

Welcome to the Occupational Therapy Section Breakout Session



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Agenda / Topics

1. Group activity: Ethical scenarios
2. Trends in violations and types of complaints the Board investigates
3. Recent law and rule changes
4. CEU requirements and audit procedures
5. Practice related guidelines
6. Frequently asked questions
7. Questions from the audience
8. Post test

*Award letters will be E-MAILED to you.
If we go over 1 hour=more ceu for you ☺

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Ask yourself these questions....



- Is **YOUR** practice in compliance with the laws and rules that govern the practice of occupational therapy?
- How do **YOU** stay current on the laws and rules that govern your profession?
- Do **YOU** understand your continuing education requirements?
- Have **YOU** ever been aware of or involved in a situation that seemed unethical and/or illegal?

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Let's Get Our Brains Working! With Some Ethical Scenarios

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What Do We Investigate?



- Falsification of documentation & billing for services not provided
- Physical abuse/injuries to a patient
- Patient neglect
- Mental impairment issues
- Unlicensed/Expired practice (MOST \$\$\$ to employers)
- Aiding in unlicensed practice (tied to expired licenses)
- Drug/alcohol abuse
- Competency issues
- Criminal convictions
- Unprofessional behavior/conduct
- Failure to complete CEUs required for renewal
- Failure to complete documentation prior to leaving an employer
- Falsifying an application or renewal

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Tips To Stay "Discipline Free"



1. Review the laws and rules
2. Visit the Board's website frequently & join our listserv
3. Use the Board's website to verify that your license is in good standing, as well as those you supervise
4. Notify the Board of any address or employment change within 30 days.
*If you don't, you may not receive your renewal information and end up practicing on an expired license, subjecting yourself to disciplinary action
5. **DO YOUR CEUS!** If you don't complete your ceu's, **DON'T RENEW!** Let your license expire and apply for reinstatement once you have completed your hours.
6. If you have questions contact the Board office

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Recent Law and Rule Changes



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Effective May 1, 2009 **NEW!**

Criminal Records Checks



OAC 4755-3-14 (E):

A new criminal records check will be required if the applicant's criminal records check on file with the Board is greater than six (6) months old, based upon the date the Board receive the report.

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Effective May 1, 2009 **NEW!**

Documentation-How should I sign?

OAC 4755-7-10:


OT: OT/L OR OTR/L (if NBCOT certified)

OTA: OTA/L OR COTA/L (if NBCOT cert.)

Limited Permit Holders: LP/OT or LP/OTA

**Students: Student occupational therapist or Student occupational therapy assistant;
Student OT or Student OTA; OR
S/OT or S/OTA**

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Effective May 1, 2009 

Code of Ethics

OAC 4755-7-08(A)(2):

(b) Occupational therapy practitioners shall not date or engage in any sexual activity with any client, or engage in any conduct that may reasonable be interpreted by the client to be sexual, whether consensual or nonconsensual with a practitioner/client relationship exists, and for six (6) months immediately following the termination of the practitioner/client relationship. In the case of minors, the practitioner/client relationship extends to the minor's parents or guardian.

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Effective May 1, 2009 

Code of Ethics

(A)(2)(b)(i)

An occupational therapy practitioner shall not intentionally expose or view a completely or partially disrobed client in the course of treatment if the exposure or viewing is not related to the client diagnosis, treatment, and/or plan of care under current practice standards.

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Effective May 1, 2009 

Code of Ethics

(A)(2)(b)(ii)

An occupational therapy practitioner shall not engage in a conversation with a client that is sexually explicit and unrelated to the occupational therapy plan of care.

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Effective May 1, 2009 


Code of Ethics

(A)(2)(c)

An occupational therapy practitioner shall not engage in sexual harassment of clients, the parent/guardian of a minor client, students, and/or colleagues. Sexual harassment includes, but is not limited to: making unwelcome sexual advances, requesting sexual favors, and engaging in other verbal behavior or physical conduct of a sexual nature that results in:

1. Withholding occupational therapy services to a client;
2. Creating an intimidating, hostile, or offensive environment for the client; or
3. Interfering with the client's ability to recover.

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Effective May 1, 2009 


Code of Ethics

(A)(5)

(d) Occupational therapy practitioners shall not document or bill for services not actually provided.

