
Update from the Ohio Occupational Therapy Board

Ohio Occupational Therapy
Association State Conference

October 15-16, 2010

Topics

- Recent Rules Changes
- Investigation & Discipline
- Consumer Education
- Frequently Asked Questions
- Common Ethical Violations

OT Section Vision Statement

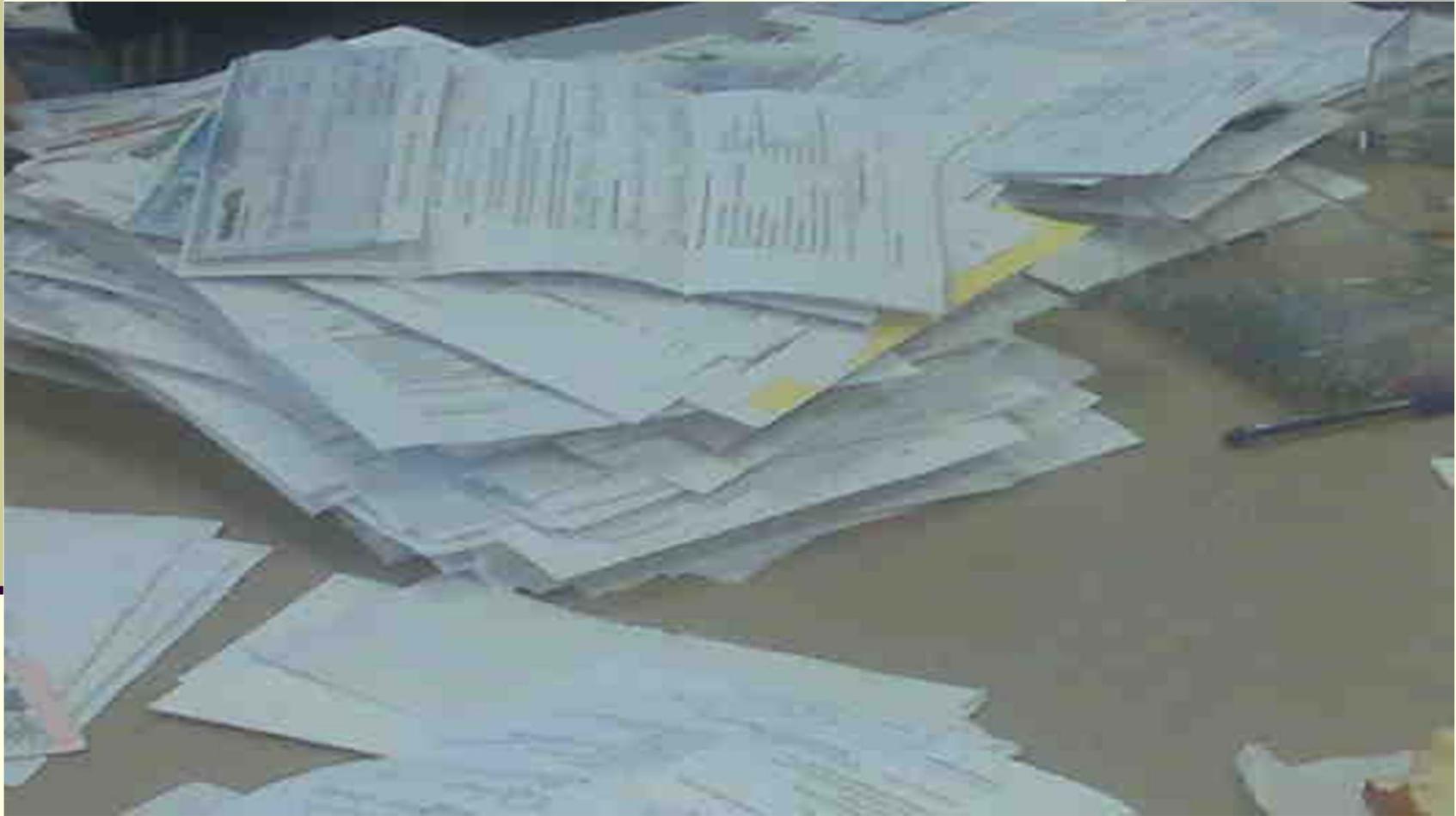
- The OT Section is committed to proactively:
 - Provide Education to the Consumers of OT Services;
 - Enforce Practice Standards for the Protection of the Consumer of OT Services;
 - Regulate the Profession of OT in an Ever-Changing Environment;
 - Regulate Ethical and Multicultural Competency in the Practice of OT;
 - Regulate the Practice of OT in all Current and Emerging Areas of Service Delivery.

