

**Texas Board of Othotics & Prosthetics**

***Enforcement Committee Meeting***

**Thursday May 14, 2015, 10:00 a.m.  
William P. Hobby Jr. Building Room 100  
333 Guadalupe St, Austin, TX 78701**

**Members Present**

Richard Neider, Chair  
Rebecca Brou  
Ray Smith

**Staff Present**

Yvonne Feinleib  
Don Jansky  
Georgia Norman  
Amanda Stallings

**Public Present**

Greg Brou  
John Greung  
Bobby Bailey  
Mike Allen  
Natalie Stewart  
Gordon Stevens  
Matthew Harris  
Chrissy Moses

**Agenda item 1** was to call the meeting to order – Intro of Members, Guests, and Staff. The meeting was called to order by Mr. Neider at 10:07 a.m.

**Agenda item 2** was discussion and possible action concerning board members who are inexcusably absent from regularly scheduled board meetings, as defined under Texas Occupations Code Section 605.057(a)(5). No action was taken.

**Agenda item 3** was review and approve February 23, 2015, committee minutes. Mr. Smith made a motion to approve the minutes as written. Ms. Brou seconded the motion and it passed.

**Agenda item 4** was review, discussion and possible action regarding complaint # 1070-13-0028. A motion was made by Mr. Smith to close the case with no violation. Ms. Brou seconded the motion and it passed.

**Agenda item 5** was review, discussion and possible action regarding complaint # 1070-13-0031. Ms. Brou made a motion to close this case with no violation due to lack of evidence. Mr. Smith seconded the motion and it passed.

**Agenda item 5** was review, discussion and possible action regarding complaint # 1070-13-0031. Ms. Brou made a motion to close this case with no violation due to lack of evidence. Mr. Smith seconded the motion and it passed.

**Agenda item 6** was review, discussion and possible action regarding complaint # 1070-15-0002.

The board went into executive session in accordance with Government Code Chapter 551.071 (Open Meetings Act) for the purposes of consulting with the board attorney concerning the matter of agenda item 6 at 10:49 a.m. The board came out of executive session at 11:03 a.m. Discussion of all items concluded. No action was taken.

A motion was made table pending further investigation. The motion was seconded and passed.

**Agenda item 7** was the staff report concerning update on open cases, to include tabled cases. Yvonne Fienlieb gave the report. No action was taken.

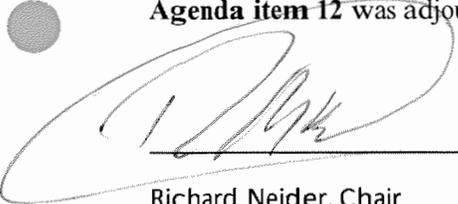
**Agenda item 8** was the discussion and possible action concerning closed cases. No action was taken.

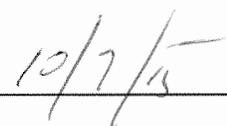
**Agenda item 9** was to set the next meeting date. This was tabled to discuss in the full board meeting.

**Agenda item 10** was propose future agenda items.

**Agenda item 11** was public comment. There was no comment.

**Agenda item 12** was adjournment. The meeting adjourned at 11:22 p.m.

  
Richard Neider, Chair

  
Date

**Texas Board of Othotics & Prosthetics**  
*Licensing and Accreditation Committee Meeting*

**Friday May 15, 2015, 10:00 a.m.**  
**William P. Hobby Jr. Building Room 100**  
**333 Guadalupe St, Austin, TX 78701**

**Members Present**

Miguel Mojica, Chair  
Roy McCoy  
Ray Smith

**Staff Present**

Yvonne Feinleib  
Don Jansky  
Georgia Norman  
Amanda Stallings

**Public Present**

Mike Allen  
Edmundo Corchado  
Jesse Goss  
April Dector  
Scott Odom  
Tracey Russ  
Natalie Stewart  
Gary Strobel  
Rick Rentfrow  
Chrissy Moses

**Agenda Item 1** was call to order – Introduction of members, guests, and staff. The meeting was called to order by Miguel Mojica at 10:01 a.m.

**Agenda Item 2** was discussion and possible action concerning board members who are inexcusably absent from regularly scheduled board meetings, as defined under Texas Occupations Code Section 605.057(a)(5). No action was taken.

**Agenda Item 3** was review and approve February 27, 2015, committee minutes. Roy McCoy made a motion to approve the minutes as written. The motion was seconded by Ray Smith and passed.

