

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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HOUSE DRH70096-LUF-4A* (11/9)

Short Title: Amend Occupational Therapy Laws/Fees. (Public)

Sponsors: Representative Nye.

Referred to:

A BILL TO BE ENTITLED

AN ACT AMENDING CERTAIN LAWS RELATING TO THE NORTH CAROLINA
OCCUPATIONAL THERAPY PRACTICE ACT AND AUTHORIZING THE
NORTH CAROLINA BOARD OF OCCUPATIONAL THERAPY TO RAISE THE
CEILING ON ITS FEES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 90-270.66 reads as rewritten:

"§ 90-270.66. **Declaration of purpose.**

The North Carolina Occupational Therapy Practice Act is enacted to safeguard the public health, safety and welfare, to protect the public from being harmed by unqualified persons, to assure the highest degree of professional ~~care~~ services and conduct on the part of occupational therapists and occupational ~~therapist-therapy~~ assistants, to provide for the establishment of ~~standards of education, licensure requirements,~~ and to insure the availability of occupational therapy services of high quality to persons in need of such services. It is the purpose of this Article to provide for the regulation of persons offering occupational therapy services to the public."

SECTION 2. G.S. 90-270.67 reads as rewritten:

"§ 90-270.67. **Definitions.**

As used in this Article, unless the context clearly requires a different meaning:

(1) Accrediting body. – The Accrediting Council for Occupational Therapy Education.

~~(1)(1a)~~ "Board" ~~means the~~ Board. – The North Carolina Board of Occupational Therapy.

(1b) Examining body. – The National Board for Certification in Occupational Therapy.

- 1 (2) ~~"Occupational therapist" means an~~Occupational therapist. – An
2 individual licensed in good standing to practice occupational therapy
3 as defined in this Article.
- 4 (3) ~~"Occupational therapist assistant" means an~~Occupational therapy
5 assistant. – An individual licensed in good standing to assist in the
6 practice of occupational therapy under this Article, who performs
7 activities commensurate with his or her education and training under
8 the supervision of a licensed occupational therapist.
- 9 (4) ~~"Occupational therapy" means a health care profession providing~~
10 ~~evaluation, treatment and consultation to help individuals achieve a~~
11 ~~maximum level of independence by developing skills and abilities~~
12 ~~interfered with by disease, emotional disorder, physical injury, the~~
13 ~~aging process, or impaired development. Occupational therapists use~~
14 ~~purposeful activities and specially designed orthotic and prosthetic~~
15 ~~devices to reduce specific impairments and to help individuals achieve~~
16 ~~independence at home and in the work place.~~
17 Occupational therapy. – The therapeutic use of everyday life activities
18 with individuals or groups for the purpose of participation in roles and
19 situations in home, school, workplace, community, or other settings.
- 20 (5) ~~"Person" means any~~Person. – Any individual, partnership,
21 unincorporated organization, or corporate body, except that only an
22 individual may be licensed under this Article."

23 **SECTION 3.** Article 18D of Chapter 90 of the General Statutes is amended
24 by adding a new section to read:

25 **"§ 90-270.67A. Practice of occupational therapy.**

26 Occupational therapy services are provided to those who have or are at risk for
27 developing an illness, injury, disease, disorder, condition, impairment, disability,
28 activity limitation, or participation restriction. Occupational therapy addresses the
29 physical, cognitive, psychological, sensory, and other aspects of performance in a
30 variety of contexts to support engagement in everyday life activities that affect health,
31 well-being, and quality of life. The practice of occupational therapy includes:

32 (a) Various methods that shall include the following:

- 33 (1) Establishment, remediation, or restoration of a skill that has not yet
34 developed or is impaired.
- 35 (2) Compensation, modification, or adaptation of activity or environment
36 to enhance performance.
- 37 (3) Maintenance and enhancement of capabilities without which
38 performance in everyday life activities would decline.
- 39 (4) Health and wellness promotion to enable or enhance performance in
40 everyday life activities.
- 41 (5) Prevention of barriers to performance, including disability prevention.

