

STATE OF NEVADA



BOARD OF OCCUPATIONAL THERAPY

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NOTICE OF PUBLIC MEETING

**May 14, 2022 – 3:00 p.m.**

Board of Occupational Therapy

Administrative Office

6170 Mae Anne Ave. Suite 1

Reno, NV 89523

ZOOM Access:

<https://us06web.zoom.us/j/85149125419?pwd=QnRlWUxUNW9GOGJtNTRGbmMzRlBMZz09>

Meeting ID: **851 4912 5419**

Passcode: **473028**

Telephone Audio Only: **(253) 215-8782**

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AGENDA

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The State of Nevada Board of Occupational Therapy may: (a) address agenda items out of sequence, (b) combine agenda items, and (c) pull or remove items from the agenda at any time. The Board may convene in closed session to consider the character, alleged misconduct, professional competence or physical or mental health of a person. (NRS 241.020, NRS 241.030) Action by the Board on an item may be to approve, deny, amend, or table.

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1. Call to Order, Confirmation of Quorum

2. Public comment

No vote may be taken upon a matter raised during a period devoted to public comment until the matter itself has been specifically included on an agenda as an item upon which action may be taken. (NRS 241.020)

3. Approval of the Minutes of Board Meeting of March 19, 2022 (for possible action)

4. Disciplinary Hearing Pursuant to NRS 233B.127(3) (for possible action)

Complaint Case No. C22-03 Jennifer Courtad, OT License No. 0637

Possible closed session for the Board to consider the character, alleged misconduct, professional competence or physical or mental health of a person (NRS 241.030)

5. Disciplinary Matters (for possible action)

- Recommendation for Dismissal - Complaint Case No. C22-02

6. Legislative Interim Report – Belz & Case Government Affairs (informational)

7. Discussion and Consideration of Bill(s) to be Presented at the 2023 Session of the Nevada Legislature (for possible action)
  - Occupational Therapy Compact - Stakeholder Survey
  - NRS 640A - Legislation Required for Eligibility to Participate in Compact
  - NRS 640A – Occupational Therapy Compact Language
  - NRS 640A – Alternative to Compact – Reciprocity – Additional NRS Revisions
  - Timeline
8. Executive Director's Report (for possible action)
  - FY 22 3<sup>rd</sup> Quarter Financial Statements
9. Discussion of New and/or Revision of Regulations (for possible action)
  - Standards of Practice - General Requirements, Specialty Practice
  - Continuing Education – Recognition of current NBCOT Certification as meeting Nevada CE requirements
10. Report from Deputy Attorney General (informational)
11. Board Activities & Reports from Members (for possible action)
  - Appointment of Financial Reviewer
12. Public Comment

No vote may be taken upon a matter raised during a period devoted to public comment until the matter itself has been specifically included on an agenda as an item upon which action may be taken. (NRS 241.020)
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13. Adjournment (for possible action)

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Public comment is welcomed by the Board. Public comment will be limited to five minutes per person and comments based on viewpoint will not be restricted. Public comment will be available prior to action items on the agenda and on any matter not specifically included on the agenda as the last item on the agenda. At the discretion of the Chairperson, additional public comment may be heard when that item is reached. The Chairperson may allow additional time to be given a speaker as time allows and in his/her sole discretion. (NRS 241.020, NRS 241.030)

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Prior to the commencement and conclusion of a contested case or a quasi-judicial proceeding that may affect the due process rights of an individual the board may refuse to consider public comment. (NRS 233B.126)

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**Notice:** Persons with disabilities who require special accommodations or assistance at the meeting should contact the Board office at (775) 746-4101; or fax (775) 746-4105 no later than 48 hours prior to the meeting. Requests for special accommodations made after this time frame cannot be guaranteed.

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This meeting has been posted at the Board of Occupational Therapy Administrative Office, 6170 Mae Anne Ave., Reno, NV 89523, on the Board of Occupational Therapy website [www.nvot.org](http://www.nvot.org); and may also be accessed at the following websites: <https://notice.nv.gov/> - State of Nevada Public Notices

This agenda has been sent to all members of the State of Nevada Board of Occupational Therapy and other interested persons who have requested an agenda from the Board. Persons who wish to continue to receive an agenda and notice must request so in writing on an annual basis.

Supporting materials relating to this public meeting of the Board of Occupational Therapy will be available on the Board website [www.nvot.org](http://www.nvot.org) or by contacting the Board office at (775) 746-4101 or email [board@nvot.org](mailto:board@nvot.org)

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<b>AGENDA ITEM 3 – Approval of Minutes</b>
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The minutes of the meeting of March 19, 2022, of the State Board of Occupational Therapy are presented for approval.



## STATE OF NEVADA BOARD OF OCCUPATIONAL THERAPY

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### MINUTES PUBLIC BOARD MEETING

**March 19, 2022**

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Members Present: Elizabeth Straughan, Sol Magpantay, Allison Stone, Mel Minarik  
Members Absent: Phil Seitz  
Staff Present: Loretta L. Ponton, Executive Director  
Stacey Whittaker, Licensing Coordinator  
Henna Rasul, Sr. Deputy Attorney General  
Public Present: Joyce Mosely OT, Rachel Martin OT, Robyn Otty OT, Paula Cook OT, Ki Ana Tseu Student, Lea Case

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#### **Public Hearing**

Allison Stone, Chair opened the Public Hearing at 2:38 p.m. and requested Loretta Ponton facilitate the hearing.

Loretta Ponton stated the purpose of the hearing is to receive comments from all interested parties regarding the adoption of regulations that pertain to LCB File No. R076-21, Chapter 640A of the Nevada Administrative Code.

Ms. Ponton explained the proposed revisions: Section 1 allows the Board to accept an application for renewal of any type of license up to 30 days after the expiration date; current regulation allows late renewal of only a standard license. Section 2 eliminates the 640 hours of supervised practice for receipt of a provisional license if the applicant has not worked for 5 years; this requirement is obsolete as no applicants have met this criteria. Section 3 and 4 eliminates the requirement to submit a form to comply with continuing education requirements at renewal; the renewal process is now electronic.

Ms. Ponton stated no written comments have been received and opened the workshop for public comments. There were no comments.

Ms. Ponton closed the Public Hearing at 2:40 p.m.

#### **Board Meeting**

##### **Call to Order, Confirmation of Quorum**

Chair Stone, called the Board meeting to order at 2:40 p.m. A roll call confirmed a quorum was present.

**Public Comments** – Chair Stone opened public comments. There were no comments.

*Minutes have not been approved and are subject to revision at the next meeting*

**Appointment of Vice Chair and Financial Reviewer** – Chair Stone called for nominations for Vice Chair and Financial Reviewer. After discussion of the positions and responsibilities, Mel Minarik stated she would be open to the Vice Chair position only.

Elizabeth Straughan made the motion, seconded by Sol Magpantay to appoint Mel Minarik as Vice Chair. The motion passed.

Chair Stone tabled the Financial Reviewer appointment until the next meeting as Phil Seitz was not present, and Sol Magpantay is serving in a carry-over position until a new member is appointed. Ms. Stone will continue as the financial reviewer until a member is appointed.

**Disciplinary Matters – Consent Decree, Complaint Case C22-04 – Ashley Shaul, OTA license 13-1181**

Chair Stone confirmed Board members had received and reviewed the proposed consent decree with Ashley Shaul. Ms. Ponton summarized the terms of the Consent Decree.

Chair Stone called for a motion.

Elizabeth Straughan made the motion, seconded by Mel Minarik to approve the Consent Decree with Ashley Shaul, OTA in complaint case C22-04 as presented. The motion passed.

**Approval of the Minutes** – Chair Stone asked if there were any corrections to the January 29, 2022 meeting minutes.

Mel Minarik recused herself from voting on the January 29, 2022, minutes as she was not present. Hearing no other comments, Chair Stone called for a motion.

Elizabeth Straughan made the motion to approve the minutes as presented; Sol Magpantay seconded the motion. The motion passed.

**LCB File No. R076-21 – Consideration of Public Comments** – there were no public comments to consider.

**LCB File No. R076-21 – Adoption of Regulation** – Chair Stone called for a motion.

Elizabeth Straughan made the motion, seconded by Mel Minarik to approve LCB File No. R076-21 as presented with no revisions. The motion passed.

**Legislative Interim Report** – Lea Case of Belz and Case Government Affairs provided a report on interim legislative committee meetings and the upcoming political elections. Ms. Case noted the Governor's State of the State address mentioned reducing red tape to occupational licensing. Ms. Case reviewed recommendations made by Veteran's Affairs in their report.

**Executive Director's Report** – Loretta Ponton reported on licensing statistics, and Board operations including the closing of the records storage account and destruction of obsolete hard copy records. All Board records are now maintained electronically.

Ms. Ponton reported she will be in attendance at the Interim Committee on Health and Human Services which will be considering the Board regulation on March 24, 2022.

*Minutes have not been approved and are subject to revision at the next meeting*

Ms. Ponton reported the Department of Education held a regulation workshop with proposed revision to requirements for occupational therapy endorsements. Ms. Ponton stated she submitted written public comment on the regulation addressing obsolete requirements with requested amendment language.

Governor Sisolak has received a request from NOTA to proclaim April as Occupational Therapy Month in Nevada. Ms. Ponton reviewed and provided input into the language for the proclamation for the Governor's signature and thanked NOTA for submitting the request to the Governor's office.

Ms. Ponton reviewed information on Board training opportunities to include the NCSL Meeting in Las Vegas in June and FARB Conferences; the information has been provided to the members and members were requested to contact Ms. Ponton if they were interested in attending.

A survey on the Occupational Therapy Compact was sent to all licensees to begin analysis of potential legislation on becoming a member state of the OT Compact.

**Report from Deputy Attorney General** – Henna Rasul, Sr. DAG had nothing to report.

**Board Activities and Reports** – Chair Stone stated she would like to attend the June 19-21 NCSL conference and encouraged Board members to consider the FARB conference in July in Washington DC.

A proposed revised meeting schedule was discussed with the addition of meetings in July, October and December if needed. Mel Minarik asked if the date for the Board Strategic Planning Retreat could be changed as she was not available on August 19-20. After discussion, the retreat was rescheduled to Friday August 12 and Saturday 13 with a regular Board meeting late Friday and the full day strategic planning session on Saturday. Ms. Ponton will confirm the change in dates with Phil Seitz as acceptable.

