

Board of Occupational Therapy

Functional Analysis & Records Disposition Authority

**Revision
Presented to the
State Records Commission
July 27, 2000**

Table of Contents

| | |
|---|----------------------------|
| Functional and Organizational Analysis of the Board of Occupational Therapy | <u>1-1</u> |
| Sources of Information | <u>1-1</u> |
| Agency Organization | <u>1-1</u> |
| Historical Context | <u>1-1</u> |
| Agency Function and Subfunctions | <u>1-2</u> |
| Promulgating Rules and Regulations | <u>1-2</u> |
| Licensing | <u>1-2</u> |
| Conducting Investigations and Hearings | <u>1-2</u> |
| Administering Internal Operations | <u>1-3</u> |
| Organizational Chart | <u>1-4</u> |
| | |
| Analysis of Record Keeping System and Records Appraisal of the Board of Occupational Therapy | <u>2-1</u> |
| Agency Record Keeping System | <u>2-1</u> |
| Records Appraisal | <u>2-1</u> |
| Temporary Records | <u>2-1</u> |
| Permanent Records | <u>2-1</u> |
| Permanent Records List | <u>2-3</u> |
| | |
| Board of Occupational Therapy Records Disposition Authority | <u>3-1</u> |
| Explanation of Records Requirements | <u>3-1</u> |
| Records Disposition Requirements | <u>3-1</u> |
| Promulgating Rules and Regulations | <u>3-2</u> |
| Licensing | <u>3-2</u> |
| Conducting Investigations and Hearings | <u>3-2</u> |
| Administering Internal Operations | <u>3-3</u> |
| Approval of Records Disposition Authority | <u>3-6</u> |

Functional and Organizational Analysis of the Board of Occupational Therapy

Sources of Information

Representative of the Board of Occupational Therapy

Ann Cosby, Executive Secretary

Code of Alabama 1975, Sections 34-39-1 through 34-39-16

Alabama Government Manual (1994)

Alabama Administrative Code, Sections 625-x-1 through 625-x-11

Government Records Division, State Agency Files (1985-ongoing)

Government Records Division, Agency History

Holdings of the Department of Archives and History for the Board of Occupational Therapy

Board of Occupational Therapy Records Schedules

Agency Organization

The Board of Occupational Therapy consists of five members appointed by the governor. Four of the members are involved in the practice of occupational therapy, and the remaining member is a member of another health profession or a member of the public with an interest in health services. Members serve no more than two consecutive three-year terms. The board elects a chairperson, a secretary, and a treasurer from its membership. The board meets at least twice a year and employs an executive secretary who serves outside the state's merit system. The board has a close relationship with the Alabama Occupational Therapy Association, which submits lists of nominees for appointment by the governor to vacancies on the board.

Historical Context

Before the creation of the board, no agency regulated the practice of occupational therapy in Alabama. Many practitioners of occupational therapy felt there was a need for oversight of the profession, so they tried several times to convince the legislature to create an oversight agency. The legislature created the Board of Occupational Therapy in 1990 and continued its existence following sunset reviews in 1991 and 1995 (Acts 1990, No. 90-383; Acts 1991, No. 91-165; and Acts 1995, No. 95-279). The creating legislation defines an occupational therapist as someone who engages in the evaluation, treatment, and consultation of problems interfering with functional performance in persons impaired or threatened by physical illness or injury, psychosocial dysfunction, congenital dysfunction, developmental and learning dysfunction, the aging process, or environmental deprivation (Code of Alabama 1975, Section 34-39-3).

Agency Function and Subfunctions

The mandated function of the Board of Occupational Therapy is to administer, coordinate, and enforce the Occupational Therapy Practice Act by licensing and regulating the practice of occupational therapy in Alabama (Code of Alabama, 1975, Section 34-39-7). The board is one of the agencies primarily involved in carrying out the Regulatory function of Alabama government. In the performance of its mandated function, the board may engage in the following subfunctions.

- **Promulgating Rules and Regulations.** The board adopts and publishes rules and regulations relating to its policies. The State Board of Medical Examiners and the Board of Occupational Therapy must jointly approve any rule, regulation, or policy that interprets, explains, or enumerates the permissible acts, functions, or services rendered by an occupational therapist, occupational therapy assistant, or occupational therapy aide.
- **Licensing.** The board evaluates the qualifications of all applicants for licensure and maintains a computer register of all persons holding a license. At least twice a year the board reviews and approves the examinations to be used to test applicants. The board determines the qualifications for occupational therapists and occupational therapy assistants, and it authorizes the issuance of licenses to qualified therapists and occupational therapy assistants.

