



**Ohio Occupational Therapy, Physical Therapy,  
and Athletic Trainers Board**

*Occupational Therapy Section  
March 11, 2021  
9:30 AM*

**Virtual Meeting via Microsoft Teams**

**Members Present**

Beth Ann Ball, OTR/L  
Joanne Estes, PhD, OTR/L  
Mary Beth Lavey, COTA/L, Chair  
Anissa Siefert, MOT, OTR/L  
Melissa Van Allen, OTR/L, Secretary

**Legal Counsel**

Lindsay Miller, AAG  
Henry Appell, AAG

**Staff**

Missy Anthony, Executive Director  
Jeffery Duvall, Enforcement Division Supervisor  
Jaklyn Shucofsky, Investigator  
Rosa Avery, Licensure  
Jan Hills, Executive Assistant  
Mai Vo, Licensure

**Guests**

Jackie Chamberlain, OOTA  
Kristen Neville AOTA  
Danny Hurley, OOTA Lobbyist  
Katie Warneke

**Call to Order**

Mary Beth Lavey, Chair, called the meeting to order at 9:32 AM.

The Section began by reading the vision statement:

The Occupational Therapy Section is committed to proactively:

- Provide Education to the Consumers of Occupational Therapy Services
- Enforce Practice Standards for the Protection of the Consumer of Occupational Therapy Services;
- Regulate the Profession of Occupational Therapy in an Ever-Changing Environment;
- Regulate Ethical and Multicultural Competency in the Practice of Occupational Therapy;
- Regulate the Practice of Occupational Therapy in all Current and Emerging Areas of Service Delivery.

**Approval of Minutes**

Mary Beth Lavey moved that the minutes from the January 14, 2021 meeting be approved as amended. Beth Ann Ball seconded the motion. Motion carried.

**Executive Director's Report**

- Fiscally the board's expenses are in good shape.
- The results for the OT audit for 2019 are beginning to come in. The PT 2020 audit is next.
- There is a mandatory yearly ethics training for each board member. If you complete your Ethics training please let Jan Hills know. The office keeps tracking records of all training. The financial disclosure filing is due by May 17, 2021.
- The position of paralegal has been filled. David Day will begin on March 22.
- Waiting for public member appointment to Joint Board.
- Staff still working remotely.
- eLicense tickets for May's expenses will include
  - the ability to display courses for CEU's
  - Improve the automation for running CE audits and automate the consolidation of Orthotics and Prosthetics licenses.

- We have our second 3D printing license.
- We purchased CLEAR training modules and encourage board members to look into those.

**Law and Rule Changes**

- Continuing Education Rule/OOTA approvals
  - Working on an MOU for CEs contract with OOTA.
  - Senate Bill 7 has been sent to Governor for signature. Ninety days after the signing the bill will go into effect.
- Concussion Rules
 

Melissa Van Allen moved that the Executive Director file and final file rule 4755-7-11 with the Joint Committee on Agency Rule Review pending approval from the Common Sense Initiative. Anissa Siefert seconded the motion. Motion passed.
- OT Compact
  - Passed out of Ohio Health committee
- Budget Language HB 110 (FY 22-23)
  - Language would limit the reference to limited permits.
- Telehealth
  - Language currently excludes the OTA and PTA as telehealth health providers. Working to get those professions included in the language.
- E-mail addresses for public record
  - Board of Pharmacy pursuing language to exclude licensee’s email addresses in public records request. OTPTAT is joining the effort for protection of the license holders and the public.
- Ohio Dept. of Education
  - Dept.of Ed is defining OTAs and PTAs as paraprofessionals which conflicts with the Practice Act. There is a meeting on March 15 with the Dept. to discuss the conflicts and ensure the Dept. that the assistants have a strenous education and are professionals.
- Supervision rule and collaboration log requirement
  - Discussion held regarding other state’s practices on collaboration logs and supervision.

**Licensure Applications**

***Occupational Therapist/Occupational Therapist Assistant Examination Applications***

Joanne Estes made a motion that the Occupational Therapy Section ratify, as submitted, the occupational therapist and the occupational therapy assistant licenses issued by examination, endorsement, reinstatement, and restoration by the Ohio Occupational Therapy, Physical Therapy and Athletic Trainers Board from January 15, 2021 to March 11, 2021, taking into account those licenses subject to discipline, surrender, or non-renewal. Beth Ann Ball seconded the motion. Motion passed.

