

<h1 style="margin: 0;">Regulatory Analysis Form</h1> <p style="margin: 0;">(Completed by Promulgating Agency)</p>		<p><b>INDEPENDENT REGULATORY REVIEW COMMISSION</b></p>	
<p>(All Comments submitted on this regulation will appear on IRRC's website)</p>		<p style="writing-mode: vertical-rl; transform: rotate(180deg);">2018 JAN 18 A 10:23 RECEIVED IRRC</p>	
<p>(1) Agency <b>Department of State, Bureau of Professional and Occupational Affairs, State Board of Occupational Therapy Education and Licensure</b></p>			
<p>(2) Agency Number: 16A Identification Number: 16A-6710</p>		<p>IRRC Number: 3133</p>	
<p>(3) PA Code Cite: 49 Pa. Code § 42.24</p>			
<p>(4) Short Title: <b>Code of Ethics</b></p>			
<p>(5) Agency Contacts (List Telephone Number and Email Address):</p> <p>Primary Contact: <b>Jacqueline Wolfgang, Counsel, State Board of Occupational Therapy Education and Licensure, P.O. Box 69523, Harrisburg, PA 17106-5923 (phone 717-783-7200) (fax 787-0251) jawolfgang@pa.gov.</b></p> <p>Secondary Contact: <b>Cynthia Montgomery, Regulatory Counsel, Department of State, P.O. Box 69523, Harrisburg, PA 17106-9523 (phone 717-783-7200) (fax 787-0251) cymontgome@pa.gov.</b></p>			
<p>(6) Type of Rulemaking (check applicable box):</p> <p><input type="checkbox"/> Proposed Regulation</p> <p><input checked="" type="checkbox"/> <b>FINAL REGULATION</b></p> <p><input type="checkbox"/> Final Omitted Regulation</p>		<p><input type="checkbox"/> Emergency Certification Regulation;</p> <p><input type="checkbox"/> Certification by the Governor</p> <p><input type="checkbox"/> Certification by the Attorney General</p>	
<p>(7) Briefly explain the regulation in clear and nontechnical language. (100 words or less)</p> <p><b>In developing this code of ethical practice, the Board reviewed and compared its current regulations with the 2010 American Occupational Therapy Association (AOTA) <i>Occupational Therapy Code of Ethics and Ethics Standards</i> (Code and Standards), and subsequently with the 2015 AOTA <i>Occupational Therapy Code of Ethics</i> (2015 AOTA Code of Ethics). The Board is now adopting the 2015 AOTA Code of Ethics. A copy of the 2015 AOTA Code of Ethics is attached and may also be found at the AOTA website at <a href="https://ajot.aota.org/article.aspx?articleid=2442685">https://ajot.aota.org/article.aspx?articleid=2442685</a> (last visited December 19, 2017). (See Attachment "A") When this regulation is promulgated and published in final form, the Board will place a copy of the 2015 AOTA Code of Ethics on the Board's website.</b></p>			
<p>(8) State the statutory authority for the regulation. Include <u>specific</u> statutory citation.</p> <p><b>Section 5(b) of the Occupational Therapy Practice Act (63 P.S. § 1505(b)) (act) authorizes the Board to promulgate rules and regulations not inconsistent with law as it deems necessary for the performance of its duties and the proper administration of the act.</b></p>			

(9) Is the regulation mandated by any federal or state law or court order, or federal regulation? Are there any relevant state or federal court decisions? If yes, cite the specific law, case or regulation as well as, any deadlines for action.

**This regulation is not mandated by any Federal or State law, regulation, or court order.**

(10) State why the regulation is needed. Explain the compelling public interest that justifies the regulation. Describe who will benefit from the regulation. Quantify the benefits as completely as possible and approximate the number of people who will benefit.

**Section 16(a) of the act (63 P.S. § 1516(a)) authorizes the Board to discipline licensees who are guilty of unprofessional conduct which has or is likely to endanger the health, welfare or safety of the public. Section 16(a)(2) further defines “unprofessional conduct” to include conduct that violates a code of ethics adopted by the Board. In 1992, the Board adopted a code of ethics at § 42.24 (relating to Code of Ethics) which was essentially an adaptation and codification of the code of ethics promulgated by the American Occupational Therapy Association (AOTA) in 1988. Subsequently, in 2001, the Board updated its regulations to reflect the 1994 version of the AOTA Code of Ethics, which is the version that currently appears at § 42.24 today. As the Board is responsible for and authorized to adopt a code of ethics, the Board periodically reviews its code of ethics to ensure that its code of ethics addresses current issues in the profession and health care environment, including new technology, that can present potential ethical concerns for licensees.**

**Beginning in 2011, the Board undertook a review of the language existing in § 42.24 and compared it to the AOTA *Occupational Therapy Code of Ethics and Ethics Standards (Code and Standards)* promulgated in 2010. As a result of its review, the Board determined that it should update § 42.24 and in 2013 voted to adopt the 2010 AOTA Code and Standards. While the regulatory proposal was pending, AOTA again updated its Code of Ethics in 2015. At the June 3, 2015, board meeting, the Board reviewed the 2015 AOTA Code of Ethics, which the Board found to be appropriate as the minimum standard of ethical conduct for occupational therapists and occupational therapy assistants in this Commonwealth. At that meeting, the Board voted to revise the proposal to adopt the 2015 AOTA Code of Ethics. Rather than copy the standards verbatim into § 42.24, the Board proposes to adopt the 2015 AOTA Code of Ethics by reference.**

**The 2015 AOTA Code of Ethics not only reflects the Board’s own view of ethical practice, but will also keep the Commonwealth’s ethical standards consistent with the National standards. The 2015 AOTA Code of Ethics addresses principles and standards that are critical to protecting the public interest, including beneficence (a concern for the well-being and safety of the recipients of services); nonmaleficence (an obligation to abstain from causing harm); autonomy; justice; veracity; and fidelity. The 2015 AOTA Code of Ethics re-focused *Beneficence* to reflect standards of conduct that demonstrate a concern for the well-being and safety of the recipients of occupational therapy services. The prohibition against exploitation was removed from *Beneficence* and was placed under a new principle, *Nonmaleficence*, which prohibits causing harm to others, including an obligation to not impose risks of harm even if the potential risk is without malicious or harmful intent. The *Nonmaleficence* principle more clearly prohibits exploitive conduct and provides more specific standards of conduct regarding prohibited behavior. Additionally, the requirement to provide services in an equitable manner was also removed from the *Beneficence principle* and placed more appropriately in the *Justice* principle, which requires fairness and objectivity in the provision of occupational therapy services. The *Justice* principle more clearly prohibits unfair and inequitable**

treatment and provides specific standards of conduct regarding prohibited behavior. The 2015 AOTA Code of Ethics appropriately incorporates electronic technology and telecommunication concepts into the standards of conduct and requires compliance with all privacy laws. The 2015 AOTA Code of Ethics and the changes noted here clarify the principles and standards of conduct for ethical practice.

Adopting clear, updated standards that are consistent with National standards is necessary to protect the recipients of services provided by occupational therapy licensees. The 1994 Code of Ethics does not specifically address intervening changes in technology (i.e. electronic communications by e-mail, text, etc.) nor does the 1994 version reflect current Federal laws such as the Health Insurance Portability and Accountability Act (HIPAA). Adopting the 2015 AOTA Code of Ethics will not only protect the recipients of occupational therapy services, but will also provide better and more current guidance on topics which now face occupational therapy licensees.

Pennsylvania occupational therapy licensees (8,190 actively licensed occupational therapists and 3,524 actively licensed occupational therapy assistants) and recipients of occupational therapy services will benefit from adopting the 2015 AOTA Code of Ethics because licensees will have a better understanding of ethical principles and standards of conduct by having a more precise and succinct code of ethics.

(11) Are there any provisions that are more stringent than federal standards? If yes, identify the specific provisions and the compelling Pennsylvania interest that demands stronger regulations.

There are no Federal licensure standards for occupational therapists or occupational therapy assistants.

(12) How does this regulation compare with those of the other states? How will this affect Pennsylvania's ability to compete with other states?

This regulation will not adversely affect Pennsylvania's ability to compete with other states. Many surrounding states also list the ethical duties of licensees. In Maryland, their code of ethics lists what licensees shall do, may do, and may not do, along with separate sections that list sexual misconduct, professional competence and penalties. Similarly, Ohio separates their code of ethical conduct into sections of what they shall and shall not do as licensees. The main categories are operations, professionalism of licensee, licensee and client interactions, and cooperation. In Virginia, there are separate sections, like the other states mentioned, that list what licensees shall and shall not do. Their standards of professional conduct contain confidentiality, patient records, practitioner-patient communication, termination of relationship, practitioner responsibility, sexual conduct and refusal to provide information. Lastly, West Virginia is very similar to Pennsylvania in that their ethical standards of practice list what licensees shall do in great detail. Some surrounding states, including Delaware, New Jersey and New York do not specifically list their occupational therapists' ethical duties. Based on a review of these regulations from other states, the Board believes this regulation will not place Pennsylvania at a competitive disadvantage.

(13) Will the regulation affect any other regulations of the promulgating agency or other state agencies? If yes, explain and provide specific citations.

**The regulation will not affect any other regulations of the Board or other state agencies.**

(14) Describe the communications with and solicitation of input from the public, any advisory council/group, small businesses and groups representing small businesses in the development and drafting of the regulation. List the specific persons and/or groups who were involved. ("Small business" is defined in Section 3 of the Regulatory Review Act, Act 76 of 2012.)

**In accordance with Executive Order 1996-1, in 2011, the Board sent an exposure draft to interested parties and stakeholders. The Board received comments from the Pennsylvania Occupational Therapy Association (POTA) and occupational therapy program directors at Elizabethtown College and Temple University. The Board members then conducted a section-by-section comparison of the AOTA Code and Standards with the Board's current code of ethics regulations. At a series of public meetings throughout 2012 and 2013, the Board considered whether to revise its existing code of ethics to update it, or to adopt the AOTA Code and Standards in their entirety. In the end, the Board opted for the latter course of action and voted in 2013 to promulgate regulations effectuating that intent. However, while the regulatory proposal was pending, the AOTA again revised its Code of Ethics in 2015. At its public meeting on June 3, 2015, the Board reviewed the 2015 AOTA Code of Ethics and determined that the proposal should be updated to reflect the most current standards of the profession and voted to revise the regulatory proposal to adopt the 2015 AOTA Code of Ethics. This rulemaking effectuates that intent.**

(15) Identify the types and number of persons, businesses, small businesses (as defined in Section 3 of the Regulatory Review Act, Act 76 of 2012) and organizations which will be affected by the regulation. How are they affected?

**All licensed occupational therapists and occupational therapy assistants will be affected by the rulemaking, as they must adhere to the 2015 AOTA Code of Ethics.**

**Currently, there are 8,190 actively licensed occupational therapists and 3,524 actively licensed occupational therapy assistants. According to the Pennsylvania Department of Labor and Industry, the majority of occupational therapists and occupational therapy assistants work in offices of other health care practitioners, hospitals, nursing homes and home health care agencies. Others work in community care facilities, in schools or are self-employed.**

**For the business entities listed above for occupational therapists and occupational therapy assistants, small businesses are defined in section 3 of Act 76 of 2012, which provides that a small business is defined by the U.S. Small Business Administration's (SBA) Small Business Size Regulations under 13 C.F.R. Ch. 1 Part 121. Specifically, the SBA has established these size standards at 13 C.F.R. § 121.201 for types of businesses under the North American Industry Classification System (NAICS).**

**In applying these size standards to the types of businesses where occupational therapists and occupational therapy assistants work, offices of other health care practitioners include the following 3 types of businesses: offices of physicians for which a small business is one with \$11.0 million or less in average annual receipts; offices of physical, occupational and speech therapists and audiologists (with a small business threshold of \$7.5 million or less in average annual receipts); and all other miscellaneous health practitioners (with a small business threshold of \$7.5 million or less in average annual receipts). For general medical and surgical hospitals, a small business is one with \$38.5 million or less in average annual receipts, while nursing care facilities (skilled nursing facilities) are defined as a small business if they have \$27.5 million or less in average annual receipts. Home health care services are considered small businesses if they have \$15.0 million or less in average annual receipts. Community care facilities include all other outpatient care centers, which have a small business threshold of \$20.5 million or less in average annual receipts. Elementary and secondary schools are considered a small business if they have \$11.0 million or less in average annual receipts. Therefore, based on these thresholds, the Board concludes that most occupational therapists and occupational therapy assistants work in small businesses in Pennsylvania.**

**(16) List the persons, groups or entities, including small businesses, that will be required to comply with the regulation. Approximate the number that will be required to comply.**

**Approximately 8,190 actively licensed occupational therapists and 3,524 actively licensed occupational therapy assistants, including those that either work for or are themselves considered small businesses (due to their self-employed status), will be required to comply with the rulemaking.**

**(17) Identify the financial, economic and social impact of the regulation on individuals, small businesses, businesses and labor communities and other public and private organizations. Evaluate the benefits expected as a result of the regulation.**

**There will be numerous benefits both to licensees and to the general public for compliance with these ethical standards. The 2015 AOTA Code of Ethics identifies and describes the principles supported by the occupational therapy profession, serves to educate the general public and members of the profession regarding established principles to which occupational therapy personnel are accountable, notifies occupational therapy personnel of expected standards of conduct, and assists occupational therapy personnel in recognition and resolution of ethical dilemmas.**

**All of these goals benefit both the profession and the general public.**

(18) Explain how the benefits of the regulation outweigh any cost and adverse effects.