An applicant for licensure as an occupational therapist or as an occupational therapy assistant files a written application on forms provided by the board. The applicant must submit evidence of having successfully completed a period of supervised fieldwork experience at a recognized educational institution or training program and must pass a written examination. The National Board of Certification in Occupational Therapy creates, administers, and grades the examinations. The Board of Occupational Therapy may waive the examination, education, or experience requirements and grant a license to qualified individuals. The board issues a license to any person who meets its requirements upon payment of the license fee. The board may issue a limited permit to an applicant who has completed the educational and fieldwork experience requirements but who has not passed the examination. This permit allows the person to practice occupational therapy under the supervision of a licensed occupational therapist. The permit is only valid until the date on which the results of the next qualifying examination are made public. The board does not renew a limited permit if the applicant fails the examination. All licenses are subject to renewal and expire unless renewed. The board sets a required number of continuing education units for license renewal. The board will not renew, restore, or reissue any license expired for more than three years.

- **Conducting Investigations and Hearings.** The board investigates complaints and allegations concerning the violation of its rules, examines witnesses, issues subpoenas, and administers oaths in connection with these investigations. The board conducts hearings after providing reasonable public notice.

Any person may file a complaint with the board against any licensed occupational therapist or licensed occupational therapy assistant in the state. The complaint sets forth the charges in detail. When someone files a complaint, the secretary of the board makes a copy and mails it to the accused by registered mail with a written notice of the time and place of the hearing. At the hearing, the board reviews the evidence and allows the defendant to reply. Where the licensee or applicant for license is found guilty, the board denies or refuses to renew a license, suspends or revokes a license, or imposes probationary conditions. Defendants may appeal the actions of the board to the Circuit Court of Montgomery County.

- **Administering Internal Operations.** A significant portion of the agency's activities include general administrative, financial, and personnel activities geared toward the internal functioning of the agency. These administrative duties are grouped together under the subfunction Administering Internal Operations. Administering Internal Operations includes the following groups of activities:

Managing the Agency: Activities include internal office management activities common to most government agencies such as corresponding and communicating, scheduling, meeting, documenting policy and procedures, reporting, litigating, legislating (drafting, lobbying, tracking), publicizing and providing information, managing records, and managing information systems and technology.

Managing Finances: Activities include budgeting (preparing and reviewing a budget package, submitting the budget package to the state Finance Department; documenting amendments and performance of the budget); purchasing (requisitioning and purchasing supplies and equipment, receipting and invoicing for goods, and authorizing payment for products received); accounting for the expenditure, encumbrance, disbursement, and reconciliation of funds within the agency's budget through a uniform system of accounting and reporting; authorizing travel; contracting with companies or individuals; bidding for products and services; assisting in the audit process; investing; and issuing bonds.

Managing Human Resources: Activities include recruiting and hiring eligible individuals to fill positions within the agency; providing compensation to employees; providing benefits to employees, such as leave, health insurance, unemployment compensation, worker's compensation, injury compensation, retirement, and death benefits; supervising employees by evaluating performance, promoting, granting leave, and monitoring the accumulation of leave; training and providing continuing education for employees; and disciplining.

Managing Properties, Facilities, and Resources: Activities include: inventorying and accounting for non-consumable property and reporting property information to the appropriate authority; constructing buildings and facilities; leasing and/or renting offices or facilities; providing security for property owned by the agency; insuring property; and assigning, inspecting and maintaining agency property, including vehicles.

Revision Completed: June 2000
Attachment: Organizational Chart

Analysis of Record Keeping System and Records Appraisal of the Board of Occupational Therapy

Agency Record Keeping System

Computer Systems: Currently, the board operates two stand-alone personal computers for word processing needs. The board enters information from applications into a Power Builder database. The board uses the database for quick access to application information and to print an up-to-date register of all persons holding a license. The board prints a yearly list of licensees.

Paper-based System: The board maintains forms, copies of its laws and procedures, and application information submitted to the board. The board extracts some data from the forms and other records and compiles the data in a computer database.

