

GEORGIA STATE BOARD OF OCCUPATIONAL THERAPY
Rules Committee WebEx Meeting Minutes
Thursday, May 29, 2025 – 9:00 a.m.

The Georgia State Board of Occupational Therapy Rules Committee met via WebEx on Thursday, May 29, 2025. The following Committee members were present:

Committee Members Present

Robert McClellan, OTR/L, Committee Chair
Betsy McDaniel, OTA, Committee Member
Deborah Hinerfeld, OTR/L, Committee Member

Administrative Staff Present

Adrienne Price, Executive Director
Michelle Hornaday, Board Support Specialist
Meagan Doss, Licensing Supervisor

Committee Members Absent

No Committee Members absent.

Attorney General's Office

No Attorney General present.

Visitors Present

Kristen Neville, State Affairs Manager, American Occupational Therapy Association (AOTA)
Call-In User 1
Call-In User 2

Call to Order Mr. McClellan called the Committee meeting to order at 9:10 a.m.

OPEN SESSION

Committee Meeting Agenda

Dr. Hinerfeld motioned, Ms. McDaniel seconded, and the Committee voted in favor of the motion to accept the agenda as presented.

Review and Discussion of Board Rules

The Committee purposed to review previous amendments to ensure they are still in compliance with the direction of the Board before recommending that the Board refer their recommendations and rationales to the Attorney General's Office for Memoranda of Authority.

1. Board Rule 671-1-.02 Officers

Ga. Comp. R. & Regs. r. 671-1-.02 Officers

Georgia Administrative Code

Department 671. GEORGIA STATE BOARD OF OCCUPATIONAL THERAPY

Chapter 671-1. ORGANIZATION

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. ~~In the event that one of these officers vacates their elected position, the Board will hold a new election. 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.

Dr. Hinerfeld motioned, Ms. McDaniel seconded, and the Committee voted in favor of the motion to uphold the rationales on Board Rule 671-1-.02 Officers from the previous meeting, January 18, 2022.

The Committee stated that it was necessary to amend the existing language in Board Rule 671-1-.02. Officers, as the current rule is not reflective of the Board's current processes. By striking the sentence identified it removes information asymmetries for consumers as the Board does not currently meet during the first month of the year and by adding the new language it clarifies what occurs should one of the elected positions become vacant. The rule amendment will allow the Board to hold elections as necessary should board members change.

The Committee considered multiple variations of the amendment and stated that the language proposed is the best choice for it is clear and straightforward.

The Committee did not seek any independent support for the proposed language as the rule is a matter of procedure and serves to inform the public. The rule amendment provides the Board, and the public further clarity. This is the least restrictive variation and allows the Board to hold elections when necessary. This amendment will affect the Board itself to ensure there will always be officers in place. The rule amendment also provides clarity for the process when a position is vacated.

The Committee determined there is no economic impact to licensees. 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.

2. Board Rule 671-2-.02 Supervision Defined

Dr. Hinerfeld motioned, Ms. McDaniel seconded, and the Committee voted in favor of the motion to table the discussion of Board Rule 671-2-.02 Supervision Defined for the July 29, 2025 Rules Committee meeting with Ms. McDaniel drafting language for the amendment to clarify levels of supervision.

3. Board Rule 671-3-.01 Application. Amended

Ga. Comp. R. & Regs. r. 671-3-.01 Application. Amended

Georgia Administrative Code

Department 671. GEORGIA STATE BOARD OF OCCUPATIONAL THERAPY

Chapter 671-3. LICENSE REQUIREMENTS

Current through Rules and Regulations filed through January 9, 2025

Rule 671-3-.01. Application. Amended

- (1) Any occupational therapist or occupational therapy assistant who plans to practice as a licensed occupational therapist or licensed occupational therapy assistant in the State of Georgia shall apply for licensure to the Board, on forms provided by the Board.
- (2) In order to meet the Georgia requirements for licensure, an applicant must submit an affidavit stating that the applicant is a U.S. citizen or an affidavit stating that the applicant is lawfully present in the U.S. under federal immigration law and O.C.G.A. § [50-36-1\(f\)\(1\)](#).
- (3) Lawful presence in the U.S. must be documented by:
 - (a) submitting an identification document listed as a secure and verifiable document on the list maintained by the Office of the Georgia Attorney General under O.C.G.A. § [50-36-1](#); and,
 - (b) an affidavit of citizenship that complies with the provisions of federal immigration law and O.C.G.A. § [50-36-1\(f\)\(1\)\(B\)](#).