42 (b) Evaluation of factors affecting activities of daily living 'ADL', instrumental
43 activities of daily living 'IADL', education, work, play, leisure, and social participation
44 including:

- 1 (1) Client factors, including physiological and anatomical systems.
- 2 (2) Habits, routines, roles, and behavior patterns.
- 3 (3) Cultural, physical, environmental, social and spiritual contexts, and
- 4 activity demands that affect performance.
- 5 (4) Performance skills, including motor, process, and interaction skills.
- 6 (c) Interventions and procedures to promote or enhance safety and performance
- 7 in activities of daily living 'ADL', instrumental activities of daily living 'IADL',
- 8 education, work, play, leisure, and social participation including:
- 9 (1) Therapeutic use of occupations, exercises, and activities.
- 10 (2) Training in self-care, self-management, home management, and
- 11 community or work reintegration.
- 12 (3) Development, remediation, or compensation of physical, cognitive,
- 13 neuromuscular, and behavioral skills.
- 14 (4) Therapeutic use of self, including the client's personality, insights,
- 15 perceptions, and judgments as part of the therapeutic process.
- 16 (5) Education and training of individuals, including family members,
- 17 caregivers, and others.
- 18 (6) Care coordination, case management, and transition services.
- 19 (7) Consultative services to groups, programs, organizations, or
- 20 communities.
- 21 (8) Modification of environments, including home, work, school, or
- 22 community and adaptation of processes, including the application of
- 23 ergonomic principles.
- 24 (9) Assessment, design, fabrication, application, fitting, and training in
- 25 assistive technology, adaptive devices, and orthotic devices and
- 26 training in the use of prosthetic devices.
- 27 (10) Assessment, recommendation, and training in techniques to enhance
- 28 mobility, including wheelchair management and adaptive driving.
- 29 (11) Management of feeding, eating, and swallowing to enable eating and
- 30 feeding performance.
- 31 (12) Application of physical agent modalities and use of a range of specific
- 32 therapeutic procedures, including wound care management, techniques
- 33 to enhance sensory, perceptual, and cognitive processing, and manual
- 34 therapy techniques to enhance performance skills."

35 **SECTION 4.** G.S. 90-270.68 reads as rewritten:

36 "**§ 90-270.68. Establishment of Board, ~~terms of members, terms, vacancies,~~**

37 **removal, meetings, compensation.**

38 (a) Establishment of Board. – The North Carolina Board of Occupational

39 Therapy is created. The Board shall ~~have six members. All members shall be~~ consist of

40 seven members who are appointed by the Governor and ~~shall be~~ residents of this

41 State at the time of and during their ~~appointment.~~ appointment, as follows:

- 42 (1) Three members shall be occupational therapists and one member shall
- 43 be an occupational ~~therapist assistant;~~ therapy assistant. Each
- 44 of these members shall be licensed to practice in North Carolina and have

1 practiced, taught, or engaged in research in occupational therapy for at
2 least three of the five years immediately preceding appointment to the
3 Board.

4 (2) ~~The fifth board~~ One member shall be a physician in good standing with
5 the North Carolina Medical Board and licensed by and registered with
6 the North Carolina Medical Board to practice medicine; and
7 medicine
8 in this State.

9 (3) ~~the sixth board~~ One member shall represent the public at large and shall
10 be a person who is not a health care provider licensed under this
11 Chapter. ~~Chapter~~ or the spouse of a licensed health care provider.

12 (4) One member shall be a counselor, educator, or school-based
13 professional certified or licensed under North Carolina law who is
14 employed in the North Carolina Public School System and is not an
15 occupational therapist or an occupational therapy assistant.

