

MiOTA Newsletter

Spring 2013

Michigan
Occupational
Therapy
Association, Inc.

Happy OT month, all! By Kirsten Matthews Leader of the Executive Committee

April is the month for us to celebrate OT as a profession; we share what we as OT practitioners can do for consumers, we celebrate our history and the passion we have for our profession, and we advocate in order to not only maintain, but to keep and grow our profession's place in the world around us. You are already well known advocates for our profession (you are, after all, members in the Michigan Occupational Therapy Association if you are reading this right now), I think we as OT practitioners in the State of Michigan are feeling a new urgency for the importance of advocacy this particular OT month.

Although 2013 has already been filled with a number of challenges related to state and federal level implementation of the Affordable Care Act and how states are working to "define" what and how things will be covered for all health benefits, the challenge of spring of 2012 – the now "infamous" ORR Report - has returned. For those of you new to or returning to MiOTA and or Michigan, the ORR, or Office of Regulatory Reinvention, was formed by Governor Snyder to evaluate and make recommendations regarding how government could be "stream-lined" or made "more efficient." Although in this day of politics and government "red tape" the idea of improving government efficiency certainly may seem like a good idea, the recommendations to remove the Board of Occupational Therapy and de-regulate Occupational Therapy and remove licensure for Speech Therapists we found to be of significant concern. Not only were these recommendations counter-productive to the multi-decade advocacy efforts our professions launched to obtain licensure in the first place, but in our opinion, the ORR failed to fully research and understand not only our professions, but the impacts these recommendations would & could have on our consumers and professional standing amongst other health care entities should they be placed into effect. Things such as how we proved that the creation of our licensure act would be a "cost neutral" act for the State of Michigan (meaning that the proceeds Michigan takes in will at a very minimum cover any expenses it costs for us to have licensure) seemed to have been overlooked.

Foremost, we are concerned that deregulation will weaken consumer protections offered by licensure. When we met with the MiOTA lobbyist and AOTA, we discussed potential impacts of this recommendation by the ORR. With the OT Practice Act, there is a state regulatory board that oversees licensure applications and investigates complaints. Under the proposal in Michigan, the licensure law would be repealed and the state would instead rely on NBCOT certification. The law would state that NBCOT certification is required to use the title "occupational therapist." If someone represents that they are an OT that is not certified, then that would be a violation of the law. Our view is that kind of law would be insufficient. It is unlikely that there would be state resources to pursue violations, and further, the law would not offer any guidance on professional practices such as supervision, scope of practice, ethics and more. We certainly support NBCOT certification, but there is also an important role for state governments in the regulation of the occupational therapy profession.

What are the further implications of these recommendations? What exactly could this mean? We are concerned there is a potential for a number of issues. In a growingly aggressive market for health care dollars, becoming an "unlicensed" profession amongst other professions who continue to be licensed could impact our ability to protect our scope of practice, allow us to be included in terminology by insurances specifying that coverage of

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**Save the
Date!**

**MiOTA Fall
Conference
October 19
& 20
Somerset
Inn, Troy,
Michigan**

Happy OT Month continued from page 1

coverage of "licensed" professions are reimbursable, impact the ability for us to be independent or free-standing therapists in the community (after all, gaining licensure was a contributing factor to the 10 year lag in OT and SLP being able to gain this status (called IOT and ISLP) with BCBS of Michigan). We are concerned that there if there are issues with safety consumers may have no course of action or the course of action will be inefficient and difficult to navigate. We are concerned that we could become the "state to go to" if you have committed an offense in another state and lost your ability and license to practice there. The Michigan Attorney General did issue an order in 1998 that stated once OT and OTA's received initially credentialing from NBCOT, the State of Michigan would NOT require them to continue to recertify with NBCOT thereafter to maintain their ability to practice in Michigan. Because of this, we are concerned that therapists who have chosen not to maintain their "R" or "C" granted by NBCOT after it was initially granted to them will need to incur additional fees and possibly disruption to their work. We feel NBCOT is a valuable agency that does good things for continuing and verification of competency of OT practitioners, but we are concerned that NBCOT alone cannot protect our consumers and the scope of practice of occupational therapy in Michigan.

Since we launched our Advocacy Campaign against the ORR Recommendations at the end of March, we have received some striking emails from concerned individuals. I think the most common comment we have received is related to the number of OT practitioners in the state of Michigan who are members of MiOTA, versus the number of OT practitioners who are licensed in the State of Michigan. Please don't be afraid to contact us if you have questions or concerns. We welcome your input and thoughts and concerns.