**Agenda Item 4** was review, discussion, and possible action to approve or disapprove the following pending Technician Applications:

FM (Prosthetics) – Ray Smith made a motion to table this until more information is received. The motion was seconded by Roy McCoy and passed.

NM (Orthotics and Prosthetics) - Ray Smith made a motion to approve the student application with corrections. The motion was seconded by Roy McCoy and passed.

DWM (Orthotics and Prosthetics) - Ray Smith made a motion to approve the student application. The motion was seconded by Roy McCoy and passed.

DRM (Orthotics and Prosthetics) - Roy McCoy made a motion to approve the student application. The motion was seconded by Ray Smith and passed.

TN (Orthotics and Prosthetics) - Ray Smith made a motion to approve the student application. The motion was seconded by Roy McCoy and passed.

AR (Orthotics and Prosthetics) - Ray Smith made a motion to approve the student application with corrections. The motion was seconded by Roy McCoy and passed.

MR (Orthotics and Prosthetics) - Ray Smith made a motion to approve the student application with corrections. The motion was seconded by Roy McCoy and passed.

JS (Orthotics and Prosthetics) - Ray Smith made a motion to approve the student application. The motion was seconded by Roy McCoy and passed.

BT (Orthotics and Prosthetics) - Ray Smith made a motion to approve the student application. The motion was seconded by Roy McCoy and passed.

MV (Orthotics and Prosthetics) - Ray Smith made a motion to approve the student application. The motion was seconded by Roy McCoy and passed.

NW (Orthotics and Prosthetics) - Roy McCoy made a motion to approve the student application. The motion was seconded by Ray Smith and passed.

**Agenda item 6** was review, discussion, and possible action to approve or disapprove the following pending Assistant Applications.

SO (Prosthetics) - Roy McCoy made a motion to approve the assistant application. The motion was seconded by Ray Smith and passed.

RS (Prosthetics) - Roy McCoy made a motion to approve the assistant application. The motion was seconded by Ray Smith and passed.

The Texas Board of Orthotics and Prosthetics' Licensing and Accreditation Committee having convened on this date and with a quorum present will now go into Executive Session in accordance with Government Code Chapter 551 (Open Meetings Act) of the State of Texas, for the purposes of consulting with the board attorney concerning the matter of agenda item 7. The date is May 15, 2015. The time is 10:26 a.m. The Texas Board of Orthotics and Prosthetics' Licensing and Accreditation Committee came out of Executive Session at 10:34 a.m. No action taken. The date is May 15, 2015.

**Agenda item 7** was review, discussion, and possible action to approve or disapprove the following pending Practitioner applications.

EC (Prosthetics) - Ray Smith made a motion to approve the practitioner application. The motion was seconded by Roy McCoy and passed.

EG (Orthotics) - Ray Smith made a motion to approve the practitioner application. The motion was seconded by Roy McCoy and passed.

JS (Prosthetics) - Ray Smith made a motion to approve the practitioner application. The motion was seconded by Roy McCoy and passed.

**Agenda item 7** was review, discussion, and possible action to approve or disapprove the following Facility Accreditation applications.

AADH-H (Prosthetics) – Roy McCoy made a motion to approve the facility accreditation application. The motion was seconded by Ray Smith and passed.

AOP-N (Prosthetics) - Ray Smith made a motion to approve the facility accreditation application. The motion was seconded by Roy McCoy and passed.

BC-B (Orthotics and Prosthetics) - Roy McCoy made a motion to approve the facility accreditation application. The motion was seconded by Ray Smith and passed.

GGPS-T (Orthotics and Prosthetics) - Roy McCoy made a motion to approve the facility accreditation application. The motion was seconded by Ray Smith and passed.

HC-C (Orthotics and Prosthetics) - Roy McCoy made a motion to approve the facility accreditation application. The motion was seconded by Ray Smith and passed.

HCOP-EP (Orthotics and Prosthetics) - Roy McCoy made a motion to approve the facility accreditation application. The motion was seconded by Ray Smith and passed.

LPO-D (Orthotics and Prosthetics) - Ray Smith made a motion to approve the facility accreditation application. The motion was seconded by Roy McCoy and passed.

RGVP-M (Prosthetics) - Roy McCoy made a motion to approve the facility accreditation application. The motion was seconded by Ray Smith and passed.

