

TBOTE *★news*

The Texas Board of Occupational Therapy Examiners

December 2008

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The 2007 Rules and the subsequent Amendments are on the website

<http://www.ecptote.state.tx.us/ot/rules.html>
Previous newsletters, forms and Frequently Asked Questions are all up on the website.

Board meetings scheduled
February 20, 2009
May 22, 2009

New Board Member Appointed

The Governor recently appointed Kathleen Hill, COTA, to the Board for a term to expire February 1, 2013. Kathleen has provided pediatric occupational therapy since her graduation from Austin Community College in 2000. She currently works at Seton Children's Therapy Gym at both the Cedar Park and Williamson County clinics. Kathleen replaces former board member, Joseph Messmer, COTA, of Corpus Christi. Mr. Messmer served on the board for many years, bringing his expertise as a small business owner, excellent judgment and faithful board service. The Board expressed its gratitude to Joe Messmer and welcomed Kathleen, who has already joined two committees and agreed to serve as Secretary of the Board.

November Board Meeting

The Board adopted the proposed amendments with changes at the quarterly board meeting on November 21st. Other business included sending issues of verification of all licenses and a discussion of credit for fieldwork supervision to the Rules and Education Committee before the February board meeting. The Texas Occupational Therapy Association gave a presentation to the board on their proposed plan to pre-approved continuing education courses by 2010. The Board also heard TOTA's legislative plans for the 2009 legislative session affecting §454.204; §454.252; §454,253 and §454.254 in the Act.

Rule Amendment Adopted at November 21, 2008 Board Meeting

Refer to the Online Rules Webpage:

<http://www.ecptote.state.tx.us/ot/rules.html>

TBOTE Board

Michael Carreon, COTA
Judith Ann Chambers, public member
Dely De Guia Cruz, public member
Cecilia Fierro, OTR, Presiding Officer
Stephanie Johnston, OTR
Kathleen Hill, COTA, Secretary
Clarissa Meyers, OTR, Vice-Chair
Pamela Nelon, public member
Bobby James Vasquez, OTR

Board telephone: (512) 305-6900
Email: info@ecptote.state.tx.us
Fax: (512) 305-6970
Website: www.ecptote.state.tx.us



OT Board Formal Disciplinary Actions

OT Board Formal Disciplinary Actions Taken

NOVEMBER 21, 2008 BOARD MEETING:

- (1) Lori Elias, OTR #105862 (Dallas)** – practiced 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) Cheryl Hazelwood, OTR #103454 (Flower Mound)** – practiced with an expired license. Violation of Section §454.301 of the Act and chapter 374 of the board rules. ***Board Order suspended her license for thirty (30) days.***
- (3) Karen Fisher, OTR #108172 (Houston)** – practiced with an expired license. Violation of Section §454.301 of the Act and chapter 374 of the board rules. ***Board Order suspended her license for thirty (30) days.***
- (4) Angelica Garza, OTR #110977 (Brownsville)** – practiced with an expired license. Violation of Section §454.301 of the Act and chapter 374 of the board rules. ***Board Order suspended her license for forty-five (45) days.***
- (5) Jennifer Anzures, OTR #111992 (El Paso)** – practiced with an expired license. Violation of Section §454.301 of the Act and chapter 374 of the board rules. ***Board Order suspended her license for sixty (60) days.***
- (6) Kelly Martini, OTR, #112813 (Dripping Springs)** – practiced with an expired license. Violation of Section §454.301 of the Act and chapter 374 of the board rules. ***Board Order suspended her license for ninety (90) days.***
- (7) Ricardo Torres, OTR #110035 (McAllen)** – failed to properly renew his license; did not take required number of continuing education hours. Violation of Section §454.301 of the Act and chapter 367 of the board rules. ***Board Order suspended his license for thirty (30) days; and required completion of lacking continuing education hours.***
- (8) Abel Cavazos, OTR #109202 (San Antonio)** – practiced in a manner detrimental to the public health and welfare by making inappropriate personal phone calls to a patient over a two month period. Violation of Section §454.301 of the Act and chapter 374 of the board rules. ***Board Order suspended his license for thirty (30) days; and required completion of an ethics course.***
- (9) Robert Palomo, COTA #209238 (Corpus Christi)** – practiced in a manner detrimental to the public health and welfare by documenting treatments as provided on dates that the services were not rendered. Violation of Section §454.301 of the Act and chapter 374 of the board rules. ***Board Order suspended his license for ninety (90) days.***
- (10) Albert C. Albert, OTR #106283 (Houston)** – plead guilty to 1st degree felony theft by a government contractor; and was sentenced to fifteen (15) years in prison. Violation of Section §454.301 of the Act and Section 53.021(b) of the Occupation Code. ***Board Order revoked his license.***

Report Violations to: 800-821-3205 or 512/305-6900 or www.ecptote.state.tx.us



File a complaint or notify authorities if you see violations or patient abuse.

