



STATE OF NEVADA
BOARD OF OCCUPATIONAL THERAPY

NOTICE OF PUBLIC MEETING

July 16, 2022 – 9:00 a.m.
Board of Occupational Therapy
Administrative Office
6170 Mae Anne Ave. Suite 1
Reno, NV 89523

ZOOM Access:

<https://us06web.zoom.us/j/84586117182?pwd=VFRGcFJQdGIUMUwyb0JOOUtJbDdzUT09>

Meeting ID: **845 8611 7182**
Passcode: **810788**
Telephone Audio Only: **(253) 215-8782**

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.

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1. Call to Order, Introduce Board Members, 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 May 14, 2022 (for possible action)
4. Disciplinary Matters - Request for Release from Probation (for possible action)

- Michel Rantissi, OT License No. 0662; Case No. C20-07 & C20-08

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)

- Tania Stegen-Hanson OTR, License No. 0417

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)

6. National Board for Certification in Occupational Therapy Presentation (informational)
 - Robyn Otty, OT, NBCOT State Ambassador
 7. Executive Director's Report / Board Policies & Procedures (for possible action)
 - Personnel Policies and Procedures Revisions
 - Operating Policies and Procedures Revision – Bad Debts
 - Recommendation to Write Off Bad Debts at June 30, 2022
 - Financial Statements as of May 31, 2022
 8. Reserve Funds Status; Approval of FY 2023/2024 Biennial Budget (for possible action)
 9. Legislative Interim Report – Belz & Case Government Affairs (informational)
 10. Discussion and Consideration of Bill Language to be Presented at the 2023 Session of the Nevada Legislature (for possible action)
 11. Discussion of New and/or Revision of Regulations (for possible action)
 - Standards of Practice - General Requirements, Specialty Practice
 - Continuing Education –NBCOT Certification as meeting requirements
 12. Report from Deputy Attorney General (informational)
 13. Board Activities & Reports from Members (for possible action)
 - Appointment of Financial Reviewer
 14. 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)
15. 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.

This meeting has been posted at the Board of Occupational Therapy Administrative Office, 6170 Mae Anne Ave., Reno, NV 89523, on the Board of Occupational Therapy website www.nvot.org; and may also be accessed at the following websites: <https://notice.nv.gov/> - State of Nevada Public Notices

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.

Supporting materials 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

State of Nevada
Board of Occupational Therapy

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AGENDA ITEM 3 – APPROVAL OF MINUTES
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The minutes of the meeting of May 14, 2022 of the State Board of Occupational Therapy is presented for approval.

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



**STATE OF NEVADA
BOARD OF OCCUPATIONAL THERAPY**

**SUMMARY MINUTES
PUBLIC BOARD MEETING**

May 14, 2022

Members Present: Allison Stone, Elizabeth Straughan, Phil Seitz, Sol Magpantay
Members Absent: Mel Minarik
Staff Present: Loretta L. Ponton, Executive Director
Stacey Whittaker, Licensing Coordinator
Wayne Springmeyer, Investigator
Henna Rasul, Sr. Deputy Attorney General
Sophia Long, Sr. Deputy Attorney General
Public Present: Jeanette Belz, Melissa Raab, Candace Taylor, Meghan Pudeler AOTA, J.M. Trevino OT, Paula Cook NOTA

The full transcript of the meeting is attached and is incorporated herein by reference.

Call to Order, Confirmation of Quorum

Chair Stone, called the Board meeting to order at 3:05 p.m. A roll call confirmed a quorum was present.

Public Comments – Chair Stone opened public comments. There were no comments.

Approval of Minutes – Chair Stone called for approval of minutes.

Elizabeth Straughan made the motion, seconded by Phil Seitz to approve the minutes of the meeting of March 19, 2022.

The motion passed.

Disciplinary Hearing in Case No. C22-03, Jennifer Courtad, OT, License No. 0637

Sophia Long, Sr. Deputy Attorney General, Board Counsel provided a summary of the process for deliberations and decision making and answered procedural questions from the Board .

Loretta Ponton verified that Jennifer Courtad was not present for the Hearing.

Elizabeth Straughan disclosed she had a working acquaintance with Ms. Courtad and that she was the Board Chair at the time of the Summary Suspension. Ms. Long affirmed that Ms. Straughan would not be participating in the Hearing and confirmed a quorum was present.

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Henna Rasul, Sr. Deputy Attorney General, Prosecutor presented the State's case stating Ms. Courtad was arrested on criminal charges of statutory sexual seduction resulting in a summary suspension of her OT license and that her actions constitute unprofessional conduct.

Ms. Rasul affirmed that Ms. Courtad was properly noticed for the Hearing.

Ms. Rasul moved to enter Exhibits 1-9 into evidence. Chair Stone accepted Hearing Exhibits presented by Ms. Rasul into the record.

Ms. Rasul called witnesses Loretta Ponton, Wayne Springmeyer, Melissa Raab and Candace Taylor. All witnesses were properly sworn in and testified under oath.

Ms. Rasul concluded the State's case with recommendations for disciplinary action:

- Revocation of License for 10 years, the maximum allowable by law;
- Assessment of Legal Fees
- should she attempt to apply after the 10 years, she would need to submit proof to the board satisfaction that any and all court orders and stipulations related to the aforementioned case in Clark County, Las Vegas Justice Court; Including, but not limited:
 - to completion of any applicable terms of incarceration,
 - completion of any applicable terms and conditions related to parole, and or probation,
 - completion of any applicable counseling, treatment and or psychiatric services,
 - completion of any applicable community service,
 - completion of any applicable educational programs, and
 - payment in full related to any legal parole and or probation costs affiliated with Courtad case in justice court.
- After meeting items stipulated in the aforementioned, to the board satisfaction, the respondent may submit an application including the associated cost and fees for a new occupational therapy license and any other requirements as of that date.
- Courtad will not be eligible for licensure in the state via endorsement or reciprocity of any occupational therapy license held in any other state that has been revoked, suspended or disciplined within the previous five years.
- This new application would need to comply with any applicable NRS & NAC pertaining to criminal background checks including fingerprinting and any affiliated costs or fees pursuant to NRS 622.360, any positive criminal history resulting from the background check including any criminal history, during the period when Courtad was previously licensed by the board may be grounds to refuse her license application.
- If the board following its examination of Courtad accepts her occupational therapy application, her newly issued occupational therapy license will be placed on probation for three years.
- The board at the time of the approval of her application may by order of the board, establish any limitations or restrictions on her license or practice as an occupational therapist as may be determined by the board at the time of approval.
- Any actions taken by the board will be reported to the National Data Bank, and any other banks or data banks that are required by law, the National Board For Certification In Occupational Therapy and American Occupational Therapy Association.

Sophia Long, Board counsel, advised the Board they will consider four separate items requiring a vote:

- Ms. Courtad was given proper legal notice of the Hearing;
- Whether Ms. Courtad was in violation of the single count in the Complaint;

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- Whether to assess discipline as recommended by Ms. Rasul or something different; and
- Award of Attorney's fees.

After discussions and review of evidence presented, Chair Stone called for a motion.

Phil Seitz made the motion, seconded by Sol Magpantay that Ms. Courtad was given proper legal notice. The motion passed.

Sol Magpantay made a motion that it was proven Ms. Courtad was in violation as stated in Count 1 of the Complaint. Phil Seitz seconded the motion.

Discussion:

Sol Magpantay stated she is in violation with inappropriate sexual relationship with a minor as evidenced by testimony of Ms. Raab and Ms. Taylor.

Phil Seitz stated she is in violation as evidenced by the testimony of Candace Taylor and the mother as well as the exhibits that were presented in the case.

Allison Stone stated there was quite a bit of evidence provided, both written and in the testimony that overwhelmingly shows an inappropriate relationship with the juvenile.

Chair Stone called for a vote.

The motion passed.

Phil Seitz made a motion to accept counsel's recommendations for disciplinary sanctions. Sol Magpantay seconded the motion.

Sol Magpantay made the motion to assess attorneys fees, fees are reasonable, necessary and actually occurred for the amount of \$4,120 plus one and one-half hours for services of Henna Rasul and Sophia Long. Phil Seitz seconded the motion.

The motion passed.

Disciplinary Matters – Recommendation for Dismissal – Chair Stone called for a motion.

Sol Magpantay made the motion, seconded by Elizabeth Straughan to dismiss Complaint Case C22-02.

The motion passed.

Legislative Report – Jeanette Belz, Belz and Case Government Affairs was introduced and provided an interim report on legislative items of interest including interim committee proceedings. Ms. Belz highlighted the Interim Commerce and Labor Committee stating the Director of DETR mentioned working with the Governor's office to elevate its priorities specifically relating to occupational licenses; the Governor mentioned in the state of the state address earlier this year that he was going to put together a bipartisan task force to further reduce red tape; and meetings relating to veterans and veterans affairs in which it was mentioned the Governor's task force would be examining issues related to veterans and their spouses.

Ms. Belz reported the Governor will be suspending the emergency declaration as of May 20 and that several legislative races will be decided in the June 14th primary elections.

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Discussion of Bills to be Presented at the 2023 Session of the Legislature – Chair Stone turned this item over to Loretta Ponton to present.

Loretta Ponton explained the purpose of this item is to determine the direction the Board wishes to take on potential legislation at the next Legislative Session in regards to the OT Compact, and/or other law revisions and provide direction to staff on where to put their efforts. The presentation outline is as follows:

Occupational Therapy Licensure Compact

The national Occupational Therapy Licensure Compact (OT Compact) has established eligibility requirements for States to become members of the OT Compact. As of April 22, 2022, there are nineteen (19) states who are members of the Occupational Therapy Compact. The first meeting of the OT Compact Commission is scheduled for August 2022. It will take 1-2 years for full implementation of the OT Compact.

It should be noted that Nevada has “independent” licensing boards; wherein other States’ licensing boards are not independently operated or funded and fall under the governance of a state agency.

Currently, the biggest barrier to Nevada becoming a Member State is that Nevada does not currently meet the eligibility criteria as Nevada does not require criminal background checks.

A survey was conducted of all current licensees to solicit interest in “compact privilege” through the OT Compact. The response rate was 3.3% of current licensees.

Legislation, a Bill, would be required to be introduced and pass for Nevada to join the OT Compact. In addition, Nevada would be required to implement fingerprint background checks. At the request of the Board, AOTA’s Kristen Neville compiled a report on States’ criminal background check requirements. Twenty-two (22) states require background checks; twenty-eight (28) do not. It is unclear whether background check authority must be in place prior to joining the OT Compact or whether the authority can be added later (would require legislative action).

Current Licensing System

Our current on-line application process is very expediate, with applications being reviewed, approved, and issued normally within 3 business days. The Stakeholder Survey indicated that expediency is very important and that our current licensing system is working well.

If the criminal background check is required, additional revisions would be proposed to the temporary license to enable practice while pending results of the criminal background check. Revisions and enhancements to our licensing data system would be required for both the OT Compact legislation “privilege to practice” and the “temporary license” requirements.

With the alternative “reciprocity” provisions, minimal revisions to the licensing system would be required.

The OT Compact will be establishing their own data system which will require additional reporting to the Compact Commission including disciplinary actions, licensee status among other elements to be determined by the Commission. Compact reporting may require additional enhancements to the Nevada licensing system.

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Costs and Fees

By law, NRS 640A.100 3. The expenses of the Board and members of the Board, and the salaries of its employees, must be paid from the fees received by the Board pursuant to this chapter, and no part of those expenses and salaries may be paid out of the State General Fund.

The compact “privilege to practice” is obtained from the Compact, a state fee can be included which is minimal averaging about \$50 in other professional compacts. The practitioner is not required to obtain a full “license” in Nevada and does not apply in Nevada. The compact privilege is active if the individual retains their home state license. There is no additional “renewal” fee for a compact privilege. The fiscal impact to Nevada would be the loss of revenue from practitioners who work primarily in telehealth and temporary traveling positions – non-residents of Nevada.

The OT Compact Commission may assess each compact member state an amount to be determined by the Commission to cover the costs of the Commission. For reference only, the Psychology Compact has assessed \$90 per compact privilege issued for Nevada.

Nevada has 372 current practitioners with out-of-state residential addresses; 108 of which are new licensees this fiscal year. If 50% of those new licensees were to apply for compact privilege, the resulting revenue loss would be projected at \$21,000 in initial license fees annually not considering subsequent loss of renewal fees. An additional Compact Commission fee charge would also be incurred.

The long-term impact cannot be projected at this time. The Board may be required to re-consider biennial licenses by reverting to annual licenses or adjust license fees to cover the loss of revenue and costs associated with OT Compact participation.

Alternative Legislation in Lieu of Occupational Therapy Compact

Reciprocity - Presented for discussion and consideration was an alternative to joining the OT Compact which would not require the criminal background check. An OT practitioner who holds a license in an OT Compact state could apply for a Nevada license by reciprocity. This new provision would supplement the current license by endorsement provisions in NRS 640A.165 and NRS 640A.166 (military affiliated).

NBCOT Certification, verification of license status and Nevada jurisprudence exam would still be required for all applicants.

Board Discussion:

Phil Seitz inquired whether background checks are being required by employers. Ms. Ponton responded some employers do require background checks however, they may not be the FBI background check.

Phil Seitz questioned whether the changes would come at a cost to the licensee, that additional costs would ultimately be passed down to the therapists.

