

PROSPECTIVE ANALYSIS

OCCUPATIONAL THERAPY LICENSURE BOARD

IDAPA 24.06.01

RULE: 100 SERIES

Proposed Rule:

100. LICENSURE

01. Approved Education. An educational program in occupational therapy accredited by the American Occupational Therapy Association's Accreditation Council for Occupational Therapy Education (ACOTE), or by a predecessor or successor organization recognized by the United States Secretary of Education, the Council for Higher Education Accreditation, or both.

02. Supervised Fieldwork. During the period of supervised fieldwork, students must be under daily in-person contact with an occupational therapist or occupational therapy assistant who is appropriately supervised by an occupational therapist. The occupational therapist is responsible for the overall use and actions of the student.

03. Continuing Education. Occupational Therapists and Occupational Therapy Assistants must complete and maintain proof of completion of ten (10) hours of germane continuing education each year during the licensee's renewal cycle. Proof of completion must be provided to the board upon request and must include licensee's name, date of activity or when course was completed, provider name, course title, description of course/activity, and number of contact hours.

Current Rule: Same essential elements as proposed rule.

Legal Authority: Idaho Code § 54-3712, 54-3715, 54-3717, and 54-3720

Define the specific problem the proposed rule is attempting to solve. Can it be solved through non-regulatory means?

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| To provide standards for the licensing of occupational therapists and occupational therapist assistants in Idaho. |
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What evidence is there that the rule, as proposed, will solve the problem?

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Federal Law Comparison (where applicable)

| Summary of Law (include direct link) | How is the proposed Idaho rule more stringent? (if applicable) |
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| N/A | N/A |

State Law Comparison

| State | Summary of Law (include direct link) | How is the proposed Idaho rule more stringent? (if applicable) |
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| Alaska | <p>While Occupational Therapy and Physical Therapy are combined into a single board, each profession maintains its own licensing standards, governed both by statute (AS 08.84.030–120) and rule (12 AAC 54.600–725).</p> <p>AK requires license applicants to graduate from a recognized school of OT; provide a professional letter of reference; perform at least 60 hours of OT service; pass the NBCOT exam; complete an internship of at least 150 hours; and pass a jurisprudence exam. OTs must also complete supervised fieldwork, consisting of two three-month internships. Applicants may receive a temporary license; applicants for initial licensure must be supervised by a licensed OT when working; applicants merely awaiting credential acceptance may work without supervision. AK also allows temporary license to active-duty military and spouses.</p> <p>Renewal is on a biennial cycle with a 12-hour/year CE requirement. Active-duty military are exempt from the CE requirement.</p> | <p>The proposed rule is no more restrictive.</p> |

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| | https://www.commerce.alaska.gov/web/portals/5/pub/PT-OTStatutes.pdf | |
| Montana | <p>MT governs licensing by statute, supplemented by rule. Applicants must graduate from an OT program recognized by the American Occupational Therapy Association or the American Society of Hand Therapists; complete a period of supervised fieldwork of 6 months for OTs and 2 months for OTAs; be certified by NBCOT; and pass the NBCOT exam. Licenses renew annually with a 10-hour CE requirement.</p> <p>MT allows for temporary permits, but temporary permit holders must practice under the supervision of fully-licensed OTs. MT also allows for inactive licenses; to reactivate, the OT must have either (1) practiced in another state; (2) complete at least 6-hours of CE in the 6 months prior to reactivating; or pass the NBCOT exam again.</p> <p>https://leg.mt.gov/bills/mca/title_0370/chapter_0240/part_0030/sections_index.html https://rules.mt.gov/gateway/ChapterHome.asp?Chapter=24%2E165</p> | The proposed rule is no more restrictive. |
| Nevada | <p>NV governs licensing by statute, supplemented by rule. Each applicant must have (1) graduated from an OT program accredited by ACOTE or AOTA; (2) have completed supervised fieldwork of 24 weeks for an OT or 16 weeks for an OTA; (3) and have passed the NBCOT exam. The first and second requirements are waivable for graduates of foreign schools and the third for OTs already certified by NBCOT. NV also requires a jurisprudence exam. OTs already possessing an unrestricted license in another state can license by endorsement. Temporary licenses may be issued pending results of the NBCOT exam, but those with temporary licenses can only practice under the supervision of an OT with an unrestricted license.</p> <p>Licenses are renewed biennially with 24 hours of CE (12 hours per year). Expired licenses may be reinstated within 5 years with 12 hours of CE and the jurisprudence exam completed in the year preceding reinstatement. Waivers can be granted for the CE requirement for extenuating circumstances.</p> <p>https://www.leg.state.nv.us/NRS/NRS-640A.html https://www.leg.state.nv.us/NAC/NAC-640A.html</p> | The proposed rule is no more restrictive. |

