

Attention Prospective Applicants and Current Licensees

Effective July 1, 2005

Act 1249 of 2005 has changed the new/renewal licensing requirements for all applicants/licensees.

As of July 1, 2005 every person applying for a license/renewal – M.D., D.O., LRCP, OT, OT-A and PA – must complete a criminal background check and/or authorize the Arkansas State Medical Board to conduct such check.

Arkansas code 17-95-306 states:

(a)(1) Beginning July 1, 2005, every person applying for a license or renewal of a license issued by the Arkansas State Medical Board shall provide written authorization to the board to allow the Arkansas State Police to release the results of a state and federal criminal history background check report to the board.

(2) The applicant shall be responsible for payment of the fees associated with the background checks.

Any application for license/renewal received on or after July 1, 2005 must meet this requirement.



ARKANSAS STATE MEDICAL BOARD

2100 Riverfront Drive, Little Rock, Arkansas 72202-1435 (501) 296-1802

www.armedicalboard.org

IMPORTANT INFORMATION – PLEASE READ CAREFULLY

Dear Occupational Therapist Applicant:

Enclosed is an application for Occupational Therapy Licensure. We welcome you and are glad you have chosen to practice in Arkansas.

Act 1249 of 2005 requires the Arkansas State Medical Board to conduct criminal background checks (both state and federal) on applicants for licensure. Upon receipt in this office of your completed application and fee, instructions will be forwarded to you on the process for obtaining the background check.

It is important for you to understand the licensure process may take several weeks to complete. This depends totally on the responses we receive from your verification requests. To insure efficiency, please type or print your application. Answer all the questions. Do not leave any blanks. If the question does not pertain to you, you may write in “Not Applicable” or “N/A”.

At the top of the first page be certain to check the correct box for the type of license you are seeking; whether OT, OT-A or Temporary OT-A or OT. (You are eligible for a Temporary Permit only if you have not yet taken or passed the NBCOT’s examination. If you fail the examination the first time you will only be eligible to receive one more temporary permit to give you the opportunity to take the examination the second time.)

Question #1: Enter your legal name. If your name has changed due to marriage, divorce, adoption or naturalization, submit a notarized copy of pertinent document. Enter your Social Security Number to be used for identification. Enter your name as it is listed on your Driver’s License or Passport. **Include a copy of these documents.**

Question #7: Requires you to complete the top portion of the Occupational Therapy Education Form, which is provided for you in your application packet. Attach a recent photo of yourself in the space provided on the lower half of the form and mail the form to your Occupational Therapy School. **This form should only be completed and submitted after graduation. Any forms submitted before graduation are invalid and must be submitted again.** Be sure to attach the photo. Forms will not be accepted without the applicant’s photo attached. Upon receipt, the school will complete the information, affix their school seal and return the form and an Official Transcript directly to this office.

If you are applying for a temporary permit without benefit of the graduation ceremony, the Verification of Education Form should not be completed by the Registrar’s Office and forwarded until after the graduation date. The Official Transcript can be sent to the Arkansas State Medical Board once all fieldwork grades are posted and the degree is awarded.

Question #8: Requires you to contact the NBCOT and request that verification of your standing is mailed directly to the Arkansas State Medical Board.

If you are a recent graduate, or about to graduate and applying for a temporary permit you must request a Letter of Eligibility to sit for NBCOT exam. This must be mailed to the Arkansas State Medical Board. This document is available from NBCOT after they have received your transcript from your school.

Upon notification from NBCOT that you have successfully completed the Examination, receipt of your score you are eligible for full licensure. You will need to be certain your application file is complete. Your full license cannot be granted until all of these documents/ verifications are received.

Question #10: Requires you to list all state/county full and temporary licenses you presently have, or have had. *You also will need to complete the top portion of the licensure verification form included in your application packet. (You may make copies if needed.) Mail a form to each of the licensing boards where you have been licensed. You should call the licensing board prior to mailing the form as they may charge a fee for verification. If no licenses or temporary permits have been held, indicate this by writing NONE or N/A in the license section.*

Question #11: Requires you to list your professional activities from Occupational Therapy School to the present. Recent graduates should list their work sites. Gaps in your professional history must be accounted for by a written statement of explanation of activities. This does not apply to students with gaps in their fieldwork assignments.

Question #12: Requires you to list the names, addresses and association of three professional references. At least two of these references should be licensed Occupational Therapists. If you are a recent graduate, you may use your clinical supervisor and program director for references.

Question #13 through 20: If you have any “yes” responses to any of these questions, you will need to attach a detailed explanation and documentation showing the outcome.

Question #13 Misdemeanor or Felony conviction – attach explanation and copy of original indictment, judgment or conviction, indicate whether paroled or placed on probation and how probation was completed. Please note that if you have a record which is sealed, expunged or pardoned, you are still required to answer “yes” to this question.

Question #21: Affidavit of Applicant requires the applicant to attach a recent photograph in the space provided and sign the application before a Notary Public. The Notary Seal must be affixed partially on the photo. *Applications received without a photo or without being notarized will be returned to the applicant for completion.*

Question #22: Rules and Regulations Affidavit & Regulation Questionnaire are included in your packet. You will need to read the Arkansas Rules and Regulations governing the practice of Occupational Therapy, complete the questionnaire, sign the Affidavit, and return it to this office. *This is a requirement for licensure.*

Verification of Hospital/Facility Affiliation Form is enclosed. The top portion of this form is to be completed by the applicant and forwarded to all previous Occupational Therapy department directors **from the past (5) years of employment.** (Form can be copied.) The Occupational Therapy Department Directors are to complete the bottom portion with appropriate information and forward back to the Arkansas State Medical Board. Any verification received from the applicant will be invalid and will be returned.

Please Note:

Occupational Therapy Assistants, by law, are allowed to practice only under the supervision of a licensed Occupational Therapist. It is your responsibility to keep this office informed of your current Arkansas supervising OT.

Requirements for a Temporary Permit to Practice Occupational Therapy Or Occupational Therapy Assistant

- **Completed application submitted to the Arkansas State Medical Board with the required fees:**
 - **Temp to full license (OT) = \$ 100.00**
 - **Temp to full license (OT-A) = \$ 75.00**
- **Applicant must have completed all educational requirements and have graduated from an accredited Occupational Therapy School/Program.**
- **If the applicant has completed all educational requirements yet lacks the actual graduation ceremony, he/she must request from the Registrar's office to provide to the Arkansas State Medical Board the Official Transcript as soon as it is available after fieldwork grades are posted and degree is awarded. Once the graduation ceremony date is past, the Registrar's office must complete their portion of the Verification of Education Form and forward to the Arkansas State Medical Board.**
- **If the applicant has graduated, they must request the Registrar's office to provide the Verification of Education Form completed with the school seal. They must also provide an Official Transcript.**
- **From the final fieldwork experience, a copy of the first page of the applicants Fieldwork Evaluation Form (FWE) documenting successful completion of the fieldwork, signed and sent to the Arkansas State Medical Board by the fieldwork supervisor.**
- **Once the temporary applicant has graduated or met the educational requirements, he/she must request NBCOT to provide the Arkansas State Medical Board with their Eligibility to Examine Notice. This verification provides the notification that the candidate has met the educational requirements and has registered to sit for the examination, which is part of the requirement for a temporary permit.**
- **Certification of any other State or Country license the applicant may have had. (Verification of State License)**
- **Signed and dated Rules and Regulations Affidavit.**
- **If the applicant is foreign trained, the Arkansas State Medical must have on file a copy of the current Visa or a letter of intent for employment from the prospective employer.**

Requirements for a Full License to Practice Occupational Therapy Or Occupational Therapy Assistant

- **Completed application submitted to the Arkansas State Medical Board with the required fees:**
 - **Full License (OT) = \$ 75.00**
 - **Full License (OT-A) = \$ 50.00**
- **Applicant must have completed all educational requirements and have graduated from an accredited Occupational Therapy School/Program.**
- **The applicant must request from the Registrar's office to provide the (Verification of Education Form) completed with the school seal. They must also provide an Official Transcript dated after the graduation ceremony.**
- **The applicant must request NBCOT to provide the Arkansas State Medical Board with their Verification of Certification from NBCOT or the score page direct from PES (Professional Examine Service).**
- **Certification of any other State or Country license the applicant may have had. (Verification of State License)**
- **Signed and dated Rules and Regulations Affidavit.**
- **The applicant must forward the (Hospital/Clinic Affiliation Form) to their previous employers during the past (5) five years of employment. The OT Department Directors must then verify the information requested at the bottom of the form and forward back to the Arkansas State Medical Board.**
- **If the applicant is foreign trained, the Arkansas State Medical must have on file a copy of the current Visa or a letter of intent for employment from the prospective employer.**



Arkansas State Medical Board
2100 Riverfront Drive
Little Rock, AR 72202
Phone: (501) 296-1802
Fax: (501) 296-1972
www.armedicalboard.org

Authorization to Release Pending Licensure Application File Information

So the licensing process might be made easier for both you and the Board, we do limit our communication about your file to you and one other person of your choice. We have found that in the past, phone calls providing duplicate information have only slowed the process, which will delay the licensure process for you. Provide the Board in writing with the name of the person, other than yourself, that will be working with you to complete your file.

