

R156. Commerce, Professional Licensing.

R156-42a. Occupational Therapy Practice Act Rule.

R156-42a-101. Title - Authority - Relationship to R156-1.

- (1) This rule is known as the "Occupational Therapy Practice Act Rule."
- (2) This rule is adopted by the Division under the authority of Subsection 58-1-106(1)(a) to enable the Division to administer Title 58, Chapter 42a, Occupational Therapy Practice Act.
- (3) The organization of this rule and its relationship to Rule R156-1 is as described in Section R156-1-101.

R156-42a-102. Definitions.

Terms used in this rule are defined in Title 58, Chapter 1, Division of Professional Licensing, and Title 58, Chapter 42a, Occupational Therapy Practice Act. In addition:

- (1) "AOTA" means the American Occupational Therapy Association.
- (2) "Client" or "patient" means an individual who lawfully receives professional services by a licensed occupational therapist or a licensed occupational therapist assistant.
- (3) "Manual therapy" as used in Subsections 58-42a-102(6)(b)(vii)(~~H~~M) and R156-42a-502(2) means the use of skilled hand movements to manipulate tissues of the body for a therapeutic purpose.
- (4) "NBCOT" means the National Board for Certification in Occupational Therapy or a predecessor organization.
- (5) "Physical agent modalities" as used in Subsections 58-42a-102(6)(b)(vii)(~~H~~M) and R156-42a-502(2) means specialized treatment procedures that includes:
 - (a) superficial thermal agents;
 - (b) deep thermal agents;
 - (c) electrotherapeutic agents; or
 - (d) mechanical devices.
- (6) "Qualified continuing professional education" or "CE" as used in Subsection 58-42a-303.5(1) means continuing education that meets the standards set forth in Section R156-42a-304.
- (7) "Wound care" as used in Subsections 58-42a-102(6)(b)(vii)(~~H~~M), R156-42a-502(2), and R156-42a-601(2) means:
 - (a) the prevention of interruptions in skin and tissue integrity; and
 - (b) the care and management of interruptions in skin and tissue integrity.

R156-42a-302. Qualifications for Licensure - Examination Requirements.

- (1) Under Subsection 58-42a-302(1), an applicant for occupational therapist licensure shall pass the Occupational Therapist Registered (OTR) certification examination from the NBCOT or a predecessor organization.
- (2) Under Subsection 58-42a-302(2), an applicant for occupational therapy assistant licensure shall pass the Certified Occupational Therapy Assistant (COTA) certification examination from the NBCOT or a predecessor organization.

R156-42a-303. Expiration, Renewal, and Reinstatement of License.

- (1) Under Subsections 58-1-308(1) and 58-42b-303(1), the renewal date for the two-year renewal cycle for licensees under Title 58, Chapter 42a, Occupational Therapy Practice Act, is established in Section R156-1-308a.

(2) Renewal and reinstatement procedures shall be in accordance with Sections R156-1-308a through R156-1-308l, except as provided in Subsection (3).

(3) Under Subsection 58-1-308(5)(a)(ii)(B) and except as in Subsections 58-1-308(6)(b) and (7), an applicant whose licensure was active and in good standing when it expired may apply for reinstatement of licensure between two years and five years after the date of expiration if the applicant meets the following practice re-entry requirements:

(a) the applicant shall:

- (i) submit an application demonstrating compliance with each requirement and condition of license renewal;
- (ii) pay all license renewal and reinstatement fees for the current renewal period; and
- (iii) submit evidence of completion of qualified continuing professional education for each renewal period during which the license was expired;

(b) if not previously completed, the applicant shall submit to and pass a criminal background check under Section 58-1-301.5; and

(c) if the applicant has been out of practice more than two years but less than five years, the applicant shall:

(i) meet with the Board to evaluate the applicant's:

(A) qualifications for licensure; and

(B) ability to safely and competently practice occupational therapy; and

(ii) comply with each additional licensure requirement or condition considered necessary by the Division in collaboration with the Board to protect the public and ensure that the applicant is currently competent to engage in the profession.

R156-42a-304. Qualified Continuing Professional Education.

