

TEXAS BOARD OF ORTHOTICS & PROSTHETICS

ENFORCEMENT COMMITTEE MEETING

**Thursday, May 14, 2015, 10:00 a.m.
William P. Hobby Jr. Building Room 100
333 Guadalupe St, Austin, TX 78701**

AGENDA

(Neider, Smith, Brou)

1. Call to Order – Introduction of Members, Guests, and Staff
2. Discussion and Possible Action Concerning Board Members who are Inexcusably Absent from Regularly Scheduled Board Meetings, as defined under Texas Occupations Code Section 605.057(a)(5)
3. Review and Approve February 23, 2015, Committee Minutes
4. Review, Discussion and Possible Action Regarding Complaint #1070-13-0028
5. Review, Discussion and Possible Action Regarding Complaint #1070-13-0031
6. Review, Discussion and Possible Action Regarding Complaint #1070-15-0002
7. Staff Report Concerning Update on Open Cases, to include Tabled Cases
8. Discussion and Possible Action Concerning Closed Cases
9. Set Next Meeting Date
10. Propose Agenda Items
11. Public Comment
12. Adjournment

Action may be taken on any of the above items. The Board reserves the right to go into executive session as authorized by the Government Code. Agenda items may be taken in any order at the discretion of the chair. An individual who wishes to speak on an issue that falls under the Board/committee's jurisdiction shall be heard during the Public Comment agenda item if it exists. The Chair may establish and announce limitations on speakers, including time limits and when speakers may address the Board/Committee. The limitations, if any, may vary from meeting to meeting.

CONTACT: Yvonne Feinleib, Executive Director
Texas Board of Orthotics and Prosthetics
512/834-4521

Persons with disabilities who plan to attend this meeting and require auxiliary aids or services are asked to call Anne Mosher, Center for Consumer and External Affairs, Department of State Health Services, (512) 776-2780, 72 hours prior to the meeting so that appropriate arrangements may be made.

TEXAS BOARD OF ORTHOTICS & PROSTHETICS

LICENSING AND ACCREDITATION COMMITTEE MEETING

Friday, May 15, 2015, 10:00 a.m.
William P. Hobby Jr. Building Room 100
333 Guadalupe St, Austin, TX 78701

AGENDA

(Mojica, McCoy, Smith substituting for Kercheval)

1. Call to Order – Introduction of Members, Guests, and Staff
2. Discussion and Possible Action Concerning Board Members who are Inexcusably Absent from Regularly Scheduled Board Meetings, as defined under Texas Occupations Code Section 605.057(a)(5)
3. Review and Approve February 27, 2015, Committee Minutes
4. Review, Discussion, and Possible Action to Approve or Disapprove the Following Pending Technician Applications
 - FM (Prosthetics)
5. Review, Discussion, and Possible Action to Approve or Disapprove the Following Pending Student Applications
 - AA (Prosthetics)
 - RB (Orthotics and Prosthetics)
 - MD (Orthotics and Prosthetics)
 - CD (Orthotics and Prosthetics)
 - MF (Orthotics and Prosthetics)
 - KH (Orthotics and Prosthetics)
 - EH (Orthotics)
 - PH (Orthotics and Prosthetics)
 - BG (Orthotics)
 - AK (Orthotics and Prosthetics)
 - CK (Orthotics and Prosthetics)
 - KK (Orthotics and Prosthetics)
 - LL (Orthotics and Prosthetics)
 - DL (Orthotics and Prosthetics)
 - KM (Orthotics and Prosthetics)
 - NM (Orthotics and Prosthetics)
 - DWM (Orthotics and Prosthetics)
 - DRM (Orthotics and Prosthetics)
 - TN (Orthotics and Prosthetics)
 - AR (Orthotics and Prosthetics)
 - MR (Orthotics and Prosthetics)
 - JS (Orthotics and Prosthetics)
 - BT (Orthotics and Prosthetics)
 - MV (Orthotics and Prosthetics)
 - NW (Orthotics and Prosthetics)

6. Review, Discussion, and Possible Action to Approve or Disapprove the Following Pending Assistant Applications
 - SO (Prosthetics)
 - RS (Prosthetics)

7. Review, Discussion, and Possible Action to Approve or Disapprove the Following Pending Practitioner Applications
 - EC (Prosthetics)
 - EG (Orthotics)
 - JS (Prosthetics)