Records Appraisal

The following is a discussion of the two major categories of records created and/or maintained by the Board of Occupational Therapy: Temporary Records and Permanent Records.

I. Temporary Records. Temporary records should be held for what is considered their active life and be disposed of once all fiscal, legal, and administrative requirements have been met. Some of the temporary records created by the Board of Occupational Therapy are discussed below.

- **Complaint Files.** These records document complaints received by the board regarding occupational therapists/assistants practicing in this state and the actions taken by the staff to solve these complaints. Because the board documents its actions in the minutes of its meetings, the complaint files do not retain long-term historical value. If the board investigates a complaint, a record of the investigation is made. Section 34-39-7 (d) of the Code of Alabama, 1975, requires the board to maintain a record of all “inspections” it makes. The board should remove from the complaint files any record of “inspections” prior to the destruction of the complaint files.
- **Applicant Licensure Files.** These files document the staff’s efforts in evaluating the qualifications of all applicants for licensure. Actions of the board based upon these evaluations are documented in the permanent records of the board.

II. Permanent Records. The Government Records Division recommends the following records as permanent.

Promulgating Rules and Regulations

- **Published Laws and Regulations.** Section 34-39-7 of the Code of Alabama, 1975, requires the board to publish its rules and regulations. These publications are reproductions of the laws and regulations for the board and are generally duplicates of either the sections of the Code of Alabama that relate to the board and/or the practice of occupational therapy, or the regulations approved by the board and the State Board of Medical Examiners. These records are necessary to document what the board publishes and gives to the public.

Licensing

- **Yearly Licensee Printout.** This printout documents who was licensed by the board in a given year. Because the database register is kept by the board, the yearly printout will serve as documentation of the licensing subfunction.

Conducting Investigations and Hearings

- Records documenting this subfunction are found in the agency's meeting minutes as described in the Administering Office Operations subfunction.

Administering Internal Operations

- **Meeting Minutes.** The meeting minutes of the board document the decisions and actions of the board including the approval or denial of requests for licensure and results of hearings. These records provide important information and documentation that may not be found elsewhere.
- **Annual Reports.** Section 34-39-7 of the Code of Alabama, 1975, requires the board to make an annual report to the governor. The annual reports document the duties and recommendations of the board.

Revision Completed: June 2000

Permanent Records List
Function: Regulatory
Board of Occupational Therapy

Promulgating Rules and Regulations:

1. Published Laws and Regulations

Licensing

1. Yearly Licensee Printout

Administering Internal Operations:

1. Meeting Minutes
2. Annual Reports

Board of Occupational Therapy Records Disposition Authority

This Records Disposition Authority (RDA) is issued by the State Records Commission under the authority granted by the Code of Alabama 1975, Sections 41-13-5 and 41-13-20 through 21. It was compiled by the Government Records Division, Alabama Department of Archives and History (ADAH), which serves as the commission's staff, in cooperation with representatives of the Board of Occupational Therapy. The RDA lists records created and maintained by the board in carrying out its mandated functions and activities. It establishes retention periods and disposition instructions for those records and provides the legal authority for the Board of Occupational Therapy to implement records destruction.

Alabama law requires public officials to create and maintain records that document the business of their offices. These records must be protected from "mutilation, loss, or destruction," so that they may be transferred to an official's successor in office and made available to members of the public. Under the Code of Alabama 1975, Section 36-12-40, "every citizen has a right to inspect and take a copy of any public writing in this state, except as otherwise expressly provided by statute." Records must be kept in accordance with auditing standards approved by the Examiners of Public Accounts (Code of Alabama 1975, Sections 36-12-2, 36-12-4, and 41-5-23). For assistance in implementing this RDA, or for advice on records disposition or other records management concerns, contact the ADAH Government Records Division at (334) 242-4452.

