

STATE OF NEVADA BOARD OF OCCUPATIONAL THERAPY

NOTICE OF PUBLIC MEETING

May 29, 2021

10:00 a.m.

Pursuant to Governor's Declaration of Emergency – No Public Access Location

Supporting material relating to this public meeting of the Board of Occupational Therapy are available on the Board website www.nvot.org or by contacting the Board office at (775) 746-4101 or email board@nvot.org.

ZOOM Access Link

<https://zoom.us/j/91359790296?pwd=YTV4azhUMnd6TW4vbG9KWXXZvQnhOUT09>

Telephone Audio Only
(253) 215-8782

Meeting ID: 913 5979 0296
Passcode: 953952

MEETING AGENDA

The State of Nevada Board of Occupational Therapy may: (a) address agenda items out of sequence, (b) combine agenda items, and (c) pull or remove items from the agenda at any time. The Board may convene in closed session to consider the character, alleged misconduct, professional competence or physical or mental health of a person. (NRS 241.020, NRS 241.030). Action by the Board on an item may be to approve, deny, amend, or table.

1. Call to Order, Confirmation of Quorum
2. Public comment

No vote may be taken upon a matter raised during a period devoted to public comment until the matter itself has been specifically included on an agenda as an item upon which action may be taken. (NRS 241.020)

3. Approval of the Minutes of Board Meeting of January 16, 2021 (for possible action)

[Minutes Jan 16 2021](#)

4. Disciplinary Actions – Disciplinary Hearing Complaint Case C21-03 (for possible action)

- Duchess Menchavez Noble, OTR License #0796

Formal hearing to determine whether there is sufficient evidence of violations of NRS 640A and NAC 640A; and impose disciplinary action, enter into a settlement agreement or dismiss the complaint.

Possible closed session for the Board to consider the character, alleged misconduct, professional competence or physical or mental health of a person (NRS 241.030)

5. Consideration of Application for Reinstatement, Practice Without Current License (for possible action)

- Zoe Morgan Studer, OTR, License No. OT-2199

Possible closed session for the Board to consider the character, alleged misconduct, professional competence or physical or mental health of a person (NRS 241.030)

Determination on approval or denial of reinstatement of the license, and whether to impose disciplinary action, assess an administrative fine for practice without a valid license or take other actions.

6. Legislative Report – JK Belz & Associates (informational)

7. Consideration of Biennial Budget Update - Fiscal Year 2022 (for possible action)

- Fiscal Year 2022, ending June 30, 2022 Proposed Revised Budget
- Reserve Funds Set-Asides and Analysis as of March 31, 2021

The Board may consider renewal of contract for government affairs services; personnel, payroll and benefit adjustments and/or additions, deletions and other revisions to standing budgetary line items, to include but not limited to Reserve Fund Set Asides.

8. Review of COVID-19 Emergency Provisions (for possible action)

- Emergency Temporary License
- Pending Deferred Renewal Fee

The Board may take action to continue, revise and/or end COVID-19 emergency provisions.

9. Executive Director's Report (for possible action)

- FY 21 3rd Quarter Financial Statements
- Administrative Collaborative Activities
- Pending Co-location - Applied Behavior Analysis Board

10. Report from Deputy Attorney General (informational)

11. Report from Board Chair and Members (for possible action)

- Board Meeting Schedule
- Future Agenda Items

12. Public Comment

No vote may be taken upon a matter raised during a period devoted to public comment until the matter itself has been specifically included on an agenda as an item upon which action may be taken. (NRS 241.020)
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13. Adjournment (for possible action)

Public comment is welcomed by the Board. Public comment will be limited to five minutes per person and comments based on viewpoint will not be restricted. Public comment will be available prior to action items on the agenda and on any matter not specifically included on the agenda as the last item on the agenda. At the discretion of the Chairperson, additional public comment may be heard when that item is reached. The Chairperson may allow additional time to be given a speaker as time allows and in his/her sole discretion. (NRS 241.020, NRS 241.030)

Prior to the commencement and conclusion of a contested case or a quasi-judicial proceeding that may affect the due process rights of an individual the board may refuse to consider public comment. (NRS 233B.126)

Notice: Persons with disabilities who require special accommodations or assistance at the meeting should contact the Board office at (775) 746-4101; or fax (775) 746-4105 no later than 48 hours prior to the meeting. Requests for special accommodations made after this time frame cannot be guaranteed.

Pursuant to Section 1 of the Declaration of Emergency Directive 006 ("Directive 006"), the requirement contained in NRS 241.023(1)(b) that there be a physical location designated for meetings of public bodies where members of the public are permitted to attend and participate has been suspended. Pursuant to Section 3 of Directive 006, the requirement contained in NRS 624.020(4)(a) that public notice agendas be posted at physical locations within the State of Nevada has likewise been suspended.

This meeting has been posted on the Board of Occupational Therapy website www.nvot.org and the State of Nevada Public Notice Website at www.nv.gov

This agenda has been sent to all members of the State of Nevada Board of Occupational Therapy and other interested persons who have requested an agenda from the Board. Persons who wish to continue to receive an agenda and notice must request so in writing on an annual basis.

State of Nevada
Board of Occupational Therapy

6170 Mae Anne Ave., Suite 1, Reno, Nevada 89523
Phone (775) 746-4101 / Fax (775) 746-4105 / Website www.nvot.org

AGENDA ITEM 3: Approval of the Minutes

The minutes of the Board meeting of January 16, 2021 are presented for consideration and approval.

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

STATE OF NEVADA BOARD OF OCCUPATIONAL THERAPY

MINUTES BOARD MEETING

January 16, 2021

Members Present: Elizabeth Straughan, Allison Stone, Mel Minarik, Phil Seitz
Members Absent: Sol Magpantay
Staff Present: Loretta L. Ponton, Executive Director, Stacey Whittaker, Licensing Coordinator, Henna Rasul, Sr. Deputy Attorney General
Public Present: Jeanette Belz, Kristen Neville, AOTA, Abigail Swidergal, OTA, Tashia Kaplan, Julie Ellison, Yidanys Chala

Elizabeth Straughan, Chair, called the meeting to order at 10:01 a.m. A roll call confirmed a quorum was present.

Public Comments – None

Elizabeth Straughan stated agenda items would be taken out of order with action items being considered first.

Criminal History Petition – Tashia Kaplan – Elizabeth Straughan asked Ms. Ponton to facilitate. Ms. Ponton stated Tashia Kaplan submitted a request for pre-determination of eligibility for licensure in Nevada based upon her prior criminal history. Ms. Kaplan has obtained a pre-determination from NBCOT that she would be eligible to apply to take the NBCOT certification exam upon completion of her educational requirements. Ms. Kaplan is a current student at UNLV; her last criminal conviction was in 2011 which will be 10 years.

Elizabeth Straughan stated she has reviewed all the documentation and is impressed with her moving forward and has no issues; she has done hard work and has already confirmed her eligibility with NBCOT.

Allison Stone stated she is in support; she has proven she has turned her life around and has good life skills.

Mel Minarik agreed and stated her background shows she has compassion with patients.

Phil Seitz agrees with the board member sentiments but expressed concern with her ability to obtain employment. Elizabeth Straughan stated employment is after licensure, it is not a consideration at this time.

Loretta Ponton added this request is a “pre-determination”, once education is complete, she would still have to apply and be re-evaluated. Before the Board now is whether the Board wants to make a pre-determination, which is not binding; an application would still be reviewed by the Board for a final decision in the future.

Elizabeth Straughan called for a motion.

Allison Stone made the motion that based upon the information provided, Tashia Kaplan would be eligible for licensure in Nevada if she meets all the licensure requirements at time of application. The motion was seconded by Mel Minarik. The motion passed.

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

License Application – Julie Ellison, OTA – Loretta Ponton stated the application is before the Board due to prior criminal history and voluntary surrender of license in the State of California.

Ms. Ellison holds current licenses in Texas and Idaho and holds current NBCOT certification. California placed her license on probation for a DUI in 2016; she was not able to meet the terms of probation and voluntarily surrendered her license. The DUI was not related to her practice as an occupational therapy assistant.

Elizabeth Straughan stated both the Texas and Idaho licenses are in good standing and she is in favor of granting the license.

Allison Stone stated she agrees with both Texas and Idaho licenses in good standing.

Mel Minarik asked why she could not meet the terms of probation. Ms. Ponton responded it was costly and she did not have the resources. Mel Minarik stated she was fine to move forward.

Phil Seitz stated he was fine also, with her already holding licenses in other states.

Elizabeth Straughan called for a motion.

Allison Stone made the motion to approve the license application of Julie Ellison, occupational therapy assistant. The motion was seconded by Phil Seitz. The motion passed.

Election of Chair – Loretta Ponton explained the Chair position is required per NRS to be elected at the first meeting of each year. Elizabeth Straughan is the current Chair and Allison Stone is Vice-Chair. Allison Stone is currently serving in a carry-over position until she receives confirmation of her re-appointment.

Mel Minarik made the motion to retain Elizabeth Straughan as Chair of the Board for 2021. The motion was seconded by Phil Seitz. The motion passed with Elizabeth Straughan abstaining.

Disciplinary Actions – Dismissal – Loretta Ponton stated that after informal investigation it has been found that there is no evidence to support the allegations contained in complaints C21-01 and C21-02 which were both filed by the same individual.

Elizabeth Straughan called for a motion.

Allison Stone made the motion to dismiss Case No. C21-01 and C21-02. The motion was seconded by Phil Seitz. The motion passed.

Approval of the Minutes - Elizabeth Straughan asked if there were any corrections, revisions, or other discussion of the minutes of the November 14, 2020 board meeting.

No revisions were noted. Ms. Straughan called for a motion.

Allison Stone made the motion to approve the minutes of the Board meeting of November 14, 2020. Phil Seitz seconded the motion. The motion passed with Mel Minarik abstaining.

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

Proposed Regulation – Elizabeth Straughan asked Loretta Ponton to facilitate. Ms. Ponton stated the proposed regulation before the Board reflects revisions made after comments and suggestions were evaluated as well as a review of AOTA Code of Ethics and Standards of Practice.

Ms. Ponton reviewed each section identifying any changes from previous versions. One new section was added to address conflicts of interest in practice by related parties and practice in management roles. Business ownership and management section has been deleted in its entirety.

At the request of Phil Seitz, Ms. Ponton explained the next steps in the regulation development process which entails submission to LCB for drafting, Board hearing and adoption.

Phil Seitz inquired as to the source of the language that was being deleted. Ms. Ponton responded the language was new proposed language; it does not include any current NAC regulatory language.

Phil Seitz stated that OTA's may work in multiple clinics and requested clarification on the difference between a treating OT and a supervising OT. Ms. Ponton responded the treating OT is responsible for the client/patient. The treating OT can also be the supervising OT but may be different. The intent of the proposed new section on Treating Occupational Therapist of Record is to address OT's changing employers, with the note in the client record to transfer care; it is intended as a permanent change, not temporary.

Allison Stone expressed concern with the language identifying the OT that performs the initial evaluation as the "treating occupational therapist of record"; stating in some settings, the evaluation is conducted by one OT and then the client is assigned to another for treatment. The initial OT performing the evaluation does not always provide the treatment. It would be a burden on employers/facilities to have to document the initial assignment of a client after evaluation as it is not currently being done.

After discussion, Ms. Ponton recommended removing "who performs the initial evaluation". There was consensus agreement to the revision.

Elizabeth Straughan called for a motion.

Allison Stone made the motion to direct staff to submit the proposed regulation as revised to the Legislative Counsel Bureau for drafting. Phil Seitz seconded the motion. The motion passed.

Legislative Report – Liz Straughan called upon Jeanette Belz, Government Affairs.

Ms. Belz reported 153 pre-filed bills have been submitted, none relate to Board structure at this time; there are 885 bill draft requests so there is a lot of language still to come. The Governor's Budget will be dropped on Monday, January 18th and the Legislative Budget Subcommittee will meet January 27th with a review of the Business and Industry budget. Jeanette Belz stated she will watch to see if they will be proposing board consolidation.

The legislative session will begin February 1, 2021; there has been no direction on how it will operate; committee assignments have been announced. There have been two resignations by Clark County legislators; there should be new appointments by Clark County before the session begins.

Phil Seitz asked how someone becomes a legislator; do they require specific education? Ms. Belz responded we have a Citizen Legislature; individuals are elected by their constituents at a general election; openings due to resignation or other means are appointed by the county commissions.

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

Elizabeth Straughan thanked Jeanette for her time and contributions.

Executive Director's Report - Loretta Ponton reported on licensure statistics with comparisons to prior year and fiscal year by quarter for the previous 2 years; status of the COVID-19 provisions regarding deferred renewal payments; and Board office operations reporting the Licensing Assistant position will remain vacant and be re-evaluated after the state of emergency is lifted.

FY 2020 Financial Statements: Ms. Ponton reported the 2nd Quarter financial statements are not yet available. Ms. Ponton provided a summary of current operating cash and investment balances, reporting limited investment options are available for reinvestment of CD funds due to the economy; maturing CD's are being held in the money market and cash account which are paying the same as CD's at this time.

Administrative Collaborative: Ms. Ponton reported the first meeting was held with 11 Boards represented; the second meeting will be on January 21st. The Board of Examiners for Social Workers have joined the collaborative and the Nevada Board of Physical Therapy will be considering membership at their next meeting.

Reporting Requirements Guidelines were presented and reviewed at the first meeting; Disciplinary Guidelines will be the resource document for review at the January meeting. Also discussed was the pending bill BDR 54-457 which addresses additional reporting for specific boards to collect workforce data at renewal. A draft letter has been developed for review with an alternative option for collection of data at the State level, supported by the boards through direct links at renewal. The letter will not be submitted on OT letterhead, the collaborative will discuss the most appropriate method of distribution.

