

It's Your License, Things you Need to Know

Your Practice Act & Rules:
Applying to Clinical Practice

Learning Objectives

- Recognize the roles and responsibilities of a licensing board
- Differentiate the Texas Occupational Therapy Practice Act and Rules
- Identify and discuss recent changes in the OT Rules
- Recognize where updated Rules and current information about licensure can be obtained
- Identify the roles and responsibilities of licensee-
- Discuss the 2019 Legislative Session and Bills that may affect OT practice in Texas

Licensee Totals

Current OTs =	10,414
Current OTAs =	5,995
Total OT Licensees =	16,409

Inactive Licensees =	102
Retired Licensees =	17
Temporary Licensees =	10

Executive Council for Physical Therapy and Occupational Therapy Examiners ECPTOTE

Texas Board of Occupational Therapy
Examiners
TBOTE

Texas Board of Physical Therapy
Examiners
TBPTE

Texas Board of Occupational Therapy Examiners
Roles and responsibilities of a licensing board

TBOTE



Mission Statements

ECPTOTE

TBOTE

NBCOT

AOTA

TOTA

<https://www.ptot.texas.gov/page/executive-council>
<https://www.nbcot.org/>
<https://www.tota.org/what-is-tota>

OT Practice Act

Title 3, Subtitle H, Chapter 454, Occupations Code

Rules

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<https://www.ptot.texas.gov/page/ot-acts-and-rules>

Recent Changes in the OT Rules

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- Fingerprinting
- Schedule of Sanctions
- OTA supervision

Fingerprinting-

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Results of the fingerprinting will be sent directly to the Executive Council of Physical Therapy and Occupational Therapy Examiners (ECPTOTE) both from the Texas Department of Public Safety Criminal Records and the Federal Bureau of Investigation.

Please allow up to 7 days for your agency to receive the results.

<https://www.ptot.texas.gov/id/8E98FE41-D955-3A7C-9A17-38F368422D7C>

Schedule of Sanctions

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CHAPTER 374 DISCIPLINARY ACTIONS/DETRIMENTAL PRACTICE/COMPLAINT PROCESS/CODE OF ETHICS/LICENSURE OF PERSONS WITH CRIMINAL CONVICTIONS

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Texas Board of Occupational Therapy Examiners January 2019

Disciplinary Violations	OT Act/Rule	Minimum Discipline	Intermediate Discipline	Maximum Discipline	Remarks
Impersonating another person holding an occupational therapy license or allowing another person to use his or her license	Sec. 454.371(a)(6) (374.21)	30-45 day license suspension investigative costs Cease and desist letter to the employer/clinic	45-90 day license suspension investigative costs	Revocation or Surrender of License (until conditions are met or indefinitely)	Alternative disciplinary decisions or starting other courses of action may depend on the nature of the violation, repeat of violation, or development.

Violations

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Practicing occupational therapy after the expiration of a temporary, provisional, or regular license

Being convicted of a crime, other than a minor offense defined as a "minor misdemeanor," "violation," or "offense," in any court if the act for which the applicant or license holder was convicted is determined by the board to have a direct bearing on whether the applicant or license holder should be entrusted to serve the public in the capacity of an occupational therapist or occupational therapy assistant

Failing to give sufficient prior written notice of resignation of employment (or termination of contract) resulting in loss or delay of patient treatment for those patients/clients under the licensee's care

Failed CE Audit

Breaching the confidentiality of the patient/therapist relationship

<https://www.ptot.texas.gov/id/DB4ACB4D-39B2-D124-8B98-7C2DE6E1D161>
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OTA Supervision 13

The screenshot shows the Texas Board of Occupational Therapy Examiners website. The main heading is 'OTA Supervision'. Below the heading, there is a navigation menu with options like 'Home', 'About Us', 'Rules and Regulations', 'Examinations', 'Licensure', 'Continuing Education', and 'Contact Us'. The main content area contains text regarding supervision rules, including a section titled 'Supervision' which states that the board's rules are designed to protect the public and ensure the quality of occupational therapy services. At the bottom, there is a footer with the board's name and contact information.

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Recognize where updated Rules and current information about licensure can be obtained

<https://www.ptot.texas.gov/page/ot-acts-and-rules>

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2019 Legislative Session

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Texas Legislature Online - Bill Lists
86(R) SB 122 Author: West
Last Action 11/12/2018 S Filed
Caption Version: Introduced
Caption: Relating to the procedure by which a state agency considers legislative intent when adopting an agency rule.
House Committee:
Senate Committee:
Comment: ID legislative intent for a rule
86(R) SB 296 Author: Buckingham
Last Action 01/03/2019 S Filed
Caption Version: Introduced
Caption: Relating to the abolition of student loan default or breach of a student loan repayment or scholarship contract as a ground for nonrenewal or other disciplinary action in relation to a professional or occupational license and to certain duties of state agencies and political subdivisions in relation to delinquent or defaulted student loans.
House Committee:
Senate Committee:
Comment: student loans default not result in non-issuance of license

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Questions?

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 Texas Board of Occupational Therapy Examiners