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# Pennsylvania Health Care Association Center for Assisted Living Management

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May 10, 2011

Judith Pachter Schulder  
Board Counsel  
State Board of Occupational Therapy Education and License  
P.O. Box 2649  
Harrisburg, PA 17105-2649

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IRRC  
2011 MAY 16 P 1:58

Dear Ms Pachter Schulder,

Please accept the following comments to the proposed rulemaking "State Board of Occupational Therapy Education and Licensure" submitted on behalf of the Pennsylvania Health Care Association (PHCA) and Center for Assisted Living Management (CALM). PHCA/CALM represents approximately 325 long term care and senior service providers throughout Pennsylvania. Our members offer care and services along the full continuum including retirement housing with services, nursing facilities, assisted living residences and personal care homes, and consist of both proprietary and non-profit organizations. Our members employ hundreds of licensed occupational therapists which provide a very valuable service to the residents under their continuum of care.

Although PHCA/CALM supports the Board in its effort to ensure that licensed occupational therapists maintain and expand their professional knowledge and skills, we have concerns regarding the provisions contained in this proposed rulemaking. Our specific concerns relate to the number of contact hours being required and the limited options available to occupational therapists to fulfill the contact hour requirements.

According to the proposed rulemaking on a biennial basis an occupational therapist will be required to complete a minimum of 24 contact hours in at least two acceptable continued competency activities. PHCA/CALM first questions the need for 24 contact hours when physical therapists are only required to complete 20 contact hours on a biennial basis and therefore recommends that the Board considers reducing the required contact hours accordingly.

The proposed rule further specifies that of the 24 contact hours only 18 hours may be obtained through continuing education courses, leaving 6 hours that must come from mentorship, fieldwork supervision, professional writing activities, or presentation and instruction. To achieve these requirements, in addition to education courses, every licensed occupational therapist would have to take a student every year, or write an article for a professional organization, teach an approved course, or be an officer of the association. Unfortunately, these are not activities that

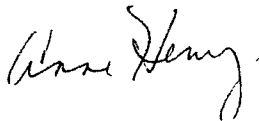
are readily available to the average therapist making it very challenging if not impossible for them to qualify to renew their occupational therapy license.

We fear that the end result of these requirements will not be an increase in the competency of occupational therapist but the loss of excellent, competent occupational therapists in the profession. This in turn will have a negative impact on our members readily having access to occupational therapy services for the residents they serve causing a potential decline in the resident's quality of life.

In addition, from a cost perspective these requirements are an unfunded mandate that our members will have to absorb. In order to maintain the occupational therapists they currently employ, our members would be forced to cover the costs incurred by occupational therapists to meet the competency requirements. Given the current economic climate in Pennsylvania this is an additional cost our members simply cannot afford and the fact that nursing homes in Pennsylvania lose over \$15 per day for each day of care provided to a resident covered by the Medical Assistance program. Currently, the Medical Assistance program covers nearly 2/3rds of all nursing home residents.

For these reasons, PHCA/CALM respectfully requests that the Board consider reducing the contact hour's requirement and expand the options available to occupational therapists to fulfill them. Thank you for the opportunity to provide comments on this proposed regulation. If you have any questions regarding our comments please contact me at 717-221-7930.

Sincerely,

A handwritten signature in cursive script, appearing to read "Anne Henry".

Anne M Henry  
Chief Operating Officer  
Pennsylvania Health Care Association  
Center for Assisted Living Management