



MARYLAND Department of Health

Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Robert R. Neall, Secretary

January 14, 2020

Sent via email to lpatria@umm.edu

Lori Patria, President
Maryland Occupational Therapy Association
PO Box 131
Stevenson, MD 21153-9998

Dear Ms. Patria:

The appointment terms Daniel Martin serving as a licensed occupational therapist on the State Board of Occupational Therapy Practice will expire on June 30, 2020. The Board's Statute §10-202(a) (3) states "the Governor shall appoint the occupational therapist member and the occupational therapy assistant member, with the advice of the Secretary from a list of names submitted to the Secretary and the Governor by the Maryland Occupational Therapy Association".

The Maryland Department of Health requests that the Maryland Occupational Therapy Association (MOTA) submit a list of nominees by March 20, 2020. Mr. Martin is eligible for reappointment consideration if his name is included in the list of nominees submitted by MOTA.

For your reference, I have enclosed a copy of the section of the Board's statute that addresses all the membership requirements as well as information on the Board's meeting schedule and other member responsibilities. We request that the Association closely review the statute to ensure compliance with the nomination process and requirements for nominees. Please keep in mind when nominating individuals to serve that we need individuals who are energetic and enthusiastic. A nominee may not be a registered lobbyist.

The State Ethics Commission has rendered an advisory opinion (#87-1), which addresses the issue of whether members of health regulatory boards may serve as elected officials or directors of professional associations whose members are under the Board's authority. This opinion would be presumed to be a restriction against appointment unless it was clear that their activities would not, in anyway, be a conflict of interest. You should be aware that this opinion could be a restriction on the nature of an individual's activities with the association after they are

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appointed to a regulatory board. Any officer or Board member of a professional association who accepts nomination for appointment to a regulatory board shall give consideration to resigning from the position with the association prior to accepting the appointment. If the nominee does not wish to resign, his position with the association must be clearly stated with the submission of the nominee's name, to the Secretary of Health, and subsequently on the Appointee Exemption Disclosure Forms. A determination of eligibility will then be made by the appointment authority.

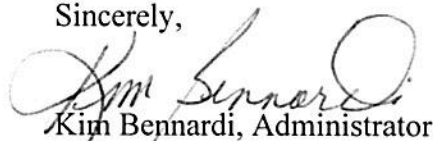
The Department is committed to creating geographic, gender and ethnic diverse representation on each Board. This helps to ensure that decisions reached more adequately reflect the viewpoints of all populations being served and profoundly continue to advancing the groups' mission. We request your assistance in this effort and ask that you address this concern when identifying the most talented individuals to submit as nominees.

The Governor's Appointments Office (GAO) requires all nominees to submit an online application via their website, <https://govappointments.maryland.gov/instructions-for-filling-out-the-general-application-form/>. The applications must be submitted no later than March 20, 2020. Applicants will be required to upload a resume during the online application process.

During the application process, the applicant will be asked to complete the Appointee Exemption Disclosure (AED) form. If a person is appointed, the AED form is filed with the State Ethics Commission and becomes a public document. The State Ethics Commission highly recommends that applicants request exemptions for employment on the AED form and request a financial disclosure exemption if they or co-own a business. The Commission may be reached at 410-260-7770 should any applicant wish to seek additional guidance on completion of the AED form.

Thank you for assisting the Department in the appointment process. We look forward to receiving MOTA's nominations. Should you have any questions, please contact me at 410-767-4049 or Kim.Bennardi@Maryland.gov.

Sincerely,



Kim Bennardi, Administrator

Office of Appointments and Executive Nominations

Enclosures

Cc: Lauren Murray