So, this month, as we celebrate OT month, let's celebrate by letting people know the power of OT - what we can do for our consumers, what we can do to promote an understanding of what Occupational Therapy is, how we can promote and protect our scope of practice, and how we can work with our allied health and physician partners to give our patients their very best outcomes.

After all, in the end, it should all be about our patients, clients, and/or consumers.

Thank you, as always, for your support! Happy OT month - we have a lot to celebrate - and a lot to strive for to bring Occupational Therapy into the future.

Michigan OT Practitioners - easy access to required CEU courses! Documentation, Ethics & Pain Management Courses!

Michigan OT practitioners obtain your anticipated **required** educational trainings to renew your license via on-line, on-demand courses! Each course will be offered individually or as a package for a reasonable fee that you can access when learning is convenient for you.

Our organization provides high-quality; engaging training that will provide you the knowledge and understanding of the content to meet requirements while also enhancing your practice.

Courses will be available by May 1st, 2013 – be the first to access the training by emailing us directly @ cathleen@therapiststrainingtherapists.com – we will let you know when the courses are available and we will give you a 10% discount for being a MIOTA member!

866.209.8155

Finance Report by Denise Justice Director of Finance

Thank you everyone for renewing your membership! I realize the increase in our membership dues comes at a very difficult time given the state of the economy. However, given the changes in health care specifically the ACA, Affordable Care Act and the recent recommendations from the ORR, Office of Regulatory Reform, to de-regulate our licensure we need to stay vigilant with our lobbying abilities.

MiOTA continues to make strides in the services we are able to provide for its members. The lobbyists are hard at work for us. The website is moving forward. Thank you for your patience with some of the technical glitches.

We could use your help in generating additional revenue for MiOTA. If anyone knows of a company that is interested in advertising their product, services or job openings within our newsletter, on our website or as an exhibitor at our upcoming conference feel free to have them contact the MiOTA office at 517-484-267-3918 or visit our website www.mi-ota.com.

Membership Report by Cathleen Johnson Membership Director

Welcome New Members of MiOTA! – Below is a list of new members since the beginning of the year. We are glad you have chosen to be a member of MiOTA.

Suzanne Dailey, Bailey Hall, Bethany Hill, Susan Hooks, Ruba Mahfouz-Alkotob, Laura Mills, Carli Paoletti, Michelle Snead, Jan Stasinski, Joanne Wilkins, Deorah Segal, Alyssa Kolanowski, Rachel Csatari, Gerylynn Arden, Chad Conroy, Kendray Conroy, Ryan Seyburn, Marie Miller, Jennifer Gammicchia, Debra Warterian, Allison Nemetz, Usama Quraish, Erica Okerhjelm & Kristina Machiri.

Our membership numbers as of April 1, 2013:

Associate:	0
Honorary:	9
OT:	356
OTA:	28
Student:	158
Retired:	<u>14</u>
TOTAL:	565

The Retention and Recruitment Committee is attending numerous university and college events in the next few months! If you would like us to come to your organization to discuss the benefits of MiOTA membership – email Cathleen Johnson, Membership Director @ cajohnson@hcr-manorcare.com

Proposed 2013 Amendments to AOTA Articles of Incorporation and Bylaws

AOTA is a 501(c) (6) nonprofit organization that is incorporated in the District of Columbia (D.C.) and as such is affected by recent changes to nonprofit law in D.C that were adopted in 2011 and became effective on January 1, 2012. The legislation (“District of Columbia Official Code Title 29 [Business Organizations] Enactment Act of 2010”) overhauls the laws governing nonprofits organized under D.C. law and is the first substantial change to the D.C. Nonprofit Code since 1962. These changes are designed to strengthen accountability and reduce the occurrence of financial abuse within nonprofit organizations by distinctly holding identifiable individuals accountable: in the case of nonprofits like AOTA, this is defined as the Board of Directors. As a result of these changes, the Bylaws, Policies, and Procedures Committee (BPPC) has been working closely with the Speaker of the Representative Assembly (RA), the Association’s Legal Counsel, the Executive Director, and AOTA staff to review and prepare draft amendments to both the Articles of Incorporation and the Bylaws to ensure AOTA's compliance with the statute.

Among other modifications, these draft changes strengthen and make more explicit the rights of Association members, update meeting requirements to reflect the use of technology, and add the Representative Assembly into the Articles of Incorporation as the body responsible for professional standards and professional policies for the Association. Revisions to the documents will be sent to the Representative Assembly for input at their Fall 2012 Online Meeting prior to consideration and approval by the Board of Directors. The approved draft will be posted on the AOTA Web site (www.aota.org) for review and feedback prior to a vote by the membership at the Annual Business Meeting in April 2013 during AOTA’s Annual Conference and Expo in San Diego, California. All proposed bylaws revisions that have been submitted by members and bodies of the Association to date during BPPC’s recent call for proposed revisions have been reviewed, considered, and examined in light of recent changes in the law.

