

## Final Rule

LSA Document #08-418(F)

## DIGEST

Adds [844 IAC 10-1-2.2](#) to define contact hour. Adds [844 IAC 10-1-2.3](#) to define continuing competency. Amends [844 IAC 10-1-2.5](#) to further define objective tests. Amends [844 IAC 10-1-3](#) to revise the definition of school or program of occupational therapy or program of occupational therapy assistants approved by the board. Amends [844 IAC 10-2-2](#), [844 IAC 10-3-1](#), [844 IAC 10-3-2](#), [844 IAC 10-3-3](#), [844 IAC 10-4-1](#), and [844 IAC 10-4-2](#) to implement rule changes based on House Enrolled Act 1821 (P.L.197-2007) to change certification of occupational therapists to licensure of occupational therapists. Amends [844 IAC 10-5-5](#) to include discontinuation and transitioning in the list of duties that an occupational therapist can do under supervision. Amends [844 IAC 10-5-13](#) to require the supervising occupational therapist to notify the committee of any change in supervision of the holder of a temporary permit. Amends [844 IAC 10-6-2](#) to implement rule changes based on House Enrolled Act 1821 (P.L.197-2007) to change certification of occupational therapists to licensure of occupational therapists. Adds [844 IAC 10-7](#) to implement rules based on House Enrolled Act 1821 (P.L.197-2007), including establishing the continuing competency requirements, responsibilities of licensees, license period and number of hours required for the license period, category I continuing competency courses and category II continuing competency activities, approved organizations and standards for approval, application for approval as a continuing education sponsor, and requirement for renewal and form required. Effective 30 days after filing with the Publisher.

[844 IAC 10-1-2.2](#); [844 IAC 10-1-2.3](#); [844 IAC 10-1-2.5](#); [844 IAC 10-1-3](#); [844 IAC 10-2-2](#); [844 IAC 10-3-1](#); [844 IAC 10-3-2](#); [844 IAC 10-3-3](#); [844 IAC 10-4-1](#); [844 IAC 10-4-2](#); [844 IAC 10-5-5](#); [844 IAC 10-5-13](#); [844 IAC 10-6-2](#); [844 IAC 10-7](#)

SECTION 1. [844 IAC 10-1-2.2](#) IS ADDED TO READ AS FOLLOWS:

**[844 IAC 10-1-2.2](#) "Contact hour" defined**

Authority: [IC 25-23.5-2-5](#); [IC 25-23.5-2-6](#)

Affected: [IC 25-23.5-5](#)

**Sec. 2.2. "Contact hour" means a unit of measure for a continuing competency activity. One (1) contact hour equals at least fifty (50) minutes in a learning activity.**

(Medical Licensing Board of Indiana; [844 IAC 10-1-2.2](#); filed Mar 24, 2009, 11:38 a.m.: [20090422-IR-844080418FRA](#))

SECTION 2. [844 IAC 10-1-2.3](#) IS ADDED TO READ AS FOLLOWS:

**[844 IAC 10-1-2.3](#) "Continuing competency" defined**

Authority: [IC 25-23.5-2-5](#); [IC 25-23.5-2-6](#)

Affected: [IC 25-23.5-5](#)

**Sec. 2.3. "Continuing competency" means those activities under category I continuing competency courses and category II continuing competency activities as used in [844 IAC 10-7](#).**

(Medical Licensing Board of Indiana; [844 IAC 10-1-2.3](#); filed Mar 24, 2009, 11:38 a.m.: [20090422-IR-844080418FRA](#))

SECTION 3. [844 IAC 10-1-2.5](#) IS AMENDED TO READ AS FOLLOWS:

**[844 IAC 10-1-2.5](#) "Objective tests" defined**

Authority: [IC 25-23.5-2-5](#); [IC 25-23.5-2-6](#)

Affected: [IC 25-1-5-3](#); [IC 25-23.5](#)

Sec. 2.5. "Objective tests" means, but is not limited to, the following:

- (1) Sensation.
- (2) Range of ~~motion~~: **motion/goniometry**.
- (3) Muscle strength.
- (4) Perceptual/visual motor **skills**.
- (5) Gross and fine motor coordination.
- (6) ~~Vocational~~: **Vocational/avocational**.
- (7) Activities of daily living: **living/instrumental activities of daily living**.
- (8) Cognition.**
- ~~(8)~~ **(9)** Other such tests.