Continuing Education Audit: Ms. Ponton reported the audit of continuing education has identified a potential issue that the Board may wish to address either through regulation or policy. The Board may want to consider placing a limitation on the number of CE's or hours that can be accepted during a 24-hour period. Some individuals are reporting completion of all or the majority of CE's using on-line courses in the period of one or two days. All courses are AOTA approved. The Board regulation defines one hour of continuing education as 60 minutes.

Complaints: Ms. Ponton reported no open complaint cases in process.

Elizabeth Straughan stated the on-line CE providers she utilized placed a limit on the number they would allow to be completed in one day.

Report from Sr. Deputy Attorney General – Henna Rasul stated she had no report.

Report from Board Chair and Members – Elizabeth Straughan stated she had nothing to report other than the Board should review the status of the Strategic Plan in the future.

Ms. Ponton asked the members if March 20th could be tentatively scheduled for a meeting if legislation needs to be reviewed. There was consensus that March 20th would be tentative with the next regular meeting scheduled for May 29, 2021.

Elizabeth Straughan asked if there were any other future agenda items the members would like added to an agenda. There were none.

Public Comment – Elizabeth Straughan asked for public comments. There were no comments.

Adjournment – Elizabeth Straughan adjourned the meeting at 11:18 a.m.

State of Nevada
Board of Occupational Therapy

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AGENDA ITEM 4: Disciplinary Hearing
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Complaint Case C21-03
Duchess Menchavez Noble, OTR License No. 0796

The Board will hold a formal Disciplinary Hearing to determine whether there is sufficient evidence of violations of NRS and NAC 640A, determine whether to impose disciplinary action enter into a settlement agreement, if applicable, dismiss the complaint or take other action.

Henna Rasul, Sr. Deputy Attorney General will be prosecuting the case and Sophia Long, Sr. Deputy Attorney General will be acting Board Counsel.

1 **BEFORE THE STATE OF NEVADA**
2 **BOARD OF OCCUPATIONAL THERAPY**

3
4 In the matter of:

Case No. C21-03

5 DUCHESS MENCHAVEZ
6 NOBLE,
OTR License No. 0796

**COMPLAINT AND SECOND
NOTICE OF HEARING**

7 Respondent.

8 The STATE OF NEVADA BOARD OF OCCUPATIONAL THERAPY ("BOARD")
9 by and through its counsel AARON D. FORD, Attorney General, and HENNA RASUL,
10 Senior Deputy Attorney General, hereby makes the following complaint and requests that
11 Respondent's license to practice occupational therapy in the State of Nevada be disciplined
12 by this Board.

13 IT IS HEREBY alleged and charged as follows:

14 1. RESPONDENT was a duly licensed occupational therapist in the State of
15 Nevada at all times relevant to this Complaint.

16 2. An Administrative Complaint was filed by the BOARD on or about March 17,
17 2021.

18 3. It is alleged that RESPONDENT failed to complete continuing education
19 requirements, made false statements, provided false information, and omitted pertinent
20 information in connection with an application for renewal of her license.

21 4. That the foregoing facts constitute grounds for initiating disciplinary action
22 pursuant to NRS 640A.200.

23 **COUNT I**
24 **(UNPROFESSIONAL CONDUCT)**

25 5. The allegations contained in paragraphs 1 through 4 are hereby incorporated
26 as if fully set forth herein.

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6. This conduct violated NRS 640A.200(4)(c) which states that an act constituting “unprofessional conduct” is the violation of any provision of this chapter or regulation of the BOARD adopted pursuant to this chapter.

7. Therefore, NOBLE is subject to discipline pursuant to NRS 640A.200(1) for unprofessional conduct.

COUNT II
(PREREQUISITES TO RECEIPT, RENEWAL, REINSTATEMENT OR
CONVERSION OF STATUS OF LICENSE)

8. The allegations contained in paragraphs 1 through 7 are hereby incorporated as if fully set forth herein.

9. This conduct violated NAC 640A.030 which states if an applicant is required to complete continuing education, the applicant must provide proof of completion of continuing education to the Board.

10. Therefore, NOBLE is subject to discipline pursuant to NRS 640A.200(1) for unprofessional conduct.

COUNT III
(CONTINUING EDUCATION)

11. The allegations contained in paragraphs 1 through 10 are hereby incorporated as if fully set forth herein.

12. This conduct violated NAC 640A.070(1) (as amended per LCB file No. R105-19) which states that except as otherwise provided in subsection 5 and NAC 640A.101, a person with a standard license shall complete, to the satisfaction of the Board, at least 24 hours of continuing education per biennial renewal cycle.

13. Therefore, NOBLE is subject to discipline pursuant to NRS 640A.200(1) for unprofessional conduct.

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1 **COUNT IV**

2 **(CONTINUING EDUCATION)**

3 14. The allegations contained in paragraphs 1 through 13 are hereby incorporated
4 as if fully set forth herein.

5 15. This conduct violated NAC 640A.070(6) which states that a licensee shall
6 comply with the requirements for continuing education, including, without limitation,
7 submitting to the Board a completed form to be provided by the Board and a list of any
8 courses and activities that the licensee completed to satisfy the provisions of this section.
9 The materials described in this subsection must be submitted at the time, as established
10 by the Board, the licensee is required to submit to the Board the application for the renewal
11 of his or her license.

12 16. Therefore, NOBLE is subject to discipline pursuant to NRS 640A.200(1) for
13 unprofessional conduct.

14 **COUNT V**

15 **(UNPROFESSIONAL CONDUCT)**

16 17. The allegations contained in paragraphs 1 through 16 are hereby incorporated
17 as if fully set forth herein.

18 18. This conduct violated NAC 640A.350(11) which states "violating a provision
19 of the Occupational Therapy Code of Ethics or the Standards of Practice for Occupational
20 Therapy, adopted by reference in NAC 640A.205."

21 a. AOTA Code of Ethics 5, Professional Competence, Education,
22 Supervision, and Training: Occupational therapy personnel maintain credentials, degrees,
23 licenses, and other certifications to demonstrate their commitment to develop and maintain
24 competent, evidence-based practice.

25 A: Hold requisite credentials for the occupational therapy services
26 one provides in academic, research, physical, or virtual work settings.

27 ///

28 ///

1 B: Represent credentials, qualifications, education, experience,
2 training, roles, duties, competence, contributions, and findings accurately in all forms of
3 communication.

4 D: Maintain competence by ongoing participation in professional
5 development relevant to one's practice area.

6 b. AOTA Code of Ethics 6, Communication: Whether in written, verbal,
7 electronic, or virtual communication, occupational therapy personnel uphold the highest
8 standards of confidentiality, informed consent, autonomy, accuracy, timeliness and record
9 management.

10 F: Do not use or participate in any form of communication that
11 contains false, fraudulent, deceptive, misleading, or unfair statements or claims.

12 c. AOTA Standards of Practice, Standard I. Professional Standing and
13 Responsibility:

14 3. An occupational therapy practitioner maintains current
15 licensure, registration, or certification as required by law or regulation.

16 4. An occupational therapy practitioner abides by the
17 *Occupational Therapy Code of Ethics*.

18 5. An occupational therapy practitioner abides by the *Standards*
19 *for Continuing Competence* by establishing, maintaining, and updating professional
20 performance, knowledge, and skills.

21 19. Therefore, NOBLE is subject to discipline pursuant to NRS 640A.200(1) for
22 unprofessional conduct.

23 COUNT VI

24 (UNPROFESSIONAL CONDUCT)

25 20. The allegations contained in paragraphs 1 through 19 are hereby incorporated
26 as if fully set forth herein.

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21. This conduct violated NAC 640A.350(15) which states making false statements, providing false information or omitting pertinent information in connection with an application for licensure or renewal of a license constitutes unprofessional conduct.

22. Therefore, NOBLE is subject to discipline pursuant to NRS 640A.200(1) for unprofessional conduct.

DISCIPLINE AUTHORIZED

Pursuant to NAC 640A.361, upon proof by preponderance of the evidence that an applicant or licensee has engaged in activity which is grounds for disciplinary action as described in NRS 640A.200, the Board may: place the licensee on probation; administer a public reprimand; limit the person's practice; suspend the person's license or certificate for a period of not more than one (1) year; revoke the person's license; require the person to successfully complete a program of remedial education or treatment approved by the board; require supervision of the person's professional work by a person approved by the board; require repayment to a patient of all money collected by the licensee in connection with the unprofessional conduct; require the person to successfully complete a physical or mental examination or an examination testing the competency to practice; and/or such other disciplinary action as the board considers necessary and appropriate.

If discipline is imposed, the Board may order that costs of this proceeding, including investigative costs and attorney's fees, be awarded to the Board pursuant to NRS 622.400. Therefore, the undersigned requests that the Board impose such discipline as it determines is appropriate under the circumstances and to award the Board its costs and attorney's fees for this proceeding.

PLEASE TAKE NOTICE that a disciplinary hearing has been set to consider this Administrative Complaint against the above-named Respondent in accordance with Chapter 233B, Chapter 241, Chapter 622A, Chapter 622, and Chapter 640A of the Nevada Revised Statutes and Chapter 640A of the Nevada Administrative Code.

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1 WHEREFORE, the Board hereby notifies Respondent that a disciplinary
2 hearing in this matter will be held on Saturday, May 29th of 2021, beginning
3 at 10:00 a.m. via zoom video conference at:

4 <https://zoom.us/j/91359790296?pwd=YTV4azhUMnd6TW4vbG9KWXXZvQnhOUT09>

5 STACKED CALENDAR: This hearing is one of several matters scheduled at the same time
6 as part of a regular meeting of the Board. Thus, this hearing may be called at any time
7 after the meeting is called to order. It is Respondent's responsibility to be present when
8 this matter is called. If Respondent is not present when this matter is called, a default may
9 be entered against Respondent and the Board may decide the case as if all allegations in
10 the complaint were true.

11 PURSUANT TO NRS 622A.320, Respondent may, but is not required to, file an
12 answer to this Complaint with the Board.

13 PURSUANT TO NRS 622A.330, Respondent may seek limited discovery from the
14 Board.

15 RESPONDENT'S RIGHTS AT THE HEARING: Except as mentioned below, the
16 hearing is an open meeting under Nevada's Open Meeting Law and may be attended by
17 the public. After the evidence and arguments, the Board may conduct a closed meeting to
18 discuss Respondent's alleged misconduct or professional competence. A verbatim record
19 will be made by a certified court reporter. Respondent is entitled to a copy of the transcript
20 of the open and closed portions of the meeting, although Respondent must pay for the
21 transcription.

22 Respondent is specifically informed that he has the right to appear and be heard in
23 his defense, either personally or through his counsel of choice. At the hearing, the
24 undersigned has the burden of proving the allegations in the complaint and will call
25 witnesses and present evidence against Respondent. Respondent has the right to respond
26 and to present relevant evidence and argument on all issues involved. Respondent has the
27 right to call and examine witnesses, introduce exhibits, and cross-examine opposing
28 witnesses on any matter relevant to the issues involved.

1 Respondent has the right to request that the Board issue subpoenas to compel
2 witnesses to testify and/or evidence to be offered on Respondent's behalf. In making this
3 request, Respondent may be required to demonstrate the relevance of the witnesses'
4 testimony and/or evidence. Other important rights Respondent has are listed in NRS
5 Chapter 233B, NRS 241, NRS Chapter 622, NRS Chapter 622A, NRS Chapter 640A and
6 NAC Chapter 640A.

7 The purpose of the hearing is to determine if Respondent has been engaged in
8 activity that is grounds for disciplinary action pursuant to NRS 640A.200.

9 Pursuant to NRS 233B.121(5), informal disposition of this case may be made by
10 stipulation, agreed settlement, consent order, or default. Any attempt to negotiate this
11 case should be made through Henna Rasul, Senior Deputy Attorney General, whose contact
12 information appears below.

13 Pursuant to NRS 241.033(2)(b) and NRS 241.034, the Board may, without further
14 notice, take administrative action against Respondent's license to practice occupational
15 therapy within the State of Nevada if the Board determines that such administrative action
16 is warranted after considering Respondent's character, alleged misconduct, professional
17 competence, or physical or mental health.

18 DATED this 6th day of May, 2021.

19 AARON D. FORD
20 Attorney General

21 By:


22 HENNA RASUL
23 Senior Deputy Attorney General
24 Nevada Bar No. 7492
25 100 North Carson Street
26 Carson City, Nevada 89701-4717
27 Telephone: (775) 684-1234
28 Facsimile: (775) 684-1108
Email: hrasul@ag.nv.gov
Attorneys for Petitioner
State of Nevada, Board of
Occupational Therapy

CERTIFICATE OF SERVICE

I certify that I am an employee of the State of Nevada, Office of the Attorney General, and that on this 6th day of May, 2021, I served a copy of the foregoing **COMPLAINT AND SECOND NOTICE OF HEARING**, via personal service by process server and Email to the following parties:

Duchess Menchavez Noble
7688 Blue Diamond Rd, Unit 1088
Las Vegas, NV 89178
dee_menchavez@yahoo.com

Loretta Ponton via email: board@nvot.org



Luciana Watson
An Employee of the
Office of the Attorney General

State of Nevada
Board of Occupational Therapy

6170 Mae Anne Ave., Suite 1, Reno, Nevada 89523
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AGENDA ITEM 5: Consideration of Reinstatement Application, Unlicensed Practice

Zoe Morgan Studer, OTR License No. OT-2199

The Board received a License Reinstatement Application on April 6, 2021 requesting reinstatement of Ms. Studer's license as an Occupational Therapist, License No. OT-2199, originally issued January 11, 2019 and which expired on January 10, 2021. The reinstatement application and explanation provided by Ms. Zoe indicates she remained employed by Nevada Hand Therapy and continued practicing without a current license in Nevada.

