

Physical Agent Modalities

The current definition of Occupational Therapy in Oregon is found in ORS 657.210(3):

"Occupational therapy" means the analysis and use of purposeful activity with individuals who are limited by physical injury or illness, developmental or learning disabilities, psycho-social dysfunctions or the aging process in order to maximize independence, prevent disability and maintain health. The practice of occupational therapy encompasses evaluation, treatment and consultation. Specific occupational therapy services includes but is not limited to: Activities of daily living (ADL); perceptual motor and sensory integrated activity; development of work and leisure skills; the design, fabrication or application of selected orthotics or prosthetic devices; the use of specifically designed crafts; guidance in the selection and use of adaptive equipment; exercises to enhance functional performance; prevocational evaluation and training; performing and interpreting manual muscle and range of motion test; and appraisal and adaptation of environments for people with mental and physical disabilities. The services are provided individually, in groups, or through social systems."

The Occupational Therapy Licensing Board has received inquiries relative to the scope of occupational therapy practice as defined in ORS 675.210. The development of medical advances are continually evolving in order to provide more comprehensive services to consumers, and services of occupational therapists are expended into new and alternative models of service delivery systems. Occupational therapists are sometimes asked to provide services which are not clearly defined in the practice act (i.e. irrigate supra pubic catheters, suction a classroom student, feed with nasogastric tube, etc.), and the Board has the responsibility to generally supervise the practice of occupational therapy in this state under ORS 675.320 (10). The Occupational Therapy Licensing Board therefore has established a position statement to further interpret the Practice Act as follows:

It is the opinion of the Occupational Therapy Licensing Board that procedures which are intrusive to the body be considered medical and/or nursing services unless they are part of a planned program to teach the client new self-help skills, and are developed as part of a long-term plan to help a client reach an increased level of independence.

Physical agent modalities may be used by occupational therapy practitioners when used as an adjunct to/or in preparation for purposeful activity to enhance the occupational therapy performance and when applied by a practitioner who has documented evidence of possessing the theoretical background and technical skills for safe and competent integration of the modality into an occupational therapy intervention plan.

Professional competency rules under OAR 339-010-0020 state that the OT may be in violation of the professional conduct under (2) "Unprofessional conduct relating to professional competency includes:

- (a) Engaging in any professional activities for which licensee is not currently qualified;
- (b) Failing to maintain competency;
- (c) Failing to provide a comprehensive service that is compatible with current research and within an ethical and professional framework;
- (d) Failing to obtain a physician's referral in situations where an OT is using a modality not specifically defined in ORS 675.210(3)
- (e) Failing to provide professional occupational therapy based on evaluation of patient's/client's needs and appropriate treatment procedures..."

You do not need a doctor's referral to evaluate and treat in Oregon if the service is found in the Oregon statutory definition and if you have the training, skills and experience. However, keep in mind that reimbursement agencies may require the doctor's referral for reimbursement.