(Medical Licensing Board of Indiana; [844 IAC 10-1-2.5](#); filed Nov 14, 1991, 3:30 p.m.: 15 IR 581; readopted filed Nov 9, 2001, 3:16 p.m.: 25 IR 1325; readopted filed Oct 4, 2007, 3:34 p.m.: [20071031-IR-844070053RFA](#); filed Mar 24, 2009, 11:38 a.m.: [20090422-IR-844080418FRA](#))

SECTION 4. [844 IAC 10-1-3](#) IS AMENDED TO READ AS FOLLOWS:

**[844 IAC 10-1-3](#) "School or program of occupational therapy or program of occupational therapy assistants approved by the board" defined**

**Authority:** [IC 25-23.5-2-5](#); [IC 25-23.5-2-6](#)

**Affected:** [IC 25-23.5-5](#)

Sec. 3. ~~(a)~~ "School or program of occupational therapy and **or** program of occupational therapy assistants approved by the board" means a **school or** program for the education of occupational therapists and occupational therapy assistants. Content requirements shall include liberal and professional education as follows: **accredited by the Accreditation Council for Occupational Therapy Education (ACOTE) of the American Occupational Therapy Association, Inc. (AOTA) or predecessor organizations or is deemed by the board to be equivalent to the standards set by ACOTE.**

- ~~(1) Liberal arts, sciences, and humanities.~~
- ~~(2) Biological, behavioral, and health sciences shall include the following:~~
  - ~~(A) Structure and function of the human body and recognition of normal and abnormal conditions.~~
  - ~~(B) Human development throughout the life cycle including sensorimotor, cognitive, and psychosocial components.~~
  - ~~(C) Human behavior in the context of sociocultural systems and beliefs, ethics, and values.~~
  - ~~(D) Effects of health and illness on person and society.~~
- ~~(3) Occupational therapy theory and practice shall include the following:~~
  - ~~(A) Human performance which shall include occupational throughout the life cycle, human interaction, roles, values, and the influence of the nonhuman environment.~~
  - ~~(B) Activity processes which shall include the following:~~
    - ~~(i) Theories underlying the use of purposeful activity; and the meaning and dynamics of activity including self-care, work, play, and leisure.~~
    - ~~(ii) Performance of selected life tasks and activities.~~
    - ~~(iii) Analysis, adaptation, and application of purposeful activity as therapeutic intervention.~~
    - ~~(iv) Use of self, dyadic, and group interaction.~~
  - ~~(C) Theoretical approaches including those related to purposeful activity, human performance, and adaptation.~~
  - ~~(D) Application of occupational therapy theory to practice which shall include the following:~~
    - ~~(i) Assessment and interpretation, observation, interviews, history, standardized and nonstandardized tests.~~
    - ~~(ii) Directing, planning, and implementation shall include the following:~~
      - ~~(AA) Therapeutic intervention related to daily living skills and sensorimotor, cognitive, and psychosocial components.~~
      - ~~(BB) Therapeutic adaptation including methods of accomplishing daily life tasks, environmental adjustments, orthotics, and assistive devices and equipment.~~
      - ~~(CC) Health maintenance including energy conservation, joint protection, body mechanics, and positioning.~~
      - ~~(DD) Prevention programs to foster age appropriate balance of self-care, work, and play or leisure.~~