Board Composition – OT Section

Member	City	Term Expires	Term
Mary Stover, OT	Columbus	2012	2 nd
Jean Halpin, OT	Westerville	2011	1 st
Becky Finni, OT	Amelia	2013	2 nd
Kim Lawler, OT	Frazeysburg	2013	2 nd
Nan Shoemaker, OTA	Miamisburg	2012	2 nd

All terms expire on Aug. 27 of designated year. Pursuant to ORC 4755.01, members shall not serve for more than 3 consecutive terms.

Don't Wait Until June 30 to Renew



October 15-16, 2010

Ohio OTPTAT Board

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Online Renewal Testimonials

From 2010 OTA Renewers...

- This was so easy and user friendly, much easier than other states to renew my license! Thanks!
- This was very helpful and easy. Had I known it was this easy I would have renewed months ago.
- I find that the online ... renewal is an asset to therapists. It was easy to follow the directions and I am grateful that it is quick secondary to my procrastination tendencies. Thank You again.

Online Renewal Testimonials

- This was so easy and user friendly, much easier than other states to renew my license! Thanks!
- This was easy even for a 65 year old not too good at computers person. Thank you very much!
- Had I known it was this easy to complete I would have done this sooner.... This site was easy to use and very clear in its questioning.

How Rules Are Changed

- Rule review is a public process.
 - Board seeks input on initial draft before rule language is filed.
 - Information on proposed changes sent to listserv and posted on the Board's website.
 - Once filed, full text of the rules is available at:
<http://www.registerofohio.state.oh.us>
 - Public hearing on proposed changes required.
- Board's goal is new rules go into effect on May 1.

Recent Rules Changes - 2009

Key changes effective on May 1, 2009.

- 4755-3-05 – Escrow of License; Restoration
 - Adds requirements for individuals seeking to restore an escrowed license
 - Only applies to individuals who haven't practiced OT anywhere in the previous 5 years
 - Adds same requirements as currently contained for reinstatement applicants who haven't been practicing

Recent Rules Changes - 2009

- 4755-7-08 – Code of Ethics
 - Adds provisions related to prohibited sexual/harassing conduct with licensees
- 4755-7-10 – Documentation (new rule)
 - Requires licensees to use “OT/L”, “OTR/L”, “OTA/L”, or “COTA/L” to indicate licensure
 - Requires limited permit holders to use “LP/OT” or “LP/OTA”
 - Requires students to use “S/OT” or “S/OTA” if not spelling out the word “student”

Recent Rules Changes - 2010

Key changes effective in 2010

- Elimination of Pocket Identification Cards
 - Changes to rules 4755-3-02 and 4755-5-04
- Elimination of Limited Permits
 - Changes to rules 4755-3-06, 4755-7-01 to 7-04, and 4755-7-10
- Restructuring of Supervision and Delegation Rules
 - Changes to 4755-7-01 to 7-04, and 4755-7-09

Pocket ID Cards

- As of May 1, 2010, the Board no longer issues pocket ID cards
 - Recent increase in # of doctored ID cards
 - Enhancement of currency of information on, and acceptance of, online license verification
- Rule 4755-3-02 will require licensees to have available current license information from Ohio e-License Center (<https://license.ohio.gov/lookup>)
- Availability can be printed page, smartphone access, client's home computer, etc.

Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board **License Verification****Information**

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Search Instructions: We recommend that searches be performed by either License Number or Name. Do NOT attempt to use a combination of Name and License Number. The use of City, State, Zip and County should not be necessary for most searches.

License Search[\[back\]](#)

Select a Board	<input type="text" value="Occ Therapy, Phys Therapy, & Athletic Trainers Board"/>
Select a Profession	<input type="text" value="- DISPLAY ALL -"/>
License Number	<input type="text"/> . <input type="text"/> <input type="text"/>
-or- Name (Last, First)	<input type="text"/> , <input type="text"/>
City, State Zip	<input type="text"/> <input type="text" value="- DISPLAY ALL -"/> <input type="text"/>
County	<input type="text" value="- DISPLAY ALL -"/>

Limited Permits

- Should individuals be permitted to practice before passing the NBCOT Exam?
 - Board uses the exam to demonstrate possession of entry-level competence
 - Is there potential harm to the consumer?
 - Board determined that there was potential harm
 - Individuals must pass exam before practicing occupational therapy
 - Public protection benefit outweighed potential negative impact on graduating students

Limited Permits

- Board received extensive comments on the proposal
- Board agreed to go forward with the changes but have a May 1, 2011 effective date (vs. 5/1/2010)
 - Allows for over 1 year transition
 - Time for OOTA to work with NBCOT on changes to exam application and score reporting process

Limited Permits & Effective Dates

- New rule 4755-7-11 will contain provisions from 7-01 to 7-04 that apply to LP holders (3-11 is LP applications)
 - 4755-3-11 & 7-11 to be rescinded on 5/1/2011
- Effective date of changes:
 - May 1, 2010 – Pocket ID card elimination (3-02; 5-04)
 - July 1, 2010 – Supervision & Delegation (7-01 to 7-04, 7-09, 7-10, 7-11)
 - May 1, 2011 – Limited Permit elimination (changes to 3-06 to rescission of 3-11 and 7-11)

Supervision & Delegation

- Old rules were difficult to follow – no logical flow
Under newly enacted changes...

- 4755-7-01 – OT practice defined
 - Contains definitions of OT, OTA, students, unlicensed personnel, supervising OT, and supervising OTA
 - Unlicensed personnel are on-the-job trained individuals who support delivery of OT services by personally assisting OT/OTA/student while one of those is concurrently providing services to the same patient
 - “A second pair of hands”
 - Cannot function independently
 - Cannot be a “cheap” substitute for licensed OTAs

Supervision & Delegation

- 4755-7-02 – Roles and Responsibilities
 - OT shall assume professional responsibility for specified activities that may not be delegated
 - OTA may contribute to and collaborate in specified activities
 - OTA may independently (1) select daily modality of choice per treatment/intervention plan and (2) document the progress and outcomes summary
 - OTA may not evaluate independently or initiate treatment/intervention plan before supervising OT performs an evaluation
 - Note: This is same as previous 4755-7-03

Supervision & Delegation

- 4755-7-03 – Delegation
 - Specifies the things supervising OT must consider when delegating to OTA
 - Clarifies that unlicensed personnel may not perform tasks that are evaluative, task selective, or recommending in nature
 - OT/OTA cannot delegate to unlicensed personnel initiation, planning, adjustment, modification, or performance of OT services

Supervision & Delegation

- 4755-7-04 – Supervision
 - No changes to the OT-OTA supervision ratio
 - Reworded the 1:6 language
 - Was: “when performing client evals & supervision only, *with no client treatment responsibilities...*”
 - Now: “when performing client evals & supervision of OT personnel only, *with no direct client treatment responsibilities*”

Supervision & Delegation

- 4755-7-04 (cont'd)
 - Responsibility of both the OT & OTA to establish evidence that supervision occurred in accordance with requirements of rules
- Delegation of tasks to students (was 4755-7-09)
 - Provisions moved to new rule 4755-7-03

What Does the Board Investigate?