- ◆ To report violations by an OT or OTA, call 800-821-3205 or 512/305-6900 or www.ecptote.state.tx.us or use the online report form at: <http://www.ecptote.state.tx.us/complaints/index.html>.
- ◆ To report violation by other health professionals: Call the Health Professional Council at 800-821-3205 or visit their website at www.hpc.state.tx.us.
- ◆ To report violations by a nursing home, home health agency, or assisted living facility: call the Department of Aging and Disability Services (DADS) or call 800-458-9858.
- ◆ To report Medicaid provider fraud: call the Attorney General's Medicaid Fraud control Unit at 512/463-2011 or email mfcu@oag.state.tx.us.
- ◆ To report that an elderly or disabled person being abused, neglected, or exploited and in immediate danger: call 911, local law enforcement or the Department of Family and Protective Service's hot line at 800/252-5400.

Questions about Supervision and Documentation

Q: Does the Assistant or temporary licensee have to receive all their supervision from one OT? When there are several? Does the Assistant use the supervising OT's name in the notes, or can other of the OT's names be used?

A: We need a (one) name of an OT to know that the Assistant or temporary licensee is working under the supervision of an OT; but if there are more OTs employed and they all delegate treatment to the Assistant or temporary licensee, then all of the OTs should be giving monthly supervision.

They might give a half-hour each month, or they can rotate, such as one takes the January supervision time, another takes February. If an OT is on vacation or out sick, there must be another

OT available to the Assistant or temporary licensee for supervision and notes. The Assistant can write the name of any of the OTs who is immediately available should the Assistant need to speak with an OT about the patient. Multiple OTs available is a good problem; not having an OT available is tougher and requires scheduling a time for the supervision. However, all Assistants and temporary licensees must receive the required on-site supervision and communication hours.



Frequently Requested Numbers



Texas Board of Occupational Therapy Examiners (TBOTE)

Act & Rules, complaints, and practice of OT in Texas

512/305-6900 telephone

512/305-6970 fax

Website: www.ecptote.state.tx.us

Email: info@ecptote.state.tx.us

Texas Occupational Therapy Association (TOTA)

512/454-8682 telephone

512/450-1777 fax

www.tota.org

American Occupational Therapy Association (AOTA)

Specialty certification, student fieldwork, national issues, etc.

301/652-2682 telephone

www.aota.org

National Board for Certification in Occupational Therapy (NBCOT)

National certification exam, and score reports

301/990-7979 telephone

301/869-8492 fax

www.nbcot.org

Dept. of Assistive and Rehab. Services (DARS)

Division of Early Childhood Intervention (ECI)

512/424-6790 telephone

512/424-6799 fax

www.dars.state.tx.us/ecis/

Medicare and Medicaid

www.medicare.gov

Medicare Part A

888/763-9836 (Rehab Dept, Hospital)

Medicare Part B

903/463-0720 (independent practitioners)

Medicaid provider fraud, or abuse of a Medicaid recipient: 512/463-2011 or email mfcu@aog.state.tx.us

Medicaid: 800/252-8263

SHARS

www.tea.state.tx.interagency/shars.html

Texas Dept. Aging and Disability Services (DADS)

800/458-9858 Long term care & complaints about nursing home, home health agency, or assisted living facility.

800/252-8016 Nursing homes

512/719-3521 Licensing boards

800/228-1570 Home health agency

Elderly or disabled abuse, neglect call 911 or local law enforcement or Department of Family & Protective Services' hot line: 800/252-5400.

www.dads.state.tx.us

Texas Dept. of State Health Services (TDSH)

512/834-6650 Hospital licensing

www.tshs.state.tx.us

Texas Online Services

License applications, renewals, profile

www.texasonline.com

877-452-9060 Help desk