

OCCUPATIONAL THERAPY MINUTES

March 15, 2007

Public Board Meeting

MEMBERS PRESENT: Sue Elcik, Shelley Rau, Julie Kadnar and Ann Rousselle Smith.

MEMBERS ABSENT:

OTHERS PRESENT: James Smith, Hearing Officer; Judith Peters, AAG; Penny Vaillancourt, Board Administrator; and Jennifer Mooney, Board Clerk.

I. CALL TO ORDER

The meeting was called to order by Sue Elcik at 9:15 a.m.

II. OLD BUSINESS

A. Review and approval of February 15, 2007 minutes.

Shelley Rau made a motion to approve the February 15, 2007 minutes as amended. The motion was seconded by Anne Rousselle Smith.

Vote: 4 in favor

III. New Business

A. Adjudicatory Hearing

Karol Shaw

The adjudicatory hearing in the case of OT-019 convened at 9:50 a.m. Julie Kadnar recused herself from the hearing due to having worked for the same employer and in the same building with the licensee.

After reviewing and discussing the evidence presented, the board concluded that the licensee practiced fraud and deceit and violated the unprofessional conduct provisions by finding that the licensee falsified timesheets and fraudulently billed for services not rendered.

The motion was made by Suzanne Elcik and seconded by Ann Rousselle Smith.

Vote: 2 in favor (2 recusals – Shelley Rau and Julie Kadnar)

After reviewing and discussing the evidence presented, the board concluded that the licensee was not impaired.

The motion was made by Suzanne Elcik and seconded by Ann Rousselle Smith.

Vote: 2 in favor (2 recusals – Shelley Rau and Julie Kadnar)

After reviewing and discussing the violations, Suzanne Elcik made a motion, which was seconded by Anne Rousselle Smith to issue the following sanctions: a letter of reprimand, a total fine of \$1000.00, \$500.00 for the fraudulent billing and \$500.00 for the inaccurate/fraudulent timesheets; payment of the costs of the hearing not to exceed \$1,500.00 and to be submitted to the board no later than June 30, 2007; probationary period of 2 years which includes weekly supervision and a monthly report to be filed with the board by the supervisor.

Vote: 2 in favor (2 recusals – Shelley Rau and Julie Kadnar)

The hearing convened at 3:30pm.

Complaint Item

2006-OCC-2658

After review and discussion, a motion was made by Julie Kadnar, seconded by Shelley Rau to accept the compliance documents as submitted.

Vote: 4 in favor

2007 CEU Audit

After discussion of the random audit selection, a motion was made by Anne Rousselle Smith and seconded by Shelley Rau that all members of the board will be selected for the audit.

Vote: 4 in favor

C. Renewal Application Review

Ruth Joy Hamlin – After review and discussion of Ms. Hamlin's renewal application of her OTA license, a motion was made by Shelley Rau and seconded by Anne Rousselle Smith to preliminarily deny this application based on the findings that she did not obtain a signature of a Maine licensed Occupational Therapist on her renewal form.

Vote: 4 in favor

D. Election of Officers

A motion was made by Shelley Rau to re-elect Suzanne Elcik as board chair, Julie Kadnar as vice chair and Anne Rousselle Smith as the complaint officer. The motion was seconded by Anne Rousselle Smith.

Vote: 4 in favor

E. Administrator's Report

Penny Vaillancourt provided the board with an update regarding legislation, licensing numbers, and financials.

E. Miscellaneous

Shelley Rau announced that she is resigning from the board due to personal and professional obligations.

IV. Other Business

V. Adjourn

Ann Rousselle Smith made a motion to adjourn the meeting; Shelley Rau seconded the motion. The meeting was adjourned at 3:55pm.

Vote: 4 in favor

The next scheduled board meeting is April 20, 2007.

Respectfully submitted,

Jennifer Mooney, Board Clerk