



STATE OF NEVADA BOARD OF OCCUPATIONAL THERAPY

SUMMARY MINUTES PUBLIC BOARD MEETING June 1, 2024

Members Present: Jose Pablo Castillo, Christopher Liebl, Jocelyn Pereira

Members Absent: Philip Seitz

Staff Present: Heather Hartley, Executive Director
Stacey Whittaker, Director of Licensing & Operations
Henna Rasul, Sr. Deputy Attorney General

Public Present: Lea Case, Kristen Neville, Matt Olivier

Call to Order, Confirmation of Quorum

Chair Castillo called the Board meeting to order at 9:30 am. A roll call confirmed a quorum was present.

Public Comments

Chair Castillo called for public comments, there were none.

Legislative Activities

Lea Case with Belz and Case Government Affairs provided the Board with an update on Legislative Activities specifically the Governor's Executive Order 2024-002, which addresses the State's healthcare workforce shortage. Legislative Interim Activities include a potential push to have all Licensing Boards move toward the Interstate Compact. Lea has been in discussion with Nikki Haag, Director of Boards and Commissions, Business & Industry to include staffing plans for 2025 and possible umbrella licensure model for the 2027-2029 Legislative Session. There were no further comments.

Approval of Minutes

Vice Chair Liebl made the motion, seconded by Jocelyn Pereira to approve the minutes of the meeting of April 13, 2024. The motion passed.

Board Member Orientation

Executive Director Hartley provided a brief Board Member Orientation to include the Structure of the Board, Board Administration, Administrative Requirements, Board Policies, Data Collection and Reporting System, Board Meetings, Roles and Responsibilities of Board Members, and Board Statutes and Regulations. There were no further comments.

Discussion, Review and Approval of Fiscal Year 2025 Budget

Executive Director Hartley presented the FY25 Budget for Board review and approval. The Board discussed budgeting for a Board Retreat in Spring of 2025, increases in personnel expenses to include a State approved 11% cost of living allocation, and increases to payroll services. Audit fees were also included in the

presented budget along with an increase in bank fees. The Board felt it was important to keep resources available for Board education and planning.

Vice Chair Liebl motioned to approve the FY25 Budget as presented, seconded by Jocelyn Pereira. The motion passed.

Work Session regarding Specialty and Advanced Areas of Practice

Executive Director Hartley opened the work session with Dry Needling and whether the Board would like to pursue potential legislation for the 2027 Session. Authority must be granted through NRS to authorize Dry Needling within the scope of practice of Occupational Therapy. Both the Nevada Physical Therapy and Athletic Trainer Boards have passed a Bill authorizing Dry Needling for their practitioners.

Chair Castillo reminded the Board that their role here is to protect the public and opened the floor for discussion. The Board discussed current states that allow for Dry Needling through legislation (approximately 10). Further discussion centered around ACOTE standards and AOTA position statement on Dry Needling. Kristen Neville with AOTA stated that she has been following the topic for years and states are currently all over the place with their stance on Dry Needling. The Board discussed competency criteria such as certification for Dry Needling.

Matt Olivier with NOTA believes that the Occupational Therapy practitioners in Nevada want Dry Needling access and would be in support of it.

Chair Castillo and the Board felt it was appropriate to put more work into researching Dry Needling from other states and get additional feedback from the Board members who were not in attendance at the meeting. Chair Castillo tabled Dry Needling for further discussion until such time that more information can be gathered.

The Board moved to discuss the potential regulation of specialty and advanced areas of practice as this section of language was removed from recently adopted regulations.

Chair Castillo outlined a written request from a licensee regarding the practice and educational requirements for soft tissue mobilization (IASTM/Gua Sha/Cupping) that was provided in the Board packet. The Board discussed whether it is sufficient for a licensed Occupational Therapist to pursue continuing education courses, peer learning through demonstration and study or is specific certification required?

The licensee also inquired if they are certified in one of the techniques, if they can legally instruct a Massage Therapist or Athletic Trainer in those soft tissue mobilization techniques? After a lengthy discussion, the Board felt that the licensee would need to hold the appropriate certifications and it would be permissible to educate the other practitioners on the techniques but that those practitioners would be responsible for obtaining the appropriate training/certification.

The Board moved to discuss whether they would like to develop general guidelines for education and training in specialty and advanced areas of practice. Chair Castillo outlined the areas of current NRS640A that address physical agent modalities (PAM's) and documentation required to determine competency. The Board further discussed documentation versus certification and what that would look like for managing the practitioners. Overall, the Board believes that these areas need to be clarified in law and/or regulations.

Vice Chair Liebl motioned to move forward with addressing specialty and advanced areas of practice, seconded by Jocelyn Pereira. The motion passed.

Executive Director Report

Heather Hartley provided updates on Licensure Statistics, 3rd Quarter FY24 Financial Statements, Office Operations and Activities, Board Member Vacancies, and Complaints Status. Notable items requiring Board attention are changes to payroll processing that will no longer be feasible through the Board's bookkeeper and changes to the licensee login criteria through the Board's database. Heather is currently working with Carol Woods, the Board's bookkeeper, to find an alternative source to process the Board's payroll and will provide an update to the Board when available.

Albertson Consulting/Big Picture is the Board's database administrator and they have recommended changing the criteria that licensees use when logging into the system to make it more secure. The database

login currently requires the licensee to enter their Last Name, Last 4 Digits of SSN, and their License Number. Albertson Consulting/ Big Picture is proposing to remove the Social Security field and replace it with a licensee created password. This should not cost the Board money to change as they are willing to work it into the Board's allocated monthly maintenance hours.

Vice Chair Liebl motioned to approve the changes to the Database Licensee Login Criteria, seconded by Joceyln Pereira. The motion passed.

Report from Deputy Attorney General

Henna Rasul, Senior Deputy Attorney General had no report.

Board Activities & Reports from Members

Executive Director Hartley provided a Meeting and Activities Schedule for the remainder of 2024 to include August – NBCOT presentation and a meeting in November for Audit approval. The goal is to have a meeting in February 2025 followed by a Board Retreat/Legislative visit in Carson City sometime in May. There were no further comments.

Public Comment

Chair Castillo opened the floor for public comments. Kristen Neville, AOTA commented that she will provide additional comment/input regarding Advanced Practice at a later date. There were no further comments.

Adjournment – Chair Castillo adjourned the meeting at 11:07 am.