- (iii) Program termination including reevaluation, determination of discharge, summary of occupational therapy outcome, and appropriate recommendations to maximize treatment gains.
  - (iv) Documentation.
  - (E) Development and implementation of quality assurance.
  - (F) Management of occupational therapy service which shall include the following:
    - (i) Planning services for client groups.
    - (ii) Personnel management including Gota's aides, volunteers, and Level I students.
    - (iii) Departmental operations including budgeting, scheduling, record keeping, safety, and maintenance of supplies and equipment.
  - (4) Research shall include the following:
    - (A) Critique of studies related to occupational therapy.
    - (B) Application of research approaches to occupational therapy practice.
  - (5) Values and attitudes congruent with the following:
    - (A) The profession's standards and ethics.
    - (B) Individual responsibility for continued learning.
    - (C) Participation in the promotion of occupational therapy through professional organizations, governmental bodies, and human service organizations.
    - (D) Documentation and validation of occupational therapy practice through research, publication, and program evaluation.
  - (6) Fieldwork education shall include the following:
    - (A) Supervised fieldwork shall be an integral part of the professional education program and shall include the following:
      - (i) There shall be collaboration between academic and fieldwork educators.
      - (ii) Fieldwork shall be conducted in settings approved by the program as providing experiences appropriate to the learning needs of the student and as meeting the objectives of fieldwork.
    - (B) Level I fieldwork shall be provided and shall include those experiences designed as an integral part of didactic courses for the purpose of directed observation and participation in selected field settings. These experiences are not expected to emphasize independent performance or to be considered substitutes for or part of the sustained Level II fieldwork.
    - (C) Level II fieldwork shall be required and shall include the following:
      - (i) A minimum of six (6) months of practice.
      - (ii) Emphasize the application of an academically acquired body of knowledge.
      - (iii) Experience with a wide range of client ages and a variety of physical and mental health conditions.
- (b) "Program of occupational therapy assistants approved by the board" means a program for the education of occupational therapy assistants. Content requirements shall include the following:
- (1) General education prerequisite to, or concurrent with, technical education are those studies which include the following:
    - (A) Oral and written communication skills.
    - (B) Sociocultural similarities and differences.
  - (2) Biological, behavioral, and health sciences shall include the following:
    - (A) Basic structure and function of the normal human body.
    - (B) Basic development of personality traits and learning skills.
    - (C) Environmental and community effects on the individual.
    - (D) Basic influences contributing to health.
    - (E) Disabling conditions commonly referred for occupational therapy.
  - (3) Occupational therapy concepts and skills shall include the following:
    - (A) Human performance including life tasks and roles as related to the developmental process from birth to death.
    - (B) Activity processes and skills which shall include the following:
      - (i) Performance of selected life tasks and activities, including self-care, work, play, and leisure.
      - (ii) Analysis and adaptation of activities.
      - (iii) Instruction of individuals and groups in selected life tasks and activities.
    - (C) Concepts related to occupational therapy practice which shall include the following:
      - (i) The importance of human occupation as a health determinant.
      - (ii) The use of self, interpersonal, and communication skills.
    - (D) Use of occupational therapy concepts and skills which shall include the following:
      - (i) Data collection, which shall include structured observation and interviews, history, and structured tests.
      - (ii) Participation in planning and implementation shall include the following:
        - (AA) Therapeutic intervention related to daily living skills and sensorimotor, cognitive, and psychosocial

- components:
- (BB) Therapeutic adaptation including methods of accomplishing daily life tasks, environmental adjustments, orthotics, and assistive devices and equipment.
  - (CC) Health maintenance including mental health techniques, energy conservation, joint protection, body mechanics, and positioning.
  - (DD) Prevention programs to foster age-appropriate balance of self-care, work, and play or leisure.
  - (iii) Program termination including assisting in reevaluation, summary of occupational therapy outcome, and appropriate recommendations to maximize treatment gains.
  - (iv) Documentation.
  - (E) Participation in management of occupational therapy service which shall include the following:
    - (i) Departmental operations including scheduling, record keeping, safety, and maintenance of supplies and equipment.
    - (ii) Personnel training and supervision including aides, volunteers, and Level I occupational therapy assistants students.
    - (iii) Management of activity service.
  - (4) Values, attitudes, and behaviors congruent with the following:
    - (A) The profession's standards and ethics.
    - (B) Individual responsibility for continued learning.
    - (C) Interdisciplinary and supervisory relationships within the administrative hierarchy.
    - (D) Participation in the promotion of occupational therapy through professional organizations, governmental bodies, and human service organizations.
    - (E) Understanding of the importance of occupational therapy research, publication, program evaluation, and documentation of services.
  - (5) Fieldwork education shall include the following:
    - (A) Supervised fieldwork shall be an integral part of the technical education program and shall include the following:
      - (i) There shall be collaboration between academic and fieldwork educators.
      - (ii) Fieldwork shall be conducted in settings approved by the program as providing experiences appropriate to the learning needs of the student and as meeting the objectives of fieldwork.
    - (B) Level I fieldwork shall be provided and include those experiences designed as an integral part of didactic courses for the purpose of directed observation and participation in selected field settings. These experiences are not expected to emphasize independent performance or to be considered substitutes for or part of the sustained Level II fieldwork.
    - (C) Level II fieldwork shall be required and shall:
      - (i) include a minimum of two (2) months of practice; and
      - (ii) emphasize the application of an academically acquired body of knowledge.

