 4<sup>th</sup> Floor – 2:00 P.M.  
Heber Wells Building  
160 East 300 South  
Salt Lake City, Utah**

**CONVENED:** 2:07 P.M.

**ADJOURNED:** 3:51 P.M.

**Bureau Manager:**  
**Board Secretary:**

Richard Oborn  
Lee Avery

**Board Members Present:**

Eunice Zee-Chen  
Leslie Adler  
Mary Heigert-Gainer  
Shari Bloom, PA-C  
Christopher Noren

**TOPICS FOR DISCUSSION**

**DECISIONS AND RECOMMENDATIONS**

**ADMINISTRATIVE BUSINESS:**

Swear in Leslie Adler as a new Board member

Ms. Adler was sworn in as a new member of the Board.

Elect a new Board Chairperson

Ms. Heigert-Gainer nominated Ms. Zee-Chen, seconded by seconded by Mr. Noren. The motion carried unanimously.

Read and approve the Minutes

Mr. Noren motioned to approve the minutes of February 16, 2010, seconded by Ms. Heigert-Gainer. The motion carried unanimously.

**APPOINTMENTS:**

Kevin Vore, request for approval to supervise 3 COTAs

Mr. Vore canceled his appointment to meet with the Board.

The Board reviewed the Occupational Therapy

Practice Act which limits an occupational therapist to supervise not more than two occupational therapy assistants unless otherwise approved by the Board and Division. The Board decided to not recommend a change to this provision of the statute at this time; however, the Board requested that Mr. Oborn prepare a list of factors to consider when reviewing requests to supervise more than two occupational therapy assistants. Mr. Oborn stated that he would email the list to Board members and obtain their input before creating a form for people to complete in order to make the request.

**DISCUSSION ITEMS:**

1. AOTA adoption of new Code of Ethics and possibility of amending Utah Admin. Code R156-42a-502

The Board reviewed the AOTA adoption of a new Code of Ethics (2010) approved in April 2011. Mr. Oborn advised the Board that the old guidelines were in 3 previous documents: code of ethics, guidelines and core values. These were combined in the new version.

The Board reviewed the Occupational Therapy Practice Act Rule, R156-42a-502, Unprofessional Conduct. Mr. Oborn advised the Board that the amendment to the rule change would be to update subsection (4) violating any provision of the American Occupational Therapy Association Code of Ethics, last amended April 2005, which is hereby adopted and incorporated by reference to the 2010 version. Mr. Oborn noted that he will advise the Board once the rule hearing date is established. Ms. Heigert-Gainer motioned to recommend that the Division accept the change, seconded by Ms. Adler. The motion carried unanimously.

2. Investigation Report

Mr. Gooch met with the Board and reviewed the complaint handling process for OTs and OTAs with DOPL. Mr. Gooch noted that to date there are no complaints against an OT or OTA. Mr. Gooch advised the Board that the Division now has citation authority for all of the professions that DOPL regulates. Mr. Gooch reviewed the Diversion program with the Board.

3. Use of push therapy by occupational therapy assistants

Mr. Oborn advised the Board that he received a question about whether occupational therapy assistants can practice push therapy. Push therapy falls under

the massage therapy scope of practice. Mr. Oborn noted that while the Massage Therapy Practice Act allows the occupational therapists to practice some forms of massage therapy under the exemption clause, it does not allow occupational therapy assistants.

4. 2011 Utah Legislative Session

Mr. Oborn shared with the Board that the Division now has fine and citation authority for the practice of unlicensed individuals and Board members with expiring terms may continue to serve for a limited period until the Governor appoints their replacement.

5. Licensing statistics

Mr. Oborn advised the Board that as of September 1, 2011 there are 555 Occupational Therapists (OT) licensed and 228 Occupational Therapy Assistants (OTA) licensed in Utah.

6. Governor Herbert's request to eliminate over-reaching regulations

Mr. Oborn shared the quote from Governor Gary R. Herbert's State of the State address on 01/26/2011 with the Board. Mr. Oborn noted that Governor Herbert asked all state agencies to separate regulations that serve an important purpose from those regulations that serve no purpose at all. Mr. Oborn asked the Board to let him know if they are aware of a regulation that is overly burdensome to the occupational therapy profession that does not serve a purpose.

CORRESPONDENCE:

The Board reviewed the AOTA State Policy Update.

The next scheduled meeting

The Board decided that because the June meeting was moved to September the scheduled Board meeting in October would not be necessary. Mr. Oborn will advise the Board when the next meeting will take place. Ms. Bloom noted that the summer months are very difficult for her to attend Board meetings.

**2012 Board meetings have been tentatively scheduled:**

February 21, June 26, October 16

The meeting adjourned:

The meeting adjourned at 3:51 P.M.

June 26, 2012  
Date Approved

(ss) Eunice Chen  
Chairperson, Utah Occupational Therapy Licensing

Board

June 26, 2012  
Date Approved

(ss) Richard J. Oborn  
Bureau Manager, Division of Occupational &  
Professional Licensing