**There are minimal fiscal impacts related to this regulation. The Board will modify its initial, renewal, and reactivation application forms by including information on how to access the 2015 AOTA Code of Ethics. Once this regulation becomes effective, the Board will place a copy of the 2015 AOTA Code of Ethics on the Board's website. The cost of doing so will be *de minimis*.**

(19) Provide a specific estimate of the costs and/or savings to the **regulated community** associated with compliance, including any legal, accounting or consulting procedures which may be required. Explain how the dollar estimates were derived.

**There are no fiscal impacts or paperwork requirement related to the regulated community associated with the regulation.**

(20) Provide a specific estimate of the costs and/or savings to the **local governments** associated with compliance, including any legal, accounting or consulting procedures which may be required. Explain how the dollar estimates were derived.

**There are no costs or savings to local governments.**

(21) Provide a specific estimate of the costs and/or savings to the **state government** associated with the implementation of the regulation, including any legal, accounting, or consulting procedures which may be required. Explain how the dollar estimates were derived.

**Once this regulation becomes effective, the Board will place a copy of the 2015 AOTA Code of Ethics on the Board's website. The Board will modify its initial, renewal, and reactivation application forms by including information on how to access the 2015 AOTA Code of Ethics. Once this regulation becomes effective, the Board will place a copy of the 2015 AOTA Code of Ethics on the Board's website. The cost of doing so will be *de minimis*. There are no other costs to state government associated with this regulation.**

(22) For each of the groups and entities identified in items (19)-(21) above, submit a statement of legal, accounting or consulting procedures and additional reporting, recordkeeping or other paperwork, including copies of forms or reports, which will be required for implementation of the regulation and an explanation of measures which have been taken to minimize these requirements.

**As stated above, there are minimal fiscal impacts and paperwork requirements related to this regulation.**

(22a) Are forms required for implementation of the regulation? **Yes. The Board will modify its initial, renewal, and reactivation application forms by including information on how to access the 2015 AOTA Code of Ethics.**

(22b) If forms are required for implementation of the regulation, **attach copies of the forms here**. If your agency uses electronic forms, provide links to each form or a detailed description of the information required to be reported. **Failure to attach forms, provide links, or provide a detailed description of the information to be reported will constitute a faulty delivery of the regulation.**

**The Board has attached the forms required for implementation of the regulation. (See Attachment "B")**

(23) In the table below, provide an estimate of the fiscal savings and costs associated with implementation and compliance for the regulated community, local government, and state government for the current year and five subsequent years.

	<b>Current FY 17-18</b>	<b>FY +1 18-19</b>	<b>FY +2 19-20</b>	<b>FY +3 20-21</b>	<b>FY +4 21-22</b>	<b>FY +5 22-23</b>
<b>SAVINGS:</b>	\$	\$	\$	\$	\$	\$
<b>Regulated Community</b>						
<b>Local Government</b>						
<b>State Government</b>						
<b>Total Savings</b>	<b>None</b>	<b>None</b>	<b>None</b>	<b>None</b>	<b>None</b>	<b>None</b>
<b>COSTS:</b>						
<b>Regulated Community</b>						
<b>Local Government</b>						
<b>State Government</b>						
<b>Total Costs</b>	<b>None</b>	<b>None</b>	<b>None</b>	<b>None</b>	<b>None</b>	<b>None</b>
<b>REVENUE LOSSES:</b>						
<b>Regulated Community</b>						
<b>Local Government</b>						
<b>State Government</b>						
<b>Total Revenue Losses</b>	<b>None</b>	<b>None</b>	<b>None</b>	<b>None</b>	<b>None</b>	<b>None</b>

(23a) Provide the past three year expenditure history for programs affected by the regulation.

<b>Program</b>	<b>FY -3 14-15 (Actual)</b>	<b>FY -2 15-16 (Actual)</b>	<b>FY -1 16-17 (Actual)</b>	<b>Current FY 17-18 (Budgeted)</b>
<b>State Board of Occupational Therapy Education and Licensure</b>	<b>\$328,248.35</b>	<b>\$320,108.97</b>	<b>\$371,193.52</b>	<b>\$397,000</b>

(24) For any regulation that may have an adverse impact on small businesses (as defined in Section 3 of the Regulatory Review Act, Act 76 of 2012), provide an economic impact statement that includes the following:

- (a) An identification and estimate of the number of small businesses subject to the regulation.
- (b) The projected reporting, recordkeeping and other administrative costs required for compliance with the proposed regulation, including the type of professional skills necessary for preparation of the report or record.
- (c) A statement of probable effect on impacted small businesses.
- (d) A description of any less intrusive or less costly alternative methods of achieving the purpose of the proposed regulation.

**This regulation will not have an adverse impact on small businesses.**

(25) List any special provisions which have been developed to meet the particular needs of affected groups or persons including, but not limited to, minorities, the elderly, small businesses, and farmers.

**No special provisions are required to address any particular group.**

(26) Include a description of any alternative regulatory provisions which have been considered and rejected and a statement that the least burdensome acceptable alternative has been selected.

**The Board compared its current regulations at § 42.24 with the 2010 AOTA Code and Standards and the 2015 AOTA Code of Ethics, neither of which burden the regulated community or the public.**

(27) In conducting a regulatory flexibility analysis, explain whether regulatory methods were considered that will minimize any adverse impact on small businesses (as defined in Section 3 of the Regulatory Review Act, Act 76 of 2012), including:

- a) The establishment of less stringent compliance or reporting requirements for small businesses;
- b) The establishment of less stringent schedules or deadlines for compliance or reporting requirements for small businesses;
- c) The consolidation or simplification of compliance or reporting requirements for small businesses;
- d) The establishment of performing standards for small businesses to replace design or operational standards required in the regulation; and
- e) The exemption of small businesses from all or any part of the requirements contained in the regulation.

**This regulation will not have any adverse impact on small businesses.**

(28) If data is the basis for this regulation, please provide a description of the data, explain in detail how the data was obtained, and how it meets the acceptability standard for empirical, replicable and testable data that is supported by documentation, statistics, reports, studies or research. Please submit data or supporting materials with the regulatory package. If the material exceeds 50 pages, please provide it in a searchable electronic format or provide a list of citations and internet links that, where possible, can be accessed in a searchable format in lieu of the actual material. If other data was considered but not used, please explain why that data was determined not to be acceptable.

**No data forms the basis for this regulation.**

**The final rulemaking adopts by reference the 2015 AOTA Code of Ethics. (See Attachment "A")**

(29) Include a schedule for review of the regulation including:

A. The length of the public comment period: **30 days**

B. The date or dates on which public meetings or hearings will be held:

**The Board discusses all regulatory proposals at its regularly scheduled public meetings, generally held quarterly. The upcoming board meeting dates for 2018 are: March 1, June 7, September 6 and December 6, 2018.**

C. The expected date of delivery of the final-form regulation: **By March 21, 2018**

D. The expected effective date of the final-form regulation: **Upon publication**

E. The date by which compliance with the final-form regulation will be required: **Upon publication**

F. The date by which required permits, licenses or other approvals must be obtained: **N/A**

(30) Describe the plan developed for evaluating the continuing effectiveness of the regulations after its implementation.

**The Board evaluates the continuing effectiveness of its regulations on at least an annual basis in accordance with Executive Order 1996-1. All regulatory proposals are discussed at public board meetings. The board meeting dates in 2018 are as follows: March 1, June 7, September 6 and December 6, 2018.**

# ATTACHMENT "A"

1. 2015 American Occupational Therapy Association (AOTA) Occupational Therapy Code of Ethics.

# Occupational Therapy Code of Ethics (2015)

## Preamble

The 2015 *Occupational Therapy Code of Ethics* (Code) of the American Occupational Therapy Association (AOTA) is designed to reflect the dynamic nature of the profession, the evolving health care environment, and emerging technologies that can present potential ethical concerns in research, education, and practice. AOTA members are committed to promoting inclusion, participation, safety, and well-being for all recipients in various stages of life, health, and illness and to empowering all beneficiaries of service to meet their occupational needs. Recipients of services may be individuals, groups, families, organizations, communities, or populations (AOTA, 2014b).

The Code is an AOTA Official Document and a public statement tailored to address the most prevalent ethical concerns of the occupational therapy profession. It outlines Standards of Conduct the public can expect from those in the profession. It should be applied to all areas of occupational therapy and shared with relevant stakeholders to promote ethical conduct.

The Code serves two purposes:

1. It provides aspirational Core Values that guide members toward ethical courses of action in professional and volunteer roles, and
2. It delineates enforceable Principles and Standards of Conduct that apply to AOTA members.

Whereas the Code helps guide and define decision-making parameters, ethical action goes beyond rote compliance with these Principles and is a manifestation of moral character and mindful reflection. It is a commitment to benefit others, to virtuous practice of artistry and science, to genuinely good behaviors, and to noble acts of courage. Recognizing and resolving ethical issues is a systematic process that includes analysis of the complex dynamics of situations, weighing of consequences, making reasoned decisions, taking action, and reflecting on outcomes. Occupational therapy personnel, including students in occupational therapy programs, are expected to abide by the Principles and Standards of Conduct within this Code. Personnel roles include clinicians (e.g., direct service, consultation, administration); educators; researchers; entrepreneurs; business owners; and those in elected, appointed, or other professional volunteer service.

The process for addressing ethics violations by AOTA members (and associate members, where applicable) is outlined in the Code's Enforcement Procedures (AOTA, 2014a).

Although the Code can be used in conjunction with licensure board regulations and laws that guide standards of practice, the Code is meant to be a free-standing document, guiding ethical dimensions of professional behavior, responsibility, practice, and decision making. This Code is not exhaustive; that is, the Principles and Standards of Conduct cannot address every possible situation. Therefore, before making complex ethical decisions that require further expertise, occupational therapy personnel should seek out resources to assist in resolving ethical issues not addressed in this document. Resources can include, but are not limited to, ethics committees,

ethics officers, the AOTA Ethics Commission or Ethics Program Manager, or an ethics consultant.

### **Core Values**

The profession is grounded in seven long-standing Core Values: (1) Altruism, (2) Equality, (3) Freedom, (4) Justice, (5) Dignity, (6) Truth, and (7) Prudence. *Altruism* involves demonstrating concern for the welfare of others. *Equality* refers to treating all people impartially and free of bias. *Freedom* and personal choice are paramount in a profession in which the values and desires of the client guide our interventions. *Justice* expresses a state in which diverse communities are inclusive; diverse communities are organized and structured such that all members can function, flourish, and live a satisfactory life. Occupational therapy personnel, by virtue of the specific nature of the practice of occupational therapy, have a vested interest in addressing unjust inequities that limit opportunities for participation in society (Braveman & Bass-Haugen, 2009).

Inherent in the practice of occupational therapy is the promotion and preservation of the individuality and *Dignity* of the client, by treating him or her with respect in all interactions. In all situations, occupational therapy personnel must provide accurate information in oral, written, and electronic forms (*Truth*). Occupational therapy personnel use their clinical and ethical reasoning skills, sound judgment, and reflection to make decisions in professional and volunteer roles (*Prudence*).

The seven Core Values provide a foundation to guide occupational therapy personnel in their interactions with others. Although the Core Values are not themselves enforceable standards, they should be considered when determining the most ethical course of action.

### **Principles and Standards of Conduct**

The Principles and Standards of Conduct that are enforceable for professional behavior include (1) Beneficence, (2) Nonmaleficence, (3) Autonomy, (4) Justice, (5) Veracity, and (6) Fidelity. Reflection on the historical foundations of occupational therapy and related professions resulted in the inclusion of Principles that are consistently referenced as a guideline for ethical decision making.

#### **Beneficence**

**Principle 1. Occupational therapy personnel shall demonstrate a concern for the well-being and safety of the recipients of their services.**

Beneficence includes all forms of action intended to benefit other persons. The term *beneficence* connotes acts of mercy, kindness, and charity (Beauchamp & Childress, 2013). Beneficence requires taking action by helping others, in other words, by promoting good, by preventing harm, and by removing harm. Examples of beneficence include protecting and defending the rights of others, preventing harm from occurring to others, removing conditions that will cause harm to others, helping persons with disabilities, and rescuing persons in danger (Beauchamp & Childress, 2013).

## Related Standards of Conduct

### Occupational therapy personnel shall

- A. Provide appropriate evaluation and a plan of intervention for recipients of occupational therapy services specific to their needs.
- B. Reevaluate and reassess recipients of service in a timely manner to determine whether goals are being achieved and whether intervention plans should be revised.
- C. Use, to the extent possible, evaluation, planning, intervention techniques, assessments, and therapeutic equipment that are evidence based, current, and within the recognized scope of occupational therapy practice.
- D. Ensure that all duties delegated to other occupational therapy personnel are congruent with credentials, qualifications, experience, competency, and scope of practice with respect to service delivery, supervision, fieldwork education, and research.
- E. Provide occupational therapy services, including education and training, that are within each practitioner's level of competence and scope of practice.
- F. Take steps (e.g., continuing education, research, supervision, training) to ensure proficiency, use careful judgment, and weigh potential for harm when generally recognized standards do not exist in emerging technology or areas of practice.
- G. Maintain competency by ongoing participation in education relevant to one's practice area.
- H. Terminate occupational therapy services in collaboration with the service recipient or responsible party when the services are no longer beneficial.
- I. Refer to other providers when indicated by the needs of the client.
- J. Conduct and disseminate research in accordance with currently accepted ethical guidelines and standards for the protection of research participants, including determination of potential risks and benefits.