Phil Seitz stated an understanding of what the intent is with reciprocity and OT Compact, in relation to travelers and telehealth, but questioned the applicability to State of Nevada therapists.

Sol Magpantay commented there are three options; stay the same, do endorsement and reciprocity, or the OT compact. She stated we remain the same or go for compact because endorsement and reciprocity will be the same process as the compact. Phil Seitz did not agree.

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Loretta Ponton clarified that endorsement is already in our law; however we don't use it as we give expedited processing to all applicants whether they are licensed in another state or not. Same with reciprocity, we already have expedited processing, one to three days.

Ms. Ponton added however, we have to look at the emphasis of the legislature at the legislative session and the concerns that are being expressed on barriers to employment and barriers to licensure that are being looked at by the state legislature, by the legislative committees, by the governor's office; they target veterans and they target the military. We're ahead of the game because we've already addressed all of that.

However, it doesn't say that we're already doing it in our law. If we use the word reciprocity, even though it would have no real effect in the way we process applications and licenses get issued, it is something that the legislature would be very happy with to say, "look what we've done. We are addressing reciprocity in the state of Nevada and we're addressing barriers to licensure by granting reciprocity".

So it's really two things. One is the perception from the outside looking at us and the other is the reality that we give everybody equal treatment, no matter what they do, where they come from or what their affiliation is. That is our goal as the Board of Occupational Therapy, that everybody is equal in being able to obtain their license in a quick and efficient manner. But then you look at the legislators, they're looking from the outside and remember, it's not just our board. They're looking at all of the boards and we would get lumped in. If the legislature does something to address a problem they may have with a dental board, they may throw in all the licensing boards. We want to be able to have something that says, look, we've already addressed that problem. It's right here in our law. See, we've addressed that, you don't need to do anything else with us. If they can't see it in writing, then they don't believe it.

Sol Magpantay commented if one of the OTs from Nevada wants to be a consultant in one of the compact states, then it'll benefit that OT.

Loretta Ponton responded, for Nevada to be a compact state, you would benefit if you wanted to go to another compact state. But any practitioner can obtain a single state license in any state. You don't have to do the privilege to practice. So if you wanted to go do telehealth in Utah, you can always apply to Utah for their license.

Sol Magpantay commented I have a California license and if I renew my license here and I renew my license there and my NBCOT, that's a thousand dollars total. And then my AOTA membership. But if Nevada is part of the compact and, let's say from Colorado, which is part of the compact state I wanted to practice here, because remember we don't have enough OTs that will serve the rural areas for telehealth. So let's say an OT from Colorado, who's part of the compact state who will give a telehealth service in the rural Nevada then it'll benefit them. I'm not thinking of Las Vegas and Reno. I'm thinking of the rural areas that are not rich by other OTs.

Loretta Ponton responded that is the benefit of the compact.

Elizabeth Straughan stated the problem is that person doesn't get a Nevada license. We miss funding, but what do we do if that person does something inappropriate in the state of Nevada with their compact license? I don't know what kind of control we have then. And if they're not licensed, we're not getting the money to actually have the cash to prosecute or whatever, too.

Sol Magpantay asked if the OT Compact Commission would have it. It'll be under them?

Loretta Ponton responded they have to have a current home state license. So if they live in California and California is a compact state, they have to maintain that license. And they have to do the continuing

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education and whatever requirements it is for that state where they have a home state license. If Nevada was then a member as a compact state and they wanted to work in Nevada, they would just ask for a privilege to practice from the compact commission and pay a small fee to the compact commission.

They would be eligible to practice in the state of Nevada by telehealth or temporary license, or whatever they wanted to come over here. If there was a disciplinary issue come up, we would still be responsible for following our disciplinary process and reporting that process to the compact commission and most likely the home state, but we would still incur those costs of that disciplinary process, the investigation and everything else to make that determination. But then that would fall back to the compact... My understanding is, and again, it's so early, I'm not sure how it's going to work. They have to develop the system, the actual disciplinary action. We can't take discipline against a compact privilege. It would go to the commission or their home state. So there's a process that needs to be worked out there. And of course that would then be additional costs to our board also.

Sol Magpantay asked about payment of attorney's fees by the person who had disciplinary actions. They're the one who's going to pay the attorneys fees. However, the investigation, can it be through the fine that they had?

Loretta Ponton responded we can assess legal fees. Doesn't mean that we collect them. We have accounts receivable out there from disciplinary actions where people never pay. The legal fees would come back to us to offset our costs of paying the AG's office for the prosecution. That's why they give us the actual cost. We don't make any money from it at all. And we don't assess fines. We don't have that authority to assess a fine, but if we have the authority to assess a fine, then that fine would go to the state of Nevada. We still wouldn't be able to keep it; it's just a wash for us. It's a cost in not just legal fees, but in your own staff and operational cost of the investigator to investigate, we can't recoup the cost of the investigator. Only the legal fees.

Allison Stone stated this is something I've been kind of back and forth with for the last couple years, thinking about it, our state, one of my, or a couple of my thoughts, and maybe this is a question too. I hate jumping into something without really seeing what they're going to do; without knowing the compact laws and rules and us enacting legislation based on a suspicion of what may happen. Is it something that we have to commit to now, or this can be joined at any time, once they kind of have a plan?

Loretta Ponton responded we can join at any time, it's effective now, but again, it takes legislation. We have an opportunity every two years to bring forth legislation. If you would like to push this down the road, we can see how the compact commission comes up with their laws and what their rules will be, what their data systems will be; we could join in two years or we could join in four years. It's not something that we absolutely have to do right now because it's really not even up and running yet. We don't have those answers.

Allison Stone commented, I really like the idea of the reciprocity for now. Because that's been a big focus of our legislature in the last couple years. I think starting with something like that, so we at least have that in writing, but I also think the boards have been under exam so much within the Nevada legislature. I also don't know where that's going to go in the next two to four years, who knows what they're going to do and what's going to happen. I'm definitely not saying no to compacts, but I would definitely like to see where they go with this before we commit to something and not understand the full financial implications or how it's going to affect us or all of these questions that everyone's brought up for sure.

Sol Magpantay stated there's no board yet in Nevada that has been legislated to be part of a compact, am I right? Like nursing board is not part of a compact.

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Loretta Ponton responded, no. The Nursing board has put forth legislation to join the compact and it has not passed. There's psychology and it's limited to telehealth and temporary licensees, there's the medical board which has a compact and that's medical and osteopath board but I think that's the only one. Medical board is the only one that's really operating.

Sol Magpantay asked if the PT Board was in a compact or if they are still undergoing legislation. Loretta Ponton responded they want to join the PT compact, but this will be the third legislative session they put forth their PT compact to be passed. It has not passed in the last four years.

Sol Magpantay stated only the medical board and the psychology board. We'll just wait and see if they get approved before we do anything. It could take years anyway. And have the OT compact commission up and running first?

Allison Stone stated, that's kind of what I think, too. Give them a chance to figure it out and then see if it works for us and if we can fit into it.

Loretta Ponton concluded, am I hearing a consensus that we're not going to move forward with the full OT compact at this point? Do you have any feelings for whether you want to add the reciprocity provisions and the other small changes that we had to our bill? Shall we move forward with that and see... No guarantee it will go through, but we can try. There's no guarantees with any type of legislation, but if we're going to do it, we need to get working on it now.

Elizabeth Straughan commented, I would say "yes".

Allison Stone asked if a motion is needed.

Loretta Ponton responded, I think you should make a motion to have us move forward with a legislative packet to be brought back to the board. To include the reciprocity provisions and any other recommended changes to NRS.

Elizabeth Straughan made a motion to move forward with a legislative packet to be brought back to the Board to include reciprocity provisions and any other recommended changes to NRS. Sol Magpantay seconded the motion.

The motion passed.

Chair Stone recognized Meghan Pudeler, AOTA as requesting to provide public comments.

Ms. Pudeler stated she would like to correct some statements on the Compact; on costs, the person would pay a small fee to the Compact and a privilege fee amount would be set by the State Board; the privilege fee would also be paid at renewal, it's not a one-time only fee.

Ms. Pudeler commented licensees have the option to join the compact; it would be helpful for Nevada if a licensee wanted to work outside the state, the cost and they also would only have to do continuing education requirements for their home state, they don't have to track multiple renewal periods.

Ms. Pudeler commented on background checks which would only be required for those seeking a compact privilege, it wouldn't apply to all licensees and there would be a sharing of information on disciplinary actions.

Ms. Pudeler volunteered to have the Counsel on State Governments do a presentation to explain how it works in other states.

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Ms. Pudeler indicated she was confused on how reciprocity would work; it sounds like it would help people coming into the state but not for current Nevada licensees; the Compact would have been very helpful during the pandemic to address continuity of care issues.

Elizabeth Straughan questioned Ms. Pudeler on how many boards are freestanding as opposed to in a state structured setting. Ms. Pudeler stated she doesn't have an exact number but can get back with us.

Executive Director's Report – Loretta Ponton referred the members to the written report provided in the board's packet including the financials as of March 31st. Ms. Ponton reported license fees were impacted due to the COVID provisions and lower new applicants resulting in revenue projected to be under budget by up to \$25,000.

Ms. Ponton reported one new complaint case being received and the random audit of continuing education has begun with 211 licensees selected for audit. Of those, 113 had CE documentation uploaded to the records which were desk audited and 98 audit notices have been sent.

Ms. Ponton thanked Sol Magpantay for continuing in a carry-over position on the Board, stating 2 other members' positions will be expiring in December 2022.

Revision of Regulations – Chair Stone tabled this agenda item to the next meeting.

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

Board Activities and Reports – Chair Stone tabled the appointment of the Board Financial Reviewer to the next meeting. No other reports were presented.

Public Comment – Chair Stone opened the floor for public comments.

Paula Cook thanked the Board for the work so far on the Compact and the survey. Ms. Cook commented the survey showed a lot of support for keeping licensing expedient but there was also support for background checks as well. NOTA also did a survey which indicated a lot of interest in the Compact. Ms. Cook volunteered to have NOTA host a presentation from AOTA to learn more of the nuts and bolts about it before the Board makes a decision.

Chair Stone asked if there were further comments.

Sol Magpantay commented she will be attending the May 25th AOTA conference.

Meghan Pudeler clarified the May 25th event is the state regulatory forum about ethics. Ms. Pudeler reaffirmed support for hosting a webinar for the board in conjunction with NOTA with the council of state governments to answer questions on the Compact.

Adjournment – Chair Stone adjourned the meeting at 5:22 p.m.

State of Nevada
Board of Occupational Therapy

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AGENDA ITEM 4: Disciplinary Matters
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Request for Release from Probation

Michel Rantissi, OT
License No. 0662
Case No. C20-07 & C20-08

Mr. Rantissi, OT entered into a consent decree, approved by the Board on May 23, 2020, wherein Mr. Rantissi's license No. 0662 was placed on probation for 2 years subject to specified terms and conditions, including but not limited to payment of legal fees, periodic psychological evaluations, completion of continuing education, implementation of service protocols and patient consent documents.

Mr. Rantissi has complied with all terms of the Consent Decree and has requested release from probation.

Attachment
Consent Decree in Case C20-07 & C20-08

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

3 IN THE MATTER OF

4 MICHEL S. RANCISSI, OT.,
5 License No. 0662

Case Nos.: C20-07 and C20-08

6 Respondent,

7 **CONSENT DECREE**

8 The STATE OF NEVADA BOARD OF OCCUPATIONAL THERAPY (“BOARD”)
9 having jurisdiction over licensee, MICHEL S. RANCISSI (“RESPONDENT”), OT.,
10 License No. 0662, pursuant to NRS 640A.010; accusations against said licensee having
11 been received and a Complaint and Notice of Hearing was filed on March 13, 2020,
12 (collectively “Board Complaint”) in the above-referenced matter alleging violations of the
13 Nevada statutes and regulations controlling the practice of occupational therapy; and the
14 parties being mutually desirous of settling the controversy between them relative to the
15 Board Complaint;

16 IT IS HEREBY STIPULATED AND AGREED between the undersigned parties that
17 this matter shall be settled and resolved upon the following terms:

18 **JURISDICTION**

19 RESPONDENT acknowledges the BOARD has jurisdiction over him and the conduct
20 alleged in the Board Complaint that has precipitated this Consent Decree. RESPONDENT
21 acknowledges that the BOARD has the legal power and authority to take disciplinary
22 action relative to his OT license, including, but not limited to, the revocation of his license
23 to practice occupational therapy in Nevada.

24 RESPONDENT acknowledges that the BOARD will retain jurisdiction over this
25 matter until all terms and conditions set forth in this Consent Decree have been met to the
26 satisfaction of the BOARD.

27 ///

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1 referenced by either party for any matter, including at any subsequent disciplinary hearing
2 conducted by the BOARD regarding the Board Complaint or any amended Board
3 Complaint. In the event the BOARD does not approve, accept and adopt the terms
4 covenants and conditions set out in this Consent Decree, this Consent Decree shall be null,
5 void, and of no further force and effect except as to the above-referenced covenant and
6 agreement regarding disqualification of adjudicating BOARD members.

7 **CONTINGENCY**

8 By signing the Consent Decree, RESPONDENT understands and agrees that he may
9 not withdraw his agreement or seek to rescind the Consent Decree.

10 The parties understand and agree that facsimile or electronic copies of this Consent
11 Decree, including facsimile signatures thereto, shall have the same force and effect as the
12 originals.