16 ~~The medical doctor, occupational therapists, and occupational therapist~~
17 ~~assistant~~ occupational therapist members and the occupational therapy assistant member
18 shall be appointed by the Governor from a list compiled ~~nominated~~ by the North
19 Carolina Occupational Therapy Association, Inc., following the use of a nomination
20 procedure made available to all occupational therapists and occupational therapist
21 therapy assistants licensed and residing in North Carolina. In soliciting nominations and
22 compiling its list, the Association shall give consideration to geographic distribution,
23 clinical specialty, and other factors that will promote representation of all aspects of
24 occupational therapy practice. The records of the nomination procedures shall be filed
25 with the Board and made available for a period of six months following nomination for
26 reasonable inspection by any licensed practitioner of occupational therapy.

27 The physician member shall be nominated by the North Carolina Occupational
28 Therapy Association, Inc., after consultation with the North Carolina Medical Society.
29 The counselor, educator, or school-based professional member shall be nominated by
30 the North Carolina Occupational Therapy Association, Inc., after consultation with the
31 North Carolina School Counselor's Association.

32 (b) Terms. – Members of the Board shall serve four-year staggered terms. No
33 member shall serve more than two consecutive four-year terms, unless a member is
34 appointed to fill a vacancy for an unexpired term, then that member may complete the
35 unexpired term and serve one additional four-year term.

36 (c) Vacancies. – In the event that ~~that~~ a member of the Board cannot complete a term
37 of office, the vacancy shall be filled by appointment by the Governor, in accordance
38 with the procedures set forth in this section, for the remainder of the unexpired term.

39 (d) Removal. – The Board may remove any of its members for neglect of duty,
40 incompetence, or unprofessional conduct. A member subject to disciplinary proceedings
41 shall be disqualified from participating in Board business until the charges are resolved.

42 (e) Meetings. – Each year the Board shall meet and designate a ~~chairman~~
43 chairperson, a vice-chairperson, and a secretary-treasurer from among its members. The
44 Board may hold additional meetings upon call of the ~~chairman~~ chairperson or any two
board members. A majority of the Board membership shall constitute a quorum.

1 (f) Compensation. – Members of the Board shall receive no compensation for
2 their services, but shall be entitled to travel, per diem, and other expenses authorized by
3 G.S. 93B-5."

4 **SECTION 5.** G.S. 90-270.69 reads as rewritten:

5 **"§ 90-270.69. Powers and duties of the Board.**

6 The Board shall have the following powers and duties:

- 7 (1) ~~Examine~~Establish and determine the qualifications and fitness of
8 applicants for licensure to practice occupational therapy in this
9 ~~State;~~State.
- 10 (2) Conduct investigations, subpoena individuals and records, and do all
11 other things necessary and proper to discipline persons licensed under
12 this Article and to enforce this ~~Article;~~Article.
- 13 (2a) Communicate disciplinary actions to relevant State and federal
14 authorities and to other state occupational therapy licensing authorities.
- 15 (3) Issue and renew, and deny, suspend, revoke or refuse to issue or renew
16 any license under this ~~Article;~~Article.
- 17 (4) Adopt, amend, or repeal any reasonable rules or regulations necessary
18 to carry out the purposes of this Article, including but not limited to
19 rules establishing ethical standards of ~~practice;~~practice.
- 20 (5) Employ professional, clerical, investigative or special personnel
21 necessary to carry out the provisions of this Article, and purchase or
22 rent office space, equipment and ~~supplies;~~supplies.
- 23 (6) Adopt a seal by which it shall authenticate its proceedings, official
24 records, and ~~licenses;~~licenses.
- 25 (7) Conduct administrative hearings in accordance with Chapter 150B of
26 the General Statutes when a "contested case" as defined in
27 G.S. 150B-2(2) arises under this ~~Article;~~Article.
- 28 (8) Establish reasonable fees for applications for ~~examination; initial,~~
29 ~~provisional,initial limited permits~~ and renewal ~~licenses;~~licenses and
30 other services provided by the ~~Board;~~Board.
- 31 (9) Submit an annual report to the Governor and General Assembly of all
32 its official actions during the preceding year, together with any
33 recommendations and findings regarding improvement of the
34 profession of occupational ~~therapy;~~therapy.
- 35 (10) Publish and make available upon request the licensure standards
36 prescribed under this Article and all rules and regulations established
37 by the ~~Board;~~Board.
- 38 (11) ~~Approve educational curricula and field work experience accredited by~~
39 ~~the American Medical Association and American Occupational~~
40 ~~Therapy Association for persons seeking licensure under this~~
41 ~~Article.~~Conduct a training program as needed for new board members
42 designed to familiarize new members with their duties."

