

Legislative Regulation Review Committee

2009-031b

Department of Public Health

**CONTINUING EDUCATION FOR BIENNIAL
LICENSE RENEWAL BY OCCUPATIONAL
THERAPISTS & THERAPY ASSISTANTS**

IMPORTANT: Read instructions on bottom of Certification Page before completing this form. Failure to comply with instructions may cause disapproval of proposed Regulations.

**STATE OF CONNECTICUT
REGULATION
OF**

Department of Public Health
Name of Agency

Concerning

Continued Competency Requirements for Biennial License Renewal by Occupational
Therapists and Occupational Therapy Assistants

SUBJECT MATTER OF REGULATION

Section 1. Section 20-74i-1 to Section 20-74i-4, inclusive, of the Regulations of Connecticut State Agencies are amended to read as follows:

20-74i-1. Definitions

For the purpose of these regulations, the following definitions shall apply.

- (a) "Department" means the Department of Public Health [Services].
- (b) "Licensee" means an occupational therapist or occupational therapy assistant licensed pursuant to Connecticut General Statutes, Chapter 376a.
- (c) "License renewal due date" means the last day of the month of July during an odd-numbered year in which licenses expire.
- (d) "Registration period" means the two-year period during which a license which has been renewed in accordance with Connecticut General Statutes, Section 20-74h, is current and valid and which two-year period terminates on the license renewal due date.
- (e) "Active practice" means the treatment in Connecticut of one or more patients by a licensee during any given registration period.
- (f) "Provider" means an individual health care provider or educator, organization, educational institution or other entity conducting a continued competency activity. Providers shall include but not necessarily be limited to: educational institutions accredited by the [American Occupational Therapy Association; the American Occupational Therapy Association] the Accreditation Council for Occupational Therapy Education or its successor organization and its constituent organizations; and the Veterans Administration and Armed Forces when conducting programs at United States governmental facilities.
- (g) "Participant" means a licensee who completes a continued competency activity.
- (h) "Contact hour" means a minimum of 50 minutes of continued competency activity.
- (i) "Face-to-face instruction" means in-person, live instruction which a participant physically attends, either individually or as a part of a group of participants.
- (j) "Home study program" means continued competency activities clearly related to maintaining skills necessary for the safe and competent practice of occupational therapy that require successful completion of a proficiency examination, and may include distance learning and internet-based educational programs.
- ~~(i)~~(k) "Certificate of completion" means a document issued to a participant by a provider which certifies that said participant has successfully completed a continued competency activity.

20-74i-2. Number of continued competency [units] contact hours required

- (a) Each licensee applying for license renewal in and after 1991 shall have completed a minimum of 12 units of qualifying continued competency activity for occupational therapists, or a minimum of 9 units of qualifying continued competency activity for occupational therapy assistants, during the preceding registration period. For registration periods commencing on and after January 1, 2011, each licensee applying for license renewal shall have completed a minimum of 24 four contact hours of qualifying continued competency activity for occupational therapists, or a minimum of 18 contact hours of qualifying continued competency activity for occupational therapy assistants, during the preceding registration period. [Each licensee applying for licensure renewal in 1989 shall have completed a minimum of 6 units of qualifying continued competency activity for occupational therapists and a minimum of 4 units of qualifying continued competency activity for occupational therapy assistants, during the period from June 1, 1988, through July 31, 1989.]
- (b) Continued competency activities completed in one registration period shall not be allowed to carry-over to a subsequent registration period.
- (c) Each licensee applying for license renewal shall sign a statement attesting that the licensee satisfies the continued competency requirements specified in section 20-74i-1 through 20-74i-8, inclusive, of the Regulations of Connecticut State Agencies.

20-74i-3. Award of continued competency [units] contact hours

- (a) Continued competency [units] contact hours shall be awarded as follows:
 - (1) [1 continued competency unit for each two contact hours of participation shall be awarded for academic] Academic courses, institutes, seminars, programs, structured

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didactic inservice training and scientific meetings directly related to the practice of occupational therapy: one contact hour for each hour of attendance.

