

# House Bill 2985

Sponsored by Representative MCLAIN

## 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**.

Directs State Board of Education to adopt by rule standards for provision of occupational therapy to students who have individualized education programs.  
Becomes operative July 1, 2020.

## A BILL FOR AN ACT

1  
2 Relating to the provision of occupational therapy to students.

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

4 **SECTION 1. Section 2 of this 2019 Act is added to and made a part of ORS chapter 343.**

5 **SECTION 2. (1) As used in this section:**

6 (a) **“Occupational therapist” has the meaning given that term in ORS 675.210.**

7 (b) **“Occupational therapy” includes:**

8 (A) **Improving, developing or restoring functions that were impaired or lost through ill-**  
9 **ness, injury or deprivation;**

10 (B) **Improving a child’s ability to perform tasks for independent functioning if functions**  
11 **are impaired or lost; and**

12 (C) **Preventing, through early intervention, initial or further impairment or loss of**  
13 **function.**

14 (c) **“Occupational therapy assistant” has the meaning given that term in ORS 675.210.**

15 (2) **The State Board of Education, in consultation with the Occupational Therapy Li-**  
16 **icensing Board, shall adopt by rule standards for the provision of occupational therapy to**  
17 **children who have an individualized education program. The standards must:**

18 (a) **Allow occupational therapists and occupational therapy assistants to provide services**  
19 **to children who have an individualized education program and to serve as a member of a**  
20 **child’s individualized education program team.**

21 (b) **Identify requirements for occupational therapists to supervise occupational therapy**  
22 **assistants who are providing services to children who have an individualized education pro-**  
23 **gram.**

24 (c) **Establish limits on the number of children to whom an occupational therapist or oc-**  
25 **cupational therapy assistant may provide services. In establishing limits under this para-**  
26 **graph, the State Board of Education must take into consideration:**

27 (A) **The severity of the needs of the children served by the occupational therapist or oc-**  
28 **cupational therapy assistant;**

29 (B) **The level and frequency of services necessary to satisfy the requirements of an indi-**  
30 **vidualized education program;**

31 (C) **The amount of time required to plan services;**

**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       **(D) The amount of time required to conduct evaluations of a child, including classroom**  
2 **observations;**

3       **(E) The amount of time required to coordinate services provided under the individualized**  
4 **education program with other service providers;**

5       **(F) The amount of time required for professional development;**

6       **(G) The amount of time required for further monitoring, observation, treatment or co-**  
7 **ordination of services following the completion of the provision of services; and**

8       **(H) The amount of time required to travel between schools or locations served by the**  
9 **occupational therapist or the occupational therapy assistant.**

10       **SECTION 3.** (1) **Section 2 of this 2019 Act becomes operative on July 1, 2020.**

11       **(2) The State Board of Education may adopt rules or take any action before July 1, 2020,**  
12 **that is necessary for the board to exercise all of the duties, functions and powers conferred**  
13 **on the board by section 2 of this 2019 Act.**

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