(1) Under Subsections 58-1-203(1)(g), 58-1-308(3)(b)(i), and 58-42a-303.5(1), the qualified continuing professional education requirements for occupational therapists and occupational therapist assistants during each two-year renewal cycle are defined, clarified, and established in this section.

(2) During each two-year renewal cycle or before reinstatement of licensure, a licensee shall:

~~(i)~~(a) complete at least two hours of qualified continuing professional education in legal and ethical principles; and

~~(i)~~(a) complete at least ~~20~~4 hours of qualified continuing professional education; or

~~(B)~~ii maintain current and active NBCOT certification.

(3) A qualified continuing professional education course shall meet the following requirements:

(a) have learning objectives that are clearly stated in course material that are directly related to the practice of occupational therapy;

(b) be relevant to the practice of occupational therapy;

(c) be prepared and presented by individuals who are qualified by education, training, and experience;

- (d) be presented in a competent, well-organized, and sequential manner consistent with the stated learning objectives of the course;
- (e) be approved, conducted, or sponsored by:
 - (i) a recognized accredited college or university;
 - (ii) a state or federal agency;
 - (iii) a professional association, organization, or facility involved in the practice of occupational therapy; or
 - (iv) a commercial continuing education provider;
- (f) be completed in blocks of time of at least 50 minutes;
- (g) be completed in one of the following formats:
 - (i) college or university lecture and discussion;
 - (ii) professional conference;
 - (iii) seminar;
 - (iv) training session;
 - (v) synchronous distance learning course that is clearly documented as real-time and interactive;
 - (vi) asynchronous distance learning course that is not real-time or interactive;
 - (vii) licensed practice by an occupational therapist or occupational therapist assistant;
 - (viii) authoring a scholarly peer-reviewed journal article, book, or book chapter;
 - ~~(ix)~~ (ix) volunteer service on a board, committee, or in a leadership role in any state, national, or international organization for the development and improvement of occupational therapy; or
 - ~~(ix)~~ (ix) studying a scholarly peer-reviewed journal article; and
- (h) is verified as follows:
 - (i) a certificate of course completion that includes:
 - (A) the name of the attendee;
 - (B) the name of course provider;
 - (C) the name of instructor;
 - (D) the date of the course;
 - (E) the title of the course;
 - (F) the number of course hours;
 - (G) the course objectives; and
 - (H) the format listed under Subsection R156-42a-304(3)(g); or
 - (ii) if the qualified continuing professional education course is self-directed including independent study or authoring a journal article documentation that includes:
 - (A) the date of study or research;
 - (B) the title and an abstract of the article, textbook chapter, or platform presentation;
 - (C) objectives of a self-study course; and
 - (D) number of contact hours of continuing education credit.

(4) A course on the legal and ethical principles of practice shall meet the requirements of Subsection R156-42a-304(3) and cover at least one of the following topics:

- (a) the patient-occupational therapist relationship;
 - (b) confidentiality;
 - (c) documentation;
 - (d) charging and coding;
 - (e) compliance with state or federal laws that impact the practice of occupational therapy; or
 - (f) a topic listed in the AOTA 2020 Occupational Therapy Code of Ethics.
- (5) Credit for qualified continuing professional education shall be recognized and awarded as follows:
- (a) a licensee who lectures or instructs a course on occupational therapy at an accredited university or college, a qualified continuing education course, or as an invited guest lecturer, may be awarded qualified continuing professional education credit subject to the following:
 - (i) one hour of qualified continuing professional education credit awarded for each one hour of lecturing or instruction;
 - (ii) up to ten hours of credit for an occupational therapist or an occupational therapist assistant;
 - (iii) credit for lecturing or instructing the same course may be given up to two times during each two-year renewal cycle; and
 - (iv) the licensee obtains a certificate or record from the qualified continuing professional education sponsor or equivalent that verifies the licensee lectured or instructed the course;
 - (b) a licensee participating in a fellowship, residency, or specialty certification may be awarded two qualified continuing professional education hours for each one hour of participation;
 - (c) up to ten hours of qualified continuing professional education for licensed practice where 50 hours of clinical practice count as one CE;
 - ~~(e)~~d) providing volunteer health care treatment in occupational therapy that meets the requirements of Subsection 58-13-3(8); or
 - ~~(e)~~e) up to five hours of qualified continuing professional education for a clinical instructor who supervises at least one occupational therapist student or occupational therapy assistant student.
- (6) Qualified continuing professional education hours shall be increased or decreased proportionately based on the applicant's date of licensure within the two-year renewal cycle.
- (7) A licensee shall maintain adequate documentation sufficient to prove compliance with this section for at least two years after the end of the renewal cycle for which the qualified continuing professional education is due.
- (8) Under Section R156-1-308d, the Division may defer or waive qualified continuing professional education requirements.

