

Senate Bill 135

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Governor Theodore R. Kulongoski for Occupational Therapy Licensing Board)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Revises certain provisions relating to occupational therapy.

A BILL FOR AN ACT

1
2 Relating to Occupational Therapy Licensing Board; amending ORS 675.210, 675.240, 675.250, 675.310
3 and 675.320.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 675.210 is amended to read:

6 675.210. As used in ORS 675.210 to 675.340, unless the context requires otherwise:

7 [(1) "*Board*" means the *Occupational Therapy Licensing Board*.]

8 [(2)] (1) "Occupational therapist" means a person licensed to practice occupational therapy un-
9 der ORS 675.210 to 675.340.

10 [(3) "*Occupational therapy*" means the analysis and use of purposeful activity with individuals who
11 are limited by physical injury or illness, developmental or learning disabilities, psycho-social
12 dysfunctions or the aging process in order to maximize independence, prevent disability and maintain
13 health. The practice of occupational therapy encompasses evaluation, treatment and consultation. Spe-
14 cific occupational therapy services includes but is not limited to: Activities of daily living (ADL); per-
15 ceptual motor and sensory integrated activity; development of work and leisure skills; the design,
16 fabrication or application of selected orthotics or prosthetic devices; the use of specifically designed
17 crafts; guidance in the selection and use of adaptive equipment; exercises to enhance functional per-
18 formance; prevocational evaluation and training; performing and interpreting manual muscle and range
19 of motion test; and appraisal and adaptation of environments for people with mental and physical dis-
20 abilities. The services are provided individually, in groups, or through social systems.]

21 (2) "Occupational therapy" means analysis of and therapeutic use of everyday life activ-
22 ities with individuals or groups to promote participation in the home, at school, in the
23 workplace, in the community and in other settings by addressing physical, cognitive,
24 psychosocial and sensory performance to promote health, well being and quality of life.

25 [(4)] (3) "Occupational therapy assistant" means a person licensed to assist in the practice of
26 occupational therapy under the supervision of an occupational therapist.

27 (4) "Practice of occupational therapy" means providing, through purposeful activities
28 that promote health, wellness and independence, occupational therapy services to a person
29 who has or is at risk of developing an illness, injury, disease, disorder, disability or activity
30 limitation or who is aging.

31 [(5) "*Person*" means any individual, partnership, unincorporated association or corporate body,

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 *except only an individual may be licensed under ORS 675.210 to 675.340.]*

2 **SECTION 2.** ORS 675.240 is amended to read:

3 675.240. Except as provided in ORS 675.270, each applicant for licensure under ORS 675.210 to
4 675.340 as an occupational therapist shall:

5 (1) Have successfully completed an educational program in occupational therapy recognized by
6 the Occupational Therapy Licensing Board, with concentration in biological or physical science,
7 psychology and sociology, and with education in selected manual skills.

8 (2) Pass to the satisfaction of the board an examination adopted by the board to determine the
9 fitness of the applicant for practice as an occupational therapist or be entitled to be licensed as
10 provided in ORS 675.270.

11 (3) Have successfully completed at least six months of supervised field work that complies with
12 rules adopted by the board.

13 **(4) Comply with continuing education requirements as adopted by the board by rule.**

14 **(5) If the applicant has been unlicensed for more than three years, complete a board-**
15 **approved reentry program or retake the board-approved national examination to determine**
16 **fitness for practice as an occupational therapist.**

17 **SECTION 3.** ORS 675.250 is amended to read:

18 675.250. Except as provided in ORS 675.270, an applicant for licensure under ORS 675.210 to
19 675.340 as an occupational therapy assistant shall:

20 (1) Be at least 18 years of age.

21 (2) Have successfully completed the academic requirements of an educational program for oc-
22 cupational therapy assistants recognized by the Occupational Therapy Licensing Board.

23 (3) Pass an examination approved by the board to determine the fitness of the applicant for
24 practice as an occupational therapy assistant.

