

# STATE OF NEVADA BOARD OF OCCUPATIONAL THERAPY

## MINUTES OF PUBLIC MEETING

May 25, 2019

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Members Present: Elizabeth Straughan, Allison Stone, Sol Magpantay, Melissa Genovese  
Members Absent: Mel Minarik  
Staff Present: Loretta L. Ponton, Executive Director  
Sophia Long, Sr. Deputy Attorney General  
Public Present: Kathleen Jones

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Elizabeth Straughan, Chair, called the meeting to order at 9:45 a.m. A roll call confirmed a quorum was present.

**Public Comments** – No comments.

**Approval of Minutes** - Liz Straughan asked if there were any comments or revisions to the minutes of the meeting of April 20, 2019. Hearing none, called for a motion.

Allison Stone made the motion, seconded by Melissa Genovese to approve the minutes of April 20, 2019 as presented. The motion passed.

**Disciplinary Hearing or Consent Decree** - Liz Straughan called on Loretta Ponton. Ms. Ponton stated that upon mutual agreement of legal counsel and at the request of respondent's legal counsel, the scheduled hearing on complaint case C17-03 and C19-03 would be continued and rescheduled at a future date.

**Disciplinary Actions - 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.

Case No. C19-05 alleged treatment without parental approval.

Liz Straughan called for a motion. Allison Stone made the motion, seconded by Melissa Genovese to dismiss Complaint Case No. C19-105. The motion passed.

**Personnel Policies, Reclassification/Revised Job Specifications** - Liz Straughan directed the members to revised Job Specifications and called on Loretta Ponton to present.

Ms. Ponton explained the revised job specifications revises duties and responsibilities by moving daily operational activities, including office accounting and personnel scheduling and oversight from the Executive Director to the Executive Assistant/Licensing Coordinator position to establish adequate internal controls, approval and review processes by the Executive Director as well as Board review and approvals.

The Executive Assistant/Licensing Coordinator position is recommended to be moved to a salaried, part-time position, average hours per week 20 hours with an equivalent state salary wage range of grade 36. The incumbent would be placed at approximately mid-range, effective July 1, 2019.

Members commented positively on the proposed revisions and the increase in internal controls. There were no concerns expressed by Board members. Liz Straughan call for a motion.

Allison Stone made the motion, seconded by Melissa Genovese, to approve the revised job specifications, reclassification and salary of the Executive Assistant/Licensing Coordinator. The motion passed.

**Strategic Plan, Data Collection Initiative** - Liz Straughan called on Melissa Genovese to lead the discussion on the revised survey outline.

Board members reviewed and discussed the survey data, the intent of the data collection efforts, additional data elements and outreach methods. There was consensus on the following revisions:

- Group demographic data at the beginning by moving work setting, NBCOT, and adding AOTA membership to the first section;
- Expand “rural area” section to add questions on concerns & barriers to service, what agencies and telehealth resources are available in rural areas;
- Ethical challenges section, ask what are the challenges, remove rating scale;
- Award one CE hour for survey completion, put on-line survey on Website instead of survey monkey, and clarify the survey is “confidential”.

Liz Straughan thanked Melissa for her work on the data survey. The survey will be reviewed again at the next Board meeting.

**Executive Director’s Report** - Loretta Ponton reported on licensure statistics stating the total number of licensees as of May 15, 2019 is 1396.

Ms. Ponton stated that new applications are down from the projected 290, currently at 230, which also affects the Board revenue projections. Historically, the Board has seen in excess of 10% increase per year; the current year is only at 8%; that coupled with the move to the 2-year license is affecting revenue. Ms. Ponton stated she is not aware of any factors that would cause the decrease in new licenses.

Members discussed mitigating events that are happening that could affect the license numbers:

- Changes to the CMS value based payment system is causing restructuring of employment, reducing the number of OT’s, employers utilizing OTA’s more which is affecting workforce development, there are less OT position openings;
- Switch to the Doctoral level for OT’s, many new graduates are staying for the Doctorate programs, which will have a 1-2 year impact on new graduates entering the workforce.

Ms. Ponton reported renewal revenue was budgeted at 60% of licensees when in fact, approximately 40% of renewal revenue will be realized in FY 19; with 60% reflected in FY 20.

*Financial Statements:* Ms. Ponton summarized the financial statements, reporting a new line item breakout in revenue to reflect recapture of costs through disciplinary actions; interest income will exceed budget due to higher interest CD’s maturing. Expense line items of legal fees and in-state travel will exceed budget due to disciplinary cases. Cash assets remain solvent at \$799,832 with the Board’s overall financial position strong at \$815,150 in assets and \$639,649 in actual equity/retained earnings.

The Board of Examiners has approved the Board's new lease. The office build out needs to be completed with an estimated move in in late August or September.

*Legislative Report:* Ms. Ponton provided a summary of legislative actions of interest, reporting that Paula Berkley will be providing a full Legislative Report at the next Board meeting.

*Complaints:* Ms. Ponton reported on status of complaints in process totaling 11 active cases, including the two (2) cases continued from this meeting.

**Deputy Attorney General Report** - Sophia Long stated she had nothing to report.

**Report from Board Chair** - Liz Straughan confirmed August 7, 2019 as the next teleconference meeting date and Saturday, November 16, 2019 as in-person in Reno. Allison Stone stated she would not be available for the November 16 meeting.

Discussion of availability for a disciplinary hearing resulted in possible dates of August 24 for one-day hearing, August 31 and September 1 for a two-day hearing, noting it is a holiday weekend. Loretta Ponton will keep members informed of the progress on setting a new hearing date after conferring with all parties.

Ms. Ponton stated April is tentatively reserved for the Board Sponsored Seminar; AOTA will be contacted regarding a presentation on the CMS Value Based Payment System, and Donna Costa will be presenting on Ethics.

Liz Straughan directed the members to the proposed 2020 meeting schedule and future agenda items. There was consensus that at this time, the proposed schedule is fine.

Liz Straughan reported that she would be attending the NOTA Conference June 1<sup>st</sup>.

**Public Comments** – Liz Straughan asked if there were any public comment. There was no public present at this time.

**Adjournment** – Liz Straughan adjourned the meeting at 11:45 a.m.