

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass
Vote: 4 - 0 - 1
Yeas: Kruse, Morse, Shields, Monnes Anderson
Nays: 0
Exc.: Bates
Prepared By: Brian Nieubuurt, Administrator
Meeting Dates: 2/9, 2/16

WHAT THE MEASURE DOES: Clarifies that the Occupational Therapy Licensing Board (Board) may deny, suspend, revoke or refuse to renew a license or impose probationary conditions if a licensee or applicant violates statutes administered by the Board. Repeals provisions requiring the Board to issue a warning before imposing a fine. Caps the fine the Board may issue at \$1000. Allows the Board to issue subpoenas without the signature of the chairperson. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Problems with first warning requirement
- Need to extend disciplinary authority to other violations that may not affect the health, welfare or safety of the public

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: The Board regulates occupational therapy practice to ensure that only qualified persons provide occupational therapy services. The Board sets the standards of practice and examines applicants for licensure, issues licenses to qualified applicants, investigates complaints and takes appropriate disciplinary action when violations are found to have occurred.

Currently, the Board has to issue a warning before imposing a civil penalty, regardless of whether the violation is serious or minor. Currently, the Board can only discipline licensees for violations that “affect the health, welfare or safety of the public.” The Board does not have the authority to discipline licensees for other violations, such as not completing continuing education requirements.