
By: **Chairman, Environmental Matters Committee (Departmental - Health and Mental Hygiene)**

Introduced and read first time: January 29, 2001

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **State Board of Occupational Therapy Practice - Supervision of Aides**

3 FOR the purpose of authorizing the State Board of Occupational Therapy Practice to
4 enable a licensed occupational therapy assistant to supervise an unlicensed aide
5 under certain circumstances; altering the definition of a certain term; and
6 generally relating to the supervision of aides in the practice of occupational
7 therapy or limited occupational therapy.

8 BY repealing and reenacting, without amendments,
9 Article - Health Occupations
10 Section 10-101(a)
11 Annotated Code of Maryland
12 (2000 Replacement Volume)

13 BY repealing and reenacting, with amendments,
14 Article - Health Occupations
15 Section 10-101(c) and 10-301
16 Annotated Code of Maryland
17 (2000 Replacement Volume)

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

20 **Article - Health Occupations**

21 10-101.

22 (a) In this title the following words have the meanings indicated.

23 (c) "Aide" means any individual who:

24 (1) Is not licensed by the Board to perform occupational therapy or
25 limited occupational therapy; and

1 (2) Provides supportive services to the occupational therapist OR
2 OCCUPATIONAL THERAPY ASSISTANT under direct supervision.

3 10-301.

4 (a) Except as otherwise provided in this title, an individual shall be licensed
5 by the Board before the individual may practice occupational therapy or limited
6 occupational therapy in this State.

7 (b) This section does not apply to:

8 (1) An individual employed by the federal government as an
9 occupational therapist or an occupational therapy assistant, while practicing within
10 the scope of that employment;

11 (2) A student or trainee who is designated as a student or trainee, while:

12 (i) Fulfilling a field work requirement under § 10-302 of this
13 subtitle; or

14 (ii) Pursuing a supervised course of study in an accredited or
15 approved educational program leading to a degree or certificate in:

16 1. Occupational therapy; or

17 2. Occupational therapy assistant;

18 (3) Subject to the regulations adopted by the Board, an aide who
19 supports the practice of occupational therapy OR THE PRACTICE OF LIMITED
20 OCCUPATIONAL THERAPY, if the aide:

21 (i) Works only under the direct supervision of a licensed
22 occupational therapist OR OCCUPATIONAL THERAPY ASSISTANT and subject to the
23 occupational therapist's responsibility for supervision, as provided by this subtitle;
24 and

25 (ii) Performs only support activities that do not require training in
26 the basic anatomical, biological, psychological, and social sciences used in the practice
27 of occupational therapy;

28 (4) An occupational therapist who is authorized to practice occupational
29 therapy in any other jurisdiction, if the occupational therapist practices occupational
30 therapy in this State for the purpose of educating, consulting, and training, for the
31 duration of the purpose, as preapproved by the Board; or

32 (5) An occupational therapy assistant who is authorized to practice
33 limited occupational therapy in any other jurisdiction, if the occupational therapy
34 assistant practices limited occupational therapy in this State for the purpose of
35 educating, consulting, and training, for the duration of the purpose, as preapproved
36 by the Board.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 July 1, 2001.