Your licensing coordinator will be working with over one hundred (100) other applicants at the time she is working with you. To streamline this process, your coordinator will communicate with you and one other person of your choice regarding your file. It has been proven that communicating with multiple people and providing duplicate information slows the process and the period in which you will receive your license or temporary permit. Until written notification of the other contact, has been received, the coordinator will communicate only with you.

I authorize the Arkansas State Medical Board to release any and all information regarding the status of my licensure file to the person listed below:

(Print full name of Representative)

(Email address of Representative)

(Phone number of Representative)

(Print full name of Applicant)

(Signature of Applicant)

(Date Signed)

This document must be completed and returned with your initial application. Information will not be released to anyone other than yourself without this written authorization.



ARKANSAS STATE MEDICAL BOARD

2100 Riverfront Drive, Little Rock, Arkansas 72202-1435 (501) 296-1802

APPLICATION FOR OCCUPATIONAL THERAPY LICENSURE IN ARKANSAS

OT OT-A Temporary Permit

1. Name _____ Social Security # _____
(Legal Name. If name on documentation is not the same as above, submit a copy of legal name change.)

Name as listed on Driver's License or Passport _____ DL # _____ State _____

2. Address _____

3. Address you wish license to be mailed _____

4. Phone (Res.) _____ (Work) _____ (Fax) _____ (Email) _____

5. Male Female Birth Date ____/____/____ Birth Place _____ (Race) _____

If born outside of U.S., how long have you lived in U.S. ____ Years ____ Months. Are you a citizen of U.S. ___ yes ___ no

If yes, and foreign born, attach proof of citizenship. If no, indicate your status with U.S. Immigration _____

(Attach copy of your Visa/Work Permit)

6. Intended practice location in Arkansas _____ Give name and address of hospital, clinic, group or private: _____

7. Occupational Therapy School. Date Graduated mo. _____ day _____ year _____ Degree _____

List in chronological order the name and location of each college, university, or technical school attended.

Complete Name of Institution	Complete Address	Date From	Date To

Have Verification of Occupational Therapy Education Form and an official Transcript mailed direct to this office after graduating.

8. Have you passed the National Board for Certification in Occupational Therapy examination? ___ Yes ___ No
If yes, have certification from NBCOT mailed direct to this office.
If no, when do you intend to take the exam? (date) _____

9. Have you previously taken and failed the National Board for Certification Occupational Therapy examination? ___ Yes ___ No
If yes, how many times? _____

10. List all state/countries, in which you have or have had an Occupational Therapy license. Have verification of each state or country license mailed directly to this office. Send enclosed Verification of Licensure form (form may be copied). If no licenses were held, indicate by writing NONE or N/A in this section.

State	License #	Date Issued	Active Y/N

State	License #	Date Issued	Active Y/N

11. Professional Activities

List in chronological order all your professional activities, institutional affiliations or places of employment since graduation from Occupational Therapy School. This includes hospitals, teaching institutions, HMO's, private practice, corporations, military assignments, government agencies, and Locum Tenens assignments. (Recent Grads May List Their Work Sites.)

From	To	Status	Location & Complete Address	Position

12. Professional References: These three (3) references may not be related to you. They must have worked with you and directly observed your professional performance in the recent past. At least one of the references must have had organizational responsibility for supervising your performance (i.e., department head, supervisor, or training program director).

NAME	ADDRESS / PHONE	ASSOCIATION

Attach Explanation and documentation of outcome of any "Yes" Answer

YES NO

13. Have you ever been charged or convicted of a felony or misdemeanor? (NOTE: Applicants must answer _____ affirmatively if records, charges, or convictions have been pardoned, expunged, plead down, released or sealed.) _____
14. Have you had a DWI or DUI conviction in the last three (3) years?
If yes, How Many? _____ _____
15. Do you have any physical, mental or emotional impairment that would hinder your ability to perform duties assigned in any healthcare profession including that of Occupational Therapy? _____
16. Have you ever been addicted to alcohol or drugs? _____
17. Have you ever been treated for alcohol/substance abuse in a treatment center or hospital?
If yes, give name of institution, date and length of stay in explanation. _____
18. Has any Medical/Occupational Therapy licensing board or NBCOT ever sanctioned you or your certification?
If yes, list name and address of Entity in an attachment. _____
19. Have you ever voluntarily surrendered your OT license or certification in any jurisdiction, state or territory? _____
20. Have you ever previously made application to the Arkansas State Medical Board?
If yes, when? _____

21. Temporary License Signature – To be completed for Temporary License Applicants Only

Signature of an Occupational Therapist who is currently fully licensed to practice in Arkansas, with whom the applicant will practice in association as stipulated in Regulation No. 6, Section 3.3 of the Arkansas Occupational Therapy Act.

Printed Name _____ Signature _____ OTR _____
(Signature of Fully Licensed Arkansas Occupational Therapist) (Arkansas License Number)

22. AFFIDAVIT OF APPLICANT

I, _____ certify after being duty sworn, that all of the information supplied in the foregoing application is true and correct to the best of my knowledge that the photograph submitted herein is a true likeness of myself and was taken within sixty (60) days prior to the date of this application. I acknowledge that any false or untrue statement or representation made in this application may result in the revocation or denial of any license to practice Occupational Therapy granted to me and criminal prosecution to the fullest extent of the Law.

Applicant's Signature: _____

NOTARY INFORMATION:

Date _____

County of _____

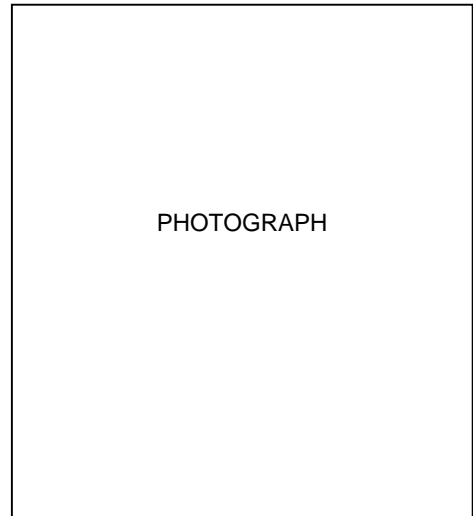
State of _____

SWORN to and subscribed before me this _____ day of _____ Month _____ Year

(AFFIX NOTARY SEAL PARTIALLY ON PHOTO)

Notary Public Signature

Commission Expires



DO NOT WRITE BELOW THIS LINE - FOR OFFICE USE ONLY

Application received: ____/____/____

Fee Received: \$ _____.00

Committee Signature/Temporary Permit: 1st _____ 2nd _____

1st Temporary Permit Number _____ Temporary Issued ____/____/____ Expiration ____/____/____

2nd Temporary Permit Number _____ Second Temporary Issued ____/____/____ Expiration ____/____/____

Committee Signature/Full License: _____

OT/OT-A License Number: _____ Issued ____/____/____



Arkansas Medical Practice
Acts and Regulations for Occupational Therapists & Assistants

To practice lawfully, you must know the legal requirements pertaining to your profession.

The following questions represent a sample of the law and regulation governing the practice of Occupational Therapy in the State of Arkansas, 17-88-101 through 17-88-312 and Regulation No. 6.