**Public Comment** – Chair Stone asked for public comments.

Paula Cook on behalf of NOTA thanked the Board for reviewing the proclamation language. Ms. Cook stated NOTA had also submitted language to the Department of Education and stated the regulation will come back for further review. Ms. Cook asked when the results of the OT Compact Survey would be available. Ms. Ponton stated it should be available at the April meeting.

Robyn Otty commented she is the new Nevada appointed ambassador for NBCOT and would like to present information on NBCOT programs and diversity, equity and inclusion initiatives at the next Board meeting.

**Adjournment** – Chair Stone adjourned the meeting at 3:24 p.m.

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<b>AGENDA ITEM 4: Disciplinary Hearing</b>
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**Complaint Case No. C22-03      Jennifer Courtad, OT      License No. 0637**

A Summary Suspension of license was issued November 24, 2021, in Case No. C22-03.

A Formal Disciplinary Hearing is being held to determine whether the facts in this case, demonstrate, by a preponderance of evidence, a violation of the Occupational Therapy law and regulations constituting “unprofessional conduct”.

Henna Rasul, Senior Deputy Attorney General will be the prosecutor in this case.  
Sophia Long, Senior Deputy Attorney General will act as Board counsel.

All Hearing documents will be provided immediately prior to the Meeting and will be introduced into evidence during the Hearing.

The Complaint and documentation are confidential until introduced into evidence at the Hearing.



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<b>AGENDA ITEM 5. Disciplinary Matters</b>
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**Recommendation for Dismissal - Complaint Case No. C22-02**

After review of all documentation received regarding the above referenced complaint, it has been determined that there is insufficient evidence to file a formal complaint for hearing before the Board and the facts set forth in the accusations are insufficient to establish a violation of Chapter 640A of the Nevada Revised Statutes or the Nevada Administrative Code.

Case No. C22-02 alleging unprofessional conduct, and violation of the Code of Ethics and Standards of Practice.

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<b>AGENDA ITEM 6: Legislative Interim Report</b>
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Belz & Case Government Affairs will be presenting a report on Legislative activities including Interim Committee meetings and 2022 Election activities.

Attachment

Written Legislative Report

**Nevada State Board of Occupational Therapy**  
Government Affairs Report - As of May 4, 2022  
Submitted by Belz & Case Government Affairs

**Interim Committee Activity**

**Commerce and Labor**

During the presentation on [workforce efforts](#) from Department of Employment, Training and Rehabilitation on April 5, Director Cafferata noted that they are working with the Governor's office to elevate his priorities, specifically occupational licensing reform. The Governor had made this priority public in his State-of-the-State speech on February 23. Questions from legislators again focused on military and veteran licensure. The May 3 meeting was not relevant to the board.

**Legislative Commission**

The Legislative Commission unanimously approved the Board's regulation – [R076-21](#) – on April 8.

**Nevada Department of Education, Commission on Professional Standards**

On April 20, this commission met to discuss [changes to OT and PT endorsements](#) included in K-12 education regulations. These changes were supported by a variety of individuals and streamline the process of working as an occupational therapist in a school. A workshop has been posted for May 18.

**The Lieutenant Governor's Keep Nevada Working Task Force**

This group, formed by the passage of [AB376](#) in 2021 has held two meetings to date. This [task force](#) is focused on workforce development through the lens of immigration. No mention of licensing boards in the first two meetings though their scope is broad and the topic may be discussed.

**In Other News:**

There are no updates regarding the Governor's February announcement to convene a bipartisan task force to "further reduce red tape" for occupational licensing.

Governor Sisolak did form a "[workforce development subcabinet](#)". Per his [tweet](#) "This subcabinet will help Nevada build tomorrow's diverse and resilient economy – by helping employers find the employees they need, and Nevadans find the education, training and assistance need for the careers they want."

**2022 Elections**

Since the Board last met, filing for office was closed. Three incumbent legislators do not have any opponents. Twelve incumbents have a primary opponent. We will see at least 30% turnover at the legislature with 19 open seats.

The primary election will be held on June 14 with the general election following on November 8. Early voting will run for 2 weeks prior to those dates and all registered voters will receive a ballot in the mail, unless they choose to [opt-out](#).

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<b>AGENDA ITEM 7: Discussion &amp; Consideration of Bills / Legislation</b>
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**Occupational Therapy Licensure Compact**

The national Occupational Therapy Licensure Compact (OT Compact) has established eligibility requirements for State's to become members of the OT Compact. As of April 22, 2022, there are nineteen (19) states who are members of the Occupational Therapy Compact. The first meeting of the OT Compact Commission is scheduled for August 2022. It will take 1-2 years for full implementation of the OT Compact.

It should be noted that Nevada has "independent" licensing boards; wherein other States' licensing boards are not independently operated or funded and fall under the governance of a state agency.

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Currently, the biggest barrier to Nevada becoming a Member State is that Nevada does not currently meet the eligibility criteria as Nevada does not require criminal background checks.

"Implement or utilize procedures for considering the criminal history records of applicants for an initial compact privilege. These procedures shall include the submission of fingerprints or other biometric-based information by applicants for the purpose of obtaining an applicant's criminal history record information from the Federal Bureau of Investigation and the agency responsible for retaining the State's criminal records.

A member state shall, within the time frame established by the Commission, require a criminal background check for a licensee seeking/applying for a compact privilege whose primary state of residence is that member state, by receiving the results of the Federal Bureau of Investigation criminal records search, and shall use the results in making licensure decisions."

A survey was conducted of all current licensees to solicit interest in "compact privilege" through the OT Compact. The response rate was 3.3% of current licensees.

Legislation, a Bill, would be required to be introduced and pass for Nevada to join the OT Compact. In addition, Nevada would be required to implement fingerprint background checks. At the request of the Board, AOTA's Kristen Neville compiled a report on States' criminal background check requirements. Twenty-two (22) states require background checks; twenty-eight (28) do not. It is unclear whether background check authority must be in place prior to joining the OT Compact or whether the authority can be added later (would require legislative action).

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## Current Licensing System

Our current on-line application process is very expedite, with applications being reviewed, approved, and issued normally within 3 business days. The Stakeholder Survey indicated that expediency is very important and that our current licensing system is working well.

If the criminal background check is required, additional revisions would be proposed to the temporary license to enable practice while pending results of the criminal background check. Revisions and enhancements to our licensing data system would be required for both the OT Compact legislation “privilege to practice” and the “temporary license” requirements.

With the alternative “reciprocity” provisions, minimal revisions to the licensing system would be required.

Reporting: The OT Compact will be establishing their own data system which will require additional reporting to the Compact Commission including disciplinary actions, licensee status among other elements to be determined by the Commission. Compact reporting may require additional enhancements to the Nevada licensing system.

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## Costs and Fees

By law, NRS 640A.100 3. The expenses of the Board and members of the Board, and the salaries of its employees, **must be paid from the fees received by the Board pursuant to this chapter**, and no part of those expenses and salaries may be paid out of the State General Fund.

The compact “privilege to practice” is obtained from the Compact, a state fee can be included which is minimal averaging about \$50 in other professional compacts. The practitioner is not required to obtain a full “license” in Nevada and does not apply in Nevada. The compact privilege is active if the individual retains their home state license. There is no additional “renewal” fee for a compact privilege. The fiscal impact to Nevada would be the loss of revenue from practitioners who work primarily in telehealth and temporary traveling positions – non-residents of Nevada.

The OT Compact Commission may assess each compact member state an amount to be determined by the Commission to cover the costs of the Commission. For reference only, the Psychology Compact has assessed \$90 per compact privilege issued for Nevada.

Nevada has 372 current practitioners with out-of-state residential addresses; 108 of which are new licensees this fiscal year. If 50% of those new licensees were to apply for compact privilege, the resulting revenue loss would be projected at \$21,000 in initial license fees annually not considering subsequent loss of renewal fees. An additional Compact Commission fee charge would also be incurred.

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The long-term impact cannot be projected at this time. The Board may be required to re-consider biennial licenses by reverting to annual licenses or adjust license fees to cover the loss of revenue and costs associated with OT Compact participation.

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## Alternative Legislation in Lieu of Occupational Therapy Compact

**Reciprocity** - Presented for discussion and consideration is an alternative to joining the OT Compact which would not require the criminal background check. A practitioner who holds a license in an OT Compact state could apply for a Nevada license by reciprocity. This would supplement the current license by endorsement provisions in NRS 640A.165 and NRS 640A.166 (military affiliated) for individuals who do not reside in an OT Compact State.

NBCOT Certification, verification of license status and Nevada jurisprudence exam would still be required for all applicants.

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## Other Proposed Revisions to NRS 640A

NRS 640A.100 – proposed to add compensation for Board members

NRS 640A.120 – Qualifications for license – proposed to remove references to educational requirements and replace with NBCOT certification for any type of license, or eligibility to take the certification examination for new graduates.

NRS 640A.130 – Foreign education – delete in entirety, incorporated into 640A.120.

NRS 640A.140 – Application – clean up language.

NRS 640A.150 – Examination – changed to reference jurisprudence exam.

NRS 640A.160 – License without examination – delete in entirety, covered under 640A.120 qualification.

NRS 640A.170 – Temporary license – clean up language in conformance with 640A.120.

NEW 640A.xxx – Provisional license – add language in conformance with 640A.120; breakout from temporary license language. (Provisional license currently identified in regulation only)

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**Attachments**

1. OT Compact Documents
  - Stakeholder Survey Results
  - Survey of States Requiring Criminal History Background Checks
    - Legislation Required for Eligibility for State Participation
    - OT Compact Legislative Language
2. Alternative to Compact Legislation – Reciprocity and Other NRS Legislation
3. Legislative Timeline

**Board of Occupational Therapy  
Licensee Survey**

**OT Compact**

**April 2022**



## Summary of Responses

A Survey of Current Licensees was sent to 1657 licensees holding current active licenses in the State of Nevada. Responses were received from 54 licensees representing 3.3% of total licensees.

Overall, the Board Licensing Processes received high ratings.

Of those who responded, 33 indicated practice by telehealth, were traveling therapists and/or had military affiliations.

**Non-residents respondents** represent 42.6%; 23 respondents with 21 (**91.3%**) of those indicating they **would apply for a Compact privilege**.

**Resident respondents** represent 57.3%; 43 respondents with 26 (**60.47%**) indicating they **would apply for a compact privilege in another member state**.

### Criminal Background Check

A resounding **84.44%** of respondents support a criminal background check as a condition of licensure. However, 64.44% indicate expediency in processing is very important with 51% indicating a delay in processing would create a hardship.

