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Subject: Establishing the Board of Occupational Therapy Practice

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Overview

Occupational therapists and occupational therapy assistants are currently licensed by the commissioner of health. This bill establishes a Board of Occupational Therapy Practice to license these occupations and transfers licensure duties from the commissioner or the Occupational Therapy Practitioners Advisory Council to the board.

Section

- 1** **Board.** Amends § 148.6402, subd. 4. Removes a definition of commissioner in statutes regulating occupational therapy practitioners and instead defines board as the Board of Occupational Therapy Practice established in this bill.
- 2-24** Transfers duties for the licensure of occupational therapists and occupational therapy assistants from the commissioner of health or the Occupational Therapy Practitioners Advisory Council, to the Board of Occupational Therapy Practice. In section 23, also strikes a reference to a section that expires June 30, 2017.
- 25** **Board of Occupational Therapy Practice.** Adds § 148.6449. Establishes the board; provides for terms, compensation, and removal of members; and establishes board duties.
- Subd. 1. Creation.** Establishes an 11-member Board of Occupational Therapy Practice appointed by the governor, composed of five occupational therapists, three occupational therapy assistants, and three public members.
- Subd. 2. Qualifications of board members.** Requires occupational therapy practitioners appointed to the board to represent a variety of practice areas and settings, requires at least two practitioners who are board members to practice outside

Section

the seven-county metro area, and prohibits board members from serving more than two consecutive terms.

Subd. 3. Recommendations for appointment. Authorizes the Minnesota Occupational Therapy Association and other interested persons to recommend to the governor people qualified to serve on the board. Allows the governor to appoint members from the list of recommended persons or from other qualified candidates.

Subd. 4. Officers. Requires the board to biennially elect a chair, vice-chair, and secretary-treasurer.

Subd. 5. Executive director. Requires the board to appoint and employ an executive director.

Subd. 6. Terms; compensation; removal of members. Provides that chapter 214 (which governs state examining and licensing boards) governs board member terms, compensation, and removal; filling of board vacancies; reporting requirements; the provision of staff; administrative services; office space; complaints; fees; and other board activities.

Subd. 7. Duties of Board of Occupational Therapy Practice. Establishes board duties, including adopting rules, issuing licenses, educating the public and occupational therapy practitioners, and investigating individuals and taking appropriate disciplinary action.

- 26 Health-related licensing board.** Amends § 214.01, subd. 2. Amends the definition of health-related licensing board for chapter 214 to include the Board of Occupational Therapy Practice.
- 27 Board of Occupational Therapy Practice.** Directs the governor to appoint members to the board by October 1, 2017 and to designate a member to convene the first meeting by November 1, 2017.
- 28 Revisor's instruction.** Directs the revisor of statutes to replace cross-references to a statute establishing the Occupational Therapy Practitioners Advisory Council, with references to a statute establishing the Board of Occupational Therapy Practice.
- 29 Repealer.** Repeals section 148.6402, subd. 2 (defining advisory council for the occupational therapy practitioner statutes) and section 148.6450 (establishing the Occupational Therapy Practitioners Advisory Council).
- 30 Effective date.** Makes the bill effective January 1, 2018, except that section 27, which provides for initial appointments to the board and the board's first meeting, is effective August 1, 2017.