



Occupational Therapy Compact Executive Committee Meeting Minutes

June 12, 2023

Members Present:

Chair	Lesly James	South Carolina
Vice Chair	Teri Black	Wisconsin
Treasurer	Danielle Ward	North Carolina
Secretary	Renee Causey-Upton	Kentucky
Member-at-Large	Missy Anthony	Ohio
Member-at-Large	Vanessa Beauchamp	Missouri
Member-at-Large	Daniel Martin	Maryland

Members Absent:

Ex-Officio Delegates Present:

Chuck Willmarth, AOTA
Shaun Conway, NBCOT

Legal Counsel Present:

Nahale Kalfas, Council of State Governments (CSG)

CSG Staff Present:

Isabel Eliassen, CSG
Carl Sims, CSG

Delegates Present:

Michael Sobowale
Vonda Malnikoff
Greg Searls
Jessica Bolduc

Members of ASMI Present:

Dan Manz, ASMI Transition Team Leader
Amanda Perry, OT Compact Executive Director

Members of the Public Present:

Brandy Archie

Welcome/Call to Order

- L. James called the meeting to order at 2:02 pm ET.

Roll Call

- I. Eliassen called the roll. Two committee members were not present for roll call but joined during the discussion of the full commission meeting.

Review and Adoption of the Agenda

- L. James reviewed the agenda and called for a motion to adopt the agenda.
- **Motion:** V. Beauchamp moved that the committee adopt the posted updated agenda. M. Anthony seconded the motion. All members present voted in favor, 0 opposed, and 0 abstained. The motion passed.

Review and Adoption of Meeting Minutes

- L. James reviewed the draft minutes from the May 8, 2023 OT Compact Executive Committee Meeting.
- L. James called for a motion to adopt the draft minutes.
- **Motion:** M. Anthony moved that the committee adopt the draft minutes. D. Ward seconded the motion. V. Beauchamp abstained. All other members present voted in favor, 0 opposed, and 0 abstained. The motion passed.

Full Commission Meeting

- L. James reminded the group that the commission was required to meet once per year according to the compact. Due to the cost, the 2023 meeting will likely be virtual. The committee was considering the possibility of co-locating with the AOTA 2024 Inspire Conference for a hybrid meeting for their 2024 annual commission business meeting.
- The committee discussed the possibility of hosting the meeting in coordination with the OT Compact presentation occurring at an NBCOT event in September. Upon receiving confirmation that that presentation was virtual, the committee agreed that the two events could occur separately.
- The group stated agreement that the meeting should be virtual.
- M. Anthony asked about poll sending a poll to delegates to see what meeting times were best. D. Manz agreed ASMI could send such a poll.
- I. Eliassen stated that bylaw amendments would likely be ready for the Commission to vote on by an October meeting.
- The group discussed potential dates for the purpose of polling. Based on the dates of other meetings commissioners would likely need to attend (including CLEAR's September meeting and FSBPT meetings October 19-22), late September was discussed as a possible time for the meeting.
- N Kalfas said governance training could be saved for 2024 meeting, and therefore she believed the group should budget three hours for a meeting that could likely be completed in two hours.
- The group agreed to vote on a date at the next executive committee meeting.

Transition Updates

- A. Perry introduced herself to the Executive Committee. A. Perry is beginning her role and will be meeting several times with CSG this week as part of the transition process.
- L. James welcomed Amanda to the meeting.
- D. Manz provided the update that the bank account for the OTCC was opened, noting the very helpful roles N. Kalfas and B. Armstrong played in the process. N. Kalfas in particular figured out how to obtain an EIN for the compact.
- N. Kalfas thanked Finance Committee Chair D. Ward for being a signatory on the account.
- L. James thanked everyone for their hard work.
- D. Manz asked the group about interest in obtaining .gov domain for compact as eligible government entity.
 - N. Kalfas stated that she supported the idea and that other compacts were moving in that direction. N. Kalfas stated her only concern about the process was that she didn't know about the fiscal impacts. D. Ward and V. Beauchamp also voiced support. V. Beauchamp requested more information on fiscal impacts.
- L. James asked to revisit the topic at the next meeting once we had more information
- M. Anthony said it would be useful to look into whether .gov sites are more likely to receive cyberattacks.
- D. Manz agreed they could put together a presentation on all these questions for the next meeting.
- N. Kalfas added a concern that this could alter the compact's insurance premium.

