

GEORGIA STATE BOARD OF OCCUPATIONAL THERAPY
Board WebEx Meeting Minutes
Friday August 15, 2025 – 9:00 a.m.

The Georgia State Board of Occupational Therapy met via WebEx on Friday August 15, 2025. The following members were present:

Board Members Present

Robert McClellan, OTR/L, Chairperson
Rebecca Hammad, OTR/L, CLT, Vice Chair
Deborah Hinerfeld, PhD, OTR/L, Board Member
Betsy McDaniel, OTA, Board Member
Rachele Branson, OTR/L, Board Member

Administrative Staff Present

Adrienne Price, Executive Director
Meagan Doss, Licensing Supervisor
Michelle Hornaday, Board Support Specialist
Sherry Strong, Complaint/Compliance Analyst

Board Members Absent

No members absent.

Attorney General's Office

Craig Pake, Assistant Attorney General

Visitors Present

Francielle Pineda, MPA, MS, OTR/L, National Board for Certification in Occupational Therapy (NBCOT), Assistant Director, External and Regulatory Affairs
Kyle Jones, MS, OTR/L, National Board for Certification in Occupational Therapy (NBCOT), Assistant Director, External and Regulatory Affairs
Ruth Borque, OTR, National Board for Certification in Occupational Therapy (NBCOT), Ambassador for Georgia
Kristen Neville, State Affairs Manager, American Occupational Therapy Association (AOTA)
Sandra Eskew-Capps, PT, DPT, American Physical Therapy Association-Georgia (APTA-GA)
Janice Adams
Angela McCauley
Jenna Greene
Laura Dolmovich
Call-In User 4
Call-In User 5
Call-In User 6

Call to Order Mr. McClellan established that a quorum of the Board was present, and called the meeting to order at 9:06 a.m.

OPEN SESSION

9:00 Public Rules Hearing

1. **BOARD RULE 671-1-.02 OFFICERS**
2. **BOARD RULE 671-2-.02 SUPERVISION DEFINED**
3. **BOARD RULE 671-3-.05 RE-EXAMINATION**
4. **BOARD RULE 671-3-.06 LIMITED PERMIT**
5. **BOARD RULE 671-3-.08 RENEWAL OF LICENSE/PENALTIES/CONTINUING EDUCATION REQUIREMENTS. AMENDED**
6. **BOARD RULE 671-3-.10 FOREIGN APPLICANT. AMENDED**
7. **BOARD RULE 671-3-.12 ADDRESS/NAME CHANGES**
8. **BOARD RULE 671-4-.02 UNPROFESSIONAL CONDUCT DEFINED**
9. **BOARD RULE 671-6-.02 REQUIREMENTS**

Mr. McClellan called the hearing in the matter of proposed Board Rule 671-1-.02 Officers, Board Rule 671-2-.02 Supervision Defined, Board Rule 671-3-.05 Re-Examination, Board Rule 671-3-.06 Limited Permit, Board Rule 671-3-.08 Renewal of License / Penalties / Continuing Education Requirements. Amended., Board Rule 671-3-.10 Foreign Applicant. Amended., Board Rule 671-3-.12 Address / Name Changes, Board Rule 671-4-.02

Unprofessional Conduct Defined, and Board Rule 671-6-.02 Requirements to order at 9:07 a.m. Members of the Board introduced themselves for the record, and Mr. McClellan established that there was a quorum of the Board and members of the general public present.

1. BOARD RULE 671-1-.02 OFFICERS

SYNOPSIS OF PROPOSED CHANGES OF TO THE GEORGIA STATE BOARD OF OCCUPATIONAL THERAPY BOARD RULE CHAPTER 671-1 ORGANIZATION, BOARD RULE 671-1-.02 OFFICERS

Purpose: To amend the rule to reflect current processes as it relates to the selection or identification of officers. 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.

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. The president shall preside at meetings of the Board. The vice president shall preside at meetings in the absence of the president.

Authority: O.C.G.A. §§ 43-1-2, 43-1-25, 43-28-4 and 43-28-6.

Written Comments Received

No written comments were received.

Verbal Comments Received

No verbal comments received.

Ms. Branson motioned, Dr. Hinerfeld seconded, and the Board voted unanimously in favor of the motion to adopt Board Rule 671-1-.02 Officers as proposed.

The Board discussed the economic impact of Board Rule 671-1-.02 Officers upon licensees. Dr. Hinerfeld motioned, Ms. Hammad seconded, and the Board voted unanimously in favor of the motion that the formulation and adoption of these rules do 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. The amendment allows the Board to continue to function without interruption.

Dr. Hinerfeld motioned, Ms. Hammad 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. §§ 43-1-19 and 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.

2. BOARD RULE 671-2-.02 SUPERVISION DEFINED

SYNOPSIS OF PROPOSED CHANGES OF TO THE GEORGIA STATE BOARD OF OCCUPATIONAL THERAPY BOARD RULE CHAPTER 671-2 DEFINITIONS, BOARD RULE 671-2-.02 SUPERVISION DEFINED

Purpose: To clarify supervision of the occupational therapist and the occupational therapy assistant (OTA) by

ensuring that supervisees are being adequately monitored and properly trained under direct supervision thus developing competent practitioners. The amendments further help to ensure that the supervisor is witnessing the supervisee perform and demonstrate the best practices. The language also removes information asymmetries for consumers by clarifying supervision requirements for occupational therapists and occupational therapy assistants.

Rule 671-2-.02 Supervision Defined

Supervision as used in the law shall mean personal involvement of the licensed occupational therapist in the supervisee's professional experience which includes evaluation of his or her performance. Further, supervision shall mean in person supervision with weekly verbal contact and consultation which may be done via telehealth, monthly review of patient care documentation, and specific delineation of tasks and responsibilities by the licensed occupational therapist and shall include the responsibility for personally reviewing and interpreting the results of any habilitative or rehabilitative procedures conducted by the supervisee. It is the responsibility of the licensed occupational therapist to ensure that the supervisee does not perform duties for which he or she is not trained. C.O.T.A.s and limited permit holders must be supervised.

Authority: O.C.G.A. §§ 43-28-3, 43-28-7 and 43-28-12.

Written Comments Received

No written comments were received.

Verbal Comments Received

No verbal comments received.

Ms. McDaniel motioned, Dr. Hinerfeld seconded, and the Board voted unanimously in favor of the motion to adopt Board Rule 671-2-.02 Supervision Defined as proposed.

The Board discussed the economic impact of Board Rule 671-2-.02 Supervision Defined upon licensees. Ms. Branson motioned, Dr. Hinerfeld seconded, and the Board voted unanimously in favor of the motion that the formulation and adoption of these rules do 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. The amendment provides for the supervision for standard of care for safety and lowers chances of error which is economically advantageous. It also allows for competent practitioners. A potential negative economic impact is that it may add cost to the licensee, but this is a necessary cost to protect the public. The amendment is advantageous for licensees if they can secure paid supervision. This will also expand the number of practitioners who can practice safely and cover more rural areas without direct supervision.

Ms. Branson motioned, Dr. Hinerfeld 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. §§ 43-1-19 and 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.

3. BOARD RULE 671-3-.05 RE-EXAMINATION

SYNOPSIS OF PROPOSED CHANGES OF TO THE GEORGIA STATE BOARD OF OCCUPATIONAL THERAPY BOARD RULE CHAPTER 671-3 LICENSE REQUIREMENTS, BOARD RULE 671-3-.05. RE-EXAMINATION

Purpose: The purpose of the proposed adoption is to amend the rule to clearly outline the path for obtaining licensure when the national exam has been failed three times or more. The proposed language differentiates the requirements between applicants based upon the number of failed attempts at passing the national exam. The rule amendment also fulfills policy objectives by addressing the statutory change made in O.C.G.A. § 43-28-10 (c). The policy purpose of the amendment is to prohibit and prevent unsafe practices and ensure competent practitioners.

The rule amendment will ensure competent practitioners by clearly defining the parameters for obtaining a license to practice in Georgia as it will expressly outline the steps one may take after failing the national exam the third time or more.