*\*Indicates Joanne Estes abstained from the vote for those applicants*

**Occupational Therapist by Examination- 70**

Alainna Nicole Augustine	Hailey Clouse	Abigail Giorgi
Rachel Bauman	Lucia Congeni	Rebekah Lynn Gladden
Caitlyn Beltz	Natalie Grace Cox	Kassidy Paige Goodnight
Emily Ann Bena*	Julia Teresa Criswell*	Joshua Grahl
Kaitlynn Ann Bennett	Jacquelyn Mercedes Crow	Jordyn Ashley Hambleton
Hannah Berg	Kathleen Van Khanh Dang	Amy Lee Harley
Kelly A. Bishop	Mallory Deel	Mackenna Kathryn Harper
Jenna Blausey	Anna Elizabeth DeHondt*	Whitney A Housley
Margaret Marie Bour	Jennifer Jo Derka*	Erica Rees Hughes
Meagan Taylor Burkholder	Gretchen Dyer	Leah Jeffrey
Mackenzie Lauren Burnie*	Grace Elizabeth Ehrbar	Samantha C. Jeffries
Allison Taylor Childs*	Megan Ellis	Kelsey Kline
Gabrielle Marie Ciolek	Bridget Anne Fiorello	Katherine Audry Koomar
Erin Marjorie Clark	Ashley Marie Fortuna	

Lindsey Katherine Krause  
Gabrielle Laurice Lamb  
Jessica Rose Marita  
Penny Mary Marzano  
Abbey Michael McClure  
Brooke Megan Messer  
Janie Moller  
Kayla Grace Moon  
Kaitlin Mary Mullahey\*  
Michaela Novotny

Alexis Marie Otworth  
Noopur Dinesh Parekh  
Nisha Patel  
Anne Therese Phillips  
Samantha Pragar  
Taylor Nicole Rininger\*  
Wilfredo Robles  
Emily Ann Rodziewicz  
Batya L. Rosenbaum  
Karen Schnedl\*

Shelby Seyler  
Mitchell Douglas Slater  
Stephanie Marie Spadone  
Shea Lynn Tijerina  
Rebekah Wade  
Elizabeth Ann Watson  
Casey Lynn Wehri  
Nick Yostel\*  
Lucy Zhou

**Occupational Therapist by Endorsement- 23**

Elizabeth Marie Allen  
Madison Avery Andrews  
Frances Appel  
Abigail Baurley Avery  
Lauren Marie Baker  
Ashley Marie Bricker  
Matthew Kim Brocious  
Monica Chhadia

Kelly Marie Cowher  
Emily Kaye Doggette  
Rachel Egger  
Nicole Fink  
Emma R Fiorita  
Brenda J Flint  
Andrea Marie Fritz  
Kelsey Gallimore

Gwen Hobbs  
Lauren Ashley Korte  
Nicole Marie Lewis  
Alina Luurtsema  
Lauren Magee  
Michael Nader  
Collin Amanda Thompson

**Occupational Therapy Assistant by Examination- 36**

Taylor Agee  
Grace C Armstrong  
Sierra Mae Blackmore  
Maryssa Bouvet-Varela  
Michael Robert Camilletti  
Grace Nicole Carroll  
Elizabeth Clayburn  
Jacklyn Crawford  
Jordan William Dahl  
Mindy Lynn Debord  
Caitlynne Devore  
Madison Elaine Emmons

Aubrey Anne Evans  
Brenda Garskie  
Corrine Gildenmeister  
Haley Gunter  
Maggie Guy  
Rita Ann Herrera  
Sarah Corinne Holycross  
Julaine Nicole Jackson  
Abbey Jacobs  
Kara Johnston  
Helen Marie McDonnell  
Mikayla Ann Millard

