

STATE OF NEVADA BOARD OF OCCUPATIONAL THERAPY

MINUTES BOARD MEETING

April 4, 2020

Members Present: Elizabeth Straughan, Allison Stone, Sol Magpantay, Mel Minarik
Members Absent: Phil Seitz
Staff Present: Loretta L. Ponton, Executive Director, Stacey Whittaker, Executive Assistant, Henna Rasul, Sr. Deputy Attorney General
Public Present: Jeanette Belz, Shaina Meyer, NOTA, Kristen Neville, AOTA

Elizabeth Straughan, Chair, called the meeting to order at 11.31 a.m. A roll call confirmed a quorum was present.

Public Comments – None

COVID-19 Emergency Items - Elizabeth Straughan called upon Loretta Ponton.

Temporary License by Endorsement: Ms. Ponton explained the special provisions requested to facilitate the access and/or continuation of OT services to residents of Nevada, including students primarily in rural and border states, who are on variances to attend out-of-state schools as well as services by telehealth and existing on-site services.

The special emergency provisions include waiver/deferral of the license fee for a new Temporary License by Endorsement for individuals who:

- Hold a current and active license in good standing in another state;
- Has active or inactive NBCOT certification; and
- Request a waiver/deferral due to COVID-19 Emergency Declarations and Directives

Special Emergency Provisions waived or deferred:

- Nevada Jurisprudence Exam waived for initial term of 6 months
- Staff to assist in NBCOT and State license verifications on-line
- Initial license fee waived if not renewed or converted. (\$300 / \$250)

If a licensee with a temporary license issued under the special emergency provisions wishes to renew or convert the license to a standard license:

- Initial license fee initially waived, will be due upon renewal or conversion (\$400 / \$ 325)
- Nevada Jurisprudence Exam required for renewal or conversion
- Active NBCOT certification required for renewal or conversion

Liz Straughan asked if there were any questions or comments. Hearing none, called for a motion. Allison Stone made the motion, seconded by Mel Minarik to approve the special provisions for issuance of a temporary license by endorsement as presented. The motion passed.

Deferral of License Renewal Fees: Ms. Ponton stated the economic conditions are affecting licensees, individuals and families with layoffs and closures, putting a strain on financial resources.

Ms. Ponton explained the proposal is not to extend the license expiration dates or renewal period but to consider deferring payment only of the license renewal fees.

The majority of the licensees, 52%, are due for the first renewal of their biannual licenses by June 30, 2020. That number increases to over 65% due by September 30, 2020.

The effect of the 2-year term on the accurate count of active licenses in Nevada cannot be determined until the majority of the licenses are renewed. Practitioners who no longer practice in Nevada have not been removed from the current licensee base since 2018; it is imperative to obtain as accurate a record as possible of current licensees in order to project budget revenue for the next biennial period.

The license renewal period opens 60 days prior to the expiration date of a license and late renewal ends 30 days after the expiration date of a license.

Individuals would be provided an option to defer payment which would be selected at time of license renewal on-line. Deferral would not be automatic; licensee could choose to pay at time of renewal. Late renewal fees would still apply if renewed during the late renewal period.

Ms. Ponton explained that all deferred renewal fees would be collected by approximately November 30, 2020; still within the fiscal year for budgetary purposes. Deferral of renewal fees would affect cash flow; however, will not impact revenue to any great extent, dependent upon the actual number of renewals.

Ms. Ponton summarized available cash resources which will be available for payment of operating expenses, if necessary. The Board has sufficient cash resources to cover expenses during the period of payment deferral.

Ms. Ponton reported that the Governor's Directive 009 related to extension of licenses and permits issued by the State of Nevada, Boards, and Commissions, provides for a 90 day and 60 day extension if reduced government operations due to the state of emergency makes timely renewal of the license or permit impracticable or impossible. The Board office remains fully operational and all license renewals are available on-line; therefore the extension directive does not apply.

Ms. Ponton recommended the Board consider adding a statement to the proposed recommendation to include language that mirrors the language in Directive 009 to read "or from the date the state of emergency is terminated, whichever is later".

Ms. Ponton recommended a deferral schedule for payment only of the renewal fees for licenses renewed during the 90 day renewal period as follows:

- Deferral of license renewal fees until September 30, 2020 or from the date the state of emergency is terminated, whichever is later, for license renewals due through June 30, 2020.
- Deferral of license renewal fees for 60 days or from the date the state of emergency is terminated, whichever is later, for license renewals due after June 30, 2020 through September 30, 2020.

Liz Straughan asked if there were any questions or comments. Hearing none, called for a motion.

Allison Stone made the motion to approve the deferral of license renewal fees as presented. Sol Magpantay seconded the motion. The motion passed.

Policy Statement - Liz Straughan called upon Loretta Ponton.

Ms. Ponton presented proposed new sections on license fees and reserve funds to be added to the Board Policy Manual. In line with the actions taken on the previous agenda item, these sections address fees and variances to reserve funds as a result of a “declaration of emergency” and are provided for consideration and approval for inclusion in the Board Policy Manual. The Boards’ approval of fee waiver/deferrals will impact the Board’s reserve fund balance, necessitating the policy revision.

01:03 Licensing Fees

01:034 Deferral or Waiver of Fees during Declaration of Emergency - Deferral and/or waiver of fees for licensure in Nevada are authorized to ensure vital and essential healthcare services are available and reduce the economic impact to licensees, individuals and families affected by a national or state Declaration of Emergency.

06:02 Reserve Funds

06:025 Variance to Reserve Fund Balance

If extenuating circumstances arise that may affect the “Reserve Fund Balance” either due to extraordinary operating expenses or events outside the administration of the Board which were not anticipated or included in fund set-asides, the Board may take immediate action, including but not limited to approving a variance to the Fund Reserve policy.

06:026 Use of Reserve Funds during Times of Declared Emergency

A variance to the Fund Reserve policy is automatically approved upon a Declaration of Emergency. During times of declared emergency and related directives, deferral and/or waiver of fees for licensure in Nevada are authorized to ensure vital and essential healthcare services are available and reduce the economic impact to licensees, individuals and families affected by a national or state Declaration of Emergency.

Liz Straughan asked if there were any questions or comments. Hearing none, called for a motion.

Allison Stone made the motion to approve the policy statements as presented. Sol Magpantay seconded the motion. The motion passed.

Public Comment - Elizabeth Straughan asked if there were any public comments.

Shaina Meyer thanked the Board for their support of all practitioners.

Mel Minarik commented that licensees should have the opportunity to request installment payments, if necessary.

Kristen Neville commented that AOTA appreciates what the Board is doing and offered any assistance if the Board had any questions or wanted to know what other states are doing.

Adjournment – Elizabeth Straughan adjourned the meeting at 11:49 a.m.