8. Review, Discussion, and Possible Action to Approve or Disapprove the Following Facility Accreditation Applications
 - AADH-H (Prosthetics)
 - AOP-N (Prosthetics)
 - BC-B (Orthotics and Prosthetics)
 - GGPS-T (Orthotics and Prosthetics)
 - HC-C (Orthotics and Prosthetics)
 - HCOP-EP (Orthotics and Prosthetics)
 - LPO-D (Orthotics and Prosthetics)
 - RGVP-M (Prosthetics)
 - SP-SA (Prosthetics)
 - SOP-H (Orthotics and Prosthetics)

9. Review, Discussion, and Possible Action regarding Recommendations to the Board on Authorizing Executive Director to Issue Certain License, Registration and Accreditation Approvals

10. Set Next Meeting Date

11. Propose Agenda Items

12. Public Comment

13. Adjournment

Action may be taken on any of the above items. The Board reserves the right to go into executive session as authorized by the Government Code. Agenda items may be taken in any order at the discretion of the chair. An individual who wishes to speak on an issue that falls under the Board/committee's jurisdiction shall be heard during the Public Comment agenda item if it exists. The Chair may establish and announce limitations on speakers, including time limits and when speakers may address the Board/Committee. The limitations, if any, may vary from meeting to meeting.

CONTACT: Yvonne Feinleib, Executive Director
 Texas Board of Orthotics and Prosthetics
 512/834-4521

Persons with disabilities who plan to attend this meeting and require auxiliary aids or services are asked to call Anne Mosher, Center for Consumer and External Affairs, Department of State Health Services, (512) 776-2780, 72 hours prior to the meeting so that appropriate arrangements may be made.

TEXAS BOARD OF ORTHOTICS & PROSTHETICS

RULES COMMITTEE MEETING

Friday, May 15, 1:00 pm
William P. Hobby Jr. Building Room 100
333 Guadalupe St, Austin, TX 78701

AGENDA

(McCoy, Mojica, Smith)

1. Call to Order – Introduction of Members, Guests, and Staff
2. Discussion and Possible Action Concerning Board Members who are Inexcusably Absent from Regularly Scheduled Board Meetings, as defined under Texas Occupations Code Section 605.057(a)(5)
3. Review and Approve February 27, 2015 Committee Minutes
4. Review, Discussion, and Possible Action by the Rules Committee Regarding Amendments to the Rules Concerning the Licensure and Regulation of Orthotics and Prosthetics, 22 Texas Administrative Code, Chapter 821, including possible amendments to:
 - a. Rule §821.15 Accreditation of Prosthetic and Orthotic Facilities regarding a new posting requirement for hours of operation
5. Discussion and Possible Action regarding a New Rule establishing Two Different Levels Orthotic Assistant licensure, with Different Educational Requirements and Different Scopes of Practice
6. Discussion and Possible Action Regarding the Application Process for Assistants
7. Discussion and Possible Action Regarding Examinations
8. Discussion and Possible Action Regarding Recommendations to the Board on Appointments to the Ad Hoc Committee on Rules
9. Set Next Meeting Date
10. Propose Agenda Items
11. Public Comment
12. Adjournment

Action may be taken on any of the above items. The Board reserves the right to go into executive session as authorized by the Government Code. Agenda items may be taken in any order at the discretion of the chair. An individual who wishes to speak on an issue that falls under the Board/committee's jurisdiction shall be heard during the Public Comment agenda item if it exists. The Chair may establish and announce limitations on speakers, including time limits and when speakers may address the Board/Committee. The limitations, if any, may vary from meeting to meeting.

CONTACT: Yvonne Feinleib, Executive Director
Texas Board of Orthotics and Prosthetics
512/834-4521

TEXAS BOARD OF ORTHOTICS & PROSTHETICS

BOARD MEETING

Friday, May 15, 2:00 pm
William P. Hobby Jr. Building Room 100
333 Guadalupe St, Austin, TX 78701

