

PUBLIC COMMENT

Hello Board of OT Licensing of CA –

My name is XXXXXX and I serve as the Academic Fieldwork Coordinator at XXXXXX in XXX.

We are a newly developing OTD program and **wanted to see if you have guidance for us on the potential for our students to complete their clinical education in California.** We are part of NC-SARA and are aware that since CA is not participating, there may be other entities we need to gain approval from in order to have our students complete clinical education in your state. (Emphasis added above by staff)

We have reached out to the Licensing Manager at the Department of Consumer Affairs Bureau for Private Postsecondary Education (FYI -We are a private not for profit university with a religious affiliation).

The Licensing Manager noted that because our activities do not fall under their jurisdiction, they cannot provide us with any next steps and suggested I check with the OT licensing board of CA for guidance.

I also contacted AOTA who confirmed states look to see if the clinical experiences are completed when licensing an OT, but are not restricting where those experiences are completed.

Do you know of any other entities we ought to contact about the potential for our students to complete Fieldwork or Capstone Experiences in California?

We anticipate enrolling students who are from CA or who may want to explore CA as a potential place to complete their fieldwork.

Thank you for your time and sharing of your expertise.

Sincerely,

XXXXX

AGENDA ITEM 6

FIELDWORK COMMUNICATIONS WORKGROUP REPORT TO THE BOARD.

The following are attached for review:

- a) Highlights from September 10, 2021, meeting. *To Be Provided*
- b) Draft August 9, 2021, Workgroup meeting minutes.
- c) Workgroup recommendations to the Board. *To Be Provided*



FIELDWORK COMMUNICATIONS WORKGROUP MEETING MINUTES

Monday, August 9, 2021

1. Call to order, roll call, establishment of a quorum.

California Board of Occupational Therapy (Board) Member and Fieldwork Communications Workgroup Chairperson Lynna Do called the meeting to order at 12:09 pm. Board staff called the roll and a quorum was established.

Workgroup Members Present

Board Member/Workgroup Chair Lynna Do
Board Member Denise Miller
Candace Chatman
Dominique Embrey
Joyce Fries
Jaynee Meyer
Akemi McNeil
Jessica Padilla
Eileen Wang

Workgroup Members Absent

Cesar Arada
Deanna Mannarelli
Aaron Moesser

Board Staff Present

Heather Martin – Executive Officer
Jody Quesada Novey – Analyst

2. Chairperson opening remarks.

Chairperson Lynna Do thanked and welcomed all that were present for the 2nd meeting of the Fieldwork Communications Workgroup.

3. Public Comment Session for items not on the Agenda.

There were no comments from the public.

4. Approval of the July 26, 2021, Workgroup meeting minutes.

The workgroup asked that the section that referred to attendance be updated to reflect that Dominique Embrey and Deanna Mannarelli were not in attendance and Eileen Wang was present.

- Joyce Fries moved to approve the July 26, 2021, Fieldwork Workgroup meeting minutes as edited.
- Denise Miller seconded the motion.

Public Comment

There was no public comment.

Member Votes

Lynna Do	Yes
Denise Miller	Yes
Candace Chatman	Yes
Dominique Embrey	Yes
Joyce Fries	Yes
Jaynee Meyer	Yes
Akemi McNeil	Yes
Jessica Padilla	Yes
Eileen Wang	Yes

The motion carried.

5. Review and discussion of responses to fieldwork survey and possible recommendations to the Board in how to address the issues identified.

Workgroup members reported that they had noticed that hospitals were a bit more hesitant to take on fieldwork supervision most likely due to Covid-19 and that additional factors contributing to placement hardships were maternity leave, staff burnout and new staff not being prepared to take students.

Chairperson Lynna Do asked for ideas as to what the workgroup wanted to include in its recommendation to the Board.

Communication by letter to the administrators of hospitals and organizations was suggested.