13 This Consent Decree is intended to be an integrated writing representing the
14 complete, final, and exclusive embodiment of their agreement. It supersedes any and all
15 prior or contemporaneous agreements, understandings, discussions, negotiations, and
16 commitments (written or oral). This Consent Decree fully and completely resolves all
17 matters that have or may be alleged by the BOARD against RESPONDENT with regards
18 to the Board Complaint and the SUMMARY SUSPENSION that went into effect as of
19 5:00 p.m. on October 8, 2019.

20 **INDEMNIFICATION**

21 RESPONDENT, for himself, his heirs, executors, administrators, successors and
22 assigns, hereby indemnifies and holds harmless the State of Nevada, the BOARD, the
23 Nevada Attorney General's office and each of their members, agents and employees in their
24 individual and representative capacities against any and all claims, suits, demands,
25 actions, debts, damages, costs, charges, and expenses, including court costs and attorney's
26 fees against any persons, entities, as well as all liability, losses, and damages of any nature
27 whatsoever that the persons and entities named in this paragraph shall have or may at

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1 any time sustain or suffer by reason of this investigation, this disciplinary action, this
2 settlement or its lawful administration.

3 The admissions made by RESPONDENT herein are only for the purposes of this
4 proceeding, or any other proceedings in which the Nevada State Board of Occupational
5 Therapy is involved and shall not be admissible in any criminal, civil, or other
6 administrative and/or regulatory proceeding.

7 **STIPULATED FACTS AND CONCLUSIONS OF LAW**

8 RESPONDENT understands the nature of the allegations under consideration by
9 the BOARD. He acknowledges that the conduct described below may constitute violations
10 of the Nevada Occupational Therapy Practice Act (NRS and NAC 640A). He acknowledges
11 that if this matter were to be taken to a disciplinary hearing before the BOARD, the
12 BOARD believes the allegations contained in the complaint could be proven by
13 preponderance of the evidence and that by acknowledging the same, RESPONDENT is
14 subject to disciplinary action by the BOARD.

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

17 2. RESPONDENT was licensed as an occupational therapist on or about
18 March 5, 2003, through October 8, 2019.

19 3. On or about September 10, 2019, the BOARD received an informal complaint
20 against RESPONDENT alleging various instances of sexual misconduct with patients
21 while complainant was training with him.

22 4. RESPONDENT acknowledges that on or about October 4, 2019 the BOARD
23 received information from the Nevada Physical Therapy Board indicating Respondent was
24 arrested on October 3, 2019, on the following criminal charges: SEXUAL ASSAULT
25 pursuant to NRS 200.366 and OPEN/GROSS LEWDNESS, 1st, pursuant to
26 NRS 201.210(1)(a).

27 5. RESPONDENT acknowledges that on October 8, 2019 the BOARD, through
28 its Chair, in the interest of public health, safety, and/or welfare, pursuant to NRS 233B.127,

1 issued a SUMMARY SUSPENSION that went into effect as of 5:00 p.m. on October 8, 2019
2 (“Summary Suspension”).

3 6. On or about October 17, 2019, the BOARD received a second informal
4 complaint against Respondent alleging various acts of sexual misconduct.

5 7. On or about December 12, 2019, all above-referenced criminal charges against
6 RESPONDENT were subsequently dismissed.

7 8. On or about October 4, 2019 the BOARD received information from the
8 Nevada Physical Therapy Board indicating Respondent disclosed that he pled to two (2)
9 battery misdemeanors which he did not disclose to the Board of Occupational Therapy on
10 his licensure application dated January 23, 2003.

11 **CONSENT TO ENTRY OF CONSENT DECREE**

12 **NOW THEREFORE**, in order to resolve this matter and all charges alleged by the
13 BOARD in the above-referenced Board Complaint, the Summary Suspension, and any and
14 all matters relating to and any and all matters that may be charged by the BOARD by
15 virtue of or in connection with the above-referenced allegations in the Board Complaint or
16 Summary Suspension, RESPONDENT and the BOARD hereby agree to the following
17 terms, covenants and conditions.

18 RESPONDENT concedes that the BOARD has sufficient evidence to proceed with
19 its above-referenced formal Board Complaint against him but RESPONDENT does not
20 concede or admit to such allegations, which he expressly denies, and which, but for his
21 desire to reach this compromise, he would contest at a formal hearing of these matters (i.e.,
22 the Board Complaint). Accordingly, in order to resolve these matters without incurring
23 further costs and expense of providing a defense to the formal Board Complaint,
24 RESPONDENT hereby agrees that the BOARD may issue an order by way of the Consent
25 Decree finding that RESPONDENT engaged in conduct that is grounds for discipline
26 pursuant to the Nevada statutes and regulations controlling the practice of occupational
27 therapy, and agrees:

28 ///

1 1. The BOARD may find may find that RESPONDENT engaged in conduct that
2 is grounds for discipline pursuant to NRS 640A.200, to wit: That RESPONDENT did not
3 disclose two (2) battery misdemeanors in 2000 on his BOARD application for licensure
4 dated January 23, 2003, which is a violation of NRS 640A.200(4)(a).

5 2. The BOARD may find that RESPONDENT engaged in conduct that is
6 grounds for discipline pursuant to NRS 640A.200, to wit: On September 5, 2019, a massage
7 therapist, JW, stated to complainant that RESPONDENT was working on her in one of the
8 exam rooms when some things may have crossed the line. This made her scared and
9 uncomfortable, which is a violation of NAC 640A.350(7).

10 3. The BOARD may find that RESPONDENT engaged in conduct that is
11 grounds for discipline pursuant to NRS 640A.200, to wit: RESPONDENT ordered a male
12 dancer to perform at his clinic for his wife on their 15th wedding anniversary while patients
13 were present, encouraging staff and patients to watch on the security cameras, which is a
14 violation of NAC 640A.350(7).

15 4. That pursuant to Nevada Revised Statute NRS 640A.200(1):

16 The Board may, after notice and a hearing as required by law,
17 suspend, revoke or refuse to issue or renew a license to practice
18 as an occupational therapist or occupational therapy assistant, or
19 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.

20 5. That pursuant to Nevada Administrative Code (NAC) 640A.361 provides:

21 If the board determines that an occupational therapist or
22 occupational therapy assistant is guilty of unprofessional conduct
23 pursuant to NRS 640A.200 and does not suspend or revoke his
license, the board will impose, as it deems appropriate, one or
more of the following conditions on the use of that license:

24 (1) The acceptance of a public reprimand administered by the
board;

25 (2) Probation for a specified period or until further order of the
board;

26 (3) Restrictions or limitations on the scope of the licensee's
practice;

27 (4) The successful completion of a program of remedial
education or treatment approved by the board;

28 (5) Supervision of the professional work of the licensee by a

person approved by the board;

(6) The repayment to a patient of all money collected by the licensee in connection with the unprofessional conduct;

(7) The successful completion of a physical or mental examination or an examination testing the competence of the licensee; or

(8) Such other disciplinary action as the board considers necessary and appropriate.

STIPULATED ADJUDICATION

RESPONDENT stipulates that pursuant to the authority of NRS 640A.200 and NAC 640A.361, the BOARD, Respondent's license shall be SUSPENDED from the date of his Summary Suspension issued on October 8, 2019, until adoption of this Consent Decree by the BOARD.

Upon adoption of this Consent Decree by the BOARD, RESPONDENT agrees to be placed on probation for a period of two (2) years, pursuant to the following terms and conditions:

1. Within forty-five (45) days of the BOARD approval and execution of this Consent Decree, RESPONDENT shall pay ten thousand four hundred thirty-four and 73/100 dollars (\$10,434.73) to the BOARD for attorney's fees and costs. RESPONDENT may pay the above-stated fees by way of a payment plan prepared by the BOARD, on the condition that the payment plan is set up with the BOARD within forty-five (45) days from the date of the approval and execution of this Consent Decree.

2. RESPONDENT shall submit to a forensic psychological/psychiatric evaluation to determine fitness to practice occupational therapy. The evaluation must be completed by a forensic psychologist/psychologist unrelated to RESPONDENT by way of family/friendship and prior to the end of suspension period. The forensic psychological/psychiatric evaluation report shall be submitted to the BOARD within fifteen (15) days of the completion of the evaluation. If the forensic psychological/psychiatric evaluation determines Respondent is not fit to practice, Respondent's license to practice occupational therapy shall be immediately revoked for a period of two (2) years. Thereafter Respondent shall have the right to petition the BOARD for reinstatement.

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1 3. RESPONDENT shall complete ten (10) hours of BOARD approved Continuing
2 Education in ethics and ethical conduct. Documentation of completion of continuing
3 education must be submitted to the BOARD within ninety (90) days of adoption of the
4 Consent Decree by the BOARD.

5 4. RESPONDENT shall complete two (2) hours annually of Board approved
6 Continuing Education in ethics and ethical conduct. Documentation of completion of
7 continuing education must be submitted to the BOARD on or before September 30th of
8 each year during the period of probation. The four (4) hours of continuing education
9 course(s) cannot be used towards continuing education already required for continued
10 licensure as an occupational therapist by the BOARD.

11 5. RESPONDENT shall submit to annual follow-up forensic
12 psychological/psychiatric evaluations to determine fitness to practice by a forensic
13 psychologist/psychiatrist unrelated to RESPONDENT by way of family/friendship. Each
14 psychological evaluation report shall be submitted to the BOARD within fifteen (15) days
15 of the completion of the evaluation due no later than April 30 of each year. If the forensic
16 psychological/psychiatric evaluation determines Respondent is not fit to practice,
17 Respondent's license to practice occupational therapy shall be immediately revoked for a
18 period of two (2) years. Thereafter Respondent shall have the right to petition the BOARD
19 for reinstatement.

20 6. During the period of probation, RESPONDENT shall work in his licensed
21 capacity in the State of Nevada and maintain an active Nevada OT license at all times.
22 RESPONDENT must timely renew his OT license each year.

23 7. RESPONDENT shall implement "Service Protocols" for his business,
24 Advanced Manual Therapy Institute, relative to RESPONDENT which require a minimum
25 of two (2) people to be present with RESPONDENT in a patient room/area when
26 RESPONDENT is performing procedures requiring removal of clothing or exposure of
27 private areas. This protocol shall be submitted to the BOARD office for approval within
28 sixty (60) days of the BOARD's approval and execution of this Consent Decree.

1 8. RESPONDENT shall prepare a written disclosure and consent document
2 explaining the exact nature of any intimate or private therapy techniques that must be
3 signed by RESPONDENT'S patient/client prior to receiving such therapy from
4 RESPONDENT and must be retained in the patient/client record. This document shall be
5 submitted to the BOARD office for approval within sixty (60) days of the BOARD's approval
6 and execution of this Consent Decree.

7 9. RESPONDENT shall obey all federal, state and local laws, and orders of the
8 BOARD, which are not inconsistent with this Consent Decree, pertaining to the practice of
9 occupational therapy in this State. Any and all violations shall be reported by
10 RESPONDENT to the BOARD in writing within seventy-two (72) hours.

11 10. RESPONDENT shall be financially responsible for all costs associated with
12 the forensic psychologist/psychiatrist. Any default in payments to the forensic
13 psychologist/psychiatrist shall be deemed as noncompliance with this Consent Decree and
14 possible grounds for additional disciplinary actions.

15 11. RESPONDENT will be financially responsible for all requirements of this
16 Consent Decree, including the cost of any reasonable financial assessments by the BOARD
17 for the cost of monitoring his compliance or carrying out the provisions of this Consent
18 Decree.

19 12. RESPONDENT shall receive credit toward service of his probation only while
20 employed as an occupational therapist in the State of Nevada.

21 13. After a minimum of two (2) years, RESPONDENT may apply to the BOARD
22 for termination of his probation and full reinstatement of his license number 0662.
23 RESPONDENT may be required to meet with the BOARD Chair or his/her designee, the
24 Executive Director and BOARD counsel for evaluation of his compliance with the Consent
25 Decree and for their recommendation on termination of probation, full reinstatement, or
26 additional disciplinary action at a separate hearing before the BOARD.

27 14. The BOARD reserves the right to reinstate legal action against
28 RESPONDENT and the Consent Decree shall automatically terminate, should

1 RESPONDENT materially violate any term in this Consent Decree or violate any Order or
2 Settlement entered into with any board he is licensed with, and his OT license shall be
3 suspended for one year, effective immediately.

4 **VIOLATION OF TERMS OF CONSENT DECREE**

5 RESPONDENT understands that the BOARD may, upon thirty (30) days notice to
6 RESPONDENT, convene a hearing for the limited purpose of addressing allegations he
7 has, in fact, been in violation of the terms of this Consent Decree. If such a hearing results
8 in a finding of a violation of this Consent Decree, the BOARD may impose any penalty upon
9 RESPONDENT authorized by NAC 640A.361, including, but not limited to, revocation of
10 his license to practice occupational therapy in the State of Nevada.

11 In the event a violation of the terms of the Consent Decree is alleged,
12 RESPONDENT agrees to surrender his license to the Executive Director if the Executive
13 Director so requests, and refrain from practicing occupational therapy until entry of a final
14 order of the BOARD or a court of competent jurisdiction, whichever last occurs, regarding
15 a potential violation of this Consent Decree. RESPONDENT agrees to waive his right to
16 appeal the substantive legal basis of the original disciplinary action, which is the basis for
17 this Consent Decree. In the event an alleged violation of the Consent Decree is taken to
18 hearing and the facts which constitute the violation are determined to be not proven, no
19 disciplinary action shall be taken by the BOARD.

