

TEXAS BOARD OF ORTHOTICS & PROSTHETICS

ENFORCEMENT COMMITTEE MEETING

**Thursday, November 13, 2014, 1:00 p.m.
University of Texas Southwestern Medical Center
Pickens Medical Education and Conference Center, NG3.112
6001 Forest Park Drive
Dallas, TX 75390**

AGENDA

(Neider, Smith, McCoy substituting for 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 August 14, 2014, Committee Minutes
4. Review, Discussion and Possible Action Regarding Complaint #1070-12-0012
5. Review, Discussion and Possible Action Regarding Complaint #1070-12-0047
6. Review, Discussion and Possible Action Regarding Complaint #1070-13-0004
7. Review, Discussion and Possible Action Regarding Complaint #1070-13-0006
8. Review, Discussion and Possible Action Regarding Complaint #1070-14-0005
9. Review, Discussion and Possible Action Regarding Complaint #1070-14-0006
10. Review, Discussion and Possible Action Regarding Complaint #1070-14-0009
11. Review, Discussion and Possible Action Regarding Complaint #1070-14-0031
12. Review, Discussion and Possible Action Regarding New Facility Application and related Complaints #1070-11-0010, #1070-12-0015, #1070-12-0041 and #1070-14-0010
13. Staff Report Concerning Update on Open Cases, to include Tabled Cases
14. Discussion and Possible Action Concerning Closed Cases
15. Discussion and Possible Action Concerning the Draft Sanction Guide
16. Set Next Meeting Date
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.

TEXAS BOARD OF ORTHOTICS & PROSTHETICS

LICENSING AND ACCREDITATION COMMITTEE MEETING

Friday, November 14, 2014, 10:00 a.m.
University of Texas Southwestern Medical Center
Pickens Medical Education and Conference Center, NG3.112
6001 Forest Park Drive
Dallas, TX 75390

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 August 14, 2014, Committee Minutes
4. Review, Discussion, and Possible Action to Approve or Disapprove the Following Pending Technician Applications
 - JL (Prosthetics)
5. Review, Discussion, and Possible Action to Approve or Disapprove the Following Pending Assistant Applications
 - MS (Orthotics and Prosthetics)
6. Review, Discussion, and Possible Action to Approve or Disapprove the Following Pending Student Applications
 - RB (Orthotics and Prosthetics)
 - LK (Orthotics and Prosthetics)
 - JL (Prosthetics)
 - VR (Prosthetics)
 - MS (Orthotics and Prosthetics)
7. Review, Discussion, and Possible Action to Approve or Disapprove the Following Pending Practitioner Applications
 - GL (Prosthetics)
8. Review, Discussion, and Possible Action to Approve or Disapprove the Following Pending Unique Qualifications Applications
 - WM (Orthotics and Prosthetics)
 - CM (Prosthetics)
9. Review, Discussion, and Possible Action to Approve or Disapprove the Following Facility Accreditation Applications

- HC-G (Orthotics and Prosthetics)
- HC-H (Orthotics and Prosthetics)
- HCOP- (Orthotics and Prosthetics)
- NL-SA (Orthotics and Prosthetics)
- OI-SA (Orthotics and Prosthetics)
- OSMJMP- (Orthotics and Prosthetics)
- TOS-SA (Orthotics and Prosthetics)
- STMS-S-D (Prosthetics)

10. Review, Discussion, and Possible Action regarding Implementation of Recently Adopted Rules
11. Set Next Meeting Date
12. Propose Agenda Items
13. Public Comment
14. Adjournment

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TEXAS BOARD OF ORTHOTICS & PROSTHETICS

RULES COMMITTEE MEETING

Friday, November 14, 2014, 1:00 pm
University of Texas Southwestern Medical Center
Pickens Medical Education and Conference Center, NG3.112
6001 Forest Park Drive
Dallas, TX 75390

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 August 15, 2014 Committee Minutes
4. Review, Discussion, and Possible Action concerning Format of Rule Drafts, including Rules Approved by the Rules Committee and Rules under Review
5. 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
6. Discussion and Possible Action regarding a New Rule in 22 Texas Administrative Code, Chapter 821, to establish two different levels of orthotic assistant licensure, with different educational requirements and different scopes of practice
7. Discussion and Possible Action Concerning Petition for the Adoption of a Rule regarding Orthoses Sold by Online Retailers
8. Review, Discussion and Possible Action regarding Orthotic Assistants working under the Direction of a Physician
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.

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Texas Board of Orthotics and Prosthetics
512/834-4521

TEXAS BOARD OF ORTHOTICS & PROSTHETICS

BOARD MEETING

Friday, November 14, 2014, 2:00 pm
University of Texas Southwestern Medical Center
Pickens Medical Education and Conference Center, NG3.112
6001 Forest Park Drive
Dallas, TX 75390

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 August 15, 2014, Board Meeting Minutes
4. Discussion and Possible Action Regarding Reports from the Board Committees
 - a. Licensing and Accreditation Committee
 - Number of Applications Reviewed
 - Number of Applications Approved
 - Number of Applications Denied
 - Number of Applications Tabled
 - b. Enforcement Committee
 - 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

Review, Discussion, and Possible Action concerning Format of Rule Drafts, including Rules Approved by the Rules Committee and Rules under Review

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 Concerning Petition for the Adoption of a Rule regarding Orthoses Sold by Online Retailers

Review, Discussion and Possible Action regarding Orthotic Assistants Working under the Direction of a Physician

5. Review, Discussion, and Possible Action Regarding Agreed Orders of Case #1070-14-0029 and Case #1070-09-0014
6. Review, Discussion, and Possible Action Regarding Payment Order on Case #1070-12-0043
7. Staff Attorney's Report Regarding the 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
8. Discussion regarding the Process for Updating Board Member, Applicant, and Licensee Addresses
9. 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
10. 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
11. 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
12. Set Next Meeting Dates
13. Propose Agenda Items
14. Public Comment
15. Adjournment

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