Conversation ensued regarding the need to reach out to hospitals and organizations and let them know that the workgroup understands the burnout and to convey that fieldwork supervision is beneficial to both the student and the hospital/organization because they will be getting a soon-to-be entry level practitioner that can contribute to their workforce if given the hands-on experience.

Concern regarding other states competing to place their students in California sites was shared amongst the workgroup and the question was posed as to whether the Board could suggest that a California business or organization only take on California students for fieldwork.

Executive Officer Heather Martin stated that it could be added as a suggestion to stress the importance of giving priority to California students but suggesting any type of limitation on student placements would have to be addressed with the Accreditation

Council Occupational Therapy Education (ACOTE) since they issue the education guidelines.

An additional suggestion was to focus on educating Administrators regarding the supervision requirements because it had been brought to the attention of some of the Fieldwork Coordinators that occupational therapists weren't clear on fieldwork supervision requirements.

Public Comment

Stephanie Kokesh, Director of Clinical Education at CBD College, voiced her support of the input provided by her colleagues.

6. Review and discussion of letters drafted by the California Occupational Therapy Fieldwork Council to health care administrators and occupational therapists and occupational therapy assistants to consider for possible recommendation(s) to the Board.

After further discussion, the workgroup decided that they wanted to ask the Board to increase the number of Professional Development Units earned for supervising students completing their fieldwork.

Ms. Martin commented that the letters drafted by the California Occupational Therapy Fieldwork Council (CAOTFC) were very helpful and could be used as a starting point. Ms. Martin suggested that CAOTFC be mentioned in the revised letters since they authored the letters and agreed to be a resource available to provide facilities with assistance setting up a program.

The workgroup agreed to make the necessary adjustments to the CAOTFC letters, include reference to the CAOTFC and recommend to the Board that the letter be sent to administrators and large corporations first.

Public Comment

Stephanie Kokesh stated her support for the idea of suggesting that California students be given first consideration with fieldwork placement and thanked Ms. Martin for suggesting that CAOTFC be listed as a resource in the letter.

7. Defining and discussing the issue of too few fieldwork supervisors and facilities available for California's occupational therapy students to include in future report to the Board.

Chairperson Lynna Do stated that Agenda Item 7 would need to be tabled for a future meeting due to time constraints and the importance of addressing Agenda Item 8.

8. Development of communication and outreach plan and recommendations to the Board.

Chairperson Lynna Do summarized the outreach plan and recommendations to the Board as submission of updated versions of the CAOTFC letters to the Board for review, approval and subsequent dissemination and to separately request the Board

consider increasing PDUs earned for supervising Level II fieldwork students and additional or more PDUs earned for providing that supervision to a California student.

- Denise Miller moved to instruct Board staff to draft letters as they relate to all comments made during the meeting in the form of a 'White Paper' for Board review.
- Dominique Embrey seconded the motion.

Public Comment

There was no public comment.

Member Votes

Lynna Do	Yes
Denise Miller	Yes
Candace Chatman	Yes
Dominique Embrey	Yes
Joyce Fries	Yes
Jayne Meyer	Yes
Akemi McNeil	Yes
Jessica Padilla	Yes
Eileen Wang	Yes

The motion carried.

The workgroup discussed whether the increase to PDUs earned for Level II supervision should be requested indefinitely or be linked to the Pandemic only and whether the workgroup should be prescriptive in the amount of the increase.

Chairperson Do stated that there was no need to put a number on the increase as the Board could discuss that matter but agreed that the recommendation should include an increase for supervision of Level II fieldwork and even more for supervision of a Level II fieldwork student from a California school.

Executive Officer Heather Martin advised the workgroup that any increase would require a regulation change and that timeline could take more than a year, so it was her recommendation to suggest a permanent increase.

- Joyce Fries moved to recommend to the Board that they consider increasing PDUs awarded for supervision of a Level II student and add additional PDUs for supervising a Level II California student.
- Dominique Embrey seconded the motion.