Rule 671-3-.05. Re-examination. Amended

- (1) An applicant who fails the National Board of Certification in Occupational Therapy (NBCOT) examination may retake the examination to achieve a passing score.
- (2) If an applicant has failed the NBCOT examination three (3) times before successfully passing, the applicant must do one of the following:
 - (a) Apply for a 90-day limited permit to complete a supervised clinical experience under the direct supervision of an occupational therapist, who is licensed in good standing in the state of Georgia, for a minimum of (45) forty-five days or 180 hours; or,
 - (b) Submit a proposal to participate in and complete a remedial program for Board approval. The proposal must include (45) forty-five days or 180 hours of didactic and supervised clinical experience and be completed under the direct supervision of an occupational therapist, who is licensed in good standing in the state of Georgia.
- (3) If the applicant has failed the examination four (4) times or more before successfully passing; or, failed to successfully pass the examination within five years of completion of the academic requirements for licensure, the applicant must do one of the following:
 - (a) Apply for a 90-day limited permit to complete a supervised clinical experience under the direct supervision of an occupational therapist, who is licensed in good standing in the state of Georgia, for a minimum of (90) ninety days or 360 hours; or,
 - (b) Submit a proposal to participate in and complete a remedial program for Board approval. The proposal must include (90) ninety days or 360 hours of didactic and supervised clinical experience and be completed under the direct supervision of an occupational therapist, who is licensed in good standing in the state of Georgia.
- (4) An applicant must not begin a supervised clinical experience or a proposed remedial program without first receiving notice of approval from the Board.
- (5) If all requirements of this rule and the qualifications for a license are met in accordance with the laws and rules of the Board, a license will be issued.
- (6) An applicant is exempt from the requirements of this rule if the applicant has:
 - (a) Held an active license as an occupational therapist or licensed occupational therapy assistant that is in good standing in another jurisdiction; and,
 - (b) Applied for that same license type in the state of Georgia; and,
 - (c) Can demonstrate active practice, in good standing, for a period of 12 months prior to the date of application.

Authority: O.C.G.A. §§ 43-28-6, 43-28-10 and 43-28-12.

Written Comments Received

No written comments were received.

Verbal Comments Received

Public comments were provided by Francielle Pineda and Kyle Jones, National Board for Certification in Occupational Therapy (NBCOT) Assistant Directors, External and Regulatory Affairs, and Kristen Neville, American Occupational Therapy Association (AOTA) State Affairs Manager.

Verbal comments were provided on this rule by the following individuals and are incorporated into these minutes as Attachment A due to the length of the discussion.

1. Francielle Pineda, MPA, MS, OTR/L, National Board for Certification in Occupational Therapy (NBCOT), Assistant Director, External and Regulatory Affairs
2. Kyle Jones, MS, OTR/L, National Board for Certification in Occupational Therapy (NBCOT), Assistant Director, External and Regulatory Affairs
3. Kristen Neville, State Affairs Manager, American Occupational Therapy Association (AOTA)
4. Adrienne Price, Executive Director, Healthcare 2, Office of Secretary of State, Professional Licensing Boards Division
5. Robert McClellan, Chair, Georgia State Board of Occupational Therapy
6. Rachele Branson, Board Member, Georgia State Board of Occupational Therapy

Following the verbal comment period, Mr. McClellan called for a motion regarding Rule 671-3-.05. Re-examination. Amended. Ms. Branson motioned, Ms. McDaniel seconded, and the Board voted unanimously in favor of the motion to adopt Board Rule 671-3-.05 Re-Examination as proposed.

The Board discussed the economic impact of Board Rule 671-3-.05 Re-Examination upon licensees. Ms. Branson motioned, Dr. Hinerfeld seconded, and the Board voted unanimously in favor of the motion that the formulation and adoption of these rules do 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. The rule is being developed in response to the statute. Whereas there is a cost to supervision for the business and the practitioner, any supervised clinical experience that may be required of an applicant would be a matter of public safety and create positive benefits that outweigh the cost. Requiring those experiences for those that need it enables the practitioner to demonstrate competent and safe practice before entering the workforce and the practitioner may also be compensated by the employer during their period of supervision. The business will benefit through the provision of additional service to clients during the period of supervision and they may benefit from being able to recruit the applicant for employment on a more permanent basis once competence is demonstrated and a license is issued.

Ms. Branson motioned, Dr. Hinerfeld 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. §§ 43-1-19 and 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.

4. BOARD RULE 671-3-.06 LIMITED PERMIT

SYNOPSIS OF PROPOSED CHANGES OF TO THE GEORGIA STATE BOARD OF OCCUPATIONAL THERAPY BOARD RULE CHAPTER 671-3 LICENSE REQUIREMENTS RULE 671-3-.06 LIMITED PERMIT

Purpose: The purpose of the amendments are to clarify the requirements for persons who are seeking a limited permit as a first-time test taker, 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.

Rule 671-3-.06. Limited Permit

- (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.
- (4) 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 who has been approved to supervise the applicant.
- (5) 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 for approval to continue practicing under the limited permit.

Authority: O.C.G.A. §§ 43-28-6, 43-28-7 and 43-28-12.

Written Comments Received

No written comments were received.

Verbal Comments Received

No verbal comments received.

Dr. Hinerfeld motioned, Ms. Branson seconded, and the Board voted unanimously in favor of the motion to adopt Board Rule 671-3-.06 Limited Permit as proposed.

The Board discussed the economic impact of Board Rule 671-3-.06 Limited Permit upon licensees. Ms. McDaniel motioned, Dr. Hinerfeld seconded, and the Board voted unanimously in favor of the motion that the formulation and adoption of these rules do 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. The cost is negligible when compared to public health and safety. The amendment also expands the availability of practitioners as they are able to assist clients while being supervised.

Ms. McDaniel motioned, Dr. Hinerfeld 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. §§ 43-1-19 and 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.

5. BOARD RULE 671-3-.08 RENEWAL OF LICENSE/PENALTIES/CONTINUING EDUCATION REQUIREMENTS. AMENDED

**SYNOPSIS OF PROPOSED CHANGES OF TO THE
GEORGIA STATE BOARD OF OCCUPATIONAL THERAPY
BOARD RULE CHAPTER 671-3 LICENSE REQUIREMENTS
RULE 671-3-.06 LIMITED PERMIT**

Purpose: The purpose of the amendments are to clarify the requirements for persons who are seeking a limited permit as a first-time test taker, 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.

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. A licensee may apply for late renewal of a license from April 1st through April 30th of the renewal year upon payment of a late renewal fee, submission of proof of continuing education as established by Board rules and completion of all appropriate forms.
- (3) As of May 1st of the renewal year, the license of an applicant who has not applied for renewal is expired and revoked by operation of law. 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.
- (4) 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.
- (5) Prior approval of continuing education courses is not required. 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. Unacceptable activities include, but are not limited to:
 - (a) Orientation,
 - (b) Meetings for purposes of policy decisions,
 - (c) Non-educational meetings,
 - (d) Annual compliance training,
 - (e) Cardiopulmonary resuscitation (CPR) courses.
- (6) 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.
- (7) 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.
- (8) Each licensee randomly selected for a CE audit must submit to the Board supporting documentation as specified in this rule.
- (9) 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.
- (10) 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 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.
- (11) Procedures for verifying to the Board that the continuing education requirements for licensure renewal have been met:
- (a) Respond accurately 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 renewal period or reinstatement.

- (12) 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) A description of the fieldwork including name and type of facility, name of the fieldwork educator and times spent in direct supervision of the student is required in order to receive credit for serving as the primary clinical fieldwork educator for Level II occupational therapy and occupational therapy assistant fieldwork students.
 - (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. Submit a 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.

Authority: O.C.G.A. §§ 43-1-3, 43-1-4, 43-1-7, 43-1-19, 43-1-25, 43-28-6, 43-28-7, 43-28-8, 43-28-9, 43-28-13 and 43-28-14.

Written Comments Received

No written comments were received.

Verbal Comments Received

No verbal comments received.

Dr. Hinerfeld motioned, Ms. McDaniel seconded, and the Board voted unanimously in favor of the motion to adopt Board Rule 671-3-.08 Renewal of License / Penalties / Continuing Education Requirements. Amended. as proposed.

The Board discussed the economic impact of Board Rule 671-3-.08 Renewal of License / Penalties / Continuing Education Requirements. Amended. upon licensees. Dr. Hinerfeld motioned, Ms. Branson seconded, and the Board voted unanimously in favor of the motion that the formulation and adoption of these rules do 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.

Dr. Hinerfeld motioned, Ms. Branson 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. §§ 43-1-19 and 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.

6. BOARD RULE 671-3-.10 FOREIGN APPLICANT. AMENDED.

SYNOPSIS OF PROPOSED CHANGES OF TO THE GEORGIA STATE BOARD OF OCCUPATIONAL THERAPY BOARD RULE CHAPTER 671-3 LICENSE REQUIREMENTS, RULE 671-3-.10 FOREIGN APPLICANT. AMENDED

Purpose: To update the language of the rule to reflect current procedure as it relates to foreign educated applicants. The amendments remove information asymmetries for consumers by removing any reference to the Board administering the examination or performing credentialing evaluations as those tasks are now outsourced to a board approved provider, the National Board of Certification in Occupational Therapy (NBCOT). The amendments further reflect the current title of the credentialing body which is Accreditation Council for Occupational Therapy Education (ACOTE). The purpose is to also expand access to care and services as the amendments streamline the process for foreign-trained applicants by enabling them to clearly understand what they are required to do to obtain licensure in Georgia. The amendments also serve to increase the pool of people who may be available to serve the consumers of Georgia by assisting foreign trained applicants to understand licensure process in order to achieve licensure more swiftly.

