



Occupational Therapy Compact Commission

Rules Committee Meeting

Minutes: March 31, 2025

Member	Attendance	VOTES					
		Agenda	Minutes	No item	No item	No item	Adjourn
Claire Covert-Bybee, Chair	P	Y	Y	---	---	---	---
Adrienne Price	P	Y	Y	---	---	---	---
Vanessa Beauchamp	P Arrived at 1:04p; departed at 2:52p	---	---	---	---	---	---
Teri Black	P	Y	Y	---	---	---	---
Dr. Van Culotta	P	Y	Y	---	---	---	---
TOTALS	4/5 voting members initially; then 5/5; quorum present	4/4 motion carries	4/4 motion carries	---	---	---	Chair adjourned by acclimation at 3:31p CST

Other attendees (non-voting)		
Name	Role	Organization
Nahale Kalfas	Legal Counsel	OTCC
Amanda Perry	Executive Director	OTCC
Brandy Villareal	Member of the Public	OT Student
Francielle Pineda	Member of the Public	NBCOT

Welcome/Call to Order

- Chair C. Covert-Bybee called the meeting to order at 12:34p CST.

Roll Call

- A. Perry called the roll; quorum was present; attendance reflected in chart above.

Review and Adoption of the Agenda

- Chair C. Covert-Bybee reviewed and called for a motion to adopt the agenda.
- **Motion:**
 - **V. Culotta motioned that the committee adopt the agenda as presented.**
 - **T. Black seconded the motion.**
 - **All voted in favor; 0 abstained; the motion carried.**

Review and Adoption of the Minutes

- Chair Covert-Bybee reviewed the minutes from the previous meeting and called for a motion to adopt them as presented.
- **Motion:**
 - **T. Black motioned that the committee adopt the minutes as presented.**
 - **A. Price seconded the motion.**
 - **All voted in favor; 0 abstained; the motion carried.**

Rules Development:

- Chair Covert-Bybee initiated this topic by summarizing the ongoing discussion about establishing two timelines (state implementation, professionals) for implementing FBI CBCs. States' challenges with this are:
 - Legal impossibility
 - Inability for states to obtain FBI ORI (originating agency identifier) for the purposes of conducting FBI CBCs for making licensing decisions
 - inability to obtain FBI ORI for licensure decisions because legislation does not exist in some states' OT practice acts
 - FBI regional offices are inconsistent in their support/denial of this process
 - Legal impossibility doctrine and defense
 - Requires proof that states are actively attempting to comply with the legislation
 - ORI applications that are not approved
 - OTCC needs a rule to explain what states need to do to provide this proof
 - Next best thing when states are not able to comply due to legal impossibility
 - Conduct state level background checks
 - Have applicants attest to no criminal record history (or disclose any criminal record history)
 - Require applicants to obtain an FBI CBC within 60 days notification to them that the state has the ability to conduct FBI CBCs
 - Q: Does legal impossibility allow for a remote state (that does not have issues conducting FBI CBCs) to conduct the FBI CBC?

- A: No. That only applies if the applicant is switching their home state license to the remote state. It does not apply to issuing privileges to practice.
- A. Perry displayed the draft “Rule on Legal Impossibility for Applicants” and made live edits for the RC to view during the discussion. This draft rule was edited based on the RC’s discussion and suggestions during the meeting. It was mostly finalized during this meeting; however, it was not voted to send to the Executive Committee for review because some minor edits are needed and related rules (regarding states) need to be drafted to accompany this draft rule. The discussion and vote were tabled until the next meeting.
- Rules Development Discussions that were tabled for future meetings
 - State Legal Impossibility for FBI CBCs
 - Timeline for Applicants to Have FBI CBC in states where it is already conducted
 - Change in Home State Designation
 - Military Specific Rules
 - Home state designation process
 - Changing home state designation
 - Clarifying U.S. Code that is misquoted in the OTC legislation
 - Fee waivers (if desired)
 - Utility of printed OTC verification documents
 - Digital badges (if implemented)
 - Documents/Pages from CompactConnect

Questions and Comments

- Chair C. Covert-Bybee called for additional questions and comments from the members and the public.
 - Member comments: April 15, 2025 meeting cancelled due to conflicts; May 20, 2025 meeting rescheduled to May 6, 2025
 - Public comments: none

Adjournment

- **Hearing no further discussion, Chair Covert-Bybee adjourned the meeting via acclamation at 3:31p CST with no opposition from the members.**