

GEORGIA STATE BOARD OF OCCUPATIONAL THERAPY
Rules Committee Zoom Meeting Minutes
Monday, December 13, 2021 – 12:30 p.m.

The Georgia State Board of Occupational Therapy Rules Committee met via Zoom on Monday, December 13, 2021. The following Committee members were present:

Committee Members Present

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

Attorney General's Office

No Assistant Attorney General present.

Visitors Present

Dr. Irma Alvarado, PhD, OT/L, FAOTA, Professor, School of Occupational Therapy, Brenau University
Sandra Eskew Capps, DPT
Carly Dingler
Kristen Neville, State Affairs Manager, American Occupational Therapy Association (AOTA)

Administrative Staff Present

Adrienne Price, Executive Director
Charlotte Mason, Licensing Supervisor
Michelle Hornaday, Board Support Specialist

Administrative Staff Absent

Meagan Doss, Complaints/Compliance Analyst

Call to Order Mr. McClellan called the Committee meeting to order at 12:33 p.m.

OPEN SESSION

Board Meeting Agenda

The Committee accepted the agenda as presented.

Discussion – Board Rules

The Committee met to review the Certification For Use of Physical Agent Modalities rule and application in order to make them less cumbersome or confusing for the licensees and general public; and, to conduct a general review of all the Board Rules to ensure the language within them is aligned with current practices. The Committee recommended to refer the amendments to Rule 671-1-.02. Officers; Rule 671-3-.08. Renewal of License_Penalties_Continuing Education Requirements. Amended; Rule 671-3-.10. Foreign Applicant. Amended; Rule 671-3-.12. Address/Name changes; and Rule 671-4-.02. Unprofessional Conduct Defined. Amended to the full Board for review during the February 25, 2022 meeting for consideration, and if no objections, for the Board to refer to the Attorney General's Office for a Memorandum of Authority.

The rules were amended as follows:

1. Board Rule 671-1-.02. Officers

Rule 671-1-.02. Officers

The Board shall elect annually from its members a president and a vice president who shall have the privilege of reelection. ~~Election shall be held during the first month of the calendar year, unless otherwise determined by the Board.~~ The president shall preside at meetings of the Board. The vice president shall preside at meetings in the absence of the president.

Cite as Ga. Comp. R. & Regs. R. 671-1-.02

Authority: Ga. L. 1976, pp. 993, 997; Ga. Code Ann., Sec. 84-7105.

History. Original Rule entitled "Officers" was filed on July 15, 1977; effective August 4, 1977.

2. Board Rule 671-3-.08. Renewal of License_Penalties_Continuing Education Requirements. Amended

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 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 its 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.
- (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, **licensees must provide** :
1. ~~A~~ **a** description of the fieldwork including **the** name and type of facility, name of the fieldwork educator and ~~times spent~~ **dates of fieldwork** 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. Aug. 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. Oct. 11, 2016.

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

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

3. Board Rule 671-3-.10. Foreign Applicant. Amended

Rule 671-3-.10. Foreign Applicant. Amended

- (1) ~~An applicant for licensure through examination who has graduated from an occupational therapy course or school taught or situated in a foreign country may be admitted to the examination by demonstrating to the satisfaction of the Board that his/her course of training was as high as the standards maintained in Georgia.~~ **The Board requires that foreign trained applicants must successfully complete the foreign trained occupational therapy practitioner's process as is required to take the board approved examination. The Board approved examination is administered by the National Board for Certification in Occupational Therapy (NBCOT).** In ascertaining whether such an applicant meets ~~such~~ standards for licensure, the Board shall consider whether the school or course of training has been approved by the ~~American Occupational Therapy Certification Board~~ **Accreditation Council for Occupational Therapy Education (ACOTE)** and whether the applicant's credentials have been evaluated and accepted ~~by the American Occupational Therapy Certification Board~~ **NBCOT**.
- (2) ~~The Board requires that foreign trained applicants must successfully complete the foreign trained occupational therapy practitioner's process as is required to take the board approved examination. The Board approved examination is administered by the NBCOT.~~

Cite as Ga. Comp. R. & Regs. R. 671-3-.10

Authority: O.C.G.A. §§ [43-28-7\(d\)](#), [43-28-9\(a\)](#), [43-28-10](#).