## Nonmaleficence

### Principle 2. Occupational therapy personnel shall refrain from actions that cause harm.

*Nonmaleficence* "obligates us to abstain from causing harm to others" (Beauchamp & Childress, 2013, p. 150). The Principle of *Nonmaleficence* also includes an obligation to not impose risks of harm even if the potential risk is without malicious or harmful intent. This Principle often is examined under the context of due care. The standard of *due care* "requires that the goals pursued justify the risks that must be imposed to achieve those goals" (Beauchamp & Childress, 2013, p. 154). For example, in occupational therapy practice, this standard applies to situations in which the client might feel pain from a treatment intervention; however, the acute pain is justified by potential longitudinal, evidence-based benefits of the treatment.

## Related Standards of Conduct

### **Occupational therapy personnel shall**

- A. Avoid inflicting harm or injury to recipients of occupational therapy services, students, research participants, or employees.
- B. Avoid abandoning the service recipient by facilitating appropriate transitions when unable to provide services for any reason.
- C. Recognize and take appropriate action to remedy personal problems and limitations that might cause harm to recipients of service, colleagues, students, research participants, or others.
- D. Avoid any undue influences that may impair practice and compromise the ability to safely and competently provide occupational therapy services, education, or research.
- E. Address impaired practice and when necessary report to the appropriate authorities.
- F. Avoid dual relationships, conflicts of interest, and situations in which a practitioner, educator, student, researcher, or employer is unable to maintain clear professional boundaries or objectivity.
- G. Avoid engaging in sexual activity with a recipient of service, including the client's family or significant other, student, research participant, or employee, while a professional relationship exists.
- H. Avoid compromising rights or well-being of others based on arbitrary directives (e.g., unrealistic productivity expectations, falsification of documentation, inaccurate coding) by exercising professional judgment and critical analysis.
- I. Avoid exploiting any relationship established as an occupational therapy clinician, educator, or researcher to further one's own physical, emotional, financial, political, or business interests at the expense of recipients of services, students, research participants, employees, or colleagues.
- J. Avoid bartering for services when there is the potential for exploitation and conflict of interest.

### **Autonomy**

#### **Principle 3. Occupational therapy personnel shall respect the right of the individual to self-determination, privacy, confidentiality, and consent.**

The Principle of *Autonomy* expresses the concept that practitioners have a duty to treat the client according to the client's desires, within the bounds of accepted standards of care, and to protect the client's confidential information. Often, respect for Autonomy is referred to as the *self-determination principle*. However, respecting a person's autonomy goes beyond acknowledging an individual as a mere agent and also acknowledges a person's right "to hold views, to make choices, and to take actions based on [his or her] values and beliefs" (Beauchamp & Childress, 2013, p. 106). Individuals have the right to make a determination regarding care decisions that directly affect their lives. In the event that a person lacks decision-making capacity, his or her autonomy should be respected through involvement of an authorized agent or surrogate decision maker.

## **Related Standards of Conduct**

### **Occupational therapy personnel shall**

- A. Respect and honor the expressed wishes of recipients of service.
- B. Fully disclose the benefits, risks, and potential outcomes of any intervention; the personnel who will be providing the intervention; and any reasonable alternatives to the proposed intervention.
- C. Obtain consent after disclosing appropriate information and answering any questions posed by the recipient of service or research participant to ensure voluntariness.
- D. Establish a collaborative relationship with recipients of service and relevant stakeholders, to promote shared decision making.
- E. Respect the client's right to refuse occupational therapy services temporarily or permanently, even when that refusal has potential to result in poor outcomes.
- F. Refrain from threatening, coercing, or deceiving clients to promote compliance with occupational therapy recommendations.
- G. Respect a research participant's right to withdraw from a research study without penalty.
- H. Maintain the confidentiality of all verbal, written, electronic, augmentative, and nonverbal communications, in compliance with applicable laws, including all aspects of privacy laws and exceptions thereto (e.g., Health Insurance Portability and Accountability Act, Family Educational Rights and Privacy Act).
- I. Display responsible conduct and discretion when engaging in social networking, including but not limited to refraining from posting protected health information.
- J. Facilitate comprehension and address barriers to communication (e.g., aphasia; differences in language, literacy, culture) with the recipient of service (or responsible party), student, or research participant.

## **Justice**

### **Principle 4. Occupational therapy personnel shall promote fairness and objectivity in the provision of occupational therapy services.**

The Principle of *Justice* relates to the fair, equitable, and appropriate treatment of persons (Beauchamp & Childress, 2013). Occupational therapy personnel should relate in a respectful, fair, and impartial manner to individuals and groups with whom they interact. They should also respect the applicable laws and standards related to their area of practice. Justice requires the impartial consideration and consistent following of rules to generate unbiased decisions and promote fairness. As occupational therapy personnel, we work to uphold a society in which all individuals have an equitable opportunity to achieve occupational engagement as an essential component of their life.

## **Related Standards of Conduct**

### **Occupational therapy personnel shall**

- A. Respond to requests for occupational therapy services (e.g., a referral) in a timely manner as determined by law, regulation, or policy.
- B. Assist those in need of occupational therapy services to secure access through available means.
- C. Address barriers in access to occupational therapy services by offering or referring clients to financial aid, charity care, or pro bono services within the parameters of organizational policies.
- D. Advocate for changes to systems and policies that are discriminatory or unfairly limit or prevent access to occupational therapy services.
- E. Maintain awareness of current laws and AOTA policies and Official Documents that apply to the profession of occupational therapy.
- F. Inform employers, employees, colleagues, students, and researchers of applicable policies, laws, and Official Documents.
- G. Hold requisite credentials for the occupational therapy services they provide in academic, research, physical, or virtual work settings.
- H. Provide appropriate supervision in accordance with AOTA Official Documents and relevant laws, regulations, policies, procedures, standards, and guidelines.
- I. Obtain all necessary approvals prior to initiating research activities.
- J. Refrain from accepting gifts that would unduly influence the therapeutic relationship or have the potential to blur professional boundaries, and adhere to employer policies when offered gifts.
- K. Report to appropriate authorities any acts in practice, education, and research that are unethical or illegal.
- L. Collaborate with employers to formulate policies and procedures in compliance with legal, regulatory, and ethical standards and work to resolve any conflicts or inconsistencies.
- M. Bill and collect fees legally and justly in a manner that is fair, reasonable, and commensurate with services delivered.
- N. Ensure compliance with relevant laws and promote transparency when participating in a business arrangement as owner, stockholder, partner, or employee.
- O. Ensure that documentation for reimbursement purposes is done in accordance with applicable laws, guidelines, and regulations.
- P. Refrain from participating in any action resulting in unauthorized access to educational content or exams (including but not limited to sharing test questions, unauthorized use of or access to content or codes, or selling access or authorization codes).

### **Veracity**

**Principle 5. Occupational therapy personnel shall provide comprehensive, accurate, and objective information when representing the profession.**

Veracity is based on the virtues of truthfulness, candor, and honesty. The Principle of *Veracity* refers to comprehensive, accurate, and objective transmission of information and includes fostering understanding of such information (Beauchamp & Childress, 2013). Veracity is based on respect owed to others, including but not limited to recipients of service, colleagues, students, researchers, and research participants.

In communicating with others, occupational therapy personnel implicitly promise to be truthful and not deceptive. When entering into a therapeutic or research relationship, the recipient of service or research participant has a right to accurate information. In addition, transmission of information is incomplete without also ensuring that the recipient or participant understands the information provided.

Concepts of veracity must be carefully balanced with other potentially competing ethical principles, cultural beliefs, and organizational policies. Veracity ultimately is valued as a means to establish trust and strengthen professional relationships. Therefore, adherence to the Principle of Veracity also requires thoughtful analysis of how full disclosure of information may affect outcomes.

**Related Standards of Conduct**

**Occupational therapy personnel shall**

- A. Represent credentials, qualifications, education, experience, training, roles, duties, competence, contributions, and findings accurately in all forms of communication.
- B. Refrain from using or participating in the use of any form of communication that contains false, fraudulent, deceptive, misleading, or unfair statements or claims.
- C. Record and report in an accurate and timely manner and in accordance with applicable regulations all information related to professional or academic documentation and activities.
- D. Identify and fully disclose to all appropriate persons errors or adverse events that compromise the safety of service recipients.
- E. Ensure that all marketing and advertising are truthful, accurate, and carefully presented to avoid misleading recipients of service, research participants, or the public.
- F. Describe the type and duration of occupational therapy services accurately in professional contracts, including the duties and responsibilities of all involved parties.
- G. Be honest, fair, accurate, respectful, and timely in gathering and reporting fact-based information regarding employee job performance and student performance.
- H. Give credit and recognition when using the ideas and work of others in written, oral, or electronic media (i.e., do not plagiarize).
- I. Provide students with access to accurate information regarding educational requirements and academic policies and procedures relative to the occupational therapy program or educational institution.

- J. Maintain privacy and truthfulness when utilizing telecommunication in delivery of occupational therapy services.

## **Fidelity**

### **Principle 6. Occupational therapy personnel shall treat clients, colleagues, and other professionals with respect, fairness, discretion, and integrity.**

The Principle of *Fidelity* comes from the Latin root *fidelis*, meaning loyal. *Fidelity* refers to the duty one has to keep a commitment once it is made (Veatch, Haddad, & English, 2010). In the health professions, this commitment refers to promises made between a provider and a client or patient based on an expectation of loyalty, staying with the patient in a time of need, and compliance with a code of ethics. These promises can be implied or explicit. The duty to disclose information that is potentially meaningful in making decisions is one obligation of the moral contract between provider and client or patient (Veatch et al., 2010).

Whereas respecting Fidelity requires occupational therapy personnel to meet the client's reasonable expectations, the Principle also addresses maintaining respectful collegial and organizational relationships (Purtilo & Doherty, 2011). Professional relationships are greatly influenced by the complexity of the environment in which occupational therapy personnel work. Practitioners, educators, and researchers alike must consistently balance their duties to service recipients, students, research participants, and other professionals as well as to organizations that may influence decision making and professional practice.

## **Related Standards of Conduct**

### **Occupational therapy personnel shall**

- A. Preserve, respect, and safeguard private information about employees, colleagues, and students unless otherwise mandated or permitted by relevant laws.
- B. Address incompetent, disruptive, unethical, illegal, or impaired practice that jeopardizes the safety or well-being of others and team effectiveness.
- C. Avoid conflicts of interest or conflicts of commitment in employment, volunteer roles, or research.
- D. Avoid using one's position (employee or volunteer) or knowledge gained from that position in such a manner as to give rise to real or perceived conflict of interest among the person, the employer, other AOTA members, or other organizations.
- E. Be diligent stewards of human, financial, and material resources of their employers, and refrain from exploiting these resources for personal gain.
- F. Refrain from verbal, physical, emotional, or sexual harassment of peers or colleagues.
- G. Refrain from communication that is derogatory, intimidating, or disrespectful and that unduly discourages others from participating in professional dialogue.
- H. Promote collaborative actions and communication as a member of interprofessional teams to facilitate quality care and safety for clients.

- I. Respect the practices, competencies, roles, and responsibilities of their own and other professions to promote a collaborative environment reflective of interprofessional teams.
- J. Use conflict resolution and internal and alternative dispute resolution resources as needed to resolve organizational and interpersonal conflicts, as well as perceived institutional ethics violations.
- K. Abide by policies, procedures, and protocols when serving or acting on behalf of a professional organization or employer to fully and accurately represent the organization's official and authorized positions.
- L. Refrain from actions that reduce the public's trust in occupational therapy.
- M. Self-identify when personal, cultural, or religious values preclude, or are anticipated to negatively affect, the professional relationship or provision of services, while adhering to organizational policies when requesting an exemption from service to an individual or group on the basis of conflict of conscience.

## References

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- Veatch, R. M., Haddad, A. M., & English, D. C. (2010). *Case studies in biomedical ethics*. New York: Oxford University Press.

### Ethics Commission (EC)

- Yvette Hachtel, JD, OTR/L, EC Chair (2013–2014)  
 Lea Cheyney Brandt, OTD, MA, OTR/L, EC Chair (2014–2015)  
 Ann Moodey Ashe, MHS, OTR/L (2011–2014)  
 Joanne Estes, PhD, OTR/L (2012–2015)  
 Loretta Jean Foster, MS, COTA/L (2011–2014)  
 Wayne L. Winistorfer, MPA, OTR (2014–2017)  
 Linda Scheirton, PhD, RDH (2012–2015)  
 Kate Payne, JD, RN (2013–2014)  
 Margaret R. Moon, MD, MPH, FAAP (2014–2016)

Kimberly S. Erler, MS, OTR/L (2014–2017)  
Kathleen McCracken, MHA, COTA/L (2014–2017)  
Deborah Yarett Slater, MS, OT/L, FAOTA, AOTA Ethics Program Manager

*Adopted by the Representative Assembly 2015 April C3.*

*Note.* This document replaces the 2010 document *Occupational Therapy Code of Ethics and Ethics Standards (2010)*, previously published and copyrighted in 2010 by the American Occupational Therapy Association in the *American Journal of Occupational Therapy*, 64, S17–S26. <http://dx.doi.org/10.5014/ajot.2010.64S17>

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*Citation.* American Occupational Therapy Association. (in press). Occupational therapy code of ethics (2015). *American Journal of Occupational Therapy*, 69(Suppl. 3).

