

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 4

BY HEALTH AND WELFARE COMMITTEE

AN ACT

1 RELATING TO OCCUPATIONAL THERAPY LICENSURE; AMENDING SECTION 54-3708,
2 IDAHO CODE, TO REMOVE OBSOLETE LANGUAGE; REPEALING SECTION 54-3711,
3 IDAHO CODE, RELATING TO RENEWAL AND REINSTATEMENT OF LICENSURE; AMEND-
4 ING CHAPTER 37, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION
5 54-3711, IDAHO CODE, TO PROVIDE FOR RENEWAL AND REINSTATEMENT OF LICEN-
6 SURE; AMENDING SECTION 54-3715, IDAHO CODE, TO REMOVE OBSOLETE LANGUAGE
7 AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 54-3717, IDAHO
8 CODE, TO REVISE POWERS AND TO MAKE TECHNICAL CORRECTIONS.
9

10 Be It Enacted by the Legislature of the State of Idaho:

11 SECTION 1. That Section 54-3708, Idaho Code, be, and the same is hereby
12 amended to read as follows:

13 54-3708. EXAMINATION FOR LICENSURE OF OCCUPATIONAL THERAPISTS AND OC-
14 CUPATIONAL THERAPY ASSISTANTS. (1) Each applicant for licensure shall be ex-
15 amined by written examination to test the person's knowledge of the basic
16 and clinical sciences relating to occupational therapy, occupational ther-
17 apy techniques and methods, and such other subjects as the licensure board
18 may require in rule to determine the applicant's fitness to practice. The
19 written examination shall be the examination established and conducted by
20 the national board for certification in occupational therapy and the passing
21 score shall be the passing score established by the national board for cer-
22 tification in occupational therapy or its successor organization as estab-
23 lished in rule.

24 ~~(2) An applicant for licensure by examination who fails to pass the ex-~~
25 ~~amination after two (2) attempts must submit a new application as set out in~~
26 ~~this chapter.~~

27 ~~(3)~~ An application upon which the applicant takes no further action
28 will be held for no longer than one (1) year.

29 SECTION 2. That Section 54-3711, Idaho Code, be, and the same is hereby
30 repealed.

31 SECTION 3. That Chapter 37, Title 54, Idaho Code, be, and the same is
32 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
33 ignated as Section 54-3711, Idaho Code, and to read as follows:

34 54-3711. RENEWAL AND REINSTATEMENT OF LICENSE. (1) All licenses is-
35 sued under the provisions of this chapter shall be for a term of one (1) year
36 and shall expire on the birthday of the licensee unless renewed in the man-
37 ner prescribed by rule. License renewal and reinstatement shall be in accor-
38 dance with section 67-2614, Idaho Code.

39 (2) The board may issue an inactive license to a licensee pursuant to
40 rules adopted by the board that may specify the terms, procedures, and fees

1 necessary to maintain an inactive license. The holder of an inactive license
 2 shall not engage in any practice requiring a license under this chapter. An
 3 occupational therapist or occupational therapy assistant wishing to convert
 4 an inactive license to an active license must account to the board for that
 5 period of time in which the license was inactive and must fulfill require-
 6 ments that demonstrate competency to resume practice. Those requirements
 7 may include, but are not limited to, education, supervised practice, and ex-
 8 amination. The board may consider practice in another jurisdiction in de-
 9 termining competency.

10 SECTION 4. That Section 54-3715, Idaho Code, be, and the same is hereby
 11 amended to read as follows:

12 54-3715. SUPERVISION. Within the scope of occupational therapy prac-
 13 tice, supervision is aimed at ensuring the safe and effective delivery of
 14 occupational therapy services and the fostering of professional competence
 15 and development. Practices and procedures governing the supervision of oc-
 16 cupational therapy assistants, a limited permit holder and an aide in the
 17 delivery of occupational therapy services shall be established in rule and
 18 be adopted by the board. ~~Practices and procedures shall include, but not~~
 19 ~~be limited to, delivery of occupational therapy services, facilitation of~~
 20 ~~growth and competence, frequency, methods and content of supervision, a plan~~
 21 ~~of supervision and required documentation of compliance with the plan.~~

22 SECTION 5. That Section 54-3717, Idaho Code, be, and the same is hereby
 23 amended to read as follows:

24 54-3717. OCCUPATIONAL THERAPY LICENSURE BOARD OF IDAHO -- POWERS AND
 25 DUTIES. (1) The licensure board shall administer, coordinate, and enforce
 26 the provisions of this chapter, evaluate the qualifications, and approve the
 27 examinations for licensure under this chapter, and may issue subpoenas, ex-
 28 amine witnesses, and administer oaths, and may investigate practices ~~which~~
 29 that are alleged to violate the provisions of this chapter.

30 (2) The licensure board shall adopt rules and regulations, pursuant to
 31 chapter 52, title 67, Idaho Code, relating to professional conduct to carry
 32 out the policy of this chapter including, but not limited to, regulations
 33 relating to professional licensure and to the establishment of ethical
 34 standards of practice, disciplinary proceedings, license suspension pro-
 35 ceedings, or license revocation proceedings for persons holding a license to
 36 practice occupational therapy in this state.

37 (3) The licensure board shall hold meetings, conduct hearings and keep
 38 records and minutes as are necessary to carry out its functions.

39 (4) Authorize, by written agreement, the bureau of occupational li-
 40 censes to act as its agents in its interests as set out in the written
 41 agreement.

42 (5) Communicate disciplinary actions to relevant state and federal
 43 authorities, the national board for certification in occupational therapy
 44 (NBCOT), the American occupational therapy association (AOTA) and to other
 45 state occupational licensing authorities.

46 (6) Adopt rules requiring continuing education for the renewal of a li-
 47 cence.