25 (4) Have successfully completed at least two months of supervised field work that complies with
26 rules adopted by the board.

27 **(5) Comply with continuing education requirements as adopted by the board by rule.**

28 **(6) If the applicant has been unlicensed for more than three years, complete a board-**
29 **approved reentry program or retake the board-approved national examination to determine**
30 **fitness for practice as an occupational therapy assistant.**

31 **SECTION 4.** ORS 675.310 is amended to read:

32 675.310. (1) There is created in The Department of Human Services the Occupational Therapy
33 Licensing Board. *[It shall be]* **The board is** composed of five members[,], appointed by the
34 Governor[, *three of whom*]. **Two members** shall be licensed occupational therapists in this state
35 with no less than three years of experience in occupational therapy immediately preceding their
36 appointment[, *and two of whom*]. **One member shall be a licensed occupational therapy assist-**
37 **ant. Two members** shall be members of the [*consuming*] public. Board members required to be oc-
38 cupational therapists may be selected by the Governor from [*a list of no less than eight*] nominees
39 submitted by the Occupational Therapy Association of Oregon **and the board**. [*However, one member*
40 *of the board may be a licensed occupational therapy assistant.*]

41 (2) Members are entitled to compensation and expenses as provided in ORS 292.495.

42 (3) Members shall serve a term of four years and may not serve more than two consecutive
43 terms.

44 **SECTION 5.** ORS 675.320 is amended to read:

45 675.320. The Occupational Therapy Licensing Board shall have the following powers in addition

1 to powers otherwise granted under ORS 675.210 to 675.340 or necessary to carry out the provisions
 2 of ORS 675.210 to 675.340:

3 (1) To organize and elect from its membership a [*president and secretary*] **chairperson and vice**
 4 **chairperson**, each of whom shall hold office for one year or until the election and qualification of
 5 a successor.

6 (2) To appoint a director to perform such duties as the board shall prescribe, and whose com-
 7 pensation shall be fixed by the board subject to ORS 240.245.

8 (3) To authorize all necessary disbursements to carry out the provisions of ORS 675.210 to
 9 675.340, including, but not limited to, payment for necessary supplies, office equipment and investi-
 10 gations and such other expenditures as provided for in ORS 675.210 to 675.340.

11 (4) To suspend, revoke or invalidate licenses for nonpayment of renewal fees.

12 (5) To restore licenses that have been suspended, revoked or voided.

13 (6) To adopt license and license renewal fees under ORS 675.270, 675.280 and 675.290. The fees
 14 must be approved by the Oregon Department of Administrative Services and may not exceed the
 15 cost of administering ORS 675.210 to 675.340.

16 (7) To collect license applications and renewal fees.

17 (8) To investigate alleged violations of ORS 675.210 to 675.340.

18 (9) To enforce the provisions of ORS 675.210 to 675.340 and generally supervise the practice of
 19 occupational therapy in this state.

20 (10) To make and enforce rules in accordance with ORS chapter 183 for the procedure of the
 21 board and for regulating the practice of occupational therapy not inconsistent with the provisions
 22 of ORS 675.210 to 675.340.

23 (11) To establish minimum requirements for continuing education to be complied with by all
 24 licensees under ORS 675.210 to 675.340 [*prior to reissuing licenses*].

25 (12) To establish minimum requirements for limited permit to be complied with by all applicants
 26 prior to issuance of limited permit. A limited permit shall be issued to a person at the discretion
 27 of the board upon application and payment of a permit fee of \$25.

28 (13) To establish official abbreviations that may be used, under ORS 675.220 (1), by persons li-
 29 censed as occupational therapists or occupational therapy assistants.

30 (14) To establish minimum requirements for supervised field work necessary for applicants under
 31 ORS 675.240 or 675.250.

32 **(15) To adopt rules that define the scope of the practice of occupational therapy and that**
 33 **reflect national standards for the practice of occupational therapy.**

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