

GEORGIA STATE BOARD OF OCCUPATIONAL THERAPY
Rules Committee Zoom Meeting Minutes
Thursday, May 5, 2022 – 12:00 p.m.

The Georgia State Board of Occupational Therapy Rules Committee met via Zoom on Thursday, May 5, 2021. The following Committee members were present:

Committee Members Present

Robert McClellan, OTR/L, Committee Chair
Pamela Reddick-Collins, OTR/L, Committee Member

Administrative Staff Present

Meagan Doss, Licensing Supervisor
Michelle Hornaday, Board Support Specialist

Attorney General's Office

No Assistant Attorney General present.

Administrative Staff Absent

Adrienne Price, Executive Director

Visitors Present

Dr. Sandra Eskew Capps, PT, DPT

Call to Order Mr. McClellan called the Committee meeting to order at 12:13 p.m.

OPEN SESSION

Committee Meeting Agenda

The Committee accepted the agenda as presented.

Discussion – Board Rules

- 1. Rule 671-6-.02. Requirements**
- 2. Rule 671-3-.08. Renewal of License/Penalties/Continuing Education Requirements. Amended**

During the March 1, 2022 Board Zoom meeting, Rule 671-6-.02. Requirements was referred back to the Rules Committee for further discussion. The Committee also discussed the purpose and justifications for amending Rule 671-3-.08. Renewal of License/Penalties/Continuing Education Requirements. Amended. The Committee's recommendations are as follows:

1. Rule 671-6-.02. Requirements

The Committee entered into a discussion regarding the type of documentation that is currently being submitted as proof of meeting the requirements set forth in Board Rule 671-6-.02. Requirements. They stated the purpose of amending the existing rule is to clarify requirements for occupational therapy assistants and to clarify the supervision credentials necessary to approve those hours. This will ensure competent practitioners, by clarifying what is needed in order to be able to safely utilize PAMS (Physical Agent Modalities). The amendments will make the certification process more efficient for licensees and expand access to care and services for the consumer. The amendments also further clarify the policy objectives that are expressed in statute.

The Committee considered multiple variations and it is their opinion that the clarification more clearly defines what is expected of the PAMS applicant in order to ensure they are competent in providing these services to the consumer. After having reviewed the modalities certification processes in every state, the Committee stated this is the least restrictive way in which to accomplish the State's policy on PAMS requirements. They further determined that the competence the applicant is being asked to demonstrate is consistent with recommendations by the national occupational therapy groups.

The independent support for their recommendations includes peer reviewed articles, input from stakeholders, and substantiated examples of the potential of harm in the absence of a rule amendment. The amendments are reflective of best and safe practices and will affect occupational therapy assistants who are attempting to become PAMS certified. The amendments will also affect consumers who may access the services by licensees who have been certified by the Board.

The Committee discussed the economic impact of the amendment and stated the amendments will have a positive economic impact as the rule will now allow for certified physical therapists to provide proof of an applicant's proficiency thus expanding options to licensees in rural Georgia where access to certified occupational therapists may be limited. They will also eliminate any ambiguities in requirements making it simpler for licensees to apply, become certified and improve upon their eligibility for increased pay as a result of achieving certification.

The formulation and adoption of this rule does not impose excessive regulatory cost on any licensee; and any cost to comply with the proposed rules cannot be reduced by a less expensive alternative that fully accomplishes the objectives of the statutes.

It is not legal or feasible to meet the objectives of the statute to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(3)(A), (B), (C), and (D). The formulation and adoption of these rules will impact every licensee in the same manner in the field of Occupational Therapy.

Ga. Comp. R. & Regs. r. 671-6-.02 Requirements

Georgia Administrative Code

Department 671. GEORGIA STATE BOARD OF OCCUPATIONAL THERAPY

Chapter 671-6. CERTIFICATION FOR USE OF PHYSICAL AGENT MODALITIES

Current through Rules and Regulations filed through November 10, 2021

Rule 671-6-.02. Requirements

- (1) Effective June 18, 2014, Any occupational therapist and occupational therapy assistant who wishes to utilize O.T. techniques involving physical agent modalities, must document, successful completion of a minimum of 90 contact hours of instruction or training approved by the Board which covers:
 - (a) Principles of physics related to specific properties of light, water, temperature, sound, or electricity, as indicated by selected modality;
 - (b) Physiological, Neurophysiological, and Electrophysiological, changes, as indicated, which occur as a result of the application of selected modality;
 - (c) The response of normal and abnormal tissue to the application of the modality;
 - (d) Indications and contra indications related to the selection and application of the modality;
 - (e) The guidelines for treatment or administration of the modality within the philosophical framework of occupational therapy;
 - (f) The guidelines for educating the patient including instructing the patient to the process and possible outcomes of treatment, including risks and benefits;
 - (g) Safety rules and precautions related to the selected modality;
 - (h) Methods of documenting the effectiveness of immediate and long-term effects of treatment; and
 - (i) Characteristics of the equipment including safe operation, adjustment, and care of the equipment.