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

- (1) The Board requires that foreign trained applicants 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).
- (2) 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 Accreditation Council for Occupational Therapy Education (ACOTE) and whether the applicant's credentials have been evaluated and accepted by NBCOT.

Authority: O.C.G.A. §§ 43-28-6, 43-28-7, 43-28-9 and 43-28-10.

Written Comments Received

No written comments were received.

Verbal Comments Received

Public comments were provided by Sandra Eskew-Capps, PT, DPT, APTA-GA.

Dr. Capps questioned the term, "foreign trained" in the current rule amendment vs "internationally educated". Ms. Nevelle replied to her query that she was not aware of any preferred language as most board regulations and statutes use the term, "foreign trained." Dr. Capps referenced the American Physical Therapy Association (APTA) position statement for the basis of her question. Board member Dr. Hinerfeld commented that Accreditation Council for Occupational Therapy Practice (ACOTE) does not have a position paper, nor do they have jurisdiction of

international programs. Ms. Price noted that the statute references “foreign trained” and any variation would constitute a statutory change, not through the board rule.

Ms. Branson motioned, Ms. Hammad seconded, and the Board voted unanimously in favor of the motion to adopt Board Rule 671-3-.10 Foreign Applicant. Amended. as proposed.

The Board discussed the economic impact of Board Rule 671-3-.10 Foreign Applicant. Amended. upon licensees. Dr. Hinerfeld motioned, Ms. Branson seconded, and the Board voted unanimously in favor of the motion that the formulation and adoption of these rules do 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. The amendment provides clarity and directs interested parties to the appropriate organizations.

Dr. Hinerfeld motioned, Ms. Branson 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. §§ 43-1-19 and 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.

7. BOARD RULE 671-3-.12 ADDRESS/NAME CHANGES

SYNOPSIS OF PROPOSED CHANGES OF TO THE GEORGIA STATE BOARD OF OCCUPATIONAL THERAPY BOARD RULE CHAPTER 671-3 LICENSE REQUIREMENTS, RULE 671-3-.12 ADDRESS/NAME CHANGES

Purpose: To align the requirements of the rule with current laws, rules, and policies of the Board and the Office of Secretary of State. To clarify to licensees that a valid email address is also a requirement for maintaining a current address of record with the Board and it removes the word “duplicate” prior to pocket card as hard copies of pocket cards are no longer generated automatically. The amendments further clarify that if a licensee changes their name and desires a pocket license to reflect that name change, the appropriate fee must be submitted.

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 for a duplicate pocket license must accompany the request.

Authority: O.C.G.A. §§ 43-1-3, 43-28-6, 43-28-7 and 43-28-12.

Written Comments Received

No written comments were received.

Verbal Comments Received

No verbal comments received.

Ms. McDaniel motioned, Dr. Hinerfeld seconded, and the Board voted unanimously in favor of the motion to adopt Board Rule 671-3-.12 Address / Name Changes as proposed.

The Board discussed the economic impact of Board Rule 671-3-.12 Address / Name Changes upon licensees. Dr. Hinerfeld motioned, Ms. Hammad seconded, and the Board voted unanimously in favor of the motion that the formulation and adoption of these rules do 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. Any economic impact would be positive as licensees can now print out their own pocket cards from their GOALS licensing portal.

Dr. Hinerfeld motioned, Ms. Hammad 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. §§ 43-1-19 and 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.

8. BOARD RULE 671-4-.02 UNPROFESSIONAL CONDUCT DEFINED

SYNOPSIS OF PROPOSED CHANGES OF TO THE GEORGIA STATE BOARD OF OCCUPATIONAL THERAPY BOARD RULE CHAPTER 671-4 STANDARDS OF PROFESSIONAL CONDUCT, BOARD RULE 671-4-.02 UNPROFESSIONAL CONDUCT DEFINED. AMENDED

Purpose: To clarify that being a hindrance to the Board's ability to carry out policy objectives related to public health, safety and welfare through the investigative process is unprofessional conduct. The proposed amendments enhance the Board's ability to prohibit unsafe practices and/or fraud, ensure competent practitioners, expand access to care by competent practitioners, remove asymmetries for consumers by helping complainants understand that professional conduct includes cooperating with an investigation of the Board. The amendments provide guidelines for licensees related to board investigations and holds the licensees accountable for being responsive to the Board during the course of an investigation.

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 '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 other words or phrases authorized in O.C.G.A. § 43-28-16(b).
- (l) Failing to respond to communications from the board relevant to alleged violations of the law, rules, and policies governing the practice of occupational therapy.

Authority: O.C.G.A. §§ 43-1-19, 43-1-25, 43-1-33, 43-28-6, 43-28-7, 43-28-8, 43-28-12 and 43-28-13.

Written Comments Received

No written comments were received.

Verbal Comments Received

No verbal comments received.

Ms. McDaniel motioned, Dr. Hinerfeld seconded, and the Board voted unanimously in favor of the motion to adopt Board Rule 671-4-.02 Unprofessional Conduct Defined as proposed.

The Board discussed the economic impact of Board Rule 671-4-.02 Unprofessional Conduct Defined upon licensees. Ms. Hammad motioned, Ms. Branson seconded, and the Board voted unanimously in favor of the motion that the formulation and adoption of these rules do 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. The amendment cuts agency administrative costs in locating Respondents for investigations. There is a savings of both time and money. The amendment also holds licensees accountable to keep their contact information up to date.

Ms. Hammad motioned, Ms. Branson 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. §§ 43-1-19 and 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 671-6-.02 REQUIREMENTS

**SYNOPSIS OF PROPOSED CHANGES OF TO THE
GEORGIA STATE BOARD OF OCCUPATIONAL THERAPY
BOARD RULE CHAPTER 671-6 CERTIFICATION FOR USE OF PHYSICAL AGENT MODALITIES,
BOARD RULE 671-6-.02 REQUIREMENTS**

Purpose: To clarify which documents would serve as proof of adequate training in modalities and remove information asymmetries 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. To clearly inform and notify licensees that regardless of the document provided as proof of adequate training in physical agent modalities (PAMS), the Board must be able to identify the required information within the document. The amendments enhance public protection by ensuring the Board has received the appropriate information to make an informed decision as to a licensee's ability to perform physical agent modalities safely. The change in the title of the rule also gives notice to applicants that the requirements within the rule are specific to physical agent modalities.

Rule 671-6-.02 Requirements for Use of Physical Agent Modalities

- (1) 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 longterm 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.

Authority: O.C.G.A. §§ 43-1-3, 43-1-25, 43-28-3, 43-28-6, 43-28-7, 43-28-8 and 43-28-12.

Written Comments Received

No written comments were received.

Verbal Comments Received

No verbal comments received.

Ms. Branson motioned, Dr. Hinerfeld seconded, and the Board voted unanimously in favor of the motion to adopt Board Rule 671-6-.02 Requirements as proposed.

The Board discussed the economic impact of Board Rule 671-6-.02 Requirements upon licensees. Dr. Hinerfeld motioned, Ms. McDaniel seconded, and the Board voted unanimously in favor of the motion that the formulation and adoption of these rules do 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. There is a positive time saving impact on agency staff where the licensee is required to provide necessary information to the Board instead of staff having to search for the documentation.

Dr. Hinerfeld motioned, Ms. McDaniel 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. §§ 43-1-19 and 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.

Ms. McDaniel motioned, Dr. Hinerfeld seconded, and the Board voted unanimously in favor of the motion to release the Memorandum of Authority regarding the proposed rules to the Governor’s Office.

The hearing was adjourned at 10:28 a.m.

Board Meeting Agenda

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

Open Session Minutes

1. **May 29, 2025 Open Session Rules Committee WebEx Meeting Minutes**
2. **July 24, 2025 Open Session WebEx Meeting Minutes**
3. **July 29, 2025 Open Session Rules Committee WebEx Meeting Minutes**
4. **August 5, 2025 Open Session Rules Committee WebEx Meeting Minutes**

Ms. McDaniel motioned, Mr. McClellan seconded, and the Board voted unanimously in favor of the motion to accept the May 29, 2025 Open Session Rules Committee WebEx Meeting Minutes, the July 24, 2025 Open Session WebEx Meeting Minutes, the July 29, 2025 Open Session Rules Committee WebEx Meeting Minutes, and the August 5, 2025 Open Session Rules Committee WebEx Meeting Minutes as presented. Dr. Hinerfeld abstained from the vote.

Ratification List: May 3, 2025 – August 7, 2025 Licenses, Reinstatements and PAMs

Ms. Branson motioned, Ms. Hammad seconded, and the Board voted unanimously in favor of the motion to approve the list of licenses issued from May 3, 2025 – August 7, 2025, licenses issued by reinstatement, the Physical Agent Modalities certifications, and limited permits issued between Board meetings. Dr. Hinerfeld abstained from the vote.