R156-42a-306. Supervision Requirements – Supervisor to Supervisee Ratio.

Under Section 58-42a-306, a licensed occupational therapist may supervise up to four occupational therapy assistants at one time unless otherwise approved by the Division in collaboration with the Board.

R156-42a-307. ~~Trigger Point~~ Dry Needling - Education and Experience Required - Registration.

(1) Under Subsection 58-42b-307(1)(b)(i), for a ~~trigger point~~ dry needling course to be approved by the Division, the course shall be approved, conducted, or sponsored by one of the following:

- (a) a recognized accredited college or university;
- (b) a state or federal agency;
- (c) a professional association, organization, or facility involved in the practice of occupational therapy; or
- (d) the Board.

(2) Under Subsections 58-42a-307(1)(e) and (2)(b), an occupational therapist shall complete an approved ~~trigger point~~ dry needling course and required supervised patient treatment hours under Subsection 58-42a-307(1)(b)(ii)(B) within three calendar years from the date the course started.

(3) Under Subsections 58-42a-307(1)(c) and (e), an occupational therapist who completes the ~~trigger point~~ dry needling course shall register with the Division by submitting:

- (a) a completion certificate for the course that is issued by the organization that approved, conducted, or sponsored the course under Subsection R156-42a-307(1); and
- (b)
 - (i) a log verifying completion of the occupational therapist's supervised patient treatment hours under Subsection 58-42a-307(1)(b)(ii)(B); or
 - (ii) a letter from the supervising occupational therapist that:
 - (A) states that the supervised occupational therapist completed the supervised patient treatment hours required under Subsection 58-42a-307(1)(b)(ii)(B);
 - (B) is on the letterhead of the supervising occupational therapist's organization; and
 - (C) is signed by the supervising occupational therapist.

R156-42a-502. Unprofessional Conduct.

Under Section 58-42a-502, "unprofessional conduct" includes:

(1) delegating occupational therapy services, care, or responsibilities that are not authorized to be delegated under Title 58, Chapter 42a, Occupational Therapy Practice Act, or this rule;

(2) engaging in or attempting to engage in the use of physical agent modalities, wound care, or manual therapy:

- (a) outside the licensee's scope of practice; or
- (b) if the licensee is not competent to engage in these services by education, training, or experience;

(3) failing as a supervising occupational therapist to provide the appropriate level of supervision under Title 58, Chapter 42a, Occupational Therapy Practice Act, and this rule;

(4) failing as a supervising occupational therapist to cosign the discharge documentation for an occupational therapist assistant's client within 30 days under Subsections 58-42a-306(2) and R156-42a-601(1); or

(5) violating a provision of the AOTA 2020 Occupational Therapy Code of Ethics as adopted by the AOTA's Representative Assembly on November 4, 2020, which is incorporated by reference.

R156-42a-601. Practice Standards.

- (1) An occupational therapist assistant may discharge a client from on-going service if:
 - (a) the occupational therapist assistant has consulted with the supervising occupational therapist;
 - (b) there is no evaluation component associated with the client's discharge from service; and
 - (c) the supervising occupational therapist cosigns the documentation under Subsection 58-42a-306(2) within 30 days.
- (2) Under Subsection 58-42a-102(6)(b)(vii)(~~L~~M), an occupational therapist engaging in the care and management of interruptions in skin and tissue integrity shall complete formal specialized wound care training or certification that includes didactic and clinical components.

KEY: licensing, occupational therapy, occupational therapist, occupational therapist assistant

Date of Last Change: December 23, 2025

Notice of Continuation: September 25, 2023

Authorizing, and Implemented or Interpreted Law: 58-1-106(1)(a); 58-1-202(1)(a); 58-42a-101