

Chapter 659

(Senate Bill 80)

AN ACT concerning

State Board of Occupational Therapy Practice – Licensure – Revisions

FOR the purpose of altering a certain licensure requirement by specifying that certain examinations an applicant may pass to meet a certain examination requirement are those given by national credentialing organizations approved by the State Board of Occupational Therapy Practice; repealing certain provisions of law that require the Board to issue a certain license, require a licensee to display a certain license to certain individuals in a certain manner, and require a licensee to present a certain license under certain circumstances; requiring the Board to maintain an electronic roster of each individual licensed by the Board; requiring the Board to make the roster available for electronic verification of licensure through the Board's website or a mobile application issued by the Board; authorizing certain individuals to contact the Board to verify a license; requiring licensees to present evidence of licensure to an employer or to a client or client's decision maker; making a conforming change; and generally relating to licensure by the State Board of Occupational Therapy Practice.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 10–302 and 10–308

Annotated Code of Maryland

(2014 Replacement Volume and 2017 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Health Occupations

10–302.

(a) To qualify for a license, an applicant shall be an individual who meets the requirements of this section.

(b) The applicant shall be of good moral character.

(c) The applicant shall be at least 18 years old.

(d) An applicant for an occupational therapist license shall have successfully:

(1) Graduated from an educational program in occupational therapy that is recognized by the Board and accredited by ACOTE or any other nationally recognized

programmatic accrediting agency; and

(2) Completed the equivalent of at least 6 months of supervised, full-time field work experience at a recognized educational institution or in a training program approved by the educational institution where the applicant met the academic requirements.

(e) An applicant for an occupational therapy assistant license shall have successfully:

(1) Graduated from an educational program for occupational therapy assistants that is recognized by the Board and accredited by ACOTE or any other nationally recognized programmatic accrediting agency; and

(2) Completed the equivalent of at least 4 months of supervised, full-time field work experience at a recognized educational institution or in a training program approved by the educational institution where the applicant met the academic requirements.

(f) The applicant shall pass the appropriate examination given by NBCOT or any other national credentialing organization **APPROVED BY THE BOARD**.

(g) The applicant shall submit to a criminal history records check in accordance with § 10-302.1 of this subtitle.

10-308.

(a) Subject to subsection [(c)] **(D)** of this section, the Board shall [issue the appropriate] license [to] an applicant who meets the requirements of this title for that license.

(B) (1) THE BOARD SHALL MAINTAIN AN ELECTRONIC ROSTER OF EACH INDIVIDUAL LICENSED BY THE BOARD.

(2) THE ROSTER SHALL BE AVAILABLE FOR THE PURPOSE OF ELECTRONICALLY VERIFYING LICENSURE THROUGH THE BOARD'S WEBSITE OR A MOBILE APPLICATION ISSUED BY THE BOARD.

(3) INDIVIDUALS WITHOUT ACCESS TO THE BOARD'S WEBSITE OR THE MOBILE APPLICATION MAY CONTACT THE BOARD TO VERIFY A LICENSE.

[(b)] **(C) [(1)] Licensees shall present [an original current license] EVIDENCE OF LICENSURE to [the]:**

(1) AN employer as part of the employment process; AND

(2) A CLIENT AT THE REQUEST OF THE CLIENT OR THE CLIENT'S DESIGNATED DECISION MAKER.

[(2) Except as otherwise provided in this subsection, each licensee shall display the license conspicuously in the office or place of employment of the licensee.]

(3) If a licensee is unable to display the license, the licensee shall present the original license to the client at the request of the client or the client's designated decision maker.]

[(c)] **(D)** (1) On receipt of the criminal history record information of an applicant for licensure forwarded to the Board in accordance with § 10-302.1 of this subtitle, in determining whether to grant a license, the Board shall consider:

(i) The age at which the crime was committed;

(ii) The nature of the crime;

(iii) The circumstances surrounding the crime;

(iv) The length of time that has passed since the crime;

(v) Subsequent work history;

(vi) Employment and character references; and

(vii) Any other evidence that demonstrates whether the applicant poses a threat to the public health or safety.

(2) The Board may not [issue a] license **AN APPLICANT** if the criminal history record information required under § 10-302.1 of this subtitle has not been received.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2018.

Approved by the Governor, May 15, 2018.