- (4) Both the secure and verifiable document and affidavit of citizenship must be submitted to the Board to complete the licensure application.
- (5) A transcript providing the area of study and degree conferred must be provided from an accredited educational program in occupational therapy recognized by the board.
- (6) Satisfactory results from a fingerprint record check report conducted by the Georgia Crime Information Center and the Federal Bureau of Investigation, as determined by the Board. The applicant shall be responsible for all fees associated with the performance of such background.
- (7) Applicants must provide proof of passing the NBCOT examination for occupational therapists or occupational therapy assistants. Applicants who fail the examination three times or more may be required to demonstrate competency in a manner deemed appropriate by the board.
- (8) Applicants for occupational therapy or occupational therapy assistant licensure in Georgia must meet all requirements for licensure as defined within the statute and Board Rules prior to issuance of a license.

Cite as Ga. Comp. R. & Regs. R. 671-3-.01

Authority: O.C.G.A. §§ ~~43-1-3, 43-1-19, 43-1-25, 43-28-7, 43-28-8, 43-28-9, 43-28-10, 43-28-11, 50-36-1.~~

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

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

Ms. McDaniel motioned, Dr. Hinerfeld seconded, and the Committee voted in favor of the motion to uphold the rationales on Board Rule 671-3-.01 Application. Amended. from the previous meeting February 4, 2025.

The Committee reviewed BR 671-3-.01 Application. Amended, and recommended additions to include clarifying and simplifying the language concerning the requirement to obtain a satisfactory fingerprint/background check result as a first-time applicant and those when applying for reinstatement. The amendment ensures applicants understand the requirement to adhere to the provisions of O.C.G.A. § 43-28-9(a)(5) so that the Board can make a determination as to whether they have a criminal record which would preclude them from practicing safely.

Additionally, the Committee added language clarifying that a transcript must be provided directly from a recognized accredited educational institution / program recognized by the board, or from an authorized third party, such as a parchment service, to ensure that the information received is accurate, complete and cannot be adjusted in any way. The transcript must show area of study and degree conferred as defined in statute.

The Committee also added language clarifying the requirement that applicants provide proof of passing the National Board for Certification in Occupational Therapy (NBCOT) exam and intentionally restated the statutory provision which states and any applicant who has failed the exam may be required to demonstrate competency in a manner as determined by the Board.

The purpose of the Committee recommendations is to place applicants on notice on how to demonstrate what is required for licensure in the statute. The changes provide clarity to the application process and ensures that the Board has the necessary information to determine if an applicant is safe and competent to practice in accordance with state and national standards.

The amendment is the least restrictive way to accomplish the requirements of the statute and is based on independent support from the statute, the requirements of other licensing boards, national standards, and the requirements of the OT Compact.

The Committee determined that the amendment affords a positive economic impact as it eliminates confusion related to the requirements of the application process, thus allowing applicants to apply sooner and possibly get licensed faster.

4. Board Rule 671-3-.02 References. Amended

Ga. Comp. R. & Regs. r. 671-3-.02 References. Amended
Georgia Administrative Code
Department 671. GEORGIA STATE BOARD OF OCCUPATIONAL
THERAPY Chapter 671-3. LICENSE REQUIREMENTS

Current through Rules and Regulations filed through June 27, 2024

Rule 671-3-.02. Verification of Employment

- (1) Applicants who have practiced in the field of occupational therapy within five years prior to the date the application must provide a verification of employment on the appropriate board form.
- (2) An applicant who has previously practiced in the field of occupational therapy but has not practiced within five (5) years prior to the date the application, must submit the following:
 - (a) Form A (Supervised Clinical Experience) indicating who will provide 320 hours of supervised clinical experience with a description of the training for Board approval. Upon approval by the Board a limited permit will be issued.
 - (b) Upon completion of the supervised clinical experience, an applicant must submit Form B (Certification of Completion of Supervised Clinical Experience) verifying the 320 hours of clinical experience under the supervision of a licensed occupational therapist, pursuant to Rule [671-3-.06](#), for Board approval.

Cite as Ga. Comp. R. & Regs. R. 671-3-.02

Authority: O.C.G.A. §§ ~~43-1-3, 43-1-19, 43-1-25, 43-28-7, 43-28-9, 43-28-10.~~

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

Repealed: New Rule of same title adopted. F. May 25, 2010; eff. June 14, 2010.