Pursuant to NRS 640A.230, a Cease-and-Desist letter dated April 6, 2021 was issued to Ms. Studer by email and sent via US mail, regular and certified. Ms. Studer was informed her application for reinstatement would be considered by the Board.

NRS 640A.200 provides for authorized disciplinary or actions that may be taken by the Board.

NAC 640A.170 of the Board regulations provides authority for the Board to assess a fine of not less than \$200 or more than \$5,000 for practicing with an expired license for more than 30 days.

The Board may consider any or all the following actions:

Assess an administrative fine for practice without a current license; and/or
Approve the Application;
Approve the Application with conditions; or
Deny the Application

Attachment

License Application and Explanation
Cease and Desist letter
NRS 640A.230; NRS 640A.200 and NAC 640A.170
Letters of Support



STATE OF NEVADA
BOARD OF OCCUPATIONAL THERAPY

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Email: board@nvot.org / Website: www.nvot.org

LICENSE REINSTATEMENT APPLICATION

Nevada License #: 2199 Date Expired: 1/10/2021

☒ Occupational Therapist ☐ Occupational Therapy Assistant

Personal Data (attach documentation of name change if different than name on previous license)

Legal Name: Zoe Morgan Studer

Mailing Address: 2075 Piping Rock Drive Reno NV 89502
Street / P.O. Box City State ZIP

Social Security No.: [REDACTED] Contact Phone: [REDACTED]

E-mail Address: zoe.m.studer@gmail.com Other Name(s) effective date(s): _____

Veteran/Military Affiliation: ☐ Uniformed Military ☐ Military Spouse ☐ Veteran ☐ Veteran Spouse

NBCOT Certification Status (attach verification of current NBCOT certification status)

Are you currently certified by NBCOT? ☒ Yes Certification # 413481
☐ No Date applied for reinstatement of your certification: _____

Professional Licensing History (attach verification of all licenses held in the previous 5 years)

Are you now or have you ever been licensed, certified or registered as an occupational therapist or occupational therapy assistant in any other jurisdiction? ☐ Yes ☐ No

State/Jurisdiction: Nevada License #: 2199 Issue Date 1/10/19 Expiration Date 1/10/21

State/Jurisdiction: _____ License #: _____ Issue Date _____ Expiration Date _____

State/Jurisdiction: _____ License #: _____ Issue Date _____ Expiration Date _____

Nevada Business License Information – Check appropriate answer. **An answer is mandatory.**

- ☒ I do NOT have a Nevada business license number.
☐ I have a Nevada Business License number assigned by the Secretary of State upon compliance with the provisions of NRS Chapter 76.

Name on business license: _____

Business License #: _____

Board Use Only Date Received: 4/6/21

Fees Paid By: ☐ Credit Card ☒ Check/MO # 103 Amount \$ 400.00

☒ NBCOT Verification ☐ License Verification(s) N/A ☒ Jurisprudence Exam ☒ Continuing Education

Date Issued: _____

Explanation of Reinstatement Request

Have you been employed and practicing in Nevada since your license expired? ☒ Yes ☐ No

If yes, please attach a written explanation of the reasons and/or circumstances your license was not renewed on time. Please note that your application may require further review by the Board.

Professional Employment History (5 years) – attach additional sheets if necessary

1. Current Nevada Employer: Nevada Hand Therapy Start Date 3/2019
Address: 540 W Plumb Ln Suite 201 Reno, NV 89509 Phone: 1 775-853-7513
Street/PO Box, City, State, Zip
2. Employer: _____ Dates (From/To) _____
Address: _____ Phone: _____
Street/PO Box, City, State, Zip
3. Employer: _____ Dates (From/To) _____
Address: _____ Phone: _____
Street/PO Box, City, State, Zip
4. Employer: _____ Dates (From/To) _____
Address: _____ Phone: _____
Street/PO Box, City, State, Zip
5. Employer: _____ Dates (From/To) _____
Address: _____ Phone: _____
Street/PO Box, City, State, Zip

Legal Information – Explain any “YES” answers on a separate sheet of paper

- Has there ever been a complaint filed, investigation or legal action taken against your professional license for any reason? ☒ Yes ☐ No
- Are there any pending legal actions, complaints, investigations or hearings in process? ☐ Yes ☒ No
- Have you ever had a professional license, certification or registration denied, restricted, suspended or revoked? ☐ Yes ☒ No
- Have you ever relinquished responsibilities, resigned a position or been fired while a complaint was pending against you? ☐ Yes ☒ No
- Have you ever been convicted of, or pled guilty or nolo contendere to, a violation of ANY federal or state statute, city or county ordinance, or any law of a foreign country? ☐ Yes ☒ No
(Exclude minor traffic violations.)

Child Support Information – Please check **one** appropriate answer. **An answer is mandatory**

- ☒ I am not subject to a court order for the support of a child.
- ☐ I am subject to a court order for the support of one or more children and am in compliance with the order or am in compliance with a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.
- ☐ I am subject to a court order for the support of one or more children and am NOT in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.

Continuing Competency Information – Minimum 24 hours is required:

List course(s)/presentation(s), dates of attendance and CE Hours awarded for continuing competency credit that was completed during the previous 24 months:

Course: <u>Hand Therapy Review Course</u>	Dates <u>9/20-1/21</u>	CE Hours <u>20</u>
Course: <u>Advanced Rehab Seminar</u>	Dates <u>5/17/19</u>	CE Hours <u>14</u>
Course: _____	Dates _____	CE Hours _____
Course: _____	Dates _____	CE Hours _____
Course: _____	Dates _____	CE Hours _____
Course: _____	Dates _____	CE Hours _____
Course: _____	Dates _____	CE Hours _____
Course: _____	Dates _____	CE Hours _____

Complete a Continuing Competency Activities and Education form and attach a copy of certificates of completion and/or attendance verification for each course listed.

Acknowledgement and Declaration of Applicant

Notice as Mandatory Reporter

- ☒ I acknowledge I have been informed of my duty as a mandatory reporter of abuse or neglect of a child pursuant to NRS 432B.

I declare, under penalty of perjury, all the information supplied herein is to the best of my knowledge true, accurate and complete and I have not withheld, misrepresented, or falsely stated any information relevant to my training or experience or my fitness to practice occupational therapy.

Zoe Studer MSOTR/L
Signature of Applicant

4/1/21
Date of Application

Zoe Studer MSOTR/L
Print Name

Zoe Studer	Reno	NV	OTR®	413481	21 Dec 2018	31 Mar 2024	Active - In good standing
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Primary Source Disclaimer:

The data in this web site is provided, controlled and maintained entirely, by the National Board for Certification in Occupational Therapy, Inc. (NBCOT®) and its employees and is not modifiable by any outside source. The NBCOT® provides current data extracted from our database and constitutes a primary source verification. Each item of data has been verified by NBCOT® personnel from the primary source, unless otherwise specified. Every attempt is made to ensure the accuracy, reliability, and compliance with applicable accreditation and certification standards for the information displayed. The NBCOT® maintains timely updates to this website. No responsibility is assured or implied for errors or omissions created or caused by technical difficulties. No one shall be entitled to claim detrimental reliance thereon.

Tue Apr 06 2021 10:00:44 GMT-0700 (Pacific Daylight Time)

Continuing Competency Activities and Education

Licensee Name: Zoe Studer License #: 2199

Check Applicable Continuing Competency Activity:

- | | | |
|--|--|---|
| <input checked="" type="checkbox"/> Continuing Education | <input type="checkbox"/> Academic Coursework | <input type="checkbox"/> Fieldwork Supervision |
| <input type="checkbox"/> Presentation and Instruction | <input type="checkbox"/> Professional Meetings | <input type="checkbox"/> Board or Specialty Certification |
| <input type="checkbox"/> Professional Writing | <input type="checkbox"/> Mentorship Agreement | <input type="checkbox"/> Other |

Attach All Required Documentation

See Attached Documents

Title of Program / Activity

Program Sponsor

Date(s) of Attendance _____ Contact Hours _____

For Continuing Education Activities as applicable – Provide Biographical Information of Instructor:

All Activities: Describe how the activity broadens your knowledge of occupational therapy roles or relates to your current or anticipated roles and responsibilities.

All the classes I have taken have helped me to
review topics and sift through information I know well
and information I need to study more. Along my journey
I have met instructors that have shown me new
ways to treat and interact with patients.

Name: Zoe Studer

Certification Number: 413481

Date Acquired	Activity Title	Source Name	CAU/PDU Value	NBCOT Primary	NBCOT Primary Sub
	Competency Assessment Tools	NBCOT	0		
1/4/2021	Hand Therapy Review Course	American Society of Hand Therapists	20	Professional Development Activities > Attending Workshops/Courses/Independent Learning	Attend workshops, seminars, lectures, professional conferences, or online courses that are approved by one of the following: Regionally accredited college/university; State regulatory board for licensure renewal; Continuing-education providers (e.g., state associations, continuing education companies); Third-party entity. The same workshop may be claimed only once for PDU.
5/17/2019	Advanced Rehab Seminar	Advanced Rehab Seminars	14	Professional Development Activities > Attending Workshops/Courses/Independent Learning	Attend workshops, seminars, lectures, professional conferences, or online courses that are approved by one of the following: Regionally accredited college/university; State regulatory board for licensure renewal; Continuing-education providers (e.g., state associations, continuing education companies); Third-party entity. The same workshop may be claimed only once for PDU.

Certificate of Achievement

Presented to:
Zoe Studer

*For successful completion of the Nevada Board of Occupational Therapy Jurisprudence
Examination*

Test name: OT Jurisprudence Exam
Score: 100% (75 out of 75)

Continuing Education Credit - Two (2) Hours

Mon 5th Apr 2021

Explanation of Reinstatement

I have been practicing at Nevada Hand Therapy for two years busily working and collaborating with my coworkers through the pandemic. I had been waiting for an email or mail to renew my license here in Nevada but I have not received one. This is not an excuse, as I know I need to keep track of my own licensure, however this last year has been extremely difficult after having been sick for two months with COVID-19 and trying to build my work energy back to what it was. I apologize for my lack of awareness in this situation and I will not let it happen again. Thank you for taking time to review my license.

Explanation of Complaints





STATE OF NEVADA
BOARD OF OCCUPATIONAL THERAPY

6170 Mae Anne Ave., Suite 1 | Reno, Nevada 89523
Phone: (775) 746-4101 | www.nvot.org | Fax: (775) 746-4105

April 6, 2021

Zoe Morgan Studer
2075 Piping Rock Drive
Reno, NV 89502

Re: License No. OT-2199 (expired)
Notice to Cease and Desist

Dear Ms. Studer,

The Board received a License Reinstatement Application on April 6, 2021 requesting reinstatement of your license as an Occupational Therapist, License No. OT-2199, originally issued January 11, 2019 and which expired on January 10, 2021. Your reinstatement application indicates that you have remained employed by the Nevada Hand Therapy and have been practicing without a current license in Nevada since the date your license expired.

The practice of Occupational Therapy without a current license suggests a violation of the Nevada Occupational Therapy law, NRS 640A.230:

NRS 640A.230 Unauthorized practice prohibited; penalties.

1. Except as otherwise provided in [NRS 629.091](#), a person shall not practice occupational therapy, or represent that he or she is authorized to practice occupational therapy, in this state unless he or she holds a current license issued pursuant to this chapter. A person who violates the provisions of this subsection is guilty of a gross misdemeanor.

2. In addition to any other penalty prescribed by law, if the Board determines that a person has violated the provisions of subsection 1, the Board may:

(a) Issue and serve on the person an order to cease and desist until the person obtains from the Board the proper license or otherwise demonstrates that he or she is no longer in violation of subsection 1. An order to cease and desist must include a telephone number with which the person may contact the Board.

(b) Issue a citation to the person. A citation issued pursuant to this paragraph must be in writing, describe with particularity the nature of the violation and inform the person of the provisions of this paragraph. Each activity in which the person is engaged constitutes a separate offense for which a separate citation may be issued. To appeal a citation, the person must submit a written request for a hearing to the Board not later than 30 days after the date of issuance of the citation.

(c) Assess against the person an administrative fine of not more than \$5,000.

(d) Impose any combination of the penalties set forth in paragraphs (a), (b) and (c).

(Added to NRS by [1991, 991](#); A [1995, 753](#); [2013, 279](#), [2243](#))

You are hereby ordered to Cease and Desist the practice of Occupational Therapy until the Board considers your License Reinstatement Application.

You are hereby provided notice that the Board of Occupational will consider your License Reinstatement Application and alleged practice without a valid license at their meeting of **May 29, 2021**. The meeting will be held by ZOOM video-conference and is scheduled to begin at 10:00 a.m. There will be no public access location for the meeting pursuant to Governor's Emergency Directive 06. You may attend the meeting by ZOOM video-conference as follows:

ZOOM Access Link

<https://zoom.us/j/91359790296?pwd=YTV4azhUMnd6TW4vbG9KWXXZvQnhOUT09>

Telephone Audio Only
(253) 215-8782

Meeting ID: 913 5979 0296
Passcode: 953952

The Board Meeting is a public meeting and you are encouraged to attend. The Board may go into closed session to consider the following general topics: Application for Reinstatement and alleged practice without a valid license. You are welcome to attend a closed session, have an attorney or other representative of your choosing present, present written evidence, provide testimony and present witnesses relating to your character, alleged misconduct, professional competence or physical or mental health.

Pursuant to NRS 640A.200 and NAC 640A.170, the Board may take any of the following actions in consideration of your application and alleged practice without a current license:

NRS 640A.200 Authorized disciplinary or other action; grounds; reinstatement of revoked license; orders imposing discipline deemed public records.