- (2) No less than 36 contact hours must be directly related to the specific theories and practical application of physical agent modalities.
- (3) Acceptable instruction or training shall include any activity relevant to the practice of physical agent modalities in occupational therapy and may include formal academic education, conferences, workshops, seminars, web-based instructions, and in-service education.
- (4) Each occupational therapist and occupational therapy assistant is responsible for submitting documentation of training. Documentation **for occupational therapists** shall include:
 - (a) Identification of the specific course or training where the therapist learned content related to each subject area (a-i);
 - (b) Proof of 90 hours of instruction or training. This may be reported by:
 - 1. A statement of attendance or a copy of the certificate of completion **either of** which shows title of program, hours of program, date program was taught, signature of designated program official, and a brochure or program outline; or
 - 2. An official grade report/transcript and course outline to verify academic education.
 - (c) **Documentation for occupational therapy assistants must include identification of the specific course or training where the therapist learned content related to each subject area (a-i) as well as the following documentation as proof of 90 hours of instruction or training:**
 - 1. **College transcripts that reflects 8 hours in Anatomy & Physiology, 8 hours in Chemistry, 8 hours in Physics and 8 hours of any additional coursework that is directly related to the physical agent modality curriculum provided that the course outline is also provided to the Board for review; and,-**
 - 2. **At least 36 hours of preparatory continuing education coursework related to the specific theories and application of physical agent modalities by attendance at live presentations such as workshops, seminars, conferences, or formal academic coursework beyond what was provided within the original curriculum; and,**
 - 3. **An additional 15 hours of practical clinical application instruction by an Occupational Therapist or Physical Therapist who is certified in physical agent modalities. Such instruction must be related to the topic specified in subparagraphs 1(a) through 1(j) of this rule and documented on forms approved by the Board.**
- (5) Additional documentation may be requested by the Board, if deemed necessary.

Authority: O.C.G.A. §§ [43-28-3\(9\)](#), [43-28-7](#), [43-28-8.1](#), [43-28-12](#), [43-1-3](#) and [43-1-25](#).

History. Original Rule entitled "Requirements" adopted. F. Nov. 20, 1991; eff. Dec. 10, 1991.

Amended: F. Jan. 20, 2015; eff. Feb. 9, 2015.

Note: Correction of non-substantive typographical error in sub-paragraph (1)(c), "nor mal" corrected to "normal"; sub-paragraph (4)(a), "w here" corrected to "where", as requested by the Agency. Effective Oct. 11, 2016.

2. Rule 671-3-.08. Renewal of License/Penalties/Continuing Education Requirements. Amended

The Committee discussed amending Board Rule 671-3-.08. Renewal of License/Penalties/Continuing Education Requirements. Amended, and determined that the recommended amendments are necessary as the current rule is confusing to constituents. The Committee stated the policy purpose of the amendments is to remove information asymmetries for consumers as the changes further clarify the CE requirements for the renewal process.

The Committee discussed the policy purpose of the rule amendment and determined it ensures competent practitioners by clearly defining CE requirements for license renewal which, in turn, removes information asymmetries for consumers and decreases the potential for disciplinary action against the licensees for failure to comply with CE requirements. The amendments carry out policy objectives that are expressed in statute [O.C.G.A. § 43-28-14].

The language of the amendments is the least restrictive way to reflect current practices. Support comes from review of other state Board rules, policies, and regulations. Additional support comes from the licensees who have expressed confusion relative to the current language in the rule.

The Committee considered multiple variations of the rule amendment and their recommendations provide the best clarity on CE requirements and on the time period of the renewal biennium. All practitioners will be positively affected by the Committee recommendations as they assist licensees in better understanding the time frame for taking CE, the hours accepted for renewal and the documentation need to prove the requirements have been satisfied.

The economic impact is positive in that licensees are not financially investing in courses that may not be approved by the Board, especially in the case of expensive PAMS programs, and the amendments make it less likely that licensees will incur a fine for failure to meet requirements.

The formulation and adoption of this rule does not impose excessive regulatory cost on any licensee; and any cost to comply with the proposed rules cannot be reduced by a less expensive alternative that fully accomplishes the objectives of the statutes.

It is not legal or feasible to meet the objectives of the statute to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(3)(A), (B), (C), and (D). The formulation and adoption of these rules will impact every licensee in the same manner in the field of Occupational Therapy.

