**Occupational Therapy Compact Rules Committee Meeting Minutes**

August 22, 2023

**Committee Members Present:**

Michael Sobowale, Chair

Teri Black

Nate Brown

Ann Cosby

Claire Covert-ByBee

Vanessa Beauchamp

Adrienne Price

**Committee Members Absent:**

None

**Executive Committee Members Present:**

Shaun Conway

Lesly James

**Commissioners Present:**

Greg Searls

Missy Anthony

**Legal Counsel Present:**

Nahale Kalfas, OTCC Legal Counsel

**OTCC Staff Present:**

Amanda Perry, OTCC Executive Director

**Members of the Public Present:**

None

**Welcome/Call to Order**

* M. Sobowale called the meeting to order at 2:04 p.m. CST.

**Roll Call**

* A. Perry called the roll; quorum was present

**Review and Adoption of the Agenda**

* Chair Sobowale called for a motion to adopt the agenda.
* **Motion**:
  + **A. Price moved that the committee adopt the agenda.**
  + **N. Brown seconded the motion.**
  + **All voted in favor, no one abstained; the motion carried.**

**Review and Adoption of the Minutes**

* M. Sobowale reviewed the minutes and called for a motion to adopt the minutes from the previous meeting.
* **Motion**:
  + T. Black moved that the committee adopt the minutes with the suggested edit.
  + C. Covert-Bybee seconded the motion.
  + A. Price and V. Beauchamp abstained due to absence at the previous meeting.
  + All others voted in favor; the motion carried.

**Discussion of results of the FBI CBC Utilization Survey**

* Question: *Do rules regarding the FBI CBC belong in the data section?*
  + Should not be in data section because data is not being shared; only that a CBC is done
  + Previous meeting minutes suggest writing a separate section into the rules
    - Give some leeway as to when it goes into effect
  + OTCC Rules Committee largely agreed that the data system reporting requirements should not include FBI CBC language; it should be in a separate section
* Discussion
  + OTCC RC in coordination with the OTCC EC should come up with a timeframe to implement FBI CBCs – onboarding states should have it completed by [time frame]
  + Grandfather in people within the timeframe
  + Suggestion to grandfather those who were already licensed prior to the date the FBI CBC became effective in that state
    - Suggestion to have Physical Therapy (PT) Compact speak to the OTCC Rules Committee and/or OTCC Executive Committee about the benefits and detriments of grandfathering all currently licensed practitioners and what the ideal timeframe would be
  + Question: *Who will set the guidelines for passing (or not) a CBC?*
    - Answer: The home state.
    - Not all states have the same requirements
  + Because the OTCompact passed legislation, it’s leverage to complete the process to require FBI CBCs – since it’s written into the OTC legislative language
  + For states that don’t have the FBI CBC required in legislation, it stops the process of those states participating in the OTC, even though the OTC legislation is passed
    - State legislative delays removes the ability for those states to participate
  + States that have the FBI CBC legislation passed can issue privileges to practice
    - Other states onboard/issue privileges once it’s passed in those states
  + OTCC should not cut corners on public protection
  + Eager states and eager funders; many people are ready to move forward and start issuing privileges to practice
    - OTCC needs to be mindful of those states and not create more delays because of obstacles in other states
  + Suggestion that instead of mandatory compliance, have states provide the OTCC regular updates on compliance timelines (good faith efforts) and request regular updates
  + Example of a process: apply in home state -> home state performs CBC -> send yes/no to OTC data system -> OTC ED (or whoever) issues privileges to practice in states where the applicant applied -> professional can now practice in those states
* **Motion**:
  + **A. Price motioned that the OTCC Rules Committee notify the OTCC Executive Committee that the Rules Committee requests approval of the Data Systems Rule in its current form on the basis that a rule will be developed in a separate section to address the FBI CBC requirements.**
  + **T. Black seconded the motion.**
  + **V. Beauchamp abstained from voting; All others voted in favor; motion carried.**

**Bylaw amendments**

* Nahale Kalfas shared the Counseling Compact’s recent bylaw amendments with the OTCC Rules Committee
  + OTCC Rules Committee members requested the ability to review the Counseling Compact’s edits on an individual basis before the next OTCC RC meeting
    - A. Perry sent the draft to the OTCC RC along with the current version of the OTCC Bylaws
  + The OTCC RC agreed that the Bylaw amendments will be a priority after the October 16, 2023 OTCC Annual Business Meeting; prepare edits for the March 2024 Annual Business Meeting

**Questions and Comments**

* Chair Sobowale asked for additional questions and comments from the delegates.

**Meeting Closure**

* Hearing no further questions or comments, Chair Sobowale called for a motion to adjourn the meeting.
* **Motion: A. Price motioned that the meeting adjourn at 3:37p CST. V. Beauchamp seconded. The meeting was adjourned with no objections.**