1. The Board may, after notice and a hearing as required by law, suspend, revoke or refuse to issue or renew a license to practice as an occupational therapist or occupational therapy assistant, or may impose conditions upon the use of that license, if the Board determines that the holder of or applicant for the license is guilty of unprofessional conduct which has endangered or is likely to endanger the public health, safety or welfare. The Board may reinstate a revoked license pursuant to the provisions of [chapter 622A](#) of NRS upon application by the person to whom the license was issued.

2. Notwithstanding the provisions of [chapter 622A](#) of NRS, if the Board receives a report pursuant to subsection 5 of [NRS 228.420](#), a disciplinary proceeding regarding the report must be commenced within 30 days after the Board receives the report.

3. An order that imposes discipline and the findings of fact and conclusions of law supporting that order are public records.

4. As used in this section, "unprofessional conduct" includes:

(a) The obtaining of a license by fraud or through the misrepresentation or concealment of a material fact;

(b) The conviction of:

- (1) A felony or gross misdemeanor relating to the practice of occupational therapy; or
- (2) Any crime involving moral turpitude;

(c) *The violation of any provision of this chapter or regulation of the Board adopted pursuant to this chapter; and*

(d) The operation of a medical facility, as defined in [NRS 449.0151](#), at any time during which:

- (1) The license of the facility is suspended or revoked; or
- (2) An act or omission occurs which results in the suspension or revocation of the license pursuant to [NRS 449.160](#).

This paragraph applies to an owner or other principal responsible for the operation of the facility.

(Added to NRS by [1991, 990](#); A [1993, 795](#); [2003, 2714, 3456](#); [2005, 783](#); [2009, 897](#))

NAC 640A.170 Administrative fine for practicing with expired license; Board may waive fine under certain circumstances. ([NRS 640A.110, 640A.230](#))

1. Except as otherwise provided by subsection 2, the Board will assess against a person practicing occupational therapy whose license has expired an administrative fine of:

(a) Not less than \$50 if the period of expiration of the license is 30 days or less.

(b) Not less than \$200 and not more than \$5,000 if the period of expiration of the license is more than 30 days.

2. The Board may waive an administrative fine assessed pursuant to subsection 1:

(a) For the first offense.

(b) If the period of expiration of the license is 30 days or less.

(c) Upon a finding of good cause by the Board. A person seeking waiver of an administrative fine on the grounds prescribed by this paragraph shall submit a written request to the Board which must include proof satisfactory to the Board that good cause exists for the Board to waive the administrative fine. As used in this paragraph, “good cause” includes, without limitation, circumstances under which a person suffers from an illness or disability, suffers an injury or experiences a family hardship.

(Added to NAC by Bd. of Occupational Therapy by R017-14, eff. 10-24-2014)

If you have any questions, please feel free to contact the Board office at 775-746-4101.

Sincerely,

Loretta L. Ponton

Loretta L. Ponton
Executive Director

Cc: Henna Rasul, Senior Deputy Attorney General; Board Counsel

Nevada Hand Therapy

540 W. Plumb Lane, Suite 201
Reno, NV 89509

Phone (775) 853-7513
Fax (775) 853-7523
www.NevadaHandTherapy.com



May 3, 2021

To whom it may concern:

I have known Zoe for the past two years after hiring her as a per diem employee at Nevada Hand Therapy. When Zoe initially inquired about working at Nevada Hand Therapy, she offered to volunteer her time just so she could gain experience working in the specialized area of hand therapy. As a co-owner of the clinic, I contacted her level II hand therapy fieldwork supervisor at the Reno Orthopedic Clinic who had glowing reviews of her skillset and work ethic. As a result, we decided to hire Zoe as a per diem occupational therapist.

Over the last two years, I have gotten to know Zoe fairly well. She is a hard working and dedicated therapist who has continued to put forth her best effort during difficult times to make sure patients are getting the best care they need. In the last year during the COVID-19 pandemic, she has made exceptional efforts and proved to be a flexible and caring provider by working with patients in multiple offices in our region. She has come into work early and stayed late to accommodate patient schedules and to comply with COVID-19 mitigation efforts. She is a team player, and I have observed on multiple occasions to aid therapists when they are in need of help at work.

It was completely out of character for Zoe to miss something as important as her state occupational therapy license renewal. She has been quite distressed after she learned her license had expired and that this event would negatively impact both Nevada Hand Therapy and her own professional career. If the board would consider reinstating her Nevada state license, I believe that she will be more responsible in the future and that she will also be an asset to our profession as a whole.

Sincerely,

A handwritten signature in black ink, appearing to read 'Christine Niho'. The signature is fluid and cursive, with a large loop at the end.

Christine Niho, OTR/L, CHT

Nevada Hand Therapy

540 W. Plumb Lane, Suite 201
Reno, NV 89509

Phone (775) 853-7513
Fax (775) 853-7523
www.NevadaHandTherapy.com



4/30/2021

Dear Members of the Nevada Occupational Therapy Board,

I have known Zoe Studer in a professional capacity since March of 2019. As a new graduate, Zoe approached Nevada Hand Therapy expressing an interest in pursuing a career as an Occupational Therapist specializing in rehabilitation of the hand and upper extremity. Following a successful interview, Zoe's references were contacted, and she was offered a position in our company.

In the 2 years that I have worked with Zoe, I have found her to be a reliable and competent Occupational Therapist. She is conscientious about the quality of care she provides our clients and during her mentoring phase, both her treatment and documentation skills were reviewed daily and improved appropriately. As Zoe has taken on clients with more complicated injuries, her skills as an Occupational Therapist have continued to grow. It has been my understanding that Zoe studies on her personal time, in order to continue to progress her skills. She occasionally questions those therapists with more experience and is open to constructive criticism when it has been given.

In the weeks following Zoe's leave of absence from Nevada Hand Therapy, I have added many clients from her caseload to my own. I have received much positive feedback from these clients about Zoe and their appreciation for her professionalism and quality of care that she provided. Zoe was working hard to provide quality care and optimal functional recovery to her clients.

Despite the hardship to Nevada Hand Therapy that has resulted from Zoes' lapse of licensure, I continue to support Zoe in her effort to have her license re-instated. I believe it to be out of character for her to have allowed this lapse to occur. After working with Zoe for the last few years, I believe that she is an asset to our profession as Occupational Therapists.

Sincerely,

A handwritten signature in blue ink, reading "P. Schoening". The signature is fluid and cursive, with the first name "Pamela" and last name "Schoening" clearly visible.

Pamela Schoening, OTR/L, CHT

Co-owner, Nevada Hand Therapy, LLC.

Applicable NRS and NAC Sections

NRS 640A.230 Unauthorized practice prohibited; penalties.

1. Except as otherwise provided in [NRS 629.091](#), a person shall not practice occupational therapy, or represent that he or she is authorized to practice occupational therapy, in this state unless he or she holds a current license issued pursuant to this chapter. A person who violates the provisions of this subsection is guilty of a gross misdemeanor.

2. In addition to any other penalty prescribed by law, if the Board determines that a person has violated the provisions of subsection 1, the Board may:

(a) Issue and serve on the person an order to cease and desist until the person obtains from the Board the proper license or otherwise demonstrates that he or she is no longer in violation of subsection 1. An order to cease and desist must include a telephone number with which the person may contact the Board.

(b) Issue a citation to the person. A citation issued pursuant to this paragraph must be in writing, describe with particularity the nature of the violation and inform the person of the provisions of this paragraph. Each activity in which the person is engaged constitutes a separate offense for which a separate citation may be issued. To appeal a citation, the person must submit a written request for a hearing to the Board not later than 30 days after the date of issuance of the citation.

(c) Assess against the person an administrative fine of not more than \$5,000.

(d) Impose any combination of the penalties set forth in paragraphs (a), (b) and (c).

(Added to NRS by [1991, 991](#); A [1995, 753](#); [2013, 279, 2243](#))

NRS 640A.200 Authorized disciplinary or other action; grounds; reinstatement of revoked license; orders imposing discipline deemed public records.

1. The Board may, after notice and a hearing as required by law, suspend, revoke or refuse to issue or renew a license to practice as an occupational therapist or occupational therapy assistant, or may impose conditions upon the use of that license, if the Board determines that the holder of or applicant for the license is guilty of unprofessional conduct which has endangered or is likely to endanger the public health, safety or welfare. The Board may reinstate a revoked license pursuant to the provisions of [chapter 622A](#) of NRS upon application by the person to whom the license was issued.

2. Notwithstanding the provisions of [chapter 622A](#) of NRS, if the Board receives a report pursuant to subsection 5 of [NRS 228.420](#), a disciplinary proceeding regarding the report must be commenced within 30 days after the Board receives the report.

3. An order that imposes discipline and the findings of fact and conclusions of law supporting that order are public records.

4. As used in this section, “unprofessional conduct” includes:

(a) The obtaining of a license by fraud or through the misrepresentation or concealment of a material fact;

(b) The conviction of:

(1) A felony or gross misdemeanor relating to the practice of occupational therapy; or

(2) Any crime involving moral turpitude;

(c) ***The violation of any provision of this chapter or regulation of the Board adopted pursuant to this chapter; and***

(d) The operation of a medical facility, as defined in [NRS 449.0151](#), at any time during which:

(1) The license of the facility is suspended or revoked; or

(2) An act or omission occurs which results in the suspension or revocation of the license pursuant to [NRS 449.160](#).

Ê This paragraph applies to an owner or other principal responsible for the operation of the facility.

(Added to NRS by [1991, 990](#); A [1993, 795](#); [2003, 2714, 3456](#); [2005, 783](#); [2009, 897](#))

NAC 640A.170 Administrative fine for practicing with expired license; Board may waive fine under certain circumstances. ([NRS 640A.110](#), [640A.230](#))

1. Except as otherwise provided by subsection 2, the Board will assess against a person practicing occupational therapy whose license has expired an administrative fine of:

- (a) Not less than \$50 if the period of expiration of the license is 30 days or less.
- (b) Not less than \$200 and not more than \$5,000 if the period of expiration of the license is more than 30 days.

2. The Board may waive an administrative fine assessed pursuant to subsection 1:

- (a) For the first offense.
- (b) If the period of expiration of the license is 30 days or less.
- (c) Upon a finding of good cause by the Board. A person seeking waiver of an administrative fine on the grounds prescribed by this paragraph shall submit a written request to the Board which must include proof satisfactory to the Board that good cause exists for the Board to waive the administrative fine. As used in this paragraph, "good cause" includes, without limitation, circumstances under which a person suffers from an illness or disability, suffers an injury or experiences a family hardship.

(Added to NAC by Bd. of Occupational Therapy by R017-14, eff. 10-24-2014)

State of Nevada
Board of Occupational Therapy

6170 Mae Anne Ave., Suite 1, Reno, Nevada 89523
Phone (775) 746-4101 / Fax (775) 746-4105 / Website www.nvot.org

AGENDA ITEM 6: Legislative Report
--

Jeanette Belz, JK Belz and Associates, dba Belz & Case Government Services, will provide a report on current legislation being considered at the 81st Session of the Nevada Legislature.

Attachment

Legislative Tracking Report

Bill	Sponsor	Latest Amendment	Summary	Description	Status	2/3 Vote
AB2	Committee on Government Affairs	Amendment No. 57 (Adopted)	Revises provisions relating to appointments to public bodies. (BDR 18-437)	Provides that gubernatorial appointees can serve on three boards.	First Reprint passed Assembly 42-0 and Senate 21-0. To enrollment.	
AB110	Frierson and Brittney Miller	Amendment No. 5 (Adopted)	Revises the Nevada Lobbying Disclosure and Regulation Act. (BDR 17-900)	Revises the definition of lobbyist to accommodate virtual legislature	Enrolled and delivered to Governor. Approved by the Governor. Chapter 3.	
AB253	Considine	Amendment No. 287 Adopted	Revises provisions relating to governmental administration. (BDR 19-947)	Revises provisions relating to when a subcommittee or working group of a public body is subject to the Open Meeting Law; sets forth requirements for meetings of public bodies that use remote technology systems; revises the notice requirements for a meeting of a public body; revises provisions relating to the privilege of certain persons to publish defamatory matter at a public meeting; revises requirements for notice of intent to act upon a regulation	First reprint passed Assembly 28-14. In Senate Government Affairs. Hearing - May 7 Worksession - May 14 Amend, Do Pass On General File	
AB278	Duran	Amendment No. 371 Adopted	Provides for the collection of certain information from physicians. (BDR 54-771)	Requires a physician to complete a data request when renewing his or her license or registration; requiring licensing boards that license physicians to make the data request available to applicants for the renewal of a license or registration and transmit the information obtained from the data request to the Department of Health and Human Services.	First Reprint passed Assembly 26-16. In Senate Health & Human Services Hearing - May 6 Worksession - May 13 Do Pass On General File	
AB330	Ellison	Amendment No. 373 Adopted	Establishes provisions governing occupational training and licensing. (BDR 54-759)	Provides for equivalent credit towards requirements for professional and occupational licenses and certifications for certain occupational, vocational and technical training	First Reprint passed Assembly 42-0. To Senate Commerce & Labor. Hearing - May 5 Worksession - May 14 Amend, Do Pass On General File	
AB340	Matthews	Amendment No. 361 Adopted	Provides for the review of certain administrative regulations by the Legislature. (BDR 18-929)	Requires agencies to determine the economic impact of proposed regulations; prohibiting agencies from adopting certain regulations that will have an economic impact without legislative and executive approval.	Referred to Ways & Means EXEMPT	
AB365	Peters, Brittney Miller, Cameron Miller, González, Anderson, Monroe-Moreno, Nguyen, Torres and Watts	Amendment No. 674	Revises provisions relating to governmental administration. (BDR 23-133)	Declares the policy of this State that persons employed by the State be afforded respect, dignity and equity in the workplace; requires the Departments of the State Government to prepare and submit a report concerning equity in the workplace annually; requires the Administrator of the Division of Human Resource Management to evaluate annually the effectiveness of any policy intended to encourage equity in the workforce and prepare and submit a report concerning the evaluation; requires certain regulations adopted by the Personnel Commission of the Division to include requirements for the training of supervisors and managerial employees concerning implicit bias.	First Rerpint passed Assembly 31-10-1 (not voting) To Senate EXEMPT	
AB385	Benitez-Thompson and Brittney Miller	Amendment No. 309 Adopted	Revises provisions relating to compensation received by public officers and employees. (BDR 23-52)	Prohibits officers and employees of certain public bodies from receiving certain payments or benefits upon termination of employment; establishes the maximum allowed salaries for officers and employees of certain public bodies; including merit-based salary increases and allowances for transportation in the calculation of such an officer or employee's salary for certain purposes.	First reprint passed Assembly 26-16. In Senate Legislative Operations & Elections. Hearing - May 4 Worksession - May 13 Do Pass On General File	
AB443	Committee on Legislative Operations and Elections	Amendment No. 596 Adopted	Revises the interim committee structure of the Legislature. (BDR 17-1045)	Provides for the creation of Joint Interim Standing Committees of the Legislature; specifies the powers and duties of the Joint Interim Standing Committees; repeals various statutory committees; repeals the Advisory Commission on the Administration of Justice and the subcommittee of the Advisory Commission; reassigns certain powers and duties of repealed statutory committees and the Advisory Commission to the Joint Interim Standing Committees; makes various other changes relating to legislative activity during the interim between regular sessions of the Legislature.	Assembly Legislative Operations & Elections Hearing - April 22 Worksession - May 13 Amend, Do Pass Read Third Time. Amended. EXEMPT	
SB51	Committee on Legislative Operations and Elections	Amendment No. 229 Adopted	Revises provisions relating to sex- or gender-based harassment in the Executive Department of the State Government. (BDR 23-243)	Submitted on behalf of the Division of Human Resource Management of the Department of administration - Prohibits an employee of the Executive Department of the State Government from engaging in sex- or gender-based harassment; provides for the adoption and annual review of a policy for such employees concerning sex- or gender-based harassment; prescribes certain duties of an appointing authority relating to sex- or gender-based harassment; creates the Sex- or Gender-Based Harassment and Discrimination Investigation Unit within the Division of Human Resource Management; provides for the investigation of a complaint by the Investigation Unit.	Referred to Finance Hearing/Worksession - May 18 Amend, And Do Pass as Amended EXEMPT	