- (2) [1 continued competency unit per academic credit of coursework taught, to a] A maximum of 6 continued competency [units] contact hours per registration period, shall be awarded for [faculty appointment] courses taught as an appointed faculty member at a school of occupational therapy accredited by the [American Occupational Therapy Association,] Accreditation Council for Occupational Therapy Education or its successor organization, provided that teaching is not the licensee's primary role.
- (3) [12 continued competency units per registration period shall be awarded for full-time] Full-time post-graduate attendance throughout the registration period in an advanced educational program accredited by the [American Occupational Therapy Association,] Accreditation Council for Occupational Therapy Education or its successor organization: ten contact hours per semester credit hour.
- (4) [6 continued competency units shall be awarded, in registration period in which completed, for successful] Successful completion of the Certification Examination for Occupational Therapist, [Registered,] or the Certification Examination for Certified Occupational Therapy Assistant, if taken five years or more after graduation: twelve contact hours.
- (5) [2 continued competency units shall be awarded, for the first] First presentation [only, for original presentation] by licensee of a paper, essay or formal lecture in occupational therapy [to a recognized group of fellow professionals] at a training program, an educational meeting or providing professional in-service training or instruction for occupational therapists, occupational therapy assistants and related professionals: one contact hour for each hour of presentation.
- (6) [2 continued competency units shall be awarded, for the first] First presentation only [, for original presentation] of a scientific or educational exhibit at a professional meeting: one contact hour for each hour of presentation to a maximum of twelve contact hours per registration period for occupational therapists and nine contact hours per registration period for occupational therapy assistants.
- [(7)] [4 continued competency units shall be awarded, for the first publication only, of original scientific paper of at least 1000 words published by licensee in a juried scientific professional journal.]
- [(8)](7) [12 continued competency units for a book or 6 continued competency units for a chapter shall be awarded, for the first] First publication [only,] for authorship of original work in occupational therapy, published in the scientific or professional press: 5 contact hours per article in a non peer-reviewed publication; 10 contact hours per article in a peer-reviewed professional publication or chapter in an occupational therapy or related professional textbook.
- [(9)] [4 continued competency units shall be awarded, for the registration period in which funded, for preparation of an original grant proposal for research in or advancement of the practice of occupational therapy which is awarded funding by State, Federal, or institutional grantor.]
- [(10)](8) [1 continued competency unit for each 50 documented hours of clinical] Clinical activities in a research project shall be awarded for appointment as a research assistant to a research project in occupational therapy which is funded by State, Federal or institutional grant: ten contact hours per project.
- [(11)](9) [1 continued competency unit for assisting in a course awarding 3 academic credits, to a maximum of 4 continued competency units per registration period, shall be awarded for appointment] Appointment as a teaching assistant at a school of occupational therapy accredited by the [American Occupational Therapy Association,] Accreditation Council for Occupational Therapy Education or its successor organization: eight contact hours per registration period.
- [(12)](10) [1 continued competency unit per 4 weeks of supervision, to a maximum of 6 continued competency units per registration period, shall be awarded for supervision] Supervision as the primary direct clinical supervisor of a 12-week field work placement for an occupational therapy student or an 8-week field work placement for an occupational therapy assistant student enrolled in a program accredited by the [American Occupational Therapy Association,] Accreditation Council for Occupational Therapy Education or its successor organization: One contact hour for each week of supervision per student supervised to a maximum of twelve contact hours per registration period for occupational therapists and nine contact hours per registration period for occupational therapy assistants.
- [(13)] [4 continued competency units shall be awarded, for the first report only, for original design of new equipment for occupational therapy, reported in a scientific meeting or juried scientific professional journal.]
- (11) Professional manuscript review or editing for journals or textbooks: One contact hour for five hours of review to a maximum of twelve contact hours per registration period for

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occupational therapists and nine contact hours per registration period for occupational therapy assistants.

- (12) Auditing formal academic coursework: two contact hours per fifteen clock hours to a maximum of twelve contact hours per registration period for occupational therapists or nine contact hours per registration period for occupational therapy assistants.