20 **ACCEPTANCE BY THE BOARD**

21 This Consent Decree was presented and accepted by the BOARD with a
22 recommendation for approval from the Attorney General's Office at its next meeting.

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1 **COMPLETE CONSENT DECREE**

2 This Consent Decree embodies the entire agreement between the BOARD and
3 RESPONDENT. It may not be altered, amended, or modified without the express written
4 consent of the parties.

5 DATED this 11th day of May, 2020.

6
7 By: 

MICHEL S. RANTISSI, OTR.
License No. 0662
Respondent

8
9 DATED this 11th day of May, 2020.

10
11 By: 

12 JOHN A. HUNT (Bar No. 1888)
13 CLARK HILL PLC
14 3800 Howard Hughes Parkway, Suite 500
15 Las Vegas, Nevada 89169
16 Telephone: (702) 862-8300
17 Facsimile: (702) 862-8400
18 Email: jhunt@clarkhill.com
19 Attorneys for Respondent, Michel S.
20 Rantissi, License No. 0662

21 The foregoing Consent Decree between MICHEL S. RANTISSI and the STATE OF
22 NEVADA BOARD OF OCCUPATIONAL THERAPY in Case Nos. C20-07 and C20-08 is
23 approved as to form and content.

24 DATED this 11 day of MAY, 2020.

25 AARON D. FORD
26 Attorney General

27 By: 

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

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ORDER

By a majority vote on the 23 day of May, 2020, the State of Nevada Board of Occupational Therapy approved and adopted the terms and conditions set forth in the attached Consent Decree with MICHEL S. RANTISSI.

IT IS HEREBY ORDERED AND MADE EFFECTIVE.

DATED this 23 day of May, 2020

STATE OF NEVADA BOARD OF
OCCUPATIONAL THERAPY

By: Liz Sproughan OTR/L
Chair, Board of Occupational Therapy

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 5. Consideration of Reinstatement Application Practice Without Current License

Tania Stegen-Hanson OTR
License No. 0417

The Board received a License Reinstatement Application on June 22, 2022 requesting reinstatement of Ms. Stegen-Hanson's license as an Occupational Therapist, License No. 0417, originally issued June 15, 1998 through June 30, 2016. Her license was reinstated May 2, 2017 and was renewed timely in 2018 and was renewed late in 2020 for the two-year period ending May 1, 2022.

The reinstatement application and explanation provided by Ms. Stegen-Hanson indicates she continued practicing at Achievement Therapy Center without a current license in Nevada during the period her license was lapsed.

Pursuant to NRS 640A.230, a Cease-and-Desist letter dated June 23, 2022 was issued to Ms. Stegen-Hanson by email and sent via US mail, regular and certified. Ms. Stegen-Hanson was informed her application for reinstatement would be considered by the Board. A Waiver of Notice was received with notice of legal counsel representation by Mark S. Harris, Esq.

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
- Approve the Application;
- Approve the Application with conditions; or
- Deny the Application

Attachment

Reinstatement Application and Explanation
Cease and Desist letter
NRS 640A.230; NRS 640A.200 and NAC 640A.170
Waiver of Notice
Mark S. Harris, Esq. representing Ms. Stegen-Hanson



STATE OF NEVADA
BOARD OF OCCUPATIONAL THERAPY

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

LICENSE REINSTATEMENT APPLICATION

Nevada License #: 0417 Date Expired: 06/01/2022

Occupational Therapist Occupational Therapy Assistant

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

Legal Name: Stegen-Hanson
Mailing Address: 6760 W. Quail Ave. Las Vegas NV 89118
Street / P.O. Box City State ZIP
Social Security No.: REDACTED Contact Phone (702) 355-2846
E-mail Address: otfo mychild@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 # 990314
 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: _____ License #: _____ Issue Date _____ Expiration Date _____

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: Achievement Therapy Center

Business License #: 1000697-320

Board Use Only Date Received: _____

Fees Paid By: Credit Card Check/MO # _____ Amount \$ _____

NBCOT Verification License Verification(s) 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: Achievement Therapy Center Start Date 2 1999.
Address: 6760 W. Quail Ave, W, NV 89118 Phone: 702-355-2846.
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? (Exclude minor traffic violations.) Yes No

TANIA STEGEN-HANSON

6760 West Quail Ave., Las Vegas, NV 89118 · 702-355-2846

otformychild@gmail.com

CIRCUMSTANCES MY LICENSE WAS NOT RENEWED ON TIME:

I honestly failed to manage my time effectively. The past month has passed so very quickly in which I focused on family priorities.

My husband has a Traumatic Brain Injury and is on long-term disability and my 16-year-old son was finishing junior year at High School during this period. I run a pediatric practice – I am the only therapist.

I haven't been able to visit my family in South Africa for over 3 years. Any free time has been spent looking for tickets, working extra hours (to earn the additional income to take time off), pay for travel costs to see family, and taking my husband to doctor appointments or my son to his school activities and part-time job.

Between trying to manage my many roles and responsibilities, I completely forgot to renew on time.

Humbly,



Tania Stegen-Hanson, OTD, OTR/L, BCP, C/NDT, CEIM

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: NDTA. Dates 4/8-11/21 CE Hours 27.5
Course: _____ Dates _____ CE Hours _____
Course: _____ Dates _____ CE Hours _____
Course: _____ Dates _____ CE Hours _____
Course: _____ Dates _____ CE Hours _____
Course: _____ Dates _____ CE Hours _____
Course: _____ Dates _____ CE Hours _____
Course: _____ Dates _____ CE Hours _____

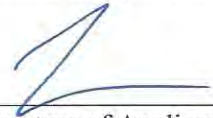
Complete a Continuing Competency Activities and Education form and attach a copy of certificates of completion and/or attendance verification for each course listed.

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.



Signature of Applicant

06-22-22

Date of Application

Tania Stegen-Hanson

Print Name

Continuing Competency Activities and Education

Licensee Name: Tania Stegen-Hanson License #: 0417

Check Applicable Continuing Competency Activity:

- Continuing Education
- Presentation and Instruction
- Professional Writing
- Academic Coursework
- Professional Meetings
- Mentorship Agreement
- Fieldwork Supervision
- Board or Specialty Certification
- Other

Attach All Required Documentation

NDTA Annual Conference 2021: Breathing at the Core
Title of Program / Activity

Virtual online - NDTA
Program Sponsor

Date(s) of Attendance April 8-11, 2021 Contact Hours 27.5

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

Multiple speakers.

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

I've been seeing children with increased difficulties in breathing and ribcage development. Attending this conference helped me in my understanding and ~~to~~ enhanced my treatment approach. I was able to then provide a webinar for TalkTools on the information and case studies in my practice.



Continuing Education Certificate

This Certifies that

Tania Stegen-Hanson

License Number 22050

Completed Participation in

NDTA Annual Conference 2021: Breathing at the Core

Conference Dates: April 8-11, 2021

Conference Location: Virtual/Online

Max CE Hours: 27.5

Contact Hours Attended: 3.5 Hrs. Live 7 Hrs. Recorded

CIAO is an ASHA Approved Provider. This course is offered for a maximum of 2.75 ASHA CEUs. Participants who wish to receive ASHA CEUs must submit an ASHA Bubble Sheet by 4/12/21.

CIAO is an AOTA Approved Provider (Max 2.75 AOTA CEUs)

This Conference Meets PDU Requirements for NBCOT (Max 27.5 PDUs)

CIAO is recognized as an Approved Provider for PT/PTAs by the NYSE Dept State Board for PT

CIAO is an Illinois Approved Provider for PT/PTA Continuing Education

This activity is provided by the TX Board of PT Examiners Accredited Provider # #2202009#TX

This activity meets the continuing competence requirements for PT/PTA license renewal in TX

The Physical Therapy Board of California recognizes CIAO Seminars as an Approval Agency to Approve Providers Offering Continuing Competency Courses and has determined that CIAO meets the standards set forth in section 1399.95 of the California Code of Regulations.

Approved for:
 24.8 Hrs. PT/PTAs in NV (24.8 CCU's)
 25.5 Hrs. PT/PTAs in MN (#2986), OH (OPTA#20-S0570)
 27.5 Hrs. PT/PTAs in CA (#CIAO21-21), NM
 28 Hrs. PT/PTAs in AR, IL, LA, MD, MS, NJ (#2001-133), OK, TN (TPTA#2019-389), TX (28 CCUs, TPTA #2202009TX), WV(#CIAO-F20-01)
 33.0 Hrs. PT/PTAs & OT/COTAs in FL (FPTA #CE21-761136) CE Broker #20-761136.
 33.6 Hrs. PT/PTAs in NY



www.CIAOSeminars.com

Certificate of Achievement

Presented to:

Tania Stegen-Hanson

*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

Fri 24th Sep 2021



STATE OF NEVADA
BOARD OF OCCUPATIONAL THERAPY

P.O. Box 34779 | Reno, Nevada 89533
Phone: (775) 746-4101 | www.nvot.org | Fax: (775) 746-4105

June 23 2022

Tania Stegen-Hanson
6760 W. Quail Ave.
Las Vegas, NV 89118
otformychild@gmail.com

Re: Notice to Cease and Desist

Dear Ms. Stegen-Hanson,

The Board received your application for reinstatement of your OT license #0417 which expired May 1, 2022. You indicate that you have been practicing as an Occupational Therapist in the State of Nevada during the period your license has been 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 such time as you have a current and valid license in this State.

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 **July 16, 2022**. The meeting will be held by ZOOM video-conference and is scheduled to begin at **9:00 a.m.** You may attend the meeting by video or teleconference as follows:

ZOOM Access:

<https://us06web.zoom.us/j/84586117182?pwd=VFRGcFJQdGlUMUwyb0JOOUtJbDdzUT09>

Meeting ID: **845 8611 7182**

Passcode: **810788**

Telephone Audio Only: **(253) 215-8782**

Attached is a Waiver of Notice which must be signed and returned no later than July 5, 2022 in order to include your Application for Reinstatement on the agenda for the July 16, 2022 Board Meeting. Failure to submit the Waiver of Notice form by this date will result in your application being rescheduled for the Board's next regularly scheduled meeting.

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](#).

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)

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

Sincerely,

Loretta Ponton

Loretta L. Ponton
Executive Director

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

KARRIS LAW CENTER

5940 S. Rainbow Boulevard
Las Vegas, Nevada 89118
Telephone: 702-835-9331 | Facsimile: 702-835-9301
Email: mark@karrislaw.com

Mark S. Karris, Esq.

Admitted to practice in
Arizona, Massachusetts, and Nevada

June 28, 2022

Loretta L. Ponton, Executive Director
State of Nevada
Board of Occupational Therapy
6170 Mae Anne Ave., Suite 1
Reno, Nevada 89523

Via Facsimile, Electronic and US Mail
775-746-4105
board@nvot.org

KLC Client:	Dr. Tania Stegen-Hanson
Nevada License #:	417
Date of Public Meeting:	July 16, 2022

Dear Ms. Ponton:

This office is representing Dr. Tania Stegen-Hanson regarding the License Reinstatement Application for her Nevada Occupational Therapy License #417. While Dr. Hanson will be out of the country on July 16, 2022, I will be representing her at the above-referenced Public Meeting via Zoom and would request that the attached duly executed waiver permit her Application to be placed on the agenda for that day.

Should you have any questions or concerns, please feel free to contact me.

Sincerely yours,

/s/ Mark S. Karris

Mark S. Karris, Esq.
KARRIS LAW CENTER

Attachment/Enclosure

cc: Henna Rasul, Senior Deputy Attorney General
(via electronic mail only with attachment to: hrasul@ag.nv.gov)
Dr. Tania Stegen-Hanson
(w/o attachment)
File

State of Nevada
Board of Occupational Therapy
6170 Mae Anne Ave., Suite 1
Reno, Nevada 89523
Phone: (775) 746-4101 / Fax: (775) 746-4105
E-mail: board@nvot.org / Web Site: www.nvot.org

WAIVER

Notice of Public Meeting
Saturday, July 16, 2022

The Nevada open Meeting Law, NRS 241.033(1) (see below), states that the "public body shall not hold a meeting to consider the character, alleged misconduct, professional competence, or physical or mental health of any person, unless it has given written notice to that person of the time and place of the meeting." Such written notice must either be (a) delivered personally to that person at least five (5) working days before the meeting, or (b) sent by certified mail to the last known address of that person at least twenty-one (21) working days before the meeting. I hereby acknowledge my right to be noticed under NRS 241.033, however, I hereby waive such notice so that the State of Nevada Board of Occupational Therapy ("Board") may discuss and consider my **License Reinstatement Application and alleged practice without a current license**. I further understand the meeting is scheduled to commence at **9:00 a.m. on Saturday, July 16, 2022**. The meeting will be held by video-conference as follows:

July 16, 2022 – 9:00 a.m.

ZOOM Access:

<https://us06web.zoom.us/j/84586117182?pwd=VFRGcFJObGIUMUwyb0JOOUtJbDdzUT09>

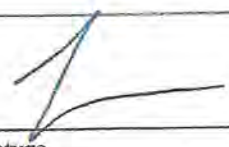
Meeting ID: **845 8611 7182**

Passcode: **810788**

Telephone Audio Only: **(253) 215-8782**

06/23/2022.