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

Dr. Hinerfeld motioned, Ms. McDaniel seconded, and the Committee voted in favor of the motion to uphold the rationales on Board Rule 671-3-.02 References. Amended from the previous meeting, August 12, 2024.

The Committee determined that the Board should no longer require references when a verification of employment accomplishes the same goal which is to ensure candidates have the qualifications and experience to practice safely. The purpose of the proposed amendment is to remove inconsistencies, outdated practices, and potential barriers to licensure for the applicant. The changes will enable applicants to submit their application in a timelier fashion as they will no longer have to seek references and verifications of employment. The changes make the application process less burdensome, financially and in measure of time.

Multiple variations were reviewed for each rule, and the Committee determined that the amendments as presented are the best option as they not only eliminate what is now a duplicative requirement, but they also clarify what one must do if they have previously held a license but have not practiced within five years.

Comments from stakeholders, to include applicants and employers, were considered. Applicants and employers over time have expressed the difficulty they have faced in obtaining references and/or providing references as well as the need to submit a petition for rule waiver or variance when they are unable to obtain them.

The rule amendments will positively impact all applicants eliminating the need to obtain three additional documents from three different individuals to submit an application for a license to practice Occupational Therapy in the State

of Georgia. The economic impact aside from the cost of a notary for the verification of employment form which is currently required is negligible.

5. Board Rule 671-3-.06 Limited Permit

Rule 671-3-.06. Limited Permits. Amended.

- (1) Upon determination by the Board that all requirements for licensure have been met except for the examination, a ninety (90) day limited permit shall be issued and shall allow the applicant to practice occupational therapy under the supervision of an occupational therapist who holds a current license in this State. Prior to being issued a limited permit, applicants must submit a complete application and fee, to include Form A and any supplemental documents for approval by the Board. An applicant who fails the exam shall immediately surrender the limited permit.
- (2) Applicants who are not able to document licensed practice in occupational therapy within the past 5 years may be issued a ninety (90) day limited permit to complete the required 320 hours of clinical experience under the supervision of a licensed occupational therapist if the applicant has successfully completed a national certification examination approved by the Board. Prior to being issued a limited permit, applicants must submit a complete application and fee, to include Form A, and any supplemental documents for approval by the Board.
- (3) Applicants who have failed the examination three or more times or who have failed to pass the examination within five years of completing the academic requirements for licensure may, after passing the exam, be issued a ninety (90) day limited permit for the purposes of demonstrating competency prior to the issuance of a license. See O.C.G.A. § 43-28-20(c). This permit shall allow the applicant to practice occupational therapy, for a period not to exceed 90 days, under the **direct supervision** of an occupational therapist who holds a current license in this state. Prior to being issued a limited permit, applicants must submit a complete application and fee, to include Form C, and any supplemental documents for approval by the Board.

Supervised work experiences may not begin until Board approval is granted, a limited permit has been issued to the applicant, and a copy of the limited permit has been provided to the licensed occupational therapist

- (4) who has been approved to supervise the applicant.

Limited permits expire ninety (90) days from the date of issuance and shall not be renewed. If the licensed supervisor approved by the Board can no longer serve in that role, the applicant must submit a new Form C

- (5) for approval to continue practicing under the limited permit.

Authority: O.C.G.A. Secs. [43-28-6](#), [43-28-9](#), [43-28-10](#), and [43-28-12](#).

Ms. McDaniel motioned, Dr. Hinerfeld seconded, and the Committee voted in favor of the motion to uphold some of the rationales on Board Rule 671-3-.06. Limited Permits. Amended. from the previous meeting, February 4, 2021 with additional insights as follows.

Recommendations were made to amend Board Rule 671-3-.06. Limited Permit for the purpose of addressing first time test-takers who completed all the academic requirements but have not yet taken the exam. The amendments also clarify the requirements for persons who are seeking a limited permit as a person re-entering the practice of occupational therapy, or as someone who must demonstrate competency after having failed the exam 3 or more times within 5 years of completion of the academic requirements for licensure. The amendments help to protect the public by ensuring the applicant practices under the supervision of a licensee who can verify that the permit holder can apply the knowledge and skills obtained in school to members of the public. The amendments further create a positive economic impact for applicants entering or re-entering the profession if they can complete their supervised clinical experience at a location where they can be compensated.

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

Dr. Hinerfeld motioned, Ms. McDaniel seconded, and the Committee voted in favor of the motion to table the discussion of Board Rule 671-3-.08 Renewal of License/Penalties/Continuing Education Requirements. Amended for the July 29, 2025 Rules Committee meeting.