43 **SECTION 6.** G.S. 90-270.70 reads as rewritten:

44 **"§ 90-270.70. Requirements for licensure.**

1 (a) Any individual who desires to be licensed as an occupational therapist or
2 occupational ~~therapist-therapy~~ assistant shall file a written application with the Board on
3 forms provided by the Board, showing to the satisfaction of the Board that the applicant:

4 (1) Is of good moral character; and

5 (2) Has passed an examination approved by the Board as provided in this
6 Article.

7 Applicants for licensure as an occupational therapist must also have successfully
8 completed an accredited occupational therapy educational curriculum and the required
9 supervised field work experience of at least six months' duration. ~~fieldwork as~~
10 ~~determined by the Board.~~ Applicants for licensure as an occupational ~~therapist-therapy~~
11 assistant must also have successfully completed an accredited occupational therapy
12 assistant educational curriculum and the required supervised field work experience of at
13 least two months' duration. ~~fieldwork as determined by the Board.~~

14 (b) Occupational therapists who are trained outside of the United States and its
15 territories shall satisfy the examination and educational requirements as stated in
16 subsection (a) of this section. The Board shall require these applicants to meet
17 examination eligibility requirements as established by the credentialing body recognized
18 by the Board before taking the examination."

19 **SECTION 7.** G.S. 90-270.71 is repealed.

20 **SECTION 8.** G.S. 90-270.72 reads as rewritten:

21 "**§ 90-270.72. Exemption from requirements.**

22 (a) ~~The Board shall waive the examination, education, and field work~~
23 ~~requirements of G.S. 90-270.70 and shall grant a license to any applicant who presents~~
24 ~~evidence satisfactory to the Board that he or she has been engaged in the practice of~~
25 ~~occupational therapy as an occupational therapist or occupational therapist assistant~~
26 ~~before September 1, 1984. Proof of such actual practice shall be presented to the Board~~
27 ~~as established by regulation. To qualify for exemption under this section, the applicant~~
28 ~~shall file an application for licensure no later than September 1, 1985.~~

29 (b) The Board may ~~grant a license without examination to any applicant who~~
30 exempt an applicant from certain licensure requirements if the applicant presents proof
31 satisfactory to the Board of current licensure as an occupational therapist or
32 occupational ~~therapist-therapy~~ assistant in another state or the District of Columbia,
33 Puerto Rico, or Guam, provided the other jurisdiction's licensure standards are
34 considered by the Board to be substantially equivalent to or higher than those prescribed
35 in this Article."

36 **SECTION 9.** G.S. 90-270.73 reads as rewritten:

37 "**§ 90-270.73. Issuance of license.**

38 (a) The Board shall issue a license to any individual who meets the requirements
39 of this Article upon payment of the license fee prescribed in G.S. 90-270.77.

40 (b) Any individual licensed as an occupational therapist under this Article may
41 use the words "occupational therapist" and may use the letters "O.T." or
42 "O.T.R./L." "O.T./L." in connection with his name or place of business.

43 (c) Any individual licensed as an occupational ~~therapist-therapy~~ assistant under
44 this Article may use the words "occupational ~~therapist-therapy~~ assistant" and may use

1 the ~~letter~~ letters "O.T.A." or "~~C.O.T.A./L.~~""O.T.A./L." in connection with his name or
2 place of business.