Ms. McDaniel motioned, Ms. Hammad seconded, and the Board voted to enter into Executive Session in accordance with O.C.G.A. §§ 43-1-2 (k); 43-1-19 (h) and 50-14-2 (1) to deliberate on Applications. Voting in favor of the motion were those present who included Board Members: Robert McClellan, Rebecca Hammad, Betsy McDaniel, Deborah Hinerfeld, and Rachele Branson.

At the conclusion of Executive Session on Friday August 15, 2025, Mr. McClellan declared the meeting to be “open” pursuant to the Open and Public Meeting Act O.C.G.A. § 50-14-1 et seq. No votes were obtained during Executive Session.

OPEN SESSION

Scheduled Interviews

10:30 a.m. OT250288

Rachele Branson left the meeting at 11:26 a.m.
Rachele Branson re-joined the meeting at 11:35 a.m.

Dr. Hinerfeld motioned, Ms. McDaniel seconded, and the Board voted unanimously in favor of the motion to deny based on action in another jurisdiction. May reapply when conditions are satisfied in that jurisdiction.

11:00 a.m. OT230010

Ms. Hammad motioned, Dr. Hinerfeld seconded, and the Board voted unanimously in favor of the motion to refer to the Attorney General’s Office for a Public Consent Order for Renewal of Licensure with a fine of \$1250.00 and 12 hours of live, interactive CE approved by the Board. Fine must be paid in full and CE completed within 90 days of

the docket date of the order. CE submitted to meet the requirements of the order may not be used to meet the CE requirements for the renewal of the license. Flag for audit.

Dr. Hinerfeld motioned, Ms. McDaniel seconded, and the Board voted to enter into Executive Session in accordance with O.C.G.A. §§ 43-1-2 (k); 43-1-19 (h) and 50-14-2 (1) to deliberate on Applications. Voting in favor of the motion were those present who included Board Members: Robert McClellan, Rebecca Hammad, Betsy McDaniel, Deborah Hinerfeld, and Rachele Branson.

At the conclusion of Executive Session on Friday August 15, 2025, Mr. McClellan declared the meeting to be “open” pursuant to the Open and Public Meeting Act O.C.G.A. § 50-14-1 et seq. No votes were obtained during Executive Session.

OPEN SESSION

Presentation – National Board for Certification in Occupational Therapy (NBCOT)

Francielle Pineda, MPA, MS, OTR/L, Assistant Director, External and Regulatory Affairs, & Kyle Jones, MS, OTR/L, Assistant Director, External and Regulatory Affairs, Ruth Borque, OTR, NBCOT Ambassador for Georgia

Rachele Branson left the meeting at 12:55 p.m.

The Board accepts the NBCOT presentation as information.

Discussion – American Occupational Therapy Association (AOTA)

- 1. Section 504 of the Rehabilitation Act of 1973 Is Safe**
- 2. State Affairs Newsletter – Summer 2025**
- 3. State Affairs Bi-Weekly Regulations Report – 8.1.2025**
- 4. Request for Feedback Survey_2021 Standards for Continuing Competency**

The Board accepts the correspondence in relation to AOTA as information.

National Board for Certification in Occupational Therapy (NBCOT)

- 1. OT State Regulatory E-newsletter**
- 2. Expands the myEBPtool with New Conditions and Updated Content**
- 3. Leadership Transition**
- 4. State Regulatory Leadership Forum**
- 5. Important News**
- 6. Meet a NBCOT Award Recipient**
- 7. State Legislation That Impacts Private Professional Certification and Occupational Licensing Boards**
- 8. Sarah Bradley on Chevron Deference, Loper Bright Case & State Regulatory Impacts**
- 9. Protecting the Public – Process and Procedures Driving Certification Exam Development**

The Board accepts the correspondence in reference to NBCOT, as information.

Petitions for Rule Waiver

- 1. BR 671-3-.06(3)_Lisa Ciotto**

Dr. Hinerfeld motioned, Ms. Hammad seconded, and the Board voted unanimously in favor of the motion to deny the petition to waive BR 671-3-.06(3) based on insufficient evidence to substantiate a substantial hardship. Notify petitioner that she may be compensated if her employer will provide such compensation.

Rules Committee – R. McClellan

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

Rule 671-2-.02. Supervision Defined

Supervision as used in the law shall mean personal involvement of the supervisor in the direction, guidance, and delivery of occupational therapy by the supervisee, or individual whose work is being overseen.

- (1) The following factors shall be considered by the supervisor when determining the appropriate frequency, methods, and content of supervision:
 - (a) Complexity of the client needs;
 - (b) Number and diversity of clients;
 - (c) Skills and experience of the occupational therapist and occupational therapy assistant;
 - (d) Type and number of practice settings;
 - (e) Requirements for the practice setting;
 - (f) Any other regulatory or administrative requirements.
- (2) A supervising occupational therapist is ultimately responsible and accountable for:
 - (a) Maintaining an active, unencumbered license or Compact Privilege in Georgia,
 - (b) All client care provided by the persons supervised, to include but not limited to, occupational therapy services provided by:
 - (i) Occupational therapists and occupational therapy assistants;
 - (ii) Students in occupational therapy and occupational therapy assistant programs; and,
 - (iii) Unlicensed personnel who deliver supportive services to the occupational therapist and the occupational therapy assistant.
- (3) A supervising occupational therapy assistant is always accountable and responsible for the actions of all occupational therapy assistants, student occupational therapy assistants, and unlicensed personnel under their supervision.
- (4) It is the responsibility of the licensed occupational therapist or licensed occupational therapy assistant to ensure that a supervisee does not perform duties for which he or she is not trained and/or licensed. The licensed occupational therapist shall also personally review and interpret the results of any habilitative, or rehabilitative procedures conducted by the supervisee.
- (5) Supervision requires initial direction and periodic inspection of the service delivery by the licensed occupational therapist or occupational therapy assistant to include at a minimum:
 - (a) Weekly verbal contact and consultation;

- (b) Monthly review of patient care documentation;
 - (c) Delineation of tasks and responsibilities;
 - (d) An interactive process between the supervising occupational therapist and the occupational therapy assistant to include but not limited to consultation which may include synchronous communication, related to client assessment, reassessment, intervention plan, intervention implementation, and discontinuation of treatment. Cosigning client documents alone does not meet the minimum level of supervision.
- (6) For applicants required to complete supervised clinical experience to obtain a license, the supervising occupational therapist shall provide direct supervision, as defined in Rule 671-2-.03.
- (7) Supervision of Students.
- (a) For Level One, capstone, and baccalaureate project occupational therapy students, direct supervision, as defined in Rule 671-2-.03, is required by a qualified professional.
 - (b) For Level Two occupational therapy students, direct supervision, as defined in Rule 671-2-.03, is required from a qualified professional in accordance with the Accreditation Council for Occupational Therapy Education (ACOTE) Standards.

Cite as Ga. Comp. R. & Regs. R. 671-2-.02

Authority: O.C.G.A. Secs. [43-28-3](#), [43-28-7](#), [43-28-12](#).

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

Repealed: New Rule of same title adopted. F. May 24, 1994; eff. June 13, 1994.

2. Rule 671-2-.03. Direct Supervision Defined

Rule 671-2-.03. Direct Supervision Defined

- (1) Direct Supervision as used in the Law shall mean that the supervisor is physically on-site, in-person, and able to respond quickly to the needs of the client or supervisee. It requires specific delineation of task and responsibilities by a licensed Occupational Therapist or Occupational Therapy Assistant to the supervisee.
 - (a) It is the responsibility of the licensed occupational therapy practitioner to ensure that the supervisee does not perform duties for which he/she is not trained; and,
 - (b) It is ultimately the responsibility of the occupational therapist to personally review and interpret the result of any habilitative or rehabilitative procedures conducted by the supervisee.
- (2) Direct Supervision is required for applicants who are practicing under a limited permit issued by the Board.
- (3) Direct Supervision may decrease over time to supervision, as defined in Rule 671-2-.02, if the supervisor has determined that the supervisee has demonstrated service competency and the supervisee is not subject to paragraph 2 of this rule.

Cite as Ga. Comp. R. & Regs. R. 671-2-.03

Authority: O.C.G.A. Secs. [43-28-3](#), [43-28-7](#), [43-28-12](#).

History: Original Rule entitled "Direct Supervision Defined" adopted. F. July 15, 1977; eff. August 4, 1977.

Repealed: New Rule of same title adopted. F. Jan. 29, 1997; eff. Feb. 18, 1997.