Date



Signature

Tania Stegen-Hanson.

Print name

Applicable NRS and NAC Sections

NRS 640A.230 Unauthorized practice prohibited; penalties.

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(2) Any crime involving moral turpitude;

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

State of Nevada
Board of Occupational Therapy

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Phone (775) 746-4101 / Fax (775) 746-4105 / Website www.nvot.org

<p>AGENDA ITEM 6: Presentation</p>

NBCOT Programs & Activities
Robyn Otty, OT – NBCOT State Ambassador

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 7: Executive Director's Report

Personnel Policies and Procedures

140 – General Salary Adjustment: Add reference to State Compensation Schedule PP01
PP01 is the Classified Employee/Employer Pay Compensation Plan

Need for revision: The State of Nevada has 10 compensation schedules for classified employees; the revision is necessary to properly identify which compensation schedule will be applicable.

150 – Compensation: Add language to delineate between Executive Director and Classified Positions and establish the Board's authority to set compensation and benefits for the Executive Director.

Need for revision: The Executive Director position is an unclassified position, appointed by and serving at the pleasure of the Board. Clarity in policy is necessary to establish the Board's authority to deviate from the personnel policies and procedures in establishing compensation and benefits.

190 – Prohibition on Employment of Related Party: Change section title, add paragraph to conform with state law on the Board's employment of a related party.

Need for revision: The Executive Director is appointed by the Board; revision will establish the period of time applicable to the period of prohibition of employment.

215 – Retirement Benefits: Add language to clarify how employer contributions to Deferred Compensation will be determined.

Need for revision: For budgetary controls and calculation of Board liabilities. Contributions to be based upon base salary/wage only.

State of Nevada
Board of Occupational Therapy

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Operating Policies and Procedures

A new section titled Bad Debts is being presented for approval which reads as follows:

Bad Debts: Bad debts may occur when fees recorded as accounts receivable are no longer collectible. Fees assessed by Order of the Board or license fees deferred due to emergency provisions, which are more than two-years in arrears, will be designated as bad debts and will be written off. Bad debts of \$10,000 or more will be placed for collection action.

Need for Revision: Reimbursement of Legal Fees assessed by Order of the Board in disciplinary cases are not collectible in some cases. Collection of deferred renewal fees in 3 cases have been unsuccessful. Carrying uncollectible revenue may skew the Board financial statements.

Recommendation to Write Off Bad Debt at June 30, 2022
Total: \$ 3,326.59

Santilla Terry, OT, Case No. C17-01, License Suspended 08/10/19
Amount \$ 2,851.59

June 30, 2020 Deferred Renewal Fees \$ 475.00

Amy Boyett, OTA	License #1211	\$ 175.00
Nicole Landrum, OTA	License #14-1260	\$ 175.00
Eric Lin, OT,	License #14-0457	\$ 125.00

Fees assessed by Order of the Board are recorded as revenue in the year assessed and are recorded as accounts receivable. Attempts to collect have not been successful due to lapse of licensure/expiration, and/or suspension or revocation of license; the licensee moving from Nevada and/or failure to respond to the Board.

In all cases where fees are due, the licensee record is flagged requiring payment prior to renewal, new application or reinstatement.

Attachments

Written Report

FY22 Financial Statements as of May 31, 2022
Proposed Revisions to Personnel Policies and Procedures

**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

**EXECUTIVE DIRECTOR'S REPORT
July 16, 2022**

Licensure Statistics - The following chart provides current and prior year licensing details and activity as of June 30, 2022. The number of practitioners increased by 83 licensees over the previous year, with an increase of 88 licensees for those holding active standard licenses.

During FY 22, the Board processed 253 license applications; which include new applicants, reinstatements and conversions. There were 183 licenses expired during the same period.

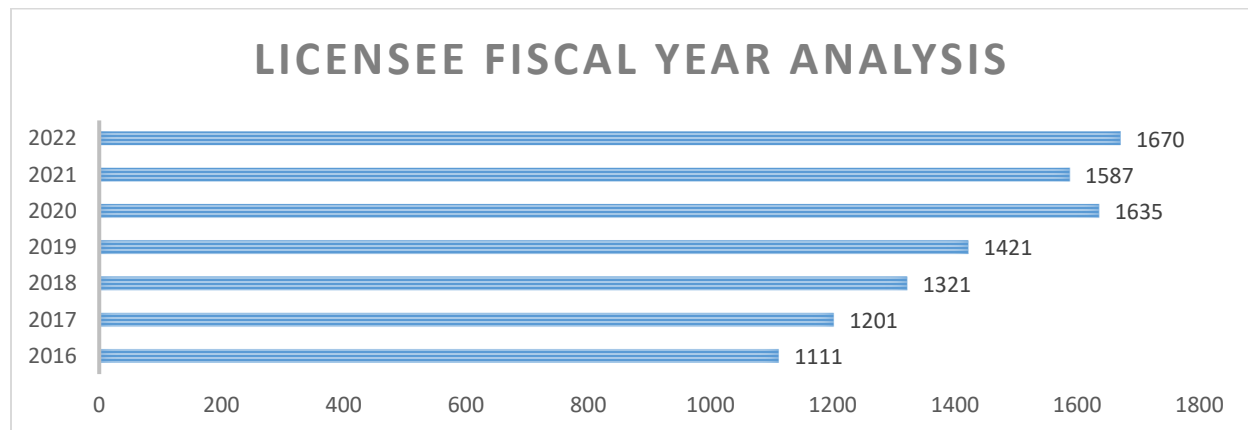
Comparison to Prior Year

Description	2022	2021	% +	OTR's	2021	COTA's	2021
Total Current Licensees	1670	1587	5.2 %	1267	1204	403	383
Standard Licensees (active)	1628	1540	5.7 %	1233	1169	398	371
Inactive Licensees	31	36		23	27	8	9
Inactive - Retired	11	n/a		11	n/a	0	n/a
Provisional Licensees	5	5		2	2	3	3
Temporary Licensees	7	6		5	6	2	0

Fiscal Year 22 by Quarter

Fiscal Year 2022	Total Licensees	OT	OTA
July 1, 2021	1587	1204	383
September 30, 2021	1642	1246	396
December 31, 2021	1668	1266	402
March 31, 2022	1696	1286	410
June 30, 2022	1670	1267	403

FY 2022 completed the second biennial renewal cycle. Licensee numbers from 2016 through 2022 indicated steady growth through FY 20; COVID-19 impacted licensee numbers significantly during the FY 2021 / 2022 biennial period with an actual loss in FY 2021.



FY 22 Financial Statements

The Board fiscal year ended June 30, 2022; financial statements are not yet available.

The Board's biennial audit for FY 21 and FY 22 will begin August 23rd with the final audit report ready for review and acceptance at the November Board meeting.

FY 22 Financial Statements – Period ending May 31, 2022 reflects a net loss of (\$37,640), approximately 82% of budget.

Balance Sheet and Investments – Total Cash at May 31, 2022 is \$626,749; with \$151,119 in operating, \$466,859 in CD's and \$ 8,771 in money market funds.

Office Operations – The Board office remains open to the public, staff continue to work hybrid schedules ensuring on-site coverage during office hours.

Complaints Status - There is one (1) complaint case pending negotiation of Consent Decree.

CE Audit – The 2022 random audit of continuing education of 211 licensees is in process; 113 records were desk audited and 98 licensees were requested to submit documentation. Twenty-three (23) licensees did not respond to two (2) email notices and have been sent letters by US Mail.

Board Training and Planning Session – The Board's retreat will be held at Embassy Suites Las Vegas on Friday and Saturday, August 12 – 13, 2022. A Board training session is scheduled for Friday, from 2:00 p.m. to 5:00 p.m. Dinner will be planned Friday evening after the conclusion of the training session. The schedule for the Saturday Planning Session will be from 8:00 a.m. to 2:30 p.m; lunch will be provided. The theme is Board Fiduciary Responsibilities / Protection of the Public through Regulation of Practice.

State of Nevada Board of Occupational Therapy

Balance Sheet
As of May 31, 2022

	TOTAL
ASSETS	
Current Assets	
Bank Accounts	
Wells Fargo Bank - Checking	151,119.20
Wells Fargo Bank - Investments	466,858.99
Wells Fargo Bank - Money Market	8,771.06
Total Bank Accounts	\$626,749.25
Accounts Receivable	
Accounts Receivable	16,899.66
Total Accounts Receivable	\$16,899.66
Other Current Assets	
Prepaid Expenses	19,195.72
Undeposited Funds	0.00
Total Other Current Assets	\$19,195.72
Total Current Assets	\$662,844.63
Fixed Assets	
Net Fixed Assets	0.00
Total Fixed Assets	\$0.00
TOTAL ASSETS	\$662,844.63
LIABILITIES AND EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
Accounts Payable	1.47
Total Accounts Payable	\$1.47
Credit Cards	
WF Mastercard	217.44
Total Credit Cards	\$217.44
Other Current Liabilities	
Accrued PTO	29,134.81
Deferred Compensation Payable	0.00
Deferred Revenue	174,405.72
Direct Deposit Liabilities	0.00
Due to State Treasurer	410.23
Other Current Liabilities	836.07
Payroll Liability	0.00
Payroll Tax Liability	4,313.64
Total Other Current Liabilities	\$209,100.47
Total Current Liabilities	\$209,319.38
Total Liabilities	\$209,319.38
Equity	
Retained Earnings	491,165.63
Net Income	-37,640.38
Total Equity	\$453,525.25
TOTAL LIABILITIES AND EQUITY	\$662,844.63

State of Nevada Board of Occupational Therapy

Budget vs. Actuals: FY_2021_2022 - FY22 P&L

July 2021 - May 2022

	TOTAL			
	ACTUAL	BUDGET	OVER BUDGET	% OF BUDGET
Income				
Fees	30,100.00	30,000.00	100.00	100.33 %
Fines and Legal Fees	12,538.51		12,538.51	
License Fees	166,543.53	210,743.00	-44,199.47	79.03 %
List Fee	5,825.00	4,750.00	1,075.00	122.63 %
Total Income	\$215,007.04	\$245,493.00	\$ -30,485.96	87.58 %
GROSS PROFIT	\$215,007.04	\$245,493.00	\$ -30,485.96	87.58 %
Expenses				
Attorney General / Legal Fees	12,812.65	11,000.00	1,812.65	116.48 %
Bank Service/Merchant Charges	2,717.18	5,500.00	-2,782.82	49.40 %
Board Education	725.00	2,500.00	-1,775.00	29.00 %
Equipment Purchase	882.37	3,000.00	-2,117.63	29.41 %
Equipment Rental	1,944.64	2,100.00	-155.36	92.60 %
Insurance	1,483.92	1,100.00	383.92	134.90 %
Licensing - Data System	6,983.37	8,850.00	-1,866.63	78.91 %
Meeting Expenses	75.00	500.00	-425.00	15.00 %
Office Expense				
Dues & subscriptions	2,065.64	2,300.00	-234.36	89.81 %
Internet Service	1,583.76	1,920.00	-336.24	82.49 %
Postage and Delivery	411.50	750.00	-338.50	54.87 %
Printing and Reproduction		200.00	-200.00	
Records Storage	1,381.00	600.00	781.00	230.17 %
Telephone	545.68	1,000.00	-454.32	54.57 %
Total Office Expense	5,987.58	6,770.00	-782.42	88.44 %
Office Lease	28,788.50	32,125.00	-3,336.50	89.61 %
Office Supplies	598.33	600.00	-1.67	99.72 %
Payroll Expenses				
Deferred Compensation	13,771.62	15,005.00	-1,233.38	91.78 %
Employer Taxes	12,671.72	13,947.00	-1,275.28	90.86 %
Medical Benefit	4,021.60	4,387.00	-365.40	91.67 %
PTO Expense	1,181.09		1,181.09	
Salaries and Wages	147,843.20	162,922.00	-15,078.80	90.74 %
Total Payroll Expenses	179,489.23	196,261.00	-16,771.77	91.45 %
Professional Fees				
Accounting	2,750.00	3,000.00	-250.00	91.67 %
IT / Technical Support	405.00	2,500.00	-2,095.00	16.20 %
Legislative Services	20,000.00	24,000.00	-4,000.00	83.33 %
Total Professional Fees	23,155.00	29,500.00	-6,345.00	78.49 %
Travel				
Out of State Travel	0.00	3,000.00	-3,000.00	0.00 %
Travel - in state		1,500.00	-1,500.00	
Total Travel	0.00	4,500.00	-4,500.00	0.00 %

State of Nevada Board of Occupational Therapy

Budget vs. Actuals: FY_2021_2022 - FY22 P&L

July 2021 - May 2022

	TOTAL			
	ACTUAL	BUDGET	OVER BUDGET	% OF BUDGET
Total Expenses	\$265,642.77	\$304,306.00	\$ -38,663.23	87.29 %
NET OPERATING INCOME	\$ -50,635.73	\$ -58,813.00	\$8,177.27	86.10 %
Other Income				
Interest Income	3,798.90	3,000.00	798.90	126.63 %
Sublease Income	9,196.45	10,033.00	-836.55	91.66 %
Total Other Income	\$12,995.35	\$13,033.00	\$ -37.65	99.71 %
NET OTHER INCOME	\$12,995.35	\$13,033.00	\$ -37.65	99.71 %
NET INCOME	\$ -37,640.38	\$ -45,780.00	\$8,139.62	82.22 %

PROPOSED REVISIONS TO PERSONNEL POLICIES AND PROCEDURES

140 GENERAL SALARY ADJUSTMENT

The Board shall approve any general salary adjustment or change to the Compensation Plan.

