

INDIANA OCCUPATIONAL THERAPY COMMITTEE

Meeting Minutes

March 9, 2021 at 9:00a.m.

****TO BE HELD THROUGH TELEPHONIC AND VIDEO CONFERENCING****

JOIN VIA TELEPHONE AT: 1-240-454-0887

MEETING CODE: 610915440

OR JOIN BY VIDEO AT: <https://IndianaEnhanced.Webex.com/join/PLAWebex>

I. CALL TO ORDER AND ESTABLISHMENT OF QUORUM 9:12 a.m.

Members present: Debra Mosley, Dr. Ann Hake, Sidney Eisgruber, and Becky Barton

State officials present: Rae Harman and Kurt Miller

II. ADOPTION OF THE AGENDA AH/RB 4-0-0, Motion carried.

III. ADOPTION OF THE MINUTES AH/RB 4-0-0, Motion carried

IV. REPORT FROM THE OFFICE OF THE ATTORNEY GENERAL

Erika Steuerwald provided report. 1, Consumer 3 litigation cases

V. CONSIDERATION OF VOLUNTARY MOTION TO DISMISS

A. In the matter of: Samantha Ruhe, O.T.A.

Cause Number: 2020 OTC 0004

A motion was made by RB/AH – to approve the motion to dismiss. 3-0-1, Eisgruber abstain.

VI. ADMINISTRATIVE HEARINGS

Court Reporter: Margie Addington

A. In the matter of: Jessica Lee Funk, O.T.A

Cause Number: 2020 OTC 0002

Re: Proposed Settlement Agreement

Re: Administrative Complaint

A motion was made by Member Barton and seconded Eisgruber. To accept the psa greement. 4-0-0, Motion carried.

Amy Behnke – participated via telephone. She was working for school and resigned as soon as she found out that her license was expired. She made the mistake of thinking her state license was renewed when she was renewing her NBCOT. She realized when she renewed her NBCOT the last time in November and such a huge mistake.

A motion was made SE/RB to approve this reinstatement 4-0-0, motion carried.

Paula Hartwell

Paula Hartwell participated via video, along with counsel Todd Ess. She spoke about her history in OT. She was accused of signing documentation without the knowledge of the

other employee_she didn't actually sign but was instead helping with the computer, she did push the button, she was terminated. The employee (speech therapist) was with her and asked for help. She was not included in the investigation and she even asked the employer to pull the video to show that she didn't sign for the employer. She was terminated in Nov 2019.

A motion was made by Member Eisgruber and seconded by Member Hake to approve this renewal.

4-0-0, Motion carried.

B. In the matter of: Herbert Weatherford, O.T.A.

Cause Number: 2020 OTC 0003

Re: Default Hearing

DAG: Patricia Gibson

The State requested to hold in default.

A motion was made by Member Hake and seconded by Member Barton to find in Default. 4-0-0, Motion carried.

The evidence today will show that he billed for services he didn't provide. The State will

P.J. Windell – witness, employed at creative health services – Director of Compliance

She is familiar with the Respondent, she was part of the investigation in 2018.

State would like to admit exhibit B, admit into evidence by the committee.

Exhibit J- admitted

Exhibit I – admitted

Exhibit D - admitted

Exhibit E – admitted

Exhibit F – admitted

Exhibit G – admitted

Exhibit A – admitted

Discussed – Daily activity logs were still in Respondent's "mailbox/bin" for weekend work for the weekend in question. Two residents informed investigators that neither received services from Respondent. The Respondent submitted billing for that day in question. There was no way for him to provide 4 hours of service and get to the location he indicated he was at and enter the billing. He was terminated for billing for 4 hours of service when he didn't show up to the facility – falsification of billing and falsification of his timecard.

State's closing – Respondent hasn't shown up for either hearing, hasn't responded to the OAG. The State has proven he didn't provide services he billed for and time he submitted he worked. He told different stories to different people. He failed to disclose that he was terminated on his renewal application. Thorough investigation, two employee statements, two resident statements, and activity logs were still in the same place and blank. The State has met the burden of proof and his license should be disciplined.

Count 1 - A motion was made AH/RB 4-0-0, Motion carried.

Count 2 – A motion was made AH/RB 4-0-0, Motion carried.

A motion was amended to include length of time made by Member Hake and seconded by Member Barton to suspend indefinite a minimum of 2 years the license. 4-0-0, motion carried.

VII. PERSONAL APPEARANCES

1. Amy Behnke – Reinstatement - approved
2. Paula Hartwell – Renewal – approved
3. Dovison Kereri – Renewal

Dovison Kereri has been an OTA since 1996 and practicing in IL since 1999, has been working for same company since 2001. In June 2020 the incident in question – administrative leave – patient conflict, but they wouldn't tell him who the patient was or what the conflict was. They wouldn't let him finish the notes of the patient he was treating when they called him to put on admin leave – June 11-June 30 on leave. They then terminated employment based on patient conflict. They still have never explained the accusations or what conflict occurred.

A motion was made by Member Barton and seconded by Member Hake to renew his license. 4-0-0, Motion carried.

4. Stephanie Lowenstein – Renewal
Stephanie participated via telephone. She was arrested misdemeanor of disorderly conduct. She was in an argument with her boyfriend in a public place. She plead guilty because the employer required her to finalize the case within 30 days.

A motion was made by Member Hake and seconded by Member Barton to renew this application.

4-0-0, Motion carried.
Becky Barton logged out.

5. Baily Lester – Renewal
Baily Lester participated via telephone. She made a mistake when filling out her renewal application. She should have answered NO to question #2.

AH/DM 3-0-0, to renew this application.

Becky Barton logged back in.

6. Nancy Ditzler – Reinstatement
Nancy appeared via video. She stopped working to stay at home with kids and now she is an empty nester. COVID really made

her want to get back into the field. She would like to go back into hand therapy. She did CE to reinstate her license – 162 hours were all approved.

A motion was made by Member Hake and seconded by Member Barton to approve.
4-0-0, motion carried.

VIII. ADJOURNMENT
Meeting adjourned at 11:13a.m.



Deborah Mosley, Chair