- [(b) Four continued competency units shall be the maximum granted for any one calendar day of participation in one or more of the foregoing activities.]
- [(c)](b) Successful completion of an entire continued competency activity shall be required for award of any continued competency [units] contact hours.
- [(d)](c) Activities which will not qualify for award of continued competency [units] contact hours include: professional organizational business meetings; speeches delivered at luncheons or banquets; the reading of books, articles, or professional journals; [home study courses,] correspondence courses, and other mechanisms of self-instruction except when used as a component of a home study program; and audio-visual materials, except when [the latter is] audio-visual materials are used as a component of a qualifying continued competency activity identified in subsection (a) of this section.

20-74i-4. Criteria for qualifying continued competency activities

Continued competency activities identified in subsection (a) (1) of [Section 3 of these regulations] section 20-74i-3 shall qualify to satisfy the requirements of these regulations, provided:

- (a) the activity involves face-to-face instruction or a home study program;
- (b) the provider implements a mechanism to monitor and document physical attendance at [such] face-to-face instruction or to verify that a licensee completed a home study program as defined in section 20-74i-1(j);
- (c) the provider retains written records for a period of three years including but not limited to: content description; instructor; date(s) of activity; location of activity; list of participants; and number of contact hours;
- (d) the provider implements a mechanism to evaluate participants' attainment of competency objectives and/or participants' assessment of the competency activity;
- (e) the provider issues a certificate of completion; such certificate shall not be issued by the provider prior to actual completion of the activity; such certificate shall include: participants' name; provider's name; title or subject area of the activity; date(s) and location of attendance; and number of contact hours completed;
- (f) the activity focuses on content specified in [Section 5 of these regulations.] section 20-74i-5.

Section 2. Section 20-74i-6 to Section 20-74i-8, inclusive, of the Regulations of Connecticut State Agencies are amended to read as follows:

20-74i-6. Record retention by licensees

- (a) Each licensee shall obtain a certificate of completion, for those activities properly completed, from the provider of continued competency activities. Each licensee shall maintain, for continued competency activities [Specified] specified in [subsection (a) (3) through (a) (11) of Section 3 of these regulations,] section 20-74i-3, written documentation of completion. Certificates of completion and other required documentation shall be retained by the licensee for a minimum of three years following the license renewal due date for which the activity satisfies license renewal requirements.
- (b) The [Department] department shall audit such licensee records as it deems necessary. Certificates of completion and other required documentation shall be submitted by the licensee to the [Department] department only upon the [Department's] department's request. Such records shall be submitted to the [Department] department by the licensee within 45 days of the [Department's] department's request for an audit. It shall not be necessary for the licensee to submit such documentation in order to renew the license.
- (c) A licensee who fails to comply with the continued competency requirements of these regulations may be subject to disciplinary action, pursuant to Connecticut General Statutes, Section 20-74g and Section 4-177.

20-74i-7. Exemption from continued competency requirements

- (a) Individuals applying for initial licensure in Connecticut and licensees applying for the first renewal of [the] their license in Connecticut shall be exempt from continued competency requirements.
- (b) A waiver of the continued competency requirements may be extended to a licensee who is not engaged in occupational therapy during a given continued competency registration period provided the licensee submits, prior to the expiration of the registration period, a notarized application on a form provided by the department. The application shall contain a statement that the licensee shall not engage in active practice until the licensee has shown proof, to the

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satisfaction of the department, of completion of the requirements specified in sections 20-74i-1 to 20-74i-8, inclusive, of the Regulations of Connecticut State Agencies.

- (c) The department may, in individual cases involving a medical disability or illness, grant waivers of the minimum continued competency requirements or extensions of time within which to fulfill the same. The application for a waiver or extension of time shall be accompanied by a document signed by a licensed physician detailing the nature of the medical disability or illness. Waivers of the minimum continued competency requirements or extensions of time may be granted by the department for a period not to exceed one (1) year. If the medical disability or illness, upon which a waiver or extension of time is granted continues beyond the period of the waiver or extension of time, the licensee may reapply for an additional waiver or extension of time.
- (d) A licensee who has received a waiver, pursuant to subsection (b) of this section, shall submit to the department evidence of successful completion of twelve contact hours for occupational therapists or nine contact hours for occupational therapy assistants within six months after returning to active practice.