It is your professional responsibility to know the legal requirements surrounding the practice of your profession and be alert to changes in those requirements. This questionnaire is intended to provide you with a measure of your working knowledge of those requirements. You will find the answers within the OT Practice Act enclosed with your application packet or available on line at our website at www.armedicalboard.org This questionnaire is an extension of the Rules and Regulations Affidavit also enclosed. Both documents must be returned with your application.

Circle the letter of the correct answer & return with the application packet or renewal for (1) CEU credit one time per renewal cycle. Questions will be modified at the discretion of the Committee.

- 1) All continuing education taken must pertain to the field of medicine.
a) True b) False
- 2) Each Occupational Therapist & Occupational Therapy Assistant is required to complete (10) hours of continuing education each as a condition for renewal of their license. Which of the following do not apply toward yearly renewal? (Two answers are correct to qualify for this question)
a) Infection Control b) Facility based OT presentation c) Spanish for the healthcare professional d) Formal coursework related to the field of OT
- 3) When is the annual license renewal due?
a) End of the calendar year
b) Last day of the birth month
c) Last day of the year
d) 1st day of the birth month
- 4) Denial, revocation or suspension of a Occupational Therapy license may be the result of the following:
Please choose two (2) answers:
a) Obtaining a license by fraud b) Violation of Patient Confidentiality c) Being convicted of a major crime d) The use of a narcotic drug or alcohol to the extent that would endanger and/or impair the practitioners ability to perform occupational therapy, e) Attendance and punctuality to patient appointments
- 5) Patient evaluation is the responsibility of the occupational therapist. The OTA may not contribute to the evaluation process by reporting observations or by gathering data.
a) True b) False
- 6) An OT with a temporary permit can supervise an OT Aide while practicing on the temporary permit.
a) True b) False
- 7) An OTA must practice under the supervision of a licensed OT. Whose responsibility is it to report in writing to the Board who the supervising occupational therapist is?
a) OTR b) OT Aide c) OTA d) None of these
- 8) Arkansas Law does require a Physician referral for the rendering of Occupational Therapy Services.
a) True b) False
- 9) Therapists receiving a license will be required to submit continuing education during the first partial year of licensure.
a) True b) False
- 10) Any delinquent license of less than (5) years may be reinstated at the discretion of the Board by
a) Paying all delinquent fees & fines b) Providing proof of completion of continuing education for each year c) Completing the renewal application provided by the Board d) All of the above e) None of the above

revision 5/14/09



ARKANSAS STATE MEDICAL BOARD

2100 Riverfront Drive, Little Rock, AR 72202-1435

www.armedicalboard.org

ARKANSAS RULES AND REGULATIONS AFFIDAVIT

I, _____, on this date, _____,
(Type or Print Name)

Do affirm that I have read the Occupational Therapy Act, Arkansas Code 17-88-101, *et seq.*, and the Rules and Regulations of the Arkansas State Medical Board.

Signed: _____
(Occupational Therapist Practitioner Signature)

THIS IS A REQUIREMENT FOR LICENSURE. YOU MUST COMPLETE THIS FORM AND RETURN IT TO:

**ARKANSAS STATE MEDICAL BOARD
2100 RIVERFRONT DRIVE
LITTLE ROCK, AR 72202-1435**



ARKANSAS STATE MEDICAL BOARD

2100 Riverfront Drive, Little Rock, Arkansas 72202-1435 (501) 296-1802

www.armedicalboard.org

VERIFICATION OF OCCUPATIONAL THERAPY EDUCATION

Name of Institution

Street

City State Zip Code

I, _____, OT/OT-A, have applied for a license to practice occupational therapy in the state of
(Print full name)

Arkansas. As part of the application process, the Arkansas State Medical Board requires verification of my **Occupational Therapy Education**.

I hereby authorize _____, its staff, or representative to provide the Arkansas State
(Name of occupational therapy college, university or technical school)

Medical Board any and all information requested below, whether such information is favorable or unfavorable, and I hereby release from any and all liability the above named institution and/or person for any and all acts performed in fulfilling this request, provided that such acts are performed in good faith and without malice. Further, I request that this completed form be sent directly to the **Arkansas State Medical Board, 2100 Riverfront Drive, Little Rock, Arkansas 72202-1435**. I understand completed forms returned to me will not be accepted for verification purposes.

Sincerely,

(Signature of Applicant)

Date of Birth ____/____/____
Month Day Year

Social Security Number (____-____-____)

Date of Graduation ____/____/____
Month Day Year

**For verification of
OT/OT-A Education Only
Please provide exact dates.**

The following section must be completed by the dean or registrar of the Occupational Therapy school and returned directly to the Arkansas State Medical Board. **Verifications returned to the applicant will not be accepted.** Do not complete if photograph is not attached. Any substitutions must contain all required information or it will not be accepted for verification purposes.

This certifies _____
(Full name of applicant)

Enrolled in _____
(Name of occupational therapy college, university, or technical school)

on ____/____/____ graduated ____/____/____ with a degree in _____
Month Day Year Month Day Year

Further, the records of this institution indicate that the attached photograph
(check one) Represents a true likeness of the above named applicant.
 Does not represent a true likeness of the above named applicant.

AN OFFICIAL TRANSCRIPT MUST BE RETURNED WITH THIS FORM

By _____
Signature of the dean or registrar

SEAL

Attach
Passport size
Photograph
here

Signed and the college Seal affixed on ____/____/____
Month Day Year

Occupational Therapy school seal MUST be imprinted partially on photograph



ARKANSAS STATE MEDICAL BOARD

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VERIFICATION OF OCCUPATIONAL THERAPY LICENSE

I, _____, hereby authorize and request the state board of _____, having control of any documents, records, and other information pertaining to me, to furnish to the Arkansas State Medical Board all information requested on this form and any pertinent information regarding final actions taken against my license to practice Occupational Therapy.

Signature of Applicant		License Number	Issue Date ____/____/____
Name in full (Please print or type)		Date of Birth ____/____/____	Social Security number ____-____-____
Other names used in obtaining licensure			
Current Address			
For verification of LICENSURE Please provide exact dates.		This following section must be completed by an official of the state board and returned directly to the Arkansas State Medical Board. Any substitution must contain the same information and be mailed directly from the state board or it will not be accepted for verification purposes. State Seal must be affixed to be accepted.	
State of		Full name of licensee	
Graduate Of		License Number	Issue Date ____/____/____
Expiration Date ____/____/____ Active <input type="checkbox"/> Inactive <input type="checkbox"/> Lapsed <input type="checkbox"/> Other <input type="checkbox"/> (Explain on Back)			
1. Has the applicant ever been warned, censured, or disciplined in any manner by a licensing or disciplinary authority in your state? If yes , please provide date(s) ____/____/____, ____/____/____.			Yes <input type="checkbox"/> No <input type="checkbox"/>
2. Has his/her application for initial licensure or reinstatement ever been denied or withdrawn? If yes , please provide date(s) ____/____/____, ____/____/____.			<input type="checkbox"/> <input type="checkbox"/>
3. Is this Occupational Therapist currently under investigation by your state board?			<input type="checkbox"/> <input type="checkbox"/>
Comments, if any			
Board Seal must be affixed	Signature and Title		Date ____/____/____
	State Board		



ARKANSAS STATE MEDICAL BOARD

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VERIFICATION OF HOSPITAL/FACILITY AFFILIATION

Name of Institution _____

Street _____

City _____ State _____ Zip _____

I, _____, OT/OT-A have applied for a license to practice Occupational Therapy in
(Print Full Name)

the state of Arkansas. As part of the process, the Arkansas State Medical Board requires verification from each hospital/facility in which I have or have had Hospital/Facility Privileges or Employment for the past five (5) years.

I hereby authorize _____, its staff, or representative to provide the Arkansas Sate Medical Board
(Name of Facility)

any and all information requested below, whether such information is favorable or unfavorable, and I hereby release from any and all liability the above named institution and/or person for any and all acts performed in fulfilling this request, provided that such acts are performed in good faith and without malice. Further, I request that this completed form be sent directly to the Arkansas State Medical Board, 2100 Riverfront Drive, Little Rock, AR, 72202. Completed forms returned to me will not be accepted for verification purposes. They must be mailed directly to the Arkansas State Medical Board office.