Review and Vote on Proposed Rule

- M. Sobowale led the group in an overview of changes to the proposed Rule on Data Set Requirements. The rule was changed at the most recent Rules Committee meeting due to the Executive Committee's request.
- L. James asked if FBI criminal background checks were required and if all states would be able to obtain those.
- M. Sobowale said that some member states may not require it but by joining the compact they will need to begin requiring that. The compliance committee will determine timeline for state requirements.
- N. Kalfas discussed different implementation options and said that background checks could be a discussion item for full commission meeting. This could include a comparison of different compact states.
- The group discussed technical and logistical concerns with implementation, including current state requirements, how this compact compared to others, and potential interim measures.
- T. Black asked about the rulemaking process. N. Kalfas mentioned possibility of adding compliance language to new rule. M. Sobowale stated that he did not have a preference regarding another potential change to the rule.
- D. Ward asked about if a state already did a background check. N. Kalfas said the state would not need to repeat the check.
- T. Black supported rule being put forth now as she was concerned about a delay of implementation.

- **Motion:** T. Black moved that the committee approve the proposed Rule on Data Set Requirements for forwarding to the full commission. D Martin seconded the motion.
 - C. Willmarth voiced concern that states may be concerned if the rule needs to be amended.
 - T. Black asked if states were aware of the background check requirements. N. Kalfas stated that states joining the compact were aware there was some latitude.
 - C. Willmarth voiced concern with the phrasing of the addition to the rule. N. Kalfas stated that both moving forward with the rule and sending it back to the committee would be acceptable paths.
 - S. Conway asked if it would be acceptable to provide more information to the commission about this one item and if some information could also be provided to the public. N. Kalfas suggested that a public special meeting could be scheduled. If the committee chooses this option they may want to shelve the rule or send it back to the Rules Committee for approval of changes.
 - M. Anthony states that she felt the committee needed info before coming to a conclusion. They could poll compact states to see which states already require FBI background checks and which states already required them.
 - V. Beauchamp said that Missouri does background checks already and would be worried about other states having considerable background check leeway with their practitioners.
 - T. Black rescinded her motion and said the committee could revisit this topic at the July meeting.
- **Motion:** T. Black motioned to return the rules to the Rules Committee. R. Causey-Upton seconded the motion.
 - I. Eliassen added that a survey could be sent out but if the committee wanted a 100% response rate the survey report would likely need to wait until August.
 - L. James questioned the need for asking states how they feel about potential delay as states have already joined compact.
 - D. Manz suggested Rules Committee to develop survey and suggested adding the question, “does your state have a date when FBI background checks need to be required?”
- N Kalfas request that the Executive Committee amend the motion to empower the Rules Committee, in consultation with Chair James, to send out the survey.
- **Motion:** M. Anthony moved to amend the motion as described by N. Kalfas. R. Causey-Upton seconded the amendment. All committee members present voted in favor, 0 opposed, and 0 abstained. The motion passed.

AOTA Inspire Proposal

- I. Eliassen stated that this draft proposal was forwarded from Communications Committee.
- R. Causey-Upton offered minor proofreading corrections which were accepted.
- I. Eliassen asked who should submit the proposal. C. Willmarth recommended that L. James should submit it as a practitioner. L. James agreed to submit the proposal.

- **Motion:** R. Causey-Upton moved that the committee approve the draft proposal for submission. T. Black seconded the motion. All members present voted in favor, 0 opposed, and 0 abstained. The motion passed.

State Data System Survey Results

- I. Eliassen reported that 12 states responded to the data system survey.
- N. Kalfas indicated that due to the late time, further discussion could be tabled for next meeting.
- Motion: T. Black motioned to table the report on data system survey results. V. Beauchamp seconded the motion. All present voted in favor and the motion carried.

Questions and Comments

- L. James asked for additional questions from the Committee. None were brought forward.

Meeting Closure

- Hearing no further business, M. Anthony moved to adjourn the meeting. L. James adjourned the meeting by declaration at 3:50 pm ET.