Megan Lee Mobley  
Erin Mohr  
Jacqueline A Morris  
Macie Noblet  
Alyssa Ann Penick  
Emily Reinmann  
MacRichard Risma  
Heather M Rogers  
Gabrielle Paige Rowland  
Crystal Selby  
Abby Kay Shupert  
Ellen Underwood-Tripp

**Occupational Therapy Assistant by Endorsement- 10**

Elizabeth Rose Baker  
Tiffany Louise Bale  
Carleigh Nicole Cousino  
Emily Claire Davis

Corin Finklea  
Shannon Beth Quinn  
Michaela Ruark  
Betty J Schmelzer

Nicole A Vitone  
Ashleigh Sue Waterworth

*ithdrawals*

Joanne Estes recommended that the section grant the application withdrawal requests for OT/OTA examination, endorsement, and reinstatement applications on file with the Board on March 11, 2021 based on the documentation provided. Motion made by Melissa Van Allen, second by Joanne Estes. Motion carried.

Ashley Bricker	APP-000423210 OT
Grace Armstrong	APP-000427046 OT
Macie Noblet	APP-000422252 OT
Mikayla Millard	APP-000424851 OT
Raquel Bahmer	APP-000423303 OT
Megan Mobley	OTA-007908 OTA
Kelby Truchon	APP-000433164 OT
Jordan Dahl	APP-000433107 OT
Anna Cristo	APP-000433640 OT
Nick Yostel	APP-000433840 OT
Mitchell Slater	APP-000436125 OT
Anna Cristo	APP-000433644 OT
Emily Reinmann	APP-000437278 OT

*CE Requests*

Beth Ann Ball moved that the section approve 31 applications for contact hour approval, deny none, and send 3 back for further information. Anissa Siefert seconded. Motion passed.

*CE Waiver requests*

Anissa Siefert moved that the Section grant an extension until July 1, 2021 deadline for all OTAs, for the completion of continuing education requirements for all OTA CE Waiver requests on file with the Board on March 10, 2021 due to the COVID-19 emergency, with a reminder that any CE taken and counted for the delayed renewal cannot count toward the June 30, 2022 renewal. Second by Joanne Estes. Motion passed.

Christy Mooney	OTA005290
Megan Bartholomew	OTA007258

Anissa Siefert moved that the section grant an extension until September 30, 2021 for Ryan Gloetzner OT009151 for personal hardship with a reminder that any CE taken and counted for the delayed renewal cannot count toward the June 30, 2023 renewal. Second by Joanne Estes. Motion passed.

**Enforcement Division**

*Statistics*

“New” cases opened since the last meeting: 62  
Cases “closed” since the last meeting: 24  
Cases “currently open”: 55  
Active consent agreements: 7  
Adjudication orders being monitored: 1

*Releases from Consent Agreement*

Anissa Siefert informed the Board that **Kenya Lewis, OTA**, has complied with all terms and conditions and will be released from her consent agreement.

*Proposed Consent Agreements*

Anissa Siefert recommended that a motion be made accepting the consent agreement for **case # OT-20-124** in lieu of going to hearing. Beth Ann Ball made the motion, second by Joanne Estes. Anissa Siefert abstained. Motion passed. The Board has accepted the consent agreement for **Erin Grimes, OTA**.

Anissa Siefert recommended that a motion be made accepting the consent agreement for **case # OT-21-003** in lieu of going to hearing. Joanne Estes made the motion, second by Beth Ann Ball. Anissa Siefert abstained. Motion passed. The Board has accepted the consent agreement for **Patrick Baker, OT**.

### **Goldman Hearings**

Mary Beth Lavey, Chairperson of the Occupational Therapy Section of the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board called the proceedings to order at 11:04 AM on March 11, 2021, in an online board meeting held on Microsoft TEAMS.

Members of the Board present for the proceedings are:

Executive Director Missy Anthony called the roll:

Beth Ann Ball  
Joanne Estes  
Mary Beth Lavey  
Anissa Siefert  
Melissa Van Allen

It is noted for the record that a majority of the members of the Board are present for the three adjudication proceedings. The proceedings are in the matters of **Lindsay Fuentes, case # OT-20-088, George Merkich, case # OT-20-095 and Kim Mitterko, case # OT-20-129.**

These proceedings shall be affidavit-based adjudications relative to the Notice of Opportunity for Hearing mailed to the respondent in the aforementioned cases and believed to have been properly served according to the Administrative Procedures Act (Chapter 119. of the Ohio Revised Code).