A general salary adjustment for cost of living increases (COLA) approved by the Nevada State Legislature for classified employees of the State, [classification schedule PP01](#), shall automatically be approved without further action of the Board.

150 COMPENSATION

[Executive Director](#): Base compensation shall be established by the Board in an amount consistent with the qualifications and experience of the individual. The Board may approve compensation or benefits which are in addition to those delineated in the personnel policies and procedures. The Board shall review the performance of the Executive Director annually, and approve any increase in base salary or change in benefits.

[Classified Positions](#): All new hires pay rates are established by the Executive Director. The Executive Director may authorize advancements within an established pay range. Salary advancement may be authorized up to and including the maximum rate.

190 ~~NEPOTISM~~– PROHIBITION ON EMPLOYMENT OF RELATED PARTY

It is unlawful for an employing authority of any state or local board, agency or commission, elected or appointed to employ in any capacity any relative of such individual or of any member of such board, agency or commission, within the third degree of consanguinity or affinity.

[The Executive Director or applicant for an unclassified position shall not be related to a Board member who holds or has held a Board member position within the previous three \(3\) years.](#)

215 RETIREMENT BENEFITS

The Board does not currently participate in the Public Employees Retirement System (PERS); however, may elect to be a participating employer in the future. If the Board elects to be a participating employer in PERS, the Board will be required to participate for the life of the Board.

[Employer Contribution to Deferred Compensation](#): The Board may provide employer paid contributions to the Nevada Deferred Compensation Program on behalf of an employee of the Board who has worked for twelve (12) consecutive months or more.

The employer contribution may be:

- (a) equivalent to the percent of wage required of participating employers under the employee/employer paid contribution schedule for PERS, as may be adjusted periodically by PERS, less 6.2% social security equivalent; or
- (b) a fixed amount as determined by the Board.

[Employer contributions shall be calculated on base salary or wage rate, exclusive of any bonus payments, if any, or payments of accrued but unused personal time off \(PTO\) paid upon termination of employment.](#)

State of Nevada
Board of Occupational Therapy

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AGENDA ITEM 8: Reserve Funds / FY 2023/2024 Biennial Budget

Reserve Funds Analysis

A Reserve Funds Analysis as of May 31, 2022 was conducted to determine whether funds are meeting the requirements of the Reserve Funds Policy of having a minimum of 2-years available funding to maintain operations of the Board.

The Analysis indicates the Board has 26.59 months of available funds for Board operations after set asides for contracts and lease expenses for the next two (2) years. There is \$59,340.44 in cash reserve in excess of the minimum 2-year operating amount.

Fiscal Year 2023 / 2024 Biennial Budget

Revenue has been projected utilizing actual known and projected revenue to be realized in FY2023 and FY 2024. Revenue for FY 2023 is 4.79% lower than the FY 2022 Budget taking into account deferred revenues at June 30 and actual FY 2022 realized. FY 2024 revenue is budgeted for a 3.44% increase due to rebound in new licensees.

Expenses reflect historical and actual data for both fiscal years. The FY 2023 personnel budget includes a 3.45% increase due to merit salary increases for staff. The FY 2024 Budget reflect a 9.4% reduction in personnel expenses due to the planned retirement of the Executive Director. The actual amount will be dependent upon the new ED salary and benefits as determined by the Board.

The 4-year Budget Projections indicate Revenue will cover all expenses by FY 2026. As background, the Board moved to a 2-year license in FY 19 with the goal to reduce excess cash on hand by \$250,000. The original “break-even” point was FY 2025, prior to the slowdown in licensing revenue due to COVID-19. Based upon the FY 23 / 24 projections, the Board will reach the break-even point in FY 2026 and will have reduced cash balance by approximately \$277,000. The impact of the Biennial Licenses on Cash Balance is provided for information.

Attachments

Reserve Funds Analysis
FY 2023 / FY 2024 Proposed Budget
Budget Comparison to 2022
Four Year Budget Projections
Impact Biennial Licenses / Cash Balance

Reserve Funds Analysis

As of May 31, 2022

Fund Balance	\$ 453,525.25	Total Equity/Balance Sheet
Deferred Revenue	\$ 174,405.72	License Fees
	\$ 627,930.97	

Set Asides	FY 23 & FY 24	Description
Contracts FY 23	\$ 44,100.00	Bookkeeping; Audit Svs;
Contracts FY 24	\$ 34,500.00	Licensing System; Legislative Svs
Lease Obligations	\$ 69,055.00	
Total Set Asides	(\$ 147,655.00)	

Reserve Balance	\$ 480,275.97	
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2-year Operating	\$ 568,590.53	June 2020 – May 2022 Actual
	(\$ 147,655.00)	Less Set Asides

Minimum Reserve	\$ 420,935.53	
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Reserve > 2 years	\$ 59,340.44	Excess Available Funds
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Monthly Reserve Analysis	
\$ 480,275.97	Reserve Balance
\$ 18,063.98	Operating / 24 Months
26.59	Months Reserve For Operating

Board of Occupational Therapy

FY 23 / FY 24 Budget

July 1 2022 - June 30 2023 / July 1 2023 - June 30 2024

BUDGET	2023	2024	Difference	% Change
Revenue				
Processing Fees	\$ 32,400.00	\$ 35,100.00	\$ 2,700.00	
License Fees	\$ 195,330.75	\$ 200,962.50	\$ 5,631.75	
Miscellaneous / List Fees	\$ 6,000.00	\$ 6,000.00	\$ -	
Sub-total Licensing Fees	\$ 233,730.75	\$ 242,062.50	\$ 8,331.75	3.44%
Interest Income	\$ 2,500.00	\$ 1,500.00	\$ (1,000.00)	
Cost Sharing Income	\$ 10,129.67	\$ 10,600.00	\$ 470.33	
Total Revenue	\$ 246,360.42	\$ 254,162.50	\$ 7,802.08	3.07%
Operating Expense				
Audit Fees	\$ 9,600.00	\$ -	\$ (9,600.00)	
Bank Fees - Merchant Svcs	\$ 5,843.27	\$ 6,051.56	\$ 208.29	
Equipment Purchase	\$ -	\$ -	\$ -	
Equipment Rental & Maintenance	\$ 2,100.00	\$ 2,100.00	\$ -	
Insurance	\$ 1,200.00	\$ 1,200.00	\$ -	
Legal Fees	\$ 12,000.00	\$ 12,000.00	\$ -	
Licensing Software Subscription	\$ 8,850.00	\$ 8,850.00	\$ -	
Maintenance / Repairs	\$ -	\$ -	\$ -	
Meeting Expense	\$ 100.00	\$ 200.00	\$ 100.00	
Office Lease	\$ 34,055.49	\$ 34,465.24	\$ 409.75	
Office Supplies	\$ 700.00	\$ 700.00	\$ -	
Dues and Subscriptions	\$ 2,700.00	\$ 2,700.00	\$ -	
Office Expense	\$ 3,650.00	\$ 3,650.00	\$ -	0.00%
Records Storage & Recycling	\$ -	\$ -	\$ -	
Internet Service	\$ 2,400.00	\$ 2,400.00	\$ -	
Postage & Mailing	\$ 500.00	\$ 500.00	\$ -	
Telephone	\$ 750.00	\$ 750.00	\$ -	
Printing & Reproduction	\$ -	\$ -	\$ -	
Personnel Payroll	\$ 203,263.67	\$ 184,166.26	\$ (19,097.40)	-9.40%
Executive Director	\$ 132,441.84	\$ 110,148.80	\$ -	
Licensing Coordinator	\$ 34,725.60	\$ 35,767.37	\$ -	
Licensing Assistant	\$ -	\$ -	\$ -	
Investigator	\$ 1,575.00	\$ 1,575.00	\$ -	
Employer Taxes	\$ 14,444.65	\$ 12,308.41	\$ -	
Employee Benefits	\$ 20,076.57	\$ 24,366.68	\$ -	
Professional Fees	\$ 28,000.00	\$ 28,000.00	\$ -	0.00%
Bookkeeping Services	\$ 3,000.00	\$ 3,000.00	\$ -	
Legislative Services	\$ 24,000.00	\$ 24,000.00	\$ -	
IT Support Services	\$ 1,000.00	\$ 1,000.00	\$ -	
Board Education / Planning	\$ 1,500.00	\$ -	\$ 1,500.00	
Travel	\$ 1,700.00	\$ 3,000.00	\$ (1,300.00)	
In State Travel	\$ 1,700.00	\$ 1,500.00	\$ -	
Out of State Travel	\$ -	\$ 1,500.00	\$ -	
Total Operating Expense	\$ 315,262.43	\$ 287,083.07	\$ (27,779.36)	-9.68%
Revenue Over / Under Expense	\$ (68,902.00)	\$ (32,920.57)		
Reserve Funds Set Asides	\$ -			
Fiscal Year Budget Impact	\$ (68,902.00)	\$ (32,920.57)		

State of Nevada
Board of Occupational Therapy
FY 23 / FY 22 Budget Comparison
July 1 - June 30 2023 / July 1 - June 30 2022

BUDGET	2023	2022	Difference	% Change
Revenue				
Processing Fees	\$ 32,400.00	\$ 30,000.00	\$ 2,400.00	
License Fees	\$ 195,330.75	\$ 210,743.38	\$ (15,412.63)	
Miscellaneous / List Fees	\$ 6,000.00	\$ 4,750.00	\$ 1,250.00	
Sub-total Licensing Fees	\$ 233,730.75	\$ 245,493.38	\$ (11,762.63)	-4.79%
Interest Income	\$ 2,500.00	\$ 3,000.00	\$ (500.00)	
Cost Sharing Income	\$ 10,129.67	\$ 10,032.51	\$ 97.16	
Total Revenue	\$ 246,360.42	\$ 258,525.89	\$ (12,165.46)	-4.71%
Operating Expense				
Audit Fees	\$ 9,600.00	\$ -	\$ 9,600.00	
Bank Fees - Merchant Svcs	\$ 5,843.27	\$ 5,500.00	\$ 343.27	
Equipment Purchase	\$ -	\$ 3,000.00	\$ (3,000.00)	
Equipment Rental & Maintenance	\$ 2,100.00	\$ 2,100.00	\$ -	
Insurance	\$ 1,200.00	\$ 1,100.00	\$ 100.00	
Legal Fees	\$ 12,000.00	\$ 11,000.00	\$ 1,000.00	
Licensing Software Subscription	\$ 8,850.00	\$ 8,850.00	\$ -	
Maintenance / Repairs	\$ -	\$ -	\$ -	
Meeting Expense	\$ 100.00	\$ 500.00	\$ (400.00)	
Office Lease	\$ 34,055.49	\$ 32,125.00	\$ 1,930.49	
Office Supplies	\$ 700.00	\$ 600.00	\$ 100.00	
Dues and Subscriptions	\$ 2,700.00	\$ 2,300.00	\$ 400.00	
Office Expense	\$ 3,650.00	\$ 4,470.00	\$ (820.00)	-22.47%
Records Storage & Recycling	\$ -	\$ 600.00		
Internet Service	\$ 2,400.00	\$ 1,920.00		
Postage & Mailing	\$ 500.00	\$ 750.00		
Telephone	\$ 750.00	\$ 1,000.00		
Printing & Reproduction	\$ -	\$ 200.00		
Personnel Payroll	\$ 203,263.67	\$ 196,260.94	\$ 7,002.73	3.45%
Executive Director	\$ 132,441.84	\$ 128,586.50		
Licensing Coordinator	\$ 34,725.60	\$ 32,760.00		
Licensing Assistant	\$ -	\$ -		
Investigator	\$ 1,575.00	\$ 1,575.00		
Employer Taxes	\$ 14,444.65	\$ 13,947.02		
Employee Benefits	\$ 20,076.57	\$ 19,392.42		
Professional Fees	\$ 28,000.00	\$ 29,500.00	\$ (1,500.00)	-5.36%
Bookkeeping Services	\$ 3,000.00	\$ 3,000.00		
Legislative Services	\$ 24,000.00	\$ 24,000.00		
IT Support Services	\$ 1,000.00	\$ 2,500.00		
Board Education / Planning	\$ 1,500.00	\$ 2,500.00	\$ (1,000.00)	
Travel	\$ 1,700.00	\$ 4,500.00	\$ (2,800.00)	
In State Travel	\$ 1,700.00	\$ 1,500.00		
Out of State Travel	\$ -	\$ 3,000.00		
Total Operating Expense	\$ 315,262.43	\$ 304,305.94	\$ 10,956.49	3.60%
Revenue Over / Under Expense	\$ (68,902.00)	\$ (45,780.05)		
Reserve Funds Set Asides	\$ -			
Fiscal Year Budget Impact	\$ (68,902.00)	\$ (45,780.05)		