Public Comment

There was no public comment.

Member Votes

Lynna Do	Yes
Denise Miller	Yes

Candace Chatman	Yes
Dominique Embrey	Yes
Joyce Fries	Yes
Jayne Meyer	Yes
Akemi McNeil	Yes
Jessica Padilla	Yes
Eileen Wang	Yes

The motion carried.

9. Select future meeting date(s) if another meeting is necessary.

The workgroup agreed to schedule another meeting to review the letters that Board staff would update at their request and address the development of a communication and outreach plan to include in the Workgroup's recommendations to the Board.

The workgroup agreed to hold the next meeting on August 30th from 12:00 to 1:30 pm and asked that Board staff send a 'Save the Date' email.

The meeting adjourned at 1:30 pm.

DRAFT

AGENDA ITEM 8

OCCUPATIONAL THERAPY LICENSURE COMPACT.

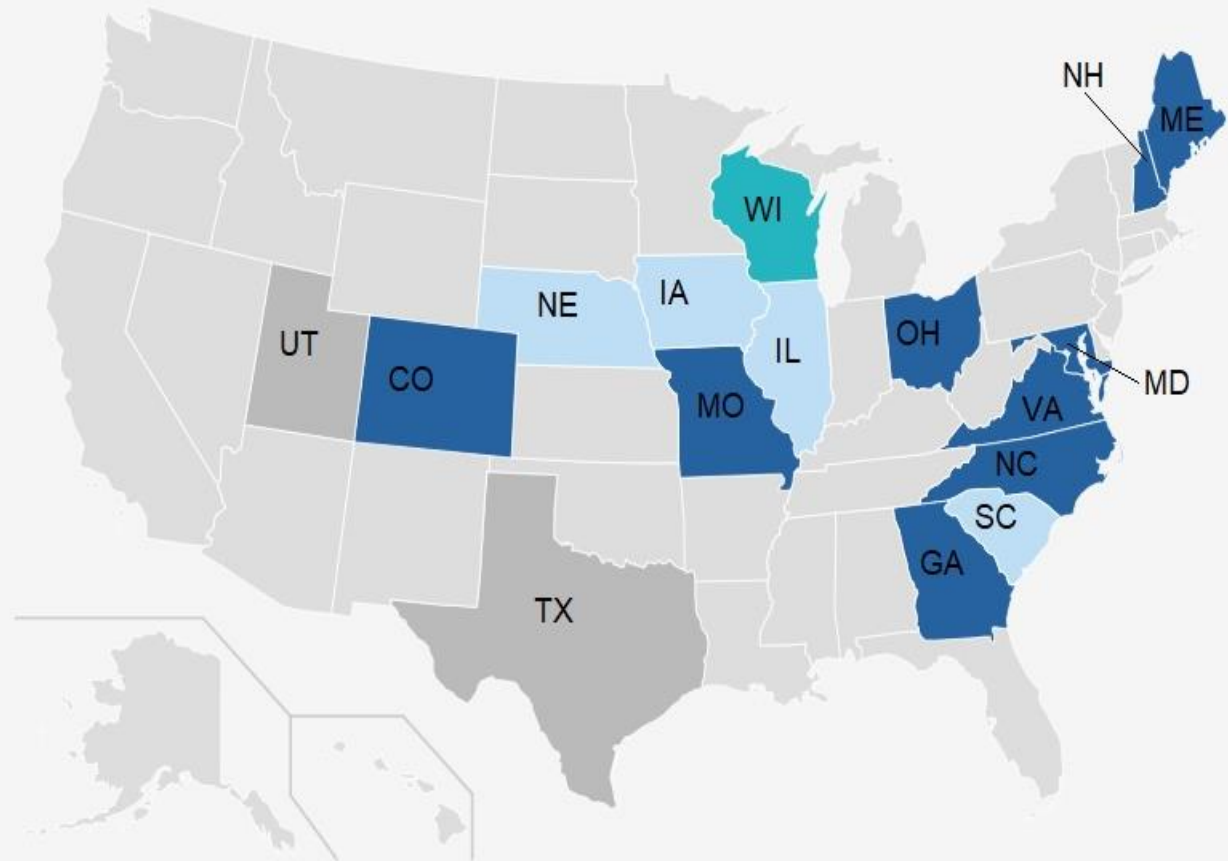
■ Enacted

■ Pending

■ Bill Carries
Over to 2022

■ Unsuccessful

Colorado
Georgia
Illinois
Iowa
Maine
Maryland
Missouri
Nebraska
New Hampshire
North Carolina
Ohio
South Carolina
Texas
Utah
Virginia
Wisconsin





NATIONAL CENTER FOR INTERSTATE COMPACTS

Interstate Licensure Compacts and Universal
License Recognition Laws

FACT SHEET

Introduction

In recent years, states have worked to reduce barriers to interstate mobility for licensed professionals through **interstate licensure compacts**, or statutorily enacted agreements among states allowing licensees to practice across state lines, and **universal license recognition laws** in which a single state determines its unique process to grant a license by endorsement to a license holder from another state or

territory. These policies help to solve similar problems, but there are several major differences. Notably, compacts are tailored to a particular profession and allow licensees to engage in interstate practice in all compact member states, whereas universal recognition laws attempt to account for most or all professions a state regulates but only with regard to practice within that state's borders.

Universal Recognition vs. Interstate Compact

As states seek ways to improve occupational licensure portability for out-of-state workers, universal licensure recognition laws have gained popularity. Since 2019, eight states have either implemented new or reworked existing license portability policies that may be defined under the universal licensure recognition model. The model generally sets less restrictive and more uniform licensure portability standards across most or all licensed occupations within the state.