SP-SA (Prosthetics) - Ray Smith made a motion to table the facility accreditation application. The motion was seconded By Roy McCoy and passed.

SOP-H (Orthotics and Prosthetics) - Roy McCoy made a motion to approve the facility accreditation application. The motion was seconded by Ray Smith and passed.

**Agenda item 9** was review, discussion, and possible action regarding process for license, registration and accreditation approval. Yvonne Feinleib gave a review of the license, registration, and accreditation approval process. No action was taken.

**Agenda item 10** set next meeting dates. This was tabled for discussion in the full board meeting.

**Agenda item 11** was propose agenda items. There were no proposed agenda items.

**Agenda item 12** was public comment. No public comment was made.

**Agenda item 13** was adjournment. Miguel Mojica made a motion to adjourn the meeting at 11:40 a.m. The motion was seconded by Roy McCoy and passed.



# TEXAS BOARD OF ORTHOTICS & PROSTHETICS

## *RULES COMMITTEE MEETING*

Friday, May 15, 1:00 pm

William P. Hobby Jr. Building Room 100

333 Guadalupe St, Austin, TX 78701

### MINUTES

#### **Board Members Present:**

Roy McCoy, Public Member

Miguel Mojica, Professional Member

Ray Smith, Professional Member

#### **Staff Present:**

Yvonne Feinleib

Don Jansky

Amanda Stallings

Georgia Norman

**Agenda Item 1** was to call the meeting to order and introduction of members, guests, and staff at 1:00 pm by Mr. Smith, chair.

**Agenda Item 2** was the discussion concerning board members who are inexcusably absent from regularly scheduled board meetings, as defined under Texas Occupations Code Section 605.057(a)(5). There was none.

**Agenda Item 3** was to review and approve the February 27, 2015 Committee minutes. A motion was made by Mr. Smith to approve the minutes. The motion was seconded and passed.

**Agenda Item 4** was the discussion regarding amendments to the Rules concerning the licensure and regulation of Orthotics and Prosthetics, 22 Texas Administrative Code, Chapter 821, including possible amendments to §821.15 Accreditation of Prosthetic and Orthotic facilities regarding a new posting requirement for hours of operation. A motion was made by Mr. Smith to table this discussion until the August meeting. The motion was seconded and passed.

**Agenda Item 5** was the discussion regarding a new rule establishing two different levels Orthotic Assistant licensure, with different educational requirements and different scopes of practice. A motion was made by Mr. Smith to table this discussion until the August meeting. The motion was seconded and passed.

**Agenda Item 6** was the discussion regarding the application process for Assistants. A motion was made by Mr. Smith to table this discussion until the August meeting. The motion was seconded and passed.

**Agenda Item 7** was the discussion regarding examinations. A motion was made by Mr. Smith to table this discussion until the August meeting. The motion was seconded and passed.

**Agenda Item 8** was the discussion regarding recommendations to the board on appointments to the Ad Hoc Committee on Rules. A motion was made by Mr. Smith to approve the recommendations. The motion was seconded and passed.

**Agenda Item 9** was to set the next meeting date. To be determined at board meeting.

**Agenda Item 10** was to propose agenda items. Mr. McCoy recommended education requirements for assistants.

**Agenda Item 11** was public comment. One person addressed the committee.

**Agenda Item 12** was adjournment. The meeting adjourned at 1:50 pm.

**TEXAS BOARD OF ORTHOTICS & PROSTHETICS**  
**BOARD MEETING**

**Friday, May 15, 2:00 pm**  
**William P. Hobby Jr. Building Room 100**  
**333 Guadalupe St, Austin, TX 78701**

**MINUTES**

**Board Members Present:**

Miguel Mojica, Professional Member  
Ray Smith, Professional Member  
Roy McCoy, Public Member  
Rebecca Brou, Public Member  
Richard Neider, Professional Member

**Staff Present:**

Yvonne Feinleib  
Don Jansky  
Amanda Stallings  
Georgia Norman

**Agenda Item 1** was to call the meeting to order and the introduction of members, guests, and staff at 2:08 pm by Ms. Brou, chair.

**Agenda Item 2** was the discussion concerning board members who are inexcusably absent from regularly scheduled board meetings, as defined under Texas Occupations Code Section 605.057(a)(5). There was none.

**Agenda Item 3** was to review and approve the February 27, 2015, board meeting minutes. A motion was made by Mr. Neider to approve the minutes. The motion was seconded and passed.