## Conclusions Drawn From Limited Responses to Survey

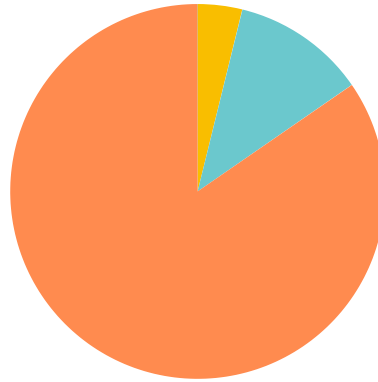
- **Current Board office licensing processes and procedures meet licensee expectations;**
- **Traveling therapists and telehealth practitioners are strongly represented as respondents;**
- **Both Resident and Non-resident licensees support and would apply for compact privilege;**
- **Criminal Background Checks are strongly supported for initial licensure;**
- **If criminal background checks are implemented, consideration of mitigating legislation/changes to licensure to assure expediency in processing should be considered, i.e. temporary licenses/approvals pending results of background reports.**

# **Board Licensing Processes & Procedures**

- **Expediency of License Processing**
- **Efficiency of Licensing Process**
  - **Cost of License**
  - **Customer Service**

## Q1 Expediency of License Processing

Answered: 52   Skipped: 2

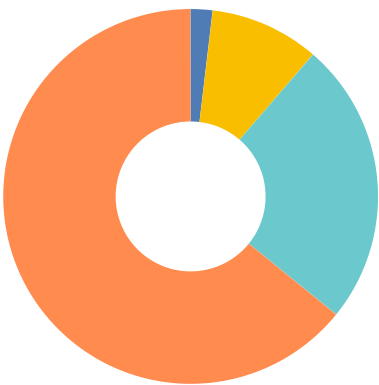


1 - Very Low   2 - Low   3 - Satisfac...   4 - Good  
5 - Excellent

	1 - VERY LOW	2 - LOW	3 - SATISFACTORY	4 - GOOD	5 - EXCELLENT	TOTAL	WEIGHTED AVERAGE
(no label)	0.00%	0.00%	3.85%	11.54%	84.62%	52	4.81
	0	0	2	6	44		

# Q2 Efficiency of Licensing Process

Answered: 53    Skipped: 1

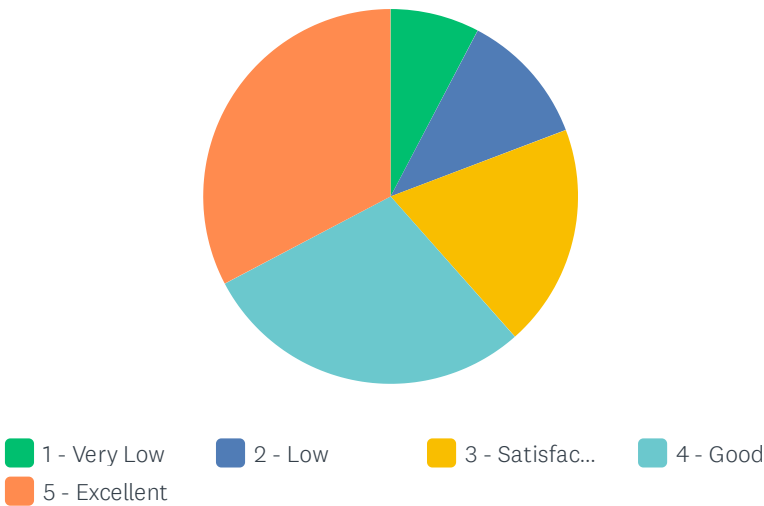


1 - Very Low    2 - Low    3 - Satisfac...    4 - Good  
5 - Excellent

	1 - VERY LOW	2 - LOW	3 - SATISFACTORY	4 - GOOD	5 - EXCELLENT	TOTAL	WEIGHTED AVERAGE
(no label)	0.00%	1.89%	9.43%	24.53%	64.15%	53	4.51
	0	1	5	13	34		

# Q3 Cost of License

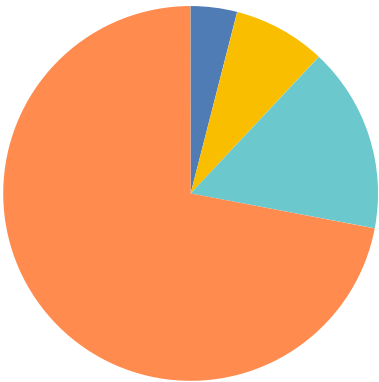
Answered: 52    Skipped: 2



	1 - VERY LOW	2 - LOW	3 - SATISFACTORY	4 - GOOD	5 - EXCELLENT	TOTAL	WEIGHTED AVERAGE
(no label)	7.69%	11.54%	19.23%	28.85%	32.69%	52	3.67
	4	6	10	15	17		

# Q4 Customer Service

Answered: 50    Skipped: 4



1 - Very Low    2 - Low    3 - Satisfac...    4 - Good  
5 - Excellent

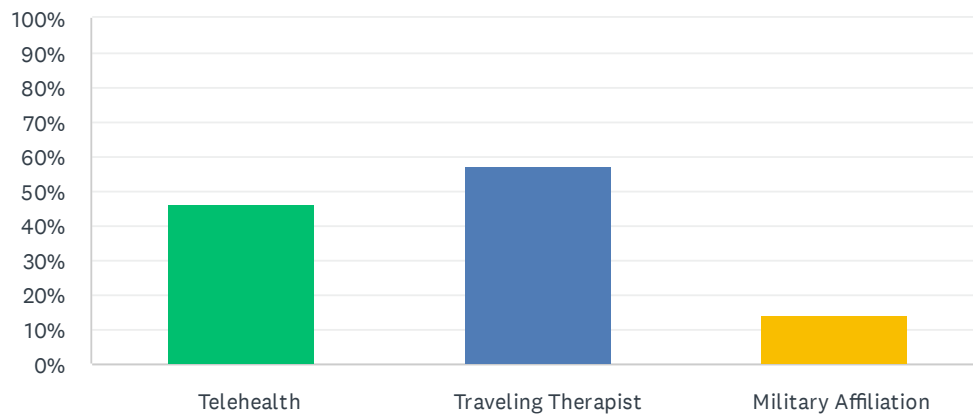
	1 - VERY LOW	2 - LOW	3 - SATISFACTORY	4 - GOOD	5 - EXCELLENT	TOTAL	WEIGHTED AVERAGE
(no label)	0.00% 0	4.00% 2	8.00% 4	16.00% 8	72.00% 36	50	4.56

# **Respondent Demographics**

- **Telehealth Practice**
- **Traveling Therapist**
- **Military Affiliation**

## Q5 Indicate if Any of the following apply.

Answered: 28   Skipped: 26



ANSWER CHOICES	RESPONSES	
Telehealth	46.43%	13
Traveling Therapist	57.14%	16
Military Affiliation	14.29%	4
Total Respondents: 28		



# **OT Compact Privilege**

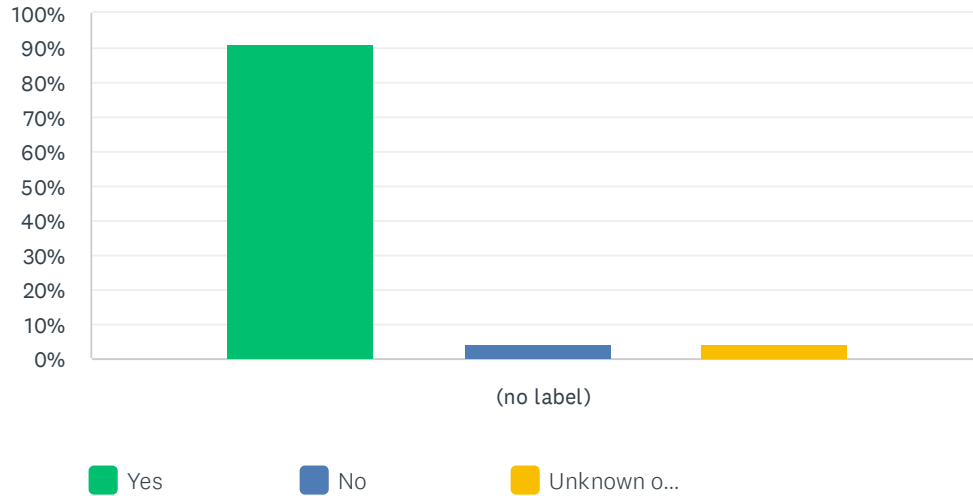
- **Non-Resident Licensees Respondents**
- **Resident Licensee Respondents**
  - **Single State License**

