

Minutes have not yet been approved and are subject to revision at the next meeting.

STATE OF NEVADA BOARD OF OCCUPATIONAL THERAPY
MINUTES OF PUBLIC MEETING

February 9, 2019

Members Present: Elizabeth Straughan, Allison Stone, Sol Magpantay, Melissa Genovese
Members Absent: Mel Minarik
Staff Present: Loretta L. Ponton, Executive Director
Henna Rasul, Sr. Deputy Attorney General
Public Present: Donna Costa, Judy Wagman, Linda Frasier, Robyn Otty, Yvonne Randall,
Karen Siran-Loughery

Elizabeth Straughan, Chair, called the meeting to order at 10:00 a.m. A roll call confirmed a quorum was present.

Public Comments – Ms. Straughan asked for public comments. No comments.

Election of Chair and Vice Chair - Allison Stone made the motion to elect Liz Straughan as Chair, seconded by Sol Magpantay. The motion passed with Liz Straughan abstaining.

Melissa Genovese made the motion to elect Allison Stone as Vice Chair, seconded by Sol Magpantay. The motion passed with Allison Stone abstaining.

Approval of Minutes - Liz Straughan asked if there were any comments or revisions to the minutes of the meeting of November 17, 2018. Hearing none, called for a motion.

Allison Stone made the motion, seconded by Melissa Genovese to approve the minutes of November 17, 2018 as presented. The motion passed with Sol Magpantay recused.

Request for Extension of Probationary Period, Paul Vallarta - Liz Straughan called for discussion. Melissa Genovese stated Mr. Vallarta waived his right to modify the probation as evidenced in the Stipulated Agreement specifically , page 4, Disciplinary Order paragraph 1. Henna Rasul, Board Counsel concurred.

Liz Straughan called for a motion. Melissa Genovese made the motion, seconded by Sol Magpantay to deny the request for extension of probation. The motion passed.

Disciplinary Matters, Consent Decrees- Henna Rasul, Sr. Deputy Attorney General advised the members that discussion must be limited specifically to the contents of the Consent Decrees being considered.

Complaint No. C18-02, Donna Costa, OTR, License No. 13-0323: Liz Straughan asked if there were any questions or discussion. Hearing none, called for a motion.

Melissa Genovese made the motion to approve the Consent Decree in complaint case C18-02. The motion was seconded by Allison Stone. The motion passed.

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Complaint No. C19-04, Duane Wyland, OTR, License No. 09-0917: Liz Straughan asked if there were any comments, questions or discussion. Hearing none, called for a motion.

Melissa Genovese made the motion to approve the Consent Decree in complaint case C19-04. The motion was seconded by Allison Stone. The motion passed.

Disciplinary Matters - Recommendation for Dismissal - Liz Straughan called on Loretta Ponton. Ms. Ponton stated that after review of all documentation received, it has been determined that there is insufficient evidence to file a formal complaint for hearing before the Board and the facts set forth in the accusations are insufficient to establish a violation of Chapter 640A of the Nevada Revised Statutes or the Nevada Administrative Code. The case pertained to allegations of falsification of treatment records.

Liz Straughan called for a motion. Allison Stone made the motion, seconded by Melissa Genovese to dismiss Complaint Case No. C-18-05. The motion passed.

Administrative Office Lease - Liz Straughan called on Loretta Ponton. Ms. Ponton explained the current administrative office lease expires July 31, 2019. Options for renewal or relocation are being considered.

Ms. Ponton stated the Board approved a Board Resolution, dated April 12, 2014, granting the Executive Director the authority to enter into a lease contract and execute any necessary legal documents related to it on behalf of the Board, without further approval or review by the Board. Ms. Ponton requested ratification of the Board Resolution to apply to negotiations for a new lease.

Liz Straughan asked for comments or discussion; hearing none, called for a motion. Melissa Genovese made the motion, seconded by Sol Magpantay to ratify the continuation of the Board Resolution granting the Executive Director continued authority for administrative office leasing. The motion passed.

Executive Director's Report - Loretta Ponton reported on current and comparative licensure statistics, summarized the FY 19 2nd Quarter Financial Reports, and discussed pending legislative bill draft requests.

Ms. Ponton reported on the Governor's Executive Audit Committee status report on the Boards Audit and the Office of Attorney General Opinion No. 2018-07 which clarified that employees of fee-funded Boards are governed by the salary limitations set forth in NRS 281.123 which establishes a salary limitation of not more than 95% of the salary of the Governor.

Ms. Ponton reported on the status of the Boards 2 Audit, opportunities for attendance at the NBCOT regulatory conference and AOTA conference, logistics for the Board Retreat, implementation of on-line license applications, new website development and status of complaints.

Report on FARB Conference - Allison Stone reported she and Stacey Whittaker attended the FARB Conference and reported on the outstanding presentations and informative discussions that crossed multiple professions. Ms. Stone stated it was one of the most informative conferences she has attended and would highly recommend attending in the future.

Report from Legal Counsel - Henna Rasul stated she had nothing to report.

Report from Board Chair - Liz Straughan confirmed the Board Retreat for March 29 and 30. Loretta Ponton stated Friday, March 29th will include a Legislative Tour and confirmed members would be

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arriving Thursday night, a dinner is planned for Friday evening with all day Strategic Planning on Saturday.

Liz Straughan confirmed the next Board meeting is scheduled for April 20, 2019 in Las Vegas. Ms. Ponton added that if a Hearing is not required, the meeting may be changed to teleconference on April 19th.

Liz Straughan asked if there were any requests for future agenda items and comments from Board members.

Sol Magpantay and Melissa Genovese both commented on the new billing systems going into effect that changes how services are categorized/billed. Allison Stone commented that documentation and billing would be a good topic for a Board Seminar.

Public Comments –None

Adjournment – Liz Straughan adjourned the meeting at 11:09 a.m.