Rule 671-3-.08. Renewal of License/Penalties/Continuing Education Requirements. Amended

- (1) A license issued by the Board shall expire on March 31st of even numbered years. The license may be renewed upon submission of the renewal application and payment of the required fee, provided all requirements have been met. Refer to fee schedule.
- (2) A license that is not renewed on or before March 31st of the renewal year shall be deemed lapsed. An application for reinstatement shall be required as provided for in Rule [671-3-.09](#) in order to seek reinstatement of a lapsed license to practice in this State. Practicing with an expired license is prohibited by law and practice during this period may result in disciplinary action for unlicensed practice.
- (3) Before or on March 31, 2014 and for renewal cycles after that date, the continuing education requirements contained in this rule will be required for the renewal or reinstatement of a license. Except as otherwise provided, each licensee is required is required to complete during each two (2) year renewal period a

minimum of twenty-four (24) continuing education hours prior to the expiration date of the license. Failure to complete continuing education prior to expiration date can result in disciplinary action. Acceptable professional continuing education activities shall include activities relevant to occupational therapy practice that can be deemed to update or enhance knowledge and skills required for competent performance beyond entry level occupational therapy. A cardiopulmonary resuscitation (CPR) course may not be submitted to satisfy any of the continuing education requirements or employer sponsored compliance coursework. A continuing education hour is defined as actual time spent in instruction or organized learning experiences excluding meals, breaks, welcome/introductions, and business meetings.

- (a) At least twelve (12) hours of the required twenty-four (24) continuing education hours must be on a topic related to direct patient care. This includes occupational therapy assessment, treatment planning, occupational therapy implementation and diagnostic related information. This must include attendance at live presentations such as workshops, seminars, conferences, or formal academic coursework, or real-time, interactive webinars. To qualify as a real-time, interactive webinar, the licensee must have the ability to ask questions, receive an answer, and interact with other attendees at the time the session is taking place. It may not be a pre-recorded session.
 - (b) Each licensee must complete a minimum of two (2) hours of the required twenty-four (24) continuing education hours in the ethics of occupational therapy practice. These hours may be obtained online.
 - (c) A maximum of ten (10) of the required twenty-four (24) can be in "General" continuing education hours may be obtained by Level II fieldwork supervision, published professional writing and instructional presentations, pre-recorded electronic or web based courses, formal self-study courses, satellite broadcasts, computer learning activities, webinars, or viewing videotapes in a professional setting. These hours may also be related to administration, supervision, documentation, quality assurance and research.
- (4) An individual who is applying for licensure in Georgia for the first time (never having held a Georgia OT or OTA license) and who is licensed during the second year of the biennium renewal period is not required to meet continuing education requirements for that initial renewal period only.
 - (5) Prior approval of continuing education courses is not required. Each licensee randomly selected for a CE audit must submit to the Board supporting documentation as specified in this rule.
 - (6) Beginning the licensure renewal biennium of April 1, 2018 through March 31, 2020, persons licensed to practice as an occupational therapist or an occupational therapy assistant, or persons who file an application for reinstatement of licensure, must submit documentation of completed continuing education courses and experiences for renewal or issuance of a license. Licensees and applicants for reinstatement may register earned CE credits for courses and experiences with an online recording and reporting system approved by the Board. Licensees and applicants may register with a Board approved online system prior to April 1, 2018 to document CE credits for license renewal and reinstatement.
 - (a) The Georgia State Board of Occupational Therapy has approved the online recording and reporting system of CE Broker, Inc. for the purpose of this rule.
 - (b) Licensees and applicants shall incur no additional costs from CE Broker, Inc. for using this service.
 - (c) Every licensee or applicant subject to the rules of the Georgia State Board of Occupational Therapy shall be deemed to have given such person's consent to the Board and it's representatives to access their continuing competence record retained within the online database for the purposes of auditing and verifying completion of the Board's continuing competency requirements.
 - (d) If a licensee or applicant has not registered earned CE credits with the Board approved online recording and reporting system, the licensee or applicant **must** include all CE certificates of completion with the license renewal application or application for reinstatement.

(7) Procedures for verifying to the Board that the continuing education requirements for licensure renewal have been met:

- (a) Respond appropriately to questions on renewal of license application;
- (b) Retain original continuing education documentation in personal files to submit to the Board if requested for a continuing education audit;
- (c) Documentation as specified in this rule must be maintained by the licensee for no less than four (4) years from the beginning date of the licensure period.
- (d) **A renewal biennium is from April 1st of the even numbered year to March 31st of the following even numbered year; therefore, any CE taken after the date a licensee attests to meeting the CE requirements but prior to April 1st of the renewal year shall not be used to meet CE requirements for the current or a future renewal period. All CE must be completed before the licensee attests to having met the CE requirements in accordance with Board rules.**

(8) Documentation of continuing education which the Board deems as acceptable proof of completion includes the following:

- (a) For continuing education courses that include attendance and participation at a live presentation such as a workshop, seminar, conference or in-service educational program:
 - 1. A certificate of completion or similar documentation signed by program official, and
 - 2. A program description including sponsor, course title, date(s), program objectives/learning outcomes, content description, and agenda or schedule. A shortened description may be accepted for programs specifically exempted by the Board such as AOTA and GOTA Conferences;
- (b) For "General" continuing education as referenced in this rule, if obtained at a conference, workshop or live presentation, required documentation is as noted above. All other must include:
 - 1. Explanation of the relationship of the activity to occupational therapy and your professional growth.
 - 2. Date(s) and clock hours of the activity;
 - 3. Other information as may be requested.
- (c) For Level II Fieldwork Supervision involving serving as the primary clinical fieldwork educator for Level II occupational therapy or occupational therapy assistant fieldwork students:
 - + **A include a** description of the fieldwork including **the** name and type of facility, name of the fieldwork educator and **dates and** times spent in direct supervision of the student; and,
 - ~~2. Verification provided by the school to the fieldwork educator with the name of the student, school and dates of fieldwork or the signature page of the completed student evaluation form with evaluation scores and comments blocked out;~~
- (d) For published professional writing, applied research, and instructional presentations, as referenced in this rule, including first time or significantly revised presentations or an academic class session, workshop, seminar, in-service or professional meeting program session:
 - 1. Description of the presentation or research including location, title, date, hours of presentation, general content description, and type of audience; and,

2. Verification of the presentation, research or formal thank you note signed by the sponsor or program official.
- (e) Documentation of pre-recorded electronic or web based course, formal self-study courses, satellite broadcasts, computer learning activities or viewing of videotapes in a professional setting must include:
1. Verified instructional time by the course sponsor, a certificate of completion or similar documentation signed by the program official; and,
 2. A program description including sponsor, course title, date(s), program objectives/learning outcomes, and content description.
- (f) Continuing education should be documented on the appropriate board form, available on the Board website, upon request by the Board.

Cite as Ga. Comp. R. & Regs. R. 671-3-.08

Authority: O.C.G.A. §§ [43-1-4](#), [43-1-19](#), [43-1-25](#), [43-28-7](#), [43-28-8](#), [43-28-13](#), [43-28-14](#).

History. Original Rule entitled "Renewal" adopted. F. July 15, 1977; eff. August 4, 1977.

Repealed: New Rule of same title adopted. F. July 1, 1982; eff. July 21, 1982.

Repealed: New Rule of same title adopted. F. July 11, 1984; eff. July 31, 1984.

Repealed: New Rule entitled "Renewal of License/Penalties/Continuing Education Requirements" adopted. F. Apr. 14, 1988; eff. May 4, 1988.

Amended: F. Nov. 20, 1991; eff. Dec. 10, 1991.

Amended: F. Jan. 28, 1994; eff. Feb. 17, 1994.

Amended: F. Feb. 1, 1996; eff. Feb. 21, 1996.

Repealed: New Rule of same title adopted. F. Dec. 2, 2002; eff. Dec. 22, 2002.

Amended: F. May 4, 2005; eff. May 24, 2005.

Repealed: New Rule of same title adopted. F. May 30, 2006; eff. June 19, 2006.

Amended: F. Mar. 25, 2008; eff. Apr. 14, 2008.

Amended: F. Feb. 20, 2009; eff. Mar. 12, 2009.

Repealed: New Rule entitled "Renewal of License/Penalties/Continuing Education Requirements. Amended" adopted. F. Feb. 22, 2012; eff. Mar. 13, 2012.

Amended: F. Oct. 2, 2013; eff. Oct. 22, 2013.

Amended: F. Jan. 20, 2015; eff. Feb. 9, 2015.

Note: Correction of non-substantive typographical error in paragraph (3), removed duplicated wording of "is required" in second sentence, as requested by the Agency. Eff. October 11, 2016.

Amended: F. June 1, 2017; eff. June 21, 2017.

Amended: F. June 10, 2019; eff. June 30, 2019.

The Committee recommended to refer the amendments to the full Board for review during the May 13, 2022, meeting for consideration, and if no objections, for the Board to refer to the Attorney General's Office for a Memorandum of Authority.

Adjournment No further business was discussed and the meeting adjourned at 2:16 p.m.

Minutes recorded by: Michelle Hornaday, Board Support Specialist

Minutes reviewed and edited by: Meagan Doss, Licensing Supervisor & Adrienne Price, Executive Director

Minutes approved on: May 13, 2022

RACHELE BRANSON
BOARD CHAIR

ADRIENNE PRICE
EXECUTIVE DIRECTOR

ROBERT McCLELLAN
COMMITTEE CHAIR