(e) An occupational therapy practitioner shall not misrepresent the credential, title, and/or specialty certification held by the individual.

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Effective May 1, 2009 

Code of Ethics

(A)(7)(d)

Occupational therapy practitioners shall not engage in conduct that constitutes harassment or verbal or physical abuse of, or unlawful discrimination against clients, students, and/or colleagues.

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Effective May 1, 2009 

OAC 4755-3-05 (D):

In addition to the standard requirements for restoration of an escrowed license, if you have not engaged in the practice of occupational therapy for more than five (5) years prior to the date of your application, you may be subject to additional requirements such as:

1. Competency based performance appraisals
2. Mentorship
3. Additional Continuing Education
4. Extended coursework
5. Professional development plan
6. Clinical examination (certification exam)

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Effective May 1, 2009 

CEU Activities

OAC 4755-9-01 (B)(7):

Self-study. Formal study packages, such as printed text, multi-media, or Internet based activities, related to the clinical practice, management, or education of occupational therapy are acceptable. There is no limit of contact hours in this category. Proof of completion is the certificate of completion and/or a copy of the post test results.

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Stay Tuned to www.otptat.ohio.gov

- The Occupational Therapy Board Rule revisions did go into effect on May 1, 2009.
- Remember... You are responsible for ensuring that your practice is in accordance with these new Rules.

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Let's talk about CEU'S.....



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Get to know Your CEU Categories!

**Have maximums*

- Ethics (1 hr. is required, even if only 1 yr. license)
- Undergrad or graduate courses
- Supervision of fieldwork*
- Self-study
- Distance learning
- Apprenticeships
- Research projects*
- Independent study*
- Professional workshops, seminars and/or conferences
- Presentations*
- Preparation to teach a clinical course in occupational therapy*
- Publication of books, articles or films
- Laws and rules exam* (Also "Free")



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New Addition to our web site!!

- CEU tracking form
- CEU requirement grid

*Both can be downloaded from our website at www.otptat.ohio.gov.

-It makes tracking CEUs easy!



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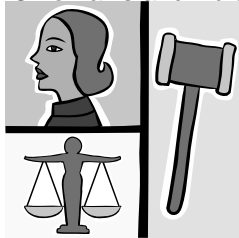
ATTENTION AUDITEES

- After each renewal period, approximately 20% of licensees are audited
- Licensees are selected randomly by a computer.
- Please submit **COPIES** of all CEU certificates...no originals PLEASE, as we cannot return them!
- Failure to respond to the audit OR failure to obtain the required number of CEUs needed for license renewal will result in disciplinary action against your license...PLEASE RESPOND!!!

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Practice Related Guidelines

Review of Ohio Laws and Rules



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Let's Start Off With The Basics....Who Are The People In An OT Setting?

- Occupational Therapist
- Occupational Therapy Assistant
- OT/OTA Students
- OT/OTA Limited Permit Holders
- Unlicensed Personnel (aides)



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OT Responsibilities

OT's are **SOLELY responsible** for the following:

- Interpreting the physician's referral
- Conducting the initial evaluation
- Development, interpretation, and modification of the treatment/intervention plan and discharge plan

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OT RESPONSIBILITY

it is the responsibility
of the supervising ot to
verify that ota's and lp's
THEY SUPERVISE hold
current licenses
and permits prior to
allowing them to engage
in practice.



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Co-signature requirements

- Treatment grid
A single co-signature and date of review

- Hand written documentation
Each entry must be co-signed and dated

- Electronic documentation
OT should co-sign and reference the date(s) of the notes reviewed and indicate any changes needed in the treatment plan.

Co-signature=OT reviewed & agrees with the content of the note

***ALL documentation must be co-signed...Even cancellation/no show entries



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OTA Scope of Practice

- **May INDEPENDENTLY (besides treatment):**

- Select the daily modality of choice according to the POC
- Document the progress & outcomes summary

- **May CONTRIBUTE TO and COLLABORATE IN:**

1. **The evaluation process by:**

- *Data gathering
- *Administering standardized test/objective measuring tools
- *Reporting observations

2. Preparation, implementation, and documentation of the treatment plan & discharge plan

3. Choosing the appropriate treatment interventions

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Attention OT's and OTA's



An OTA may **not** evaluate independently or initiate treatment/intervention before the supervising occupational therapist performs an evaluation/assessment.

