

Department of Legislative Services
Maryland General Assembly
2000 Session

FISCAL NOTE

Senate Bill 109 (Chairman, Economic and Environmental Affairs Committee)
(Departmental - Health and Mental Hygiene)

Economic and Environmental Affairs

Maryland Occupational Therapy Practice Act

This departmental bill alters the scope of practice for occupational therapy professionals. It also changes certain board procedures and revises licensure renewal procedures.

Fiscal Summary

State Effect: The bill's changes to current law could be handled with the existing resources of the Board of Occupational Therapy.

Local Effect: None.

Small Business Effect: The Department of Health and Mental Hygiene (DHMH) has determined that this bill has minimal or no impact on small business (attached). Legislative Services concurs with this assessment.

Analysis

Bill Summary: This bill distinguishes the difference between practicing "occupational therapy" and practicing "limited occupational therapy" by redefining the latter. It changes the definition of the practice of limited occupational therapy to mean the participation, while under periodic supervision of a licensed occupational therapist, in an initial screening and evaluation and a treatment program involving the principles and procedures of occupational therapy. The current definition of "limited occupational therapy" does not substantively differentiate the practice from "occupational therapy."

The bill also allows an occupational therapy aide to perform support activities under the direct supervision of an occupational therapist assistant. The occupational therapist is ultimately responsible for supervision over the aide, even if the occupational therapist is not directly supervising the aide. Currently, an occupational therapy aid may only perform support activities under the supervision of an occupational therapist.

In addition, the bill changes board procedures to allow: (1) an annual election of a chairperson rather than officers; (2) appointment of an executive director; (3) employment of experts and consultants; and (4) a chairperson to delegate hearing authority to a committee.

The bill also allows the board to renew a licensee's license up to 30 days after expiration, and charge both a renewal fee and late fee. The board may reinstate a license if the licensee applies for reinstatement more than 30 days after expiration. The licensee must provide documentation of successful completion of continuing education requirements. The bill also repeals the board's authority to renew a temporary license.

The bill makes other changes that are procedural and stylistic in nature.

Current Law: "Practice limited occupational therapy" means to carry out a treatment program that applies the principles and procedures of occupational therapy. "Practice occupational therapy" means to evaluate, treat, and consult regarding problems that interfere with the functional and occupational performance of an individual who is impaired by physical, emotional, or developmental disability.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Health and Mental Hygiene (Board of Occupational Therapy), Department of Legislative Services

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bc/jr

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