

NOTICE OF AVAILABILITY OF SECOND MODIFIED TEXT

NOTICE IS HEREBY GIVEN that the Board of Occupational Therapy has proposed modifications to the text of California Code of Regulations Section 4176 in Division 39, of Title 16. A copy of the second modified text is enclosed.

Any person who wishes to comment on the proposed modifications may do so by submitting written comments on or before 5:00 PM on October 25, 2016, to the following:

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Materials regarding this proposal can be found at www.bot.ca.gov.

DATED: October 10, 2016

HEATHER MARTIN, Executive Officer
California Board of Occupational Therapy

CALIFORNIA BOARD OF OCCUPATIONAL THERAPY

PROPOSED AMENDED REGULATORY LANGUAGE Title 16, Division 39, California Code of Regulations

Proposed amendments are shown by underline for new text.
Modifications to regulatory language are shown by ~~double-strikeout~~ for deleted text.
Second modified text is shown by and **bold double underline** for new text and ~~bold double-strikeout~~ for deleted text.

Add section 4176 to Article 8 of Division 39 of Title 16 of the California Code of Regulations to read as follows:

§ 4176. Notice to Consumers.

(a) Occupational therapists and occupational therapy assistants shall provide notice to their patients or clients that they are licensed and regulated by the California Board of Occupational Therapy, **as specified in (b), (c), and (d), below.**

(b) Except for employees exempt by their employer pursuant to section 680 of the Code, occupational therapists and occupational therapy assistants shall wear a name tag while working, in at least 18-point font that provides the first and last name and license type ~~and number~~. However, the name tag requirement shall not apply to occupational therapists or occupational therapy assistants who prominently display a copy of their license in the practice area or office where he or she works.

(c)(1) Occupational therapists and occupational therapy assistants shall provide to the patients or clients at the time of initial evaluation, or display in at least 24-point font in an area visible to patients or clients, written notice specifying that the licensee is regulated by the California Board of Occupational Therapy, and provide the following personal information: Licensee's first and last name; ~~license type and number~~; and highest level of earned academic degree related to the provision of occupational therapy services.

(2) As required by section 680.5 of the Code, this information shall also be displayed on any Internet website directly controlled or administered by the occupational therapist or occupational therapy assistant or his or her office personnel.

(d) This section shall not apply to occupational therapists or occupational therapy assistants who work in the following types of facilities:

- (1) General acute care hospital;
- (2) Acute psychiatric hospital;
- (3) Skilled nursing facility;
- (4) Intermediate care facility;
- (5) Intermediate care facility/developmentally disabled-habilitative;
- (6) Special hospital;
- (7) Intermediate care facility/developmentally disabled;
- (8) Intermediate care facility/developmentally disabled-nursing;
- (9) Congregate living health facility;
- (10) Correctional treatment center;

(11) Nursing facility;

(12) Intermediate care facility/developmentally disabled-continuous nursing; or

(13) Hospice facility.

Authority cited: Section 2570.20, Business and Professions Code; Reference: Sections 138, 680, and 680.5, Business and Professions Code.