**Criminal Background Check**

**Impact on Expediency of Licensure**

## Q6 Non-residents: Would you apply for a Compact privilege to practice in Nevada?

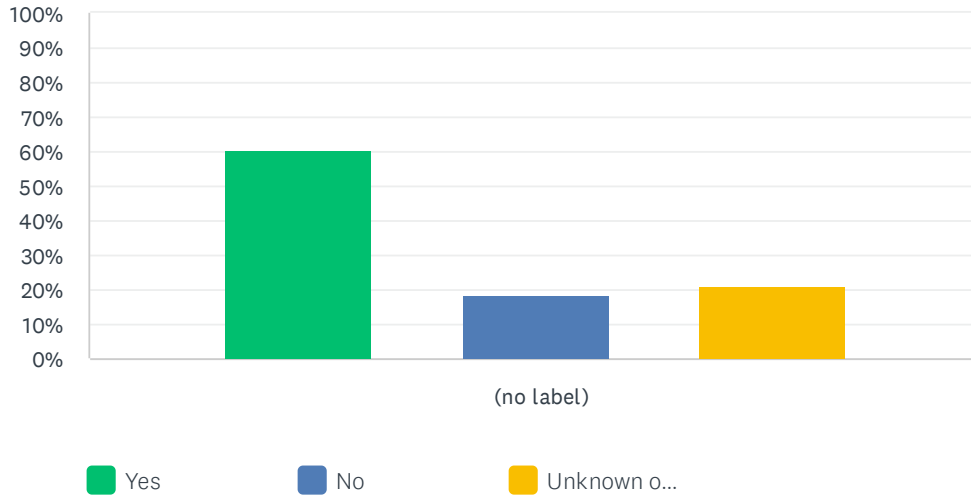
Answered: 23 Skipped: 31



	YES	NO	UNKNOWN OR NOT APPLICABLE	TOTAL	WEIGHTED AVERAGE
(no label)	91.30% 21	4.35% 1	4.35% 1	23	1.13

## Q7 Would you apply for a compact privilege to practice while residing in Nevada as your "Home State"?

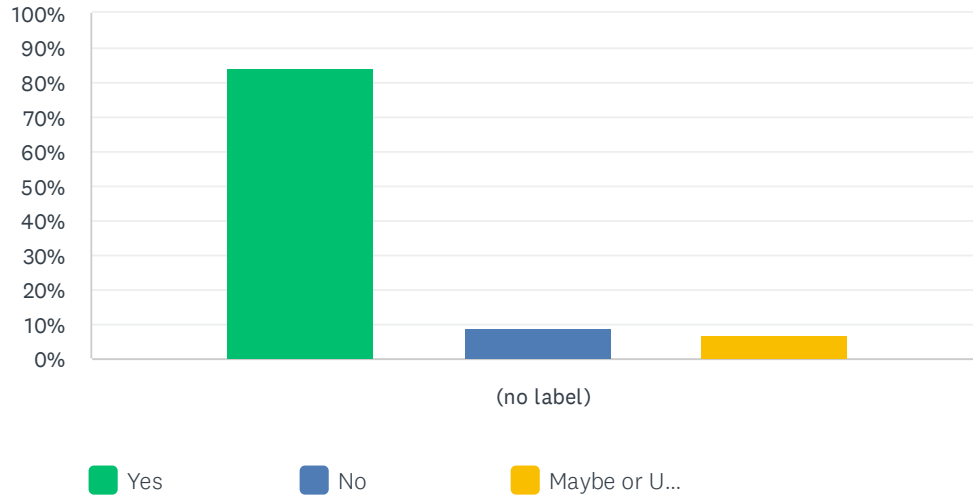
Answered: 43 Skipped: 11



	YES	NO	UNKNOWN OR MAYBE	TOTAL	WEIGHTED AVERAGE
(no label)	60.47% 26	18.60% 8	20.93% 9	43	1.60

## Q8 Would you support a required criminal background check as a condition of a single state license?

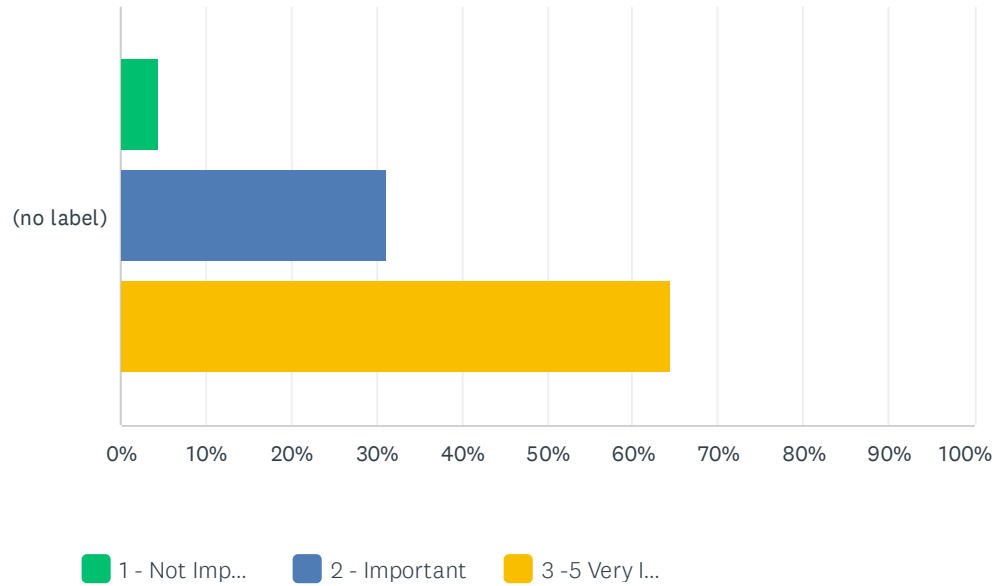
Answered: 45 Skipped: 9



	YES	NO	MAYBE OR UNKNOWN	TOTAL	WEIGHTED AVERAGE
(no label)	84.44% 38	8.89% 4	6.67% 3	45	1.22

## Q9 How important is expediency in the processing/issuing of a license in Nevada

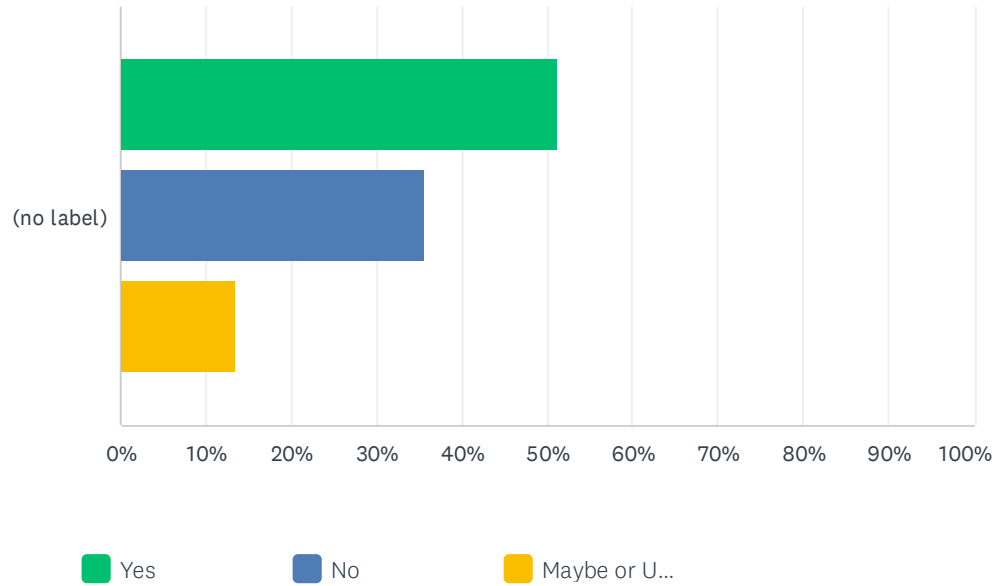
Answered: 45 Skipped: 9



	1 - NOT IMPORTANT	2 - IMPORTANT	3 -5 VERY IMPORTANT	TOTAL	WEIGHTED AVERAGE
(no label)	4.44% 2	31.11% 14	64.44% 29	45	2.60

## Q10 Would the addition of 3-6 weeks to the application processing time create a hardship?

Answered: 45 Skipped: 9



	YES	NO	MAYBE OR UNKNOWN	TOTAL	WEIGHTED AVERAGE
(no label)	51.11% 23	35.56% 16	13.33% 6	45	1.62

## State Fingerprinting and/or Background Check Requirements

States listed in bold type in the left column below are compact member states.

State	Statute or Regulation <sup>1</sup>
<b>Alabama</b>  no	<b>Regulation: 625-X-1-.01. Forms.</b> All applicants for licensure shall submit to the Board the information requested on the official forms as approved by the Board, which at a minimum shall provide for: (c) A statement as to whether the applicant has been convicted of any felony offense denominated as such in any state or has been convicted of a misdemeanor or civil violation denominated as such involving an offense of moral turpitude in any state;
<b>Alaska</b>  No	Section VII of initial licensure application requires applicants to answer questions about previous criminal convictions.  Military courtesy license applicants are required to submit to fingerprinting IF their respective Board requires it: <b>Statute: Sec. 08.01.063. Military courtesy licenses</b> (a) Except as provided in (d) of this section, and notwithstanding another provision of law, the department or appropriate board shall issue a temporary courtesy license to an active duty member of the armed forces of the United States or the spouse of an active duty member of the armed forces of the United States if the active duty member or spouse meets the requirements of this section and applies to the department or appropriate board in the manner prescribed by the department or appropriate board. An application must include evidence satisfactory to the department or appropriate board that the applicant (3) if required by the department or appropriate board for obtaining a license in the applicant's profession, has been fingerprinted and has provided the fees required by the Department of Public Safety under AS 12.62.160 for criminal justice information and a national criminal history record check; the fingerprints and fees shall be forwarded to the Department of Public Safety to obtain a report of criminal justice information under AS 12.62 and a national criminal history record check under AS 12.62.400;  <b>Regulation: 12 AAC 02.956. TEMPORARY LICENSE FOR SPOUSES OF MILITARY PERSONNEL.</b> (a) The department will issue a temporary license to the spouse of an active duty member of the armed forces of the United States who meets the requirements of AS 08.01.063 and this section, authorizing the holder to practice a profession that is regulated by the department under AS 08.01.010 and this title. (b) An applicant for a temporary license under this section must submit (5) if the profession for which the applicant is seeking a temporary license requires a criminal history background check, a completed fingerprint card and the fee required by the Department of Public Safety to obtain state and national criminal justice information required under AS 08.01.063(a)(3).  <b>12 AAC 02.957. TEMPORARY LICENSE FOR MILITARY PERSONNEL.</b> (a) The department will issue a temporary license to a member of the armed forces of the United States who meets the requirements of AS 08.01.064 and this section, authorizing the holder to practice a profession that is regulated by the department under AS 08.01.010 and this title.

<sup>1</sup> DISCLAIMER: This chart is provided for informational and educational purposes only and is not a substitute for legal advice or the professional judgment of health care professionals in evaluating and treating patients. Contact your state OT licensing board, committee, or agency with any questions regarding this information or to verify the accuracy of this information.