(c) The committee shall maintain a list of occupational therapy and occupational therapy assistant programs which the board has approved. This list shall be available in written form from the Health Professions Bureau, One American Square, Suite 1020, Post Office Box 82067, Indianapolis, Indiana 46282.

(Medical Licensing Board of Indiana; [844 IAC 10-1-3](#); filed Dec 28, 1990, 5:00 p.m.: 14 IR 1064; readopted filed Nov 9, 2001, 3:16 p.m.: 25 IR 1325; readopted filed Oct 4, 2007, 3:34 p.m.: [20071031-IR-844070053RFA](#); filed Mar 24, 2009, 11:38 a.m.: [20090422-IR-844080418FRA](#))

SECTION 5. [844 IAC 10-2-2](#) IS AMENDED TO READ AS FOLLOWS:

#### **[844 IAC 10-2-2](#) Fees**

**Authority:** [IC 25-1-8-2](#); [IC 25-23.5-2-5](#); [IC 25-23.5-2-6](#)

**Affected:** [IC 25-23.5-2](#); [IC 25-23.5-5](#)

Sec. 2. (a) The board shall charge and collect the following fees:

Application for <b>license or</b> certification	\$100
<b>License or</b> certification renewal	\$100 biennially
Temporary permit	\$50
Verification of <b>license or</b> certification	\$10
Duplicate wall <b>license or</b> certification	\$10

(b) Applicants required to take the national examination for licensure shall pay a fee directly to a professional examination service in the amount set by the examination service.

(Medical Licensing Board of Indiana; [844 IAC 10-2-2](#); filed Feb 11, 2002, 4:40 p.m.: 25 IR 2247; readopted filed Oct 10, 2008, 8:55 a.m.: [20081105-IR-844080342RFA](#); filed Mar 24, 2009, 11:38 a.m.: [20090422-IR-844080418FRA](#))

SECTION 6. [844 IAC 10-3-1](#) IS AMENDED TO READ AS FOLLOWS:

**[844 IAC 10-3-1](#) Application for licensure or certification; deadlines**

**Authority:** [IC 25-23.5-2-5](#); [IC 25-23.5-2-6](#)

**Affected:** [IC 25-23.5-5](#)

Sec. 1. All applicants for **licensure or** certification must apply on such form and in such manner as the committee shall prescribe. Complete applications for **licensure or** certification must be submitted at least thirty (30) days prior to the examination date.

(Medical Licensing Board of Indiana; [844 IAC 10-3-1](#); filed Dec 28, 1990, 5:00 p.m.: 14 IR 1067; readopted filed Nov 9, 2001, 3:16 p.m.: 25 IR 1325; readopted filed Oct 4, 2007, 3:34 p.m.: [20071031-IR-844070053RFA](#); filed Mar 24, 2009, 11:38 a.m.: [20090422-IR-844080418FRA](#))

SECTION 7. [844 IAC 10-3-2](#) IS AMENDED TO READ AS FOLLOWS:

**[844 IAC 10-3-2](#) Licensure or certification by examination**

**Authority:** [IC 25-23.5-2-5](#); [IC 25-23.5-2-6](#)

**Affected:** [IC 25-23.5-5](#)

Sec. 2. The committee shall issue a **license or** certificate by examination to an applicant who completes the following:

- (1) Applies in the form and manner prescribed by the committee.
- (2) Submits the fees specified in [844 IAC 10-2-1](#).
- (3) Successfully completes the examination required by the committee for ~~certification~~ **licensure** as an occupational therapist.
- (4) Successfully completes the examination required by the committee for certification as an occupational therapy assistant.
- (5) Submits two (2) recent passport-quality photographs of the applicant, approximately two (2) inches by two (2) inches in size, signed by the applicant, shall be submitted with each application.
- (6) Submits an official transcript of grades from which the applicant obtained the applicant's degree ~~which that~~ shows that all requirements for graduation have been met.
- (7) Submits a certified copy of a diploma to the committee of the applicant's graduation from a school or program of occupational therapy or a program of occupational therapy assistants approved by the board that meets the standards set by the board under [844 IAC 10-1-2](#).
- (8) Otherwise meets the requirements of [IC 25-23.5-5](#).