Sincerely, _____

Date of Birth ____ / ____ / ____ Social Security Number _____
MO DAY YR

For verification of HOSPITAL, FACILITY or EMPLOYMENT AFFILIATION. Please provide exact dates.

The following section must be completed by the department director and returned directly to the Arkansas State Medical Board. Any substitution must contain the same information and be mailed directly to the state board or it will not be accepted for verification purposes. **Form must be signed.**

I, _____ state that the above named OT/OT-A has been employed
(Print Full Name)

at our hospital/facility from ____ / ____ / ____ to ____ / ____ / ____ *
MO DAY YR MO DAY YR

Indicate the scope of Clinical Practice, if any: _____

During the stated period of time, the clinical privileges of this individual (check one) Were Were not denied, revoked, suspended, limited, reduced, not renewed or relinquished (whether by resignation or expiration, voluntarily or involuntarily).

Based on his/her performance, he/she (check one) Would Would not be recommended for employment at this facility.

If for any reason the requested data regarding the above OT/OT -A cannot be verified, please briefly explain or attach additional sheet.

***Note: Breaks in privileges should be listed as separate entries.**

Type or Legibly Print Name

Signature **(DO NOT USE SIGNATURE STAMPS)**

Title

Enter Date Signed MO DAY YR

() ()
Telephone Number Fax Number email address

ARKANSAS STATE MEDICAL BOARD



ARKANSAS MEDICAL PRACTICES ACTS & REGULATIONS FOR OCCUPATIONAL THERAPISTS

OCCUPATIONAL THERAPISTS

SUB-CHAPTER 1 - GENERAL PROVISIONS

17-88-101. Short title.

This chapter shall be known and may be cited as the "Arkansas Occupational Therapy Practice Act."

History. Acts 1977, No. 381, § 1; A.S.A. 1947, § 72-1901

17-88-102. Definitions.

As used in this chapter, unless the context otherwise requires:

- (1) "Occupational therapy" means the evaluation and treatment of individuals whose ability to cope with the tasks of living is threatened or impaired by developmental deficits, the aging process, poverty or cultural differences, environmental or sensory deprivation, physical injury or illness, or psychological and social disability.
 - (A) The treatment utilizes task-oriented activities to prevent or correct physical or emotional deficits to minimize the disabling effect of these deficits in the life of the individual so that he might perform tasks normally performed at his stage of development.
 - (B) Specific occupational therapy techniques include, but are not limited to:
 - (i) Instruction in activities of daily living, design, fabrication, application, recommendation, and instruction in the use of selected orthotic or prosthetic devices and other adaptive equipment;
 - (ii) Perceptual-motor and sensory integrative activities;
 - (iii) The use of specifically designed crafts;
 - (iv) Exercises to enhance functional performance; and
 - (v) Prepositional evaluation and treatment.
 - (C) The techniques are applied in the treatment of individual patients or clients, in groups, or through social systems;
- (2) "Occupational therapist" means a person licensed to practice occupational therapy, whose license is in good standing;
- (3) "Occupational therapy assistant" means a person licensed to assist in the practice of occupational therapy under the frequent and regular supervision by or with consultation with an occupational therapist, whose license is in good standing. The definition of "frequent" and "regular" will be established by the Arkansas State Occupational Therapy Examining Committee;
- (4) "Occupational therapy aide" or "worker" means a person who aids a licensed occupational therapist in the practice of occupational therapy, whose activities require an understanding of occupational therapy but do not require professional or advanced training in the basic anatomical, biological, psychological, and social sciences involved in the practice of occupational therapy;
- (5) "Board" means the Arkansas State Medical Board;
- (6) "Committee" means the Arkansas State Occupational Therapy Examining Committee;
- (7) "Association" means the Arkansas Occupational Therapy Association;
- (8) "Person" means any individual, partnership, unincorporated organization, or corporate body,

except that only an individual may be licensed under this chapter.

History. Acts 1977, No. 381, § 2; A.S.A. 1947, § 72-1902.

17-88-103. Exceptions.

Nothing in this chapter shall be construed as preventing or restricting the practice, services, or activities of:

- (1) Any person licensed in this state by any other law from engaging in the profession or occupation for which he is licensed;
- (2) Any person employed as an occupational therapist or occupational therapy assistant by the United States, if the person provides occupational therapy solely under the direction or control of the organization by which he is employed;
- (3) Any person pursuing a course of study leading to a degree or certificate in occupational therapy at an accredited or approved educational program, if such activities and services constitute a part of a supervised course of study and if such a person is designated by a title which clearly indicates his or her status as a student or trainee;
- (4) Any person fulfilling the supervised field work experience requirements of Sec. 17-88-302, if such activities and services constitute a part of the experiences necessary to meet the requirements of that section;
- (5) Any person employed by or working under the direct supervision of an occupational therapist as an occupational therapy aide; or
- (6) Any person licensed as an occupational therapist in another state, United States possession, or country or who has received at least a baccalaureate degree or its equivalent in occupational therapy and who is in this state for the purpose of:
 - (A) Consultation, provided the practice is limited to consultation; or
 - (B) Conducting a teaching clinical demonstration in connection with a program of basic clinical education, graduate education, or postgraduate education in an approved school of occupational therapy or its affiliated clinical facilities or health care agencies or before a group of licensed occupational therapists.

History. Acts 1977, No. 381, § 18; A.S.A. 1947, § 72-1918.

17-88-104. False oath or affirmation - Penalty.

- (a) A person who makes a willfully false oath or affirmation in any case in which an oath or affirmation is required by this chapter or who obtains or attempts to obtain registration by any fraudulent representation shall be guilty of a misdemeanor.
- (b) Upon conviction, he shall be fined not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000) or imprisoned in the county jail for a period of not less than one (1) month nor more than six (6) months, or be both fined and imprisoned.

History. Acts 1977, No. 381, § 17; A.S.A. 1947, § 72-1917.

17-88-105. Disposition of funds.

All fees and penalties provided for in this chapter shall be received by the Arkansas State Medical Board, shall be deposited in the State Treasury, shall be credited to the State Medical Board - Occupational Therapy Fund, which is created, and shall be expended by the board in accordance with the appropriation by the General Assembly.

History. Acts 1977, No. 381, § 20; A.S.A. 1947, § 72-1920.

SUBCHAPTER 2 - REGULATORY AGENCIES

17-88-201. Arkansas State Medical Board.

- (a) The Arkansas State Medical Board shall administer the provisions of this chapter.
- (b) With the advice and assistance of the Arkansas State Occupational Therapy Examining Committee, the board shall pass upon the qualification of applicants for licensure, regulate and supervise all examinations, determine the applicants who successfully pass the examination, and license the applicants who meet the qualifications provided in this chapter.
- (c) In addition to the other powers and duties set out elsewhere in this chapter, the board shall:
 - (1) Adopt and put into effect reasonable rules and regulations to carry this chapter into effect;
 - (2) Investigate reported violations of this chapter and take such steps as may be necessary to enforce this chapter;
 - (3) Keep a record of its proceedings under this chapter and of all persons registered by it on a register which shall show the name of every registrant, his last known place of business, his last known place of residence, and the date and number of his license; and
 - (4) Compile a list of all occupational therapists who are licensed to practice occupational therapy in the State of Arkansas. The list shall be printed annually. It shall furnish a copy of the list to all persons requesting it upon the payment of a fee as may be fixed by the board to compensate for the cost of printing the list.

History. Acts 1977, No. 381, §§ 3, 5; A.S.A. 1947, §§ 72-1903, 72-1905.

17-88-202. Arkansas State Occupational Therapy Examining Committee.

- (a) There is created an Arkansas State Occupational Therapy Examining Committee to assist the board in carrying out the provisions of this chapter.
- (b) The committee shall consist of six (6) members appointed by the Governor for terms of five (5) years, each of whom is a citizen of the United States and a resident of the State of Arkansas. One (1) member shall be a member of a minority race.
 - (1) Four (4) members shall be persons licensed under this chapter who have had at least three (3) years' experience in the practice of occupational therapy in this state and shall be appointed upon the advice and recommendation of the Arkansas Occupational Therapy Association.
 - (2) One (1) member shall be a resident of this state who is not engaged in or licensed to practice as an occupational therapist.
 - (3) One (1) member shall not be actively engaged in or retired from the profession of occupational therapy, shall be sixty (60) years of age or older, and shall represent the elderly. This member shall be appointed from the state at large, subject to the confirmation of the Senate. He or she will be a full voting member but shall not participate in the grading of examinations.