Explanation of Records Requirements

- This RDA supersedes any previous records disposition schedules governing the retention of the Board of Occupational Therapy's records. Copies of superseded schedules are no longer valid and should be discarded.
- The RDA establishes retention and disposition instructions for records, regardless of the medium on which those records may be kept.
- Electronic mail is a communications tool that may record permanent or temporary information. As for records in any other format, the retention periods for e-mail records are governed by the requirements of the subfunctions to which the records belong.
- Some temporary records listed under the Administering Office Operations subfunction of this RDA represent duplicate copies of records listed for long-term or permanent retention in the RDAs of other agencies.
- Certain other record-related materials need not be retained as records under the disposition requirements in this RDA. They may be disposed of in whatever way the agency determines best. Such materials include: (1) duplicate record copies that do not require official action, so long as the creating office maintains the original record for the period required; (2) catalogs, trade journals, and other publications received that require no action and do not document government activities; (3) stocks of blank stationery, blank forms, or other surplus

materials that are not subject to audit and have become obsolete; (4) transitory records which are temporary records created for short-term internal purposes that may include, *but are not limited to*: telephone call-back messages; drafts of ordinary documents not needed for their evidential value; copies of material sent for information purposes but not needed by the receiving office for future business; and internal communications about department social activities, such as a note to a group going to lunch.

- Any record created by the commission prior to 1900 shall be regarded as permanent unless there is a specific action by the State Records Commission to authorize its destruction.

Records Disposition Requirements

This section of the RDA is arranged by subfunctions of the board and lists the groups of records created and/or maintained by the commission as a result of activities and transactions performed in carrying out these subfunctions. The board may submit requests to revise specific records disposition requirements to the State Records Commission for consideration at its regular quarterly meetings.

■ Promulgating Rules and Regulations

PUBLISHED LAWS AND REGULATIONS
Disposition. PERMANENT RECORD.

■ Licensing

Applicant Licensure Files

Disposition: Temporary Record. Retain 10 years after licensee becomes inactive or 3 years after the end of the year in which the licensee dies, whichever is shorter.

Continuing Education Materials and Change of Address Notices

Disposition: Temporary Record. Retain 3 years after superseded.

Limited Permit Files

Disposition: Temporary Record. Retain 3 years after the end of the year of creation.

Register of All Persons Holding a License

Disposition: Retain in office (Code of Alabama, 1975, Section 34-39-7).

YEARLY LICENSEE PRINTOUT

Disposition. PERMANENT RECORD.

■ Conducting Investigations and Hearings

Complaint Files

Disposition: Temporary Record. Retain 25 years after licensee becomes inactive.

Record of Inspections

Disposition: Retain in office (Code of Alabama, 1975, Section 34-39-7).

■ **Administering Internal Operations**

Managing the Agency:

MEETING MINUTES.

Disposition. PERMANENT RECORD.

Recordings of Meetings

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

ANNUAL REPORTS.

Disposition. PERMANENT RECORD.

Administrative Reference Files

Disposition: Temporary Record. Retain for useful life.

Telephone Logs

Disposition: Temporary Record. Retain 3 years.

Telephone Logs/Calendars

Disposition: Temporary Record. Retain for 3 years.

Mailing Lists

Disposition: Temporary Record. Retain for useful life.

Board of Adjustment Case Files

Disposition: Retain for 5 years after the final disposition of the case.

Equal Employment Opportunity Complaint Files

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Records documenting the implementation of the agency's RDA (copies of transmittals forms to Archives or State Records Center, evidence of obsolete records destroyed, and annual reports to the State Records Commission)

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Copy of RDA

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the RDA is superseded.

System Documentation (Y2K Records, hardware/software manuals and diskettes, warranties, records of access/authorities, file naming conventions)

Disposition: Temporary Record. Retain documentation of former system 3 years after the end of the fiscal year in which the former hardware and software no longer exists anywhere in the agency and all permanent records have been migrated to a new system.

Managing Finances:

Records documenting the preparation of a budget request package and reporting of the status of funds, requesting amendments of allotments, and reporting program performance

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Records documenting the requisitioning and purchasing of supplies and equipment, receipting and invoicing for goods, and authorizing payment for products received

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Records of original entry such as journals, registers, and ledgers; and records of funds deposited outside the state treasury

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Records documenting requests for authorization from supervisors to travel on official business and other related materials, such as travel reimbursement forms and itineraries

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Agency Audit Reports

Disposition: Temporary Record. Retain 6 years after end of the fiscal year in which the records were created.

Contractual records established for the purpose of services or personal property

Disposition: Temporary Record. Retain 6 years after expiration of the contract.

Records documenting the bid process, including requests for proposals and unsuccessful responses

Disposition: Retain in office (Code of Alabama 1975, Sections 41-16-20 to 41-16-24).