20-74i-8. Reinstatement of lapsed licenses

Any licensee whose license has been void and who applies to the [Department] department for reinstatement shall be required to submit certificates of completion documenting completion of continued competency activities as specified below:

- (a) if the license has been void for two years or less, a minimum of [12 units] twenty four contact hours for occupational therapists or eighteen contact hours for occupational therapy assistants of qualifying continued competency activity during the two-year period immediately preceding the application for reinstatement; or,
- (b) if the license has been void for more than two years, a minimum of [24 units] forty eight contact hours for occupational therapists or thirty six contact hours for occupational therapy assistants of qualifying continued competency activity during the four-year period immediately preceding the application for reinstatement.

Statement of Purpose: The purpose of the regulation is: (A) to revise the continued competency requirements for biennial license renewal by occupational therapists and occupational therapy assistants; (B) to make language consistent with new continued competency opportunities and to mirror the National Board for Certification in occupational therapy requirements; and (C) the regulation amends sections 20-74i-1 to 20-74i-8, inclusive, of the Regulations of Connecticut State Agencies.

Be it known that the foregoing:

Regulations Emergency Regulations

are: Adopted Amended as hereinabove stated Repealed

By the aforesaid agency pursuant to:

- Section 20-74i of the General Statutes.
- Section ... of the General Statutes, as amended by Public Act. ... of the ... Public Acts.
- Public Act. ... of the ... Public Acts.

After publication in the Connecticut Law Journal on November 11, 2008 the notice of the proposal to:

Adopt Amend Repeal such regulations

(If applicable): And the holding of an advertised public hearing on ...

WHEREFORE, the foregoing regulations are hereby:

Adopted Amended as hereinabove stated Repealed

Effective:

When filed with the Secretary of the State.

(OR)

The ____ day of ____ 20__.

In Witness Whereof:	Date 3 Nov 09	SIGNED (Head of Board, Agency or Commission) <i>Robert Saloner</i>	OFFICIAL TITLE, DULY AUTHORIZED Commissioner
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Approved by the Attorney General as to legal sufficiency in accordance with Sec. 4-169, as amended, C.G.S.:	SIGNED	OFFICIAL TITLE, DULY AUTHORIZED
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- Approved
- Disapproved
- Disapproved in part, (Indicate Section Numbers disapproved only)
- Rejected without prejudice.

The Legislative Review Committee in accordance with Sec. 4-170, as amended, of the General Statutes	DATE	SIGNED (Clerk of the Legislative Regulation Review Committee)
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Two certified copies received and filed, and one such copy forwarded to the Commission on Official Legal Publications in accordance with Section 4-172, as amended, of the General Statutes.

DATE	SIGNED (Secretary of the State)	BY
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INSTRUCTIONS

One copy of all regulations for adoption, amendment or repeal, except emergency regulations, must be presented to the Attorney General for his determination of legal sufficiency. Section 4-169 of the General Statutes.

Eighteen copies of all regulations for adoption, amendment or repeal, except emergency regulations, must be presented to the standing Legislative Regulation Review Committee for its approval. Section 4-170 of the General Statutes.

Each regulation must be in the form intended for publication and must include the appropriate regulation section number and section heading. Section 4-172 of the General Statutes.

Indicate by "(NEW)" in heading if new regulation. Amended regulations must contain new language in capital letters and deleted language in brackets. Section 4-170 of the General Statutes.

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Effective:

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The ____ day of ____ 20__.

Witness Whereof:	Date 5/14/09	SIGNED (Head of Board, Agency or Commission) <i>[Signature]</i>	OFFICIAL TITLE, DULY AUTHORIZED Commissioner
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Approved by the Attorney General as to legal sufficiency in accordance with Sec. 4-169, as amended, C.G.S.:	SIGNED <i>[Signature]</i> 5/14/09	OFFICIAL TITLE, DULY AUTHORIZED ASSOC. ATTY. GENERAL
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Approved

Disapproved

Disapproved in part, (Indicate Section Numbers disapproved only)

Rejected without prejudice.

The Legislative Review Committee in accordance with Sec. 4-170, as amended, of the General Statutes	DATE 7/29/09	SIGNED (Clerk of the Legislative Regulation Review Committee) <i>[Signature]</i>
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