# ATTACHMENT “B”

1. OT/OTA License Application
2. Renewal Application—Occupational Therapist
3. Renewal Application—Occupational Therapy Assistant
4. Reactivation Application—Occupational Therapist
5. Reactivation Application—Occupational Therapy Assistant



**STATE BOARD OF OCCUPATIONAL THERAPY EDUCATION AND LICENSURE**

P.O. Box 2649  
Harrisburg, PA 17105-2649

**Telephone:** (717) 783-1389  
**Fax:** (717) 787-7769  
**Website:** [www.dos.pa.gov/therapy](http://www.dos.pa.gov/therapy)  
**E-Mail:** [st-occupational@pa.gov](mailto:st-occupational@pa.gov)

**Courier Address:**  
2601 North Third Street  
Harrisburg, PA 17110

Dear Applicant:

The State Board of Occupational Therapy Education and Licensure welcomes you and wishes to assist you in your endeavor to work in Pennsylvania in your chosen field of Occupational Therapy.

In order to practice as an Occupational Therapist or an Occupational Therapy Assistant in the Commonwealth of Pennsylvania, you must hold a license issued by the Board. To obtain a license, please be sure to read all instructions and complete the enclosed application.

**TEMPORARY** to become permanent licenses are designed to accommodate students/new graduates. You may begin the license application process during your last fieldwork II assignment. Graduates of foreign schools who **have not** yet taken the exam should also apply for this type of license. Follow the instructions for **TEMPORARY** to become permanent licenses.

**PLEASE NOTE: HOLDERS OF A TEMPORARY LICENSE, BOTH OCCUPATIONAL THERAPISTS AND OCCUPATIONAL THERAPY ASSISTANTS, MAY PROVIDE SERVICES ONLY UNDER THE DIRECT SUPERVISION OF A PENNSYLVANIA LICENSED OCCUPATIONAL THERAPIST, AND ARE REQUIRED TO SIT FOR THE NEXT EXAMINATION.**

All other applicants should apply for **PERMANENT** licenses. When you obtain your permanent license, it will be necessary to renew the license by June 30th of every odd numbered year.

If the name you are currently using on your application is different than the name you used on any of the other documents required to be submitted with your application, or if you change your name after you submit this application, send evidence of your name change within ten (10) days. For example, send a copy of marriage certificate or court order authorizing the name change.

**Licenses are not forwarded.** Provide your current address to receive correspondence from the Board. It is the applicant's responsibility to inform the Board of an address change within ten (10) days of the change. Refer to the "Name/Address Change" form located on our website.

If a pending application is older than one year from the date submitted online and the applicant wishes to continue the application process, the Board shall require the applicant to submit a new application including the required fee. In order to complete the application process, many of the supporting documents associated with the application cannot be more than six months from the date of issuance. The Board will notify you if additional information is required.

**YOU MAY NOT PRACTICE IN PENNSYLVANIA UNTIL YOU HAVE A TEMPORARY OR PERMANENT LICENSE. LICENSES ARE NOT ISSUED UNTIL ALL NECESSARY DOCUMENTS ARE RECEIVED IN THE BOARD OFFICE.**

**INSTRUCTIONS FOR TEMPORARY LICENSE (to become permanent)**

1. Eligibility Requirements

- a. Applicant is eligible and has applied to take the National Board for Certification in Occupational Therapy, Inc. (NBCOT) Examination for the first time

OR

- b. Applicant has failed the examination once and has applied for re-examination on the next scheduled examination administration.

**PLEASE NOTE:** *The Occupational Therapy Law and regulations state that temporary license holders who fail the examination for the first time are permitted to continue to practice but are required to sit for the next scheduled exam. Procedure: Upon notification of first time failure, the temporary license holder must contact NBCOT, [www.nbcot.org](http://www.nbcot.org) to request that a Verification of Confirmation of Examination Registration and Eligibility to Examine be submitted to the Board office within 90 days of the date of the failed examination. If the Board office does not receive a Verification of Confirmation of Examination Registration and Eligibility to Examine directly from NBCOT within 90 days of the date of the failed examination, the temporary license will be null and void and the temporary license holder will receive a notice from the Board requesting that the temporary license be returned to the Board office for failure to sit for the next available examination.*

2. If applicant is eligible under one of the above criteria:

- a. Complete, sign and date pages 1 and 2 of the application and forward with a \$50.00 check or money order made payable to Commonwealth of PA directly to the Board office. Fee is not refundable or transferable. If you do not receive your temporary to become permanent license within one year from the date your application is received, you will be required to submit another application fee. A processing fee of \$20.00 will be charged for any check or money order returned unpaid by your bank, regardless of the reason for non-payment.
- b. On page 3 of the application, complete Part I and forward to your school for completion of Part II. The school must forward it **directly** to the Board office in a sealed official school envelope. (**DO NOT COMPLETE** this page if you are a graduate of a foreign school.)
- c. Graduates of foreign schools must request that a credential evaluation be submitted from NBCOT, directly to the Board office in a sealed official envelope from NBCOT.
- d. Request Verification of Confirmation of Examination Registration and Eligibility to Examine to be forwarded from the NBCOT, **directly** to the Board office in a sealed official envelope of NBCOT.
- e. The Bureau of Professional and Occupational Affairs (BPOA), in conjunction with the Department of Human Services (DHS), is providing notice to all health-related licensees and funeral directors that are considered "mandatory reporters" under section 6311 of the Child Protective Services Law (CPSL) (23 P.S. § 6311), as amended, that **EFFECTIVE JANUARY 1, 2015**, all persons applying for issuance of an initial license shall be required to complete 3 hours of DHS-approved training in child abuse recognition and reporting requirements as a condition of licensure. Please review the Board website for further information on approved CE providers. Child Abuse Continuing Education Providers Information can be found on the Board's website: [www.dos.pa.gov](http://www.dos.pa.gov). Once you have completed a course, the approved provider will electronically submit your name, date of attendance, etc., to the Board.
- f. **Effective August 1, 2016**, provide a Self-Query from the National Practitioner Data Bank completed within 6 months of submission of this application to the Board. A Self-Query can be requested online at <https://www.npdb.hrsa.gov/>. When you receive the "Self-Query Response" from the National Practitioner Data Bank, forward it to the Board office. (Verify that "Self-Query Response" is sent to the Board and not a discrepancy notice.)

3. To change a Temporary to a Permanent license:

When you apply for the NBCOT Examination, the application instructs you to specify to which states you wish your score reports be sent. You will need to include Pennsylvania so that the Board office receives your official score from NBCOT. After the Board receives your passing score, the temporary license will be made null and void and the permanent license will be issued. You do not need to reapply for a permanent license unless your application expires prior to you receiving the license.

**INSTRUCTIONS FOR PERMANENT LICENSES**

1. Eligibility Requirements - Applicant is a graduate of an AOTA accredited school or a foreign equivalent school as determined by AOTA, and has passed the NBCOT (AOTCB) examination. Applicant may hold a current/active license in another state and proof of current NBCOT certification or hold current NBCOT certification.
2. If applicant is eligible under the above criteria:
  - a. Complete, sign and date pages 1 and 2, and forward with \$30.00 check or money order made payable to Commonwealth of PA directly to the Board office. *Fee is not refundable or transferable.* If you do not receive your permanent license within one year from the date your application is received, you will be required to submit another application fee. A processing fee of \$20.00 will be charged for any check or money order returned unpaid by your bank, regardless of the reason for non-payment.
  - b. On page 3 of the application, complete Part I and forward to your school for completion of Part II. The school must forward it **directly** to the Board office in a sealed official school envelope. (**DO NOT COMPLETE** this page if you are a graduate of a foreign school.)
  - c. Graduates of foreign schools must request that a credential evaluation be submitted from NBCOT, **directly** to the Board office in a sealed official envelope from NBCOT.
  - d. Request each state in which you now hold or ever held a license, certificate, permit, registration or other authorization to practice a profession or occupation in any state or jurisdiction, to forward a "Letter of Good Standing" **directly** to the Board office in a sealed official state board envelope.
  - e. You must request NBCOT, to send a "Verification of Certification" **directly** to the Board office in a sealed official envelope of NBCOT. *Note: The Verification of Certification must reflect "current" certification status if you do not hold an active/current license in another state.*
  - f. The Bureau of Professional and Occupational Affairs (BPOA), in conjunction with the Department of Human Services (DHS), is providing notice to all health-related licensees and funeral directors that are considered "mandatory reporters" under section 6311 of the Child Protective Services Law (CPSL) (23 P.S. § 6311), as amended, that EFFECTIVE JANUARY 1, 2015, all persons applying for issuance of an initial license shall be required to complete 3 hours of DHS-approved training in child abuse recognition and reporting requirements as a condition of licensure. Please review the Board website for further information on approved CE providers. Child Abuse Continuing Education Providers Information can be found on the Board's website: [www.dos.pa.gov](http://www.dos.pa.gov). Once you have completed a course, the approved provider will electronically submit your name, date of attendance, etc., to the Board.
  - g. **Effective August 1, 2016**, provide a Self-Query from the National Practitioner Data Bank completed within 6 months of submission of this application to the Board. A Self-Query can be requested online at <https://www.npdb.hrsa.gov/>. When you receive the "Self-Query Response" from the National Practitioner Data Bank, forward it to the Board office. (Verify that "Self-Query Response" is sent to the Board and not a discrepancy notice.)

**NOTICE TO ALL LICENSEES**

A revised Code of Ethics was adopted by the Board on \_\_\_\_\_ at 49 Pa. Code § 42.24 and is available on the Board's website at [www.dos.pa.gov/therapy](http://www.dos.pa.gov/therapy).

**For Occupational Therapists, effective July 1, 2013**

**Under the Occupational Therapy Law, in order to hold an occupational therapy license in the Commonwealth of Pennsylvania, you are required to have professional liability insurance in the minimum of one million dollars (\$1,000,000) per occurrence or claims made.**

Acceptable coverage shall include:

- 1) Personally purchased professional liability insurance;
- 2) Self-insurance;
- 3) Professional liability insurance coverage provided by the occupational therapist's employer.

Therefore, you have 30 days from the date your license is issued to provide proof of acceptable coverage which may include a certificate of insurance issued by the insurer or a copy of the declarations page of the professional liability insurance policy or a letter from the applicant's professional liability insurance carrier indicating that the applicant will be covered against professional liability in the required amounts effective upon the issuance of the applicant's license to practice occupational therapy in this Commonwealth. For professional liability insurance coverage through the occupational therapist's employer, documentation must reflect you as a named insured. Failure to do so shall result in automatic suspension of your professional license.

**STATE BOARD OF OCCUPATIONAL THERAPY  
EDUCATION AND LICENSURE**

**Mailing Address:**

P.O. Box 2649  
Harrisburg, PA 17105-2649  
Telephone: (717) 783-1389  
E-Mail: st-occupational@pa.gov  
Website: www.dos.pa.gov/therapy

**Courier Address:**

2601 North Third Street  
Harrisburg, PA 17110  
Fax: (717) 787-7769

<b>OFFICIAL USE ONLY</b>	
Temp Lic #	_____
Elig exp	_____
Exam result	_____
Exam result	_____
License #	_____

**OT/OTA LICENSE APPLICATION**

**LICENSE CLASS (CHECK ONE)**

- Occupational Therapist
- Occupational Therapy Assistant

**TYPE OF LICENSE (CHECK ONE)**

**FEE**

- Temporary ..... \$50.00
- Permanent ..... \$30.00

**MAKE FEE PAYABLE TO "COMMONWEALTH OF PENNSYLVANIA". FEE IS NOT REFUNDABLE OR TRANSFERABLE. IF YOU DO NOT RECEIVE YOUR TEMPORARY LICENSE/PERMANENT LICENSE WITHIN ONE YEAR FROM THE DATE YOUR APPLICATION IS RECEIVED, YOU WILL BE REQUIRED TO SUBMIT ANOTHER APPLICATION FEE. A PROCESSING FEE OF \$20.00 WILL BE CHARGED FOR ANY CHECK OR MONEY ORDER RETURNED UNPAID BY YOUR BANK, REGARDLESS OF THE REASON FOR NON-PAYMENT.**

**EDUCATION (CHECK ONE)**

- College
- University

Name of School \_\_\_\_\_

Date of (Expected) Graduation \_\_\_\_\_

If outside of the US, list country \_\_\_\_\_

**EXAMINATION**

Examination date/window that you sat/will sit for the NBCOT Examination: \_\_\_\_\_

**NAME**

Last	First	Middle	Maiden/Other name used
------	-------	--------	------------------------

**ADDRESS**

Street		
_____		
City	State	Zip Code

**SOCIAL SECURITY NO.** [ ] - [ ] - [ ]      **BIRTHDATE:** \_\_\_\_\_

**PHONE NUMBER:** ( ) - \_\_\_\_\_

**EMAIL ADDRESS:** \_\_\_\_\_



STATE BOARD OF OCCUPATIONAL THERAPY EDUCATION AND LICENSURE

P.O. Box 2649  
Harrisburg, PA 17105-2649

Telephone: (717) 783-1389  
Fax: (717) 787-7769  
Website: www.dos.pa.gov/therapy  
E-Mail: st-occupational@pa.gov

Courier Address:  
2601 North Third Street  
Harrisburg, PA 17110

**VERIFICATION OF OCCUPATIONAL THERAPY EDUCATION**

**GRADUATES OF A FOREIGN SCHOOL: DO NOT COMPLETE THIS FORM.** You must request that a credential evaluation be submitted from NBCOT, **directly** to the Board office in a sealed official envelope from NBCOT.