Bill	Sponsor	Latest Amendment	Summary	Description	Status	2/3 Vote
SB100	Seevers Gansert	Amendment No. 29 (Adopted)	Enacts provisions governing the interstate practice of physical therapy. (BDR 54-153)	Enacts and enters into the Physical Therapy Licensure Compact.	First Reprint passed Senate 21-0 To Assembly Commerce & Labor EXEMPT	✓
SB109	Spearman	Amendment 691 (proposed)	Revises provisions relating to the collection of certain information by governmental agencies. (BDR 19-95)	Requires governmental agencies to request from certain persons information related to sexual orientation and gender identity; provides, with certain exceptions, that such information is confidential; requires a governmental agency to annually report certain information related to sexual orientation and gender identity to the Director of the Legislative Counsel Bureau.	First Reprint passed Senate 14-7. In Assembly Government Affairs. Hearing - April 27 Work Session - May 12 Amend, Do Pass On Chief Clerk's Desk	
SB196	Lange, Hardy, Hammond, Scheible, Pickard, Donate, Harris, Ohrenschall and Seevers Gansert	Amendment No. 565 (Adopted)	Prohibits the performance of a pelvic examination in certain circumstances. (BDR 54-34)	Prohibits a provider of health care or a person supervised by a provider of health care from performing a pelvic examination under certain circumstances; authorizes the imposition of professional discipline against certain providers of health care who perform or supervise the performance of a prohibited pelvic examination.	Passed Senate 21-0. In Assembly Commerce & Labor Hearing - May 3 Worksession - May 12 Amend. Do Pass as Amended On General File	
SB217	Seevers-Gansert	Amendment no. 632 (Adopted) Amendment No. 402 (Adopted)	Revises provisions related to applied behavior analysis	Transfers responsibilities concerning licensing and regulation of the practice of applied behavior analysis from the Aging and Disability Services Division to the Board of Applied Behavior Analysis; makes provisions governing providers of health care applicable to behavior analysts, assistant behavior analysts and registered behavior technicians; authorizes the Board to contract with certain entities to carry out duties relating to regulating the practice of applied behavior analysis; requires members of the Board to complete orientation; revises the activities that constitute the practice of applied behavior analysis; revises requirements concerning the supervision of assistant behavior analysts and registered behavior technicians; exempts certain persons from provisions governing the practice of applied behavior analysis; revises the membership of the Board; establishes requirements for the ethical practice of applied behavior analysis; revises provisions governing licensure by endorsement and disciplinary actions.	First Reprint passed Assembly 21-0. In Assembly Commerce & Labor. Hearing - May 5 Worksession - May 14 Amend, Do Pass	
SB222	Scheible	Amendment No. 530 (Adopted)	Revises provisions relating to governmental administration. (BDR 18-245)	Requires a state agency to collaborate with minority groups and provide certain information to minority groups; requires, with certain exceptions, a state agency to designate a diversity and inclusion liaison and provide the contact information for the designated diversity and inclusion liaison; requires the Office of Minority Health and Equity, the Nevada Commission on Minority Affairs and the Office for New Americans to facilitate an annual meeting between diversity and inclusion liaisons and minority groups and submit a report to the Governor and the Legislative Commission.	First Reprint passed Senate 17-4. In Assembly Government Affairs Hearing - April 27 Worksession - May 12 Amend, Do Pass Read Third Time. Amended	
SB302	Spearman		Revises provisions relating to governmental administration. (BDR 18-171)	Revises provisions relating to the Office of Minority Health and Equity; requires the Legislative Auditor to include certain information relating to persons employed as a director or chief executive officer in the report of an audit to the extent of money available; declares the policy of this State concerning employee diversity for state employers; requires public employers to provide racial equity training to the extent of money available; requires public officers and employees to complete any such training offered; requires the Legislative Counsel to develop a racial equity worksheet to the extent of money available and include any such worksheet on the form on which a request for the drafting of a legislative measure must be made; imposes certain requirements concerning expenditures relating to certain health matters.	Referred to Finance EXEMPT	
SB318	Senators Donate, Ohrenschall, Denis and Lange; Assemblymen Flores, Torres and	Amendment No. 265 (Adopted)	Makes various changes relating to improving access to governmental services for persons with limited English proficiency. (BDR 40-955)	Requires the Division of Public and Behavioral Health and each district health department to take certain actions to ensure the availability of services to restrain the spread of COVID-19 to persons of limited English proficiency; requiring each agency of the Executive Department of the State Government to develop a language access plan.	Referred to Finance Hearing - May 18 Do Pass, as Amended Passed Senate 21-0 EXEMPT	
SB326	Hardy		Revises provisions relating to providers of health care. (BDR 54-614)	Authorizes a provider of health care who is licensed or certified in another state to register to use telehealth to provide services to patients located in this state. Registration is valid for one year and no fee may be charged by the regulatory body.	Referred to Finance Hearing - March 25 Do Pass - April 8 EXEMPT	

Bill	Sponsor	Latest Amendment	Summary	Description	Status	2/3 Vote
SB335	Hardy	Amendment No. 420 Adopted	Revises provisions relating to professional and occupational licensing. (BDR 54-186)	Creates the Division of Occupational Licensing within the Department of Business and Industry; creates the position of Administrator of the Division; sets forth the powers and duties of the Division and the Administrator; creates the Occupational Licensing Account; requires each board that regulates a provider of health care to comply with certain requirements relating to the creation, retention and public disclosure of records; requires 5% of the fees received by each such board to be deposited in the Occupational Licensing Account; abolishes certain boards; transfers the powers and duties of such boards to the Division; revises the membership of the Board of Medical Examiners and the State Board of Osteopathic Medicine.	Referred to Finance EXEMPT	
SB379	Committee on Health and Human Services	Amendment No. 185 Adopted	Provides for the collection of certain data concerning providers of health care	Submitted on behalf of the Legislative Committee on Health Care - Requires the Director of the Department of Health and Human Services to establish and maintain a database comprised of information concerning providers of health care who are licensed, certified or registered in this State; requires or authorizes certain professional licensing boards and agencies that license, certify or register providers of health care to collect information from applicants for the renewal of a license, certificate or registration; establishes the Health Care Workforce Working Group within the Department to analyze the information in the database and perform certain related duties.	First Reprint passed Senate 20-1. In Assembly Health & Human Services. Hearing - May 5 Worksession - May 12 Do Pass On General File	
SB402	Committee on Commerce and Labor	Amendment No. 421 Adopted	Revises provisions relating to regulatory bodies. (BDR 54-709)	Revises provisions relating to certain reciprocal agreements; authorizes certain qualified professionals to apply for a license by endorsement; requires certain licenses for educational personnel be issued within 30 days after receiving the application for the license; requires certain boards and commissions to submit an annual report to the Sunset Subcommittee and to the Governor; authorizes the Governor to suspend the authority of a board or commission to expend funds if the board or commission fails to submit such an annual report; requires certain boards and commissions to carry out certain tasks; requires the Legislative Counsel to create a system for monitoring the progress of an agency in adopting certain permanent regulations; revises provisions relating to the Register of Administrative Regulations; requires the summary of certain legislative measures to include information concerning whether the measure grants rulemaking authority.	Referred to Finance EXEMPT	
SB403	Pickard		Makes various changes relating to legislative measures. (BDR 17-30)	Authorizes each Legislator to request the drafting of not more than 1 legislative measure for each special session; requires the names of Legislators who request and sponsor legislative measures to be confidential and not published on the list of legislative measures prepared by the Legislative Counsel or printed on the legislative measure under certain circumstances; authorizes the designation of certain legislative measures that must receive a hearing in a standing committee of the Legislature; establishes various procedures relating to legislative measures with confidential sponsorship; requires the list of legislative measures prepared by the Legislative Counsel to contain a detailed summary of each legislative measure; requires the Legislative Counsel to consult with each Legislator concerning the proposed wording of any part of his or her requested legislative measure.	No hearing yet EXEMPT	
AB39	Committee on Government Affairs		Revises provisions relating to public records. (BDR 19-333)	Submitted on behalf of the Department of Public Safety - provides for the exclusion of some items from the definition of a public record	Failed 4/9 Deadline	
AB93	Wheeler, Dickman, O'Neill, Ellison, Hafen, Hansen, Hardy, Kasama, Krasner, Leavitt, Matthews, McArthur, Roberts and Titus		Revises provisions relating to states of emergency or declarations of disaster proclaimed by the Governor. (BDR 36-41)	Would have automatically terminated a state of emergency or declation of disaster 15 days after the proclamation by the Governor	Failed 4/9 Deadline	
AB276	Matthews, Wheeler, Dickman, Black, Kasama, Leavitt, McArthur and Titus		Makes changes to provisions governing public records. (BDR 19-884)	Revises relief provided for a requester of a public record who prevails in certain legal proceedings related to a request for a public record.	Failed 4/9 Deadline	
AB369	Hansen		Revises provisions relating to professional and occupational licensing boards. (BDR 18-231)	Provides for the expiration of certain professional and occupational licensing boards unless renewed by the Legislature; requires the Sunset Subcommittee to review such boards before their expiration and make recommendations.	Failed 4/9 Deadline	

Bill	Sponsor	Latest Amendment	Summary	Description	Status	2/3 Vote
AB439	Committee on Commerce and Labor		Revises provisions relating to occupational licensing. (BDR 54-383)	Submitted on behalf of the Legislative Committee on Senior Citizens, Veterans and Adults with Special Needs - Requires a regulatory body to issue a license by endorsement to engage in a profession or an occupation to certain persons affiliated with the Armed Forces of the United States; requires a regulatory body to collect certain data concerning applicants for a license and post certain information on an Internet website; requires a regulatory body to issue a license by endorsement to engage in certain health-related professions to a person who meets certain requirements.	Failed 4/9 Deadline	
SB81	Hardy		Increases the maximum salary of certain state employees. (BDR 23-618)	Increases the maximum salary of certain state employees to 150% of the salary of the Governor.	Failed 4/9 Deadline	
SB88	Pickard, Settlemeyer, Hansen, Buck, Goicoechea, Hammond, Hardy and Kieckhefer		Revises provisions relating to emergency management. (BDR 36-51)	Clarifies the termination date of and certain limitations on actions taken by a state agency pursuant to an order or regulation made by the Governor under certain emergency powers of the Governor; requires a state of emergency or declaration of disaster proclaimed by the Governor to terminate after 30 days unless the Legislature expressly approves a continuance of the emergency or disaster.	Failed 4/9 Deadline	
SB90	Hardy		Revises provisions relating to the regulation of providers of health care. (BDR 54-188)	Requires certain investigations of a provider of health care to be recorded as “a review and evaluation”; provides that an investigation recorded as a review and evaluation is not an investigation for certain purposes.	Passed Senate 21-0 In Assembly Commerce & Labor Hearing - April 21 Failed 5/14 Deadline	
SB300	Denis		Revises provisions relating to immigrants. (BDR 18-964)	Revises the duties of the Director of the Office for New Americans; prohibits, with certain exceptions, a public utility from disclosing certain customer information for any purpose relating to the enforcement of immigration laws.	Failed 4/9 Deadline	

State of Nevada
Board of Occupational Therapy

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AGENDA ITEM 7: Biennial Budget Update FY 22
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The Biennial Budget Update for FY 22 reflects adjustments necessary to reflect more current financial information for both Revenue and Expenses.

Revenue

Licensing revenue has been revised to mirror FY 2021 revenue projections without increase due to a slower growth in licensee base and lower renewal rates. As of March 31, 2021, standard licensee numbers are lower by 2.5% from March 2020 levels. With the onset of the pandemic, normal growth in applications has not occurred, there has also been a lag in new graduate applicants.