- Physical abuse/injuries to a client
- Patient neglect
- Falsification of documentation
- Billing fraud
- Mental impairment issues
- Failure to complete CE's required for renewal
- Drug/alcohol abuse
- Competency issues
- Criminal convictions
- Unprofessional behavior
- Unlicensed or expired license practice
- Failure to complete documentation
- Falsifying license/renewal application

Top 4 Reasons for Disciplinary Action

1. Practicing with an expired license or limited permit
2. Practicing prior to being issued a license or limited permit
3. Falsifying a renewal application
 - E.g.: improperly checking yes on the “did you complete your CE” question
4. Failure to complete the continuing education required for renewal.

Consumer Education

- Each Section of the Board developed informational guides about the professions and the role of the Board for consumers
- Documents available under “Consumer” section of the website
- Licensees are permitted **AND ENCOURAGED** to print copies to make available to clients

Information

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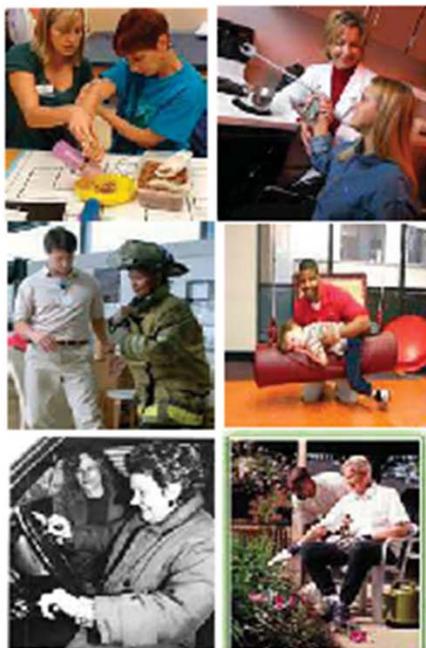
- [What is Occupational Therapy?](#)
- [What is Physical Therapy?](#)
- [What is Athletic Training?](#)
- [Guide to Rule Making Process](#)
- [Health Information Privacy](#) - If you believe that a health plan, health care clearinghouse, or any health care provider violated your health information privacy rights or committed another violation of the Health Insurance Portability and Accountability Act (HIPAA) Privacy or Security Rule, you can file a complaint with the U.S. Department of Health and Human Services' Office for Civil Rights.

HAVE YOU BEEN SCAMMED?

Our office may be able to help.

RICHARD CORDRAY
OHIO ATTORNEY GENERAL

OCCUPATIONAL THERAPY - Consumer Education



Occupational Therapists Practice In...

Occupational therapists and occupational therapy assistants practice in hospitals, outpatient clinics, rehabilitation facilities, skilled nursing facilities, homes, education or research centers, schools, hospices, corporate or industrial health centers, athletic facilities, and other community settings.

What is Occupational Therapy?

Occupational therapy is a client-oriented approach to life skill development. Occupational therapy practitioners use their skills to help individuals prepare for daily living despite impairments, activity limitations, and/or restrictions. Occupations refer to daily activities or tasks that have value and meaning to a person and that are essential to his/her identity. Examples of daily living activities (occupations) are: getting dressed, dialing a phone, using a computer, writing a check, driving a car, work, leisure, fishing, or watching a movie at the mall.

Occupational therapy practitioners use meaningful tasks or occupations to promote and restore function, health, and wellness to people who have experienced a decreased ability to participate in meaningful daily life activities because of developmental delays, physical illness or injury, mental health conditions, or the process of aging.