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CASELOAD RATIOS FOR SUPERVISING OT'S

- **Own caseload**
= up to 4 FT LP'S and/or OTA'S

- **Only performing client evaluations and providing supervision**, with no client treatment responsibilities
= up to 6 FT LP'S and/or OTA'S

*Ratios are **not** setting specific

- Please note that **these are the guidelines of the OTPTAT Board.** Medicare, Medicaid, the Department of Education and facilities may have different requirements.

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QUESTION FOR THE OT'S IN THE AUDIENCE



HOW ARE YOU CURRENTLY DOCUMENTING COLLABORATION WITH YOUR OTA'S AND LP'S?

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Supervision 102: Limited Permit Holders



- ALL LP's must be supervised by an OT
- Supervising OT does not need to be on-site, but must be available for consultation with the LP at all times
- Supervising OT and LP must meet IN PERSON a MINIMUM of once per week
- Supervising OT shall consult with the LP before the LP's initiation of any client's treatment plan and/or modification of the treatment plan
- AGAIN... Supervision is an interactive process, cosigning client documentation alone does not meet the minimum level of supervision
- AGAIN... Supervising OT has responsibility to establish evidence that supervision has occurred (ie. Collaboration log or in each patient's medical record)

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Supervision 103: Level II Students

- Supervising OT must have completed one (1) year of clinical practice experience as a fully licensed occupational therapy practitioner
- Supervising OT shall only assign duties or functions to the student that are commensurate with his/her education and training
- An occupational therapy student shall be supervised by an OT
- An occupational therapy assistant student can be supervised by an OT or an OTA



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Role of Aides

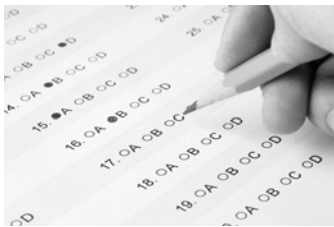
- Perform routine non-treatment tasks related to the operation of an occupational therapy service.
- Tasks delegated to an aide must not be evaluative, task selective, nor recommending in nature.
- Tasks may include:
 1. Routine department maintenance
 2. Transportation of clients
 3. Preparation or set up of treatment equipment and work area
 4. Taking care of clients' personal needs during treatment
 5. Assisting in the construction of adaptive equipment and splints
 6. Administrative activities

****AIDES CANNOT PERFORM PATIENT TREATMENTS!**



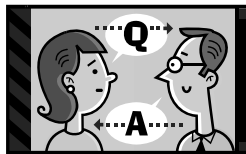
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Post Test Short 10 Questions



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Most Commonly Asked Questions



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Web Site Overview

- Licensure verification
- Expired license listing
- On-line license renewal
- Laws and rules
- Continuing education requirement grid
- Continuing education tracking form
- Sample & blank collaboration log
- Laws and rules examinations
- Enforcement actions/complaint form
- Change of name/address/employment form



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Things To Keep In Mind....



- If you renew your license and **do not** receive a new pocket id card with an updated expiration date, **verify your licensure status with the Board via our web site prior to commencing practice on July 1st**
- As healthcare professionals, you have an **ethical obligation** to report any behavior you believe is unethical and/or illegal
- Disciplinary actions are **public record, are permanent AND are reported to a national database of healthcare professionals, so be aware of your practice act and any changes that occur over the years**

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Just *ONE* more thing....

The bottom line:



- "It's your license"...
- YOU determine the environment you work in.
- Don't let the company/facility/school you work for compromise the good standing of your license.

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We're here to help!

Questions? Concerns?
Information is available....

- www.otptat.ohio.gov
- Join the Board's listserv
(Send e-mail to the board)
- Contact the Board office
(8am-5pm)

- Email
- Fax
- Telephone
- Snail mail



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Occupational Therapy Board Members

- Rebecca Finni, OT
- Jean Halpin, OT
- Kimberly Lawler, OT
- Nanette Shoemaker, OTA
- Mary Stover, OT

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Questions?



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