3 (d) Any individual possessing a limited permit to practice occupational therapy
4 may use the words 'occupational therapy limited permittee' or 'occupational therapy
5 assistant limited permittee' and may use the letters 'O.T./L.P.' or 'O.T.A./L.P.' in
6 connection with his or her name or place of business."

7 **SECTION 10.** G.S. 90-270.74 reads as rewritten:

8 "**§ 90-270.74. Provisional licenses.**Limited permits.

9 The Board may grant a ~~provisional license for a period not exceeding nine months~~
10 ~~to any~~limited permit to an individual who has successfully completed the educational
11 and field work experience requirements and has made application to take the
12 examination for examination but has not yet taken or received the results of the
13 examination required under G.S. 90-270.70. A ~~provisional license~~limited permit shall be

14 valid for 120 days and shall allow the individual to practice as an occupational therapist
15 or occupational therapist-therapy assistant under the supervision of an occupational
16 therapist licensed in this State and shall be valid until revoked by the Board. A
17 provisional licenseState. A limited permit shall expire when the individual is issued a
18 license under G.S. 90-270.73 or if the individual is notified that he or she did not pass
19 the examination. A limited permit is not renewable. A limited permit shall not be issued
20 to an applicant who has failed the examination in this State or another
21 jurisdiction.examination."

22 **SECTION 11.** G.S. 90-270.75(a) reads as rewritten:

23 "(a) Licenses issued under this Article shall be subject to annual renewal upon
24 completion of ~~such~~continuing education and competency requirements as may be
25 required by the Board, upon the payment of a renewal fee specified under
26 G.S. 90-270.77 and in compliance with this Article, and shall expire unless renewed in
27 the manner prescribed by the Board. The Board may provide for the late renewal of a
28 license upon the payment of a late fee in accordance with G.S. 90-270.77, but no such
29 late renewal may be granted more than five years after a license expires."

30 **SECTION 12.** G.S. 90-270.76 reads as rewritten:

31 "**§ 90-270.76. Suspension, revocation and refusal to renew license.**

32 (a) The Board may deny or refuse to renew a license, may suspend or revoke a
33 license, or may impose probationary conditions on a license if the licensee or applicant
34 for licensure has engaged in any of the following conduct:

- 35 (1) ~~Employment of fraud, deceit or misrepresentation in obtaining or~~
36 ~~attempting to obtain a license, or the renewal thereof;~~Obtaining a
37 license by means of fraud, misrepresentation, or concealment of
38 material facts.
- 39 (2) ~~Conviction of or a plea of guilty or nolo contendere to any crime~~
40 ~~involving moral turpitude;~~Engaging in unprofessional conduct
41 pursuant to rules established by the Board or violating the Code of
42 Ethics adopted and published by the Board.
- 43 (3) ~~Adjudication of insanity or incompetency, until proof of recovery from~~
44 ~~the condition can be established;~~Having been convicted of or pleaded

1 guilty or nolo contendere to a crime involving moral turpitude or any
 2 crime which indicates that the occupational therapist or occupational
 3 therapy assistant is unfit or incompetent to practice occupational
 4 therapy or that the occupational therapist or occupational therapy
 5 assistant has deceived or defrauded the public.

- 6 (4) Engaging in any act or practice violative of any of the provisions of
 7 this Article or any rule or regulation adopted by the Board ~~hereunder,~~
 8 or aiding, abetting or assisting any person in such a ~~violation;~~violation.
 9 (5) Committing an act or acts of malpractice, gross negligence or
 10 incompetence in the practice of occupational ~~therapy;~~therapy.
 11 (6) Practicing as a licensed occupational therapist or occupational
 12 therapist assistant without a current ~~license;~~license.
 13 (7) Engaging in conduct that could result in harm or injury to the public.
 14 (8) Having an occupational therapy license revoked or suspended or other
 15 disciplinary action taken whether in this State or another jurisdiction.
 16 (9) Being unfit or incompetent to practice occupational therapy by reason
 17 of deliberate or negligent acts or omissions regardless of whether
 18 actual injury to a patient is established.