Ms. McDaniel motioned, Dr. Hinerfeld seconded, and the Committee voted in favor of the motion for Mr. McClellan to draft language for the amendment to clarify CE certificates to include the method of presentation, to clarify course descriptions, and to determine acceptable CE requirements for mentorship.

7. Board Rule 671-3-.09 Reinstatement of a License

Rule 671-3-.09. Reinstatement of a License. Amended.

- (1) Reinstatement of an expired license is within the discretion of the Board.
- (2) A license may be reinstated by submission of the following:
 - (a) Application for Reinstatement with appropriate fee; and
 - (b) Documentation of the completion of twenty-four (24) continuing education hours in accordance with Board rule **671-3-.08 Renewal of License/Penalties/Continuing Education Requirements** obtained within the two (2) year period prior to the date of the application.
 - (c) Verification of current license in another state, if applicable; and
 - (d) Verification of Employment verifying last date of practice in Occupational Therapy, on the Board form, completed by the employer.
- (3) An applicant for reinstatement of a license who has **not** practiced within five (5) years must also submit the following:
 - (a) ~~Form A (Supervised Clinical Experience)~~ A complete Form B (Limited Permit Supervised Clinical Experience Form) indicating who will provide 320 hours of direct supervised clinical experience with and a description of the training which meets the requirements of an accredited or approved occupational therapy or occupational therapy assistant curriculum for Board approval. Upon approval by the Board a limited permit will be issued.
 - (b) Upon completion of the direct supervised clinical experience, and the applicant's supervisor must submit a complete Form C (Supervised Clinical Practice Evaluation Form) B (Certification of Completion of Supervised Clinical Experience) verifying the 320 hours of clinical experience practice was completed under the direct supervision of a licensed occupational therapist, pursuant to Rule 671-3-.06(3), and meets the standards indicated on the form. Upon for Board approval by the Board, a license will be issued.
 - (c) If the Board receives an evaluation indicating that the applicant exhibited unprofessional conduct, the Board may exercise any of the powers granted in Code Sections 43-1-19 and 43-28-13 in the manner provided by the rules and regulations adopted by the Board and in accordance with Chapter 13 of Title 50, the "Georgia Administrative Procedure Act."

Ms. McDaniel motioned, Dr. Hinerfeld seconded, and the Committee voted in favor of the motion to table the discussion on Board Rule 671-3-.09 Reinstatement of a License for the upcoming Rules Committee meeting July 29, 2025, because it refers back to Board Rule 671-3-.08 Renewal of License/Penalties/Continuing Education Requirements.

Ms. McDaniel motioned, Dr. Hinerfeld seconded, and the Committee voted in favor of the motion to make a friendly amendment to rescind the previous motion and vote to uphold the rationales on Board Rule 671-3-.09

Reinstatement of a License from the previous meeting, September 30, 2022 as the proposed amendments to Rule 671-3-.08 will have no bearing on the rationales already approved.

The Committee reviewed Board Rule 671-3-.06. Limited Permits. Amended. and Board Rule 671-3-.09. Reinstatement of a License and with their recommended amendments to ensure that they align. Upon determining that they do, the Committee further stated that the amendments to Rule 671-3-.09 will prevent unsafe practices by ensuring competent practitioners are available to respond quickly to the needs of the supervisee and of the patient. This amendment will remove information asymmetries for consumers by delineating between general and direct supervision.

The recommended amendments will prevent unsafe practices/fraud by ensuring the therapist is using best and safe practices and enhancing the supervisor's ability to adequately train the therapist. This provides for greater competency as the supervisor will be able to immediately offer guidance.

Multiple variations were considered, and the Committee determined this is the best choice for clarifying when direct supervision is necessary and appropriate for someone working under a limited permit. A reinstatement applicant requires the additional support that is available with direct supervision. The Committee determined that the current statute supports the need for supervision when easing a practitioner into the practice environment at initial licensure and for reinstatement applicants who have been out of work for five (5) or more years. The level of competency for direct supervision is distinct from regular supervision as those individuals will receive constant direction, feedback, and assistance. By clarifying the difference between the level of supervision, the Board and licensees are better equipped to ensure safe practices for the patient's sake.

Ultimately the recommended amendments will prevent harm to the client and to the licensee as well, thus improving patient care and therapist competency.

The economic impact could potentially be negative if the employer has a limited number of licensed therapists to provide direct supervision; however, the Committee feels amendment is necessary to prevent harm and is therefore negligible.