History. Original Rule entitled "Foreign Applicant" was filed on July 15, 1977; effective August 4, 1977.

Repealed: New Rule of same title adopted. F. May 18, 1991; eff. Jun. 2, 1991.

Amended: New title "Foreign Applicant. Amended." F. June 1, 2017; eff. June 21, 2017.

4. Board Rule 671-3-.12. Address/Name changes

Rule 671-3-.12. Address/Name changes

- (1) A licensee shall notify the Board in writing immediately of any address change, **to include a current and valid email address**. If a ~~duplicate~~ pocket license is requested, the appropriate fee must accompany the request.
- (2) A licensee shall immediately notify the Board in writing of any name change of the licensee. The notification to the Board of the name change shall be accompanied by a copy of the court order, marriage certificate, or other legal document verifying the change in name. **If the licensee purchases a** ~~A change in name requires a duplicate~~ pocket license **after the name change.** ~~Therefore,~~ the appropriate fee ~~for a duplicate pocket license~~ must accompany the ~~notification~~ **request**.

Cite as Ga. Comp. R. & Regs. R. 671-3-.12

Authority: O.C.G.A. Sec. [43-28-7](#).

History. Original Rule entitled "Address/Name Changes" adopted. F. Nov. 30, 1995; eff. Dec. 20, 1995.

5. Board Rule 671-4-.02. Unprofessional Conduct Defined. Amended

Rule 671-4-.02. Unprofessional Conduct Defined. Amended

Unprofessional conduct shall include, but not be limited to, the following:

- (a) Obtaining or attempting to obtain a license by fraud, misrepresentation, or concealment of material facts;
- (b) Violating the ethics of occupational therapy as set forth by the Georgia Board of Occupational Therapy;
- (c) Being grossly negligent in the practice of occupational therapy or as an occupational therapy assistant;
- (d) Using drugs or intoxicating liquors to the extent that these effect the licensee's professional competence;
- (e) Practicing occupational therapy after being adjudged mentally incompetent by a court of competent jurisdiction;
- (f) Being convicted of a crime other than minor offenses defined as "minor misdemeanors," "violations" or "offenses" in any court if the acts for which he or she was convicted are found by the Board to have a direct bearing on whether he or she should be trusted to serve the public in the capacity of an occupational therapist or occupational therapy assistant;
- (g) Using or holding yourself out as being able to utilize occupational therapy techniques involving physical agent modalities when not certified by the Board to use physical agent modalities;
- (h) Having committed any other conduct which ordinary and reasonable individuals would consider unprofessional.
- (i) Failing to adhere to the provisions of the 'Consumer Information and Awareness Act' as codified in O.C.G.A. § [43-1-33](#).
- (k) **Failing to comply with a lawful investigation conducted by the Board.**

Cite as **Ga. Comp. R. & Regs. R. 671-4-.02**

Authority: O.C.G.A. §§ [43-1-19](#), [43-1-25](#), [43-28-8.1](#), [43-1-33\(f\)](#).

History. Original Rule entitled "Unprofessional Conduct Defined" adopted. F. July 15, 1977; eff. Aug. 4, 1977.

Repealed: New Rule of same title adopted. F. Mar. 28, 2006; eff. Apr. 17, 2006.

Amended: New title "Unprofessional Conduct Defined. Amended." F. Apr. 6, 2017; eff. Apr. 26, 2017.

6. Board Rule 671-6-.02. Requirements

The Committee tabled Rule 671-6-.02. Requirements pending additional research and input from Kristen Neville, State Affairs Manager, American Occupational Therapy Association (AOTA). And voted to schedule another Rules Committee meeting before next full Board meeting, February 25, 2022.

Adjournment No further business was discussed and the meeting adjourned at 2:05 p.m.

Minutes recorded by: Michelle Hornaday, Board Support Specialist
Minutes reviewed and edited by: Charlotte Mason, Licensing Supervisor & Adrienne Price, Executive Director
Minutes approved on: March 1, 2022

RACHELE BRANSON
BOARD CHAIR

ADRIENNE PRICE
EXECUTIVE DIRECTOR

ROBERT McCLELLAN
COMMITTEE CHAIR