19 (b) ~~Such~~ The denial, refusal to renew, suspension, revocation or imposition of
 20 probationary conditions upon a license may be ordered by the Board after a hearing held
 21 in accordance with G.S. Chapter 150B and rules adopted by the Board. An application
 22 may be made to the Board for reinstatement of a revoked license if the revocation has
 23 been in effect for at least one year."

24 **SECTION 13.** G.S. 90-270.77 reads as rewritten:

25 **"§ 90-270.77. Fees.**

26 The Board shall adopt and publish, in the manner established by its rules and
 27 regulations, fees reasonably necessary to cover the cost of services rendered for the
 28 following purposes:

- 29 (1) For an initial application, a fee not to exceed ~~ten dollars~~
 30 ~~(\$10.00);~~twenty-five dollars (\$25.00).
 31 (2) For ~~examination, reexamination, or issuance of a license~~ an initial
 32 license, a fee not to exceed ~~one hundred dollars (\$100.00);~~two hundred
 33 dollars (\$200.00).
 34 (3) For the renewal of a license, a fee not to exceed ~~fifty dollars~~
 35 ~~(\$50.00);~~one hundred dollars (\$100.00).
 36 (4) For the late renewal of a license, a fee not to exceed ~~fifty dollars~~
 37 ~~(\$50.00);~~one hundred dollars (\$100.00).
 38 (5) For a ~~provisional license, limited permit,~~ a fee not to exceed ~~thirty-five~~
 39 ~~dollars (\$35.00);~~ and fifty dollars (\$50.00).
 40 (6) For copies of Board rules and licensure standards, charges not
 41 ~~exceeding to exceed~~ the actual cost of printing and mailing."

42 **SECTION 14.** G.S. 90-270.78 reads as rewritten:

43 **"§ 90-270.78. False representation of license prohibited.**

1 (a) It is unlawful for any person who is not licensed in accordance with this
2 Article or whose license has been suspended, revoked or not renewed by the Board to:

3 (1) Engage in the practice of occupational ~~therapy~~;therapy.

4 (2) Orally, in writing, in print or by sign, or in any other manner, directly
5 or by implication, represent that he or she is engaging in occupational
6 ~~therapy~~; ~~o~~therapy.

7 (3) Use in connection with his or her name or place of business the words
8 "~~o~~ccupational ~~therapist~~" ~~or~~ "~~o~~ccupational ~~therapist~~
9 ~~assistant~~";'occupational therapist', 'occupational therapy assistant',
10 'occupational therapist limited permittee', or 'occupational therapy
11 assistant limited permittee', or the letters "O.T.", "~~O.T.R./L.~~", "O.T./L.",
12 "O.T.A.", ~~or~~ "~~C.O.T.A./L.~~" "O.T.A./L.", 'O.T./L.P.', or 'O.T.A./L.P.' or
13 any other words, letters, abbreviations or insignia indicating or
14 implying that the person is an occupational ~~therapist~~ ~~o~~therapist,
15 occupational ~~therapist~~ ~~assistant~~therapy assistant, occupational
16 therapist limited permittee, or occupational therapy assistant limited
17 permittee.

18 (b) Any person who resides in another state or foreign country and who, by use
19 of electronic or other medium, performs any of the acts described as the practice of
20 occupational therapy pursuant to this Article, but is not licensed pursuant to this Article,
21 shall be regarded as practicing occupational therapy without a North Carolina license
22 and is subject to the provisions of this Article and appropriate regulation by the Board."

23 **SECTION 15.** Article 18D of Chapter 90 of the General Statutes is amended
24 by adding a new section to read:

25 "**§ 90-270.80A. Civil penalties, disciplinary costs.**

26 (a) Authority to Assess Civil Penalties. – The Board may assess a civil penalty
27 not in excess of one thousand dollars (\$1,000) for the violation of any section of this
28 Article or the violation of any rules adopted by the Board. The clear proceeds of any
29 civil penalty assessed under this section shall be remitted to the Civil Penalty and
30 Forfeiture Fund in accordance with G.S. 115C-457.2.