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

Ga. Comp. R. & Regs. r. 671-3-.10 Foreign Applicant. Amended

Georgia Administrative Code

Department 671. GEORGIA STATE BOARD OF OCCUPATIONAL THERAPY

Chapter 671-3. LICENSE REQUIREMENTS

Current through Rules and Regulations filed through November 10, 2021

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

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 standards for licensure, the Board shall consider whether the school or course of training has been approved by the Accreditation Council for Occupational Therapy Education (ACOTE) and whether the applicant's credentials have been evaluated and accepted by 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.

Dr. Hinerfeld motioned, Ms. McDaniel seconded, and the Committee voted in favor of the motion to uphold the rationales on Board Rule 671-3-.10 Foreign Applicant. Amended from the previous meeting, February 19, 2016 in that the amendments provide clarity to foreign educated applicants putting them on notice that their occupational therapy education must be evaluated by the foreign credentialing process established by National Board for Certification in Occupational Therapy (NBCOT) and the Accreditation Council for Occupational Therapy Education (ACOTE), two nationally recognized entities with established and psychometrically sound processes for evaluating entry level occupational therapy education for OTs and OTAs.

The Board discussed the economic impact of Board Rule 671-3-.10 upon licensees. Ms. Austin motioned, Ms. Thurlow seconded and the Board voted unanimously in favor of the motion that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative.

Ms. Austin motioned, Ms. Thurlow seconded, and the Board voted unanimously in favor of the motion that it is not legal or feasible to meet the objectives of O.C.G.A. §§ 43-1-25, 43-24A-19(2), and 43-24A-3(4) 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 and each licensee is independently licensed in the field of Occupational Therapy.

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

Current through Rules and Regulations filed through November 10, 2021

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 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 requests a pocket license after the name change the appropriate fee must accompany the 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.

Ms. McDaniel motioned, Dr. Hinerfeld seconded, and the Committee voted in favor of the motion to uphold the rationales on Board Rule 671-3-.12 Address/Name changes from the previous meeting, January 18, 2022.

The Committee stated that a current and valid email address must be provided as this is the method of communication from the Board and by amending the language of the rule it puts licensees on notice that a valid email address is considered a part of their address of record with the Board. The administrative procedural burden is eased on staff by allowing direct communication with applicants and licensees due to the changes in technology and the cost efficiency of less reliance on snail mail communications.

The Committee stated there is no positive or negative economic impact with this amendment or excessive burden on any licensee, or small, independently owned and operated businesses as there are free email services available as well as free access to computer technology in various locations across the state.

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

Ga. Comp. R. & Regs. r. 671-4-.02 Unprofessional Conduct Defined. Amended

Georgia Administrative Code
Department 671. GEORGIA STATE BOARD OF OCCUPATIONAL THERAPY
Chapter 671-4. STANDARDS OF PROFESSIONAL CONDUCT
Current through Rules and Regulations filed through January 9, 2025

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 licensees' 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 'Health Care Practitioners Truth and Transparency Act' as codified in O.C.G.A. § [43-1-33](#).
- (j) Using deceptive or misleading terms or false representations which are misleading to the public.
- (k) Using advertisements which do not disclose the licensee's name, or the words or phrases authorized in O.C.G.A. § 43-28-16(b).
- (l) Hold himself or herself out as an occupational therapist or an occupational therapy assistant or as being able to render occupational therapy services, to include but not limited to persons practicing in academia, without an active Georgia license.
- (m) Failing to respond to communications from the Board relevant to alleged violations of the laws, rules, and policies governing the practice of occupational therapy.
- (n) Any violation of O.C.G.A. § 43-28-16.

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. August 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.

Dr. Hinerfeld motioned, Ms. McDaniel seconded, and the Committee voted in favor of the motion to uphold the rationales on Board Rule 671-4-.02. Unprofessional Conduct Defined. Amended from the previous meeting, February 4, 2025.

The Committee determined the following amendment to BR 671-4-.02 Unprofessional Conduct Defined. Amended. to clarify that OTs and OTAs in academia are providing an occupational therapy service and that teaching is a practice area in the field of occupational therapy which requires licensure. The amendment prohibit/prevent unsafe practices and fraud by ensuring that the practitioner is current in the field of occupational therapy, enabling the educators to successfully provide course content to the next generation of occupational therapy practitioners. Such requirements will ensure competent practitioners as educators and students.