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

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)
- (3) Proof of 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) 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.
- (5) 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.
- (6) 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.
- (7) If the applicant has been employed in the field of occupational therapy, a verification of employment form must be provided from the employer. If the applicant has not practiced in the field of occupational therapy within five (5) years, the applicant will be required to complete a supervised clinical experience.
 - (a) Applicants required to complete a supervised clinical experience must submit Limited Permit Supervised Clinical Practice Agreement Form.
 - (b) Upon completion of the supervised clinical experience, an applicant must cause the supervisor to submit a Supervised Clinical Practice Evaluation Form verifying the 320 hours of clinical experience under the supervision of a licensed occupational therapist, pursuant to Rule 671-3-.06, for Board approval.
- (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.

4. 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. A licensee may apply for late renewal of a license from April 1st through April 30th of the renewal year upon payment of a late renewal fee, submission of proof of continuing education as established by Board rules and completion of all appropriate forms.
- (3) As of May 1st of the renewal year, the license of an applicant who has not applied for renewal is expired and revoked by operation of law. 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.
- (4) 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 (CE) hours prior to the expiration date of the license. The two (2) year renewal period begins April 1st of even numbered years and ends March 31st of even numbered years. Failure to complete continuing education prior to expiration date can result in disciplinary action.

Prior approval of continuing education courses is not required. 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. Unacceptable activities include, but are not limited to:
 - (a) Orientation,
 - (b) Meetings for purposes of policy decisions,
 - (c) Non-educational meetings,
 - (d) Annual Compliance training,
 - (e) Cardiopulmonary resuscitation (CPR) courses.
- (5)

A continuing education hour is defined as actual time spent in instruction or organized learning experiences excluding meals, breaks, welcome/introductions, and business meetings.

- (6)
 - (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.

- (7) 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.
- (8) Each licensee randomly selected for a CE audit must submit to the Board supporting documentation as specified in this rule.
- (9) 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.

(10) Licensees and applicants for reinstatement must register earned CE credits for courses and experiences with an online recording and reporting system approved by the Office of Secretary of State. Licensees and applicants must register with the approved continuing education tracking solution to document CE credits for license renewal and reinstatement.

- (a) The Office of Secretary of State has approved CE Broker, Inc. as the continuing education tracking solution to monitor compliance of licensees with applicable continuing education requirements.
- (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 CE record retained within the approved continuing education tracking solution 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 within the approved continuing education tracking solution, the licensee or applicant may be subject to disciplinary action.

(11) 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 two (2) year renewal period during which the hours were taken.

(12) 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, formal academic course, or in-service educational program:
 1. A certificate of completion or similar documentation signed by a program official, specifying the course was a live presentation or real interactive webinar, and,

2. A program or course 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. If submitting formal academic coursework, a transcript reflecting a passing score in the course and the course syllabus is required,;
- (b) For "General" continuing education as referenced in this rule, if obtained at a conference, seminar, workshop, live presentation, academic course or in-service educational program required documentation is as noted above. All other types of courses 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) A description of the fieldwork including name and type of facility, name of the fieldwork educator and times spent in direct supervision of the student is required in order to receive credit for serving as the primary clinical fieldwork educator for Level II occupational therapy and occupational therapy assistant fieldwork students.
- (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 specifying "pre-recorded or web-based" 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.

5. Rule 671-3-.14. Reciprocity

Rule 671-3-.14. Reciprocity

- (1) Pursuant to O.C.G.A. § 43-28-11, the board may waive the examination and grant a license to any applicant who shall present proof of current licensure as an occupational therapist or an occupational therapy assistant in another state, the District of Columbia, or territory of the United States, which requires standards for licensure considered by the board to be equivalent to the requirements for licensure of this article.
- (2) Applicants by reciprocity must submit:
 - (a) 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).
 - (b) 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;
 - (c) 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.
 - (d) 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.
 - (e) Proof of passing an occupational therapy examination which is not administered by the National Certification Board in Occupational Therapy (NBCOT) that is approved in another state, the District of Columbia, or territory of the United States.
 - (f) Verification of current licensure, in good standing, from another state, the District of Columbia, or territory of the United States, which requires standards for licensure considered by the board to be equivalent to the requirements in Georgia.
 - (g) If the applicant has been employed in the field of occupational therapy, a verification of employment form must be provided from the employer. If the applicant has not practiced in the field of occupational therapy within five (5) years, the applicant will be required to complete a supervised clinical experience.
 - (i) Applicants required to complete a supervised clinical experience must submit Limited Permit Supervised Clinical Practice Agreement Form.
 - (ii) Upon completion of the supervised clinical experience, an applicant must cause the supervisor to submit a Supervised Clinical Practice Evaluation Form verifying the 320 hours of clinical experience under the supervision of a licensed occupational therapist, pursuant to Rule 671-3-.06, for Board approval.

6. Rule 671-6-.02. Requirements for Use of Physical Agent Modalities

Rule 671-6-.02. Requirements for Use of Physical Agent Modalities

- (1) 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) Proof of 90 hours of instruction or training. Of the 90 hours required:
 - (1) Occupational therapists shall receive 54 hours towards modalities certification based upon completion of entry level education in occupational therapy.
 - (2) Occupational therapy assistants shall receive 36 hours towards modalities certification based upon completion of entry level education in occupational therapy.
 - (b) The remaining hours may be reported by:
 1. Identification of the specific course or training where the therapist learned content related to each subject area identified in (1)(a-i).
 2. A statement of attendance or a copy of the certificate of completion, 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 must be provided.

- 3. In-service training by attendance at a live presentation offered by a fellow practitioner or supervisor certified in PAMs. In-service training must be recorded in increments greater than or equal to 30 minutes. At no time should these in-services be conducted as part of patient care.

- (c) No more than 12 hours of asynchronous coursework may be submitted to satisfy the 90 hours required for PAMs certification.
- (d) in accordance with O.C.G.A. Sec. 43-28-8(a)(1), none of the 90 hours required for PAMs certification can be obtained while practicing under a limited permit issued by the Board or supervised clinical hours offered through any provider.
- (e) Additional documentation may be requested by the Board, if deemed necessary.

Anyone who holds a Certified Hand Therapy (CHT) credential is considered by the Board to have met the requirements for Physical Agent Modalities (PAM) certification and may be administratively approved upon submission of application.

- (5) Anyone who holds a dual degree of Physical Therapy and Occupational Therapy credentials is considered by the Board to have met the requirements for Physical Agent Modalities (PAMs) certification and may be administratively approved upon submission of application.
- (6)

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.

7. Policy A1 – Policy for Applications for Licensure

Policy A1 – Policy for Applications for Licensure

POLICY A1

Category: Applications **Policy:** ■
Title: Policy for Applications for Licensure **Procedure:** ■

Statutory Basis: O.C.G.A. §§ §§ 43-28-7; 43-28-8; 43-28-8.1; 43-28-9; 43-28-10; 43-28-11; 43-28-12; 43-28-14

Rule Basis: Chapters 671-3 and 671-6

- Administrative Authority has been granted to the staff to issue licenses and Limited Permits where answers to the conviction question is “No” and the applicant has met all licensure requirements subject to board final approval.
- Staff has been granted Administrative Authority to accept the NBCOT Online Certification Report as a Primary Source Verification of Certification.

HISTORY: Policy revised at the February 7, 2014 meeting; Policy revised at the May 15, 2015 meeting; Policy revised at the August 7, 2015 meeting; Policy revised at the February 19, 2016 meeting; Policy revised at the May 13, 2016 meeting. Revised at the February 26, 2021 meeting. Approved by Governor July 13, 2022.

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

POLICY A5

Category:	Applications	Policy: ■
Title:	Staff Approval of Applications for Licensure and Renewal Related to Criminal Offenses	Procedure: ■
Statutory Basis:	O.C.G.A. §§ 43-1-19(a)(j); 43-28-7; 43-28-8; 43-28-8.1; 43-28-9; 43-28-10; 43-28-11; 43-28-12; 43-28-14	
Rule Basis:	BR 671-3-.01 through 671-3-12; 671-6-.01 through 671-6-.03	

The Board policy below grants administrative authority to staff to review and issue licenses when an application meets all criteria as outlined in the law and board rules. When an application reveals that the applicant has disclosed the existence of criminal conviction(s) staff is granted administrative authority to process the application in accordance with this policy. Any license issued in accordance with this policy shall be ratified by the Board during the next scheduled board meeting.

