

Department of Legislative Services
Maryland General Assembly
2018 Session

FISCAL AND POLICY NOTE
Third Reader

Senate Bill 80

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

Education, Health, and Environmental Affairs

Health and Government Operations

State Board of Occupational Therapy Practice - Licensure - Revisions

This departmental bill alters statute governing the State Board of Occupational Therapy Practice. The bill specifies that applicants for licensure must pass the appropriate examination given by the National Board for Certification in Occupational Therapy (NBCOT) or any other national credentialing organization *approved by the board*. The bill also codifies existing practice related to electronic licensure of occupational therapists and occupational therapy assistants and makes related clarifying changes.

Fiscal Summary

State Effect: None. The changes primarily codify existing practice.

Local Effect: None.

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

Analysis

Bill Summary: The bill codifies current practice by requiring the board to (1) maintain an electronic roster of each individual licensed by the board and (2) make the roster available through the board's website or a mobile application for the purpose of verifying licensure. The bill repeals language requiring licensees to display their license. Instead, a licensee must present *evidence of licensure* to an employer as part of the employment process and present the same evidence to a client upon request.

Current Law: An applicant for an occupational therapist or occupational therapy assistant license must have (1) graduated from an educational program in occupational therapy or for occupational therapy assistants that is recognized by the board and accredited by specified agencies and (2) completed a specified amount of supervised, full-time field work experience at a recognized educational institution or in a training program approved by the educational institution. An applicant must pass the appropriate examination given by NBCOT or any other national credentialing organization. Additionally, an applicant must submit to a criminal history records check. The board may not *issue* a license if the criminal history record information has not been received.

Licensees must present an original current license to the employer as part of the employment process. Generally, each licensee must display their license conspicuously in their place of employment. If a licensee is unable to display the license, the licensee must present the original license to a client upon request.

Background: The board is the licensing authority for occupational therapists and occupational therapy assistants in the State. As of January 10, 2017, the board regulated 3,413 occupational therapists and 1,048 occupational therapy assistants. The board seeks authority to approve the national credentialing organizations from which applicants may submit exam scores in order to ensure that applicants take thorough exams. The board advises that the requirement for licensees to present and display a license and language regarding the board *issuing* a license are obsolete as the board no longer issues physical licenses.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Maryland Department of Health; Department of Legislative Services

Fiscal Note History: First Reader - January 16, 2018
mm/jc Third Reader - January 25, 2018

Analysis by: Nathan W. McCurdy

Direct Inquiries to:
(410) 946-5510
(301) 970-5510

ANALYSIS OF ECONOMIC IMPACT ON SMALL BUSINESSES

**Department of Health
Session 2018**

TITLE: State Board of Occupational Therapy Practice –
Licenses – Revisions

PREPARED BY: Linda Beyer

(Program\Unit): Health Occupations Boards and Commissions

PART A. ECONOMIC IMPACT RATING

This agency estimates that the proposed bill:

 X WILL HAVE MINIMAL OR NO ECONOMIC IMPACT ON MARYLAND
SMALL BUSINESS

OR

 WILL HAVE MEANINGFUL ECONOMIC IMPACT ON MARYLAND
SMALL BUSINESSES

PART B. ECONOMIC IMPACT ANALYSIS

No impact on small businesses.