While these universal license recognition laws do not provide for true reciprocity — instantaneous recognition of another state's license — and may still require an application process and allow for some discretion by the licensing board in license decisions, they have the intended effect of lowering the threshold for license portability in a state and reducing time to licensure. States also may particularly benefit from the policy's ability to be enacted unilaterally over a short period of time and the opportunity to set alternative pathways to licensure.

This table shows some similarities between universal recognition laws and interstate compacts, while highlighting key differences.

criteria	universal recognition	interstate compact
Requires practitioners to abide by the scope of practice of the state in which they are practicing	✓	✓
Allows for expeditious interstate movement of practitioners during emergencies	✓	✓
Reduces barriers for out-of-state practitioners aiming to practice within your state	* ✓	✓
Reduces barriers for in-state practitioners aiming to practice in multiple states	✗	✓
Allows military spouses to maintain a single home-state license for the duration of the service member's active duty, regardless of relocations, without submitting a separate application to each state's licensure board	✗	¹ ✓
Allows practitioners to work in multiple states, both in person and via telehealth/telework, without submitting a separate application to each state's licensure board, requiring verification of the current license, or obtaining a new background check	✗	✓
Brings together a coalition of states to establish uniform and enforceable interstate licensure standards that are narrowly tailored to the public protection requirements of a specific profession	✗	✓
Enhances public protection by creating a multi-state database of licensure information to facilitate collaboration on license verification and investigations of potential misconduct	✗	✓
Allows multistate practice without requiring the practitioner to change state of residence	Sometimes*	² ✓

* Some states' universal recognition laws, such as those in Iowa and Arizona, require the practitioner to reside in the state while others, such as Colorado's and Idaho's, do not

¹ If relocating to a compact member state. Verification based on practitioner complying with compact criteria for privilege to practice in another member state.

² Applicable when practitioner travels from one compact member state to another compact member state.