(1) Initial Applications

- (a) Sexual Offenses
 - i. If an applicant has been convicted of a misdemeanor sex crime, the application shall be referred for presentation before the Board
 - ii. If an applicant has been convicted of a felony sex crime, the application shall be referred for presentation before the Board.
- (b) Violent Felonies. If probation, parole, or supervised release is complete and the applicant has been convicted of no more than one violent felony, refer to the Cognizant for review. If there is no nexus to occupational therapy, the Cognizant may recommend administrative issuance of the license.
- (c) Non-Violent Felonies.
 - i. If probation, parole, or supervised release is complete and the applicant has been convicted of non-violent felonies, refer to the Cognizant for review. If there is no nexus to occupational therapy, the Cognizant may recommend administrative issuance of the license.
 - ii. If the applicant has been convicted of no more than one non-violent felony more than 15 years ago, court documents will be required, and the license can be administratively issued.
- (d) Mixed Felony Convictions. If the applicant has been convicted two or more felonies (both non-violent and violent), the application shall be referred to Legal Services for review and presentation of a recommendation to the Board in accordance with O.C.G.A. 43-1-19(q)(1&2).
- (e) Misdemeanor Convictions. If the applicant has had two (2) non-DUI misdemeanor convictions that occurred more than ten (10) years ago, court documents are required, but the license can be administratively issued.
- (f) Misdemeanor Convictions for DUI. If the applicant has had no more than two (2) misdemeanor DUI convictions, occurring more than 10 years ago, court documents are required, and the license can be administratively issued.

(2) Renewing or Reinstating Applicants

- (a) Applicants for license renewal and reinstatement are subject to the policies for initial applicants as described herein.
- (b) Board staff may administratively reinstate or renew a license when the applicant has convictions if:
 - (i) The applicant previously submitted the same convictions to the Board; and,
 - (ii) The Board previously reviewed those convictions.

(c) If an applicant for renewal or reinstatement discloses a misdemeanor or felony conviction which occurred while the applicant was reinstated or renewed, then the application will be processed in accordance with the guidelines established in paragraph (1)(a-f) of this policy.

(3) Documentation.

(a) Board staff will continue to request final disposition, sentence documentation, and/or official letterhead from probation, parole, or supervising officers for applicants and licensees with convictions in accordance with this policy and direction of the Board.

(b) If information concerning convictions is not readily apparent in the court documents received by staff, staff shall refer the application to the Board. The Board will determine the appropriate course of action.

(4) Failure to Disclose. When an applicant fails to disclose an arrest or conviction, staff may administratively issue the license in accordance with the policies set forth herein if the arrest or conviction occurred:

a. Over 10 years ago; however, in such cases, a Letter of Concern shall also be sent as a reminder to applicants that they shall disclose all convictions and failure to do so in the future may result in the Board exercising its right to sanction the license.

b. Less than 10 years ago, the application shall be referred to Legal Services for a Public Consent Order with terms and conditions to include a \$500 fine and 2 hours of ethics in occupational therapy which may not be used to meet CE requirements for license renewal. Fine must be paid within 90 days of the docket date of the order. The referral decision and issuance of the order will be ratified by the Board at the next scheduled meeting.

(5) Incarcerated Applicants. When an applicant is incarcerated, the application shall be presented to the Board for review.

(6) Fraudulent Documentation. When an application is submitted with documentation suspected to be fraudulent, the application may be referred to the Board for review.

(7) Other Applications. Any application which does not fall within the parameters set forth in this policy shall be referred to the Board for review.

HISTORY: Policy adopted at the May 17, 2013 meeting; Amended February 7, 2014.

9. Policy A9 – Limited Permits

POLICY A9

Category: Applications
Title: Limited Permits

Policy: ■
Procedure: ■

Statutory Basis: O.C.G.A. §§ 43-28-10(c) and 43-28-12

Rule Basis: 671-2-.02, 671-2-.03, 671-3-.06(3), and 671-3-.09

(1) The Georgia State Board of Occupational Therapy designates a Cognizant Board Member to:

(a) Approve all limited permit forms and supervision agreements (Supervised Clinical Experience Agreement Form or Limited Permit Supervised Clinical Practice Agreement Form); or,

(b) Refer the limited permit forms and supervision agreements to the full board for consideration during the next regularly scheduled meeting if:

1. The documentation submitted is unclear, misleading, deceptive, false or fraudulent;
 2. The supervisor has been sanctioned in the past by the Board; or,
 3. The facility, agency, or practice area where the supervised clinical practice is scheduled to take place appears inadequate.
- (2) If the issuance of a limited permit is approved by the Cognizant:
- (a) A letter stating that all supervision must be in compliance with the statutes and rules indicated within this policy will be sent to the occupational therapist who has been approved as the supervisor; and,
 - (b) A list of persons who received a limited permit based on this policy will be presented to the Board for a vote during a regularly scheduled meeting.
- (3) The license may be administratively issued if the Supervised Clinical Practice Evaluation Forms reflects that the supervisee has satisfied the requirements. If the form states otherwise, Board review is required.

History: Policy adopted at the November 13, 2020 meeting.

Ms. McDaniel motioned, Dr. Hinerfeld seconded, and the Board voted unanimously in favor of the motion to accept the rationales of the Committee to include the friendly amendment made to Rule 671-6-.02. Requirements for Use of Physical Agent Modalities which clarifies that if you are currently modalities certified for your occupational therapist assistant license and have completed the necessary application with the appropriate additional education and meet the requirements to become an occupational therapist, your modalities certification will transfer to your OT license in the state of Georgia.

Dr. Hinerfeld motioned, Ms. McDaniel seconded, and the Board voted unanimously in favor of the motion to accept the economic impact rationales of the Committee to include the friendly amendment made to Rule 671-6-.02. Requirements for Use of Physical Agent Modalities.

Dr. Hinerfeld motioned, Ms. Hammad seconded, and the Board voted unanimously in favor of the motion to refer the amendments to the Attorney General's Office for a Memorandum of Authority. If no objections, vote to post, with a friendly amendment made to Rule 671-6-.02. Requirements for Use of Physical Agent Modalities.

Rule 671-6-.02. Requirements for Use of Physical Agent Modalities

- (1) 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) Proof of 90 hours of instruction or training. Of the 90 hours required:
 - (3) Occupational therapists shall receive 54 hours towards modalities certification based upon completion of entry level education in occupational therapy.
 - (4) Occupational therapy assistants shall receive 36 hours towards modalities certification based upon completion of entry level education in occupational therapy.

The remaining hours may be reported by:

- (b)
 1. Identification of the specific course or training where the therapist learned content related to each subject area identified in (1)(a-i).
 2. A statement of attendance or a copy of the certificate of completion, 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 must be provided.
 3. In-service training by attendance at a live presentation offered by a fellow practitioner or supervisor certified in PAMs. In-service training must be recorded in increments greater than or equal to 30 minutes. At no time should these in-services be conducted as part of patient care.
- (c) No more than 12 hours of asynchronous coursework may be submitted to satisfy the 90 hours required for PAMs certification.
- (d)

in accordance with O.C.G.A. Sec. 43-28-8(a)(1), none of the 90 hours required for PAMs certification can be obtained while practicing under a limited permit issued by the Board or supervised clinical hours offered through any provider.

- (e) Additional documentation may be requested by the Board, if deemed necessary.

Anyone who holds a Certified Hand Therapy (CHT) credential is considered by the Board to have met the requirements for Physical Agent Modalities (PAM) certification and may be administratively approved upon submission of application.

(5)

Anyone who holds a dual degree of Physical Therapy and Occupational Therapy credentials is considered by the Board to have met the requirements for Physical Agent Modalities (PAMs) certification and may be administratively approved upon submission of application.

(6)

Any occupational therapy assistant who has held Physical Agent Modalities (PAMs) certification in the state of Georgia and applies for licensure as an occupational therapist in Georgia shall be considered by the Board to have met requirements for Physical Agent Modalities (PAM) certification and may be administratively approved upon issuance of the occupational therapist license.

(7)

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.

2026 OT Board Meeting Dates

Meetings are scheduled for Fridays at 9:00 a.m. via WebEx unless otherwise noted on the Board website closer to the meeting date(s).

February 6, 2026

May 8, 2026

August 14, 2026

November 6, 2026

Ms. McDaniel motioned, Dr. Hinerfeld seconded, and the Board voted unanimously in favor of the motion to accept the 2026 Board meeting dates as presented.

Board Chair's Report – R. McClellan – Supervised Clinical Experience FAQ Development

No formal report presented. Ms. McDaniel motioned, Dr. Hinerfeld seconded, and the Board voted unanimously in favor of the motion to accept the Supervised Clinical Experience FAQ Development, and to post the fact sheet on the Board website upon authority to amend the supervision rules by the Attorney General's Office.

Executive Director's Report – A. Price

Executive Director's Report presented the Board with statistical data relevant to the processing of applications, the number of licensees, renewal audits and complaints/compliance matters and the status of renewal applications. Additionally, the Executive Director's Report addressed the following:

- Annual Ethics Commission Affidavit of Public Officer Filings
- OT Licensure Compact
- PLB Updates

Dr. Hinerfeld motioned, Ms. Hammad seconded, and the Board voted unanimously in favor of the motion to accept the Executive Director’s Report as presented.