Other revenue reflects a reduction in Interest Income. The CD marketplace has constricted with offerings at minimal interest rates, all less than 1%. Funds received from maturing CD's are being held in cash and invested in short term CD's.

Cost Sharing Income reflects the part-time co-working and cost sharing agreements with the Speech & Hearing Board, Board of Environmental Health Specialists and Board of Athletic Trainers. Cost sharing income increase if additional co-locations are negotiated.

Expenses

Expense line items reflect reductions in most categories. Budget funding has been added for a Board strategic planning retreat reflected in Board education/planning and travel. General operating expenses are funded at conservative levels, reflecting cost savings with remote operations and electronic records and processes.

Personnel: The Licensing Assistant position will not be filled until such time as office operations warrant and is funded at a minimal level. The Investigator position is also minimally funded. The Licensing Coordinator and Executive Director positions remain funded at current levels with no salary increases.

Employee benefits: July 1, 2021 the PERS contribution rate increases by .25%. The PERS rate is the base for calculation of the Board's employer contributions to the deferred compensation program for staff. The resulting contribution rate will increase from 9.05% to 9.3% to reflect the .25% increase in PERS. (\$350 annual budget impact)

Professional Fees: The contract for Legislative Services expires June 30, 2021. Approval to amend the contract to extend the services through December 31, 2021 is presented for consideration of approval. An additional amendment or new contract will be required if the Board desires to continue to contract for legislative services after December 31, 2021.

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The contract amendment through December 2021 adds the contractor's dba of Belz & Case Government Services and brings the total amount to \$48,000. The need for additional services is necessary to address and follow-up on any legislation that passes that may impact the Board.

The FY 2022 budget funds continued legislative services at the same rate as the current contract, \$2,000 per month retainer, for a total of \$24,000 for services through June 30, 2022.

Other Budget Considerations:

Board Policy 06:023 **Set Asides from Reserve:**

The amount of funds to be set-aside for unanticipated expenses shall be determined by the Board, after consideration of all budgetary needs. Unanticipated expenses may include, but are not limited to, legal costs charged for normal compliance reviews of law and regulations, on-going and future disciplinary cases, and investigations; Legislative actions that require additional time and expenses for implementation or compliance; and state-initiated actions which may affect administrative costs and associated expenses.

There are several legislative bills that will impact the Board resources if passed. SB 335 would require the Board to remit 5% of licensing fees to support the Division of Professional Licensing, SB 326 would require "no fee" for temporary registration to provide services by telehealth of up to 1-year, and SB 379 would authorization workforce data collection.

It is recommended the Board approve up to \$25,000 in Set Asides from Reserve to fund unanticipated expenses as a result of legislation. Revenue may be reduced due to no fee for telehealth temporary licenses and expenses may be increased for the State fee assessment and updates to the licensing data system as a result of legislation.

With the \$25,000 set-aside for Legislative Initiatives the Reserve Fund Balance calculates to 29.9 months reserve for operating, remaining over the 2-year minimum operating reserve requirement.

Attachments

Biennial Budget Update; FY 2022
Reserve Funds Policy and Analysis
Belz & Case Government Services Contract Amendment

State of Nevada
Board of Occupational Therapy
FY 22 / FY 21

July 1 - June 30 2022 / July 1 - June 30 2021

BUDGET		2022	2021	Difference	% Change
Revenue					
Processing Fees		\$ 30,000.00	\$ 30,000.00	\$ -	
License Fees		\$ 201,594.00	\$ 201,594.00	\$ -	
Miscellaneous / List Fees		\$ 4,750.00	\$ 6,000.00	\$ (1,250.00)	
Sub-total Licensing Fees		\$ 236,344.00	\$ 237,594.00	\$ (1,250.00)	-0.53%
Interest Income		\$ 3,000.00	\$ 6,200.00	\$ (3,200.00)	
Cost Sharing Income		\$ 4,200.00	\$ 6,095.60	\$ (1,895.60)	
Total Revenue		\$ 243,544.00	\$ 249,889.60	\$ (6,345.60)	-2.61%
Operating Expense					
Audit Fees		\$ -	\$ 8,000.00	\$ (8,000.00)	
Bank Fees - Merchant Svs		\$ 5,300.00	\$ 4,751.88	\$ 548.12	
Equipment Purchase		\$ -	\$ 3,000.00	\$ (3,000.00)	
Equipment Rental & Maintenance		\$ 2,250.00	\$ 2,600.00	\$ (350.00)	
Insurance		\$ 1,225.00	\$ 1,500.00	\$ (275.00)	
Legal Fees		\$ 12,000.00	\$ 12,000.00	\$ -	
Licensing Software Subscription		\$ 8,850.00	\$ 10,200.00	\$ (1,350.00)	
Maintenance / Repairs		\$ -	\$ -	\$ -	
Meeting Expense		\$ 1,000.00	\$ 500.00	\$ 500.00	
Office Lease		\$ 32,125.00	\$ 31,225.00	\$ 900.00	
Office Supplies		\$ 1,500.00	\$ 2,000.00	\$ (500.00)	
Office Expense		\$ 4,470.00	\$ 6,010.00	\$ (1,540.00)	-34.45%
Records Storage & Recycling	\$ 1,000.00		\$ 750.00	\$ -	
Internet Service	\$ 1,560.00		\$ 1,560.00	\$ -	
Postage & Mailing	\$ 750.00		\$ 1,200.00	\$ -	
Telephone	\$ 960.00		\$ 2,000.00	\$ -	
Printing & Reproduction	\$ 200.00		\$ 500.00	\$ -	
Personnel Payroll		\$ 179,098.74	\$ 189,454.00	\$ (10,355.26)	-5.78%
Executive Director	\$ 100,161.36		\$ 100,161.36	\$ -	
Licensing Coordinator	\$ 32,760.00		\$ 32,760.00	\$ -	
Licensing Assistant	\$ 5,474.56		\$ 21,151.00	\$ -	
Investigator	\$ 3,150.00		\$ 3,275.00	\$ -	
Employer Taxes	\$ 12,141.13		\$ 13,463.29	\$ -	
Employee Benefits	\$ 25,411.69		\$ 18,643.35	\$ -	
Professional Fees		\$ 29,000.00	\$ 29,000.00	\$ -	0.00%
Bookkeeping Services	\$ 3,000.00		\$ 3,000.00	\$ -	
Legislative Set Aside	\$ 24,000.00		\$ 24,000.00	\$ -	
IT Support Services	\$ 2,000.00		\$ 2,000.00	\$ -	
Board Education / Planning		\$ 1,000.00	\$ -	\$ 1,000.00	
Travel		\$ 2,500.00	\$ 500.00	\$ 2,000.00	
In State Travel	\$ 2,500.00		\$ 500.00	\$ -	
Out of State Travel	\$ -		\$ -	\$ -	
Total Operating Expense		\$ 280,318.74	\$ 300,740.88	\$ (20,422.14)	-6.79%
Revenue Over / Under Expense		\$ (36,774.74)	\$ (50,851.28)		
Reserve Funds Set Asides		\$ 25,000.00			
Fiscal Year Budget Impact		\$ (61,774.74)	\$ (50,851.28)		

* Board Strategic Planning / Retreat

** State Division of Occupational Licensing Fee Assessment; Reduction in Revenue due to Legislative Initiatives; Legal and Regulatory Reviews

*** Includes Accrued PTO Liability not previously budgeted \$8,250

State of Nevada
Board of Occupational Therapy
Biennial Budget FY 22 / FY 21
Budget Comparison

BUDGET	2022	2021 R1	Difference	
Revenue				
Processing Fees	\$ 30,000.00	\$ 30,000.00	\$ -	0%
Licenses - Renewals	\$ 201,594.00	\$ 201,594.00	\$ -	0%
Miscellaneous / List Fees	\$ 4,750.00	\$ 6,000.00	\$ (1,250.00)	-21%
		\$ -		
Interest Income	\$ 3,000.00	\$ 6,200.00	\$ (3,200.00)	
Cost Sharing Income	\$ 4,200.00	\$ 6,095.60	\$ (1,895.60)	
Legal Fees Reimbursements	\$ -	\$ -	\$ -	
Total Revenue	\$ 243,544.00	\$ 249,889.60	\$ (6,345.60)	-3%
Operating Expense				
Audit Fees	\$ -	\$ 8,000.00	\$ (8,000.00)	
Bank Fees - Merchant Svcs	\$ 5,300.00	\$ 4,751.88	\$ 548.12	
Equipment Purchase	\$ -	\$ 3,000.00	\$ (3,000.00)	
Equipment Rental	\$ 2,250.00	\$ 2,600.00	\$ (350.00)	
Insurance	\$ 1,225.00	\$ 1,500.00	\$ (275.00)	
Legal Fees	\$ 12,000.00	\$ 12,000.00	\$ -	
Licensing Software Program	\$ 8,850.00	\$ 10,200.00	\$ (1,350.00)	
Maintenance / Repairs	\$ -	\$ -	\$ -	
Meeting Expense	\$ 1,000.00	\$ 500.00	\$ 500.00	
Office Lease	\$ 32,125.00	\$ 31,225.00	\$ 900.00	
Office Supplies	\$ 1,500.00	\$ 2,000.00	\$ (500.00)	
Office Expense	\$ 4,470.00	\$ 6,010.00	\$ (1,540.00)	
Personnel Services	\$ 179,098.74	\$ 189,454.00	\$ (10,355.26)	
Professional Fees	\$ 29,000.00	\$ 29,000.00	\$ -	
Travel - In State	\$ 2,500.00	\$ 500.00	\$ 2,000.00	
Travel - Out of State	\$ -	\$ -	\$ -	
Board Education / Planning	\$ 1,000.00	\$ -	\$ 1,000.00	
Total Expense	\$ 280,318.74	\$ 300,740.88	\$ (20,422.14)	-7%
Net Revenue / Expense	\$ (36,774.74)	\$ (50,851.28)		

Reserve Funds Analysis
As of March 31, 2021

Fund Balance	\$ 503,499.57	Total Equity
Deferred Revenue	\$ 213,653.73	License Fees
	<u><u>\$ 717,153.30</u></u>	

Set Asides FY 21 & FY 22

Contracts FY 21	\$ 6,750.00	
Contracts FY 22	\$ 27,000.00	
Lease Obligations	\$ 64,250.00	
Legislative Initiatives	\$ 25,000.00	FY 22
Total Set Asides	\$ 123,000.00	

Reserve Balance	\$ 594,153.30	
2-year Operating	\$ 477,000.00	Less Set Asides
Reserve > 2 year	\$ 117,153.30	

Monthly Reserve Analysis

\$ 594,153.30	Reserve Balance
\$ 19,875.00	Operating / 24 Months
<u><u>29.9</u></u>	<u><u>Months Reserve For Operating</u></u>

CETS #:	
Solicitation #:	

AMENDMENT # 1

TO CONTRACT FOR SERVICES OF INDEPENDENT CONTRACTOR

Between the State of Nevada
Acting By and Through Its

Agency Name:	State of Nevada, Board of Occupational Therapy	
Address:	6170 Mae Anne Ave., Suite 1	
City, State, Zip Code:	Reno, NV 89523	
Contact:	Loretta Ponton	
Phone:	775-746-4101	
Fax:	775-746-4105	
Email:	board@nvot.org	

Contractor Name:	J. K. Belz & Associates, Inc. dba Belz & Case Government Affairs	
Address:	10580 N. McCarran Blvd, Suite 115-222	
City, State, Zip Code:	Reno, NV 89503	
Contact:	Jeanette Belz	
Phone:	775-329-0119	
Fax:	775-329-6448	
Email:	jb@jkbels.com	

1. **AMENDMENTS.** For and in consideration of mutual promises and other valuable consideration, all provisions of the original Contract resulting from Request for Proposal dated 11/01/2019, attached hereto as Exhibit A, remain in full force and effect with the exception of the following:

A. Provide a brief explanation for contract amendment.

This is the first amendment to the contract for legislative services to extend the termination date from June 30, 2021 to December 31, 2021 and to increase total compensation from \$ 36,000 to \$ 48,000 due to the continued need for these services. This amendment also includes a change to the Contractor Name to add the "doing business as" to the Contractor Name.

B. Current Contract Language:

1. **CONTRACT TERM.** This Contract shall be effective as noted below, unless sooner terminated by either party as specified in *Section 7, Contract Termination*. Contracts requiring approval of the Nevada Board of Examiners or the Clerk of the Board are not effective until such approval has occurred, however, after such approval, the effective date will be the date noted below.

Effective from:	Upon Approval	To:	June 30, 2021
-----------------	----------------------	-----	----------------------

CETS #:	
Solicitation #:	

4. **CONSIDERATION.** The parties agree that Contractor will provide the services specified in *Section 3, Scope of Work* at a cost as noted below:

\$ 2,000.00	per	Month
Total Contract or installments payable at:		Monthly upon invoice for services provided
Total Contract Not to Exceed:		\$ 36,000.00

The State does not agree to reimburse Contractor for expenses unless otherwise specified in the Scope of Work or incorporated Attachments (if any). Any intervening end to a biennial appropriation period shall be deemed an automatic renewal (not changing the overall Contract term) or a termination as the result of legislative appropriation may require.

5. **Amended Contract Language:**

1. **CONTRACT TERM.** This Contract shall be effective as noted below, unless sooner terminated by either party as specified in *Section 7, Contract Termination*. Contracts requiring approval of the Nevada Board of Examiners or the Clerk of the Board are not effective until such approval has occurred, however, after such approval, the effective date will be the date noted below.