AGENDA

1. Call to Order – Introduction of Members, Guests, and Staff
2. Discussion and Possible Action Concerning Board Members who are Inexcusably Absent from Regularly Scheduled Board Meetings, as defined under Texas Occupations Code Section 605.057(a)(5)
3. Review and Approve the February 27, 2015, Board Meeting Minutes
4. Discussion and Possible Action Regarding Board Committee Appointments
5. Discussion and Possible Action Regarding Reports from the Board Committees
 - a. Licensing and Accreditation Committee – report from May 15, 2015
 - Number of Applications Reviewed
 - Number of Applications Approved
 - Number of Applications Denied
 - Number of Applications Tabled
 - Review, Discussion, and Possible Action regarding Process for License, Registration and Accreditation Approval
 - b. Enforcement Committee – report from May 14, 2015
 - Number of Cases Reviewed
 - Disciplinary Action Recommended
 - Number of Cases Closed
 - Number of Cases Tabled
 - Staff Report Concerning Update on Open Cases, to include Tabled Cases
 - Discussion and Possible Action Concerning Closed Cases
 - c. Rules Committee – report from May 15, 2015
 - Review, Discussion, and Possible Action by the Rules Committee Regarding Amendments to the Rules Concerning the Licensure and Regulation of Orthotics and Prosthetics, 22 Texas Administrative Code, Chapter 821, including possible amendments to:
 - Rule §821.10(b)(4) regarding Assistants;
 - Rule §821.15 Accreditation of Prosthetic and Orthotic Facilities regarding a new posting requirement for hours of operation

- Discussion and Possible Action regarding a New Rule establishing Two Different Levels Orthotic Assistant licensure, with Different Educational Requirements and Different Scopes of Practice
 - Discussion and Possible Action Regarding the Application Process for Assistants
 - Discussion and Possible Action Regarding Examinations
 - Discussion and Possible Action Regarding Recommendations to the Board on Appointments to the Ad Hoc Committee on Rules
- 6. Review, Discussion, and Possible Action Regarding Letter from American Orthotic and Prosthetic Association (AOPA) on 98th Annual National Assembly October 7-10, 2015 in San Antonio, Texas
- 7. Review, Discussion, and Possible Action Regarding Process for Approval of Licensure Applications by Executive Director
- 8. Review, Discussion, and Possible Action Regarding Appointments to the Ad Hoc Committee on Rules and Scheduling Ad Hoc Committee on Rules Meeting Dates
- 9. Review, Discussion, and Possible Action Regarding Agreed Orders for Case #1070-09-0010
- 10. Review, Discussion, and Possible Action Regarding Payment Order on Case #1070-14-0031
- 11. Review, Discussion, and Possible Action Regarding Withdrawal of Proposed Denial and Closure of Case #1070-14-0030
- 12. Executive Session, Discussion, and Possible Action on Staff Attorney's Report Regarding All Pending Hearings at the State Office of Administrative Hearings including: Case #s 1070-10-0074 & 1070-10-0075; and Case #s 1070-12-0013, 1070-12-0014 & 1070-12-0033; Case #s 1070-11-0034, 1070-11-0035, & 1070-13-0027; and Case# # 1070-13-0029
- 13. Presiding Officer's Report on Current Challenges and Accomplishments; Interaction with Stakeholders, State Officials, and Staff; Committee Appointments and Functions; Workload of Board Members; and General Information Regarding the Routine Functioning of the Board
- 14. Executive Director's Report on Program Operations; Customer Service Accomplishments, Inquiries, and Challenges; Current and/or Historical Licensee Statistics; Media, Legislative, and Stakeholder Contacts and Concerns; Workload Processing; Special Projects Assigned to Executive Director; General Information Regarding the Routine Functioning of the Licensure Program; and Executive Director's Report Concerning Update on Open, Tabled, and Closed Cases as well as Disciplinary Action Log and Tool
- 15. Professional Licensing and Certification Unit Management Report on Unit Organization and Staffing; Program Costs and Revenue; Current Operational Initiatives; Customer Service Accomplishments and Challenges; Workload Processing and Statistical Information; Status of Rulemaking within the Unit; Legislative and Media Contacts and Tracking; General Information on Functioning of the Unit
- 16. Set Next Meeting Dates
- 17. Propose Agenda Items
- 18. Public Comment

19. Adjournment

Action may be taken on any of the above items. The Board reserves the right to go into executive session as authorized by the Government Code. Agenda items may be taken in any order at the discretion of the chair. An individual who wishes to speak on an issue that falls under the Board/committee's jurisdiction shall be heard during the Public Comment agenda item if it exists. The Chair may establish and announce limitations on speakers, including time limits and when speakers may address the Board/Committee. The limitations, if any, may vary from meeting to meeting.

CONTACT: Yvonne Feinleib, Executive Director
Texas Board of Orthotics and Prosthetics
512/834-4521

Persons with disabilities who plan to attend this meeting and require auxiliary aids or services are asked to call Anne Mosher, Center for Consumer and External Affairs, Department of State Health Services, (512) 776-2780, 72 hours prior to the meeting so that appropriate arrangements may be made.