Managing Human Resources:

Job Recruitment Materials

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Application Materials

Disposition: Temporary Record. Retain 1 year.

Position Classification Records

Disposition: Temporary Record. Retain 4 years after reclassification of the position.

Records documenting payroll (e.g. pre-payroll reports, payroll check registers)

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Records documenting payroll deductions for tax purposes(including Form 941)

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Records documenting employee hours worked, leave earned, and leave taken

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Records documenting employees' daily and weekly work schedules

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting leave donations

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records of final leave status

Disposition: Temporary Record. Retain record of individual employees' cumulative leave 6 years after separation of employee from the agency.

Records documenting an employee's work history - generally maintained as a case file

Disposition: Temporary Record. Retain 25 years after separation of an employee from the agency.

Section/Division Personnel Files

Disposition: Temporary Record. Retain until separation of an employee from the agency.

Records documenting the employee appeal to the Personnel Board of formal reprimands, personnel suits, demotions, transfers, or terminations

Disposition: Temporary Record. Retain 5 years following decision of Personnel Board.

Employee Flexible Benefits Plan Files (applications and correspondence)

Disposition: Temporary Record. Retain 6 years.

Records documenting the State Employee Injury Compensation Trust Fund (SEICTF) Claims
Disposition: Temporary Record. Retain 6 years after separation of the employee from the agency

Employee Administrative Hearing Files

Disposition: Temporary Record. Retain 6 years after separation of employee from department.

Managing Properties, Facilities, and Resources:

Semiannual Inventory Lists

Disposition: Retain in office. (Code of Alabama 1975, Section 36-16-8[1])

Transfer of State Property Forms (SD-1 Agency Copy)

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Inventory Cards

Disposition: Temporary Record. Retain 3 years after end of the fiscal year following the removal of an item from inventory.

Property Inventory Affidavits

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Receipts of Responsibility for Property

Disposition: Temporary Record. Retain until return of item to property manager.

Computer Equipment Inventory Records

Disposition: Temporary Record. Retain until disposition of equipment.

Records documenting the lease or rental of office or warehouse space for the department

Disposition: Retain 6 years after expiration of the lease.

Approval of Records Disposition Authority

By signing this agreement the Board of Occupational Therapy acknowledges its responsibilities in the proper management of its records and agrees to abide by the implementation guidelines listed below:

- The Board of Occupational Therapy will designate a managerial position as the agency records officer. This position is responsible for: ensuring the development of quality record keeping systems that meet the business and legal needs of the board, for coordinating the transfer and destruction of records, for ensuring that permanent records held on alternative storage media (such as microforms and digital imaging systems) are maintained in compliance with national and state standards, for submitting an annual report on records management activities to the State Records Commission in July of each year, and for

ensuring the regular implementation of the commission's approved RDA.

- Permanent records in the Board of Occupational Therapy's custody will be maintained under proper intellectual control, and in an environment that will ensure their physical order and preservation.
- Destruction of temporary records, as authorized in this RDA, should occur agency-wide on a regular basis—for example, after the successful completion of an audit, at the end of an administration, or at the end of a fiscal year. In certain circumstances, the board may determine that a valid need exists to keep a record beyond its prescribed retention period. Despite the RDA's provisions, no record should be destroyed that is necessary to comply with requirements of the state Sunset Act, audit requirements, or any legal notice or subpoena.
- The commission should maintain full documentation of any computerized record-keeping system it employs. It should develop procedures for: (1) backing up all permanent records held in electronic format; (2) storing a back-up copy off-site; and (3) migrating all permanent records when the system is upgraded or replaced. If the board chooses to maintain permanent records solely in electronic format, it is committed to funding any system upgrades and migration strategies necessary to ensure the records' permanent preservation and accessibility.
- The Board of Occupational Therapy agrees to allow the State Records Commission, its staff, and the Examiners of Public Accounts to examine the condition of the permanent records maintained in the custody of the board and to inspect records destruction documentation. Government Records Division archivists are available to train the board staff in RDA implementation and otherwise assist the board in implementing its records management program.

This records disposition authority is hereby adopted.

By: _____ Date: _____
Ann Cosby, Executive Secretary
Board of Occupational Therapy

By: _____ Date: _____
Edwin C. Bridges, Chairman
State Records Commission