As the respondents declined to have a hearing in the case, these proceedings will be held before the Board pursuant to *Goldman v. State Medical Board of Ohio*. The individuals named do not have the ability to present written or oral testimony today but may be present to hear the proceeding and outcome.

You have already received a sworn affidavit from the Board's Enforcement Division Investigator, and the accompanying exhibits for the Goldman Proceedings in your Board packet. The affidavit contains the evidence and testimony upon which you will deliberate. Please take a few moments to review the evidence and testimony.

In lieu of a stenographic record being made, let the minutes reflect that the original sworn affidavit and exhibits shall be kept as the official record of the proceeding in the aforementioned matters in the Board office.

Assistant Attorney General, Lindsay Miller asked Jaklyn Shucofsky, Enforcement Investigator, to provide a synopsis of each case. With the three cases being similar, Jaklyn Shucofsky, Investigator, provided an affidavit on each case. These hearings are the result of the Occupational Therapy Assistant continuing education audit, and each case failed to provide evidence of CE completion.

Joanne Estes made the motion to admit the facts and exhibits outlined in the sworn affidavits in the aforementioned cases into evidence. Seconded by Melissa Van Allen. Motion passed. Anissa Siefert abstained.

With no further evidence to come before the Board the proceedings were closed at 11:18 AM. The procedural and jurisdictional matters having been satisfied, we will now continue with the proceedings by deliberation on the sworn affidavits and exhibits. Melissa Van Allen made a motion to recess the meeting in order to go into private session for the purpose of quasi-judicial deliberation on **Lindsay Fuentes, case # OT-20-088, George Merkich, case # OT-20-095 and Kim Mitterko, case # OT-20-129.**and to reconvene the meeting after deliberations are complete. Second made by Beth Ann Ball. Motion passed. Anissa Siefert abstained.

Executive Director called the roll:

Beth Ann Ball	yes
Joanne Estes	yes
Mary Beth Lavey	yes
Anissa Siefert	yes
Melissa Van Allen	yes

Anissa Siefert abstained from attending the executive session.

Mary Beth Lavey requested the Executive Director and AAG Henry Appell participate in the executive session phone call.

The Section came out of executive session at 11:35 AM.

Joanne Estes made a motion to have a member of the section read the Section's decisions regarding findings of fact, conclusions of law, and order of the Section. Beth Ann Ball seconded the motion. Motion passed. Anissa Siefert abstained.

**Kim Mitterko, case# OT-20-129**

Based on a thorough review of the evidence, the Board found that the following findings of fact were proved by a preponderance of the evidence:

**Finding of Facts:**

Ms. Mitterko is a licensed OTA.

Ms. Mitterko received the request for the CE audit.

During the CE audit of OTAs for the 2016-2018 licensed renewal period Ms. Mitterko failed to provide evidence of the CE completion.

Ms. Mitterko failed to respond to the notice of opportunity for hearing.

The board has jurisdiction based on chapter 4755 of the ORC.

The board has considered the licensee's mitigation.

Mary Beth Lavey made a motion, second by Beth Ann Ball to accept the finding of facts. Motion passed. Anissa Siefert abstained.

**Conclusion of law:**

The licensee failed to comply with 4755-9-01.

Mary Beth Lavey made a motion, second by Beth Ann Ball to accept the conclusion of law. Motion passed. Anissa Siefert abstained.

**Board Action:**

Mary Beth Lavey made a motion, second by Joanne Estes to accept the evidence, finding of fact and conclusion of law. Motion passed. Anissa Siefert abstained.

Based upon a preponderance of the evidence and the findings of fact and conclusions of law stated above, it is the conclusion of the Board that the **occupational therapy assistant license of Kim Mitterko, OTA is hereby REVOKED.**

**Lindsay Fuentes, case# OT-20-088**

Based on a thorough review of the evidence, the Board found that the following findings of fact were proved by a preponderance of the evidence:

**Finding of Facts:**

Ms. Fuentes is a licensed OTA.

