

SB 239 -State Board of Occupational Therapy Practi

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DEPARTMENT OF HEALTH

Wes Moore, Governor · Aruna Miller, Lt. Governor · Laura Herrera Scott, M.D., M.P.H., Secretary

January 18, 2024

The Honorable Pamela Beidle
Chair, Senate Finance Committee
3 East Miller Senate Building
Annapolis, MD 21401-1991

RE:State Board of Occupational Therapy Practice—Sunset Extension- Letter of Support

Dear Chair Beidle and Committee Members:

The Maryland Department of Health respectfully submits this letter of support for Senate Bill 239 State Board of Occupational Therapy Practice—Sunset Extension. This legislation extends the sunset date of the Board from June 30, 2025 to June 30, 2028.

The Department is taking a uniform approach to recommended sunset extensions for our independent health occupations boards. A more thorough evaluation of the Health Occupations Boards is needed at this time to assess ongoing concerns related to licensure, technology, and administrative functions. MDH believes a three year sunset extension allows ample time for MDH and the Boards to examine these functions and return to the General Assembly in 2026 with an update.

If you would like to discuss this further, please do not hesitate to contact Sarah Case-Herron, Director of Governmental Affairs at sarah.case-herron@maryland.gov or (410) 260-3190.

Sincerely,

Laura Herrera Scott, M.D., M.P.H.
Secretary

SB 239 - Occupational Therapy Bd - Support - FIN.p

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DEPARTMENT OF HEALTH

Wes Moore, Governor · Aruna Miller, Lt. Governor · Laura Herrera Scott, M.D., M.P.H., Secretary

Maryland Board of Occupational Therapy Practice
55 Wade Avenue, Tuerk Building, 2nd Floor
Baltimore, MD 21228
Phone: 410-402-8556
<http://www.health.maryland.gov/botp>

2024 SESSION POSITION PAPER

BILL NO: SB 239
COMMITTEE: Finance
POSITION: Support

TITLE: State Board of Occupational Therapy Practice—Sunset Extension

BILL ANALYSIS: This bill, as amended, would continue the State Board of Maryland Occupational Therapy Practice (the “Board”) in accordance with the provision of Maryland Program Evaluation Act (sunset law) be extending the Board’s existence to July 1, 2028.

POSITION AND RATIONALE: The Board supports SB 239.

There are currently 3,984 occupational therapists and 1,082 occupational therapy assistants licensed in the state of Maryland, and the Board renews their licenses every two years. The Board is able to issue most licenses within 72 hours of receiving all documentation from applicants and continues to keep the public safe by making sure that all licensees are in compliance with State regulations. The passing of this bill will ensure that the Board will still be able to license eligible candidates as occupational therapists and occupational therapy assistants in addition to providing the public with the reassurance that their practitioners are following all statutes and regulations.

The Board supports SB 239 and respectfully asks to extend the termination provisions relating to the statutory and regulatory authority of the Board. Thank you for your consideration of this testimony.

If you require additional information, please contact Lauren Murray, Executive Director of the Maryland Board of Occupational Therapy Practice at 410-402-8556 or lauren.murray@maryland.gov.

The opinion of the Board expressed in this document does not necessarily reflect that of the Department of Health or the Administration.

2024 MOTA SB 239 Senate Side FWA.pdf

Uploaded by: Robyn Elliott

Position: FWA



Maryland Occupational Therapy Association

PO Box 36401, Towson, Maryland 21286 ♦ www.mota-members.com

Committee:	Senate Finance Committee
Bill Number:	Senate Bill 239 – State Board of Occupational Therapy Practice – Sunset Extension
Hearing Date:	January 18, 2024
Position:	Favorable with Amendments

The Maryland Occupational Therapy Association (MOTA) supports with amendments Senate Bill 239 – State Board of Occupational Therapy Practice – Sunset Extension. This bill extends the termination date for the State Board of Occupational Therapy Practice by three years to July 1, 2028.

MOTA strongly supports extending the statutory authorization of the Board of Occupational Therapy Practice. Occupational therapists and occupational therapy assistants are essential providers in hospital, nursing home, school, outpatient, and behavioral health settings.

In working with our members, we have consistently heard positive feedback about the Board. The Board is well-managed and meets its statutory charge to ensure occupational therapy providers meet Maryland’s standards. The licensure and renewal process has been efficient, even during COVID. The Board has also been responsive to questions from licensees and the general public.

MOTA would like to request an amendment to extend the sunset date of the Board by 10 years, which had been the standard practice with prior sunset bills. In making the decision about this requested amendment, we reviewed the sunset history of the Board of Occupational Therapy Practice for the last 25 years. At that time, the Department of Legislative Services (DLS) began the sunset process by conducting preliminary reviews. If DLS identified no major issues, the practice was to recommend waiving the full review requirement, which required extensive resources, and extend the sunset of a board or commission by 10 years. The Legislative Policy Committee would review DLS’ recommendations at its fall meeting, and make the final decision.

In our research of the legislative history, we found that the DLS conducted preliminary sunset reviews of the Board in 2001 and 2012:

2012: https://dlslibrary.state.md.us/publications/OPA/S/P/OccTherapy_2012.pdf

2001: https://dlslibrary.state.md.us/publications/OPA/S/P/OccTherapy_2001.pdf

With both of these preliminary reviews, DLS recommended waiving a full review and extending the sunset date of the Board by 10 years. In both cases, the Legislative Policy Committee adopted the DLS recommendation and the Board's sunset renewal legislation passed without issue.

Given that the Board has such a strong track record, we ask for consideration of modifying *SB 239* to extend the Board's authorization by statute by another 10 years:

Requested Amendment

On page 2 in line 3, strike "2028" and replace with "2035".

Thank you for your consideration. If you need any additional information, please contact Robyn Elliott at relliott@policypartners.net.