

Mission: To protect the public by supervising occupational therapy practice and assuring safe & ethical delivery of occupational therapy services.

OTLB News



Occupational Therapy Licensing Board

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- Kari Hill, COTA/L
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Executive Director
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March 2021

2021 Legislative Session—Bills to Watch

Bills related to the OT Board (Bill numbers are hyperlinked to bill on OLIS):

[HB 2078](#) – changes pain management from one time 7 hrs on pain to 1 hr every 3 years, or more frequently to align with the licensing boards renewal cycle. Passed the House.

[HB 2315](#) – requires health boards to require licensees to complete 6 hours of CE related to suicide risk assessment, treatment and management every 6 years. Public Hearing Held.

[SB 682](#) – very similar to HB 2315, requires licensees to complete between 3-6 hours every six years of CE related to suicide risk, assessment, treatment and management. Public Hearing Held

[SB 5521](#) – Budget bill for Health Related Licensing Boards. Public Hearing held.

[SB 5526](#) – Fees adopted for the OT Board. Public Hearing held.

[HB 3360](#)—OTAO Bill – Establishes OT Day of Recognition annually on April 26th. No public hearing scheduled yet.

Bills related to health insurance that reference OT:

[HB 2384](#) – An insurer shall reimburse in each plan year without prior authorization, the cost of an initial eval, follow up and mgmt. of the treatment for any condition that is within the providers scope of practice for at least 12 visits or the max number of visits prescribed, whichever is less. No public hearing scheduled yet.

[HB 2624](#) – Same bill as HB 2384. No public hearing scheduled yet.

[HB 2879](#) – Related to Vision Therapy – the OHA shall establish a code and payment rate for billing. References optometry but OTs also do vision therapy. No public hearing scheduled yet.

Bills on data collection:

[HB 3057](#) – During COVID-19, would allow OHA to share individually identifiable information related to COVID -19 info to care coordination entities (CCO's insurers, clinic based care coordinators) at health plans and with for coordination purposes. Protect privacy Public hearing and work session held. Would take place under HIPAA umbrella. No one else would have access to data. Work Session scheduled for 3/16. (OT mentioned as a health provider).

[HB 3159](#) – requires health care provider and health insurer to collect from patient, client or member, data on race, ethnicity, preferred spoken and written language, disability status, sexual orientation and gender identity. Requires OHA to establish data system for receipt and storage of specified data. No public hearing scheduled yet.

Bills related to professional licensing on the eastern border:

[SB 17](#) – (-1 amendment). Allows out of state applicant seeking a license in Oregon more time to meet Oregon standards if applicant is already licensed in another state and is seeking to work in Eastern Oregon Board Economic Development Region. Public hearing scheduled held.

If you have interest in viewing the public hearings, work sessions or tracking the bills, please visit oregon.legislature.gov.

Proposed Rule Change—Fee Increase

To sustain its operations, the OT Licensing Board must raise its fees starting with the 21-23 biennium. This is the first increase in 15 years (in fact the Board lowered its fees twice during this time). It will take effect starting 7/1/21. For more information, please see the Q and A section below. Click [here](#) for the Proposed Notice. Comments are due by **April 23, 2021** at Noon.

339-005-0000 Fees

Fees are non refundable. Two year licenses shall be issued to all licensees in even-numbered years at the fee schedule listed below. On a case-by-case basis the Board may approve the issuance of a one-year license.

- (1) The fee for an initial Oregon or out of state occupational therapy license by endorsement is ~~\$100~~ **\$120**. The Board may also assess the actual cost of conducting a background check, including fingerprinting.
- (2) The two-year renewal fee issued for the occupational therapy license is ~~\$150~~ **\$200**. The Board may also assess the actual cost to the Board of conducting workforce demographics surveys.
- (3) The fee for an initial Oregon or out of state occupational therapy assistant license is ~~\$70~~ **\$90**. The Board may also assess the actual cost of conducting a background check, including fingerprinting.
- (4) The two-year renewal fee for the occupational therapy assistant license is ~~\$100~~ **\$140**. The board may also assess the actual cost to the Board of conducting workforce demographics surveys.
- (5) The fee for a limited permit is \$25 and may not be renewed.
- (6) The fee for a temporary Oregon occupational therapist license for military spouses and domestic partners is \$99.
- (7) The fee for a temporary Oregon occupational therapy assistant license for military spouses and domestic partners is \$99.
- (8) **The fee for an occupational therapist or occupational therapy assistant verification of Oregon licensure is \$25.**
- (9) **The fee for an occupational therapist and/or occupational therapy assistant electronic mailing list is \$100.**



Q and A

Why is the OT Licensing Board increasing its fees?