State	Statute or Regulation <sup>1</sup>
	(b) An applicant for a temporary license under this section must submit (5) if the profession for which the applicant is seeking a temporary license requires a criminal history background check, a completed fingerprint card and the fee required by the Department of Public Safety to obtain state and national criminal justice information required under AS 08.01.063(a)(3).
<b>Arizona</b>  yes	Requires submission of fingerprints with application. See here: <a href="https://ot.az.gov/initial">https://ot.az.gov/initial</a>
<b>Arkansas</b>  yes	<b>Statute: 17-95-306 Criminal background check</b> (a) (1) Beginning July 1, 2005, every person applying for a license or renewal of a license issued by the Arkansas State Medical Board shall provide written authorization to the board to allow the Department of Arkansas State Police to release the results of a state and federal criminal history background check report to the board. (2) The applicant shall be responsible for payment of the fees associated with the background checks. (b) (1) The state background check shall be from the Identification Bureau of the Department of Arkansas State Police. (2) The federal background check shall: (A) Be from the Federal Bureau of Investigation; (B) Conform to the applicable federal standards; and (C) Include the taking of fingerprints of the applicant.
<b>California</b>  yes	<b>Board's website:</b> <a href="https://www.bot.ca.gov/applicants/fingerprints.shtml">https://www.bot.ca.gov/applicants/fingerprints.shtml</a> Fingerprints The Board requires a Department of Justice (DOJ) and Federal Bureau of Investigation (FBI) criminal history background check on all applicants.  A LICENSE/CERTIFICATE WILL NOT BE ISSUED UNTIL THE BOARD RECEIVES THE BACKGROUND INFORMATION FROM DOJ.  If you reside outside California, you must submit fingerprint cards along with your application for license/certification. You must use the Board's pre-printed fingerprint cards.  The fingerprint clearance process can take 6-8 weeks once the fingerprint cards are received. The \$49 processing fee must be sent along with the fingerprint cards. Fingerprint cards will not be processed until the fee is received.  To request a set of fingerprint cards, please contact the Board at (916) 263-2294 or via email at <a href="mailto:cbot@dca.ca.gov">cbot@dca.ca.gov</a> .  Note: You will have to submit fingerprints specifically for the Board regardless of whether you have recently been fingerprinted for other employment or licensing purposes. Criminal background information cannot be shared among organizations.  <b>Statute: Business and Professions Code Section 2570.16</b> Initial license and renewal fees shall be established by the board in an amount that does not exceed a ceiling of one hundred fifty dollars (\$150) per year. The board shall establish the following additional fees: (d) A fee to collect fingerprints for criminal history record checks. This fee shall not exceed the amount charged by the agency providing the criminal history record checks.



State	Statute or Regulation <sup>1</sup>
	<p><b>Regulation: Title 16, Division 39, Article 3, Section 4120. Renewal of License - Forms</b></p> <p>(a)(4) For a license that expires on or after July 1, 2010, as a condition of renewal, an applicant for renewal not previously fingerprinted by the board, or for whom a record of the submission of fingerprints no longer exists, is required to furnish to the Department of Justice, as directed by the board, a full set of fingerprints for the purpose of conducting a criminal history record check and to undergo a state and federal level criminal offender record information search conducted through the Department of Justice. Failure to submit a full set of fingerprints to the Department of Justice on or before the date required for renewal of a license is grounds for discipline by the board. It shall be certified on the renewal form whether the fingerprints have been submitted. This requirement is waived if the license is renewed in an inactive status, or the licensee is actively serving in the military outside the country.</p>
<p><b>Colorado</b></p> <p>No</p>	<p>From the Office of Occupational Therapy Application Checklist:  <a href="https://drive.google.com/file/d/0BzKoVwvexVATT0NzSkmb1d2OE0/view?resourcekey=0-J44LLgPwGBYJmX0cFbbaHg">https://drive.google.com/file/d/0BzKoVwvexVATT0NzSkmb1d2OE0/view?resourcekey=0-J44LLgPwGBYJmX0cFbbaHg</a></p> <ul style="list-style-type: none"> <li>• Answer general and criminal history screening questions and upload supporting documentation.</li> </ul> <p>Additional info about criminal history: <a href="https://drive.google.com/file/d/18JFSly5hah-U8oaTrQbLYD5vnn9ldnWF/view">https://drive.google.com/file/d/18JFSly5hah-U8oaTrQbLYD5vnn9ldnWF/view</a></p> <p><b>Statute: 12-20-202</b></p> <p>(5) Criminal convictions. Unless there is a specific statutory disqualification that prohibits an applicant from obtaining licensure, certification, or registration based on a criminal conviction, if a regulator determines that an applicant for licensure, certification, or registration has a criminal record, the regulator is governed by section 24-5-101 for purposes of granting or denying, or placing any conditions on, licensure, certification, or registration.</p> <p><b>Statute: 24-5-101</b></p> <p>(2)</p> <p>(a) Whenever any state or local agency is required to make a finding that an applicant for a license, certification, permit, or registration is a person of good moral character as a condition to the issuance thereof, or evaluate the impact of an applicant's criminal record, the fact that such applicant has, at some time prior thereto, been convicted of a felony or other offense involving moral turpitude, and pertinent circumstances connected with such conviction, shall be given consideration in determining whether, in fact, the applicant is qualified. The intent of this section is to expand employment opportunities for persons who, notwithstanding that fact of conviction of an offense, have been rehabilitated and are ready to accept the responsibilities of a law-abiding and productive member of society.</p> <p>(b) In evaluating an applicant, an agency shall comply with subsection (4) of this section and shall not use the determination of the following information as a basis for denial or taking adverse action against any applicant otherwise qualified:</p> <p>(I) The applicant has been arrested for or charged with but not convicted of a criminal offense and the criminal case is not actively pending; except that, an agency may consider the conduct underlying the arrest;</p> <p>(II) The applicant has been convicted of a criminal offense but pardoned;</p> <p>(III) The applicant has been convicted of a criminal offense but records of the conviction have been sealed or expunged; or</p> <p>(IV) A court has issued an order of collateral relief specific to the credential sought by the applicant.</p> <p>(4) Except as provided in subsection (6) of this section, when considering an applicant for a license, certification, permit, or registration pursuant to subsection (2) of this section or, if, after determining that an applicant is a finalist or making a conditional offer of employment to an applicant, the agency determines that the applicant has a conviction other than as described in subsection (2)(b) or (3)(c) of this section, the agency shall consider the following factors when determining whether the conviction disqualifies the applicant:</p> <p>(a) The nature of the conviction;</p>

State	Statute or Regulation <sup>1</sup>
	<p>(b) Whether there is a direct relationship between the conviction and the position's duties and responsibilities and the bearing, if any, the conviction may have on the applicant's fitness or ability to perform one or more such duties and responsibilities, including whether the conviction was for unlawful sexual behavior as listed in section 16-22-102 (9); whether the duties of employment would place a coworker or the public in a vulnerable position; and whether the applicant will be directly responsible for the care of individuals susceptible to abuse or mistreatment because of the individual's circumstances, including the individual's age, disability, frailty, mental health disorder, developmental disability, or ill health;</p> <p>(c) Any information produced by the applicant or produced on his or her behalf regarding his or her rehabilitation and good conduct; and</p> <p>(d) The time that has elapsed since the conviction.</p>
Connecticut  no	<p>From the Dept. of Public Health website: <a href="https://portal.ct.gov/DPH/Practitioner-Licensing-Investigations/PLIS/Practitioner-Licensure-General-Policies-and-Procedures">https://portal.ct.gov/DPH/Practitioner-Licensing-Investigations/PLIS/Practitioner-Licensure-General-Policies-and-Procedures</a> Applicants with Criminal or Disciplinary Background</p> <p>Section 19a-14 of the Connecticut General Statutes grants the Department of Public Health the authorization to perform the following functions:</p> <ul style="list-style-type: none"> <li>• Determine the eligibility of any applicant for licensure, registration, certification or a permit; and</li> <li>• Deny any applicant's eligibility for a permit or licensure by examination, endorsement, reciprocity or for the restatement of a voided license if the Department determines that such applicant has committed or has been found guilty of committing acts which are contrary to public health and safety.</li> </ul> <p>The impact of this section is, in part, that the Department has the authority to deny licensure to an individual who has committed or been found guilty of committing a felony or an act which does not conform to the accepted standards of the profession. Please be advised that applicants are reviewed independently and many factors are considered to determine if there is any impediment as to his/her ability to practice safely and effectively as a professional in Connecticut. Such factors include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• The nature of the act and its relationship to professional practice;</li> <li>• The time frame in which the act was committed; and</li> <li>• The extent of rehabilitation demonstrated by the applicant.</li> </ul> <p>Please note that it is impossible to determine an applicant's eligibility for licensure prior to the time that an application has been submitted and all necessary supporting documentation has been received in this office.</p>
Delaware  yes	<p><b><u>Statute:</u> Delaware Code §24-20-2008, Qualifications of applicant; report to Attorney General; judicial review.</b></p> <p>(a) An applicant who is applying for licensure as an occupational therapist or occupational therapy assistant under this chapter shall submit evidence, verified by oath and satisfactory to the Board, that such person:</p> <p>(8) Has submitted, at the applicant's expense, fingerprints and other necessary information in order to obtain the following:</p> <ol style="list-style-type: none"> <li>a. A report of the applicant's entire criminal history record from the State Bureau of Identification or a statement from the State Bureau of Identification that the State Central Repository contains no such information relating to that person;</li> <li>b. A report of the applicant's entire federal criminal history record pursuant to the Federal Bureau of Investigation appropriation of Title II of Public Law 92-544 (28 U.S.C. § 534). The State Bureau of Identification shall be the intermediary for purposes of this section and the Board of Occupational Therapy Practice shall be the screening point for the receipt of said federal criminal history records;</li> <li>c. An applicant may not be licensed to practice occupational therapy until the applicant's criminal history reports have been produced. An applicant whose record shows a prior criminal conviction may not be licensed by the Board unless a waiver is granted pursuant to paragraph (a)(6) of this section.</li> </ol>

State	Statute or Regulation <sup>1</sup>
	(d) All individuals licensed to practice occupational therapy in this State shall be required to be fingerprinted by the State Bureau of Identification, at the licensee's expense, for the purposes of performing subsequent criminal background checks. Licensees shall submit by January 1, 2016, at the applicant's expense, fingerprints and other necessary information in order to obtain a criminal background check.
District of Columbia  yes	See here: <a href="https://dchealth.dc.gov/node/120532">https://dchealth.dc.gov/node/120532</a> Applicants for an OT or OTA license who have never been licensed in any state previously are required to undergo a criminal background check, including fingerprinting.  <b>Statute: 3-1205.22 Criminal background check.</b> (a) No license or registration shall be issued to a health professional before a criminal background check has been conducted for that person. The applicant for a license or registration shall pay the fee established by the Department of Health for the criminal background check. (b) The criminal background check shall be obtained by the Department of Health from the U.S. Department of Justice, or from a private agency determined by the Department of Health. The results of the criminal background check shall be forwarded directly to the appropriate health licensing board.
Florida  No	Application for initial licensure requires answering several questions regarding the applicant's criminal history, but does not seem to require fingerprinting or a background check.  See application here: <a href="https://floridasoccupationaltherapy.gov/applications/app-ot-ota.pdf">https://floridasoccupationaltherapy.gov/applications/app-ot-ota.pdf</a>  <b>Statute: 456.0135??</b> General background screening provisions.— (1) An application for initial licensure received on or after January 1, 2013, under chapter 458, chapter 459, chapter 460, chapter 461, chapter 464, s. 465.022, <b>part XIII of chapter 468 (the OT statute is chapter 468 part III)</b> , or chapter 480 shall include fingerprints pursuant to procedures established by the department through a vendor approved by the Department of Law Enforcement and fees imposed for the initial screening and retention of fingerprints. Fingerprints must be submitted electronically to the Department of Law Enforcement for state processing, and the Department of Law Enforcement shall forward the fingerprints to the Federal Bureau of Investigation for national processing. Each board, or the department if there is no board, shall screen the results to determine if an applicant meets licensure requirements. For any subsequent renewal of the applicant's license that requires a national criminal history check, the department shall request the Department of Law Enforcement to forward the retained fingerprints of the applicant to the Federal Bureau of Investigation unless the fingerprints are enrolled in the national retained print arrest notification program. (2) All fingerprints submitted to the Department of Law Enforcement as required under subsection (1) shall be retained by the Department of Law Enforcement as provided under s. 943.05(2)(g) and (h) and (3) and enrolled in the national retained print arrest notification program at the Federal Bureau of Investigation when the Department of Law Enforcement begins participation in the program. The department shall notify the Department of Law Enforcement regarding any person whose fingerprints have been retained but who is no longer licensed. (3) The costs of fingerprint processing, including the cost for retaining fingerprints, shall be borne by the applicant subject to the background screening. (4) All fingerprints received under this section shall be entered into the Care Provider Background Screening Clearinghouse as provided in s. 435.12.