(Medical Licensing Board of Indiana; [844 IAC 10-3-2](#); filed Dec 28, 1990, 5:00 p.m.: 14 IR 1067; readopted filed Nov 9, 2001, 3:16 p.m.: 25 IR 1325; readopted filed Oct 4, 2007, 3:34 p.m.: [20071031-IR-844070053RFA](#); filed Mar 24, 2009, 11:38 a.m.: [20090422-IR-844080418FRA](#))

SECTION 8. [844 IAC 10-3-3](#) IS AMENDED TO READ AS FOLLOWS:

**[844 IAC 10-3-3](#) Licensure or certification by endorsement**

**Authority:** [IC 25-23.5-2-6](#)

**Affected:** [IC 25-23.5-5](#)

Sec. 3. The committee may issue a **license or** certificate by endorsement to an applicant who completes the following:

- (1) Applies to the committee in the form and manner required by the board.
- (2) Submits the fees required under [844 IAC 10-2-1](#).
- (3) Submits a diploma to the committee of the applicant's graduation from a school or program of occupational therapy or a program of occupational therapy assistants approved by the board that meets the standards set by the board under [844 IAC 10-1-2](#).
- (4) Submits two (2) recent passport-quality photographs of the applicant, ~~no~~ **not** smaller than two (2) inches by two (2) inches, each signed by the applicant, in black ink.
- (5) Submits an official transcript of grades from which the applicant obtained the applicant's degree ~~which that~~ shows that all requirements for graduation have been met.
- (6) Submits verification of licensure/certification status from the initial state in which the applicant has been or is currently licensed/certified.
- (7) Submits verification from all states in which the applicant has been or is currently licensed/certified, which statement shall include whether the applicant has ever been disciplined in any manner.
- (8) Otherwise meets the requirements of [IC 25-23.5-5](#).

(Medical Licensing Board of Indiana; [844 IAC 10-3-3](#); filed Dec 28, 1990, 5:00 p.m.: 14 IR 1067; readopted filed Nov 9, 2001, 3:16 p.m.: 25 IR 1325; readopted filed Oct 4, 2007, 3:34 p.m.: [20071031-IR-844070053RFA](#); filed Mar 24, 2009, 11:38 a.m.: [20090422-IR-844080418FRA](#))

SECTION 9. [844 IAC 10-4-1](#) IS AMENDED TO READ AS FOLLOWS:

**[844 IAC 10-4-1](#) Mandatory registration; renewal**

**Authority:** [IC 25-23.5-2-6](#)

**Affected:** [IC 25-23.5-5-9](#); [IC 25-23.5-5-12](#)

Sec. 1. Every occupational therapist and occupational therapy assistant holding a **license or** certificate issued by the committee shall renew his or her **license or** certificate biennially on or before December 31 of each even-numbered year.

(Medical Licensing Board of Indiana; [844 IAC 10-4-1](#); filed Dec 28, 1990, 5:00 p.m.: 14 IR 1068; readopted filed Nov 9, 2001, 3:16 p.m.: 25 IR 1325; filed Aug 12, 2004, 10:12 a.m.: 28 IR 211; readopted filed Oct 4, 2007, 3:34 p.m.: [20071031-IR-844070053RFA](#); filed Mar 24, 2009, 11:38 a.m.: [20090422-IR-844080418FRA](#))

SECTION 10. [844 IAC 10-4-2](#) IS AMENDED TO READ AS FOLLOWS:

**[844 IAC 10-4-2](#) Address; change of name**

**Authority:** [IC 25-23.5-2-5](#); [IC 25-23.5-2-6](#)

**Affected:** [IC 25-23.5-5](#)

Sec. 2. (a) Each **license or** certificate holder shall inform the committee, in writing, of all changes of address or name within fifteen (15) days of the change.

(b) A **license or** certificate holder's failure to receive notification of renewal due to failure to notify the board of a change of address or name shall not constitute an error on the part of the committee, board, or ~~bureau~~, **Indiana professional licensing agency**, nor shall it exonerate or otherwise excuse the **license or** certificate holder from renewing such **license or** certification.