Major changes to the Articles and bylaws **based specifically on the new law include:**

1. The Articles of Incorporation outline the Board’s overarching fiduciary responsibility to oversee and manage the affairs of the Association. The Board, however, may delegate a discrete area of Association responsibilities to a “designated body.” The specific functions of the Board and a designated body must be distinct from one another and may not be shared. Therefore, under the draft bylaws the Representative Assembly is maintained as a designated body and will continue to serve its purpose of establishing professional standards and policies for the Association and the profession.
2. Under the law, the Board may establish standing advisory committees that can include non-board members. The advisory committees in the new draft bylaws include some bodies that were formerly under the purview of the Assembly, but are now required to report to the Board due to its fiduciary responsibility for the affairs of the Association. The standing advisory committees of the board will be the Volunteer Leadership Development Committee (VLDC) (in development), Special Interest Sections Council (SISC), Assembly of Student Delegates (ASD), and the BPPC. The reasons these committees are standing committees of the board are set forth below.
 - a. VLDC functions are associated with leadership development, elections, and recognitions functions, which relate to the entire Association and its affairs.
 - b. The Special Interest Sections represent many communities of interest within the membership and are a member benefit and part of the operations of the entire Association and its affairs.
 - c. ASD provides the opportunity for student input into all aspects of the Association and is part of the operations of the entire Association.
 - d. BPPC reviews and maintains governance documents for the entire Association.

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AOTA By-laws Revision Amendment Continued from page 4

3. Under the draft bylaws, the Representative Assembly will be maintained as a designated body of the Board and retains its purpose to be directly responsible for establishing professional standards and policies of the profession. As set forth above, that function is now specified in the Articles of Incorporation as required by the new law for designated bodies.
4. a. The RA will retain the following commissions and committees, which are all associated directly with the operations of the Assembly or the establishment of professional standards and policies: Commission on Education (COE), Commission on Practice (COP), Ethics Commission (EC), Commission on Continuing Competence and Professional Development (C CCPD), Credentials Review and Accountability Committee (CRAC), Representative Assembly Coordinating Council (RACC), and RA Leadership Committee (RALC, formerly the RALT).

b. As the RA is a designated body of the Board, it must follow procedures similar to the Board including the manner in which absences and vacancies are handled. There is no provision for handling temporary **absences** at a meeting of the Board. The law handles temporary absences with quorum requirements that permit a meeting to go forward despite the absence of a full Board. For example, if an Officer or Director cannot attend a Board meeting, the meeting is held nonetheless provided there is a quorum. Therefore, the use of the Alternate Representatives position in the RA is not supported under the new statute and is eliminated in the draft bylaws.

c. In the event of a permanent **vacancy** on the Board, a temporary appointment via vote of the Board will be made until the next election cycle. Under the draft bylaws, in the event of a permanent vacancy in the RA, a temporary appointment via vote of the RA Leadership will be made until the next election cycle.
5. As previously outlined, approval of Association governance documents such as the Articles of Incorporation and Bylaws will be made by the Board and the membership, as these documents govern the affairs of the entire Association. The RA will continue to have input into the documents, but will no longer provide approval as a body but retain the right to vote as individual members.

The BPPC encourages your participation in the Articles of Incorporation and Bylaws review process and is available to answer any questions or concerns at bppc@aota.org.

A Testimonial from one of our colleagues – Why they are a MiOTA member! Use this testimonial to discuss the benefits of being a member of MiOTA with any of your non-member peers!

I have been a (most of the time!!) member of MiOTA since 2000. However, to be honest, I didn't realize the true value of my MiOTA membership until I began teaching a class about Professional Issues in Occupational Therapy in 2012. I am NOT a "political junkie." I don't enjoy political debates, I don't watch "Meet the Press" on Sunday mornings, and you will never find political signs decorating my yard during election season. However, as I worked on preparing and presenting material for my Professional Issues class, I began to realize how decisions made by lawmakers at the state and national level – many of whom have no idea what occupational therapy is – have a very real effect on the care I can provide to patients, as well as my job security!

In order to ensure that OTs are able to continue to provide the best services possible to our clients, we need to be continuously involved in, and aware of, what is going on in the state and national political arenas. Yet, it is too easy to let "life" get in the way. With a full-time job, family, and miscellaneous other things to juggle, it is just too easy to let advocacy fall to the wayside.

