

CALIFORNIA BOARD OF OCCUPATIONAL THERAPY  
PROPOSED AMENDED REGULATORY LANGUAGE  
Title 16, Division 39, California Code of Regulations

Proposed amendments are shown by strikeout for deleted text and underline for new text. Modifications are shown by double strikeout for deleted text and double underline for new modified language.

Article 9. Supervision of Occupational Therapy Assistants, Limited Permit Holders,  
Students, and Aides

§ 4180. Definitions

In addition to the definitions found in Business and Professions Code sections 2570.2 and 2570.3 the following terms are used and defined herein:

- (a) "Client related tasks" means tasks performed as part of occupational therapy services rendered directly to the client.
- (b) "Level I student" means an occupational therapy or occupational therapy assistant student participating in activities designed to introduce him or her to fieldwork experiences and develop an understanding of the needs of clients.
- (c) "Level II student" means an occupational therapy or occupational therapy assistant student participating in delivering occupational therapy services to clients with the goal of developing competent, entry-level practitioners.
- (d) "Level II fieldwork educator" means a licensed occupational therapist or occupational therapy assistant who has a minimum of one year of practice experience following issuance of a license or other authorization to practice issued by another state regulatory board.
- (e) "Non-client related tasks" means clerical and secretarial activities; transportation of patients/clients; preparation or maintenance of treatment equipment and work area; taking care of patient/client personal needs during treatments; and assisting in the construction of adaptive equipment and splints.
- (f) "Periodic" means at least once every 30 days.
- ~~(g) "Clinical supervision," as used in this article, refers to those activities included in the American Occupational Therapy Association's document entitled "Standards of Practice for Occupational Therapy" (Adopted 2010), incorporated herein by reference.~~

Note: Authority cited: Sections 2570.13 and 2570.20, Business and Professions Code.  
Reference: Sections 2570.2, 2570.3, 2570.4, 2570.5, 2570.6, and 2570.13, Business and Professions Code.

§ 4184. Delegation of Tasks to Aides.

- (a) The primary function of an aide in an occupational therapy setting is to perform routine tasks related to occupational therapy services. Non-client related tasks may be delegated to an aide when the supervising occupational therapy practitioner has determined that the person has been appropriately trained and has supportive documentation for the performance of the services.
- (b) Client related tasks that may be delegated to an aide include specifically selected routine aspects of an intervention session. In addition to the requirements of Code section 2570.2,

subdivisions (a) and (b), the following factors must be present when an occupational therapist delegates a selected aspect of an intervention to an aide:

- (1) The outcome anticipated for the aspects of the intervention session being delegated is predictable.
  - (2) The situation of the client and the environment is stable and will not require that judgment or adaptations be made by the aide.
  - (3) The client has demonstrated previous performance ability in executing the task.
  - (4) The aide has demonstrated competence in the task, routine and process.
- (c) The supervising occupational therapist shall not delegate to an aide the following tasks:
- (1) Performance of occupational therapy evaluative procedures;
  - (2) Initiation, planning, adjustment, or modification of treatment procedures.
  - (3) Acting on behalf of the occupational therapist in any matter related to occupational therapy treatment that requires decision making.
- ~~(d) All documented client related services shall be reviewed and cosigned by the supervising occupational therapist.~~

Note: Authority cited: Sections 2570.13 and 2570.20, Business and Professions Code.  
Reference: Sections 2570.2, 2570.4 and 2570.13, Business and Professions Code

§ 4187. ~~Supervision Plan for an Occupational Therapist~~

Occupational Therapy Assistants Serving in Administrative Positions

An occupational therapy assistant in an administrative role, or supervisory role related to the provision of occupational therapy services, shall only provide administrative services responsibilities pursuant to a documented plan for the clinical supervision of any occupational therapy practitioner providing those occupational therapy services. This document shall include provisions for ongoing and formal evaluation of clinical performance, and must be available at time of hire, contract negotiation, and upon request in a setting where permitted by law.

Note: Authority: Sections 2570.13 and 2570.20, Business and Professions Code. Reference: Sections 2570.2, 2570.4 and 2570.13, Business and Professions Code.