Adoption of Interstate Licensure Compacts and Universal Recognition Laws

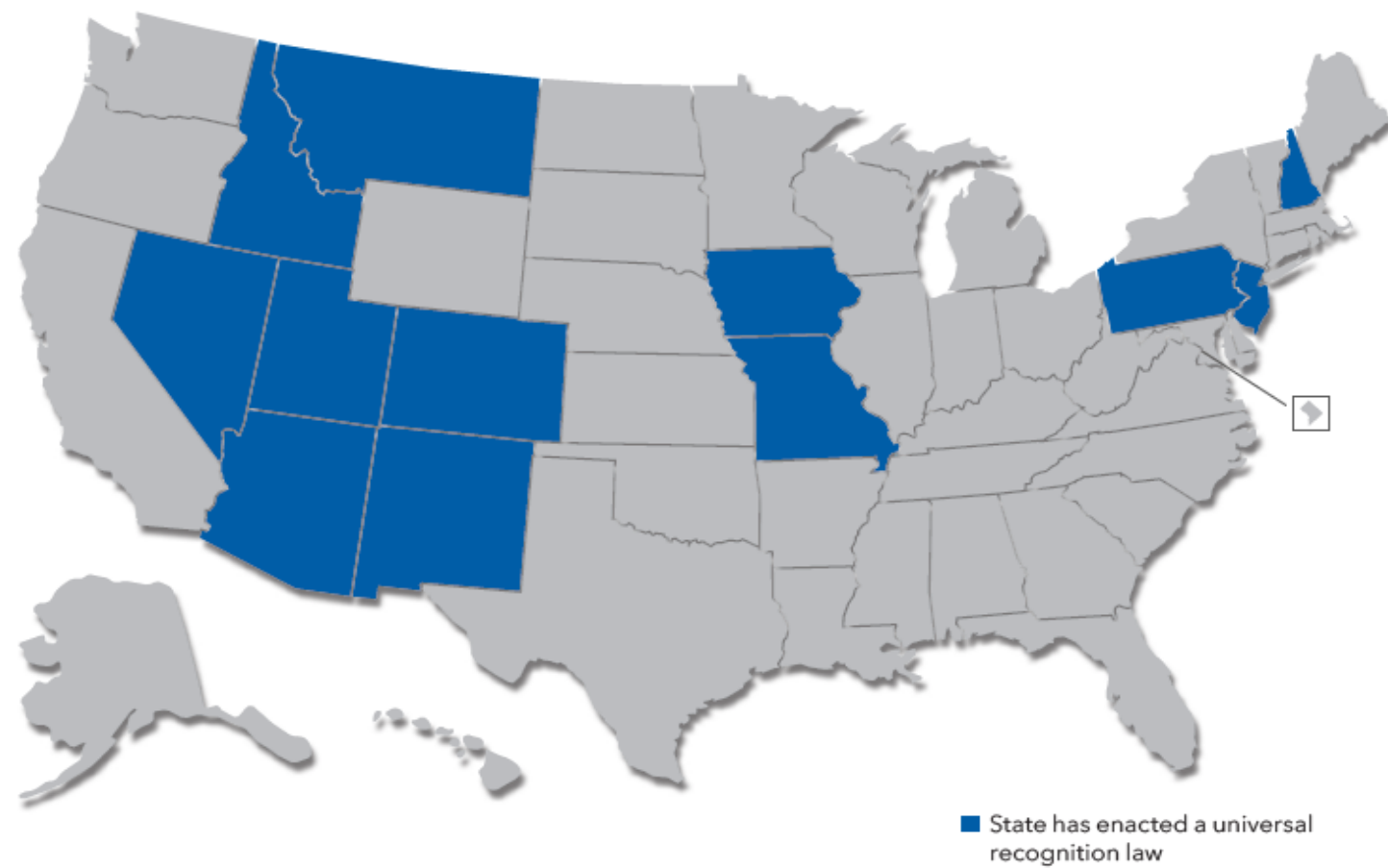
The Council of State Governments (CSG)

identified 12 states that have enacted some type of universal recognition policy for out-of-state licensed workers.