---

**PART I - TO BE COMPLETED BY APPLICANT AND FORWARDED TO SCHOOL PROGRAM DIRECTOR**

**NAME** \_\_\_\_\_  
Last First Middle Maiden/Other name used

**SOCIAL SECURITY #**  -  -

Indicate the examination window in which you sat/will be sitting for NBCOT Exam: \_\_\_\_\_

---

**PART II - TO BE COMPLETED BY SCHOOL PROGRAM DIRECTOR**

NAME OF OCCUPATIONAL THERAPY / OCCUPATIONAL THERAPY ASSISTANT SCHOOL

ADDRESS OF SCHOOL

1. I certify that the applicant has completed the required curriculum and supervised fieldwork experiences, and that the applicant is eligible to sit for the NBCOT Examination.
2. I hereby certify that to the best of my knowledge, the applicant is of good moral character.
3. Indicate the applicant's completion of program/curriculum date: \_\_\_\_\_
4. Indicate the applicant's graduation date/expected graduation date: \_\_\_\_\_
5. Indicate specific degree and major conferred/to be conferred: \_\_\_\_\_

SIGNATURE OF PROGRAM DIRECTOR: \_\_\_\_\_

DATE: \_\_\_\_\_ PHONE NUMBER: \_\_\_\_\_

( SCHOOL SEAL )

**THIS FORM IS TO BE RETURNED DIRECTLY TO THE BOARD OFFICE BY THE PROGRAM DIRECTOR IN A SEALED OFFICIAL SCHOOL ENVELOPE.**

# STATE BOARD OF OCCUPATIONAL THERAPY EDUCATION AND LICENSURE

## RENEWAL APPLICATION – Occupational Therapist

NAME \_\_\_\_\_

STREET ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP CODE \_\_\_\_\_

EMAIL ADDRESS: \_\_\_\_\_

**RETURN TO:**  
 State Board of Occupational Therapy  
 Education and Licensure  
 PO Box 8416  
 Harrisburg, PA 17105-8416

LICENSE NUMBER \_\_\_\_\_

- ADDRESS CHANGE** – Check if the address or email address above is a new address and not on file with the Board.
- NAME CHANGE** – If the name above is not the current name on the licensure records, submit a photocopy of a legal document verifying name change (i.e., marriage certificate, divorce decree or legal document indicating retaking of a maiden name, etc.)

**THE FOLLOWING QUESTIONS MUST BE ANSWERED**

YES	NO	If "YES" to any of the criminal/disciplinary action question(s), please attach certified copies of legal document(s).
		1. Do you hold, or have you ever held, a license, certificate, permit, registration or other authorization to practice ANY health-related profession in any other state or jurisdiction? If "Yes" please provide the profession and state or jurisdiction _____
		2. Since your initial application or last renewal, whichever is later, have you had disciplinary action taken against a professional or occupational license, certificate, permit or registration or other authorization to practice a profession or occupation issued to you in any state or jurisdiction or have you agreed to voluntary surrender in lieu of discipline?
		3. Do you currently have any disciplinary charges pending against your professional or occupational license, certificate, permit or registration in any state or jurisdiction?
		4. Since your initial application or last renewal, whichever is later, have you withdrawn an application for a professional or occupational license, certificate, permit or registration, had an application denied or refused, or for disciplinary reasons agreed not to reapply for professional or occupational license, certificate or registration in any state or jurisdiction?
		5. Since your initial application or last renewal, whichever is later, have you been convicted (found guilty, pled guilty or pled nolo contendere), received probation without verdict or accelerated rehabilitative disposition (ARD), as to any criminal charges, felony or misdemeanor, including any drug law violations? Note: You are not required to disclose any ARD or other criminal matter that has been expunged by order of a court.
		6. Do you currently have any criminal charges pending and unresolved in any state or jurisdiction?
		7. Since your initial application or last renewal, whichever is later, have you ever engaged in, the intemperate or habitual use or abuse of alcohol or narcotics, hallucinogenics, or other drugs or substances that may impair judgment or coordination?
		8. Since your initial application or last renewal, whichever is later, have you had provider privileges denied, revoked, suspended or restricted by a Medical Assistance agency, Medicare, third party payor or another authority?
		9. Since your initial application or last renewal, whichever is later, have you had practice privileges denied, revoked, suspended or restricted by a hospital or any health care facility?
		10. Since your initial application or last renewal, whichever is later, have you been charged by a hospital, university or research facility with violating research protocols, falsifying research, or engaging in other research misconduct?
		11. Do you maintain current professional liability insurance in the Commonwealth of Pennsylvania? If no, please attach an explanation on an 8 ½ x 11 sheet of paper.  Insurance company name _____ Policy number _____
		12. Have you completed 2 hours of Board-approved continuing education in child abuse recognition and reporting?

**SECTION A – CONTINUED COMPETENCY**

You are required to maintain certificates for a minimum of 5 years after completion of the program. Do not submit any certificates or proof of completion to the Board. The Board will be conducting a random audit and you will be required to supply them to the Board upon request.

SELECT ONE BELOW:

- I have attended/completed the required 24 contact hours of continued competency activities during the period from July 1, 2017 to June 30, 2019, in acceptable activities obtained through approved program sponsors or through continued competency activities.
- I have received written approval from the Board for an extension or waiver of the required continuing competency based on an illness, emergency or hardship.
- I am exempt from the continued competency activities due to this being my first biennial renewal of my license. This exemption does not exempt me from the mandatory child abuse reporter training under Act 31.

**NOTE:** An individual who provides false or misleading information regarding the completion of continuing competency requirements is subject to disciplinary action for failure to complete continuing competency and for submitting a false or deceptive license renewal application.

**SECTION B – VERIFICATION OF INFORMATION & COMPLIANCE**

I verify that this form is in the original format as supplied by the Department of State and has not been altered or otherwise modified in any way. I am aware of the criminal penalties for tampering with public records or information pursuant to 18 Pa. C.S. 4911.

I verify that the statements in this application are true and correct to the best of my knowledge, information and belief. I understand that false statements are made subject to the penalties of 18 Pa. C.S. 4904 (relating to unsworn falsification to authorities) and may result in the suspension, revocation or denial of my license, certificate, permit or registration.

\_\_\_\_\_

Printed Name of Applicant
Signature of Applicant
Date

**INACTIVE STATUS**

If you will not be practicing occupational therapy in Pennsylvania after June 30, 2019, you may place your license on inactive status by checking the box below. The form must be completed in its entirety. If you are requesting inactive status, you are not required to submit a fee, complete continued competency activities, or maintain malpractice insurance.

- I will not be practicing as an occupational therapist in Pennsylvania after June 30, 2019, and request inactive status.

**CODE OF ETHICS**

A revised Code of Ethics was adopted by the Board on \_\_\_\_\_ at 49 Pa. Code § 42.24 and is available on the Board's website at [www.dos.pa.gov/therapy](http://www.dos.pa.gov/therapy).

<b>EXPIRATION DATE:</b>	June 30, 2019 NOTE: Upon renewal the license will expire June 30, 2021
<b>FEE – Payable to "COMMONWEALTH OF PENNSYLVANIA"</b>	\$55.00
<p>Write your license number on your payment. A \$20.00 fee will be assessed for returned payments.</p> <p>LATE FEE – \$5.00 per month, or part of a month will be assessed if postmarked AFTER June 30, 2019 PRACTICING ON AN EXPIRED LICENSE MAY RESULT IN DISCIPLINARY ACTIONS AND ADDITIONAL MONETARY PENALTIES</p> <p><b>TO ENSURE YOU RECEIVE YOUR NEW LICENSE BEFORE IT EXPIRES RETURN BY: May 31, 2019</b></p>	

# STATE BOARD OF OCCUPATIONAL THERAPY EDUCATION AND LICENSURE RENEWAL APPLICATION – Occupational Therapy Assistant

NAME \_\_\_\_\_

STREET ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP CODE \_\_\_\_\_

EMAIL ADDRESS: \_\_\_\_\_

LICENSE NUMBER \_\_\_\_\_

**RETURN TO:**  
 State Board of Occupational Therapy  
 Education and Licensure  
 PO Box 8416  
 Harrisburg, PA 17105-8416

- ADDRESS CHANGE** – Check if the address or email address above is a new address and not on file with the Board.
- NAME CHANGE** – If the name above is not the current name on the licensure records, submit a photocopy of a legal document verifying name change (i.e., marriage certificate, divorce decree or legal document indicating retaking of a maiden name, etc.)

**THE FOLLOWING QUESTIONS MUST BE ANSWERED**

YES	NO	If "YES" to any of the criminal/disciplinary action question(s), please attach certified copies of legal document(s).
		1. Do you hold, or have you ever held, a license, certificate, permit, registration or other authorization to practice ANY health-related profession in any other state or jurisdiction?  If "Yes" please provide the profession and state or jurisdiction _____
		2. <del>Since your initial application</del> or last renewal, whichever is later, have you had disciplinary action taken against a professional or occupational license, certificate, permit, registration or other authorization to practice a profession or occupation issued to you in any state or jurisdiction?
		3. Do you currently have any disciplinary charges pending against your professional or occupational license, certificate, permit or registration in any state or jurisdiction?
		4. Since your initial application or last renewal, whichever is later, have you withdrawn an application for a professional or occupational license, certificate, permit or registration, had an application denied or refused, or for disciplinary reasons agreed not to apply or reapply for a professional or occupational license, certificate, permit or registration in any state or jurisdiction?
		5. Since your initial application or last renewal, whichever is later, have you been convicted (found guilty, pled guilty or pled nolo contendere), received probation without verdict or accelerated rehabilitative disposition (ARD), as to any criminal charges, felony or misdemeanor, including any drug law violations? Note: You are not required to disclose any ARD or other criminal matter that has been expunged by the order of a court.
		6. Do you currently have any criminal charges pending and unresolved in any state or jurisdiction?
		7. Since your initial application or last renewal, whichever is later, have you ever engaged in, the intemperate or habitual use or abuse of alcohol or narcotics, hallucinogenics, or other drugs or substances that may impair judgment or coordination?
		8. Since your initial application or last renewal, whichever is later, have your had provider privileges denied, revoked, suspended or restricted by a Medical Assistance agency, Medicare, third party payor or another authority?
		9. Since your initial application or last renewal, whichever is later, have you had practice privileges denied, revoked, suspended or restricted by a hospital or any health care facility?
		10. Since your initial application or last renewal, whichever is later, have you been charged by a hospital, university or research facility with violating research protocols, falsifying research, or engaging in other research misconduct?
		11. Have you completed 2 hours of Board approved continuing education in child abuse recognition and reporting?



# STATE BOARD OF OCCUPATIONAL THERAPY EDUCATION AND LICENSURE

## REACTIVATION APPLICATION – Occupational Therapy

NAME \_\_\_\_\_

STREET ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP CODE \_\_\_\_\_

EMAIL ADDRESS: \_\_\_\_\_

**State Board of Occupational Therapy  
Education and Licensure  
PO Box 2649  
Harrisburg, PA 17105-2649**

**Courier Address:  
2601 North Third Street  
Harrisburg, PA 17110**

LICENSE NUMBER \_\_\_\_\_

SOCIAL SECURITY NUMBER \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

- ADDRESS CHANGE** – Check if the address or email address above is a new address and not on file with the Board.
- NAME CHANGE** – If the name above is not the current name on the licensure records, submit a photocopy of a legal document verifying name change (i.e., marriage certificate, divorce decree or legal document indicating retaking of a maiden name, etc.)