Ms. Fuentes received the request for the CE audit.

During the CE audit of OTAs for the 2016-2018 licensed renewal period Ms. Fuentes failed to provide evidence of the CE completion.

Ms. Fuentes failed to respond to the notice of opportunity for hearing.

The board has jurisdiction based on chapter 4755 of the ORC.

The board has considered the licensee's mitigation.

Joanne Estes made a motion, second by Mary Beth Lavey to accept the finding of facts. Motion passed. Anissa Siefert abstained.

**Conclusion of law:**

The licensee failed to comply with 4755-9-01.

Beth Ann Ball made a motion, second by Mary Beth Lavey to accept the conclusion of law. Motion passed. Anissa Siefert abstained.

**Board Action:**

Joanne Estes made a motion, second by Beth Ann Ball to accept the evidence, finding of fact and conclusion of law. Motion passed. Anissa Siefert abstained

Based upon a preponderance of the evidence and the findings of fact and conclusions of law stated above, it is the conclusion of the Board that the **occupational therapy assistant license of Lindsay Fuentes, OTA is hereby REVOKED.**

**George Merkich, case# OT-20-095**

Based on a thorough review of the evidence, the Board found that the following findings of fact were proved by a preponderance of the evidence:

**Finding of Facts:**

Mr. Merkich is a licensed OTA.

Mr. Merkich received the request for the CE audit.

During the CE audit of OTAs for the 2016-2018 licensed renewal period Mr. Merkich failed to provide evidence of the CE completion.

Mr. Merkich failed to respond to the notice of opportunity for hearing.

The board has jurisdiction based on chapter 4755 of the ORC.

The board has considered the licensee's mitigation.

Mary Beth Lavey made a motion, second by Joanne Estes to accept the finding of facts. Motion passed. Anissa Siefert abstained.

**Conclusion of law:**

The licensee failed to comply with 4755-9-01.

Joanne Estes made a motion, second by Mary Beth Lavey to accept the conclusion of law. Motion passed. Anissa Siefert abstained.

**Board Action:**

Mary Beth Lavey made a motion, second by Joanne Estes to accept the evidence, finding of fact and conclusion of law. Motion passed. Anissa Siefert abstained.

Based upon a preponderance of the evidence and the findings of fact and conclusions of law stated above, it is the conclusion of the Board that the **occupational therapy assistant license of George Merkich, OTA is hereby REVOKED.**

The Board has instructed the Executive Director to prepare an adjudication order to carry out the mandates of this Board and serve the orders on **Lindsay Fuentes, case # OT-20-088, Kim Mitterko, case # OT-20-129, and George Merkich, case # OT-20-095** in the matter prescribed by law.

The concludes the matters of **Lindsay Fuentes, case #OT-20-088, George Merkich, case # OT-20-095 and Kim Mitterko, case # OT-20-129.**

**Correspondence**

Correspondence was reviewed by board.

**OTA Report**

No report

**Open Forum**

Discussion on how to verify the legitimacy of virtual CEs for approval. What type of proof would the section expect to see as hard evidence for the CE.

**Old Business**

None

**New Business**

Virtual Meetings- the state has granted an extension for virtual meetings until July 1. The May meeting will be virtual, however the July meeting could return to a live in person meeting.

Website- review the section's portion of the web site for updates needed/ information to be removed, etc.

Remote learning in other states.- Discussion held.

The next meeting will be held as a TEAMS meeting on May 13, 2021.

August 19, 2021 is the date for the section retreat. One item for the agenda is virtual CEUs.

**Adjournment**

There being no further business and no objections, the meeting was adjourned at 12:50 PM.

Respectfully submitted,

*Jan Hills*



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Mary Beth Lavey, COTA, Chair  
Ohio Occupational Therapy, Physical Therapy,  
And Athletic Trainers Board, OT Section



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Melissa Van Allen, OTR/L, Secretary  
Ohio Occupational Therapy, Physical Therapy,  
And Athletic Trainers Board, OT Section



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Missy Anthony, Executive Director  
Ohio Occupational Therapy, Physical Therapy,  
And Athletic Trainers Board