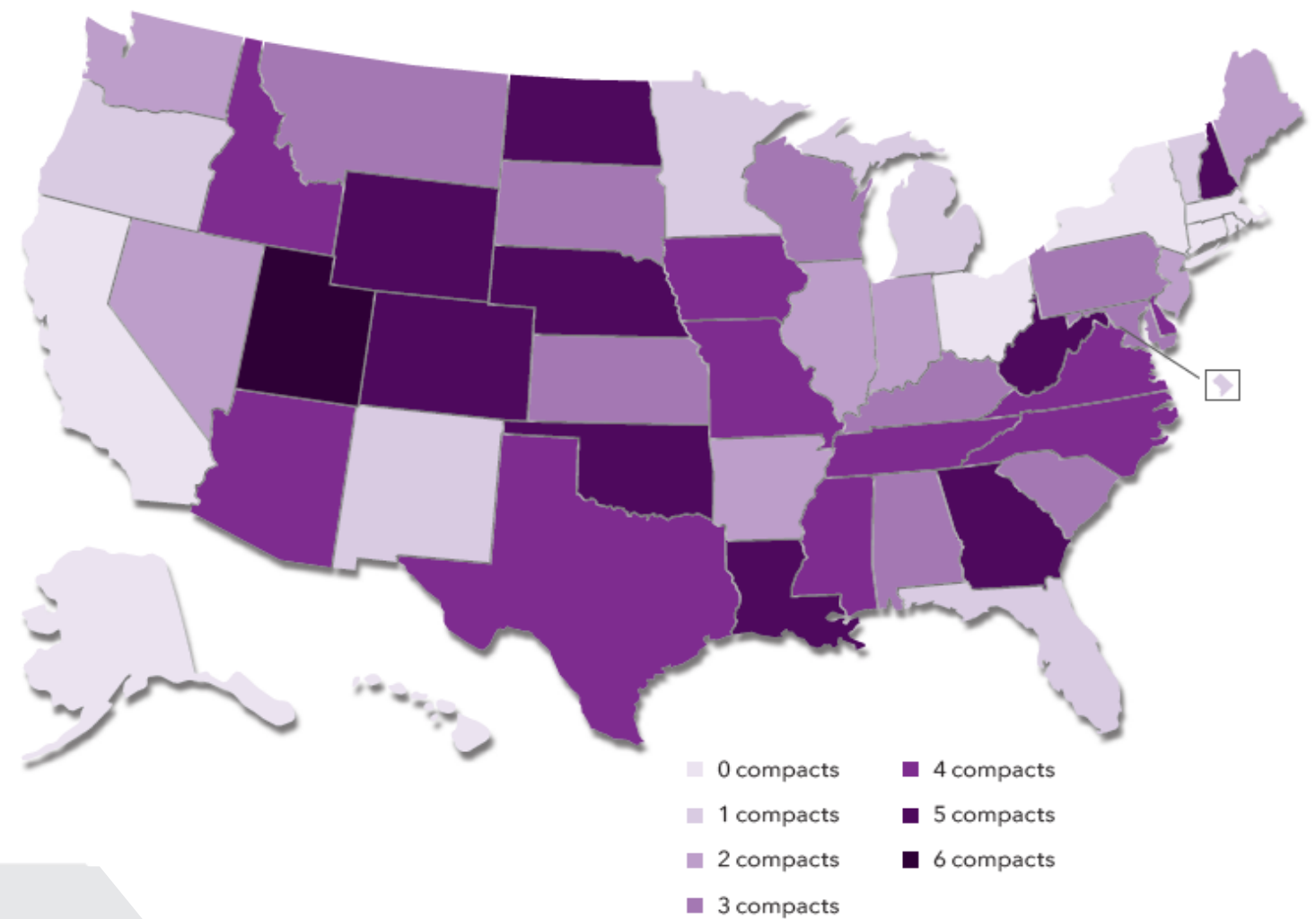
Forty-two states have enacted at least one interstate licensure compact, and 29 states belong to at least three interstate licensure compacts. These currently active statutorily enacted agreements among states allowing licensees to practice across state lines

involve 138 separate pieces of legislation and include compacts in the fields of physical therapy, nursing, emergency medical services, psychology, occupational therapy and more. Every state and territory has enacted at least two dozen interstate compacts in areas outside of occupational licensure, including insurance regulation, corrections, foster care, and education.

