



**Occupational Therapy Compact Commission  
Rules Committee Meeting  
Minutes: May 26, 2026**

Member	Attendance	Agenda	Minutes	Timeline for CBC validity	Legal Impossibility Process	No Item
Claire Covert-Bybee, Chair	P	Y	Y	Y	Y	---
Adrienne Price	P <small>Joined at 3:12p CT</small>	---	---	Y	Y	---
Vanessa Beauchamp	P	Y	Y	Y	Y	---
Teri Black	P	Y	Y	Y	Y	---
Dr. Van Culotta	A	---	---	---	---	---
<b>TOTALS</b>	<b>4/5 voting members; quorum present</b>	3/3 motion carries	3/3 motion carries	4/4 motion carries	4/4 motion carries	---

Meeting adjourned via acclamation at 4:08p 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

## **Welcome/Call to Order**

- Chair C. Covert-Bybee called the meeting to order at 3:05p CT.

## **Roll Call**

- A. Perry called the roll; quorum was present; attendance reflected in chart above.
  - 3/5 voting members present at roll call
  - 4/5 voting members present for majority of the meeting

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

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

## **Discussion Regarding Implementing Timeline for FBI CBC Validity**

- Chair Covert-Bybee explained that the OTCC Compliance Committee requested that the OTCC Rules Committee consider whether or not to edit the existing Rule on FBI CBC to implement a timeline for the validity of FBI CBCs (Federal Bureau of Investigations Criminal Background Checks) or state CBCs for states using the Legal Impossibility pathway
- Compliance Committee Chair A. Price shared that the Compliance Committee needed to understand if there is a timeline to which the OTCC should hold states accountable for ensuring that CBCs are up-to-date.
- For clarifying purposes, the example was given that the Rule on FBI CBCs could be amended to reflect that OT practitioners must have an FBI CBC (or state CBC for LI participants) every five years (or however often is appropriate).
- Discussion:
  - Idea that implementing a timeline for valid CBCs is premature given states are having such a difficult time performing initial CBCs as a Compact requirement.
  - Concurrence that state licensing board administrators ask about criminal history during initial and renewal applications.
  - NBCOT captures 85-95% renewal rates for certification; they inform states of any actions taken on a person's certification → the state then determines whether to take action on the license.
    - If a state takes disciplinary action on a license, then the state must report that to the OTCC.

- Practitioners must disclose to the OTC (within 30 days) if they have criminal history or an encumbered license in a non-member state. They may have privilege(s) to practice in member states, but a single state license in a non-member state. They must disclose criminal activity and/or non-member state license disciplinary actions to the OTCC.
- Historical context when NBCOT began asking renewal applicants about criminal history (and other relevant questions), they had over 900 cases to review in the first year of asking; people disclosed their histories.
- **Motion:**
  - **V. Beauchamp motioned that the Rules Committee does not amend the rules to implement a requirement for additional criminal back ground checks (CBCs) or a timeline for validity of existing CBCs.**
  - **T. Black seconded the motion.**
  - **All voted in favor; no one abstained; motion carried.**

### **Legal Impossibility Review (Approval/Denial) Process**

- Chair Covert-Bybee explained that the OTCC should formalize the process for states to apply for and have a review and decision regarding their interest in operationalizing the OTC through the Legal Impossibility (LI) pathway that currently exists in rule.
  - It is formalizing the review process for what already exists in rule.
- Counsel Kalfas shared the existing checklist for the interview process when states request to operationalize through the Legal Impossibility pathway.
  - Checklist is based on the requirements in the existing FBI CBC rule, which is where the LI pathway exists.
- The Rules Committee determined that there are three potential options for formalizing the review and approval/denial process:
  - Make the process a rule that includes the checklist
  - Make the process a policy that references the checklist as a tool
  - Document the process but not formalize it
- The Rules Committee determined that the review process should be a policy that is approved by the OTCC Executive Committee. It should not be a rule, nor should it simply be documented. The policy should be reflected for consistency among applicants and reviewers.
- **Motion:**
  - **A. Price motioned that the process to review and make a recommendation for approval or denial of states' applications for operationalizing through the Legal Impossibility pathway be delegated to OTCC's Legal Counsel and Executive Director to draft language and to present the proposed language to the Executive Committee for a vote.**

### **Questions and Comments**

- Chair Covert-Bybee called for additional questions and comments from the members and the public.
  - Member comments: Chair Covert-Bybee announced her resignation from the OTCC and the OTCC Rules Committee effective June 19, 2026.
    - Members provided positive feedback on her leadership of the Rules Committee and farewell sentiments.
  - Public comments: none

**Adjournment**

- Hearing no further discussion, Chair Covert-Bybee adjourned the meeting via acclimation at 4:08p CT with no opposition from the members.
- **Next Meeting: June 23, 2026**