

The California Board of Occupational Therapy held a Special Meeting via teleconference on August 14, 2007, at 12 noon.

The purpose of the meeting was to discuss a pending legislative proposal regarding occupational therapy assistants (OTAs).

At its meeting held December 28, 2006, the Board voted to pursue licensure for occupational therapy assistants. The Senate Committee on Business, Professions, and Economic Development (Committee) was reluctant to put 'licensure' for OTAs in its annual omnibus bill, which typically carries only technical language proposals. The Committee's compromise was to amend Senate Bill (SB) 1048 to carry language which would replace 'certified' with 'approved' throughout the Occupational Therapy Practice Act, when referencing OTAs and also amend Business and Professions Code (BPC) Section 2570.18(c) to allow OTAs to use the initials O.T.A./L. and C.O.T.A./L and to call themselves "Licensed Occupational Therapy Assistant." (This language will be in print August 23, 2007.)

The Board held a Special Meeting to discuss the pending legislation for OTAs and voted to approve proposed language as follows:

"Unless certified to assist in the practice of occupational therapy as an occupational therapy assistant under this chapter, a person may not use the professional abbreviations "O.T.A.," "O.T.A./L." "C.O.T.A.," "~~C.O.T.A./C.~~" "C.O.T.A./L." or "Occupational Therapy Assistant," or "Certified Occupational Therapy Assistant," "Licensed Occupational Therapy Assistant." or any other words, letters, or symbols, with the intent to represent that the person assists in, or is authorized to assist in, the practice of occupational therapy as an occupational therapy assistant."

The Board felt that the approach of adding /L to the initials and the addition of the word "Licensed" to BPC Section 2570.18 (and *not* replacing 'certified' with 'approved') is consistent with: (1) the Board's commitment to supporting licensure for OTAs and (2) the language in BPC Section 23.7. Section 23.7 states, in part: "Unless otherwise expressly provided, "license" means license, certificate, registration, or other means to engage in a business or profession regulated by this code..." The word "approval" is not expressly stated (as certificate is), so the Board felt that removing the terms "certified" or "certification" and replacing them with "approved" or "approval" throughout the OT Practice Act would be a step in the wrong direction.

In a subsequent action, the Board voted to take a position of *Oppose Unless Amended* if the above language is not present in any proposed legislation regarding OTAs.

Following the Board's Special Meeting, the Committee indicated that it was unable to accommodate the Board's proposal. Thus, after SB 1048 prints next week, the language regarding OTAs will be stricken in a future revision to the bill. This means that there will be no changes regarding OTA's title and initials in 2008.

The Board believes that consumers are familiar with licensure; to many, licensure is synonymous with state regulation. However, some consumers may not see "certification" as equivalent to licensure, despite the provisions of BPC Section 23.7 (stated above). Conversely, the Board does not believe that consumers will recognize 'approved' as being equivalent to either certification or licensure.

The Board has and will continue to actively support licensure for OTAs; licensure for OTs and OTAs is recognized as the national standard (excluding a handful of states).

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