

CALIFORNIA BOARD OF OCCUPATIONAL THERAPY

FINAL STATEMENT OF REASONS

Hearing Date: Not Applicable (No request from the public was received)

Subject Matter of Proposed Regulations: Continuing Competency

Sections Affected: Title 16, Division 39, California Code of Regulations, Section 4161

Updated Information:

The Initial Statement of Reasons is included in the file. There has not been any change to the initially proposed text or the underlying reasons for which the California Board of Occupational Therapy (Board) seeks this regulatory amendment.

Local Mandate: None

Business Impact/Finding of Necessity:

The Board has determined this proposed action will not have an adverse economic impact on business in California. The proposed action applies to individuals that are licensed to provide occupational therapy services. The Board's Continuing Competency requirements are designed to ensure that occupational therapists and assistants maintain or increase their professional knowledge base.

This regulatory action is necessary to update terminology and align the number of required Professional Development Units (PDUs) with the Board's biennial license renewal requirement. It also is necessary to correct or clarify existing language that prohibits an occupational therapist or assistant from applying coursework taken in a degree program subsequent to the completion of the qualifying degree for licensure toward the continuing competence requirement, which can even be construed as applying toward coursework taken in a higher more advanced occupational therapy degree program. This regulatory action will also set forth a sensible limit (50%) on activities that can be completed in lieu of coursework toward the continuing competence requirement.

Consideration of Alternatives:

No reasonable alternative which was considered or that has otherwise been identified and brought to the attention of the Board would be more effective in carrying out the purpose for which it was proposed or would be as effective and less burdensome to affected private persons than the adopted regulation or would be more cost effective to the affected private persons and equally effective in implementing the statutory policy or other provision of law.

Summary of Public Comments Received During 45-day Comment Period:

The Board did not receive any comments pertaining to this proposed action in the 45-day comment period.

However, the Board wants to acknowledge that it received a comment outside the 45-day comment period from Dr. Guy McCormack during public discussion at a Board Meeting on February 6, 2014. Dr. McCormack reported that Occupational Therapy Association of California members are concerned that the continuing education between the National Board for Certification in Occupational Therapy and the California Board of Occupational Therapy are not fully aligned and are difficult for students and practitioners to sort out. Dr. McCormack suggested that offering a table that delineated the difference between the respective requirements would be helpful. This comment was outside the scope of this proposed action and was rejected.