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| <p>Oregon</p> | <p>OR governs licensing by statute, implemented by rule. Applicants must have graduated from a program accredited by ACOTE; passed the NBCOT exam; and completed at least six months of supervised fieldwork. Applicants must also pass a state jurisprudence exam. Pending the NBCOT exam, OTs and OTAs may receive a limited permit, allowing them to practice under the routine supervision of a licensed OT. Active-duty military or their spouses may be granted temporary licenses if licensed in another state.</p> <p>Licenses renew on a biennial basis with a 30-hour CE requirement. Waivers of the CE requirement may be granted in individual cases of physical disability, illness, or undue hardship.</p> <p>https://www.oregon.gov/otlb/Documents/ORS%20675.210%20to%20675.340.pdf https://secure.sos.state.or.us/oard/displayChapterRules.action?selectedChapter=131</p> | <p>The proposed rule is no more restrictive.</p> |
| <p>South Dakota</p> | <p>SD governs licensing by statute, supplemented by rule. Applicants must have graduated from an accredited OT or OTA program; completed 6 months of fieldwork for OTs and 2 months for OTAs; and passed the NBCOT exam. The education requirements may be waived under certain conditions. Pending the NBCOT exam, an applicant may receive a limited permit. SD also allows reciprocal licensure.</p> <p>Licenses renew on an annual basis with a 12-hour CE requirement. Waivers of the CE requirement may be granted in circumstances of illness or undue hardship.</p> <p>https://sdlegislature.gov/Statutes/Codified_Laws/2061102 https://sdlegislature.gov/Rules/Administrative/11015</p> | <p>The proposed rule is no more restrictive.</p> |
| <p>Utah</p> | <p>UT governs licensing by both statute and rule. Applicants must graduate from a program accredited by ACOTE; complete supervised fieldwork of 24 weeks for OTs and 16 weeks for OTAs; and pass the NBCOT exam. OTs licensed in another state may receive licensure by endorsement.</p> <p>Licenses renew on a biennial basis with a 24-hour CE requirement.</p> <p>https://le.utah.gov/xcode/Title58/Chapter42A/58-42a.html https://adminrules.utah.gov/public/rule/R156-42a/Current%20Rules?</p> | <p>The proposed rule is no more restrictive.</p> |

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| <p>Washington</p> | <p>WA governs licensing by both statute (RCW 18.59.050–090) and rule (WAC 246-847-040–125, 140–150). Applicants must pass the state’s jurisprudence exam with a 100% score. In addition, they must graduate from an ACOTE-accredited OT or OTA program; must complete fieldwork of six months for OTs and two months for OTAs; and must pass the NBCOT exam. The educational requirement can be waived, and a military equivalence is granted, too. Exam requirements are also waivable for OTs licensed in other states. WA also provides a path to licensure for individuals with an expired out-of-state license. Limited permits are available pending NBCOT exam and results.</p> <p>Licenses renew biennially with a 30-hour CE requirement. Suspended licenses are subject to renewal.</p> <p>WA is a compact state.</p> <p>https://app.leg.wa.gov/rcw/default.aspx?cite=18.59&full=true, https://app.leg.wa.gov/wac/default.aspx?cite=246-847&full=true</p> | <p>The proposed rule is no more restrictive.</p> |
| <p>Wyoming</p> | <p>WY governs licensure by rule. Applicants must graduate from a program accredited by ACOTE; complete supervised fieldwork; and pass the NBCOT exam. An OT licensed in another state can either apply for a temporary license or can license by endorsement. Limited licenses are available to applicants awaiting the NBCOT exam and results. OTs that have been out of practice for three years may re-enter practice may also be granted a limited license and, with an additional 16 hours of CE for every year out of practice, can return to full licensure.</p> <p>Licenses renew annually with a biennial 32-hour CE requirement.</p> <p>https://rules.wyo.gov/Search.aspx?Agency=083 (chapter 2).</p> | <p>The proposed rule is no more restrictive.</p> |

If the Idaho proposed rule has a more stringent requirement than the federal government or the reviewed states, describe the evidence base or unique circumstances that justifies the enhanced requirement:

N/A

Anticipated impact of the proposed rule on various stakeholders:

| Category | Potential Impact |
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| Fiscal impact to the state General Fund, any dedicated fund, or federal fund | |
| Impact to Idaho businesses, with special consideration for small businesses | |
| Impact to any local government in Idaho | |

Cumulative regulatory volume this proposed rule adds:

| Category | Potential Impact |
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| Net change in word count | |
| Net change in restrictive word count | |