- (c) The consumer representative and the elderly representative position may not be filled by the same person.
- (d) Vacancies shall be filled in the same manner for the unexpired term.
- (e) The members of the committee shall receive thirty-five dollars (\$35.00) per day for each day of attendance at meetings of the committee. In addition, they shall be entitled to mileage for attending meetings of the committee at the rate prescribed by law or regulation for state employees.
 - (1) The committee shall meet with the board at its regular meetings, assist in regulating and supervising all examinations, establish reasonable fees for examination and licensure, and call special meetings at such times as it deems necessary.
 - (2) A majority of the committee shall have the power to call a special meeting.
- (f) The committee is directed by this chapter to define "regular" and "frequent" as they relate to the supervision of occupational therapy assistants and to write and publish a code of ethics for the practice of occupational therapy and rules defining unprofessional conduct and gross negligence.
- (g) In addition, the committee may be delegated by the board such powers and duties as it may deem proper.

History. Acts 1977, No. 381, §§ 4, 6, 20; 1983, No. 131, §§ 1-3, 5; 1983, No. 135, §§ 1-3, 5; A.S.A. 1947, §§ 6-623 - 6-626, 72-1904, 72-1906, 72-1920; Acts 1997, No. 250, § 161

SUBCHAPTER 3 - LICENSING

17-88-301. License required.

No person shall practice occupational therapy or hold himself out as an occupational therapist or occupational therapy assistant or as being able to practice occupational therapy or to render occupational therapy services in the state unless he is licensed in accordance with provisions in this chapter.

History. Acts 1977, No. 381, § 18; A.S.A. 1947, § 72-1918.

17-88-302. Qualifications of applicants.

Each applicant must meet the following conditions:

- (1) The applicant must be an individual at least eighteen (18) years old;
- (2) The applicant must be of good moral character;
- (3) The applicant must have successfully completed the academic requirements of an educational program in occupational therapy with concentration in biologic or physical science, psychology and sociology, and with education in selected manual skills.
 - (A) For an occupational therapist, the program shall be accredited by the American Medical Association in collaboration with the American Occupational Therapy Association and shall lead to the awarding of a bachelor's or master's level degree or advanced standing certificate in occupational therapy.
 - (B) For an occupational therapy assistant, the program shall be approved by the American Occupational Therapy Association and shall lead to the awarding of an associate level degree in occupational therapy;

- (4) The applicant must have successfully completed a period of supervised field work experience at a recognized educational institution where he or she met the following academic requirements:
 - (A) For an occupational therapist, a minimum of six (6) months supervised field work experience is required;
 - (B) For an occupational therapy assistant, a minimum of two (2) months of supervised field work experience at an approved facility other than the one at which the person was previously employed, if applicable, is required;
- (5) The applicant must have passed an examination conducted by the board as provided in Sec. 17-88-304.

History. Acts 1977, No. 381, § 7; A.S.A. 1947, § 72-1907; Acts 1993, No. 1219, § 16.

17-88-303. Issuance pursuant to examination.

- (a) The board shall register as an occupational therapist and shall issue a license to any person who satisfactorily passes the examination provided for in Sec. 17-88-304 and who otherwise meets the requirements for qualifications contained in this subchapter and pays a fee as determined by the committee.
- (b) The board shall register as an occupational therapy assistant, and shall issue a license to, any person who satisfactorily passes the examination provided for in Sec. 17-88-304 and who otherwise meets the qualifications contained herein and pays a fee as determined by the committee.

History. Acts 1977, No. 381, § 10; A.S.A. 1947, § 72-1910.

17-88-304. Examinations.

- (a) (1) Any person applying for licensure shall, in addition to demonstrating his eligibility in accordance with the requirements of Sec. 17-88-302, make application to the board for examination at least thirty (30) days prior to the date of examination upon a form and in a manner as the board shall prescribe.
- (2) The application shall be accompanied by a fee to be determined by the committee. The fee shall not be refunded.
- (b) (1) An applicant who fails an examination may make reapplication for reexamination accompanied by the prescribed fee.
- (2) Any applicant who fails three (3) examinations must take additional educational work in the areas of weakness as deemed necessary by the committee before being eligible for reexamination.
- (c) (1) Each applicant for licensure under this chapter shall be examined by the board to test his knowledge of the basic and clinical sciences relating to occupational therapy and to occupational therapy theory and practice.
- (2) The knowledge tested will include the applicant's professional skills and judgment in the utilization of occupational therapy techniques and methods and any other subjects the board, with the advice of the committee, may deem useful to determine the applicant's fitness to practice.
- (3) The committee shall establish standards for acceptable performance.

- (d) (1) Applicants for licensure shall be examined at a time and place and under such supervision as the board may determine.
- (2) Examination shall be given at least twice each year at such places within this state as the board may determine. The board shall give reasonable public notice of the examination in accordance with its rules at least sixty (60) days prior to their administration and shall notify by mail all individual examination applicants of the time and place of their administration.
- (e) Applicants may obtain their examination scores and may review their papers in accordance with such rules as the board may establish.

History. Acts 1977, No. 381, § 8; A.S.A. 1947, § 72-1908.

17-88-305. Reciprocity.

- (a) A licensed occupational therapist who has been issued a license to practice occupational therapy in another state or territory whose requirements for registration and licensure were equal at the time of his registration to the requirements in this chapter may be registered and issued a license by the board, provided the state or territory from which the applicant comes accords a similar privilege of registration and licensure to persons registered and licensed in the State of Arkansas by the board.
- (b) The issuance of a license by reciprocity by the board shall be at the sole discretion of the board, and the board may provide such rules and regulations governing admission as it may deem necessary or desirable.
- (c) Any occupational therapist or occupational therapy assistant who has been certified by the American Occupational Therapy Association and who has been in continuous practice for the past five (5) years and who comes to Arkansas from a state presently not granting reciprocity or from a state not requiring licensing shall be eligible for licensing in Arkansas.

History. Acts 1977, No. 381, § 12; A.S.A. 1947, § 72-1912.

17-88-306. Temporary licenses.

- (a) The secretary of the board shall issue a temporary license without examination to practice occupational therapy in association with an occupational therapist licensed under this chapter to persons who have completed the education and experience requirements of this chapter and who are required to be licensed in order to obtain employment as an occupational therapist.
- (b) The temporary license shall be valid until the date on which the results of the next qualifying examination have been made public.
- (c) This temporary license shall only be renewed once if the applicant has not passed the examination or if the applicant has failed to take the qualifying examination, unless that failure is justified by good cause acceptable at the discretion of the secretary of the board.

History. Acts 1977, No. 381, § 9; A.S.A. 1947, § 72-1909.

17-88-307. Re-registration.

- (a) (1) A renewal or re-registration fee, which shall be determined by the Committee, shall be paid to the board by each occupational therapist who holds a license to practice occupational therapy in the State of Arkansas.

- (2) The committee will also establish additional requirements for license renewal which provide evidence of continued competency.
- (b) The re-registration fee shall be paid before or during the birth month of the license holder beginning in 1998, and each year thereafter. During the implementation year of 1998, fees shall be prorated.
- (c) (1) Failure to re-register and pay the re-registration fee by the last day of the birth month of the license holder shall cause the license of any person so failing to pay the registration fee to expire automatically.
- (2) Any delinquent license of less than five (5) years may be reinstated by paying all delinquent fees and a penalty, to be determined by the committee, for each year or part of a year it has been delinquent.
- (3) Any person who shall fail to re-register and pay the annual license fee for five (5) consecutive years shall be required to be reexamined by the board before his license may be reinstated.

History. Acts 1977, No. 381, § 13; A.S.A. 1947, § 72-1913; Acts 1997, No. 313, § 1.

17-88-308. Display of license or renewal certificate.

Each licensee shall display his license and renewal certificate in a conspicuous place in the principal office where he practices occupational therapy.