Effective from:	Upon Approval	To:	December 31, 2021
-----------------	---------------	-----	-------------------

4. **CONSIDERATION.** The parties agree that Contractor will provide the services specified in *Section 3, Scope of Work* at a cost as noted below:

\$ 2,000.00	per	Month
Total Contract or installments payable at:		Monthly upon invoice for services provided
Total Contract Not to Exceed:		\$ 48,000.00

The State does not agree to reimburse Contractor for expenses unless otherwise specified in the Scope of Work or incorporated Attachments (if any). Any intervening end to a biennial appropriation period shall be deemed an automatic renewal (not changing the overall Contract term) or a termination as the result of legislative appropriation may require.

2. **INCORPORATED DOCUMENTS.** Exhibit A (original Contract) is attached hereto, incorporated by reference herein and made a part of this amended contract.
3. **REQUIRED APPROVAL.** This amendment to the original Contract shall not become effective until and unless approved by the Nevada State Board of Examiners.

CETS #:	
Solicitation #:	

IN WITNESS WHEREOF, the parties hereto have caused this amendment to the original contract to be signed and intend to be legally bound thereby.

Independent Contractor's Signature

Date

Independent Contractor's Title

State of Nevada Authorized Signature

Date

Executive Director

Title

APPROVED BY BOARD OF EXAMINERS

Signature – Board of Examiners

On: _____
Date

Approved as to form by:

Deputy Attorney General for Attorney General

On: _____
Date

State of Nevada
Board of Occupational Therapy

6170 Mae Anne Ave., Suite 1, Reno, Nevada 89523
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AGENDA ITEM 8: COVID-19 Emergency Provisions

With the re-opening of the economy and State, it is recommended the Board consider continuing, ending and/or revising the COVID-19 Emergency Provisions approved by the Board April 4, 2020.

Emergency Temporary License

It is recommended the Board end the Emergency Temporary License provisions for *new applicants*. Temporary licenses would remain available under the existing law and regulations.

Emergency Temporary License provisions for Temporary license by endorsement include the waiver of the license fee and jurisprudence exam; and extended NBCOT certification to allow “inactive status” for new applicants.

Provisions for renewal or conversion to a standard license of existing temporary license issued under emergency provisions would remain in effect as follows:

- Initial license fee will be due upon renewal or conversion.
- Nevada Jurisprudence Exam required for renewal or conversion.
- Active NBCOT certification required for renewal or conversion.

Deferred Renewal Fees

It is recommended the Board revise the deferred renewal fee emergency provision as follows:

Revise the end term reading “from the date the state of emergency is terminated, whichever is later” to “not later than June 30, 2021”.

This change would require that any pending deferred renewal fees be paid by June 30, 2021. There are 30 licensees who remain on the deferred renewal list.

It was not anticipated that the “state of emergency” would be extended to over a year. Financial reports should be updated to clear the accounts receivable associated with the deferred renewals by fiscal year end.

Action: Revise/End COVID-19 Emergency Provisions, effective June 1, 2021 as presented.

State of Nevada
Board of Occupational Therapy

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AGENDA ITEM 9: Executive Director's Report

Attachments

Written Report
Fiscal Year 2021 – 3rd Quarter Financial Statements

State of Nevada
Board of Occupational Therapy

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EXECUTIVE DIRECTOR'S REPORT
May 29, 2021

Licensure Statistics - The following chart provides current and prior year licensing details and activity as of March 31, 2021. The number of practitioners decreased by 1.5% over the previous year, with a decrease of 2.5% for those holding standard licenses.

Comparison to Prior Year

Description	2021	2020	% +	OTR's	2020	COTA's	2020
Total Current Licensees	1568	1592	(1.5%)	1187	1175	381	381
Standard Licensees	1547	1587	(2.5%)	1177	1211	370	376
Provisional Licensees	3	2		2	0	1	2
Temporary Licensees	7	3		6	0	1	3
Inactive Licensees	36	29		27	20	9	9

Fiscal Year 21 by Quarter

Fiscal Years 2019 / 2020	Total Licensees	OT	OTA
July 1, 2020	1635	1245	390
September 30, 2020	1562	1187	375
December 31, 2020	1558	1186	372
March 31, 2021	1568	1187	381

Year to date July 1, 2020 through March 31, 2021 there were 156 new standard and provisional licenses issued and 138 licenses expired. There have been 20 emergency temporary licenses issued, 3 have converted to a standard license, 10 have expired and 7 are currently active.

Financial Statements – FY 2021 3rd Quarter ending March 31, 2021

Revenue/Other Income: Revenue totaled \$172,328 in licensing and other fees, 72.5% of budget. Licensing revenue is projected to be below budget by approximately 5% due to a combination of fewer applicants and waiver of temporary license fees.

Other Income is comprised of \$ 4,897.40 in interest income, operating cost sharing is 5,667.15. Other Income totals of \$ 10,585 at 85.9% of budget.

Total Revenue/Other Income combined is \$ 182,893.

Expense: Expenses totaled \$ 209,474 which is 69.65% of budget. Dues expense reflects fee for FARB virtual conference for one Board member and renewal of Survey Monkey. Personnel benefits includes accrued but not yet taken PTO time which is expensed as it is earned. All other line items are within or below budget levels.

Ordinary Income/Loss is (\$ 37,146) which is 58.83% of budget. Net Total Income is (\$ 24,758) or 48.69% of Budget. Overall, operating expenses are projected to be well less than budget for the fiscal year.

Balance Sheet: Total cash at March 31, 2021 is \$ 722,809; deferred revenue is \$ 213,654, reflecting cash receipts for licenses and renewals not yet earned which will be recognized as revenue as it is earned.

Cash in the operating checking account is \$ 197,955. Investments total \$ 524,855 as of March 31.

Investments – As previously reported, interest rates on CD's have bottomed for both long and short term CD's. Matured CD funds of \$250,000 have been re-invested in 2 short term CD's at .08% and .10%, the highest rates available at the time. Rates will continue to be monitored for new investment opportunities.

Office Re-Opening Plan - Pursuant to Governor's Directive 06, the Board office remains closed to the public. Governor's Directive 44, lifts all State mitigation measures, *with the exception of the mask mandate, effective June 1, 2021*. The Board office will be open to the public effective June 1, 2021. Work schedules will incorporate hybrid schedules combining remote work and on-site staffing.

Telehealth Survey – A short survey on telehealth services was distributed to all licensees. The survey intent was to determine the extent of the use of telehealth in Nevada to provide insight into whether proposed legislation on "registration only" for those using telehealth exclusively would significantly impact board revenue and to obtain a telehealth baseline service level.

The attached survey results of 276 responses provides a snapshot of the use of telehealth indicating almost 50% of practitioners utilized telehealth, 90% provided OT direct services; 12% were located out-of-state and 45% intend to add or expand the use of telehealth.

Administrative Collaborative – The Administrative Collaborative continues to meet regularly. Resource documents have been made available to all Boards who are participating: (1) Reporting Requirement; (2) Disciplinary Guidelines and (3) Board Record Retention Summary. Information is exchanged on specific topics identified by participating Boards and proposed legislation and impacts are also discussed as informational items. There are now eleven Boards who are member Boards; outreach is continuing.

Pending Co-Location Agreement – The Board of Applied Behavior Analysis has legislation pending, SB217, which will enable the ABA Board to be independent and move from under the Division of Aging Services. It is expected the Bill will pass and the ABA Board has agreed to co-location at the OT Board administrative office occupying the now vacant executive office. The cost allocation and agreement will be negotiated with a start date of July 1, 2021 upon passage of SB217.

OTD Entry Level Occupational Therapy Programs – Touro University in Henderson has received approval from ACOTE to change the status of their master's program to Accreditation Withdrawn-Voluntary effective April 10, 2021. This completes the transition of their occupational therapy program to the entry-level doctoral level which is now accredited.

The UNLV occupational therapy doctorate program has "candidacy status" with ACOTE.

Nevada no longer offers master's degree programs in occupational therapy which is the Board's entry level educational requirement.

CE Audit – The random audit of Continuing is complete with one (1) licensee found not in compliance. A formal complaint has been filed for violation of NRS 640A and NAC 640A.

Complaints Status - There is one open complaint case under investigation.

State of Nevada
Board of Occupational Therapy
Profit & Loss Budget vs. Actual
July 2020 through March 2021

	Annual Budget	Actuals July 20 - Mar 21	Remaining Balance	% of Budget Spent
Ordinary Income/Expense				
Income				
Processing Fees	30,000.00	24,025.00	5,975.00	80.08%
License Fees	201,594.00	140,890.34	60,703.66	69.89%
List Fee	6,000.00	3,825.00	2,175.00	63.75%
Fines and Legal Fees	0.00	3,587.60	-3,587.60	100.0%
Total Income	237,594.00	172,327.94	65,266.06	72.53%
Expense				
Audit Fees	8,000.00	8,000.00	0.00	100.0%
Bank service charges	4,751.88	4,282.23	469.65	90.12%
Dues	0.00	1,046.00	-1,046.00	100.0%
Equipment Purchase	3,000.00	2,928.98	71.02	97.63%
Equipment Rental	2,600.00	1,409.16	1,190.84	54.2%
Insurance	1,500.00	839.50	660.50	55.97%
Legal Fees	12,000.00	3,102.62	8,897.38	25.86%
Licensing - Data System	10,200.00	5,901.25	4,298.75	57.86%
Meeting Expense	500.00	0.00	500.00	0.0%
Office Expenses				
Internet Service	1,560.00	944.73	615.27	60.56%
Postage	1,200.00	387.44	812.56	32.29%
Printing	500.00	65.40	434.60	13.08%
Records Storage	750.00	411.00	339.00	54.8%
Telephone / Email	2,000.00	736.70	1,263.30	36.84%
Total Office Expenses	6,010.00	2,545.27	3,464.73	42.35%
Office Lease	31,225.00	22,867.34	8,357.66	73.23%
Office Supplies	2,000.00	1,808.70	191.30	90.44%
Personnel Costs				
Compensation	157,347.36	108,449.62	48,897.74	68.92%
Employer Taxes	13,463.29	9,310.53	4,152.76	69.16%
Employee Benefits	18,643.35	16,733.22	1,910.13	89.75%
Total Personnel Costs	189,454.00	134,493.37	54,960.63	70.99%
Professional Fees				
Accounting	3,000.00	2,250.00	750.00	75.0%
IT / Technical Support	2,000.00	0.00	2,000.00	0.0%
Legislative Services	24,000.00	18,000.00	6,000.00	75.0%
Total Professional Fees	29,000.00	20,250.00	8,750.00	69.83%
Seminars / Continuing Ed	0.00	0.00	0.00	0.0%
Travel & Ent				
Out of State Travel	0.00	0.00	0.00	0.0%
Travel - in state	500.00	0.00	500.00	0.0%
Total Travel & Ent	500.00	0.00	500.00	0.0%
Total Expense	300,740.88	209,474.42	91,266.46	69.65%
Net Ordinary Income	-63,146.88	-37,146.48	26,000.40	58.83%

State of Nevada
Board of Occupational Therapy
Profit & Loss Budget vs. Actual
July 2020 through March 2021

	Annual Budget	Actuals July 20 - Mar 21	Remaining Balance	% of Budget Spent
Other Income/Expense				
Other Income				
Interest Income	6,200.00	4,897.40	1,302.60	78.99%
Costshare Income	6,095.60	5,667.15	428.45	92.97%
Total Other Income	<u>12,295.60</u>	<u>10,564.55</u>	<u>1,731.05</u>	<u>85.92%</u>
Other Expense				
Unrealized Investment Loss	<u>0.00</u>	<u>-1,823.56</u>	<u>1,823.56</u>	<u>100.0%</u>
Total Other Expense	<u>0.00</u>	<u>-1,823.56</u>	<u>1,823.56</u>	<u>100.0%</u>
Net Other Income	<u>12,295.60</u>	<u>12,388.11</u>	<u>-92.51</u>	<u>100.75%</u>
Net Income	<u><u>-50,851.28</u></u>	<u><u>-24,758.37</u></u>	<u><u>26,092.91</u></u>	<u><u>48.69%</u></u>

State of Nevada Board of Occupational Therapy
Balance Sheet
As of March 31, 2021

Mar 31, 2021

ASSETS

Current Assets

Checking/Savings

Wells Fargo Bank - Checking 197,954.58

Wells Fargo Bank - Investments 523,760.16

Wells Fargo Bank - Money Market 1,094.54

Total Checking/Savings 722,809.28

Other Current Assets

Accounts Receivable 17,022.34

Prepaid Expenses 7,631.59

Undeposited Funds 0.00

Total Other Current Assets 24,653.93

Total Current Assets 747,463.21

Fixed Assets

Net Fixed Assets 0.00

Total Fixed Assets 0.00

TOTAL ASSETS 747,463.21

LIABILITIES & EQUITY

Liabilities

Current Liabilities

Accounts Payable

Accounts Payable 0.00

Total Accounts Payable 0.00

Other Current Liabilities

Deferred Revenue 213,653.73

Accrued PTO 27,979.23

Payroll Liability 1,762.49

Other Current Liabilities 568.19

Total Other Current Liabilities 243,963.64

Total Current Liabilities 243,963.64

Total Liabilities 243,963.64

Equity

Retained Earnings 528,257.94

Net Income -24,758.37

Total Equity 503,499.57

TOTAL LIABILITIES & EQUITY 747,463.21

State of Nevada Board of Occupational Therapy
Transaction Detail by Account
January through March 2021

