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**TITLE 844 MEDICAL LICENSING BOARD OF INDIANA**

**Administrative Rules Oversight Committee Notice**  
**60 Day Requirement ([IC 4-22-2-19](#))**  
LSA Document #08-418

June 6, 2008

Honorable Representative Scott Pelath, Chairperson  
Administrative Rules Oversight Committee  
Indiana Legislative Services Agency  
200 West Washington Street, Suite 301  
Indianapolis, IN 46204-2789  
Attn: Allen Morford

RE: LSA Document Number 08-418

Dear Representative Pelath:

On behalf of the Indiana Occupational Therapy Committee (Committee), I am submitting this letter to the Administrative Rules Oversight Committee in compliance with [IC 4-22-2-19](#) because the agency did not institute the rulemaking process within sixty (60) days after the effective date of the statute that authorizes the rule. In 2007, House Enrolled Act 1821-2007 (P.L.197-2007) required the Committee to recommend to the Medical Licensing Board rules establishing requirements for continuing competency to renew an occupational therapist license or an occupational therapist assistant certification. According to the minutes of the Committee, discussions regarding the adoption of rules began on June 19, 2007. Once the Medical Licensing Board considers the Committee's recommendations, the Board is required to adopt rules establishing standards for the competent practice of occupational therapy.

The Board published its notice of intent to adopt a rule, LSA document number 08-217, on April 9, 2008 (DIN: [20080409-IR-844080217NIA](#)). The Board waited to file the notice of intent to adopt a rule as required by [IC 4-22-2-25](#) due to the complexity of this rule and the possibility that the promulgation process would not be completed within one year after publication of the notice of intent. In addition, the Board reviewed other states' licensure requirements and worked with various professional associations to develop rules that will be in line with the national standards.

On June 4, 2008, LSA document number 08-217 was withdrawn and a new notice of intent was published. LSA document number 08-418 is found at DIN: [20080604-IR-844080418NIA](#). The new notice of intent includes additional Indiana Administrative Code citations for the purpose of more fully describing the intent of the proposed rules.

To date, the proposed rule has not been published and a hearing date has not been set. The Committee is in its final stages of preparing the rule for publishing and they expect to have the final rule approved within the next few months.

If you need additional information, please feel free to contact me at [jeroberts@pla.in.gov](mailto:jeroberts@pla.in.gov) or by phone at (317) 234-2051.

Sincerely,

Jeanette Roberts  
Board Director

Cc: Barbara Marvel McNutt, Chief Counsel  
Frances Kelly, Executive Director, Indiana Professional Licensing Agency

*Posted: 06/25/2008 by Legislative Services Agency*  
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