



**Occupational Therapy Compact Commission**

**Rules Committee Meeting**

**Minutes: March 26, 2024**

Member	Attendance	VOTES					
		Agenda	Minutes	No item	No item	No item	Adjourn
Claire Covert-Bybee, Chair	P	Y	Y	---	---	---	---
Nate Brown	P	Y	Y	---	---	---	---
Adrienne Price	P	Y	Y	---	---	---	---
Vanessa Beauchamp	P	Y	Y	---	---	---	---
Teri Black	P	Y	Y	---	---	---	---
Kathryn Skibek	P	Y	Y	---	---	---	---
<b>TOTALS</b>	<b>6/6 voting members; quorum present</b>	6/6 motion carries	6/6 motion carries	---	---	---	Chair adjourned by acclimation

Other attendees (non-voting)		
Name	Role	Organization
Nahale Kalfas	Legal Counsel	OTCC
Amanda Perry	Executive Director	OTCC
Vonda Malnikoff	Commissioner	OTCC, WV
Shaun Conway	Ex-Officio Commissioner	OTCC, NBCOT

### **Welcome/Call to Order**

- Chair C. Covert-Bybee called the meeting to order at 2:32p CST.

### **Roll Call**

- A. Perry called the roll; quorum was present; attendance reflected in chart above.

### **Review and Adoption of the Agenda**

- Chair C. Covert-Bybee reviewed and called for a motion to adopt the agenda.
- **Motion:**
  - **T. Black motioned that the committee adopt the agenda as presented.**
  - **V. Beauchamp seconded the motion.**
  - **All voted in favor; 0 abstained; the motion carried.**

### **Review and Adoption of the Minutes**

- Chair Covert-Bybee reviewed the minutes from the previous meeting and called for a motion to adopt them.
- **Motion:**
  - **V. Beauchamp motioned that the committee adopt the minutes as presented.**
  - **A. Price seconded the motion.**
  - **All voted in favor; 0 abstained; the motion carried.**

### **Discussion to reschedule or cancel May meeting**

- The OTCC RC member consensus is to cancel the May 2024 OTCC Rules Committee meeting due to multiple scheduling conflicts.
- A. Perry will send a cancellation to the committee.

### **Discussion regarding FBI Criminal Background Checks (CBC) potential rules**

- Chair Covert-Bybee initiated a discussion about developing rules that explain how/when FBI CBCs will be implemented by states. She explained that this is a beginning discussion and not a decision or a vote today. As a starting point she recommended that the RC review the Audiology Speech Language Pathology (ASLP) Rules on this topic.
- A. Perry displayed the ASLP's Rules for FBI CBCs for the RC to review and discuss, and the following edits were suggested:
  - Last paragraph needs to add language that covers both issuing AND receiving compact privileges to practice; needs to go both ways.
  - Remove citation of authority in last paragraph because it is already cited previously in the document.
  - Suggestion to only have this language as a final sentence/paragraph: *A member state cannot participate in issuing or receiving compact privileges until such member state has completed the requirements to fully implement the FBI Criminal Background Check requirement.*
- Noted that ASLP Rule requires implementation of FBI CBCs before states can participate in issuing or receiving compact privileges to practice; the states who do not have it can still participate on the ASLP Commission.

- Noted that ASLP Rules includes “good faith efforts” so states working through the process are not penalized; there is no defined time frame in the “good faith efforts” language; states demonstrate that they are working to become compliant.
- Suggestion for states to reach out to the entity who has authorizing authority to perform FBI CBCs for assistance; many states that is the state police/state patrol.
- Many states have challenges to implementing FBI CBCs because legislation does not exist that requires them; states are having to draft legislation and get it passed.
- The SHARE Act was explained: When/If passed, FBI will recognize compacts as government entities who are able to perform FBI CBCs as part of their duties and responsibilities.
- Need to review the survey done previously of states that currently do/do not require FBI CBCs – to get an idea of how much work needs to be done in the states. A. Perry will check for survey results.
- Suggestion that the Rules and/or Public Relations Committees develop communication and resources to assist current OTCC states and potential states with FBI CBC implementation:
  - Share success stories, ex: Georgia passed concurrent legislation with OTC legislation.
  - Use boiler plate language that exists in other licensed professions in each state.
  - Reminder that existing OTCC states need to start this process if have not already.
  - Be proactive with states who may join the compact and let them know that they have concurrent legislation for FBI CBCs if they are not already required by their states.
    - Model language may not be a good idea for this because states are very different.

#### **Questions and Comments**

- Chair C. Covert-Bybee asked for additional questions and comments from attendees.
  - No comments or questions noted.

#### **Adjournment**

- **Chair Covert-Bybee adjourned the meeting via acclimation at 3:23p CST with no opposition from the members.**