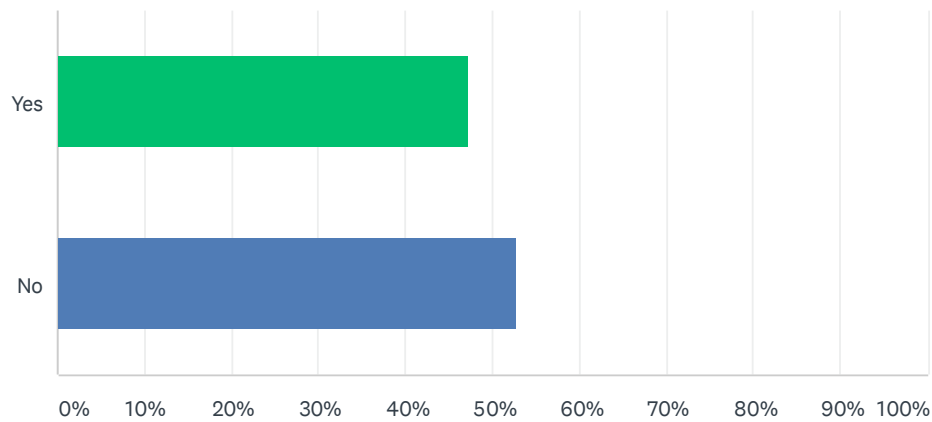
Type	Date	Num	Name	Memo	Amount
Wells Fargo Bank - Checking					
Deposit	01/01/2021			Deposit	425.00
Deposit	01/02/2021			Deposit	525.00
Deposit	01/03/2021			Deposit	425.00
Paycheck	01/04/2021	DD1325	Loretta L Ponton	Direct Deposit	0.00
Deposit	01/04/2021			Deposit	800.00
Check	01/04/2021		Voya	Payroll expense	-2,166.66
Check	01/04/2021	5365	Scott Cooley	Rent	-7,725.00
Check	01/04/2021	5366	Numbers Inc.	Bookkeeping services	-750.00
Deposit	01/04/2021			Deposit	11.60
Deposit	01/05/2021			Deposit	1,400.00
Check	01/05/2021	5367	JK Belz & Associates	Lobbyist	-2,000.00
Deposit	01/05/2021			Deposit	62.50
Liability Check	01/06/2021		QuickBooks Payroll Service	Payroll expense	-459.64
Deposit	01/06/2021			Deposit	900.00
Paycheck	01/07/2021	DD1326	Stacey Whittaker	Direct Deposit	0.00
Deposit	01/07/2021			Deposit	75.00
Check	01/07/2021		Voya	Payroll expense	-689.03
Deposit	01/08/2021			Deposit	600.00
Check	01/08/2021	5368	Puliz Records Management Ser	Records storage	-50.00
Deposit	01/09/2021			Deposit	750.00
Deposit	01/10/2021			Deposit	575.00
Deposit	01/11/2021			Deposit	750.00
Deposit	01/12/2021			Deposit	575.00
Deposit	01/13/2021			Deposit	1,250.00
Check	01/13/2021			Merchant fees	-281.76
Deposit	01/14/2021			Deposit	425.00
Deposit	01/15/2021			Deposit	1,025.00
Deposit	01/15/2021			Deposit	32.40
Deposit	01/17/2021			Deposit	25.00
Deposit	01/18/2021			Deposit	250.00
Deposit	01/19/2021			Deposit	775.00
Liability Check	01/20/2021		QuickBooks Payroll Service	Payroll expense	-459.63
Deposit	01/20/2021			Deposit	50.00
Paycheck	01/21/2021	DD1327	Stacey Whittaker	Direct Deposit	0.00
Deposit	01/21/2021			Deposit	550.00
Check	01/21/2021		Voya	Payroll expense	-689.03
Check	01/21/2021		Wells Fargo	Copier, FARB registration, surve	-930.21
Deposit	01/22/2021			Deposit	275.00
Deposit	01/23/2021			Deposit	250.00
Deposit	01/24/2021			Deposit	175.00
Deposit	01/25/2021			Deposit	1,700.00
Check	01/25/2021		Charter	Internet services	-104.97
Check	01/25/2021		A T & T	Telephone expense	-44.09
Liability Check	01/26/2021	E-pay	US Treasury	Payroll expense	-3,302.02
Deposit	01/26/2021			Deposit	425.00
Deposit	01/27/2021			Deposit	275.00
Deposit	01/28/2021			Deposit	450.00
Liability Check	01/29/2021		QuickBooks Payroll Service	Payroll expense	-5,417.63
Deposit	01/29/2021			Deposit	375.00
Deposit	01/29/2021			Deposit	1.82

State of Nevada Board of Occupational Therapy
Transaction Detail by Account
January through March 2021

Check	02/28/2021		Wells Fargo	Copier, office supplies	-213.79
Paycheck	03/01/2021	DD1331	Loretta L Ponton	Direct Deposit	0.00
Deposit	03/01/2021			Deposit	225.00
Check	03/01/2021		Voya	Payroll expense	-2,166.66
Check	03/01/2021		Charter	Internet services	-104.97
Deposit	03/02/2021			Deposit	250.00
Liability Check	03/03/2021		QuickBooks Payroll Service	Payroll expense	-459.63
Deposit	03/03/2021			Deposit	300.00
Paycheck	03/04/2021	DD1332	Stacey Whittaker	Direct Deposit	0.00
Deposit	03/04/2021			Deposit	400.00
Check	03/04/2021		Voya	Payroll expense	-689.03
Check	03/04/2021	5380	JK Belz & Associates	Lobbyist	-2,000.00
Deposit	03/05/2021			Deposit	400.00
Deposit	03/05/2021			Deposit	400.00
Deposit	03/06/2021			Deposit	500.00
Deposit	03/07/2021			Deposit	250.00
Deposit	03/08/2021			Deposit	500.00
Check	03/08/2021	5381	Puliz Records Management Ser	Records storage	-45.00
Deposit	03/09/2021			Deposit	275.00
Deposit	03/10/2021			Deposit	300.00
Check	03/10/2021			Merchant fees	-320.11
Deposit	03/11/2021			Deposit	250.00
Deposit	03/12/2021			Deposit	250.00
Deposit	03/13/2021			Deposit	275.00
Deposit	03/15/2021			Deposit	250.00
Check	03/15/2021	5382	Information Technology	Telephone expense	-2.73
Check	03/15/2021	5383	A T & T	Telephone expense	-151.60
Liability Check	03/16/2021	E-pay	US Treasury	Payroll expense	-3,302.02
Deposit	03/16/2021			Deposit	300.00
Liability Check	03/17/2021		QuickBooks Payroll Service	Payroll expense	-459.64
Deposit	03/17/2021			Deposit	675.00
Paycheck	03/18/2021	DD1333	Stacey Whittaker	Direct Deposit	0.00
Deposit	03/18/2021			Deposit	500.00
Check	03/18/2021		Voya	Payroll expense	-689.03
Deposit	03/19/2021			Deposit	1,787.50
Deposit	03/20/2021			Deposit	25.00
Deposit	03/21/2021			Deposit	825.00
Deposit	03/22/2021			Deposit	250.00
Deposit	03/23/2021			Deposit	1,100.00
Deposit	03/24/2021			Deposit	25.00
Check	03/24/2021		A T & T	Telephone expense	-44.53
Deposit	03/25/2021			Deposit	525.00
Check	03/25/2021		Wells Fargo	Copier lease, GoDaddy, Office 3	-306.93
Deposit	03/27/2021			Deposit	750.00
Deposit	03/28/2021			Deposit	400.00
Deposit	03/29/2021			Deposit	1,225.00
Check	03/29/2021		Charter	Internet services	-104.97
Liability Check	03/31/2021		QuickBooks Payroll Service	Payroll expense	-5,877.27
Deposit	03/31/2021			Deposit	875.00
Deposit	03/31/2021			interest income	1.70
Total Wells Fargo Bank - Checking					-19,457.32
TOTAL					-19,457.32

Q1 In the past 2 years, have you used telehealth technology to provide OT services?

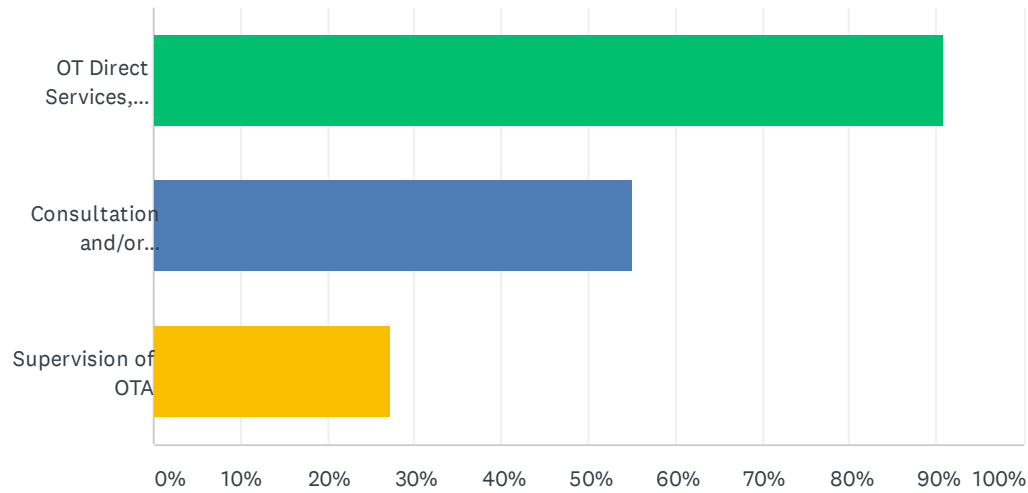
Answered: 279 Skipped: 0



ANSWER CHOICES		RESPONSES	
Yes		47.31%	132
No		52.69%	147
TOTAL			279

Q2 If yes, select all that apply

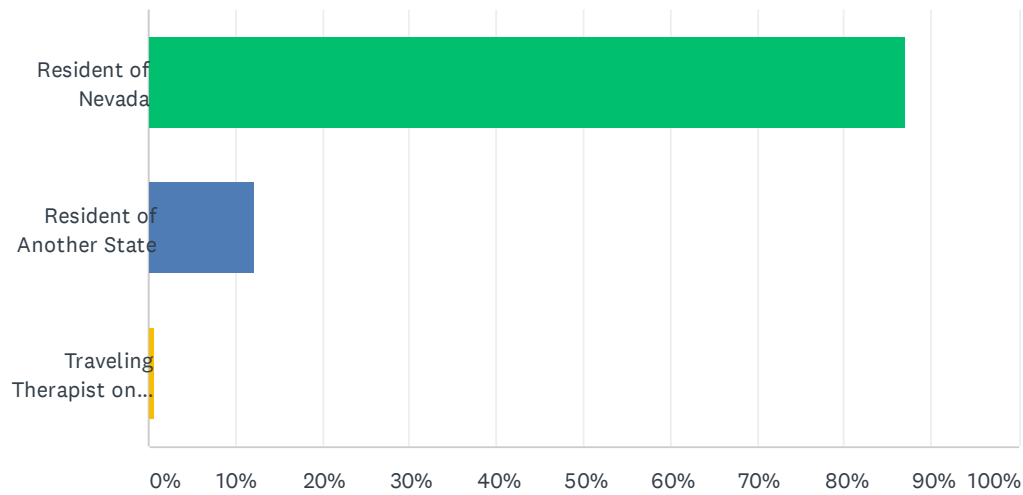
Answered: 140 Skipped: 139



ANSWER CHOICES	RESPONSES	
OT Direct Services, Assessment, Evaluation	90.71%	127
Consultation and/or Monitoring	55.00%	77
Supervision of OTA	27.14%	38
Total Respondents: 140		

Q3 Please indicate your residency status

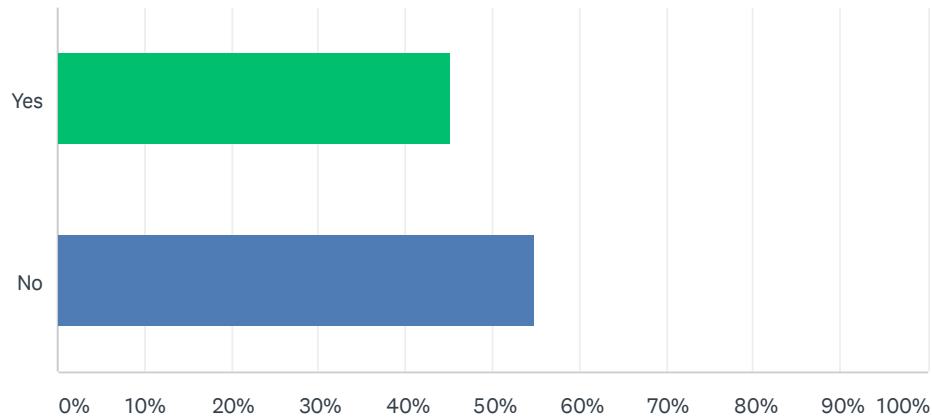
Answered: 278 Skipped: 1



ANSWER CHOICES	RESPONSES	
Resident of Nevada	87.05%	242
Resident of Another State	12.23%	34
Traveling Therapist on Temporary Assignment in Nevada	0.72%	2
TOTAL		278

Q4 Do you intend to add or expand the use of telehealth in the future?

Answered: 276 Skipped: 3



ANSWER CHOICES	RESPONSES	
Yes	45.29%	125
No	54.71%	151
TOTAL		276

State of Nevada
Board of Occupational Therapy

6170 Mae Anne Ave., Suite 1, Reno, Nevada 89523
Phone (775) 746-4101 / Fax (775) 746-4105 / Website www.nvot.org

AGENDA ITEM 12: Report from Board Chair
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2021 / 2022 Meeting Schedule

Regularly Scheduled Meetings

Calendar Year 2021	Topics/Comments
August 21	Legislative Impact NBCOT Presentation
November 6	Regulation Hearing & Adoption
Calendar Year 2022	Topics/Comments
January 29	Regular Meeting
<i>April 29-30</i>	<i>Strategic Planning Retreat – Las Vegas</i>
August 20	Biennial Budget
November 5	Audit Report Approval

Future Agenda Items

Strategic Planning Retreat
OT Compact

Comments from Board Members