



## Occupational Therapy Compact Executive Committee Meeting Minutes

May 8, 2023

### Members Present:

Chair	Lesly James	South Carolina
Vice Chair	Teri Black	Wisconsin
Treasurer	Danielle Ward	North Carolina
Secretary	Renee Causey-Upton	Kentucky
Member-at-Large	Missy Anthony	Ohio
Member-at-Large	Daniel Martin	Maryland

### Members Absent:

Member-at-Large	Vanessa Beauchamp	Missouri
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### Ex-Officio Delegates Present:

Chuck Willmarth, AOTA  
Shaun Conway, NBCOT

### Legal Counsel Present:

Nahale Kalfas, Council of State Governments (CSG)

### CSG Staff Present:

Isabel Eliassen, CSG  
Carl Sims, CSG

### Delegates Present:

Michael Sobowale	Virginia
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### Members of ASMI Present:

Beth Armstrong, ASMI President  
Dan Manz, ASMI Transition Team Leader  
Dia Gainor, ASMI Account Executive

### Members of the Public Present:

Brandy Archie  
Willie Apala Flaherty

### **Welcome/Call to Order**

- L. James called the meeting to order at 2:01 pm ET.

### **Roll Call**

- I. Eliassen called the roll. 1 committee member was absent.

### **Review and Adoption of the Agenda**

- L. James reviewed the agenda and called for a motion to adopt the agenda.
- **Motion:** M. Anthony moved that the committee adopt the posted updated agenda. D. Martin seconded the motion. All members present voted in favor, 0 opposed, and 0 abstained. The motion passed.

### **Review and Adoption of Meeting Minutes**

- L. James reviewed the draft minutes from the May 1, 2023 OT Compact Executive Committee Meeting.
- L. James called for a motion to adopt the draft minutes.
- **Motion:** T. Black moved that the committee adopt the draft minutes. M. Anthony seconded the motion. All members present voted in favor, 0 opposed, and 0 abstained. The motion passed.

### **Secretariat Update and Vote on Executive Director**

- L. James shared that the contract with ASMI had been signed at the end of last week.
- Representatives from ASMI shared that they had interviewed 3 candidates and they put forward their finalist, Amanda Perry. Amanda has more than 20 years of experience working across private, non-profit, and local and international government entities. She is currently located in Louisiana.
- B. Armstrong shared that she would like headquarters for the OT Compact to be located in Virginia with ASMI, and Amanda would work remotely in Louisiana. ASMI has 3 all-staff meetings annually where Amanda would travel for in-person meetings.
- **Motion:** M. Anthony moved that the committee approve the candidate for Executive Director, as brought forward by ASMI. D. Martin seconded the motion. All members present voted in favor, 0 opposed, and 0 abstained. The motion passed.
- C. Willmarth suggested a press release to come forward regarding the hiring of both the Secretariate and Executive Director for the OT Compact, which was discussed further later in the meeting related to the OT Compact Update Letter.

### **Data System Update and Vote**

- C. Sims and N. Kalfas shared that USDR stated that the database shell offer from NBCOT contained some elements which may be useful to the compact but that it would largely depend on the specifics of the proposals received.
- At this time, it will be best for the RFP to be open to developing a custom data system from scratch rather than focusing solely on building out from the shell of the NBCOT data system. If a vendor already uses the same system as NBCOT, then it may be fruitful to move forward with pursuing use of the shell from the NBCOT system, but the Commission needs to keep options open at this time.

- USDR will begin developing the RFP for building the data system.
- M. Anthony suggested the potential need for a subcommittee to review and provide input regarding development of the data system based on states' needs and current systems that will need to interface with the OT Compact's data system.
- N. Kalfas stated that anything generated by USDR will come back to the Commission Executive Committee for input and approval.

### **Review and Vote on Proposed Rules**

- M. Sobowale led the group in an overview of the proposed Rule on Definitions and the Rule on Data Set Requirements.
- C. Willmarth was concerned about the mention of NBCOT number as a potential identifying number for the data system in the Rule on Data Set Requirements.
- M. Sobowale stated that NPI was removed because this is not used by all practitioners, and some state regulatory systems may not require social security number so NBCOT number was added as an option in the Rules.
- M. Anthony agreed that NPI is not typically gathered by licensing boards. She also stated that the Commission may have to create their own identifier for the Compact Privilege.
- N. Kalfas discussed that the compact will have to further determine/define the time component related to FBI background check requirements and how long states would have to move into compliance with these requirements. Further discussion occurred regarding how to address eligibility based on passing a background check in the data system, in compliance with how this information is permissible legally to be gathered and displayed within the data system. N. Kalfas stated that a federal bill has been introduced related to addressing FBI background check language that may help to resolve issues related to collecting this data in the data system: <https://www.congress.gov/bill/118th-congress/house-bill/1310?s=1&r=10>.
- N. Kalfas confirmed that the state licensing board must give the confirmation that they believe a licensee meets criteria for receiving a compact privilege, which is ultimately approved and implemented by the Compact commission.
- Concerns were brought forward regarding the Rule on Data Set Requirements as more information is needed from member states regarding their systems to finalize this information.
- The committee discussed that the main purpose of the current proposed Rule on Data Set Requirements is to provide the proposed data points to USDR to assist with developing the RFP.
- **Motion:** T. Black moved that the committee approve the proposed Rule on Definitions for forwarding to the full commission, with the understanding that revisions can be made in the future as needed. R. Causey-Upton seconded the motion. All members present voted in favor, 0 opposed, and 0 abstained. The motion passed.
- The Rule on Data Set Requirements was returned to the Rules Committee for further revisions. There may also be further updates once survey results are received from member states and will not be moved forward for a vote today; the current draft will be sent forward to the USDR for the purpose of developing an RFP.

### **Compact Update Letter**

- I. Eliassen stated that this was a letter which the Communications Committee approved, pending approval on several items from the Executive Committee. I. Eliassen stated that more information about the Executive Director could be added as well to the letter.
- N. Kalfas recommended linking to a press release generated by ASMI within the letter.
- S. Conway stated that NBCOT can distribute information about the new Executive Director as well.
- I. Eliassen will add additional information to the letter regarding the Executive Director and will distribute to the public.

### **State Data System Survey Approval**

- I. Eliassen stated that USDR had not been able to spend time reviewing the survey as they had been discussing the NBCOT database. However, the motion to approve it could include a condition for L. James to approve final edits to the survey based on feedback from USDR.
- **Motion:** M. Anthony made a motion to approve the survey for distribution to member states, as amended with the additional question regarding the type of board model. D. Martin seconded the motion. M. Anthony moved to amend to allow CSG or the new compact administrator to send the survey to states who have introduced legislation/other states with whom we have contacts with state regulatory boards. All members present voted in favor, 0 opposed, and 0 abstained. The motion passed.

### **Legislative Update**

- I. Eliassen reported that five states had enacted the compact thus far in 2023, with the potential for several more states to enact during the year. The current total of member states is 27.

### **Questions and Comments**

- L. James asked for additional questions from the Committee. None were brought forward.
- Public member Willie Apala Flaherty asked to speak. He works for an OT technology startup company. W. Flaherty discussed the potential for external facing API for members of the Compact, and how API could potentially be used to verify licenses and the Compact Commission could charge to provide more funds to the Compact. He defined API or application programming interface as a way to get information through code to build systems.
- C. Sims mentioned that the API to verify licenses has been included in other compacts, and could be a consideration for the OT Compact.
- Next meeting is scheduled for June 12<sup>th</sup>.

### **Meeting Closure**

- Hearing no further business, L. James adjourned the meeting by declaration at 4:00 pm ET.