Universal Recognition Laws



Active Interstate Licensure Compacts



State and U.S. Territory Membership to Interstate Licensure Compacts

Navigating the various state licensing requirements, rules, regulations and fee structures can present challenges for workers. To address these challenges, states and professions have turned to occupational licensure interstate compacts. These compacts create reciprocal professional licensing practices between states, while ensuring the quality and safety of services and safeguarding state sovereignty. To date, over 40 states and territories have adopted at least one of the following occupational licensure compacts:[†]

- PT**
Physical Therapy Compact
- IMLC**
Interstate Medical Licensure Compact
- ENLC**
Enhanced Nurse Licensure Compact
- EMS**
Emergency Medical Services Compact
- PSYPACT**
Psychology Interjurisdictional Compact
- APRN**
Advanced Practice Nursing Compact
- ASLP**
Audiology And Speech-Language Pathology Compact
- OT**
Occupational Therapy Licensure Compact*
- CC**
Counseling Compact*

*First enactments expected in 2021

† Every state and territory has enacted at least two dozen interstate compacts in areas outside of occupational licensure, including insurance regulation, corrections, foster care, and education.

STATE	PT	IMLC	ENLC	EMS	PSYPACT	APRN	ASLP	OT*	CC*	TOTALS
ALABAMA										3
ALASKA										0
ARIZONA										4
ARKANAS										2
CALIFORNIA										0
COLORADO										5
CONNECTICUT										0
DELAWARE										4
FLORIDA										1
GEORGIA										5
HAWAII										0
IDAHO										4
ILLINOIS										2
INDIANA										2
IOWA										4
KANSAS										3
KENTUCKY										3
LOUISIANA										5
MAINE										2
MARYLAND										3
MASSACHUSETTS										0
MICHIGAN										1
MINNESOTA										1
MISSISSIPPI										4
MISSOURI										4
MONTANA										3
NEBRASKA										5
NEVADA										2
NEW HAMPSHIRE										5
NEW JERSEY										2
NEW MEXICO										1
NEW YORK										0
NORTH CAROLINA										4
NORTH DAKOTA										5
OHIO										0
OKLAHOMA										5
OREGON										1
PENNSYLVANIA										3
RHODE ISLAND										0
SOUTH CAROLINA										3
SOUTH DAKOTA										3
TENNESSEE										4
TEXAS										4
UTAH										6
VERMONT										1
VIRGINIA										4
WASHINGTON										2
WEST VIRGINIA										5
WISCONSIN										3
WYOMING										5
AMERICAN SAMOA										0
DIST. OF COLUMBIA										1
GUAM										0
CNMI										0
PUERTO RICO										0
US VIRGIN ISLANDS										0
	29	30	34	21	15	3	6	0*	0*	138

Preventing Conflicts Through Exemptions for Compacts

While states are using universal recognition laws as part of their toolkits to increase license mobility, they are also exempting interstate occupational licensure compacts from the provisions of the universal recognition policy. Policymakers understand the importance of interstate compacts and their tailored functionality for the professions they were designed for.

Interstate compacts are developed in a highly negotiated process in which universal requirements for compact participation are agreed upon by practitioners and industry experts. By joining a compact, states are agreeing to the requirements for participation as listed in the compact. Universal license recognition policies that do not include a provision excluding interstate compacts may come in conflict with requirements for participation in a compact.

