

**Occupational Therapy Compact Commission
 Rules Committee Meeting
 Minutes: May 5, 2026**

Member	Attendance	Agenda	Minutes	Draft Rule on Investigations Edits	Draft Rule on Investigations send to OTCC	No Item
Claire Covert-Bybee, Chair	P	Y	Y	Y	Y	---
Adrienne Price	P	Y	Y	Y	Y	---
Vanessa Beauchamp	P	Y	Y	Y	Y	---
Teri Black	P	Y	Y	Y	Y	---
Dr. Van Culotta	P	Y	Y	Y	Y	---
TOTALS	5/5 voting members; quorum present	5/5 motion carries	5/5 motion carries	5/5 motion carries	5/5 motion carries	---
Meeting adjourned via acclamation at 4:34p CT						

Other attendees (non-voting)		
Name	Role	Organization
Nahale Kalfas	Legal Counsel	OTCC
Amanda Perry	Executive Director	OTCC
Francielle Pineda	Member of the Public	NBCOT
Missy Anthony	OTCC Commissioner	Ohio
Vonda Malnikoff	OTCC Commissioner	West Virginia

Welcome/Call to Order

- Chair C. Covert-Bybee called the meeting to order at 3:04p CT.

Roll Call

- A. Perry called the roll; quorum was present; attendance reflected in chart above.
 - 5/5 voting members present at roll call

Review and Adoption of the Agenda

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

Review Public Comments for Draft Rule on Investigations

- Chair Covert-Bybee explained that the OTCC received three public comments. The public comment period was from April 1, 2026 – May 1, 2026.
- The RC members reviewed the comments and provided a response to each one.
- One public comment requested clarification on a specific piece of the OT Compact Legislation. The RC determined that comment would be addressed by legal counsel outside of the RC meeting.
- Another public comment raised a scenario-based question among the RC members, as follows:
 - Q: If a member state (not a home state) acts on a clinician's OTC privilege to practice, but the home state does not act on the license, can other member states where the clinician holds privileges to practice take action on the privilege in that state?
 - A: Yes – any state can act on any privilege to practice even if the home state does not encumber the home state license. All states should consider liability for not addressing misconduct.
- The RC determined that the rule clearly states that a member state has the option (“may”) enter a joint investigation with other member states; or, a member state can choose not to. Either way states should provide the lead investigative state with relevant information about the matter under investigation, including serving subpoenas as requested by the investigating states.
- Q: What state is responsible for leading joint investigations?
 - A: It is logical for the state where the alleged adverse action occurred to lead the investigation. However, the draft rule provides for flexibility in this matter and to allow the member states to select the lead investigator.
- Legal Counsel offered to draft a memo that explains the following terms:

- Investigations (independent, not joint)
- Joint Investigations
- Subpoena
- The RC agreed that such a memo is warranted for full clarity and transparency.
- Based on some public comments, the RC determined the following non-substantive edits are needed to clarify the draft rule’s intent:
 - Remove all definitions that are defined in the OTC Legislation or in the Rule on Definitions
 - Change the title from “Investigations” to “Joint Investigations”
 - Remove repetitive language within the rule
 - Include minor edit of language that adds clarity
- **Motion:**
 - **A. Price motioned to approve the live edits made during the Rules Committee meeting, including the removal of all definitions that are defined in OTC Legislation and/or in the Rule on Definitions.**
 - **V. Culotta seconded the motion.**
 - **All voted in favor; no one abstained; motion carried.**
- **Motion:**
 - **V. Culotta motioned to send the draft rule including the voted edits forward to a full OTCC vote on May 6, 2026.**
 - **A. Price seconded the motion.**
 - **All voted in favor; no one abstained; motion carried.**

Questions and Comments

- Chair Covert-Bybee called for additional questions and comments from the members and the public.
 - Member comments: none
 - Public comments: none

Adjournment

- Hearing no further discussion, Chair Covert-Bybee adjourned the meeting via acclimation at 4:34p CT with no opposition from the members.
- **Next Meeting: May 26, 2026**