Dr. Hinerfeld motioned, Ms. McDaniel seconded, and the Board voted to enter into Executive Session in accordance with O.C.G.A. §§ 43-1-2 (k); 43-1-19 (h) and 50-14-2 (1) to deliberate on Applications. Voting in favor of the motion were those present who included Board Members: Robert McClellan, Rebecca Hammad, Betsy McDaniel, and Deborah Hinerfeld.

At the conclusion of Executive Session on Friday August 15, 2025, Mr. McClellan declared the meeting to be “open” pursuant to the Open and Public Meeting Act O.C.G.A. § 50-14-1 et seq. No votes were obtained during Executive Session.

OPEN SESSION

Executive Session Minutes – July 24, 2025 Executive Session WebEx Meeting Minute

Dr. Hinerfeld motioned, Ms. Hammad seconded, and the Board voted unanimously in favor of the motion to accept the July 24, 2025 Executive Session WebEx Meeting Minutes as presented.

Attorney General’s Report

Ms. Hammad motioned, Ms. McDaniel seconded, and the Board voted unanimously in favor of the motion to accept the Attorney General’s Report and advice as presented.

Legal Services Memo

Dr. Hinerfeld motioned, Ms. Hammad seconded, and the Board voted unanimously in favor of the motion to accept the following recommendations made in Executive Session:

1. Request for Reconsideration – OT220039

Uphold previous motion. Legal Services may offer a payment plan of \$100 per month. Fine must be paid in full within six (6) months or order docket date. CE used to fulfill terms of the order may not be applied to fulfill renewal requirements for current or future biennium.

2. Case for Closure Due to Unresponsiveness – OT250279

Refer to the Attorney General’s Office for a Public Consent Order for Renewal of Licensure with a fine of \$1,000 for false attestation and failure to meet CE requirements. Must complete 7.5 hours of live/interactive CE, two (2) hours of general CE and pay fine within 90 days of the order docket date. Flag for Audit.

Cognizant Report – R. Branson

Ms. Hammad motioned, Ms. McDaniel seconded, and the Board voted unanimously in favor of the motion to accept the following recommendations made in Executive Session:

- | | |
|-----------------|--|
| OT250293 | Close case due to insufficient evidence to initiate an investigation. |
| OT250235 | Close case with a Letter of Concern regarding medication storage. |
| OT250244 | Close case due to insufficient information to initiate an investigation. |
| OT260003 | Close due to no jurisdiction. |

- OT220060** Refer to the Attorney General’s Office for a Public Consent Order for unprofessional conduct with a fine of \$500. Fine to be paid within 90 days of order docket date. Flag for audit.
- OT200002** Terminate conditions of probation and restore to active status.

Adjournment No further business was discussed, and the meeting adjourned at 3:51 p.m.

Minutes recorded by: Michelle Hornaday, Board Support Specialist
Minutes reviewed and edited by: Adrienne Price, Executive Director & Meagan Doss, Licensing Supervisor
Minutes approved on: November 7, 2025

ROBERT McCLELLAN

BOARD CHAIR

ADRIENNE PRICE

EXECUTIVE DIRECTOR

ATTACHMENT A

08-15-25 PUBLIC RULES HEARING

Transcription of Verbal Comments

Rule 671-3-.05. Re-examination. Amended.

Francielle Pineda, MPA, MS, OTR/L, National Board for Certification in Occupational Therapy (NBCOT), Assistant Director, External and Regulatory Affairs

First and foremost, NBCOT does not impose a limit on exam attempts, as a reference for the Board's information. There are waiting periods that do apply, and vary depending upon the exam attempt number. This information can be found in our Certification Exam Handbook, if you would like to read more information about this, but as a quick reference for 2nd or 3rd attempts, a candidate would have to wait 30 days from the last date of examination. For the 4th – 6th attempt, there is a 60-day waiting period from the date of the last exam. For a 7th attempt or higher, there would be a six-month waiting period from the last exam date.

As you may know, we did recently complete a research report or survey on NBCOT Exams and Retakes. Some states do impose a limit on exam attempts for initial licensure. There aren't many, but we did want to mention that for example, information that we received from the survey, as well as some experiences that Kyle Jones has gone through.

The first example we wanted to point out is for Florida where they have codified examination attempts for initial licensure and their statutes; if an applicant does not pass the exam in three attempts, the applicant would have to complete additional education or training as prescribed by the board. After five attempts, the applicant would no longer be eligible for state licensure through examination in Florida. The board also provided NBCOT some additional information about this from their research survey, and they did clarify that at this time, the board prescribes NBCOT exam study and prep options on the NBCOT website after 3 failed attempts.

This report is available for your board's reference and as further clarification, which was completed in January 2025, and they did clarify with the board staff yesterday that this is still their current recommendation for candidates that are having a difficult time passing the exam.

Kyle Jones, MS, OTR/L, National Board for Certification in Occupational Therapy (NBCOT), Assistant Director, External and Regulatory Affairs

I served as the previous board chair for Arkansas where we (NBCOT) have a similar provision. So similar to Arkansas, we require additional education following 3 failed attempts. I just want to point out that our committee did this on a case-by-case basis. So the education requirements may change depending on the severity of the case. This provision was implemented to protect the public and to ensure the individual is demonstrating practice competency, when I'm sure it is what ya'll are looking at doing. From my prior experience and current role here at NBCOT, I totally understand and strongly support your position of prioritizing public protection, and just really ensuring that competent practice is happening within the profession.

Collectively here at NBCOT, we share that common mission of protecting the public, and you can see there are other states that have moved in this same direction. And so with that, if this board ever decides it's necessary for public protection to go forth with this, we are here to support you. We want you to know we have these resources available to you and I have put those in the chat for you.

[https://www.flsenate.gov/Laws/Statutes/2024/468.211#:~:text=\(2\)%20Each%20applicant%20for%20licensure,by%20rule%20of%20the%20board](https://www.flsenate.gov/Laws/Statutes/2024/468.211#:~:text=(2)%20Each%20applicant%20for%20licensure,by%20rule%20of%20the%20board)

I appreciate ya'll letting me speak up and talk with you a little bit about this subject.

Kristen Neville, State Affairs Manager, American Occupational Therapy Association (AOTA)

I do apologize for bringing this to your attention at this point in the process, however once this rule was proposed and the final text was put forward, I shared the rule with some colleagues at AOTA who came back with some concerns that I wanted to express.

Mainly the concern is that there is no evidence to say that someone who has to take the exam multiple times is any less qualified or competent to practice once they do pass the exam. So the number of attempts, whether it's 3 or 4 or more than that, once you pass the exam, provided that you graduated from your academic program, and you wouldn't be sitting for the exam if you hadn't, then you are considered competent to practice, and how much education you did in order to pass the exam – you are basically qualified to practice.

The other concern we had is that this could potentially be a barrier to for some folks to pursue licensure in Georgia. If someone were to fail the exam on their 2nd or 3rd attempt and they noticed that in other states they don't have to go through this process, or go through additional education and training to pass the exam, they might just say well I'm not going to apply in Georgia, I'll apply in Alabama or South Carolina, or some other state. So you could potentially lose licensees in Georgia.

And there's also an equity issue if someone can't afford to take the exam for a 3rd time and this would obviously be a barrier for them. Or if someone just really needs to work and they can't afford to wait to complete the supervised hours, then they will look to another state.

I just wanted to share those. It seems to me that the sense of the Board is to move forward with this, and we completely understand your mission is to protect the public, but I did want to go on record and share those concerns. Thank you for the opportunity.

Francielle Pineda, MPA, MS, OTR/L, National Board for Certification in Occupational Therapy (NBCOT), Assistant Director, External and Regulatory Affairs

I did have some questions about this rule and I don't know if it's possible for the Board to address them at this time. But I'll go ahead and try to ask them to see if I can get some clarification.

We were wondering if candidates would be required to complete these activities within GA or would other options in other states qualify in terms of supervision with additional practice.

Kristen Neville, State Affairs Manager, American Occupational Therapy Association (AOTA) Each case for these applicants would be reviewed on a case-by-case basis. It [the level of supervision] would be determined based on what was submitted by that applicant regarding their remedial program.

Francielle Pineda, MPA, MS, OTR/L, National Board for Certification in Occupational Therapy (NBCOT), Assistant Director, External and Regulatory Affairs

Thank you for clarifying. And I did have one other question. How does the Board anticipate identifying or securing the required supervised clinical opportunities? Is there potentially going to be maybe a list of programs available, or is there any guidance the Board has put out about that?

Adrienne Price, Executive Director, Healthcare 2, Office of Secretary of State, Professional Licensing Boards Division

There has been some work done by this Board in speaking with community partners about remedial programs and clinical supervision. However, there is no formalized document related to that at this time.

Francielle Pineda, MPA, MS, OTR/L, National Board for Certification in Occupational Therapy (NBCOT), Assistant Director, External and Regulatory Affairs

Thank you for clarifying, Adrienne. I really appreciate it.