History. Acts 1977, No. 381, § 11; A.S.A. 1947, § 72-1911.

17-88-309. Denial, revocation, or suspension - Grounds.

- (a) After notice and hearing, the board may deny or refuse to renew a license or may suspend or revoke a license where the licensee or applicant for license has been guilty of unprofessional conduct which has endangered or is likely to endanger the health, welfare, or safety of the public.
- (b) Unprofessional conduct shall include:
 - (1) Obtaining a license by means of fraud, misrepresentation, or concealment of material facts;
 - (2) Being guilty of unprofessional conduct or gross negligence as defined by rules established by the committee or violating the code of ethics adopted and published by the committee;
 - (3) Treating, or undertaking to treat, ailments of human beings otherwise than by occupational therapy, as authorized by this chapter;
 - (4) Being convicted of a crime, other than minor offenses defined as "minor misdemeanors," "violations," or "offenses," in any court if the acts for which the applicant or licensee was convicted are found by the board to have a direct bearing on whether he or she should be entrusted to serve the public in the capacity of an occupational therapist or occupational therapy assistant;
 - (5) Using any narcotic drug or alcohol to an extent that impairs the ability to perform the work of an occupational therapist or occupational therapy assistant with safety to the public.
- (c) The procedure hereunder on all refusals, revocations, and suspensions of license shall be as prescribed by the Arkansas Administrative Procedure Act, as amended, Sec. 25-15-201 et seq.

History. Acts 1977, No. 381, § 14; A.S.A. 1947, § 72-1914.

17-88-310. Denial, revocation, or suspension - Proceedings.

- (a) (1) Any person may file a complaint with the board against any person having a license to practice occupational therapy in this state charging the person with having violated the provisions of Sec. 17-88-309.
- (2) The complaint shall set forth a specification of charges in sufficient detail so as to disclose to the accused fully and completely the alleged acts of misconduct for which he is charged.
- (b) When a complaint is filed, the secretary of the board shall mail a copy to the accused by registered mail at his last address of record. With the copy shall be a written notice of the time and place of hearing and advising him that he may be present in person and by counsel, if he so desires, to offer evidence and be heard in his defense.
- (c) (1) At the time and place fixed for a hearing before the board, the board shall receive evidence upon the subject matter under consideration and shall accord the person against whom charges are preferred a full and fair opportunity to be heard in his defense.
- (2) The board shall not be bound by strict or technical rules of evidence but shall consider all evidence fully and fairly. However, all oral testimony considered by the board must be under oath.
- (3) All hearings and appeals shall be conducted in accordance with the provisions of the Arkansas Administrative Procedure Act, as amended, Sec. 25-15-201 et seq.
- (4) All evidence considered by the board shall be construed so as not to deprive any person of his or her rights without full, fair, and impartial hearing.

History. Acts 1977, No. 381, § 15; A.S.A. 1947, § 72-1915.

17-88-311. Unlawful practice - Injunction.

- (a) The courts of record in this state having general equity jurisdiction are vested with jurisdiction and power to enjoin the unlawful practice of occupational therapy in the county in which the alleged unlawful practice occurred or in which the defendant resides.
- (b) The issuance of an injunction shall not relieve a person from criminal prosecution for violation of this chapter, but the remedy of injunction shall be in addition to criminal prosecution.

History. Acts 1977, No. 381, § 19; A.S.A. 1947, § 72-1919.

17-88-312. Unlawful use of professional title - Penalty.

- (a) (1) It is unlawful for any person who is not licensed under this chapter as an occupational therapist or an occupational therapy assistant or whose registration has been suspended or revoked, to use, in connection with his name or place of business, the words "Occupational Therapist," "Licensed Occupational Therapist," "Occupational Therapist Registered," "Occupational Therapy Assistant," "Licensed Occupational Therapy Assistant," "Certified Occupational Therapy Assistant," or the letters "O.T.," "L.O.T.," "O.T.R.," "O.T.A.," "L.O.T.A.," or "C.O.T.A.," or any other words, letters, abbreviations, or insignia indicating or

implying that he is an occupational therapist or an occupational therapy assistant.

- (2) It is also unlawful for any such person, in any way, orally, in writing, in print, or by sign, directly or by implication, to represent himself as an occupational therapist or an occupational therapy assistant.
- (b) Any person violating the provisions of this section shall be guilty of a misdemeanor and upon conviction shall be fined not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000) or imprisoned in the county jail for a period of not less than one (1) month nor more than six (6) months, or be both fined and imprisoned. Each day of violation shall constitute a separate offense.

History. Acts 1977, No. 381, § 16; A.S.A. 1947, § 72-1916

REGULATION NO. 6 REGULATIONS GOVERNING THE LICENSING AND PRACTICE OF OCCUPATIONAL THERAPISTS

1. **APPLICATION FOR LICENSURE.** Any person who plans to practice as a licensed occupational therapist or occupational therapy assistant in the state of Arkansas shall, in addition to demonstrating his eligibility in accordance with the requirements of Section 7 of Act 381 of 1977, apply for licensure to the Board, on forms and in such a manner as the Board shall prescribe.
 - 1.1 **FORMS.** Application forms can be secured from the Arkansas State Medical Board.
 - 1.2 **FILING REQUIREMENTS.** Completed applications shall be mailed together with necessary documents and filing fee to the Board. The filing fee is not refundable. Applications and documentation must be completed within six months of date of receipt by the Arkansas State Medical Board. Applications and documentation over six months old are voided and the applicant must reapply.
 - 1.3 **BOARD ACTION ON APPLICANTS.** Applications for licensure shall be acted upon by the Board no later than its next regularly scheduled meeting following the receipt of the required fee and all credentials.
2. **EXAMINATION.** All occupational therapists and occupational therapy assistants are required to pass an examination, approved by the Board, for licensure to practice the profession in Arkansas, except as otherwise provided in Arkansas Code 17-88-103. The Board has adopted for this purpose the examination administered by the National Board for Certification in Occupational Therapy for the certification of occupational therapists and occupational therapy assistants. For this purpose the Board shall follow the schedule, format and acceptable passing scores set by the National Board for Certification of Occupational Therapy and its designated agent. Applicants may obtain their examination scores in accordance with such rules as the National Board for Certification in Occupational Therapy may establish.
 - 2.1 **RE-EXAMINATION.** An applicant who fails an examination may make reapplication to the National Board for Certification in Occupational Therapy for re-examination accompanied by the prescribed fee. Any applicant who fails or misses three (3)

examinations must take additional educational work in the areas of his weakness as determined by the Committee before being eligible for re-examination.

3. **LICENSING.** All occupational therapists and occupational therapy assistants must be licensed to practice in the state of Arkansas prior to practicing the profession.
 - 3.1 **BY EXAMINATION.** The Board shall register as an occupational therapist or occupational therapy assistant and shall issue a license to any person who satisfactorily passes the said examination provided for in these Rules and Regulations, and who otherwise meets the requirements for qualification contained herein and pays a fee as determined by the Board.
 - 3.2 **BY WAIVER OF EXAMINATION.** The Board may waive the examination and grant a license to an occupational therapist (O.T.) or an occupational therapy assistant (OT-A) if the person has:
 - (A) Prior to the effective date of the Act was certified as a registered occupational therapist or an occupational therapy assistant by the American Occupational Therapy Association.
 - 3.3 **TEMPORARY LICENSES.** The Secretary of the Board shall issue a temporary license, without examination, to practice occupational therapy, in association with an occupational therapist, licensed under the Act, to persons who have completed the education and experience requirements of the Act and rules and who are required to be licensed in order to obtain employment as an occupational therapist or an occupational therapy assistant. The temporary license shall only be renewed once if the applicant has not passed the examination or if the applicant has failed to take the qualifying examination, unless the failure is justified by good cause acceptable at the discretion of the Board, with recommendation of the Committee.
 - 3.4 **RENEWAL.**
 - (A) A renewal or re-registration fee shall be paid annually to the Board by each occupational therapist and occupational therapy assistant who holds a license to practice occupational therapy in the State of Arkansas.
 - (B) Each licensee must complete, answer truthfully, and provide such information on a Renewal Application prior to being relicensed.
 - (C) Each occupational therapist and occupational therapy assistant shall be required to complete ten (10) contact hours of continuing education each year, as a prerequisite for license renewal in the State of Arkansas. Credit for continuing education requirements may be earned in the following manner:
 - (1) Workshops, refresher courses, professional conferences, seminars, or facility-based continuing education programs, especially those designated as provided for occupational therapists. Hour for hour credit on program content only.
 - (2) Professional presentations, workshops, institutes presented by the therapist (same presentation counted only once) and are considered on a hour for hour credit on program content only; five (5) hour maximum per year.
 - (3) Formal academic coursework related to the field of occupational therapy. One (1) to two (2) semester hour class equivalent to five (5)

contact hours. Three (3) to four (4) semester hour class equivalent to ten (10) contact hours.

