

**Q 4 – 10 Licensing in Oregon:** Citations: ORS 675.222; ORS 675.230 to 675.280; ORS 675.320(11); OAR 339-005-0000; OAR 339-010-0005(b); OAR 339-010-0040; OAR 339-010-0023

These questions deal with requirements for licensing, qualifications, license renewals and due dates, expiration of licenses, Limited Permits for students and ReEntry into practice.

**675.222 Employing unlicensed person prohibited.** No person shall hire or employ a person to practice as an occupational therapist or as an occupational therapy assistant **unless the person hired or employed is licensed** in accordance with ORS 675.210 to 675.340

**675.230 Application for licensing.** Any person desiring to be licensed as an occupational therapist or occupational therapy assistant shall apply in writing to the Occupational Therapy Licensing Board in the form and manner provided by the board. Each application shall include or be accompanied by evidence, satisfactory to the board, that the applicant possesses the qualifications prescribed in ORS 675.240 for applicants for licensing as an occupational therapist, or in ORS 675.250 for applicants for licensing as an occupational therapy assistant.

**675.240 Qualifications for licensing as occupational therapist; rules.** Except as provided in ORS 675.270, each applicant for licensure under ORS 675.210 to 675.340 as an occupational therapist shall:

- (1) Have successfully completed an educational program in occupational therapy recognized by the Occupational Therapy Licensing Board, with concentration in biological or physical science, psychology and sociology, and with education in selected manual skills.
- (2) Pass to the satisfaction of the board an examination adopted by the board to determine the fitness of the applicant for practice as an occupational therapist or be entitled to be licensed as provided in ORS 675.270.
- (3) Have successfully completed at least six months of supervised field work that complies with rules adopted by the board.
- (4) **Comply with continuing education requirements** as adopted by the board by rule.
- (5) If the applicant has been **unlicensed for more than three years**, complete a board-approved **reentry program or retake the board-approved national examination** to determine fitness for practice as an occupational therapist.

**675.250 Qualifications for licensing as occupational therapy assistant; rules.** Except as provided in ORS 675.270, an applicant for licensure under ORS 675.210 to 675.340 as an occupational therapy assistant shall:

- (1) **Be at least 18 years of age.**
- (2) Have successfully completed the academic requirements of an educational program for occupational therapy assistants recognized by the Occupational Therapy Licensing Board.
- (3) Pass an examination approved by the board to determine the fitness of the applicant for practice as an occupational therapy assistant.
- (4) **Have successfully completed at least two months of supervised field work that complies with rules adopted by the board.**
- (5) **Comply with continuing education requirements** as adopted by the board by rule.
- (6) If the applicant has been **unlicensed for more than three years**, complete a board-approved **reentry program or retake the board-approved national examination** to determine fitness for practice as an occupational therapy assistant.

**675.280 License period; fee; issuance of certificate; certificate as evidence; posting.**

Licenses issued under ORS 675.210 to 675.340 **shall expire on May 31 of even-numbered years.** The Occupational Therapy Licensing Board shall license any person who meets the requirements of ORS 675.210 to 675.340 upon payment of a license fee in an amount established by the board. The board shall issue a certificate to each person licensed. The certificate shall be prima facie evidence of the right of the person to whom it is issued to purport to be a licensed occupational therapist or occupational therapy assistant subject to the provisions of ORS 675.210 to 675.340. **The certificate shall be posted in a conspicuous place on the premises of the occupational therapy employer.**

**675.320 Powers of board; fees; rules.** The Occupational Therapy Licensing Board shall have the following powers in addition to powers otherwise granted under ORS 675.210 to 675.340 or necessary to carry out the provisions of ORS 675.210 to 675.340:

- (1) To organize and elect from its membership a chairperson and vice chairperson, each of whom shall hold office for one year or until the election and qualification of a successor.
- (2) To authorize all necessary disbursements to carry out the provisions of ORS 675.210 to 675.340, including, but not limited to, payment for necessary supplies, office equipment and investigations and such other expenditures as provided for in ORS 675.210 to 675.340.
- (3) To suspend, revoke or invalidate licenses for nonpayment of renewal fees.
- (4) To restore licenses that have been suspended, revoked or voided.
- (5) To adopt license and license renewal fees under ORS 675.270, 675.280 and 675.290. The fees must be approved by the Oregon Department of Administrative Services and may not exceed the cost of administering ORS 675.210 to 675.340.
- (6) To collect license applications and renewal fees.
- (7) To investigate alleged violations of ORS 675.210 to 675.340.
- (8) To enforce the provisions of ORS 675.210 to 675.340 and generally supervise the practice of occupational therapy in this state.
- (9) To make and enforce rules in accordance with ORS chapter 183 for the procedure of the board and for regulating the practice of occupational therapy not inconsistent with the provisions of ORS 675.210 to 675.340.
- (10) To establish minimum requirements for continuing education to be complied with by all licensees under ORS 675.210 to 675.340.
- (11) To establish minimum requirements for limited permit to be complied with by all applicants prior to issuance of limited permit. A limited permit shall be issued to a person at the discretion of the board upon application and payment of a permit fee of \$25.
- (12) To establish official abbreviations that may be used, under ORS 675.220 (1), by persons licensed as occupational therapists or occupational therapy assistants.
- (13) To establish minimum requirements for supervised field work necessary for applicants under ORS 675.240 or 675.250.
- (14) To adopt rules that define the scope of the practice of occupational therapy and that reflect national standards for the practice of occupational therapy.

## **339-005-0000 Fees**

### **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 \$160. 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 \$240. 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 \$130. 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 \$160. 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.

## **339-010-0005 Definitions**

(1) "Supervision," is a process in which two or more people participate in a joint effort to promote, establish, maintain and/or evaluate a level of performance. The occupational therapist is responsible for the practice outcomes and documentation to accomplish the goals and objectives. Levels of supervision:

- (a) "Close supervision" requires daily, direct contact in person at the work site;
- (b) "Routine supervision" requires the supervisor to have direct contact in person at least every two weeks at the work site or via telehealth as defined in OAR 339-010-0006(9) with interim supervision occurring by other methods, such as telephone or written communication;

(c) "General supervision" requires the supervisor to have at least monthly direct contact in person with the supervisee at the work site or via telehealth as defined in OAR 339-010-0006(9) with supervision available as needed by other methods.

### **339-010-0040 Limited Permit**

(1) A "limited permit" is a temporary license to practice as an occupational therapist or occupational therapy assistant for a specified period of time and may be issued to applicants who meet the requirements of this rule.

(2) Students who have successfully completed the educational and field work requirements and students who receive their eligibility to take the NBCOT certification examination, but do not yet have their test results, may apply for a limited permit to practice occupational therapy for a period of 90 calendar days.

(3) Persons practicing occupational therapy in another country who are graduates of a World Federation of Occupational Therapists' approved school and who receive their eligibility to take the NBCOT certification examination, but do not yet have their test results, may apply for a limited permit to practice occupational therapy for a period of 90 calendar days.

(4) Anyone practicing occupational therapy under limited permit may only practice under at least routine supervision (as defined in OAR 339-010-0005(1)(b)) by an Oregon licensed occupational therapist.

(5) Applicants under sections (2) and (3) of this rule:

(a) Shall submit an application in a manner provided by the Board with payment of a permit fee of \$25;

(b) Must submit an official transcript and/or other verification of having successfully completed academic and supervised field work requirements as set forth in ORS 675.240 and 675.250;

(c) Must show evidence of being approved to take the NBCOT certification examination;

(d) Must have on file with the board prior to starting work, the licensed occupational therapist who will supervise the limited permit holder. "On file with the board" means that the licensed occupational therapist supervisor's name, site of supervision and supervision start date has been entered into the licensee's record in the License Portal and entered into approved status by the supervising occupational therapist.

(6) A limited permit may not be issued to applicants who have taken and failed the certification examination, and limited permits may not be renewed.

(7) A person who fails the exam must immediately surrender the limited permit upon receipt of examination scores.

(8) The Board may grant an extension of a limited permit to persons who, because of extenuating circumstances, are unable to take the scheduled certification examination. Request must be made in writing to the Board.

### **339-010-0023**

#### **License Renewals**

Each applicant for license renewal shall submit to the Board on or before May 31 of each even numbered year, a completed license renewal application and appropriate renewal fee. The renewal fees are non-refundable.