State	Statute or Regulation <sup>1</sup>
<p><b>Georgia</b></p> <p>Authorized, but not required</p>	<p><b>Statute: OCGA 43-28-6 General powers and duties of board; continuing professional education; background checks.</b></p> <p>(i) The board is authorized to conduct national background checks by the submission of fingerprints to the Federal Bureau of Investigation through the Georgia Crime Information Center; provided, however, that reports from such background checks shall not be shared with entities outside the state.</p> <p>Question on initial licensure application: <a href="https://sos.ga.gov/sites/default/files/forms/14%20Application%20-%20Licensure.pdf">https://sos.ga.gov/sites/default/files/forms/14%20Application%20-%20Licensure.pdf</a></p> <p>HAVE YOU EVER BEEN ARRESTED, CONVICTED, SENTENCED, PLED GUILTY, OR NOLO CONTENDERE OR BEEN GIVEN FIRST OFFENDER STATUS FOR ANY FELONY, MISDEMEANOR OR ANY OFFENSE OTHER THAN A MINOR TRAFFIC VIOLATION? (DWI AND DUI ARE NOT MINOR TRAFFIC VIOLATIONS.) If yes, you must provide a detailed letter of explanation for each offense and provide certified copies of the final court disposition. If the case has not yet been adjudicated in court, you must provide a certified copy of the arrest warrant, incident report or citation complete with a list of charges, indictments and sentencing and plea agreements, if applicable. (Note: You must respond, "yes" if you pleaded and completed probation as a First Offender.)</p>
<p><b>Guam</b></p> <p>Yes</p>	<p>General application requirements for applicants to the Board of Allied Health Examiners (which licenses OTs and OTAs) requires a set of fingerprints to be submitted. See here: <a href="https://guamhplo.org/sites/default/files/gbahe_occupational_therapy_ot_assistant_0.pdf">https://guamhplo.org/sites/default/files/gbahe_occupational_therapy_ot_assistant_0.pdf</a></p> <p><b>Statute: Title 10, Chapter 12, Section 12805 Requirements for Licensure</b></p> <p>(a) Information Requirement. Any Board furnished applications, official transcripts or other documentation, as required by the Board, shall be submitted in English or accompanied by an English translation and is sent directly to the Board from the appropriate institution or governing agency. The applicant shall provide the Board and attest to the following information and documentation in a manner required by the Board:</p> <p>(2) recent, less than ninety (90) days, signed photograph, a set of fingerprints of the applicant, if requested, and a sample of handwriting;</p>
<p><b>Hawaii</b></p> <p>No</p>	<p><b>Statute: Section 436B-10 Application and requirements for licensure.</b></p> <p>(a) Application for a license shall be made on an application form to be furnished by the licensing authority. An applicant shall provide the following information on the application form:</p> <p>(5) The date and place of any conviction of a penal crime directly related to the profession or vocation in which the applicant is applying for licensure, unless the conviction has been expunged or annulled, or is otherwise precluded from consideration by section 831-3.1;</p> <p><b>Section 436B-12 Criminal conviction.</b></p> <p>When an applicant has been convicted of a penal crime directly related to the profession, vocation, or occupation for which licensure is sought, and it is determined that the conviction may be considered under section 831-3.1, the department, executive secretary, or the licensing authority's designee may request the following documents from the applicant:</p> <p>(1) Copies of any court records, orders, or other documents that state the facts and statutes upon which the applicant was convicted, the verdict of the court with regard to that conviction, the sentence imposed, and the actual terms of the sentence; and</p> <p>(2) Affidavits from any parole officer, employer, or other persons who can attest to a firm belief that the applicant has been sufficiently rehabilitated to warrant public trust.</p>
<p><b>Idaho</b></p> <p>No</p>	<p><b>Statute: 54-3707 Application for licensure.</b></p> <p>Each applicant for licensure shall submit a completed written application to the board, on forms prescribed by the board, together with the application fee. The application shall be verified under oath and shall require the following information:</p> <p>(2) The disclosure of any criminal conviction or charges against the applicant other than minor traffic offenses;</p>

State	Statute or Regulation <sup>1</sup>
	<p><b>Regulation: 24.06.01.022 Written Statement of Suitability for Licensure</b>  An applicant who, or whose license, has a criminal conviction, finding of guilt, withheld judgment, or suspended sentence for any crime under any municipal, state, or federal law other than minor traffic offenses, or has been subject to discipline by any state professional regulatory agency or professional organization must submit with the application a written statement and any supplemental information establishing the applicant's current suitability for licensure.</p> <p>01. Consideration of Factors and Evidence. The Board shall consider the following factors or evidence:</p> <ol style="list-style-type: none"> <li>The severity or nature of the crime or discipline;</li> <li>The period of time that has passed since the crime or discipline under review;</li> <li>The number or pattern of crimes or discipline or other similar incidents;</li> <li>The circumstances surrounding the crime or discipline that would help determine the risk of repetition;</li> <li>The relationship of the crime or discipline to the practice of occupational therapy;</li> <li>The applicant's activities since the crime or discipline under review, such as employment, education, participation in treatment, payment of restitution, or any other factors that may be evidence of current rehabilitation; and</li> <li>Any other information regarding rehabilitation or mitigating circumstances.</li> </ol> <p>02. Interview. The Board may, at its discretion, grant an interview of the applicant.</p> <p>03. Applicant Bears the Burden. The applicant shall bear the burden of establishing the applicant's current suitability for licensure.</p> <p>Licensure application form includes a question about previous convictions other than minor traffic offenses in other states. See here: <a href="https://apps.dopl.idaho.gov/DOPLPortal/OCT/Forms/OCT%20Therapist%20Application.pdf">https://apps.dopl.idaho.gov/DOPLPortal/OCT/Forms/OCT%20Therapist%20Application.pdf</a></p>
Illinois  No?	No mention in law or regulation of a fingerprint requirement. Application forms are only accessible through the Dept. of Financial and Professional Regulation portal.
Indiana  Yes	<p>Occupational therapist and occupational therapy assistant applicants are required to complete a criminal background check that includes fingerprinting. See website here: <a href="https://www.in.gov/pla/professions/criminal-background-checks/">https://www.in.gov/pla/professions/criminal-background-checks/</a></p> <p><b>Statute: IC 25-1-1.1-4 National criminal history background check for certain licenses and certificates; release of background results; random audit</b>  Sec. 4. (a) This section applies to an individual who is applying for, or will be applying for, an initial license or an initial certificate under one (1) of the occupations or professions described in IC 25-0.5-1 (occupational therapy is included here).  (b) As used in this chapter, "national criminal history background check" means the criminal history record system maintained by the Federal Bureau of Investigation based on fingerprint identification or any other method of positive identification.  (c) An individual applying for an initial license or initial certificate specified in subsection (a) shall submit to a national criminal history background check at the cost of the individual.  (d) The state police department shall release the results of a national criminal history background check conducted under this section to the Indiana professional licensing agency.  (e) A board, a commission, or a committee may conduct a random audit and require an individual seeking a renewal of a license or a certificate specified in subsection (a) to submit to a national criminal history background check at the cost of the individual.</p>
Iowa  No	<p><b>Statute: 645—14.2(272C) License application.</b>  Unless an applicant for licensure petitions the board for an eligibility determination pursuant to rule 645—14.3(272C), the applicant's convictions will be reviewed when the board receives a completed license application.</p>