- (4) Publications/Media; Research/Grant activities. A request to receive credit for these activities must be submitted in writing, for approval, to the Arkansas State Occupational Therapy Examining Committee thirty (30) days prior to the expiration of the license.

- (5) Self-study.

(a) Book, journal or video reviews. Must be verified by submission of a one (1) page typewritten review of the material studied, including application to clinical practice, one (1) hour credit per review; two (2) hour maximum per year.

(b) Self-study coursework verified by submission of proof of course completion. The number of contact hours credited will be determined by the Arkansas Occupational Therapy Examining Committee. Course outline and proof of completion must be submitted to the Committee thirty (30) days prior to the expiration of the license.

- (6) Any deviation from the above continuing education categories will be reviewed on a case by case basis by the Committee. A request for special consideration or exemption must be submitted in writing sixty (60) days prior to the expiration of the license.

(7) All continuing education programs shall directly pertain to the profession of occupational therapy. The Committee will not pre-approve continuing education programs. All occupational therapists licensed by the Board in the State of Arkansas must complete annually ten (10) continuing education hourly units as a condition for renewal of a license. Each licensee will sign his renewal application verifying that he has completed said ten (10) hours and will maintain for a period of three (3) years proof of the courses taken, should it be requested by the Board for audit purposes. Acceptable documentation to maintain on file is as follows:

(a) Official transcripts documenting completion of academic coursework directly related to the field of occupational therapy.

(b) A signed verification by a program leader or instructor of the practitioner's attendance in a program, by letter on letterhead of the sponsoring agency, certificate, or official continuing education transcript, accompanied by a brochure, agenda, program or other applicable information indicating the program content.

(c) A letter from a practitioner's supervisor on the agency's letterhead, giving the names of the continuing education

programs attended, location, dates, subjects taught, and hours of instruction.

- (8) Therapists receiving a new license will not be required to submit for continuing education credit during the first partial year of licensure. Failure to submit verification of continuing education for renewal will result in issuance of a "failure to comply" notification. If requirements are not met within ten days of receipt of the notification, disciplinary action may be taken. If the continuing education submitted for credit is deemed by the Committee to be unrelated to the profession of occupational therapy, the applicant will be given three months to earn and submit replacement hours. These hours will be considered as replacement hours and cannot be counted during the next licensure period. If the applicant feels the continuing education credit has been denied inappropriately, the applicant may appeal the issue to the Board for determination within thirty days of the date of receiving notice from the Committee. The Board will be responsible for maintaining all of the records involved in the continuing education requirements set forth in this regulation. The re-registration fee and proof of continuing education completed, as set forth above, shall be presented to the Board and the Committee before or during the birth month of the license holder each year. Failure to re-register and comply with the continuing education requirements by the last day of the birth month of the license holder of that year shall cause the license of the occupational therapist or occupational therapy assistant in question to automatically expire. This requirement becomes effective 1993 with the first submission of continuing education credits being required in January of 1994.

3.5 REINSTATEMENT. Any delinquent license of less than five (5) years may be reinstated, at the discretion of the Board by,

(A) Paying all delinquent fees and a penalty of Twenty Five and No/100 (\$25.00) Dollars for each year or part of a year he has been delinquent, and

(B) by providing proof of completion of the continuing education requirement for each year, and

(C) completing the Renewal Application provided by the Board.

Any person who shall fail to re-register and pay the annual license fee for five (5) consecutive years shall be required to make reapplication to the Board before his license may be reinstated.

4. REFUSAL, REVOCATION, AND/OR SUSPENSION OF LICENSE. The Board after due notice and hearing may deny or refuse to renew a license, or may suspend or revoke a license, or impose such penalties as provided by the Practice Act, where the licensee or applicant for license has been guilty of unprofessional conduct which has endangered or is likely to endanger the health, welfare, or safety of the public.

Such unprofessional conduct shall include:

- (A) Obtaining a license by means of fraud, misrepresentation or concealment of material facts; or providing false material to the Board at application or renewal.
- (B) Being guilty of unprofessional conduct or gross negligence as defined by rules established by the Committee, or violating the Code of Ethics adopted and published by the Committee;
- (C) Treating, or undertaking to treat, ailments of human beings otherwise than by occupational therapy, as authorized by the Act;
- (D) Being convicted of a crime other than minor offenses defined as "minor misdemeanors", "violations", or "offenses", in any court, except those minor offenses found by the Board to have direct bearing on whether one should be entrusted to serve the public in the capacity of an occupational therapist or occupational therapy assistant;
- (E) Use of any drug or alcohol to an extent that impairs his ability to perform the work of an occupational therapist with safety to the public;
- (F) Being adjudged to have a mental condition that renders him unable to practice occupational therapy with reasonable skill and safety to patients.

5. FEES. The fees are as follows:

	OT	OTA
A. Application Fee	\$25.00	\$25.00
B. Full License Fee	\$50.00	\$25.00
C. Temporary Permit Fee	\$25.00	\$25.00
D. Reinstatement Fee	\$50.00	\$50.00
All delinquent fees plus \$25.00 late fee per year for each year delinquent up to five (5) years.		
E. Annual Renewal Fee	\$55.00	\$55.00
F. Renewal Late Fee	\$25.00	\$25.00

6. DEFINITIONS

6.1 ACT DEFINED. The term Act as used in these rules shall mean the Arkansas State Occupational Therapy Licensing Act 381 of 1977.

6.2 FREQUENT AND REGULAR SUPERVISION DEFINED: As specified in the Occupational Therapy Practice Act 17-88-102 (3) An "occupational therapy assistant" means a person licensed to assist in the practice of occupational therapy under the frequent and regular supervision by or in consultation with an occupational therapist whose license is in good standing. "Frequent" and "regular" are defined by the Arkansas State Occupational Therapy Examining Committee as consisting of the following elements:

- (A) The supervising occupational therapist shall have a legal and ethical responsibility to provide supervision, and the supervisee shall have a legal and ethical responsibility to obtain supervision regarding the patients seen by the occupational therapy assistant.
- (B) Supervision by the occupational therapist of the supervisee's occupational therapy services shall always be required, even when the supervisee is experienced and highly skilled in a particular area.
- (C) Frequent/Regular Supervision of an occupational therapy assistant by the occupational therapist is as follows:

- 1) The supervising occupational therapist shall meet with the occupational therapy assistant for on-site, face to face supervision a minimum of one (1) hour per forty (40) occupational therapy work hours performed by the occupational therapy assistant, to review each patient's progress and objectives.
 - 2) The supervising occupational therapist shall meet with each patient being treated by the occupational therapy assistant on a monthly basis, to review patient progress and objectives.
- (D) The occupational therapists shall assign, and the occupational therapy assistant shall accept, only those duties and responsibilities for which the occupational therapy assistant has been specifically trained and is qualified to perform, pursuant to the judgment of the occupational therapist.

