

NEW LEGISLATIVE BILLS: SB 819 & SB 821

TO: Practitioners, Employers and Interested Parties

FROM: BOARD OF OCCUPATIONAL THERAPY
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Senate Bills 819 and 821 (the Department of Consumer Affairs' omnibus bills) were signed by the Governor and will be in effect January 1, 2010. A number of changes go into effect, including:

- Changing the status of occupational therapy assistants from "certified" to "licensed;" the following initials/titles could be used: "O.T.A.," "O.T.A/L.," "C.O.T.A.," "C.O.T.A./L.," or "Occupational Therapy Assistant," "Licensed Occupational Therapy Assistant;"
- Allows OTAs to supervise aides in client-related tasks;
- Requires OTAs to document their services in patient records;
- Requires OTs and OTAs to sign patient records legibly;
- Allows individuals whom completed the Career Mobility Program and passed the OTR examination to be eligible for an OT license;
- Establishes the criteria, requirements and restrictions for placing a licensee in "retired" status;
- Adds OTs to the list of health care providers authorized to provide in-state or out-of-state telephone medical advice services;
- Includes OTs to the list of health care providers required to provide specified access to patients' health records;
- Requires applicants for licensure to furnish fingerprints for the purpose of conducting criminal history record checks;
- Adds OTs and OTAs to the list of health care providers that medical malpractice payors must report to the board when payments greater than \$3,000 are paid for any claim where injury or death was proximately caused by the licensee's negligence, error or omission in practice, or by rendering unauthorized professional services;
- Requires the Board to report licensees prohibited from practicing (i.e., suspension, revocation) to the Department of Health Care Services (with the intent to prevent Medi-Cal reimbursement fraud);
- Cleans up outdated educational program requirements and authorizes the Board to allow "pre-ACOTE" qualified applicants to be eligible for licensure; and
- Provides consistent nomenclature to ensure that qualified applicants are not denied licensure to practice due to name changes of organization(s).

Also, effective September 23, 2009, OTs and OTAs can earn Professional Development Units (PDUs) for two new activities, including:

- Attending a meeting of the California Board of Occupational Therapy. Each meeting attended equals two (2) PDUs, with a maximum of six (6) PDUs earned per renewal period, and
- Attending board outreach activities. Each presentation attended equals two (2) PDUs, with a maximum of four (4) PDUs earned per renewal period.



Contact the OTAC Government
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