

**SUBCOMMITTEE OF THE ADVISORY BOARD ON OCCUPATIONAL THERAPY
November 7, 2006
Richmond, Virginia**

The Subcommittee met on November 7, 2006 at 10:00 a.m. at the Department of Health Professions, 6603 West Broad Street, Richmond, Virginia. The meeting was called to order by Jeffrey Loveland, OTD, Chair.

MEMBERS PRESENT: Jeffrey Loveland, OTD, Chair
Jean A. Hearst, OT, Vice-Chair
Patricia D. Cooper, OT
Rebecca Argabrite-Grove, OT, VOTA

STAFF PRESENT: William L. Harp, M.D., Executive Director
Ola Powers, Deputy Executive Director for Licensing
Colanthia Morton, Operations Manager

GUESTS PRESENT: Tyler Cox, Medical Society of Virginia

CALL TO ORDER

Dr. Loveland called the meeting to order.

ROLL CALL

Roll was called and a quorum was declared.

INTRODUCTION OF GUESTS

Tyler Cox representing the Medical Society of Virginia was present.

ADOPTION OF THE AGENDA

Ms. Cooper moved to adopt the agenda as presented. The motion was seconded and carried.

PUBLIC COMMENT ON AGENDA ITEMS

There was no public comment.

NEW BUSINESS

1. Review of current law and regulation governing supervision by OT's.

The laws and regulations governing the practice of occupational therapy in Virginia were provided in the agenda packet for the subcommittee's review. Sections 54.1-2901(4) and (6), exceptions and exemptions generally were also discussed.

2. Goals for the subcommittee.

The subcommittee's charge was initially determined to be the development of regulations to clearly define supervision of an occupational therapy assistant and an occupational therapy aide. Ms. Argabrite-Grove provided the subcommittee with a draft of proposed regulations dated November 7, 2006, to begin the process. To further frame the discussion, three central issues were identified. The first was the concern of VOTA regarding the supervisory relationship with COTA's and occupational therapy aides. The second was the actual delegation of tasks by OT's to COTA's and aides. The third was the use of unlicensed OT personnel across the Commonwealth in various settings. Although these three issues are interconnected, the subcommittee concentrated on the first, and to some extent the second.

3. Options to address the stated goals.

Several options were discussed at length, such as suggested language in regulation for supervision, a suggestion to define a COTA in Section 54.1-2900 of the Code of Virginia along with a companion amendment to add supervision in the definition of the practice of occupational therapy, a suggestion to define COTA's as technical personnel with training and education in OT activities in section 54.1-2901(4), and a suggestion to capture COTA's under section 54.1-2956 (5)(C). The subcommittee took the stance that COTA's are trained to and do practice occupational therapy, not occupational therapy assisting. It did not believe any of the regulatory or statutory approaches above would allow an OT to delegate tasks of occupational therapy to a COTA within the limits of their training. At the conclusion of the discussion, the subcommittee believed that the best course of action at this time would be for VOTA to pursue licensure for COTA's. The previous 2001 study on COTA's by the Board of Health Professions was briefly reviewed. It, and the successful study by the athletic trainers, will serve as guides for VOTA as they proceed.

4. Next step in the process.

Ms. Argabrite-Grove said that she would talk to counsel for VOTA regarding the pursuit of licensure for COTA's at the General Assembly.

ADJOURNMENT

Ms. Hearst moved to adjourn. The motion was seconded and carried.

/s/

Jeffrey Loveland, OTD
Chair

William L. Harp, M.D.
Executive Director

Ola Powers
Deputy Executive Director