

# SENATE BILL 80

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8lr0057

(PRE-FILED)

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By: Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Health)

Requested: September 27, 2017

Introduced and read first time: January 10, 2018

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

2 **State Board of Occupational Therapy Practice – Licensure – Revisions**

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

17 BY repealing and reenacting, with amendments,  
18 Article – Health Occupations  
19 Section 10-302 and 10-308  
20 Annotated Code of Maryland  
21 (2014 Replacement Volume and 2017 Supplement)

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

24 **Article – Health Occupations**

25 10-302.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

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

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

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

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

26 10-308.

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

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

6 [b] (c) [(1)] Licensees shall present [an original current license] EVIDENCE  
7 OF LICENSURE to [the]:

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

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

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

20 (ii) The nature of the crime;

21 (iii) The circumstances surrounding the crime;

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

23 (v) Subsequent work history;

24 (vi) Employment and character references; and

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

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

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