(Medical Licensing Board of Indiana; [844 IAC 10-4-2](#); filed Dec 28, 1990, 5:00 p.m.: 14 IR 1068; readopted filed Nov 9, 2001, 3:16 p.m.: 25 IR 1325; readopted filed Oct 4, 2007, 3:34 p.m.: [20071031-IR-844070053RFA](#); filed Mar 24, 2009, 11:38 a.m.: [20090422-IR-844080418FRA](#))

SECTION 11. [844 IAC 10-5-5](#) IS AMENDED TO READ AS FOLLOWS:



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**844 IAC 10-5-5 Supervision of occupational therapy assistant**

**Authority:** [IC 25-23.5-2-5](#); [IC 25-23.5-2-6](#)

**Affected:** [IC 25-1-5-3](#); [IC 25-23.5](#)

Sec. 5. Under the supervision of an occupational therapist, an occupational therapy assistant may contribute to the **screening and** evaluation process. ~~by performing objective tests.~~ The occupational therapy assistant may also contribute to **the following**:

- (1) The development and implementation of the ~~treatment~~ **intervention** plan. ~~and~~
- (2) The monitoring and documentation of progress.
- (3) **The discontinuation or discharge from care or transitioning to another level of care.**

The occupational therapy assistant may not independently develop the ~~treatment~~ **intervention** plan ~~and/or~~ or initiate treatment.

*(Medical Licensing Board of Indiana; [844 IAC 10-5-5](#); filed Nov 14, 1991, 3:30 p.m.: 15 IR 582; readopted filed Nov 9, 2001, 3:16 p.m.: 25 IR 1325; readopted filed Oct 4, 2007, 3:34 p.m.: [20071031-IR-844070053RFA](#); filed Mar 24, 2009, 11:38 a.m.: [20090422-IR-844080418FRA](#))*

SECTION 12. [844 IAC 10-5-13](#) IS AMENDED TO READ AS FOLLOWS:

**[844 IAC 10-5-13 Supervision of a holder of a temporary permit](#)**

**Authority:** [IC 25-23.5-2-5](#); [IC 25-23.5-2-6](#)

**Affected:** [IC 25-23.5-5-11](#)

Sec. 13. The supervising occupational therapist shall be reasonably available and responsible at all times for the direction and action of the person supervised when services are performed by the holder of a temporary permit issued under [IC 25-23.5-5-11](#)(a)(3). Unless the supervising occupational therapist is on the premises to provide constant supervision, the holder of the temporary permit shall meet once each working day to review all patients' treatments. This meeting must include the actual presence of the occupational therapist or the designated occupational therapist. The patient's care shall always be the responsibility of the supervising occupational therapist. Reports written by the holder of a temporary permit issued under [IC 25-23.5-5-11](#)(a)(3) for inclusion in the patient's permanent record shall be countersigned by the supervising occupational therapist who may enter any remarks, revisions, or additions as the occupational therapist deems appropriate. The occupational therapist shall countersign within seven (7) calendar days all documentation written by the holder of the temporary permit issued under [IC 25-23.5-5-11](#)(a)(3). **The supervising occupational therapist shall, within fourteen (14) days, notify the committee in writing when the supervising relationship with the holder of the temporary permit has changed or been terminated. The notification to the committee shall indicate the reason for the change or termination in supervision. It shall be the responsibility of the holder of the temporary permit to notify the committee in writing of the name and license number of a new supervisor.**

*(Medical Licensing Board of Indiana; [844 IAC 10-5-13](#); filed Apr 22, 1994, 5:00 p.m.: 17 IR 2076; readopted filed Nov 9, 2001, 3:16 p.m.: 25 IR 1325; readopted filed Oct 4, 2007, 3:34 p.m.: [20071031-IR-844070053RFA](#); filed Mar 24, 2009, 11:38 a.m.: [20090422-IR-844080418FRA](#))*

SECTION 13. [844 IAC 10-6-2](#) IS AMENDED TO READ AS FOLLOWS:

**[844 IAC 10-6-2 Indirect and direct patient services](#)**

**Authority:** [IC 25-23.5-2-6](#)

**Affected:** [IC 25-23.5-2](#)

Sec. 2. An occupational therapy aide may contribute to indirect patient services through the provision of **the following**:

- (1) Routine department maintenance.
- (2) Transportation of patients.
- (3) Preparation and setting up of treatment equipment. ~~and~~
- (4) Performing clerical activities.

An aide, with direct on-site supervision of a ~~certified~~ **licensed** occupational therapist or, when appropriate, a certified occupational therapy assistant, may provide direct patient service.

