

OREGON Occupational Therapy Licensing Board

800 NE Oregon St. Suite 407, Portland, OR 97232

Tel: 971-673-0198 Fax: 971-673-0226

www.oregon.gov/otlb Director: Felicia.M.Holgate@state.or.us November, 2014



NEWSLETTER

OTLB BOARD MEMBERS:

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Nancy Schuberg, Licensing Specialist

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Please update your contact information.

We send updates and let you know of important changes by email and on the web site.

The private email is kept confidential, and you can also provide a public e-mail.

**Mission Statement: To protect the public by supervising occupational therapy practice.
The Board is charged with assuring safe & ethical delivery of occupational therapy services**

The next Board meeting will be held on Friday **February 13, 2014** at the Portland State Office Building, 800 NE Oregon Street. Contact the Director for the Agenda.

Work of the Board - New Telehealth Rule

The proposed Telehealth rule was amended and passed: The Board amended language of the proposed rule and voted to adopt the final Telehealth rule at the November 7th Board meeting.

Language changes include:

- Amending language to say the therapist must make every attempt to ensure that an onsite therapists is available if it is determined that is necessary
- Add language to say that telehealth includes telepractice, telerehab and teletherapy.
- Delete language about having an adequately trained person.

It will now be filed with the Secretary of State's office. **Please let the Board know if you use Telehealth in your practice.**

The new Telehealth rule now reads:

OAR 339 – 010 – 0006 Standards of Practice for Telehealth

(1) "Telehealth" is defined as the use of interactive audio and video, in real time telecommunication technology or store-and-forward technology, to deliver health care services when the occupational therapist and patient/client are not at the same physical location. Its uses include diagnosis, consultation, treatment, prevention, transfer of health or medical data, and continuing education.

(2) Telehealth is considered the same as Telepractice for Occupational Therapists working in education settings; and Teletherapy and Telerehab in other settings.

(3) In order to provide occupational therapy services via telehealth **to a patient/client in Oregon**, the occupational therapist providing services to a patient/client must have a valid and current license issued by the Oregon OT Licensing Board. Oregon licensed Occupational Therapists using telehealth technology with a **patient/client in another state** may also be required to be licensed in the state in which the patient/client receives those services and must adhere to those state licensure laws.

(4) Occupational therapists shall obtain informed consent of the delivery of service via telehealth from the patient/client prior to initiation of occupational therapy services via telehealth and maintain documentation in the patient's or client's health record.

(5) Occupational therapists shall secure and maintain the confidentiality of medical information of the patient/client as required by HIPAA and state and federal law.

(6) When providing occupational therapy services via telehealth, an occupational therapist shall determine whether an **in-person evaluation** is necessary and make every attempt to ensure that a therapist is available if an on-site visit is required.

(a) If it is determined **in-person interventions** are necessary, every attempt must be made to ensure that an on-site occupational therapist or occupational therapy assistant shall provide the appropriate interventions.

(b) The obligation of the occupational therapist to determine whether an in-person re-evaluation or intervention is necessary continues during the course of treatment.

(7) In making the determination whether an in-person evaluation or intervention are necessary, an occupational therapist shall consider at a minimum:

- (a) the complexity of the patient's/client's condition;
- (b) his or her own knowledge skills and abilities;
- (c) the patient's/client's context and environment;
- (d) the nature and complexity of the intervention;
- (e) the pragmatic requirements of the practice setting; and
- (f) the capacity and quality of the technological interface.

(8) An occupational therapist or occupational therapy assistant providing occupational therapy services via telehealth must:

- (a) Exercise the same standard of care when providing occupational therapy services via telehealth as with any other mode of delivery of occupational therapy services;
- (b) Provide services consistent the AOTA Code of Ethics and Ethical Standards of Practice; and comply with provisions of the Occupational Therapy Practice Act and its regulations.

(9) Supervision of Occupational Therapy Assistant under 339-010-0035 for routine and general supervision, can be done through telehealth, but cannot be done when close supervision as defined in 339-010-0005 is required. The same considerations in (7) (A) through (F) must be considered in determining whether telehealth should be used.

(10) An Occupational Therapist who is supervising a fieldwork student must follow the ACOTE standards and other accreditation requirements.

(11) Failure to comply with these regulations shall be considered unprofessional conduct under OAR 339-010-0020.

NBCOT Certification counts for two year CE Requirement

The Board voted to consider a proposed rule which will allow current NBCOT certification to count for your CE requirement when you renew. The Board considers certification an important part of professionalism, and many facilities and insurance carriers require certification. You cannot use the “R” in OTR or the “C” in COTA unless you have current NBCOT certification. Please send any comments about the proposed rule changes to the Director, Felicia.M.Holgate@state.or.us :

339-020-0010 CE Requirements for Current Licensees

(1) All current licensees shall obtain a minimum of 30 points of CE from Board approved categories during the two years immediately preceding the date of the license renewal; **or**

(2) The Board recognizes the maintenance of current NBCOT Certification (National Board of Certification in Occupational Therapy) as fulfilling the requirements for CE under (1).

(3) Exceptions:

(a) Current licensees who have their first NBCOT certification do not need CE for their first year.

(b) Current licensee who have their second year of NBCOT certification shall obtain a minimum of 15 points of CE from Board approved categories for their license renewal.

OTAO state conference October: Thank you to those who organized and worked hard on the state conference. If any of you wish, you can see the board slides by Melissa Soll who spoke on stress. Her slides can be found on the web site home page at www.oregon.gov/otlb

Military therapists, spouses and partners: Please let us know if you are in the military, or are a spouse or partner of someone in the military so we can help expedite your application.

ServOR: volunteer during floods, hurricanes, terrorist attacks: Oregon health professionals can register to volunteer for disaster preparedness and response. For information go to: <https://serv-or.org/> or email SERV.OR@state.or.us or call 1 – 877-343-5767.



WORKGROUP for OTs in Education

The Board’s workgroup is looking at issues affecting OT and OT Assistants working in school. Data on caseloads and workloads is collected. The group will meet with Dr. Nancy Golden, the Governor’s Chief Education Officer, and wants to work with the Department of Education to adopt a Position Paper on Best Practices for OTs working with children.

CHECK THE WEB SITE www.oregon.gov/otlb FIRST FOR INFORMATION

For an **address** and/or **name change** fax to 971-673-0226 or send scan a copy of the legal document to Nancy.Schuberg@state.or.us . Make sure it shows exactly how the name reads and changes to address, e-mail, and telephone.

If you need a **license verification** sent to another state, e-mail to Nancy.Schuberg@state.or.us and give the exact address where it needs to be sent. There is No charge. We do not need their form. We will e-mail you back when it is done.

Occupational Therapy: Living life to Its Fullest