**Agenda Item 4** was the discussion regarding board committee appointments. This item was tabled.

**Agenda Item 5** was the discussion regarding reports from the following board committees:

Mr. Mojica gave the Licensing and Accreditation Committee report. The committee reviewed and approved 1 technician application, 25 student applications, of which 24 cases were approved and 1 case was tabled. The committee also reviewed and approved 2 assistant applications, reviewed and approved 3 practitioner applications and 10 facility applications, of which 9 were approved and 1 case was tabled. A motion was made by Mr. Neider to approve the report. The motion was seconded and passed.

Mr. Neider gave the Enforcement Committee report. The committee reviewed 3 cases, of which 2 cases were closed and 1 case was tabled. A motion was made by Mr. Smith to approve the report. The motion was seconded and passed.

Mr. McCoy gave the Rules Committee report. The committee discussed amendments to the rules concerning the licensure and regulation of Orthotics and Prosthetics, 22 Texas Administrative Code, Chapter 821, including the following possible amendments to §821.10(b)(4) regarding Assistants, §821.15 Accreditation of Prosthetic and Orthotic Facilities regarding a new posting requirement for hours of operation, a new rule establishing two different levels Orthotic Assistant licensure with different educational requirements and scopes of practice. The committee also discussed the application process for Assistants, examinations and recommendations to the board on appointments to the Ad Hoc Committee on rules. A motion was made by Mr. Neider to approve the report. The motion was seconded and passed.

**Agenda Item 6** was the discussion regarding the letter from the American Orthotic and Prosthetic Association (AOPA) on 98<sup>th</sup> Annual National Assembly October 7-10, 2015 in San Antonio, Texas. Ms. Feinleib gave the report.

**Agenda Item 7** was the discussion regarding the process for approval of licensure applications by the Executive Director. This item was tabled.

**Agenda Item 8** was the discussion regarding appointments to the Ad Hoc Committee on Rules and scheduling the Ad Hoc Committee on rules meeting dates. A motion was made by Mr. McCoy to appoint Mr. Neider to the Ad Hoc Committee on Rules. The motion was seconded and passed.

**Agenda Item 9** was the discussion regarding the Agreed Order for Case #1070-09-0010. A motion was made by Mr. Neider to approve the order. The motion was seconded and passed.

**Agenda Item 10** was the discussion regarding the Payment Order on Case #1070-14-0031. A motion was made by Mr. McCoy to approve the order. The motion was seconded and passed.

**Agenda Item 11** was the discussion regarding the withdrawal of a proposed denial and closure of Case #1070-14-0030. A motion was made by Mr. Mojica to approve. The motion was seconded and passed.

**Agenda Item 12** was the Executive Session to discuss the staff attorney's report regarding all pending hearings at the State Office of Administrative Hearings including: Case #'s 1070-10-0074 & 1070-10-0075; and Case #s 1070-12-0013, 1070-12-0014 & 1070-12-0033; Case #s 1070-11-0034, 1070-11-0035, & 1070-13-0027; and Case # 1070-13-0029. Mr. Jansky gave the report.

**Agenda Item 13** was the Presiding Officer's report on current challenges and accomplishments; interaction with stakeholders, state officials, and staff; committee appointments and functions; workload of board member and general information regarding the routine functioning of the board. Ms. Brou gave the report.

**Agenda Item 14** was the Executive Director's report on program operations; customer service, accomplishments, inquiries and challenges; current and/or historical licensee statistics; media, legislative, and stakeholder contacts and concerns; workload processing; special projects assigned to the Executive Director; general information regarding the routine functioning of the licensure program; and the Executive Director's report concerning the update on open, tabled, and closed cases as well as the disciplinary action log and tool. Ms. Feinleib gave the report.

**Agenda Item 15** was the Professional Licensing and Certification Unit Management report on Unit organization and staffing; program costs and revenue; current operational initiatives; customer service accomplishments and challenges; workload processing and statistical information; status of rulemaking within the unit; Legislative and media contacts and tracking; general information on functioning of the unit. There was no report.

**Agenda Item 16** was to set the next meeting dates. The next meeting dates will be August 27-28, 2015.

**Agenda Item 17** was to propose agenda items. There were none.

**Agenda Item 17** was public comment. There were none.

**Agenda Item 18** was adjournment. The meeting adjourned at 2:55 pm.

Rebecca H Bron  
August 28, 2015