31 (b) Consideration Factors. – Before imposing and assessing a civil penalty, the
32 Board shall consider the following factors:

33 (1) The nature, gravity, and persistence of the particular violation.

34 (2) The appropriateness of the imposition of a civil penalty when
35 considered alone or in combination with other punishment.

36 (3) Whether the violation was willful and malicious.

37 (4) Any other factors that would tend to mitigate or aggravate the
38 violations found to exist.

39 (c) Schedule of Civil Penalties. – The Board shall establish a schedule of civil
40 penalties for violations of this Article and rules adopted by the Board.

41 (d) Costs. – The Board may assess the costs of disciplinary actions against a
42 person found to be in violation of this Article or rules adopted by the Board."

43 **SECTION 16.** G.S. 90-270.81 reads as rewritten:

44 "**§ 90-270.81. Persons and practices not affected.**

1 Nothing in this Article shall be construed to prevent or restrict:

- 2 (1) Any person registered, certified, credentialed, or licensed to engage in
3 another profession or occupation or any person working under the
4 supervision of a person registered, certified, credentialed, or licensed
5 to engage in another profession or occupation in this State from
6 performing work incidental to the practice of that profession or
7 occupation as long as the person does not represent himself or herself
8 as an occupational therapist or occupational ~~therapist assistant;~~therapy
9 assistant.
- 10 (2) Any person employed as an occupational therapist or occupational
11 ~~therapist-therapy~~ assistant by the government of the United States, if
12 he or she provides occupational therapy solely under the direction or
13 control of the organization by which he or she is ~~employed;~~employed.
- 14 (3) Any person pursuing a course of study leading to a degree or
15 certificate in occupational therapy at an accredited or approved
16 educational program if ~~such~~the activities and services constitute a part
17 of a supervised course of study and if the person is designated by a
18 title which clearly indicates his or her status as a student or
19 ~~trainee;~~trainee.
- 20 (4) Any person fulfilling the supervised ~~field work~~fieldwork experience
21 required for licensure under this Article if the person is designated by a
22 ~~title which~~title, which clearly indicates his or her status as a student or
23 ~~trainee;~~trainee.
- 24 (5) Occupational therapists or occupational ~~therapist-therapy~~ assistants
25 licensed in other jurisdictions who are ~~teaching-consulting,~~ teaching, or
26 participating in special occupational therapy education projects,
27 demonstrations or courses in this State, provided their evaluation and
28 treatment of patients is minimal.
- 29 (6) The practice of occupational therapy by an occupational therapist or
30 occupational therapy assistant licensed in another jurisdiction who
31 comes into this State, whether in person or by use of any electronic or
32 other medium, on an irregular basis, to consult with a North Carolina
33 licensed occupational therapist or occupational therapy assistant or to
34 consult with faculty at an academic facility about education and
35 training. This shall not apply to occupational therapists or occupational
36 therapy assistants residing in a neighboring state and regularly
37 practicing in this State."

38 **SECTION 17.** All members serving on the North Carolina Board of
39 Occupational Therapy on the effective date of this act shall complete their current terms.
40 Upon completion of their current terms, the occupational therapists members, the
41 occupational therapy assistant member, and the physician member shall be eligible to
42 serve one additional four-year term. The Governor shall appoint a new public member
43 to serve a four-year term. The Governor shall also appoint the counselor, educator, or
44 school-based professional member for a four-year term pursuant to

- 1 G.S. 90-270.68(a)(4), as enacted in Section 4 of this act, to begin October 1, 2005.
- 2 Members appointed thereafter shall serve four-year terms.
- 3 **SECTION 18.** This act is effective when it becomes law.