

TEXAS BOARD OF ORTHOTICS & PROSTHETICS

ENFORCEMENT COMMITTEE MEETING

**Thursday, February 26, 2015, 10:00 a.m.
William P. Hobby Jr. Building Room 100
333 Guadalupe St, Austin, TX 78701**

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 November 13, 2014, Committee Minutes
4. Review, Discussion and Possible Action Regarding Complaint #1070-12-0047
5. Review, Discussion and Possible Action Regarding Complaint #1070-13-0004
6. Review, Discussion and Possible Action Regarding Complaint #1070-13-0006
7. Review, Discussion and Possible Action Regarding Complaint #1070-14-0002
8. Review, Discussion and Possible Action Regarding Complaint #1070-14-0005
9. Review, Discussion and Possible Action Regarding Complaint #1070-14-0021
10. Staff Report Concerning Update on Open Cases, to include Tabled Cases
11. Discussion and Possible Action Concerning Closed Cases
12. Discussion and Possible Action Concerning the Draft Sanction Guide
13. Discussion and Possible Action Concerning Overview of Past Enforcement Actions Taken by the Board
14. Set Next Meeting Date
15. Propose Agenda Items
16. Public Comment
17. 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, February 27, 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 November 14, 2014, Committee Minutes
4. Review, Discussion, and Possible Action to Approve or Disapprove the Following Pending Assistant Applications
 - CL (Orthotics and Prosthetics)
 - LN (Orthotics)
5. Review, Discussion, and Possible Action to Approve or Disapprove the Following Pending Student Applications
 - BB (Orthotics)
 - KC (Orthotics)
 - CF (Orthotics and Prosthetics)
 - EH (Orthotics)
 - CK (Orthotics)
 - BS (Orthotics and Prosthetics)
 - RS (Orthotics and Prosthetics)
 - AT (Orthotics)
 - RT (Prosthetics)
 - AW (Orthotics)
6. Review, Discussion, and Possible Action to Approve or Disapprove the Following Pending Practitioner Applications
 - KG (Orthotics)
 - ES (Orthotics and Prosthetics)
7. Review, Discussion, and Possible Action to Approve or Disapprove the Following Facility Accreditation Applications
 - APR-W (Prosthetics)
 - BOPE-D (Orthotics and Prosthetics)
 - BOPE-FW (Orthotics and Prosthetics)
 - CCHH-A (Orthotics and Prosthetics)

- CCOBP-L (Orthotics and Prosthetics)
- CCOBP-T (Orthotics and Prosthetics)
- HC-AB (Orthotics and Prosthetics)
- HC-H (Orthotics and Prosthetics)
- HC-P (Orthotics and Prosthetics)
- HC-SP (Orthotics and Prosthetics)
- HC-SU (Orthotics and Prosthetics)
- HC-W (Orthotics and Prosthetics)
- KOPS-H (Orthotics and Prosthetics)
- LLOP-B (Orthotics and Prosthetics)
- LLOP-H (Orthotics and Prosthetics)
- LLOP-J (Orthotics and Prosthetics)
- LLOP-L (Orthotics and Prosthetics)
- LLOP-N (Orthotics and Prosthetics)
- NPI-C (Orthotics and Prosthetics)
- PPOI-EP (Orthotics and Prosthetics)
- VPC-L (Prosthetics)

8. Review, Discussion, and Possible Action regarding Process for License, Registration and Accreditation Approval
9. Set Next Meeting Date
10. Propose Agenda Items
11. Public Comment
12. Adjournment

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Texas Board of Orthotics and Prosthetics
512/834-4521

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TEXAS BOARD OF ORTHOTICS & PROSTHETICS

RULES COMMITTEE MEETING

Friday, February 27, 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 November 14, 2014 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 Creation of an Ad Hoc Committee to Review, Discuss and Make Recommendations for Rule Revision and Updates
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, February 27, 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 August 15, 2014, 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 – reports from November 14, 2014 and February 27, 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 – reports from November 14, 2014 and February 26, 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 – reports from November 14, 2014 and February 27, 2015
 - 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
 - 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 Regarding the Application Process for Assistants
 - Discussion and Possible Action Regarding Examinations
 - Discussion and Possible Action Regarding Creation of an Ad Hoc Committee to Review, Discuss and Make Recommendations for Rule Revision and Updates
6. Review, Discussion, and Possible Action Regarding Agreed Orders for Case #1070-09-0014, Case# 1070-10-057, Case # 1070-10-0077, Case #1070-12-0004, Case #1070-12-0005, Case #1070-14-0028, and Case #1070-14-0029
 7. Review, Discussion, and Possible Action Regarding Payment Order on Case #1070-12-0043
 8. Executive Session, Discussion, and Possible Action on 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; and Case #1070-14-0030
 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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