**State of Nevada
Board of Occupational Therapy**

Four Year Budget Projections

Description	2023 Budget	FY 2024	FY 2025	FY 2026
Revenue				
			3% Increase License Fees	
Processing Fees	\$ 32,400.00	\$ 35,100.00		
Licenses & Renewals	\$ 195,330.75	\$ 200,962.50		
Miscellaneous / List Fees	\$ 6,000.00	\$ 6,000.00		
Subtotal Licensing	\$ 233,730.75	\$ 242,062.50	\$ 249,324.38	\$ 256,804.11
Interest Income	\$ 2,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00
Cost Sharing Income	\$ 10,129.67	\$ 10,600.00	\$ 10,750.00	\$ 10,900.00
Fines / Legal Fees				
Total Revenue	\$ 246,360.42	\$ 254,162.50	\$ 261,574.38	\$ 269,204.11
Operating Expense				
Audit Fees	\$ 9,600.00	\$ -	\$ 9,600.00	\$ -
Bank Fees - Merchant Svs	\$ 5,843.27	\$ 6,051.56	\$ 6,233.11	\$ 6,420.10
Equipment Purchase	\$ -	\$ -	\$ -	
Equipment Rental	\$ 2,100.00	\$ 2,100.00	\$ 2,100.00	\$ 2,100.00
Insurance	\$ 1,200.00	\$ 1,200.00	\$ 1,200.00	\$ 1,200.00
Legal Fees	\$ 12,000.00	\$ 12,000.00	\$ 12,000.00	\$ 12,000.00
Licensing Software Program	\$ 8,850.00	\$ 8,850.00	\$ 8,850.00	\$ 8,850.00
Maintenance / Repairs	\$ -	\$ -		
Meeting Expense & Dues	\$ 100.00	\$ 200.00	\$ 200.00	\$ 200.00
Office Lease	\$ 34,055.49	\$ 34,465.24	\$ 34,465.24	\$ 35,154.54
Office Supplies	\$ 3,400.00	\$ 3,400.00	\$ 3,400.00	\$ 3,400.00
Office Expense	\$ 3,650.00	\$ 3,650.00	\$ 3,650.00	\$ 3,650.00
Personnel Services	\$ 203,263.67	\$ 184,166.26	\$ 158,536.45	\$ 164,877.91
Professional Fees	\$ 28,000.00	\$ 28,000.00	\$ 28,000.00	\$ 28,000.00
Travel - In State	\$ 1,700.00	\$ -		
Travel - Out of State	\$ -	\$ -	\$ -	
Board Education / Planning	\$ 1,500.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00
Total Expense	\$ 315,262.43	\$ 287,083.07	\$ 271,234.80	\$ 268,852.55
Net Revenue / Expense	\$ (68,902.00)	\$ (32,920.57)	\$ (9,660.42)	\$ 351.55

Impact Biennial Licenses / Cash Balances

Projected Revenue / Fee Analysis / Reserve Funds							
	Licensing Fees	License Fees	Other Income	Revenue	*Operating Expense	Reserve Cash Used	Cash Balance \$ 873,752.00
Base Year	FY 2019 A	\$ 256,804.11	\$ 12,400.00	\$ 269,204.11	\$ 321,924.52	(52,720.41)	\$ 821,031.59
	FY 2020 A	\$ 249,324.38	\$ 12,250.00	\$ 261,574.38	\$ 299,966.52	(38,392.15)	\$ 782,639.44
Fee Increase / Budget	FY 2021 A	\$ 242,062.50	\$ 12,100.00	\$ 254,162.50	\$ 271,814.05	(17,651.55)	\$ 764,987.89
Budget	FY 2022 B	\$ 245,493.38	\$ 13,032.51	\$ 258,525.89	\$ 315,262.43	(56,736.54)	\$ 708,251.35
Budget	FY 2023	\$ 233,730.75	\$ 12,629.67	\$ 246,360.42	\$ 315,262.43	(68,902.00)	\$ 639,349.35
* Projected	* FY 2024	\$ 242,062.50	\$ 12,100.00	\$ 254,162.50	\$ 287,083.07	(32,920.57)	\$ 606,428.78
Original Break even	* FY 2025	\$ 249,324.38	\$ 12,250.00	\$ 261,574.38	\$ 271,234.80	(9,660.42)	\$ 596,768.36
Revised Break Even	* FY 2026	\$ 256,804.11	\$ 12,400.00	\$ 269,204.11	\$ 268,852.55	351.55	\$ 597,119.91
	3% FY 2027	\$ 264,508.23	\$ 12,400.00	\$ 276,908.23	\$ 276,918.13	(9.90)	\$ 597,110.01
	3% FY 2028	\$ 272,443.48	\$ 12,400.00	\$ 284,843.48	\$ 285,225.67	(382.20)	\$ 596,727.82

Reserve / Cash Reduction	Thru FY 2024	\$ (267,323.22)
<u>Beginning Reserve / Cash</u>		<u>\$ 873,752.00</u>
<u>Ending Reserve / Cash Estimate</u>		<u>\$ 606,428.78</u>

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 9: Legislative Interim Report
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Jeanette Belz, Belz & Case Government Affairs will be presenting a report on Legislative activities including Interim Committee meetings and 2022 Election activities.

Attachment

Written Legislative Report

Nevada State Board of Occupational Therapy
Government Affairs Report - As of July 5, 2022
Submitted by Belz & Case Government Affairs

Interim Committee Activity

Commerce and Labor

The June 30 Commerce and Labor committee focused heavily on nursing, though they opened with a presentation on dentistry and an overview of interstate licensing compacts.

Legislative Commission

During the June 10 meeting, the commission heard an overview of the audit of the Board of Medical Examiners. Senator Dr. Joe Hardy questioned how the board was able to purchase a building for \$3.4 million. He expressed concern that the licensure fees charged to physicians were high enough to buy a building and that the reserve account had almost been replenished.

Nevada Department of Education, Commission on Professional Standards

The May 18 workshop to discuss [changes to OT and PT endorsements](#) included in K-12 education regulations was efficient and without controversy. These changes were supported by the American Occupational Therapy Association and removes the requirement for licensed occupational therapists to obtain a specialty certification and adds an endorsement process for occupational therapy assistants. The draft regulation will be sent to the Legislative Counsel Bureau for formal drafting then a public hearing will be scheduled.

The Lieutenant Governor's Keep Nevada Working Task Force

This group, formed by the passage of [AB376](#) in 2021, has held three meetings to date. This [task force](#) is focused on workforce development through the lens of immigration. Their first report is due to the legislature on July 1, 2022. The task force's [report will recommend](#) a review of professional licensure requirements for immigrants who have skills from their home countries.

In Other News:

There are no updates regarding the Governor's February announcement to convene a bipartisan task force to "further reduce red tape" for occupational licensing nor about his "[workforce development subcabinet](#)".

2022 Elections

Since the Board last met, primary elections were held. All of the incumbent legislators, who were challenged in a primary, won with the exception of Senator Don Tatro, who was appointed after the resignation of Ben Kieckhefer. He lost to Assemblywoman Lisa Krasner who gave up another run for Assembly to jump in this race. Four candidates won their primaries and do not have a race in November (SD17 Titus, AD19 Yurek, AD36 Hafen, AD38 Koenig) They join the three incumbents who did not have a primary or general challenge (SD14 Hansen, AD31 Dickman, AD32 Hansen).

The general election will be held November 8. Early voting will run for 2 weeks prior to November 8 and all registered voters will receive a ballot in the mail, unless they choose to [opt-out](#).

2023 Bill Draft Requests (BDRs)

The [first round of BDRs](#) were released on Friday, July 1. Two are specific to boards and licensing:

#48 – Senator Doñate - Revises provisions relating to boards and commissions.

#49 – Senator Doñate - Revises provisions relating to licensure.

State of Nevada
Board of Occupational Therapy

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AGENDA ITEM 10: Proposed Draft Bill Language

Proposed draft language for submittal as a Bill Draft Request for the 2023 Legislative Session:

Sec. 1	New Sections	
1.1	License by Reciprocity	Recognizes OT Compact State licensees
1.2	Provisional License	Breakout from temporary license
1.3	Issuance of Citations	Administrative actions and fines
Sec. 2	Applicability	Update language
Sec. 3	Salary of Members	Add payment provisions for Board members
Sec. 4	Qualifications for License	Recognize NBCOT certification updated language
Sec. 5	Application	Update language, add jurisprudence exam
Sec. 6	Examination	Revise to reference jurisprudence exam
Sec. 7	Temporary License	Remove criteria moved to Sec 1.2.
Sec. 8	Rescinded	NRS 640A.130 & 640A.160

Attachments
Proposed Draft Bill Language
Legislative Timeline

BOARD OF OCCUPATIONAL THERAPY

PROPOSED REVISIONS TO NRS 640A

Section 1 Chapter 640A is hereby amended by adding thereto the provisions set forth as sections 1.1 through 1.3 of this act.

Sec. 1.1 *License by Reciprocity*

The Board may issue a license by reciprocity to an applicant for licensure as an occupational therapist or occupational therapy assistant who meets the qualifications pursuant to NRS 640A.120 paragraph 1 who:

(a) holds a current unrestricted license as an occupational therapist or occupational therapy assistant in any Member State of the Occupational Therapy Licensure Compact; and

(b) completes the examination on Nevada law and regulations pursuant to NRS 640A.150.

Purpose: Recognize the Occupational Therapy Licensure Compact and expedite licensure by reciprocity for practitioners who hold current licenses in Compact member states.

Sec. 1.2 *Provisional License* (Recommended section number NRS 640A.175)

1. The Board may issue a provisional license to a person who has the qualifications required pursuant to subsections 2 and 3 of NRS 640A.120 who has not achieved the passing score on the national examination for certification in occupational therapy. A provisional license issued pursuant to this paragraph authorizes the person to whom it is issued to practice occupational therapy only under the general supervision of an occupational therapist licensed pursuant to this chapter.

2. A provisional license is valid for 6 months or until the person to whom it is issued otherwise obtains a license pursuant to this chapter, whichever occurs first.

3. The Board may renew a provisional license not more than once and may revoke a provisional license for any of the grounds set forth in NRS 640A.200.

Purpose: To align with revisions to NRS 640A.120 Qualifications for License for individuals who have not yet passed the National examination; previously included in temporary license qualifications.

Sec. 1.3 *NRS 640A.XXX Issuance of citation for certain violations; remedial action; administrative fine.*

1. An employee or agent of the Board may issue a citation to a licensee if the employee or agent concludes that, based on a preponderance of the evidence, the licensee has violated:

(a) Any law or regulation of the Board that requires a licensee to:

(1) provide his or her current contact information, supervisory information or employment information to the Board,

(2) display his or her license or a copy thereof,

(3) practice only under the name listed on his or her license,

(4) provide proof of continuing education, or

(5) provide information or documentation required to be maintained by the licensee.

2. A citation issued pursuant to this section may include, without limitation, an order to:

(a) Take action to correct any condition resulting from any act that constitutes a violation of a provision set forth in subsection 1, at the cost of the person who committed the violation. If the citation contains such an order, the citation must:

(1) State the time permitted for compliance, which must be not less than 5 business days after the date the person receives the citation; and

(2) Specifically describe the corrective action to be taken.

(b) Pay an administrative fine not to exceed an amount prescribed pursuant to subsection 3.

3. Any administrative fine imposed pursuant to this section must be in an amount prescribed by regulation of the Board, which must be not more than \$500.

4. The Board may waive an administrative fine assessed pursuant to subsection 3 upon a finding of good cause by the Board.

5. A person seeking waiver of an administrative fine 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.

6. The sanctions authorized by this section are separate from, and in addition to, any other disciplinary action or remedy, civil or criminal, authorized by this chapter.

Sec. 2 NRS 640A.070 is hereby amended to read as follows:

NRS 640A.070 Applicability of chapter. This chapter does not apply to a person:

1. Holding a current license or certificate issued pursuant to [chapter 391, 630 to 637B](#), inclusive, [640, 640B to 641B](#), inclusive, or [641D](#) of NRS, who practices within the scope of that license or certificate.

2. Employed by the Federal Government who practices occupational therapy within the scope of that employment.

3. Enrolled in an educational program ~~approved by the Board~~ *accredited by the Accreditation Council for Occupational Therapy Education* which is designed to lead to a certificate or degree in occupational therapy, if the person is designated by a title which clearly indicates that he or she is a student.

~~4. Obtaining the supervised fieldwork experience necessary to satisfy the requirements of subsection 3 of [NRS 640A.120](#).~~

Purpose: To update language to align with criteria in Sec. 4

Sec. 3 NRS 640A.100 is hereby amended to read as follows:

NRS 640A.100 *Salary of members; Per diem allowance and travel expenses of members; authority regarding employees; payment of expenses and salaries.*

1. ~~The~~ *Each* members of the Board ~~serve without compensation~~ *is entitled to receive:*

(a) A salary of not more than \$150 per day, as fixed by the Board, while engaged in the business of the Board; and

(b) ~~, except that while engaged in the business of the Board, each member is entitled to~~ the A per diem allowance and travel expenses at a rate fixed by the Board, while engaged in the business of the Board. The rate must not exceed the rate provided for state officers and employees generally.

2. The Board may employ an Executive Director and any other employees it deems necessary, establish their duties and fix their salaries.

3. *While engaged in the business of the Board, each employee of the Board is entitled to receive a per diem allowance and travel expenses at a rate fixed by the Board. The rate must not exceed the rate provided for state officers and employees generally.*

4. The expenses of the Board and members of the Board, and the salaries of its employees, must be paid from the fees received by the Board pursuant to this chapter, and no part of those expenses and salaries may be paid out of the State General Fund.