**THE FOLLOWING QUESTIONS MUST BE ANSWERED**

YES	NO	If "YES" to any of the criminal/disciplinary action question(s), please attach certified copies of legal document(s).
		1. Do you hold, or have you ever held, a license, certificate, permit, registration or other authorization to practice ANY health-related profession in any other state or jurisdiction?  If "Yes" please provide the profession AND state or jurisdiction _____
		2. Since your initial application or last renewal, whichever is later, have you had disciplinary action taken against a professional or occupational license, certificate, permit, registration or other authorization to practice a profession or occupation issued to you in any state or jurisdiction?
		3. Do you currently have any disciplinary charges pending against your professional or occupational license, certificate, permit or registration in any state or jurisdiction?
		4. Since your initial application or last renewal, whichever is later, have you withdrawn an application for a professional or occupational license, certificate, permit or registration, had an application denied or refused, or for disciplinary reasons agreed not to apply or reapply for a professional or occupational license, certificate, permit or registration in any state or jurisdiction?
		5. Since your initial application or last renewal, whichever is later, have you been convicted (found guilty, pled guilty or pled nolo contendere), received probation without verdict or accelerated rehabilitative disposition (ARD), as to any criminal charges, felony or misdemeanor, including any drug law violations? Note: You are not required to disclose any ARD or other criminal matter that has been expunged by the order of a court.
		6. Do you currently have any criminal charges pending and unresolved in any state or jurisdiction?
		7. Since your initial application or last renewal, whichever is later, have you ever engaged in, the intemperate or habitual use or abuse of alcohol or narcotics, hallucinogenics, or other drugs or substances that may impair judgment or coordination?
		8. Since your initial application or last renewal, whichever is later, have your had provider privileges denied, revoked, suspended or restricted by a Medical Assistance agency, Medicare, third party payor or another authority?
		9. Since your initial application or last renewal, whichever is later, have you had practice privileges denied, revoked, suspended or restricted by a hospital or any health care facility?
		10. Since your initial application or last renewal, whichever is later, have you been charged by a hospital, university or research facility with violating research protocols, falsifying research, or engaging in other research misconduct?
		11. Have you completed 2 hours of Board approved continuing education in child abuse recognition and reporting?

**NOTICE TO ALL LICENSEES**

A revised Code of Ethics was adopted by the Board on \_\_\_\_\_ at 49 Pa. Code § 42.24 and is available on the Board's website at [www.dos.pa.gov/therapy](http://www.dos.pa.gov/therapy).

NOTICE: Disclosing your Social Security Number on this application is mandatory in order for the State Boards to comply with the requirements of the Federal Social Security Act pertaining to Child Support Enforcement, as implemented in the Commonwealth of Pennsylvania at 23 Pa. C.S. § 4304.1(a). At the request of the Department of Human Services (DHS), the licensing boards must provide to DHS information prescribed by DHS about the licensee, including the social security number. In addition, Social Security Numbers are required in order for the Board to comply with the reporting requirements of the U.S. Department of Health and Human Services, National Practitioner Data Bank.

I verify that this application is in the original format as supplied by the Department of State and has not been altered or otherwise modified in any way. I am aware of the criminal penalties for tampering with public records or information pursuant to 18 Pa.C.S. § 4911.

I verify that the statements in this application are true and correct to the best of my knowledge, information and belief. I understand that false statements are made subject to the penalties of 18 Pa. C.S. Section 4904 (relating to unsworn falsification to authorities) and may result in the suspension, revocation or denial of my license, certificate, permit or registration.

\_\_\_\_\_  
Printed Name of Licensee

\_\_\_\_\_  
Signature of Licensee

\_\_\_\_\_  
Date

	<b>NOTE: Upon renewal the license will expire June 30, 2019</b>
<b>FEE – Payable to "COMMONWEALTH OF PENNSYLVANIA"</b>	<b>\$55.00</b>
<b>FEES ARE NOT REFUNDABLE. Check or money order must be in "US funds." Note: A processing fee of \$20.00 will be charged for any check or money order returned unpaid by your bank, regardless of the reason for non-payment. Your cancelled check is your receipt of payment.</b>	
<b>Write your license number on your payment.</b>	
<b>LATE FEE – a \$5.00 per month, or part of a month is required if you have been practicing since your license has expired.</b>	
<b>PRACTICING ON AN EXPIRED LICENSE MAY RESULT IN DISCIPLINARY ACTIONS AND ADDITIONAL MONETARY PENALTIES</b>	

State Board of Occupational Therapy Education and Licensure  
P. O. Box 2649  
Harrisburg, PA 17105-2649  
(717) 783-1389 (Phone)  
(717) 787-7769 (Fax)  
[st-occupational@pa.gov](mailto:st-occupational@pa.gov)

## VERIFICATION OF PRACTICE / NON-PRACTICE

Your renewal cannot be processed unless this page is completed.

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

LICENSE NUMBER \_\_\_\_\_

Name of Profession \_\_\_\_\_

Date of Birth \_\_\_\_\_

Social Security Number \_\_\_\_\_

---

Be sure you are familiar with the definition of your profession from the licensing law which pertains to the license you are renewing/reactivating. **AFTER REVIEW OF THE LAW**, answer the following questions.

- |  |                                 |
|--|---------------------------------|
| 1. Have you engaged in the practice of your profession in Pennsylvania since your Pennsylvania license lapsed or since you placed it on inactive status?                 | <b>CIRCLE ONE:</b><br>YES    NO |
| 2. Have you been employed by the federal government in the practice of your profession since your Pennsylvania license lapsed or since you placed it on inactive status? | <b>CIRCLE ONE:</b><br>YES    NO |

I understand that any false statement made is subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities and may result in the suspension or revocation of my license and/or certification.

\_\_\_\_\_  
(Signature of Licensee)

\_\_\_\_\_  
(Date)

# STATE BOARD OF OCCUPATIONAL THERAPY EDUCATION AND LICENSURE

Note: A revised Code of Ethics was adopted by the Board on \_\_\_\_\_ at 49 Pa. Code § 42.24 and is available on the Board's website at [www.dos.pa.gov/therapy](http://www.dos.pa.gov/therapy).

## REACTIVATION REQUIREMENTS

If your license has been inactive/expired for less than 4 years, please submit the following:

- Completed Reactivation Application
- Completed Verification of Practice/Non-Practice form
- Current renewal fee
- Letter of good standing received directly from each state board office where you hold/held a license to practice ANY health-related profession to the Board office in a sealed official envelope of that state board.
- Copy of current liability insurance coverage
- Submit copies of the certificates of completion for the required 24 continued competency in acceptable activities obtained through approved program sponsors or through continued competency activities. Credit must be obtained within the two year period prior to reactivation. Continued competency regulations can be found at [www.dos.pa.gov/therapy](http://www.dos.pa.gov/therapy).
- The Bureau of Professional and Occupational Affairs (BPOA), in conjunction with the Department of Human Services (DHS), is providing notice to all health-related licensees and funeral directors that are considered "mandatory reporters" under section 6311 of the Child Protective Services Law (CPSL) (23 P.S. § 6311), as amended, that EFFECTIVE JANUARY 1, 2015, all persons applying for reactivation of a license shall be required to complete 2 hours of Department of State/Board-approved training in child abuse recognition and reporting requirements as a condition of reactivation. Please review the Board website for further information on approved CE providers. Child Abuse Continuing Education Providers Information can be found at [www.dos.pa.gov/ProfessionalLicensing/BoardsCommissions](http://www.dos.pa.gov/ProfessionalLicensing/BoardsCommissions). Once you have completed a course, the approved provider will electronically submit your name, date of attendance, etc., to the Board.
- Effective August 1, 2016*, provide a Self-Query from the National Practitioner Data Bank completed within 6 months of submission of this application to the Board. A Self-Query can be requested online at <https://www.npdb.hrsa.gov/>. When you receive the "Self-Query Response" from the National Practitioner Data Bank, forward it to the Board office. (Verify that "Self-Query Response" is sent to the Board and not a discrepancy notice.)

If your license has been inactive/expired for over 4 years and you have been licensed and practicing occupational therapy in another state, the following additional documentation is required:

- Completed Reactivation Application
- Completed Verification of Practice/Non-Practice form
- Current renewal fee
- Curriculum vitae
- Letter(s) of good standing received directly from each state board office where you hold/held a license to practice ANY health-related profession to the Board office in a sealed official envelope of that state board.
- Copy of current liability insurance coverage
- Submit copies of the certificates of completion for the required 24 continued competency in acceptable activities obtained through approved program sponsors or through continued competency activities. Credit must be obtained within the two year period prior to reactivation. Continued competency regulations can be found at [www.dos.pa.gov/therapy](http://www.dos.pa.gov/therapy).
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you receive the "Self-Query Response" from the National Practitioner Data Bank, forward it to the Board office. (Verify that "Self-Query Response" is sent to the Board and not a discrepancy notice.)

If your license has been inactive/expired for over 4 years and you have not been licensed and practicing occupational therapy in another state, you must re-apply and schedule to take the NBCOT examination. In order to retake the examination through NBCOT, you must complete the attached "Eligibility Application for NBCOT Examination For State Regulation/Licensure-Only Purposes" and return it to the Board office by mail or by fax. Upon receipt of this Application, the Board office will forward the information to NBCOT on your behalf. You must contact NBCOT directly at 301-990-7979 or [www.nbcot.org](http://www.nbcot.org) for further instructions/application/cost.

Once you have successfully passed the re-examination, the following must be received (please do not submit these documents until *AFTER* you have passed the re-examination):

- Examination score received directly from NBCOT
- Completed Reactivation Application
- Completed Verification of Practice/Non-Practice form
- Current renewal fee
- Curriculum vitae
- Letter(s) of good standing received directly from each state board office where you hold/held a license to practice ANY health-related profession to the Board office in a sealed official envelope of that state board.
- Copy of current liability insurance coverage
- Submit copies of the certificates of completion for the required 24 continued competency in acceptable activities obtained through approved program sponsors or through continued competency activities. Credit must be obtained within the two year period prior to reactivation. Continued competency regulations can be found at [www.dos.pa.gov/therapy](http://www.dos.pa.gov/therapy).
- The Bureau of Professional and Occupational Affairs (BPOA), in conjunction with the Department of Human Services (DHS), is providing notice to all health-related licensees and funeral directors that are considered "mandatory reporters" under section 6311 of the Child Protective Services Law (CPSL) (23 P.S. § 6311), as amended, that EFFECTIVE JANUARY 1, 2015, all persons applying for reactivation of a license shall be required to complete 2 hours of Department of State/Board-approved training in child abuse recognition and reporting requirements as a condition of reactivation. Please review the Board website for further information on approved CE providers. Child Abuse Continuing Education Providers Information can be found at [www.dos.pa.gov/ProfessionalLicensing/BoardsCommissions](http://www.dos.pa.gov/ProfessionalLicensing/BoardsCommissions). Once you have completed a course, the approved provider will electronically submit your name, date of attendance, etc., to the Board.
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## CHANGES TO THE OCCUPATIONAL THERAPY PRACTICE ACT

Act 138 of 2012 was signed by Governor on July 12, 2012, and took effect on September 10, 2012.

Under the Occupational Therapy Law, in order to maintain a license as an occupational therapist in the Commonwealth of Pennsylvania, beginning July 1, 2013, you are required to obtain and maintain professional liability insurance in the minimum of one million dollars (\$1,000,000) per occurrence or claims made.

Acceptable coverage shall include:

- 1) Personally purchased professional liability insurance;
- 2) Self-insurance;
- 3) Professional liability insurance coverage provided by the occupational therapist's employer.

Therefore, you have **30 days** from the date your license is reinstated to provide proof of acceptable coverage which may include a certificate of insurance issued by the insurer or a copy of the declarations page of the professional liability insurance policy or a letter from the applicant's professional liability insurance carrier indicating that the applicant will be covered against professional liability in the required amounts effective upon the issuance of the applicant's license to practice occupational therapy in this Commonwealth. For professional liability insurance coverage through the occupational therapist's employer, documentation must reflect you as an insured individual. **Failure to do so shall result in automatic suspension of your professional license.**

STATE BOARD OF OCCUPATIONAL THERAPY EDUCATION AND LICENSURE

P.O. BOX 2649

HARRISBURG, PA 17105-2649

Phone: 717-783-1389

Fax: 717-787-7769

Email: [st-occupational@pa.gov](mailto:st-occupational@pa.gov)

Website: [www.dos.pa.gov/therapy](http://www.dos.pa.gov/therapy)

**REQUEST TO RE-EXAMINE**

**TO BE COMPLETED IF YOU HAVE BEEN INACTIVE/EXPIRED FOR  
OVER 4 YEARS AND YOU HAVE NOT BEEN LICENSED AND  
PRACTICING OCCUPATIONAL THERAPY IN ANOTHER STATE**

**Eligibility Application for NBCOT Examination For  
State Regulation/Licensure-Only Purposes**

Name: \_\_\_\_\_

Prior Name (if any): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone Number: (     ) \_\_\_\_\_

Check one of the following:

Occupational Therapist

Occupational Therapy Assistant

Pennsylvania License Number: \_\_\_\_\_

If you do not have your Pennsylvania license number, please go to [www.licensepa.pa.gov](http://www.licensepa.pa.gov) to obtain this information.

**PLEASE RETURN THE COMPLETED FORM DIRECTLY TO THE BOARD OFFICE BY  
FAX (717-787-7769)**

**OR**

**BY MAIL (STATE BOARD OF OCCUPATIONAL THERAPY EDUCATION AND LICENSURE,  
P.O. BOX 2649, HARRISBURG, PA 17105-2649)**

# STATE BOARD OF OCCUPATIONAL THERAPY EDUCATION AND LICENSURE

## REACTIVATION APPLICATION – Occupational Therapy Assistant

NAME \_\_\_\_\_

STREET ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP CODE \_\_\_\_\_

EMAIL ADDRESS: \_\_\_\_\_

OP \_\_\_\_\_

LICENSE NUMBER \_\_\_\_\_

SOCIAL SECURITY NUMBER \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

**State Board of Occupational Therapy  
Education and Licensure  
PO Box 2649  
Harrisburg, PA 17105-2649**

**Courier Address:  
2601 North Third Street  
Harrisburg, PA 17110**

- ADDRESS CHANGE** – Check if the address or email address above is a new address and not on file with the Board.
- NAME CHANGE** – If the name above is not the current name on the licensure records, submit a photocopy of a legal document verifying name change (i.e., marriage certificate, divorce decree or legal document indicating retaking of a maiden name, etc.)