(Medical Licensing Board of Indiana; [844 IAC 10-6-2](#); filed Sep 1, 2000, 2:04 p.m.: 24 IR 23; readopted filed Nov 16, 2006, 10:52 a.m.: [20061129-IR-844060240RFA](#); filed Mar 24, 2009, 11:38 a.m.: [20090422-IR-844080418FRA](#))

SECTION 14. [844 IAC 10-7](#) IS ADDED TO READ AS FOLLOWS:

## **Rule 7. Continuing Competency Requirements**

### **[844 IAC 10-7-1](#) Continuing competency requirements**

Authority: [IC 25-23.5-2-5](#)

Affected: [IC 25-1-4](#); [IC 25-23.5-2](#)

**Sec. 1. (a) Eighteen (18) hours of continuing competency are required for license renewal.**

**(b) Programs that have not been approved under this article will not be accepted as credit for license renewal.**

**(c) Continuing competency hours:**

- (1) must be obtained within the biennial renewal period; and**
- (2) may not be carried over from one (1) licensure period to another.**

**(d) If a license or certificate is valid for less than twelve (12) months, no continuing competency is required for renewal. If the license or certificate is valid for twelve (12) to twenty-four (24) months, nine (9) hours of continuing competency is required for renewal.**

**(e) Audits for compliance with continuing competency requirements and actions regarding noncompliance will be conducted as provided for in [IC 25-1-4](#).**

(Medical Licensing Board of Indiana; [844 IAC 10-7-1](#); filed Mar 24, 2009, 11:38 a.m.: [20090422-IR-844080418FRA](#))

### **[844 IAC 10-7-2](#) Responsibilities of licensees**

Authority: [IC 25-23.5-2-5](#)

Affected: [IC 25-23.5-2](#)

**Sec. 2. A license or certificate holder must do the following:**

- (1) Certify completion of continuing competency required by this rule at the time of license renewal.**
- (2) Retain verification of completion of continuing competency required by this rule for three (3) years after the last renewal date.**
- (3) Present verification of completion of continuing competency required by this rule at the request of the committee.**

(Medical Licensing Board of Indiana; [844 IAC 10-7-2](#); filed Mar 24, 2009, 11:38 a.m.: [20090422-IR-844080418FRA](#))

### **[844 IAC 10-7-3](#) License period; number of hours required**

Authority: [IC 25-1-4-8](#); [IC 25-23.5-2-5](#)

Affected: [IC 25-23.5-2](#)



**Sec. 3. (a)** During each two (2) year license period, an occupational therapist or occupational therapy assistant must complete at least eighteen (18) hours of continuing competency of which at least nine (9) hours must be in category I courses.

**(b)** An occupational therapist or occupational therapy assistant may not earn more than nine (9) category II credit hours towards the requirements under this section.

**(c)** All eighteen (18) hours of the continuing competency requirements may be obtained through distance learning methods.

*(Medical Licensing Board of Indiana; [844 IAC 10-7-3](#); filed Mar 24, 2009, 11:38 a.m.: [20090422-IR-844080418FRA](#))*

**[844 IAC 10-7-4](#)** "Category I continuing competency courses" and "category II continuing competency activities" defined

Authority: [IC 25-23.5-2-5](#)

Affected: [IC 25-23.5-2](#)

**Sec. 4. (a)** As used in this rule, "category I continuing competency courses" includes the following and must be at least one (1) contact hour in length:

- (1) Formally organized courses.
- (2) Workshops.
- (3) Seminars.
- (4) Symposia.
- (5) Home study programs, including approved online or web-based, audio, and video instructional programs.
- (6) Undergraduate or graduate courses from an accredited institution related to the management, practice, and education of occupational therapy.

**(b)** As used in this rule, "category II continuing competency activities" includes the following:

- (1) Publications of books, articles, or films related to practice, management, or education of occupational therapy. A maximum of five (5) contact hours will be awarded under this subdivision.
- (2) Preparation for teaching a course in occupational therapy in an accredited program. A maximum of six (6) contact hours will be awarded under this subdivision.
- (3) Supervision of fieldwork for Level I and Level II students. One (1) contact hour will be awarded for every thirty-two (32) hours of supervision with a maximum of six (6) contact hours.
- (4) In-house or in-service seminars specifically designed for training or teaching.
- (5) Actively participating with professional organizations as an officer or committee chairperson.
- (6) Supervising occupational therapy students when doing their observational hours as a pre-OT student applicant.
- (7) Research activities other than publications and presentations.