Consequently, the requirements remove information asymmetries for consumers. Students expect their educators to be licensed individuals in the field of study provided. Accreditation Council for Occupational Therapy Education (ACOTE) requirements underscore this tenant. To maintain ACOTE accreditation, school faculty must be licensed in the state they are providing educational services which ensures that the educational program is following both the state and national standards as outlined. This requirement is in place to eliminate the possibility that students are being educated by people who are not aware of state and federal licensure requirements or do not meet the national standards outlined in statutes and rules. The amendments further provide a safeguard for the students and educational programs by ensuring each faculty member is licensed and qualified to hold themselves out to be an OT or OTA.

The amendment carries out policy objectives that are expressed in statute [O.C.G.A. §§ 43-28-7; 43-28-16; & 43-28-3(6)] and is the least restrictive way in which to accomplish the policy objectives as they are consistent with national standards. Independent support for these recommended changes was derived from ACOTE and requirements instituted by other state licensing boards. Educators who are not currently licensed put the student's education and the educational institution's accreditation at risk and that could ultimately impact the public. As a result, the Committee determined that the rule amendment will affect students, licensees, academic institutions, and the general public.

The Committee discussed the economic impact of the rule amendment and determined that there is a positive economic impact as faculty will meet accreditation requirements to produce students who are eligible for licensure and prepared to serve the community. A potential negative economic impact may exist in that those currently teaching in programs will need to obtain licensure or a compact privilege; however, this impact is negligible compared to the negative impact on the community if the institution is not accredited and cannot produce eligible graduates for licensure.

11. Board Rule 671-6-.02 Requirements

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 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 that shows the title of program, hours of the program, date the program was taught, the signature of a designated program official, and a brochure or program outline; or
 2. An official grade report/transcript and course outline to verify academic education.
 - (c) Additional documentation may be requested by the Board, if deemed necessary.

Cite as Ga. Comp. R. & Regs. R. 671-6-.02

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.

Ms. McDaniel motioned, Dr. Hinerfeld seconded, and the Committee voted in favor of the motion to uphold the rationales on Board Rule 671-6-.02. Requirements from the previous meeting, January 18, 2022.

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. clarify which documents would serve as proof of adequate training in modalities, as presently it appears that applicants for modalities are interpreting the current language to indicate that they can submit a statement of attendance without providing information concerning the program hours, date of attendance, or a brochure, which is inaccurate. The Committee stated amendments will be helpful to working therapists as well as to those who are applying for physical agent modalities (PAMs).

They considered multiple variations in the language and it was the Committee's opinion that the small amendment is necessary to help ensure that applicants understand the correct documentation to submit. They further determined that what the applicant is being asked to provide to demonstrate competence is consistent with what is required in other states as well as what is recommended by the national occupational therapy groups. The amendments will affect all stakeholders equally.

The Committee discussed the economic impact of the amendment and stated their recommendations will streamline the process so that applicants will be able to provide the necessary documentation the first time in order to obtain their PAMS certification without delay. As licensees with PAMs certification often receive an increased salary, the economic impact is positive. 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.

Review and Discussion of Board Policies

1. Policy A1 – Policy for Applications for Licensure, Policy A5 –, and Policy A9 – Limited Permits.

2. Policy A5 – Staff Approval of Applications for Licensure and Renewal Related to Criminal Offenses

Ms. McDaniel motioned, Dr. Hinerfeld seconded, and the Committee voted in favor of the motion to table Policy A5 – Staff Approval of Applications for Licensure and Renewal Related to Criminal Offenses and refer to Executive Director, Adrienne Price for statutory changes related to criminal offenses in when licensing.

3. Policy A9 – Limited Permits

Dr. Hinerfeld motioned, Ms. McDaniel seconded, and the Committee voted in favor of the motion to table the discussion of Board Policy A1 – Policy for Applications for Licensure, Policy A5 – Staff Approval of Applications for Licensure and Renewal Related to Criminal Offenses, and Policy A9 – Limited Permits. until the Committee completes further review of Board Rule 671-6-.02 Requirements.

The next Rules Committee will be held via WebEx Tuesday July 29, 2025, at 9 a.m. Committee members are to have their versions of their respective rules to Ms. Price for Committee discussion by July 21, 2025.

Adjournment No further business was discussed, and the Committee meeting adjourned at 11:50 a.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: August 15, 2025

ROBERT McCLELLAN
BOARD CHAIR

ADRIENNE PRICE
EXECUTIVE DIRECTOR

ROBERT McCLELLAN
COMMITTEE CHAIR