**THE FOLLOWING QUESTIONS MUST BE ANSWERED**

YES	NO	If "YES" to any of the criminal/disciplinary action question(s), please attach certified copies of legal document(s).
		<p>1. Do you hold, or have you ever held, a license, certificate, permit, registration or other authorization to practice ANY health-related profession in any other state or jurisdiction?</p> <p>If "Yes" please provide the profession AND state or jurisdiction _____</p> <p>You must request that a letter of Good Standing be sent from each state board office directly to the Board office in a sealed official envelope of that state board.</p>
		2. Since your initial application or last renewal, whichever is later, have you had disciplinary action taken against a professional or occupational license, certificate, permit, registration or other authorization to practice a profession or occupation issued to you in any state or jurisdiction?
		3. Do you currently have any disciplinary charges pending against your professional or occupational license, certificate, permit or registration in any state or jurisdiction?
		4. Since your initial application or last renewal, whichever is later, have you withdrawn an application for a professional or occupational license, certificate, permit or registration, had an application denied or refused, or for disciplinary reasons agreed not to apply or reapply for a professional or occupational license, certificate, permit or registration in any state or jurisdiction?
		5. Since your initial application or last renewal, whichever is later, have you been convicted (found guilty, pled guilty or pled nolo contendere), received probation without verdict or accelerated rehabilitative disposition (ARD), as to any criminal charges, felony or misdemeanor, including any drug law violations? Note: You are not required to disclose any ARD or other criminal matter that has been expunged by the order of a court.
		6. Do you currently have any criminal charges pending and unresolved in any state or jurisdiction?
		7. Since your initial application or last renewal, whichever is later, have you ever engaged in, the intemperate or habitual use or abuse of alcohol or narcotics, hallucinogenics, or other drugs or substances that may impair judgment or coordination?
		8. Since your initial application or last renewal, whichever is later, have your had provider privileges denied, revoked, suspended or restricted by a Medical Assistance agency, Medicare, third party payor or another authority?
		9. Since your initial application or last renewal, whichever is later, have you had practice privileges denied, revoked, suspended or restricted by a hospital or any health care facility?
		10. Since your initial application or last renewal, whichever is later, have you been charged by a hospital, university or research facility with violating research protocols, falsifying research, or engaging in other research misconduct?
		11. Have you completed 2 hours of Board approved continuing education in child abuse recognition and reporting?



State Board of Occupational Therapy Education and Licensure  
P. O. Box 2649  
Harrisburg, PA 17105-2649  
(717) 783-1389 (Phone)  
(717) 787-7769 (Fax)  
[st-occupational@pa.gov](mailto:st-occupational@pa.gov)

**VERIFICATION OF PRACTICE / NON-PRACTICE**

**Your renewal cannot be processed unless this page is completed.**

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

LICENSE NUMBER \_\_\_\_\_

Name of Profession \_\_\_\_\_

Date of Birth \_\_\_\_\_

Social Security Number \_\_\_\_\_

---

Be sure you are familiar with the definition of your profession from the licensing law which pertains to the license you are renewing/reactivating. **AFTER REVIEW OF THE LAW**, answer the following questions.

- |  |                                 |
|--|---------------------------------|
| 1. Have you engaged in the practice of your profession in Pennsylvania since your Pennsylvania license lapsed or since you placed it on inactive status?                 | <b>CIRCLE ONE:</b><br>YES    NO |
| 2. Have you been employed by the federal government in the practice of your profession since your Pennsylvania license lapsed or since you placed it on inactive status? | <b>CIRCLE ONE:</b><br>YES    NO |

I understand that any false statement made is subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities and may result in the suspension or revocation of my license and/or certification.

\_\_\_\_\_  
(Signature of Licensee)

\_\_\_\_\_  
(Date)

# STATE BOARD OF OCCUPATIONAL THERAPY EDUCATION AND LICENSURE

Note: A revised Code of Ethics was adopted by the Board on \_\_\_\_\_ at 49 Pa. Code § 42.24 and is available on the Board's website at [www.dos.pa.gov/therapy](http://www.dos.pa.gov/therapy).

## REACTIVATION REQUIREMENTS

If your license has been inactive/expired for less than 4 years, please submit the following:

- Completed Reactivation Application
- Completed Verification of Practice/Non-Practice form
- Current renewal fee
- Letter of good standing received directly from each state board office where you hold/held a license to practice a profession or occupation, to the Board office in a sealed official envelope of that state board.
- The Bureau of Professional and Occupational Affairs (BPOA), in conjunction with the Department of Human Services (DHS), is providing notice to all health-related licensees and funeral directors that are considered "mandatory reporters" under section 6311 of the Child Protective Services Law (CPSL) (23 P.S. § 6311), as amended, that EFFECTIVE JANUARY 1, 2015, all persons applying for reactivation of a license shall be required to complete 2 hours of Department of State/Board-approved training in child abuse recognition and reporting requirements as a condition of reactivation. Please review the Board website for further information on approved CE providers. Child Abuse Continuing Education Providers Information can be found at [www.dos.pa.gov](http://www.dos.pa.gov). Once you have completed a course, the approved provider will electronically submit your name, date of attendance, etc., to the Board.
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- Completed Verification of Practice/Non-Practice form
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- Letter(s) of good standing received directly from each state board office where you hold/held a license to practice a profession or occupation, to the Board office in a sealed official envelope of that state board.
- The Bureau of Professional and Occupational Affairs (BPOA), in conjunction with the Department of Human Services (DHS), is providing notice to all health-related licensees and funeral directors that are considered "mandatory reporters" under section 6311 of the Child Protective Services Law (CPSL) (23 P.S. § 6311), as amended, that EFFECTIVE JANUARY 1, 2015, all persons applying for reactivation of a license shall be required to complete 2 hours of Department of State/Board-approved training in child abuse recognition and reporting requirements as a condition of reactivation. Please review the Board website for further information on approved CE providers. Child Abuse Continuing Education Providers Information can be found at [www.dos.pa.gov](http://www.dos.pa.gov). Once you have completed a course, the approved provider will electronically submit your name, date of attendance, etc., to the Board.
- Effective July 1, 2016*, provide a Self-Query from the National Practitioner Data Bank completed within 6 months of submission of this application to the Board. A Self-Query can be requested online at <https://www.npdb.hrsa.gov/>. When you receive the "Self-Query Response" from the National Practitioner Data Bank, forward it to the Board office. (Verify that "Self-Query Response" is sent to the Board and not a discrepancy notice.)

If your license have been inactive/expired for over 4 years and you have not been licensed and practicing occupational therapy in another state, you must re-apply and schedule to take the NBCOT examination. In order to retake the examination through NBCOT, you must complete the attached "Eligibility Application for NBCOT Examination For State Regulation/Licensure-Only Purposes" and return it to the Board office by mail or by fax. Upon receipt of this Application, the Board office will forward the information to NBCOT on your behalf. You must contact NBCOT directly at 301-990-7979 or [www.nbcot.org](http://www.nbcot.org) for further instructions/application/cost.

Once you have successfully passed the re-examination, the following must be received (please do not submit these documents until **AFTER** you have passed the re-examination):

- Examination score received directly from NBCOT
- Completed Reactivation Application
- Completed Verification of Practice/Non-Practice form
- Current renewal fee
- Curriculum vitae
- Letter(s) of good standing received directly from each state board office where you hold/held a license to practice a profession or occupation, to the Board office in a sealed official envelope of that state board.
- The Bureau of Professional and Occupational Affairs (BPOA), in conjunction with the Department of Human Services (DHS), is providing notice to all health-related licensees and funeral directors that are considered "mandatory reporters" under section 6311 of the Child Protective Services Law (CPSL) (23 P.S. § 6311), as amended, that EFFECTIVE JANUARY 1, 2015, all persons applying for reactivation of a license shall be required to complete 2 hours of Department of State/Board-approved training in child abuse recognition and reporting requirements as a condition of reactivation. Please review the Board website for further information on approved CE providers. Child Abuse Continuing Education Providers Information can be found at [www.dos.pa.gov](http://www.dos.pa.gov). Once you have completed a course, the approved provider will electronically submit your name, date of attendance, etc., to the Board.
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STATE BOARD OF OCCUPATIONAL THERAPY EDUCATION AND LICENSURE  
P.O. BOX 2649  
HARRISBURG, PA 17105-2649  
Phone: 717-783-1389  
Fax: 717-787-7769  
Email: [st-occupational@pa.gov](mailto:st-occupational@pa.gov)  
Website: [www.dos.pa.gov/therapy](http://www.dos.pa.gov/therapy)

**REQUEST TO RE-EXAMINE**

**TO BE COMPLETED IF YOU HAVE BEEN INACTIVE/EXPIRED FOR  
OVER 4 YEARS AND YOU HAVE NOT BEEN LICENSED AND  
PRACTICING OCCUPATIONAL THERAPY IN ANOTHER STATE**

**Eligibility Application for NBCOT Examination For  
State Regulation/Licensure-Only Purposes**

Name: \_\_\_\_\_

Prior Name (if any): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone Number: (\_\_\_\_) \_\_\_\_\_

Check one of the following:

\_\_\_\_\_ Occupational Therapist

\_\_\_\_\_ Occupational Therapy Assistant

Pennsylvania License Number: \_\_\_\_\_

If you do not have your Pennsylvania license number, please go to [www.licensepa.pa.gov](http://www.licensepa.pa.gov) to obtain this information.

PLEASE RETURN THE COMPLETED FORM DIRECTLY TO THE BOARD OFFICE BY  
FAX (717-787-7769)

OR

BY MAIL (STATE BOARD OF OCCUPATIONAL THERAPY EDUCATION AND LICENSURE,  
P.O. BOX 2649, HARRISBURG, PA 17105-2649)

FACE SHEET  
FOR FILING DOCUMENTS  
WITH THE LEGISLATIVE REFERENCE BUREAU

RECEIVED  
IRRC

2018 JAN 18 A 10: 23

(Pursuant to Commonwealth Documents Law)

DO NOT WRITE IN THIS SPACE

Copy below is hereby approved as to  
form and legality. Attorney General

Copy below is hereby certified to be a true and correct  
copy of a document issued, prescribed or promulgated by:

Copy below is approved as  
to form and legality.  
Executive or Independent  
Agencies.

BY: \_\_\_\_\_  
(DEPUTY ATTORNEY GENERAL)

State Board of Occupational Therapy  
Education and Licensure

\_\_\_\_\_  
(AGENCY)

BY: Marion H. Z...

DOCUMENT/FISCAL NOTE NO. 16A-6710

DATE OF ADOPTION: \_\_\_\_\_

JAN 08 2018

DATE OF APPROVAL

\_\_\_\_\_  
DATE OF APPROVAL

BY: Kerri L. Hample  
Kerri Hample, ODT, OTR/L

**Deputy General Counsel**  
(Executive Deputy General Counsel  
Strike inapplicable title)

TITLE: Chairperson  
(EXECUTIVE OFFICER, CHAIRMAN OR SECRETARY)

- Check if applicable  
Copy not approved.  
Objections attached.
- Check if applicable. No  
Attorney General approval or  
objection within 30 day after  
submission.

FINAL RULEMAKING

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS  
STATE BOARD OF OCCUPATIONAL THERAPY EDUCATION AND LICENSURE  
49 PA. CODE § 42.24

CODE OF ETHICS

The State Board of Occupational Therapy Education and Licensure (Board) hereby amends § 42.24 (relating to code of ethics) to read as set forth in Annex A.

#### *Effective Date*

The amendments will be effective upon publication of the final-form rulemaking in the *Pennsylvania Bulletin*.

#### *Statutory Authority*

Section 5(b) of the Occupational Therapy Practice Act (act) (63 P.S. § 1505(b)) authorizes the Board to promulgate and adopt rules and regulations not inconsistent with law as it deems necessary for the performance of its duties and the proper administration of the act.

#### *Background and Purpose*

Section 16(a) of the act (63 P.S. § 1516(a)) authorizes the Board to discipline licensees who are guilty of unprofessional conduct which has or is likely to endanger the health, welfare or safety of the public. Section 16(a)(2) further defines “unprofessional conduct” to include conduct that violates a code of ethics adopted by the Board. In 1992, the Board adopted a code of ethics at § 42.24 (relating to Code of Ethics) which was essentially an adaptation and codification of the code of ethics promulgated by the American Occupational Therapy Association (AOTA) in 1988. Subsequently, in 2001, the Board updated its regulations to reflect the 1994 version of the AOTA code of ethics, which is the version that currently appears at § 42.24 today.