Adrienne Price, Executive Director, Healthcare 2, Office of Secretary of State, Professional Licensing Boards Division

Not a problem. And if I may, Mr. Chair, speak to Ms. Neville's comment as it relates to the rule. The rule is being amended and promulgated as a result of a statutory provision. The Board is attempting to formalize what the statute requires to put applicants on notice of that which they may be required to do if they have failed the exam three or more times as the statute stipulates. The language in the rule does allow for an "or" in each instance when it comes to the number of times they have taken and failed the exam; meaning that they have the option of submitting a proposal to the Board to consider whatever they have done. Whether it's working in another jurisdiction, whether it be some other course that they took prior to taking it the last time, and any of that information they would like to submit for the Board to then consider whether it's necessary for them to do any additional training. In each instance there's the 90-day limited permit, or they can submit a proposal to do some other things. So, there is the ability to not have to do it [supervised clinical experience] should the Board determine what they have submitted is adequate.

Kristen Neville, State Affairs Manager, American Occupational Therapy Association (AOTA)

Am I hearing what you are saying correctly that someone may not be required to do this additional training?

Adrienne Price, Executive Director, Healthcare 2, Office of Secretary of State, Professional Licensing Boards Division

Correct. As the statute also says "may."

Kristen Neville, State Affairs Manager, American Occupational Therapy Association (AOTA)

Ahhh. That's helpful. My response to that is that again, that is helpful information. So, does the Board have a process in place to make that determination if they are going to make someone go through this?

Adrienne Price, Executive Director, Healthcare 2, Office of Secretary of State, Professional Licensing Boards Division

The statute has been in place for quite some time. And the Board has already been doing this [assessment procedure] and evaluating applications; they just wanted to make it clearer to the applicants that this process exists. And so that is the reason they are developing this rule.

Kristen Neville, State Affairs Manager, American Occupational Therapy Association (AOTA)

The other point I was going to make is that since NBCOT already requires a waiting period – if you are going to make folks wait before taking the exam again and then on top of that require that they do these additional training, that could be additionally burdensome. But if it's something that the Board is evaluating on a case-by-case basis, that's good to know. Thank you for that clarification.

Kyle Jones, MS, OTR/L, National Board for Certification in Occupational Therapy (NBCOT), Assistant Director, External and Regulatory Affairs

I have one more comment to bring up, because Kristen's point was good about someone wanting to get to work. So, a limited permit as I was reading in your statute that you can only get one limited permit until you fail, I think is how you all's reads. So, I guess if they did decide to do this clinical supervision; apply for that limited permit, it would be up to the place that they went to – to allow them to actually work. Is that correct? If they could work and get paid during those clinical hours?

Adrienne Price, Executive Director, Healthcare 2, Office of Secretary of State, Professional Licensing Boards Division

That is correct.

Kyle Jones, MS, OTR/L, National Board for Certification in Occupational Therapy (NBCOT), Assistant Director, External and Regulatory Affairs

So that could be a shoe in the door to finish those clinical hours and then be able to show you they are competent and then get their license. Would they be able to do another, for example if they have already done a limited permit, would applying for those clinical hours be kind of like renewing it as a separate limited permit? That they've done one, but could do another one? Because now they are going to do one for these clinical hours? Is that correct?

Adrienne Price, Executive Director, Healthcare 2, Office of Secretary of State, Professional Licensing Boards Division

The Board hasn't necessarily seen a scenario like that. Typically, if they've done practice under one limited permit, it's not likely (of course it could happen) but it's not likely that the Board would need to require them to do another one. And I would say the only caveat would be a situation where that might happen is if they did not do well with a limited permit previously; if it was reported by their supervisor that they did not practice well.

Kristen Neville, State Affairs Manager, American Occupational Therapy Association (AOTA)

If I may, I have one other question to raise, ask, or suggest. In light of your clarification, that this is something that the Board addresses on a case-by-case basis, would the Board consider maybe clarifying that in the rule language? The statute is clear. If it says "may". But the regulation, if you read it, doesn't look like this is required if someone fails the exam 3 or 4 times, they "must" do 'x,y,or z'. And if they fail 4 times or more, then must do x, y, or z? That's different than what the statute says when it says "may". Maybe you could potentially consider inserting a sentence that says, "someone that fails the exam 3 or 4 times, the Board shall evaluate it on a case-by-cases basis, whether they were required to do "x, y, or z".

Adrienne Price, Executive Director, Healthcare 2, Office of Secretary of State, Professional Licensing Boards Division

That's where I mentioned previously where it says they must do one of the following. Meaning do the 90-day limited permit, or submit some additional information for the Board to consider. So, they must do one or the other.

Kristen Neville, State Affairs Manager, American Occupational Therapy Association (AOTA)

In item 2 it says the applicant "must."

Adrienne Price, Executive Director, Healthcare 2, Office of Secretary of State, Professional Licensing Boards Division

The rule says they must do one of the follow, A or B. In other words, it's giving the licensee the ability to choose whichever path they would like to take, either submit information for the Board to consider as it relates to what you've done remedially or go ahead and do the 90-day limited permit. That is the option that is given to the applicant to decide which path they want to choose.

Kristen Neville, State Affairs Manager, American Occupational Therapy Association (AOTA)

I guess my contingent is the statute says the applicant needs to, "may," be required to do something, then the rule says "must," that's my confusion. The statute makes it sound like the Board may not require someone to do anything, because it says "may," but then the regulation says they have to do one of these, one or the other.

Robert McClellan, Chair, Georgia State Board of Occupational Therapy

If the Board decides that the applicant must take some type of remedial coursework, or whatever that may look like, then they can choose between the two [remedial work or supervised clinical experience]. The rule also includes instances where the person would be exempt from doing either.

Rachele Branson, Board Member, Georgia State Board of Occupational Therapy

An applicant also has a right to ask for a Rule Waiver or a Rule Variance because maybe there was some other situation with them. Maybe test anxiety, or they have a medical condition, and they can show it, so there's always [a way to request exemptions]. So, I think putting "may" in the law, which is great, because otherwise if we put "must" in the law, then they are going to have to do something. May allows that choice. In the rule, we are saying you have a or b but then you can always apply, if you think your situation is different, for a waiver or variance to that rule or be exempt based on paragraph 6 of the rule.

Kristen Neville, State Affairs Manager, American Occupational Therapy Association (AOTA)

I thank you for the dialog. I think that makes sense, Rachele. Thank you. I think although that does clarify a lot. I still think that hasn't changed our position. I think we still have a concern that this could be a barrier to certain folks for the reasons I've already articulated. So, thank you so much. Like I said, I know your mandate is to protect the public and you are moving in a direction that other licensing boards have moved. So, I just wanted to go on the record with our concerns. Thank you very much for the dialog.

STATE OF GEORGIA

COUNTY OF BIBB

**AFFIDAVIT SUPPORTING CLOSING OF
PUBLIC MEETING**

The Georgia Open Meetings Act, O.C.G.A. § 50-14-1 *et seq.*, requires that all meetings of an entity covered by the statute must be open to the public unless there is some specific statutory exception which permits the closing of the meeting. If such a meeting is to be closed, the law requires that the presiding person execute a sworn affidavit stating that the subject matter of the meeting or the closed portion thereof was devoted to matters within the statutory exceptions and identifying those specific exceptions relied upon. O.C.G.A. § 50-14-4(b). A copy of this affidavit must be filed with the minutes of the meeting in question.

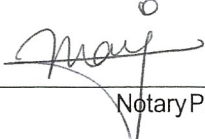
Comes now Robert McClellan the presiding officer identified below and, before an official duly authorized to administer oaths, makes this affidavit in satisfaction of the statutory requirements outlined above.

1. I am the presiding officer of the Occupational Therapy Licensure Board.
2. I am over the age of 18 and in all other aspects competent to make this sworn statement. I acknowledge that I am giving this statement under oath and penalty of perjury and that I have read the contents of this affidavit prior to signing it.
3. On, August 15, 2025 this entity, which is subject to the Open Meetings Act, met. A majority of the quorum of the members present voted to close the meeting or a portion thereof for the following indicated reason(s). I hereby certify that during the closed portion of the meeting, only those subjects indicated below were discussed. I also certify that I have reviewed the exceptions provided under the Open Meetings Act that may permit the closing of a meeting and that, to the best of my knowledge, the reasons I have described in detail below meet the requirements for closing this public meeting.
4. The legal authority for the closure of this meeting was:
O.C.G.A. § 43-1-2(k) and 43-1-19(h)
5. The subject(s) discussed and the underlying facts supporting the closing of this meeting are:
To deliberate applications and enforcement matters and to receive information on applications and investigative reports.

FURTHER THE AFFIANT SAYETH NOT


Presiding Officer

Sworn and subscribed before me
This 07th day of September 2025


Notary Public