*(Medical Licensing Board of Indiana; [844 IAC 10-7-4](#); filed Mar 24, 2009, 11:38 a.m.: [20090422-IR-844080418FRA](#))*

**[844 IAC 10-7-5](#)** Approved organizations; standards for approval

Authority: [IC 25-1-4](#); [IC 25-23.5-2-5](#)

Affected: [IC 25-1-4-0.2](#); [IC 25-23.5-2](#)

**Sec. 5. (a)** In addition to those approved organizations approved under [IC 25-1-4-0.2](#), the following organizations are approved organizations for the purpose of sponsoring continuing competency courses without making further application to the committee:

- (1) American Occupational Therapy Association or AOTA approved providers.
- (2) National Board for Certification in Occupational Therapy.
- (3) Indiana Occupational Therapy Association or IOTA approved providers.

(b) Continuing education courses offered by accredited colleges are acceptable for purposes of this rule if the course content is designed to directly enhance the practitioner's knowledge and skill in providing services relevant to the practice of occupational therapy. The following conversion will be used for this type of credit:

- (1) One (1) semester hour equals fifteen (15) contact hours.
- (2) One (1) quarter hour equals ten (10) contact hours.

(c) The committee will approve continuing competency activities if it determines that it:

- (1) contributes directly to professional competency;
- (2) relates directly to the practice or management of education of occupational therapy practitioners; and
- (3) is conducted by individuals who have demonstrated expertise in the subject matter of the program.
  - (A) Prior approval by the committee is not required.
  - (B) Proof of content shall be demonstrated by the original workshop or conference brochure, agenda, notes, or materials given to participants during the presentations.

(Medical Licensing Board of Indiana; [844 IAC 10-7-5](#); filed Mar 24, 2009, 11:38 a.m.: [20090422-IR-844080418FRA](#))

#### **[844 IAC 10-7-6](#) Application for approval as continuing education sponsor**

Authority: [IC 25-23.5-2-5](#)

Affected: [IC 25-23.5-2](#)

Sec. 6. (a) Individuals or organizations applying for approval as sponsors of category I continuing competency courses must submit a written application for approval at least thirty (30) days prior to the date of the individual's or organization's presentation of a program for continuing competency credit.

Programs presented:

- (1) prior to the receipt of approval; or
  - (2) after the withdrawal or termination of approval of the individual or organization;
- by the committee shall not count toward continuing competency requirements.

(b) The written request for approval shall include the following:

- (1) The name of the sponsoring individual or organization.
- (2) The address and telephone number of the individual or organization.
- (3) The following for organizations:
  - (A) A description of the specific purposes for which the organization was formed.
  - (B) For each individual in the organization with direct responsibility for the training activities of the organization, a vita or resume listing all educational and relevant work experience.
- (4) For individuals, a vita or resume listing all educational and relevant work experience.
- (5) A list of each educational program presented or sponsored by the individual or organization for one (1) year prior to the date of the request for approval.
- (6) For each program listed under subdivision (5), the following:
  - (A) The date and location of the program.
  - (B) A brief summary of the content of the program.
  - (C) The name and the academic and professional background of the lecturer.
  - (D) The number of clock hours of continuing education credit granted by a state licensing or similar regulatory authority for the program.
- (7) A description of the course evaluation technique utilized for all educational programs.
- (8) A sample of the certificate awarded for the completion of all educational programs, if available.
- (9) A list of all programs anticipated to be presented or sponsored during the requested approval period, if available.
- (10) A description of the procedure to be utilized for monitoring and documenting attendance.

(c) The individual or organization is responsible for monitoring attendance in such a way that verification of attendance throughout the program can be reliably assured.

**(d) Approval of the individual or organization will be valid for a maximum period of two (2) years. The individual or organization is responsible for applying to the committee for approval.**

*(Medical Licensing Board of Indiana; [844 IAC 10-7-6](#); filed Mar 24, 2009, 11:38 a.m.: [20090422-IR-844080418FRA](#))*

**[844 IAC 10-7-7](#) Renewal; sworn statement**

**Authority:** [IC 25-23.5-2-5](#)

**Affected:** [IC 25-23.5-2](#)

**Sec. 7. An application for renewal of a license or certificate must contain a sworn statement by the licensee attesting that the continuing competency requirements as required by this section have been fulfilled.**

*(Medical Licensing Board of Indiana; [844 IAC 10-7-7](#); filed Mar 24, 2009, 11:38 a.m.: [20090422-IR-844080418FRA](#))*

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