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SENATE BILL NO. 599

Senate Amendments in [] — February 9, 1998

A BILL to amend and reenact §§ 54.1-2956.1, 54.1-2956.4, and 54.1-2956.5 of the Code of Virginia, relating to occupational therapy.

Patrons—Houck, Edwards, Howell, Lambert, Saslaw and Williams; Delegates: Albo, Hargrove, Robinson and Van Yahres

Referred to the Committee on Education and Health

Be it enacted by the General Assembly of Virginia:

1. That §§ 54.1-2956.1, 54.1-2956.4, and 54.1-2956.5 of the Code of Virginia are amended and reenacted as follows:

§ 54.1-2956.1. Powers of Board concerning occupational therapy.

The Board shall be empowered to take such actions as may be necessary to ensure the competence and integrity of any person who [~~claims to be practices as~~] an occupational therapist or who holds himself out to the public as an occupational therapist, and to that end it [~~may shall~~] *certify license* practitioners as occupational therapists.

§ 54.1-2956.4. Advisory Board of Occupational Therapy; powers.

The Advisory Board shall, under the authority of the Board:

1. Recommend to the Board for its enactment into regulation the criteria for ~~certification licensure~~ as an occupational therapist and the standards of professional conduct for holders of ~~certificates licenses~~.

2. Assess the qualifications of applicants for ~~certification licensure~~ and recommend ~~certification licensure~~ when applicants meet the required criteria. The recommendations of the Advisory Board on ~~certification licensure~~ of applicants shall be presented to the Board, which shall then issue or deny ~~certificates licenses~~. Any applicant who is aggrieved by a denial of recommendation on ~~certification licensure~~ of the Advisory Board may appeal to the Board.

3. Receive investigative reports of professional misconduct and unlawful acts and recommend sanctions when appropriate. Any recommendation of sanctions shall be presented to the Board, which may then impose sanctions or take such other action as may be warranted by law.

4. Assist in such other matters dealing with occupational therapy as the Board may in its discretion direct.

§ 54.1-2956.5. [~~Restriction of titles~~ *License required*] .

It shall be unlawful for any person not holding a current and valid ~~certificate license~~ from the Board to [~~claim to be practice as~~] an occupational therapist or to assume the title "Occupational Therapist," "Occupational Therapist, Registered Licensed," "Certified Licensed Occupational Therapist," or any similar term, or to assume the designations "O.T." [~~or "O.T.R.L."~~ , "O.T.R." or "O.T.L."] However, a person who has graduated from a duly accredited educational program in occupational therapy shall be exempt from the preceding prohibition until he has taken and received the results of any examination required by the Board or until one year from the date of graduation, whichever occurs sooner. This section shall not be construed to prohibit any person operating under the supervision of an occupational therapist pursuant to such requirements as may be imposed by the Board from [~~claiming to practice practicing~~] occupational therapy or from using the title "Certified Occupational Therapy Assistant" or any variation thereof, or from assuming the designations "O.T.A." or "C.O.T.A."

2. That the Board of Medicine shall promulgate regulations to implement the provisions of this act to be effective within 280 days of the enactment of this act; further, the Board shall notify all certificate holders of the change to licensure and shall, upon renewal of such individual's certificate, provide such person a license. This act shall not be construed to prohibit or impede the practice of any occupational therapy by any individual holding a certificate as an occupational therapist from the Board prior to July 1, 1998; any person holding a certificate to practice occupational therapy prior to July 1, 1998, shall be deemed to be licensed thereafter.

ENGROSSED

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