

1 AN ACT concerning the regulation of professions.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Illinois Occupational Therapy Practice
5 Act is amended by changing Section 2 and adding Sections 3.1,
6 3.2, and 11.1 as follows:

7 (225 ILCS 75/2) (from Ch. 111, par. 3702)

8 Sec. 2. Definitions. In this Act:

9 (1) "Department" means the Department of Professional
10 Regulation.

11 (2) "Director" means the Director of Professional
12 Regulation.

13 (3) "Board" means the Illinois Occupational Therapy
14 Board appointed by the Director.

15 (4) "Registered occupational therapist" means a person
16 licensed to practice occupational therapy as defined in this
17 Act, and whose license is in good standing.

18 (5) "Certified occupational therapy assistant" means a
19 person licensed to assist in the practice of occupational
20 therapy under the supervision of a registered occupational
21 therapist, and to implement the occupational therapy
22 treatment program as established by the registered
23 occupational therapist. Such program may include training in
24 activities of daily living, the use of therapeutic activity
25 including task oriented activity to enhance functional
26 performance, and guidance in the selection and use of
27 adaptive equipment.

28 (6) "Occupational therapy" means the therapeutic use of
29 purposeful and meaningful occupations or goal-directed
30 activities to evaluate and provide interventions for
31 individuals and populations who have a disease or disorder,

1 an impairment, an activity limitation, or a participation
 2 restriction that interferes with their ability to function
 3 independently in their daily life roles and to promote health
 4 and wellness. Occupational therapy intervention may include
 5 any of the following:

6 (a) remediation or restoration of performance
 7 abilities that are limited due to impairment in
 8 biological, physiological, psychological, or neurological
 9 processes;

10 (b) adaptation of task, process, or the environment
 11 or the teaching of compensatory techniques in order to
 12 enhance performance;

13 (c) disability prevention methods and techniques
 14 that facilitate the development or safe application of
 15 performance skills; and

16 (d) health promotion strategies and practices that
 17 enhance performance abilities.

18 The registered occupational therapist or certified
 19 occupational therapy assistant may assume a variety of roles
 20 in his or her career including, but not limited to,
 21 practitioner, supervisor of professional students and
 22 volunteers, researcher, scholar, consultant, administrator,
 23 faculty, clinical instructor, and educator of consumers,
 24 peers, and family.

25 (7) "Occupational therapy services" means services that
 26 may be provided to individuals and populations including,
 27 without limitation, the following:

28 (a) evaluating, developing, improving, sustaining,
 29 or restoring skills in activities of daily living, work,
 30 or productive activities, including instrumental living
 31 and play and leisure activities;

32 (b) evaluating, developing, improving, or restoring
 33 sensory motor, cognitive, or psychosocial components of
 34 performance;

1 (c) designing, fabricating, applying, or training
2 in the use of assistive technology or temporary, orthoses
3 and training in the use of orthoses and prostheses;

4 (d) adapting environments and processes, including
5 the application of ergonomic principles, to enhance
6 performance and safety in daily life roles;

7 (e) for occupational therapists possessing advanced
8 training, skill, and competency as demonstrated through
9 examinations that shall be determined by the Department,
10 applying physical agent modalities as an adjunct to or in
11 preparation for engagement in occupations;

12 (f) evaluating and providing intervention in
13 collaboration with the client, family, caregiver, or
14 others;

15 (g) educating the client, family, caregiver, or
16 others in carrying out appropriate nonskilled
17 interventions; and

18 (h) consulting with groups, programs,
19 organizations, or communities to provide population-based
20 services.

21 (8) "An aide in occupational therapy" means an
22 individual who provides supportive services to occupational
23 therapy practitioners but who is not certified by a
24 nationally recognized occupational therapy certifying or
25 licensing body. the--evaluation--of--functional-performance
26 ability-of-persons-impaired-by-physical--illness--or--injury,
27 emotional--disorder,
28 or--the--aging--process,
29 and--the--analysis,
30 selection--and
31 application-of-occupations-or-goal-directed--activities,
32 for
33 the--treatment-or-prevention-of-these-disabilities-to-achieve
34 optimum-functioning.--Occupational-therapy-services--include,
 but--are-not-limited-to-activities-of-daily-living-(ADL);-the
 design-fabrication-and-application-of-splints,
 administration
 and--interpretation--of--standardized--tests---to---identify

1 dysfunctions,---sensory-integrative---and---perceptual--motor
2 activities,--the-use-of-task-oriented-activities,--guidance--in
3 the--selection--and--use--of-assistive-devices,--goal-oriented
4 activities-directed-toward-enhancing-functional--performance,
5 pre-occupational---evaluation---and---vocational--training,--and
6 consultation-in-the-adaptation-of-physical--environments--for
7 the--handicapped,--These-services-are-provided-to-individuals
8 or-groups-through-medical,--health,--educational,--and--social
9 systems.--An-occupational-therapist-may-evaluate-a-person-but
10 shall-obtain-a-referral-by-a-physician--before--treatment--is
11 administered--by--the-occupational-therapist.--An-occupational
12 therapist-shall-refer-to-a-licensed--physician,--dentist,--or
13 podiatrist-any-patient-whose-medical-condition-should,--at-the
14 time--of--evaluation-or-treatment,--be-determined-to-be-beyond
15 the-scope-of-practice-of-the-occupational-therapist.

16 (Source: P.A. 88-424.)

17 (225 ILCS 75/3.1 new)

18 Sec. 3.1. Referrals. A registered occupational therapist
19 or certified occupational therapy assistant may consult with,
20 educate, evaluate, and monitor services for clients
21 concerning non-medical occupational therapy needs.
22 Implementation of direct occupational therapy to individuals
23 for their specific health care conditions shall be based upon
24 a referral from a licensed physician, dentist, podiatrist, or
25 optometrist.

26 An occupational therapist shall refer to a licensed
27 physician, dentist, optometrist, or podiatrist any patient
28 whose medical condition should, at the time of evaluation or
29 treatment, be determined to be beyond the scope of practice
30 of the occupational therapist.

31 (225 ILCS 75/3.2 new)

32 Sec. 3.2. Practice of optometry. No rule shall be

1 adopted under this Act that allows an occupational therapist
 2 to perform an act, task, or function primarily performed in
 3 the lawful practice of optometry under the Illinois
 4 Optometric Practice Act of 1987.

5 (225 ILCS 75/3.3 new)

6 Sec. 3.3. Rules. The Department shall promulgate rules
 7 to define and regulate the activities of occupational therapy
 8 aides.

9 (225 ILCS 75/11.1 new)

10 Sec. 11.1. Continuing education requirement. All
 11 renewal applicants shall provide proof of having met the
 12 continuing competency requirements set forth in the rules of
 13 the Department. At a minimum, the rules shall require a
 14 renewal applicant to provide proof of completing at least 12
 15 units of continuing competency activities during the 2-year
 16 licensing cycle for which he or she is currently licensed.
 17 The Department shall provide by rule for an orderly process
 18 for the reinstatement of licenses that have not been renewed
 19 for failure to meet the continuing competency requirements.
 20 The continuing competency requirements may be waived in cases
 21 of extreme hardship as defined by rule.

22 The Department shall establish by rule a means for
 23 verifying the completion of the continuing competency
 24 required by this Section. This verification may be
 25 accomplished through audits of records maintained by
 26 licensees, by requiring the filing of continuing competency
 27 certificates with the Department, or by any other means
 28 established by the Department.

29 Section 99. Effective date. This Act takes effect on
 30 January 1, 2002.