Beginning in 2011, the Board undertook a review of the language existing in § 42.24 and compared it to the AOTA *Occupational Therapy Code of Ethics and Ethics Standards* (Code and Standards) promulgated in 2010. As a result of its review, the Board determined that it should update § 42.24 by adopting the 2010 AOTA Code and Standards and voted in 2013 to begin the process to promulgate an update to its regulations. While the regulatory proposal was pending, AOTA updated its Code of Ethics again in 2015. At the June 3, 2015, Board meeting, the Board reviewed the AOTA *Occupational Therapy Code of Ethics (2015)* (2015 AOTA Code of Ethics), which the Board found to be the minimum standard of ethical conduct for occupational therapists and occupational therapy assistants in this Commonwealth, and voted to revise the regulatory proposal to adopt the 2015 AOTA Code of Ethics. The 2015 AOTA Code of Ethics not only reflects the Board’s own view of ethical practice, but will also keep the Commonwealth’s ethical standards consistent with the National standards. Rather than copy the standards verbatim into § 42.24, the Board proposes to adopt the 2015 AOTA Code of Ethics by reference. A copy of the 2015 AOTA Code of Ethics may be found on the AOTA website at: <https://ajot.aota.org/article.aspx?articleid=2442685> and is attached to the “regulatory analysis form” provided to the Independent Regulatory Review Commission with this final-form rulemaking. A copy is available upon request. The Board intends to place a copy of the 2015 AOTA Code of Ethics on its website once the final-form rulemaking has been

promulgated.

#### *Description of Amendments*

The Board is deleting the current language at § 42.24 (relating to Code of Ethics). In its place, the Board adopts new subsections (a) through (c).

Subsection (a) provides that licensees shall adhere to the AOTA *Occupational Therapy Code of Ethics (2015)*, except as provided in subsections (b) and (c). Subsection (b) requires licensees to adhere to Federal and State law whenever there is a conflict between the 2015 AOTA Code of Ethics and Federal or State law. Likewise, subsection (c) requires licensees to adhere to this chapter whenever there is a conflict between the 2015 AOTA Code of Ethics and the Board's regulations in this chapter.

If the AOTA later updates its Code of Ethics, then the Board will review future updates to determine whether to adopt them. If the Board decides not to adopt future updates to the AOTA Code of Ethics, then the Board may decide to retain the 2015 AOTA Code of Ethics or adopt other ethical standards.

#### *Comments to the Proposed Rulemaking*

The Board published a notice of proposed rulemaking at 46 Pa.B. 886 (February 20, 2016), for thirty days of public comment. The Board did not receive any public comments relating to the proposed rulemaking. IRRC reviewed the proposed regulation and informed the Board that it had no objections, comments, or recommendation to offer on the proposed regulation. The Board did not receive any comments from the House Professional Licensure Committee (HPLC) or the Senate Consumer Protection and Professional Licensure Committee (SCP/PLC) as part of their review of proposed rulemaking under the Regulatory Review Act (71 P.S. §§ 745.1—745.15).

#### *Fiscal Impact and Paperwork Requirements*

There are only minimal fiscal impacts and paperwork requirements associated with this regulation. Once the final-form regulation becomes effective, the Board will place a copy of the 2015 AOTA Code of Ethics on the Board's website. The Board will also include in its initial application, renewal, and reactivation forms information regarding how to access the 2015 AOTA Code of Ethics. The cost of doing so will be *de minimis*.

#### *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on February 5, 2016, the Board submitted a copy of this proposed rulemaking, published at 46 Pa.B. 886 (February 20, 2016), and a copy of a Regulatory Analysis form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the Senate Consumer Protection and Professional Licensure Committee and the House Professional Licensure Committee. A copy of this material is available to the public upon request.

On January 18, 2018, the Board delivered final-form rulemaking to IRRC, the HPLC and the SCP/PLC. Under section 5.1(j.2) of the Regulatory Review Act (71 P.S. § 745.5a(j.2)), on \_\_\_\_\_, 2018, the final-form rulemaking was deemed approved by the HPLC and by the SCP/PLC. Under section 5.1(e) of the Regulatory Review Act (71 P.S. 745.5a(e)), IRRC met on \_\_\_\_\_, 2018, and announced, because it had no comments on proposed rulemaking and the Board did not amend the rulemaking, IRRC was deemed to have approved the final-form rulemaking under section 5(g) of the Regulatory Review Act (71 P.S. § 745.5(g)).

#### *Additional Information*

Further information may be obtained by contacting Carol Niner, Board Administrator, State Board of Occupational Therapy Education and Licensure, P.O. Box 2649, Harrisburg, PA 17105-2649. Please reference No. 16A-6710 (Code of Ethics), when requesting information.

#### *Findings*

The Board finds that:

- (1) Public notice of proposed rulemaking was given under sections 201 and 202 of the act of July 31, 1968 (P.L. 769, No. 240) and regulations promulgated thereunder, 1 Pa. Code §§ 7.1 and 7.2.
- (2) A public comment period was provided as required by law.
- (3) This final-form rulemaking does not include any amendments that would enlarge the scope of proposed rulemaking published at 46 Pa. B. 886 (February 20, 2016).
- (4) The final-form rulemaking adopted by this order is necessary and appropriate for the administration of the Occupational Therapy Practice Act.

#### *Order*

The Board, acting under its authorizing statute, orders that:

- (a) The regulations of the Board at 49 Pa. Code § 42.24 are amended to read as set forth in Annex A.
- (b) The Board shall submit this order and Annex A to the Office of Attorney General and the Office of General Counsel for approval as required by law.
- (c) The Board shall submit this order and Annex A to IRRC, the HPLC and the SCP/PLC as required by law.

- (d) The Board shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.
- (e) The final-form rulemaking shall take effect upon publication in the *Pennsylvania Bulletin*.

Kerri L. Hample, OTD, OTR/L  
Chairperson

**ANNEX A**

**TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS**

**PART I. DEPARTMENT OF STATE**

**Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS**

**CHAPTER 42. STATE BOARD OF OCCUPATIONAL THERAPY EDUCATION AND**

**LICENSURE**

\* \* \* \* \*

**MINIMUM STANDARDS OF PRACTICE**

\* \* \* \* \*

**§ 42.24. Code of [Ethics] ethics.**

[*Purpose.* The Board adopts the following Code of Ethics to establish and maintain a high standard of integrity and dignity in the profession and to protect the public against unprofessional conduct on the part of licensees. The Code of Ethics is adapted with permission from the “Occupational Therapy Code of Ethics” of the American Occupational Therapy Association (revised July 1994).

(1) *Principle 1.* Licensees shall demonstrate a concern for the well-being of the recipients of their services. (beneficence)

(i) Licensees shall provide services in an equitable manner for all individuals.

(ii) Licensees shall maintain relationships that do not exploit the recipient of services sexually, physically, emotionally, financially, socially or in any other manner. Licensees shall avoid those relationships or activities that interfere with professional judgment and objectivity.

(iii) Licensees shall take all reasonable precautions to avoid harm to the recipient of services or to his property.

(2) *Principle 2.* Licensees shall respect the rights of the recipients of their services. (autonomy, privacy, confidentiality)

(i) Licensees shall collaborate with service recipients or their surrogates, or both, in determining goals and priorities throughout the intervention process.

(ii) Licensees shall fully inform the service recipients or their surrogates, or both, of the nature, potential risks and outcomes of any interventions.

(iii) Licensees shall obtain written informed consent from subjects involved in research activities indicating they have been fully advised of the potential risks and outcomes.

(iv) Licensees shall respect the individual's right to refuse professional services or involvement in research or educational activities.

(v) Licensees shall protect the confidential nature of information gained from educational, practice, research and investigational activities.

(3) *Principle 3.* Licensees shall achieve and continually maintain high standards of competence. (duties)

(i) Licensees shall use procedures that conform to the standards of acceptable and prevailing occupational therapy practice.

(ii) Licensees shall take responsibility for maintaining competence by participating in professional development and education activities.

(iii) Licensees shall perform their duties on the basis of accurate and current information.

(iv) Licensees shall protect service recipients by ensuring that duties assumed by or assigned to other licensees are commensurate with their qualifications and experience.

(v) Licensees shall provide appropriate supervision to individuals for whom the licensees have supervisory responsibility.

(vi) Licensees shall refer recipients to other service providers or consult with other service providers when additional knowledge and expertise are required.

(4) *Principle 4.* Licensees shall comply with laws and regulations governing the practice of occupational therapy in this Commonwealth. (justice)

(i) Licensees shall understand and abide by applicable local, State and Federal laws.

(ii) Licensees shall inform employers employees, and colleagues about those laws and regulations that apply to the profession of occupational therapy.

(iii) Licensees shall require those they supervise in occupational therapy related activities to adhere to this chapter.

(iv) Licensees shall accurately record and report all information related to professional activities.

(5) *Principle 5.* Licensees shall provide accurate information about occupational therapy services. (veracity)

(i) Licensees shall accurately represent their qualifications, education, experience, training and competence.

(ii) Licensees shall disclose any affiliations that may pose a conflict of interest.

(iii) Licensees shall refrain from using or participating in the use of any form of communication that contains false, fraudulent, deceptive or unfair statements or claims.

(6) *Principle 6.* Licensees shall treat colleagues and other professionals with fairness, discretion and integrity. (fidelity, veracity)

(i) Licensees shall safeguard confidential information about colleagues and staff members.

(ii) Licensees shall accurately represent the qualifications, views, contributions and findings of colleagues.

(iii) Licensees shall report any breaches of the Board’s law and this chapter to the Board.]

(a) Licensees shall adhere to the American Occupational Therapy Association (AOTA) Occupational Therapy Code of Ethics (2015), except as provided in subsections (b) and (c).

(b) Whenever there is a conflict between the AOTA Occupational Therapy Code of Ethics (2015) and Federal or State law, licensees shall adhere to Federal and State law.

(c) Whenever there is a conflict between the AOTA Occupational Therapy Code of Ethics (2015) and this chapter, licensees shall adhere to the provisions of this chapter.



COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS  
STATE BOARD OF OCCUPATIONAL THERAPY EDUCATION AND  
LICENSURE

Post Office Box 2649  
Harrisburg, Pennsylvania 17105-2649  
(717) 783-1389

January 18, 2018

The Honorable George D. Bedwick, Chairman  
INDEPENDENT REGULATORY REVIEW COMMISSION  
14<sup>th</sup> Floor, Harristown 2, 333 Market Street  
Harrisburg, Pennsylvania 17101

Re: Final Regulation  
State Board of Occupational Therapy Education and Licensure  
16A-6710

Dear Chairman Bedwick:

Enclosed is a copy of a final rulemaking package of the State Board of Occupational Therapy Education and Licensure pertaining to Code of Ethics.

The Board will be pleased to provide whatever information the Commission may require during the course of its review of the rulemaking.

Sincerely,

Kerri L. Hample, OTD, OTR/L Chairperson  
State Board of Occupational Therapy Education and  
Licensure

KLH:JAW;jlt

Enclosure

cc: Ian J. Harlow, Commissioner of  
Professional and Occupational Affairs  
Kalonji Johnson, Director of Policy, Department of State  
Timothy Gates, Chief Counsel  
Department of State  
Cynthia Montgomery, Regulatory Counsel  
Department of State  
Jacqueline A. Wolfgang, Counsel  
State Board of Occupational Therapy Education and Licensure  
State Board of Occupational Therapy Education and Licensure

**TRANSMITTAL SHEET FOR REGULATIONS SUBJECT TO THE  
REGULATORY REVIEW ACT**

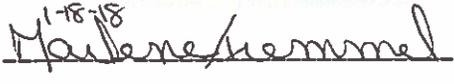
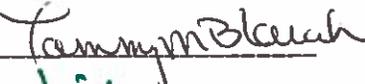
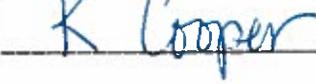
**I.D. NUMBER:** 16A-6710  
**SUBJECT:** Code of Ethics  
**AGENCY:** DEPARTMENT OF STATE  
 Bureau of Professional and Occupational Affairs  
 State Board of Occupational Therapy Education and Licensure

**TYPE OF REGULATION**

RECEIVED  
IRRC  
2018 JAN 18 A 10:23

- Proposed Regulation
- X Final Regulation
- Final Regulation with Notice of Proposed Rulemaking Omitted
- 120-day Emergency Certification of the Attorney General
- 120-day Emergency Certification of the Governor
- Delivery of Disapproved Regulation
  - a. With Revisions
  - b. Without Revisions

**FILING OF REGULATION**

<u>DATE</u>	<u>SIGNATURE</u>	<u>DESIGNATION</u>
		<i>HOUSE COMMITTEE ON PROFESSIONAL LICENSURE</i>
1/18/18		MAJORITY CHAIR <u>Mark T. Mustio</u>
1-18-18		MINORITY CHAIR <u>Harry A. Readshaw</u>
		<i>SENATE COMMITTEE ON CONSUMER PROTECTION &amp; PROFESSIONAL LICENSURE</i>
1/18/18		MAJORITY CHAIR <u>Robert M. Tomlinson</u>
1/18/18		MINORITY CHAIR <u>Lisa M. Boscola</u>
1/18/18		
_____	_____	<i>INDEPENDENT REGULATORY REVIEW COMMISSION</i>
_____	_____	<i>ATTORNEY GENERAL (for Final Omitted only)</i>
_____	_____	<i>LEGISLATIVE REFERENCE BUREAU (for Proposed only)</i>