During the last 15 years, thanks to the steady growth in licensure, the Board has been able absorb into their budget: (1) Inflationary costs for Government services (such like payroll services, financial services, rent, service charges etc.); (2) The increase in the Board Admin Asst. time from quarter time to half time that occurred in 2015, (3) Costs associated with the Work Force Data survey charged by the OHA every renewal since 2012. And (4) The increase in legal costs due to the rising number discipline cases.

For revenues, the Board had 11%, 17% and 16% increases for biennia between 2013 and 2019. However during 2020 renewal, which had just begun when COVID happened, the Board lost 22% of licensees and numbers overall for the biennium have been flat. Prior to 2022, the Board would generally lose between 12-18%. The increase in fees can be attributed to lower than expected renewal revenue along with increasingly higher expenditures (that include a new licensing database to replace the 20 year old outdated system that is no longer supported.). The revenue generated from the increased fees will be used to replenish OTLB reserves that have been depleted over the last 15 years.

How long has it been since the last fee increase? It has been 15 years since the Board increased their fees. In 2006, renewal fees were \$200 for an OT and \$140 for OTA, (2 year license). In 2008, the fees were reduced and in 2010 they were reduced again to \$150 for OTs and \$100 for OTAs and have held there since. *Continued on page 4*

Proposed Rule Change—Executive Order Compliance during a Declared Emergency

Licenses may recognize this rule... The Board established the temporary rule in August, 2020. Temporary rules are only in effect for six months. As the rule expired on Feb. 5, 2021, the Board voted to make this a permanent rule. Click [here](#) for the Proposed Rule Notice. Comments are due by **April 23, 2021** at Noon.

339-010-0020 Unprofessional Conduct

6) Unprofessional Conduct in a Declared Emergency:

(a) Unprofessional conduct during a declared emergency includes failing to comply with any applicable requirement of a Governor's Executive Orders, including but not limited to:

(A) Providing occupational therapy services when permitted, but without wearing Personal Protective Equipment (PPE) when PPE is required;

(B) Providing occupational therapy services at a business required to be closed;

(b) Unprofessional conduct during a declared emergency includes failing to comply with applicable Oregon Health Authority (OHA) guidance implementing a Governor's Executive Orders, including but not limited to failing to follow guidance on providing occupational therapy services in person.

(c) No disciplinary action or penalty action shall be taken under this section if the Executive Order provision or OHA guidance alleged to have been violated is not in effect at the time of the alleged violation.

OHA Medicaid Program Updates

Post-payment review for outpatient speech-language pathology, physical therapy and occupational therapy claims:

Starting July 1, 2019, OHA replaced prior authorization of fee-for-service outpatient therapy services with pre-payment review (PPR) of submitted claims. This change has been a success, allowing providers to start clinically appropriate therapy on time, without waiting for OHA approval.

OHA is making this a permanent process, with the following changes:

- Claims submitted will no longer suspend for payment. Instead, all claims will pay, making this a post-payment review process.
- OHA will review a random sample of claims to ensure they meet all documentation requirements.

Claims will continue to deny appropriately if services are not covered in the member's OHP benefit package, codes are not paired on the Prioritized List of Health Services, or for incorrect billing or provider type. To learn more, [read OHA's PPR fact sheet](#).

Questions? Please email OHA.PPR@dhsola.state.or.us

OTA Supervision Audit

The OT Licensing Board has started its audit of OTA supervision. The Board recommends that all OT Assistants and their OT Supervisors review the instructions on how to file supervision via the license portal and log in and check their respective accounts to make sure the supervisor information is current. For a link to the License Portal: [Click Here](#).

For step-by-step instructions on how to file OTA supervision in the License Portal, [Click Here](#).

OTLB to move under OHA's Health Licensing Office

The Governor's biennial budget for 2021-2023 came out in early December and it is proposing that six agencies that currently report directly to the Governor, including the Occupational Therapy Licensing Board, be moved under the Oregon Health Authority's Health Licensing Office (HLO).

Link to HLO's website: [Click here](#)

Link to 21-23 Governor's budget, OTLB page: [Click here](#)

HLO is one agency that oversees several Boards and Programs, including the Art Therapy Program, Board of Cosmetology, Licensed Dietitians, Athletic trainers, etc. The other agencies being included in the transfer are the Speech Language and Audiology Board, Naturopathic Board, Mortuary and Cemetery Board, Medical Imaging Board and the Veterinary Board.

Since 2006, these six boards have been grouped together for budgetary purposes as the Health Related Licensing Boards. The boards share resources and a budget code but otherwise operate as independent agencies.

Very few details are known at this time. According to the Governor's budget the Board will retain its current authority, oversight and structure, however, administratively it will operate in the HLO. The Board has been granted a one year budget to operate as it does currently and to work out the details and make the transition.

Link to HLO statutes: [676.560 Purpose of Health Licensing Office](#)

****New* Cultural Competency CE Requirement***

Effective July 1, 2020, ALL licensed Occupational Therapists and Occupational Therapy Assistants are required to complete at least one hour on Cultural Competency per renewal period. This requirement is in compliance with HB 2011 (2019).