This is where MiOTA comes in. MiOTA keeps me up-to-date on policy changes that could affect me as an OT. They tell me when, where, and how to advocate for my profession. And they have professionals who are fighting for OTs in the state of Michigan – every day – so that I can focus my energy on what I love to do. That is why I will always be a member of MiOTA.

Ellen Herlache-Pretzer, Ed.D., MA, OTRL
Program Director and Assistant Professor of Occupational Therapy
Master of Science in Occupational Therapy Program

*** 2013 Elections ***

Please note that the following positions are up for election this year:

- **Communications Director**
- **Finance Director**
- **Advocacy Director**

MiOTA will begin seeking nominations in the Spring of 2013 with elections to be held in Summer of 2013. If you are interested in any of these positions contact the MiOTA office at cchapko@mhsa.com

MiOTA is looking for a few individuals to run for office this year.

Communication Director: This position appoints, (with the approval of the Executive Committee) and oversees the Coordinators of the Newsletter, Website and Listserv coordinator as well as Networking Committees and the subsections of the Networking Committee (Special Interest Sections [SIS] and Chapters). They discharge the duties of the Leader of the Executive Committee in the absence of the Leader; perform other such duties as are assigned by the Executive Committee, and orient incoming elected director at least two (2) months prior to the first day of the fiscal year before the elected member assumes office.

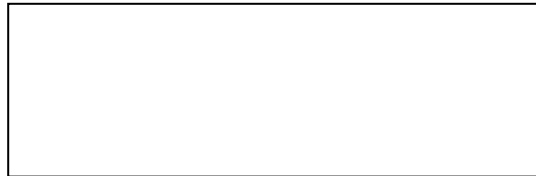
Financial Director: This position is responsible for managing the fiscal affairs of the Corporation so that the financial resources are available to allow the Corporation to achieve its goals. They prepare the budget and present it to the Executive Committee for approval. Act in an advisory capacity to the Agent of the Corporation. Keep full and accurate accounts of all receipts and disbursements of the Corporation or delegate to an Agent for the Corporation as specified within a contract. Arrange for the annual review of the corporation accounts by a qualified accountant.

Submit written statements of financial affairs to the Executive Committee for all Executive Committee meetings and at other intervals as it determines. Review submitted Co-Sponsoring Activity with MiOTA Worksheets and Cost Projections Worksheets with other interested parties and informs the person or persons of acceptance, need for revision, or denial of the proposal. Orient incoming elected director at least two (2) months prior to the first day of the fiscal year before the elected member assumes office. Perform other such duties as are assigned by the Executive Committee.

Advocacy Director: This position is responsible for appointing, with the approval of the Executive Committee, and oversee the coordinators of Public Policy and Third Party Reimbursement, exhibit knowledge regarding current health care legislation and reimbursement issues at the State and National levels, assure MiOTA's legislative presence and integrity in health care issues at both the state and, through AOTA, at the national level, assure the involvement of MiOTA in issues that impact the reimbursement for occupational therapy services in the State of Michigan, assist the MiOTA membership in obtaining necessary information regarding laws, rules and regulations and third party reimbursement and shall serve as an avenue for the membership to bring related issues to the attention of the Executive Committee and/or Association Assembly.

If any member has interest in any of these positions, please contact the MiOTA office. To be eligible, nominees must be members of both MiOTA and AOTA registered within the state of Michigan to practice and have served on at least one committee of the corporation. A waiver of these qualifications may be granted by a majority vote of the Executive Committee. More information can be shared. Individuals may want to communicate with current officers for more in depth discussion about the positions in making a decision to be nominated for the offices. Deadline is May 30, 2013. If interested please contact MiOTA Office.

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Look for us on the web
Mi-ota.com

MiOTA reserves the right to edit or reject articles and advertisements submitted for publication. In publishing the MiOTA Newsletter, MiOTA seeks to acquaint the reader with techniques, procedures and philosophy or material set forth, and does so primarily for informational and educational purposes and not for the purposes of promoting or sanctioning one technique, procedure, philosophy, etc., over another. MiOTA hereby disclaims any liability for the accuracy of material accepted for publication and included herein, and for the individual use or application of the procedures and techniques described. Acceptance of articles or advertisements does not imply endorsement by MiOTA.

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The MiOTA Newsletter is always looking for article ideas or sharing from you what works in your practice area. If you have an idea to share contact Donna Case at casedo@northvilleschools.org

Deadlines for MiOTA Newsletter

Issue Deadlines:

Summer July 01, 2013
Fall October 01, 2013
Winter January 01, 2014
Spring April 01, 2014