An occupational therapy practitioner may: devise a substitute method for holding a spoon; help older adults re-engage in activities; teach persons with spinal cord injuries how to use assistive technology; create community programs for people with emotional or mental disabilities; consult with schools to help children overcome writing difficulties and learning challenges; or design, fabricate, and apply a splint for persons with a hand injury to assist in the recovery process.

Choosing an Occupational Therapist

You have the **freedom** to choose your own occupational therapist. You may go directly to an occupational therapist without a physician's referral OR your insurance may require a visit to a physician first or limit your access to only preferred providers. To find an occupational therapist please contact your health care professional, insurance carrier, or another trusted source.

An Occupational Therapist Is...

An Occupational Therapist (OT) is a health care professional who evaluates and treats activity limitations in all age groups. All occupational therapists practicing in the State of Ohio must hold a valid Ohio occupational therapist license.

An Occupational Therapy Assistant Is...

An Occupational Therapy Assistant (OTA) is a health care provider who assists and treats in collaboration with and under the supervision of an occupational therapist. All occupational therapy assistants must hold a valid Ohio occupational therapy assistant license.

Visit the Website or Call

Consumers can visit the Board website at <http://otptat.ohio.gov> or call (614) 466-3774 to verify a license or to file a complaint against a licensed occupational therapist or occupational therapy assistant.

All complaints must be submitted in writing. If you would like to speak with someone about your complaint, please call the Enforcement Division of the OTPTAT Board at (614) 466-3774 and select option 2.

For additional information about occupational therapy, visit the American Occupational Therapy Association website at www.aota.org, or the Ohio Occupational Therapy Association at www.oota.org.

Will My Insurance Cover Occupational Therapy?

State of Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board

77 S. High Street, 16th Floor
Columbus, Ohio 43215-6108
Phone (614) 466-3774 Fax (614) 995-0816
<http://otptat.ohio.gov>

Private Insurance

Most private insurance plans cover occupational therapy services. Contact your insurer for specifics regarding your insurance coverage.

Medicaid/Medicare

Not all occupational therapists accept Medicaid/Medicare. When you call to make an appointment, ask if the occupational therapist participates in the Medicaid/Medicare program. Also, obtain information about any co-payments that you may be required to pay.

- Applications
- Continuing Education
- Laws
- Laws and Rules Exam
- Minutes
- F.A.Q.
- Publications
- Useful Links

Occupational T

Information

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Questions

Q1.

...y employer is setting unrealistic productivity standards. Are there caseload requirements for occupational therapy practitioners?

Q2.

What are the supervisory ratios for occupational therapy assistants (OTAs)? Are the ratios different in school-based therapy?

Q3.

Can occupational therapy assistants (OTAs) complete home assessments?

Q4.

Can the IEP be used as the occupational therapy treatment/intervention plan?

Q5.

Can an occupational therapy assistant (OTA) perform a discharge summary?

Question 1

- *Does an OT need a physician's order to complete an assessment or evaluation?*
- No...but accrediting bodies and/or third party payers may require one for reimbursement purposes.

Question 2

- *Can OT's and OTA's utilize physical agent modalities in the provision of occupational therapy services? What about wound care, dressing treatment, and suture removal?*
- Yes...as long as the licensee demonstrates and documents competency in the modality and is working within the individual's scope of practice.

Question 3

- *I feel that my employer is setting unrealistic productivity standards. Are there caseload requirements for occupational therapy practitioners?*
- Ohio OT Practice Act doesn't specify caseload limits. Regardless of practice setting, OTs must provide adequate supervision & assure that treatments follow safe & ethical standards.
 - Licensees must protect the public by reporting unethical, illegal, or incompetent conduct.

Question 4

- *Can the IEP be used as the occupational therapy treatment/intervention plan?*
- IEP goals & objectives are written by the educational team and **do not** constitute the OT treatment/intervention plan.
- In addition to IEP goals/objectives addressed by the OT practitioner, the separate OT treatment/intervention plan should include intervention approaches, types of interventions to be used, outcomes, and any additional occupational therapy goals not listed in the IEP.