State	Statute or Regulation <sup>1</sup>
	<p>14.2(1) An applicant must disclose all convictions on a license application. Failure to disclose all convictions is grounds for license denial or disciplinary action following license issuance.</p> <p>14.2(2) An applicant with one or more convictions shall submit the complete criminal record for each conviction and a personal statement regarding whether each conviction directly relates to the practice of the profession in order for the license application to be considered complete.</p> <p>14.2(3) An applicant must submit as part of the license application all evidence of rehabilitation that the applicant wishes to be considered by the board.</p> <p>A criminal record is required to be submitted only if an individual is petitioning a licensing board for an eligibility determination as to whether their convictions are disqualifying or not. (Statute 645-14.3)</p>
Kansas no	Initial licensure application includes a question about previous criminal convictions, but does not require fingerprinting or a criminal background check. See here: <a href="http://www.ksbha.org/forms/ot_ota_app_fillable.pdf">http://www.ksbha.org/forms/ot_ota_app_fillable.pdf</a>
Kentucky  No	<p><b>Statute: 335B.030 Written notice of denial of position of public employment based on prior criminal conviction -- Disqualification of individual from occupation requiring license -- Connection between prior conviction and license sought required -- Hearings and appeals.</b></p> <p>(1) (a) If a hiring or licensing authority denies an individual a position of public employment solely because of the individual's prior conviction of a crime, the hiring or licensing authority shall notify the individual in writing of the following:</p> <ol style="list-style-type: none"> <li>1. The grounds and reasons for the denial or disqualification;</li> <li>2. That the individual has the right to a hearing conducted in accordance with KRS Chapter 13B, if written request for hearing is made within ten (10) days after service of notice;</li> <li>3. The earliest date the person may reapply for a position of public employment or a license; and</li> <li>4. That evidence of rehabilitation may be considered upon reapplication.</li> </ol>
Louisiana  Yes	<p>Criminal background check, including fingerprinting, required for OT and OTA applicants. See instructions here: <a href="http://www.lsbme.la.gov/sites/default/files/documents/Licensure/CBC%20Packet%203%2016%202022.pdf">http://www.lsbme.la.gov/sites/default/files/documents/Licensure/CBC%20Packet%203%2016%202022.pdf</a></p> <p><b>Statute: LA Revised Statutes 37:1277</b></p> <p>B. In addition to any other requirements established by board rules, the board shall require an applicant, as a condition for eligibility for licensure:</p> <ol style="list-style-type: none"> <li>(1) To submit a full set of fingerprints, in a form and manner prescribed by the board.</li> <li>(2) To permit the board to request and obtain state and national criminal history record information on the applicant.</li> </ol>
Maine  No	<p><b>Regulation: Maine Rules 02-477, Chapter 3-A, LICENSURE AS A TEMPORARY LICENSEE, OCCUPATIONAL THERAPIST OR OCCUPATIONAL THERAPY ASSISTANT.</b></p> <p>An applicant for a temporary license or licensure as an occupational therapy assistant shall submit documentation of supervision on a form provided by the board. Applicants for all levels of licensure shall also submit, in the form required by the board:</p> <ol style="list-style-type: none"> <li>2. Information relating to any criminal or disciplinary history of the applicant; and</li> </ol>
Maryland Yes	<p><b>Statute: Annotated Code of Maryland §10-302, Qualifications of applicants.</b></p> <p>(g) The applicant shall submit to a criminal history records check in accordance with § 10–302.1 of this subtitle.</p>
Massachusetts  No	<p><b>Statute: MGL c.112, 23B Board of allied health professions; examinations; applications for licensure; fees; renewal of license</b></p> <p>...An applicant who furnished satisfactory proof that he is of good moral character and that he has met the educational and clinical practice requirements set forth in section twenty-three F, twenty-three G, twenty-three H, twenty-three I, or twenty-three J, shall, upon payment of a</p>



State	Statute or Regulation <sup>1</sup>
	<p>fee determined by the secretary of administration and finance, be examined by the board, and if found qualified, and if he passes the examination, shall be licensed to practice.</p> <p><b>Guidelines Regarding Applicants/Licensees with Criminal Records</b> (<a href="https://www.mass.gov/doc/policy-regarding-applicantslicensees-with-criminal-records-1/download">https://www.mass.gov/doc/policy-regarding-applicantslicensees-with-criminal-records-1/download</a>)</p> <p>All applicants for licensure by examination, reciprocity or renewal must be of “good moral character” as required by the statutes and/or regulations of the Board. Among the means used by the Board in determining whether an applicant meets this standard is an examination of an applicant’s demonstrated avoidance of unlawful conduct, such as deceitful or violent behavior, through review of the applicant’s criminal record, if any. The Board will evaluate for good moral character an applicant whose conduct is evidenced as unlawful by one or more criminal convictions, e.g., a guilty plea, a verdict of guilty, or a plea of nolo contendere.</p> <p>Once the Board learns of the existence of a criminal record, the Board will notify the applicant in writing that it will seek a more complete record of his or her criminal activity.(see footnote below) The written notice will be accompanied by a release for the applicant to sign so that the Board can obtain the licensee’s complete criminal record from the Criminal History Systems Board.</p> <p>Footnote in the above document states: By law, a board may not require applicants for licensure or renewal to provide a copy of or access to their criminal record, if any. However, applicants may be asked to provide such information voluntarily. Boards may also learn of criminal convictions through other means, such as investigations.</p> <p><b>Board of Allied Health Professions policy on Criminal Conviction or Pending Criminal Charges (updated 2/24/2022)</b></p> <p>The Executive Director and Associate Executive Director are authorized, in conjunction with Board Counsel, to review the records of criminal convictions and pending criminal cases in Criminal Offender Record Information (CORI) received from the Department of Criminal Justice Information Services or otherwise made available to the Board to determine whether review or an appearance before the Board is necessary for an applicant who has a record of one or more criminal convictions. (<a href="https://www.mass.gov/doc/ah-board-cori-policy/download">https://www.mass.gov/doc/ah-board-cori-policy/download</a>)</p>
<p>Michigan</p> <p>yes</p>	<p><b>Statute: MCL 333.16174 License or registration; requirements; fingerprints; criminal history check; permitted acts by board or task force; sanctions; disclosure.</b></p> <p>(3) Beginning October 1, 2008, an applicant for initial licensure or registration shall submit his or her fingerprints to the department of state police to have a criminal history check conducted and request that the department of state police forward his or her fingerprints to the federal bureau of investigation for a national criminal history check. The department of state police shall conduct a criminal history check and request the federal bureau of investigation to make a determination of the existence of any national criminal history pertaining to the applicant. The department of state police shall provide the department with a written report of the criminal history check if the criminal history check contains any criminal history record information. The department of state police shall forward the results of the federal bureau of investigation determination to the department within 30 days after the request is made. The department shall notify the board and the applicant in writing of the type of crime disclosed on the federal bureau of investigation determination without disclosing the details of the crime. The department of state police may charge a reasonable fee to cover the cost of conducting the criminal history check. The criminal history record information obtained under this subsection shall be used only for the purpose of evaluating an applicant’s qualifications for licensure or registration for which he or she has applied. A member of the board shall not disclose the report or its contents to any person who is not directly involved in evaluating the applicant’s qualifications for licensure or registration. Information obtained under this subsection is confidential, is not subject to disclosure under the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246, and shall not be disclosed to any person except for purposes of this section or for law enforcement purposes.</p>
<p>Minnesota</p>	<p>Board website (<a href="https://mn.gov/boards/occupational-therapy/licensing/license-admin/background-check/">https://mn.gov/boards/occupational-therapy/licensing/license-admin/background-check/</a>):</p>

State	Statute or Regulation <sup>1</sup>
Yes	<p><a href="#">Minnesota Statute §214.075</a> requires that all applicants for initial licensure, licensure by endorsement, reinstatement of a license after a year, or interstate licensure compact applicants complete a criminal background check. Health Licensing Boards may not issue a license to applicants that refuse to consent to a Criminal Background Check. Upon completion of your application for licensure you will receive information on completing the Criminal Background Check process via email from the Criminal background Check office. Any questions regarding the process should be directed to the Criminal Background Check Office.</p> <p>Section 214.075, Subd. 3 states that the criminal background check must be fingerprint-based.</p>
Mississippi	License application for OTs and OTAs includes a question about felony or misdemeanor convictions. See here: <a href="https://msdh.ms.gov/msdhsite/_static/resources/539.pdf">https://msdh.ms.gov/msdhsite/_static/resources/539.pdf</a>
No	No requirements in law or regulation for fingerprints to be submitted to obtain a license.
Missouri	<p><b>Regulation: Missouri Code of State Regulations, 20 CSR 2205-3.010, Application for Licensure as an Occupational Therapist.</b></p> <p>PURPOSE: This rule outlines the procedure for application for licensure as an occupational therapist.</p> <p>(1) Application for licensure shall be submitted on the forms provided by the board. A limited permit holder may submit an addendum to his/her original application on forms provided by the board. Forms may be obtained by contacting the Missouri Board of Occupational Therapy. All original applications shall include proof of submission of fingerprints to the Missouri State Highway Patrol's approved vendor for both a Missouri State Highway Patrol and Federal Bureau of Investigation fingerprint background check. Any fees due for fingerprint background checks shall be paid by the applicant directly to the Missouri State Highway Patrol or its approved vendor. If a background check for the purposes of obtaining a license through the board has been completed within the last six (6) months, then no additional background check needs to be completed.</p>
Montana	<p>Licensure application includes questions about previous criminal convictions</p> <p><b>Statute: MCA 37-1-307 Board authority. (Uniform Professional Licensing and Regulation Procedures)</b></p> <p>(2) Each board is designated as a criminal justice agency within the meaning of 44-5-103 for the purpose of obtaining confidential criminal justice information, as defined in 44-5-103, regarding the board's licensees and license applicants and regarding possible unlicensed practice, but the board may not record or retain any confidential criminal justice information without complying with the provisions of the Montana Criminal Justice Information Act of 1979, Title 44, chapter 5.</p> <p>"Confidential criminal justice information," as defined in MCA 44-5-103 means:</p> <p>(3) "Confidential criminal justice information" means:</p> <ul style="list-style-type: none"> <li>(a) criminal investigative information;</li> <li>(b) criminal intelligence information;</li> <li>(c) fingerprints and investigative or intelligence photographs;</li> <li>(d) criminal justice information or records made confidential by law; and</li> <li>(e) any other criminal justice information not clearly defined as public criminal justice information.</li> </ul>
Nebraska	<p><b>Statute: 38-131. Criminal background check; when required. (Uniform Credentialing Act)</b></p> <p>(1) An applicant for an initial license to practice as a registered nurse, a licensed practical nurse, a physical therapist, a physical therapy assistant, a psychologist, an advanced emergency medical technician, an emergency medical technician, or a paramedic or to practice a profession which is authorized to prescribe controlled substances shall be subject to a criminal background check. <b>A criminal background check may also be required for initial licensure or reinstatement of a license governed by the Uniform Credentialing Act if a criminal background check is required by an interstate licensure compact.</b> Except as provided in subsection (3) of this section, the</p>
Yes	