Purpose: Authorize payment for services as a member of the Board of Occupational Therapy consistent with established legislative authority for other Boards in Nevada.

Sec. 4 NRS 640A.120 is hereby amended to read as follows:

NRS 640A.120 Qualifications for license. ~~Except as otherwise provided in NRS 640A.165 and 640A.166,~~ to be eligible for licensing by the Board as an occupational therapist or occupational therapy assistant, an applicant must:

1. Hold current certification as an Occupational Therapist or Occupational Therapy Assistant with the National Board for Certification in Occupational Therapy, or successor organization; or

2. Have graduated from an educational program accredited by the Accreditation Council for Occupational Therapy Education; or an equivalent foreign educational program accepted by the National Board for Certification in Occupational Therapy as equivalent as a requirement for certification; and

3. Been determined eligible to take the national examination required for certification by the National Board for Certification in Occupational Therapy.

~~—1. Be a natural person of good moral character.~~

~~—2. Except as otherwise provided in NRS 640A.130, have satisfied the academic requirements of an educational program approved by the Board. The Board shall not approve an educational program designed to qualify a person to practice as an occupational therapist or an occupational therapy assistant unless the program is accredited by the Accreditation Council for Occupational Therapy Education of the American Occupational Therapy Association, Inc., or its successor organization.~~

~~—3. Except as otherwise provided in NRS 640A.130, have successfully completed:~~

~~—(a) If the application is for licensing as an occupational therapist, 24 weeks; or~~

~~—(b) If the application is for licensing as an occupational therapy assistant, 16 weeks;~~

~~Ê of supervised fieldwork experience approved by the Board. The Board shall not approve any supervised experience unless the experience was sponsored by the American Occupational Therapy Association, Inc., or its successor organization, or the educational institution at which the applicant satisfied the requirements of subsection 2.~~

~~—4. Except as otherwise provided in NRS 640A.160 and 640A.170, pass an examination approved by the Board.~~

~~—(Added to NRS by 1991, 988; A 2013, 277; 2015, 3024, 3902)~~

Purpose: Recognize national certification requirements for licensure and for eligibility for certification; remove obsolete language.

Sec. 5 NRS 640A.140 is hereby amended to read as follows:

NRS 640A.140 Application for license.

1. ~~Except as otherwise provided in NRS 640A.165 and 640A.166,~~ A person who desires to be licensed by the Board as an occupational therapist or occupational therapy assistant must:

(a) Submit an application to the Board ~~on a form furnished~~ *in the manner determined* by the Board; ~~and~~

(b) Provide evidence satisfactory to the Board that he or she possesses the qualifications required pursuant to ~~subsections 1, 2 and 3 of~~ NRS 640A.120, *and*

(c) Provide evidence of passage of the examination required pursuant to NRS 640A.150.

2. The application must include all information required to complete the application.

Purpose: Update language and add passage of jurisprudence exam as a requirement for application. Currently jurisprudence is required by regulation only.

Sec. 6 NRS 640A.150 is hereby amended to read as follows:

NRS 640A.150 Examination for license.

1. The Board shall:

(a) Approve an examination *on the law and regulations for practice of occupational therapy in this state*; ~~for licensing as an occupational therapist and an examination for licensing as an occupational therapy assistant; and~~

(b) Establish the requirements to pass ~~each the~~ *the* examination; *and*

(c) Establish the frequency for completion of the examination.

~~—2. Each examination must be in writing and be designed to test an applicant's knowledge of:~~

~~—(a) The basic and clinical sciences relating to occupational therapy;~~

~~—(b) The techniques and methods of occupational therapy; and~~

~~—(c) Any other subjects the Board requires to determine the fitness of an applicant to practice occupational therapy.~~

~~—3. A person who has satisfied the requirements of NRS 640A.140 may take the appropriate examination for licensing.~~

Purpose: Revise language to identify jurisprudence examination as a requirement for license. Remove references to examination for licensing and obsolete criteria.

Sec. 7 NRS 640A.170 is hereby amended to read as follows:

NRS 640A.170 Temporary license.

1. The Board may issue, ~~without examination,~~ a temporary license to a person who has the qualifications required pursuant to subsections ~~1, 2 and 3~~ of [NRS 640A.120](#) and who:

~~— (a) Is certified by the National Board for Certification in Occupational Therapy or its successor organization and is licensed as an occupational therapist or occupational therapy assistant in good standing in another state; or~~

~~— (b) Has not achieved the passing score on the examination approved pursuant to NRS 640A.150. A temporary license issued pursuant to this paragraph authorizes the person to whom it is issued to practice occupational therapy only under the general supervision of an occupational therapist licensed pursuant to this chapter.~~

2. A temporary license issued pursuant to subsection 1 is valid for 6 months or until the person to whom it is issued otherwise obtains a license pursuant to this chapter, whichever occurs first.

3. The Board may renew a temporary license not more than once and may revoke a temporary license for any of the grounds set forth in [NRS 640A.200](#).

Purpose: To remove references now added to Sec. 1.2 Provisional License and to align with new language in NRS 640A.120.

RESCINDED

Sec. 8 NRS 640A.130 and NRS 640A.160 are hereby rescinded:

~~— **NRS 640A.130** **Waiver for completion of equivalent foreign education and experience.**~~

~~The Board may waive the requirements of subsections 2 and 3 of NRS 640A.120 for an applicant who:~~

~~— 1. Receives an education in occupational therapy from a foreign school; and~~

~~— 2. Proves to the satisfaction of the Board that his or her education and experience are substantially equivalent to the education and experience required by those subsections.~~

~~— (Added to NRS by 1991, 989)~~

Reason: NBCOT Certification requirement supersedes. NBCOT conducts the evaluation of foreign education for equivalency and eligibility to take the national examination.

~~— **NRS 640A.160** **Issuance of license without examination.**— The Board may issue, without examination, a license as an occupational therapist or occupational therapy assistant to a person who has the qualifications required pursuant to subsections 1, 2 and 3 of NRS 640A.120 and who is certified by the National Board for Certification in Occupational Therapy or its successor organization.~~

~~— (Added to NRS by 1991, 989; A 2013, 278)~~

Reason: Delete unnecessary section.

2023 LEGISLATIVE SESSION PLANNING SCHEDULE

Legislation	Timeline	Implementation
Preparatory Legislation BDR Draft	July - August 2022	Planning Session
License by Reciprocity – Compact States	September - December	Stakeholder / Sponsor Outreach
Miscellaneous Other NRS Updates	January 2023	BDR Presentation
	February – June 2023 Session	Legislative Committees / Presentations
PASS		
Legislative Interim	July 2023 through June 2024	Data System Updates
	Regulation Revisions	Workshops / Hearings
	Planning Session on Next Steps for OT Compact Participation	
FAIL		
Planning Session on Next Steps		

State of Nevada
Board of Occupational Therapy

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AGENDA ITEM 11: New / Revised Regulations
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Proposed new and revised regulations are presented for review and consideration whether to move forward with Workshop and submittal to LCB for drafting.

The regulation is comprised of 2 new sections related to scope of practice.

Sec 1.1 addresses general requirements and defines competence.

Sec 1.2 address specialty practice and sets criteria for maintenance of documentation, requires practice experience, and written consent for pelvic examinations.

The regulation amends NAC 640A.070 continuing education and NAC 640A.350 unprofessional conduct.

NAC 640A.070 would recognize current certification as meeting the requirement for continuing education if certification was renewed within the 24 months of renewal of a license.

NAC 640A.350 would add touching of a patient or client for a sexual purpose as an additional act constituting unprofessional conduct.

Background

Senate Bill 196 amended NRS 629 (health care) to restrict a provider of health care from performing pelvic examinations if not within the scope of practice of the provider of health care. The bill also amended NRS 640A.200 (our law) to add an additional act to “unprofessional conduct”: the performance or supervision of the performance of a pelvic examination in violation of Section 1 of NRS 629.

Attachments

Proposed Regulation Draft

**PROPOSED REGULATION OF
THE BOARD OF OCCUPATIONAL THERAPY**

LCB File No. XXXX-XX

A REGULATION relating to occupational therapy; revising provisions relating to scope of practice; continuing education requirements; and providing other matters properly relating thereto.

Section 1. Chapter 640A is hereby amended by adding thereto the provisions set forth as Sections

1.1 and 1.2 to read:

Sec. 1.1 *NAC 640A.xxx* *General requirements. (NRS 640A.110)*

A licensee shall:

- 1. Maintain competence in the practice of occupational therapy and his or her personal scope of practice.*
- 2. Report to the Board any unlicensed, unauthorized, unqualified, unethical or unprofessional practice of occupational therapy by another person.*
- 3. Protect the public by following infection control guidelines promulgated by the Centers for Disease Control (CDC).*

“Competence” defined. Competence is the application of knowledge, skills and behaviors required to function effectively, safely, ethically and legally within the scope of practice of occupational therapy.

Sec 1.2 *NAC 640A.xxx* *Specialty Practice (NRS 640A.110).*

A licensee shall not engage in specialty practice unless competence has been obtained in the specialty practice area. Competence is obtained through continuing education, practice experience, specialty training or specialty certification.

A licensee shall:

- 1. Maintaining documentation of education, practice experience, specialty training or specialty certification.*
- 2. Practice at least one-year in a specialty practice setting under the guidance of an established specialty practice occupational therapist.*
- 3. Obtain written consent of the patient or client prior to performing a pelvic examination, an internal evaluation or performing any internal therapeutic procedures.*
- 4. Shall not engage in touching of a patient or client for a sexual purpose or in any way not necessary for any treatment intervention.*

Sec. 2 NAC 640A.070 is hereby amended to read as follows.

NAC 640A.070 Continuing education: Generally.

1. Except as otherwise provided in subsection 5, *subsection 8* 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.

2. If the licensee obtains more than 24 hours of continuing education during a biennial renewal cycle, he or she may carry over a maximum of 10 hours towards completion of his or her requirement for continuing education for the following biennial renewal cycle.

3. A licensee must achieve a passing score on the Nevada Occupational Therapy Jurisprudence Examination at least once every 5 years.

4. A person may receive credit for fieldwork supervision, the completion of a particular continuing education course or the achievement of a passing score on the Nevada Occupational Therapy Jurisprudence Examination only once during a biennial renewal cycle.

5. A person who obtains a standard license within 12 months of graduation from an educational program which is accredited by an agency approved by the Board and which includes a fieldwork program is required to obtain 12 hours of continuing education in order to renew the license for the first time.

6. A licensee shall comply with the requirements for continuing education, including, without limitation, submitting to the Board a list of any courses and activities that the licensee completed to satisfy the provisions of this section. The materials described in this subsection must be submitted at the time, as established by the Board, the licensee is required to submit to the Board the application for the renewal of his or her license.

7. To ensure compliance with the provisions of this section, the Board will conduct random audits of the continuing education completed by licensees.

8. A licensee who holds current certification from the National Board for Certification in Occupational Therapy is deemed to have met the requirements for continuing education pursuant to this section, if the licensee has renewed their certification during the 24 months prior to the date of application for renewal of his or her license with the Board.

Senate Bill No. 196

CHAPTER..... AN ACT relating to health care; prohibiting a provider of health care or a person supervised by a provider of health care from performing a pelvic examination under certain circumstances; authorizing the imposition of professional discipline against certain providers of health care who perform or supervise the performance of a prohibited pelvic examination; and providing other matters properly relating thereto.

Section 1. Chapter 629 of NRS is hereby amended by adding thereto a new section to read as follows:

1. A provider of health care shall not:

(a) Perform or supervise the performance of a pelvic examination that the provider of health care is not appropriately licensed, certified or registered to perform or is not within the scope of practice of the provider of health care.

Sec. 11. NRS 640A.200 is hereby amended to read as follows: 640A.200

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 performance or supervision of the performance of a pelvic examination in violation of section 1 of this act; and

(e) 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.

Applicable Unprofessional Conduct Sections of Regulations

NAC 640A.350 Acts constituting unprofessional conduct. ([NRS 640A.110](#), [640A.200](#)) In addition to those acts specified in subsection 4 of [NRS 640A.200](#), the following acts, among others, constitute “unprofessional conduct”:

16. Misrepresenting or falsifying credentials, including, without limitation, those relating to education, training, experience and areas of **competency**;
18. Performing professional services which the occupational therapist knows he or she is not **competent** to perform.

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AGENDA ITEM 13: Board Activities & Reports From Members
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Appointment of Financial Reviewer

The Board has established a system of Internal Controls comprised of a segregation of duties in the financial and banking processes to ensure adequate safeguards are in place for the Board’s financial systems.

Internal controls ensure that one person is not responsible for the entire financial management system including the receipt of funds and payment of expenses and that the Board is apprised regularly of the financial status and the processing of transactions necessary to operate the Board effectively and efficiently.

The Board Financial Reviewer receives a monthly financial packet, reviews bank statements, bank reconciliations, verifies expenditure transaction detail, requests and reviews backup documentation as needed, if discrepancies are identified or questions arise, and completes the Attestation of Review.

The Board may appoint any member of the Board to serve as the financial reviewer.

2022 Meeting Schedule

Calendar Year 2022	Topics/Comments
August 12-13	<i>Strategic Planning Retreat- Las Vegas</i>
October 8	If Needed
November 5	Audit Report Approval
December 10	If Needed

Reports and Comments from Board Members

Future Agenda Items

Legislation Status
Regulation Status