

Board Member Remote Participation Policy

POLICY: In accordance with 1 M.R.S. § 403-B, it is the policy of the Maine Board of Occupational Therapy Practice (“Board”) to allow Board members to participate remotely using synchronous telephonic or video technology allowing simultaneous reception and exchange of information pursuant to this policy.

1. The Board recognizes that there are benefits to meeting in-person. It further recognizes that in-person participation can be challenging for various members who have impediments to meeting in-person at each meeting and those impediments may, over time, discourage people from participating on the Board. Accordingly, Board members are encouraged to attend in person but are permitted to participate remotely.

2. The Board may hold a virtual meeting, meaning a meeting where there is no physical location where either the public or Board members can attend, if an emergency or urgent issue exists as determined by the Board Chair, or if the Chair is unavailable, by the Board’s Manager.

An “emergency” or “urgent issue” includes but is not limited to:

- A. A declaration of emergency issued by the Governor of the State of Maine, the President of the United States, or by an applicable state or federal agency;
- B. Circumstances that require an immediate meeting such as imminent risk of harm to person or property; or
- C. Conduct or condition of a licensee or any other person that places the health or physical safety of the Board or any other person in immediate jeopardy by holding an in-person meeting.

Access to virtual meetings due to an emergency or urgent issue shall be provided by the Board to members of the public to permit a meaningful opportunity to attend.

3. The Board may not limit the public’s ability to attend a public proceeding in person except when the existence of an emergency or urgent issue is determined pursuant to paragraph 2 of this Policy.

4. The Board shall identify a physical location for members of the public to attend in person except when the existence of an emergency or urgent issue is determined pursuant to paragraph 2 of this Policy.

5. The Board shall provide remote methods for the public to attend whenever members of the Board participate by remote methods, and reasonable accommodations may be provided when necessary to provide access to individuals with disabilities. Any member of the public needing and requesting accommodation to access a public Board proceeding should contact Board staff at: 207-624-8624.

6. Whenever the Board is scheduled to allow or required to provide an opportunity for public input during a public Board proceeding, the Board shall provide an effective means of communication between the members of the Board and the public.
7. Any Board member who participates remotely must have the technology, including internet access, in their remote location sufficient to be seen and heard during the meeting and participate in the same capacity as those members physically present. Board members shall be responsible for any costs associated with obtaining and maintaining the technology and equipment necessary to participate remotely.
8. In the event that technical difficulties preclude any member of the Board from participating in a meaningful way, then the Board members present shall determine whether the member may continue to participate remotely.
9. A member of the Board who participates remotely in a public Board proceeding is present for purposes of a quorum and voting.
10. All votes taken by the Board during a public Board proceeding using remote methods for participation by any Board member must be taken by roll call vote that can be seen and heard by the other members of the Board and the public.
11. The Board shall make all non-confidential documents and other materials, electronic or otherwise, considered by it during a public proceeding available to the public who attend by remote means to the same extent customarily available to members of the public who attend Board public proceedings in-person so long as no additional costs are incurred by the Board.
12. Nothing in this policy is intended to be a rule subject to the provisions of 5 M.R.S. §§ 8051-8074, and this policy may be subsequently amended by simple majority vote of those present and voting once quorum is achieved.

This policy was adopted by the Board on December 16, 2022 following notice and hearing.