Licensure compacts and universal recognition statutes can coexist without conflict or redundancy as long as provisions to exclude interstate compacts are inserted into the universal recognition bills. Enhancing the ability of practitioners to engage in interstate practice requires more than a one-size-fits-all approach. States should account for industry-tailored reciprocity mechanisms such as interstate compacts when crafting universal recognition laws.

EXAMPLE LANGUAGE EXEMPTING COMPACTS FROM UNIVERSAL RECOGNITION LAWS

ARIZONA STAT. 32 4302(E), (F)
 F. A license or certificate issued pursuant to this section is valid only in this state and does not make the person eligible to be part of an interstate compact. A regulating entity under this title may determine eligibility for an applicant to be licensed or certified under this section if the applicant is not part of an interstate compact.

COLORADO HB 20 1326 (2020) SEC. 4(C)
 (c) An applicant is not entitled to licensure, certification, registration, or enrollment pursuant to this subsection (3) if approving the licensure, certification, registration, or enrollment would violate an existing compact or reciprocity agreement [...]

IDAHO STAT. 67 9409(7)
 (7) This section shall not restrict a person who is a member of a profession or occupation covered by an applicable interstate licensure compact or applicable reciprocity agreement from seeking licensure pursuant to this section. In such a situation, a person may apply for universal licensure under this section or may apply for licensure pursuant to the terms of the applicable licensure compact or reciprocity agreement. A licensing authority may promulgate applicable rules if necessary to implement the provisions of this section.

INDIANA CODE 25 1 17 8(F)
[note: universal recognition for military spouses only]
 (f) This section does not apply to a license that is established by or recognized through an interstate compact, a reciprocity agreement, or a comity agreement that is established by a board or a law.

NEW HAMPSHIRE STAT. 332 G:14 (I)
 I. Any board or commission regulating an occupation or profession which is a member of an interstate licensure compact, or which has, in statute or by administrative rules, a procedure for reciprocity or temporary licensure for individuals from other states, need not comply with this section for any license or certificate issued by the board or commission.

GEORGIA HB 773 (2019 2020)
[note: bill failed]
 (f) This Code section shall not apply to:
 (1) Criteria for a license that is issued pursuant to a license of eligibility that is established by an interstate compact [...]
 (g) A license issued pursuant to this Code section shall be valid only in

MISSOURI STAT. 324.009(10), (11)
 10. The provisions of this section shall not apply to an oversight body that has entered into a licensing compact with another state for the regulation of practice under the oversight body's jurisdiction. The provisions of this section shall not be construed to alter the authority granted by, or any requirements promulgated pursuant to, any interjurisdictional or interstate compacts adopted by Missouri statute or any reciprocity agreements with other states in effect on August 28, 2018, and whenever possible this section shall be interpreted so as to imply no conflict between it and any compact, or any reciprocity agreements with other states in effect on August 28, 2018

11. Notwithstanding any other provision of law, a license issued under this section shall be valid only in this state and shall not make a licensee eligible to be part of an interstate compact. An applicant who is licensed in another state pursuant to an interstate compact shall not be eligible for licensure by an oversight body under the provisions of this section.

UTAH CODE § 58 1 302(5)
 In accordance with Section 58 1 107, licensure endorsement provisions in this section are subject to and may be supplemented or altered by licensure endorsement provisions or multistate licensure compacts in specific chapters of this title.

IOWA STAT. 272C.12(3)
 3. This section does not apply to any of the following:
 b. Criteria for a license, certificate, or registration that is established by an interstate compact.

this state and shall not make the licensed individual eligible to be part of an interstate compact. A regulating entity in this state may determine eligibility for an applicant to be licensed pursuant to this Code section if the applicant is not part of an interstate compact.

For More Information

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**National Center for
Interstate Compacts**

THE COUNCIL OF STATE GOVERNMENTS