Link to rule: [339-020-0025 CE in Cultural Competency](#)

The Board leaves it up to the discretion of the practitioner to choose a course that would be most beneficial to his/her practice. The OHA list of courses below are available but it is not required that you choose a course from this list.

OHA List of Approved CCCE Training: [Click here](#)

OHA CCCE website: [Click here](#)

AOTA Diversity in Health Care for OT: [Click here](#)

Q and A—Fee increase

Continued from page 2. **What do licensure fees pay for?** The OT Licensing Board is financed solely from licensure and related fees. (The board is not part of the general state fund). The licensing fees pay for all the costs associated with the operations of a health licensing board. This includes governmental services (financial, payroll, rent, service charges), personnel costs, contract investigator, legal fees, IT services, a new licensing database, etc. Renewal fees make up 75% of revenue.

COVID –19 Latest Updates



The **Oregon Health Authority** has issued specific guidelines for practice posted on their website at:

[OHA COVID-19 Healthcare Partner Resources](#)

[COVID Vaccine Provider Communications Toolkit](#)

[Oregon COVID-19 Vaccine Information for Providers](#)

[Oregon Medicaid COVID-19 Provider Guide](#)

We strongly encourage you to follow the link frequently for new and updated information as content is changing rapidly.

You can also check the OTLB website for COVID-19 updates and information by clicking [here](#).

Latest OHA Guidance

[COVID-19 Health Talking Points](#) (3/12/2021)

Links to the next phases for vaccines recipients:

[OHA 3527C Vaccine Sequencing secondary.02.25.2021.UPDATE.v13.pdf](#)

[OHA 3527A Vaccine Sequencing Infographic.02.25.2021.UPDATE.v12.pdf](#)

Helping Adults Get COVID-19 Vaccinations: [OHA Partner Toolkit 2.4.21.pdf](#)

[COVID-19 Vaccine Availability for Phase 1a](#)

OHA Website on COVID-19 Vaccine in Oregon:

[COVID-19 Vaccine in Oregon](#)

Executive Orders

The Governor has issued several Executive Orders relating to the Pandemic. Licensees are expected to comply with all applicable requirements of the orders, relevant to the specific care setting and type of procedure.

All [Executive Orders](#)

Telehealth Resources

[Board rules](#) and FAQ's on telehealth

[Oregon Health Plan coverage of Telephone/Telemedicine/Telehealth Services](#)

[AOTA Telehealth Resources](#)—available to members and non-members

WHAT'S COMING UP

2021

April: **Happy OT Month!**
 April 6-8 AOTA Conf.
 Apr. 26-28 TIES
 May 7 Board Meeting
 Aug. 6 Board Meeting
 Sept. 24 Strategic Planning Mtg
 Nov. 5 Board Meeting

State Holiday Closure Schedule

May 31 Memorial Day
 July 5 Independence Day
 Sept. 6 Labor Day
 Nov. 11 Veterans Day
 Nov. 25 Thanksgiving
 Nov. 26 Day after TG
 Dec. 24 Christmas

Occupational Therapy Licensing Board

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2020 Workforce Data

The charts are created by the OHA from the data compiled from the survey that all licensees completed when they renewed in 2020.

[Click here](#)

Visit the [License Portal](#)

- Update your Contact Information
- Submit a name change request
- OTA 's can file their OT Supervisor with the board. ([The OT Supervisor must log in to confirm](#))
- Enter your Pain Management CE
- Request a verification to be sent to another state
- Update your work location
- View and print any invoices or receipts
- Print a copy of your License
- Renew your license in 2022

Lend your skills in an emergency...

State Emergency Registry of Volunteers in Oregon (Serv-OR)

SERV-OR is a statewide registry system to help health care professionals volunteer their services during emergencies with significant health impacts.

The registry is sponsored by the Oregon Public Health Division in partnership with the Medical Reserve Corps.

For more info, visit:

<https://www.serv-or.org/>

Self-reporting Requirements

If you are arrested you must notify the Board within **10 working days** of a conviction of a misdemeanor, or an arrest for or conviction of a felony. OAR 339-010-0020 (5)(d).



Did your legal name change?

To change your name: Go to www.oregon.gov/otlb for the name change form or send an email to [board staff](mailto:board@otlb.org). Email or fax us the legal document showing the name change. OAR 339-010-0018

Keep your Contact Info Current—It's the Law!

Change your contact information within 30 days: Go to www.oregon.gov/otlb and complete the address change form, send an email to [board staff](mailto:board@otlb.org) or to Log in to the License Portal—click [here](#). OAR 339-010-0018

To order a verification to be sent to another state: click [here](#). We do not need their form. We will email you back when it is done.