Question 5

- *What are the guidelines for transferring patient care from one OT to another OT?*
- Patient must be transferred if the evaluating OT is unable to supervise patient care.
- Transfer of care must be documented by identifying the new OT or transferring to manager of therapy services for reassignment.
- OT who accepted the transfer is then responsible for supervising all aspects of the OT program, including supervision.

Question 6

- *Can an OTA do a home assessment or a patient screening?*
- Yes...an OTA can gather objective information and report observations, but can't interpret the data
- It's the OT's responsibility to interpret data and make recommendations
- Must document the OT/OTA collaboration

Question 7

- *Can OTA's complete all parts of a SOAP note?*
- Yes...an OTA can gather objective information and report observations, but can't interpret the data
- It's the OT's responsibility to interpret data and make recommendations
- Must document the OT/OTA collaboration

Question 8

- *Is NBCOT re-certification required to renew an Ohio OT/OTA license?*

- No...but if you choose not to be recertified, you should use the following credentials:
 - OT/L for occupational therapists
 - OTA/L for occupational therapy assistants

- The State of Ohio doesn't license OTR's or COTA's

Common Ethical Violations

- Billing fraud
- Falsification of documentation
- Failure to complete documentation
- Falsifying license/renewal application
- Aiding/abetting unlicensed practice

Ethical Case Study 1

- Mary, OT, works as subcontractor for XYZ Home Care performing patient evals
- XYZ's policy is for initial evals to occur w/in 48 hours of physician referral
- Mary, OT, faxed a patient eval for John Doe to the XYZ Home Health manager
 - Evaluation outlined the OT assessment of Mr. Doe, treatment plan & frequency, and identified short/long term goals
 - Mary hadn't yet submitted the documentation for billing purposes

Ethical Case Study 1

- The XYZ Home Health manager received a fax from ABC Nursing Home later that day
 - Fax stated that John Doe's discharge to his residence was delayed
 - OT evaluation will need to be rescheduled for a later date
- Home Health manager contacted Mary about the discrepancy
 - Mary told him to "tear up" the evaluation and not bill Mr. Doe's insurance company

Ethical Case Study 1

- Mary indicated she didn't see Mr. Doe because she was running behind.
 - She planned to see Mr. Doe later that day

- Does Mary's actions constitute an ethical violation?

- Should the Home Health manager "tear up" the initial evaluation?

Ethical Case Study 2

- Carl's a new grad who was recently hired as an OTA at Apple Outpatient Rehab
- Staff at the facility is 1 OT, 2 OTA, 1 receptionist
- Marge was a patient at facility for past 2 weeks
- Carl was seeing Marge for first time and reviewed treatment grids completed by the other OTA

Ethical Case Study 2

- Although OTA provided services to Marge, no initial eval or plan of care was completed by the OT
- Carl approached the OT about the missing eval
 - OT indicated that he briefly saw Marge on her first day but didn't have time to complete an initial eval that day due to high case load.
 - OT also said that the other OTA has been here for 12 years and I trust that he knows what to do for that diagnosis

Ethical Case Study 2

- Carl senses that this potentially violates the law, but:
 - He doesn't want to upset his new employer
 - He doesn't want the OT to think he's questioning the OT or other OTA's professional judgment/conduct
 - He's fearful of endangering his newly earned license
- Should Carl treat Marge?

Listserv

- Each Section has its own listserv
- Important news announced on listserv
 - Rules changes
 - New information posted to website
- To join, send an email to:
 - board@otptat.ohio.gov
 - Or go to <http://otptat.ohio.gov> and select “Join a Board Listserv” link on the homepage

Contacting the Board

- Email: board@otptat.ohio.gov
- Internet: <http://otptat.ohio.gov>
- Phone: 614-466-3774
- Fax: 614-995-0816
- Mail:
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