- (1) Assessment/reassessment. Patient evaluation is the responsibility of the occupational therapists. The occupational therapy assistant may contribute to the evaluation process by gathering data, and reporting observations. The occupational therapy assistant may not evaluate independently or initiate treatment prior to the occupational therapist's evaluation.
 - (2) Treatment planning/Intervention. The occupational therapy assistant may contribute to treatment planning as directed by the occupational therapist. The occupational therapist shall advise the patient/client as to which level of practitioner will carry out the treatment plan.
 - (3) Discontinuation of intervention. The occupational therapy assistant may contribute to the discharge process as directed by the occupational therapist. The occupational therapist shall be responsible for the final evaluation session and discharge documentation.
- (E) Before an occupational therapy assistant can assist in the practice of occupational therapy, he must file with the Board a signed, current statement of supervision of the licensed occupational therapist(s) who will supervise the occupational therapy assistant. Change in supervision shall require a new status report to be filed with the Board.
- (F) In extenuating circumstances, when the occupational therapy assistant is without supervision, the occupational therapy assistant may carry out established programs for up to thirty calendar days while appropriate occupational therapy supervision is sought. It shall be the responsibility of the occupational therapy assistant to notify the Board of these circumstances.
- (G) Failure to comply with the above will be considered unprofessional conduct and may result in punishment by the Board.

6.3 DIRECT SUPERVISION OF AIDES DEFINED.

- (A) The occupational therapy aide as defined in 17-88-102 (4) means a person who aids a licensed

occupational therapist or occupational therapy assistant in the practice of occupational therapy, whose activities require an understanding of occupational therapy but do not require professional or advanced training in the basic anatomical, biological, psychological, and social sciences involved in the practice of occupational therapy.

- (B) The aide functions with supervision appropriate to the task as determined by the supervisor. This supervision is provided by the occupational therapists or the occupational therapy assistant. The aide is not trained to make professional judgments or to perform tasks that require the clinical reasoning of an occupational therapy practitioner. The role of the aide is strictly to support the occupational therapist or the occupational therapy assistant with specific non-client related tasks, such as clerical and maintenance activities, preparation of a work area or equipment, or with routine client-related aspects of the intervention session.
- (C) Any duties assigned to an occupational therapy aide must be determined and appropriately supervised on-site, in-sight daily by a licensed occupational therapist or occupational therapy assistant and must not exceed the level of training, knowledge, skill and competence of the individual being supervised. Direct client related duties shall require continuous visual supervision by the occupational therapist or the occupational therapy assistant. The Board holds the supervising occupational therapist professionally responsible for the acts or actions performed by any occupational therapy aide supervised by the therapist in the occupational therapy setting.
- (D) Duties or functions which occupational therapy aides shall not perform include the following:
 - (1) Interpreting referrals or prescriptions for occupational therapy services;
 - (2) Performing evaluative procedures;
 - (3) Developing, planning, adjusting, or modifying treatment procedures;
 - (4) Preparing written documentation of patient treatment or progress for the patient's record;
 - (5) Acting independently or without on-site, in-sight supervision of a licensed occupational therapist during patient therapy sessions.
- (E) Direct client related services provided solely by an occupational therapy aide/tech without on-site, in-sight continuous visual supervision by a licensed occupational therapist or an occupational therapy assistant cannot be billed as occupational therapy services.
- (F) Failure of licensee to supervise an Aide as described herein will be considered as unprofessional conduct and may result in punishment by the Board.

7. PRINCIPLES OF OCCUPATIONAL THERAPY ETHICS OF THE AMERICAN OCCUPATIONAL THERAPY ASSOCIATION.

The Occupational Therapy Examining Committee has adopted the statement on ethics of the American Occupational Therapy Association as the standard of ethical practice for Occupational Therapists and Occupational Therapy Assistants licensed in the state

of Arkansas. A violation of these principles and code of ethics will be considered as unprofessional conduct and may result in disciplinary action by the Board, as defined in the practice act and the administrative procedure act.

The American Occupational Therapy Association's Code of Ethics is a public statement of the values and principles used in promoting and maintaining high standards of behavior in occupational therapy. The American Occupational Therapy Association and its members are committed to furthering people's ability to function within their total environment. To this end, occupational therapy personnel provide services for individuals in any stage of health and illness, to institutions, to other professionals and colleagues, to students, and to the general public.

The Occupational Therapy Code of Ethics, is a set of principles that applies to occupational therapy personnel at all levels. The roles of the practitioner (occupational therapist and occupational therapy assistant), educator, fieldwork educator, supervisor, administrator, consultant, fieldwork coordinator, faculty program director, researcher/scholar, entrepreneur, student, support staff, and occupational therapy aide are assumed.

Principle 1. Occupational therapy personnel shall demonstrate a concern for the well-being of the recipients of their services (beneficence).

- (A) Occupational therapy personnel shall provide services in an equitable manner for all individuals.
- (B) Occupational therapy personnel shall maintain relationships that do not exploit the recipient of services sexually, physically, emotionally, financially, socially or in any other manner. Occupational therapy personnel shall avoid those relationships or activities that interfere with professional judgment and objectivity.
- (C) Occupational therapy personnel shall take all reasonable precautions to avoid harm to the recipient of services or to his or her property.
- (D) Occupational therapy personnel shall strive to ensure that fees are fair, reasonable, and commensurate with the service performed and are set with due regard for the service recipient's ability to pay.

Principle 2. Occupational therapy personnel shall respect the rights of the recipients of their service (e.g. autonomy, privacy, confidentiality).

- (A) Occupational therapy personnel shall collaborate with service recipients or their surrogate(s) in determining goals and priorities throughout the intervention process.
- (B) Occupational therapy personnel shall fully inform the service recipients of the nature, risks, and potential outcomes of any interventions.
- (C) Occupational therapy personnel shall obtain informed consent from subjects involved in research activities indicating they have been

- fully advised of the potential risks and outcomes.
- (D) Occupational therapy personnel shall respect the individual's right to refuse professional services or involvement in research or educational activities.
 - (E) Occupational therapy personnel shall protect the confidential nature of information gained from educational, practice, research and investigation activities.

Principle 3. Occupational therapy personnel shall achieve and continually maintain high standards of competence (duties).

- (A) Occupational therapy practitioners shall hold the appropriate national and state credentials for providing services.
- (B) Occupational therapy personnel shall use procedures that conform to the Standards of Practice of the American Occupational Therapy Association.
- (C) Occupational therapy personnel shall take responsibility for maintaining competence by participating in professional development and educational activities.
- (D) Occupational therapy personnel shall perform their duties on the basis of accurate and current information.
- (E) Occupational therapy practitioners shall protect service recipients by ensuring that duties assumed by or assigned to other occupational therapy personnel are commensurate with their qualifications and experience.
- (F) Occupational therapy practitioners shall provide appropriate supervision to individuals for whom the practitioners have supervisory responsibility.
- (G) Occupational therapists shall refer recipients to other service providers or consult with other service providers when additional knowledge and expertise are required.

Principle 4. Occupational therapy personnel shall comply with laws and Association policies guiding the profession of occupational therapy (justice).

- (A) Occupational therapy personnel shall understand and abide by applicable Association policies; local, state, and federal laws; and institutional rules.
- (B) Occupational therapy personnel shall inform employers, employees, and colleagues about those laws and Association policies that apply to the profession of occupational therapy.
- (C) Occupational therapy practitioners shall require those they supervise in occupational therapy related activities to adhere to the Code of Ethics.
- (D) Occupational therapy personnel shall accurately record and report all information related to professional activities.

History: Adopted June 15, 1978; Amended December 11, 1992; March 12, 1993; December 4, 1997; February 1, 2001; April 6, 2001; April 4, 2002

Important Communication Tools Occupational Therapy

Arkansas State Medical Board Website:

www.armedicalboard.org

- MPA can be downloaded at anytime
- Updates: Committee meetings, Notices, etc.
- Applications and verification forms can now be viewed or downloaded

Contact at the Arkansas State Medical Board:

- Mandi Roberge, Licensing Coordinator
- 501-296-1978 or fax @ 501-296-1972
- Hours: 8:00 am - 5:00 pm weekdays
- Email: adr@armedicalboard.org

Current Fees:

- Temporary to Full (OT) - \$ 100.00
- Temporary to Full (OT-A) - \$ 75.00
- Full (OT) - \$ 75.00
- Full (OT-A) \$ 50.00
- 2nd Temporary's - (OT & OT-A's) - \$ 25.00

Current Committee Members:

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- Deborah Gangluff, Sc.D., OTR/L
- Catherine Acre, Ed.D, OTR/L, FAOTA
- Rita Qualls, BS, OTR/L
- Carolyn Loghry, Consumer Member
- Jackie Henderson, Elder Member

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- Peggy Pryor Cryer, Executive Secretary