State	Statute or Regulation <sup>1</sup>
	<p>applicant shall submit with the application a full set of fingerprints which shall be forwarded to the Nebraska State Patrol to be submitted to the Federal Bureau of Investigation for a national criminal history record information check. The applicant shall authorize release of the results of the national criminal history record information check to the department. The applicant shall pay the actual cost of the fingerprinting and criminal background check.</p> <p><b>Regulation: 172 NAC 10.003.01(H) Conviction Information. (Credentials Issued Under the Uniform Credentialing Act)</b>  If the applicant has ever been convicted of a felony or misdemeanor in Nebraska or in another jurisdiction, the applicant must submit:</p> <ul style="list-style-type: none"> <li>(i) A copy of the court record related to all misdemeanor and felony convictions, that includes the statement of charges and final disposition, if the conviction(s) occurred in a state other than Nebraska;</li> <li>(ii) An explanation of the events leading to the conviction (what, when, where, why) and a summary of actions that the applicant has taken to address the behaviors or actions related to the conviction; and</li> <li>(iii) A letter from the applicant's probation officer addressing the terms and current status of the probation, if the applicant is currently on probation.</li> </ul>
Nevada	Fingerprinting not required in Board statute or law for applicants.
No	<a href="#">Board policy 1:143</a> states that any criminal conviction is a legal factor that can be considered a potential moral character issue.
New Hampshire	<p><b>Regulation: Occ. 303.01. Eligibility Requirements.</b>  (a) Applicants for initial licensure as occupational therapists or occupational therapy assistants shall:</p> <ul style="list-style-type: none"> <li>(1) Be at least 17 years of age;</li> <li>(2) Be of good moral and professional character, as evidenced by: <ul style="list-style-type: none"> <li>a. The answers to the questions from the application form specified in Ahp 601.01;</li> <li>b. Any reports submitted pursuant to Occ 302.02(b);</li> <li>c. Any verification information as described in Occ 302.02(c); and</li> <li>d. Any criminal offender record report(s) submitted in accordance with Occ 302.02(j);</li> </ul> </li> </ul> <p><b>Regulation: Occ 302.02. Multipart Application Form</b>  (j) On part 2 of the application form the applicant shall indicate by using the "yes" and "no" columns provided:</p> <ul style="list-style-type: none"> <li>(1) Whether the applicant has been found guilty or entered a plea of no contest to any felony or misdemeanor;</li> <li>(2) Whether the applicant has ever been the subject of any disciplinary action by any professional licensing authority;</li> <li>(3) Whether the applicant has ever been denied a license or other authorization to practice in any state or jurisdiction;</li> <li>(4) Whether the applicant has ever surrendered a license or other authorization to practice issued by any state or jurisdiction in order to avoid or settle disciplinary charges;</li> <li>(5) Have you committed any act(s) that would violate the laws and/or rules that govern the profession for which you are applying?; and</li> <li>(6) Whether the applicant has a full or partial ownership interest in any business providing services in the allied health professional field for which the applicant seeks to be licensed.</li> </ul>
New Jersey	<p>Division of Consumer Affairs document on getting a license if you have a criminal record:  <a href="https://www.njconsumeraffairs.gov/Documents/GETTING-A-PROFESSIONAL-LICENSE-WHEN-YOU-HAVE-A-CRIMINAL-RECORD.pdf">https://www.njconsumeraffairs.gov/Documents/GETTING-A-PROFESSIONAL-LICENSE-WHEN-YOU-HAVE-A-CRIMINAL-RECORD.pdf</a></p>
Yes	

State	Statute or Regulation <sup>1</sup>
	<p><b>Statute: 45:1-21 Refusal to license or renew, grounds</b>  The division is authorized, for purposes of facilitating determinations concerning licensure eligibility, to require the fingerprinting of each applicant in accordance with applicable State and federal laws, rules and regulations. Each applicant shall submit the applicant's name, address, and written consent to the director for a criminal history record background check to be performed. The division is authorized to receive criminal history record information from the State Bureau of Identification in the Division of State Police and the Federal Bureau of Investigation. Upon receipt of such notification, the division shall forward the information to the appropriate board which shall make a determination regarding the issuance of licensure. The applicant shall bear the cost for the criminal history record background check, including all costs of administering and processing the check, unless otherwise provided for by an individual enabling act. The Division of State Police shall promptly notify the division in the event an applicant or licensee, who was the subject of a criminal history record background check pursuant to this section, is convicted of a crime or offense in this State after the date the background check was performed.</p> <p><b>45:1-29 Criminal history record background check required for licensure of health care professional</b>  a. A professional and occupational licensing board within the Division of Consumer Affairs in the Department of Law and Public Safety or the director who regulates the practice of a health care professional, as applicable, shall not issue an initial license or other authorization to practice a health care profession that is regulated by that board or the director to any applicant therefor unless the board or director, as applicable, first determines, consistent with section 8 of P.L.1978, c.73 (C.45:1-21), that no criminal history record information exists on file in the Federal Bureau of Investigation, Identification Division, or in the State Bureau of Identification in the Division of State Police, which may disqualify the applicant from being licensed or otherwise authorized to practice as a health care professional.  b. A board or the director, as applicable, shall not renew or, if renewed, shall revoke a license or other authorization to practice a health care profession that is regulated by that board or the director of any applicant therefor unless the board or director determines, consistent with section 8 of P.L.1978, c.73 (C.45:1-21), that no criminal history record information exists on file in the Federal Bureau of Investigation, Identification Division, or in the State Bureau of Identification in the Division of State Police, which may provide grounds for the refusal to renew the license or other authorization to practice as a health care professional. The director shall establish, by regulation, a schedule of dates by which the requirements of this subsection shall be implemented, so that all licensees will have been required to submit to a criminal history record background check beginning no later than four years after the effective date of P.L.2005, c.83 (C.45:1-33 et al.).  The director may, in an emergent circumstance, temporarily waive the requirement to undergo a criminal history record background check as a condition of renewal of a license or other authorization to practice a health care profession.</p> <p><b>45:1-30 Submission of information by applicant or licensee</b>  a. An applicant or licensee who is required to undergo a criminal history record background check pursuant to section 2 of P.L.2002, c.104 (C.45:1-29) shall submit to the director that individual's name, address and fingerprints taken on standard fingerprint cards, or through any equivalent means, by a State or municipal law enforcement agency or by a private entity under contract with the State. The director is authorized to exchange fingerprint data with and receive criminal history record information from the Federal Bureau of Investigation and the Division of State Police for use in making the determinations required pursuant to this act.</p>
New Mexico	No requirement in the OT statute or regulations
No	<p><b>Statute: 61-1-3.4. Fingerprints not required for license renewal. (Uniform licensing statute)</b>  When a professional or occupational board requires submission of fingerprints as part of the initial license application, and a licensee has provided fingerprints and the license has been issued, the board shall not require a licensee to submit fingerprints again to renew the license, but a licensee shall submit to a background investigation if required.</p>

State	Statute or Regulation <sup>1</sup>
	<p><b>Regulation: 16.15.2.9 INITIAL APPLICATION FOR LICENSURE:</b>  K. the board shall not consider the fact of a criminal conviction as part of an application for licensure unless the conviction in question is one of the disqualifying criminal convictions listed in Subsection J of this rule.</p>
New York  No	<p><b>Regulation: §59.5 Professional examinations. (Regulations of the Commissioner of Education)</b>  a. The department may develop its own examinations or may select in whole or in part examinations developed or administered by other organizations. Unless specifically authorized by the department, no examination shall be deemed acceptable which has been used in its entirety during the five years previous to the current administration.  c. For the purpose of identification for admission to the examination, the applicant shall present the current admission card with a photograph attached and, at the conclusion of the examination, return the card to the department representative conducting the examination. A candidate shall permit fingerprints to be taken during each part of an examination.</p>
North Carolina  ??	
North Dakota  No	<p>Initial licensure application form includes a question about previous convictions other than a minor traffic offense. See here:  <a href="file:///T:/Profiles/kneville/Downloads/Requirements_and_Application_for_OT_OTa_Initial_Licensure_or_Licensure_by_Reciprocity.pdf">file:///T:/Profiles/kneville/Downloads/Requirements_and_Application_for_OT_OTa_Initial_Licensure_or_Licensure_by_Reciprocity.pdf</a></p> <p>No requirement mentioned in law, regulation, or on the licensure application about fingerprinting being required.</p>
Ohio  Yes	<p><b>Statute: Ohio Revised Code 4755.70 License applicant to comply with RC Chapter 4776.</b>  (A) As used in this section, "license" and "applicant for an initial license" have the same meanings as in section 4776.01 of the Revised Code, except that "license" as used in both of those terms refers to the types of authorizations otherwise issued or conferred under this chapter.</p> <p>(B) In addition to any other eligibility requirement set forth in this chapter, each applicant for an initial license shall comply with sections 4776.01 to 4776.04 of the Revised Code. The occupational therapy section, the physical therapy section, and the athletic trainers section of the Ohio occupational therapy, physical therapy, and athletic trainers board shall not grant a license to an applicant for an initial license unless the applicant complies with sections 4776.01 to 4776.04 of the Revised Code.</p> <p><b>Statute: Ohio Revised Code 4776.01, 4776.02, and 4776.04</b>  <b>Section 4776.01   Criminal records checks definitions.</b>  As used in this chapter:  (A) "License" means an authorization evidenced by a license, certificate, registration, permit, card, or other authority that is issued or conferred by a licensing agency to a licensee or to an applicant for an initial license by which the licensee or initial license applicant has or claims the privilege to engage in a profession, occupation, or occupational activity, or, except in the case of the state dental board, to have control of and operate certain specific equipment, machinery, or premises, over which the licensing agency has jurisdiction.  (B) Except as provided in section 4776.20 of the Revised Code, "licensee" means the person to whom the license is issued by a licensing agency. "Licensee" includes a person who, for purposes of section 3796.13 of the Revised Code, has complied with</p>

State	Statute or Regulation <sup>1</sup>
	<p>sections 4776.01 to 4776.04 of the Revised Code and has been determined by the department of commerce or state board of pharmacy, as the applicable licensing agency, to meet the requirements for employment.</p> <p>(C) Except as provided in section 4776.20 of the Revised Code, "licensing agency" means any of the following:</p> <p>(1) The board authorized by Chapters 4701., 4717., 4725., 4729., 4730., 4731., 4732., 4734., 4740., 4741., 4747., 4751., 4753., 4755., 4757., 4759., 4760., 4761., 4762., 4774., 4778., 4779., and 4783. of the Revised Code to issue a license to engage in a specific profession, occupation, or occupational activity, or to have charge of and operate certain specific equipment, machinery, or premises.</p> <p><b>Section 4776.02   License applicants to request criminal records check.</b></p> <p>(A) An applicant for an initial license or restored license from a licensing agency, a person seeking to satisfy the requirements to be an employee of a pain management clinic as specified in section 4729.552 of the Revised Code, or a person seeking to satisfy the requirements to be an employee of a facility, clinic, or other location that is subject to licensure as a category III terminal distributor of dangerous drugs with an office-based opioid treatment classification under section 4729.553 of the Revised Code shall submit a request to the bureau of criminal identification and investigation for a criminal records check of the applicant or person. The request shall be accompanied by a completed copy of the form prescribed under division (C)(1) of section 109.572 of the Revised Code, a set of fingerprint impressions obtained as described in division (C)(2) of that section, and the fee prescribed under division (C)(3) of that section. The applicant or person shall ask the superintendent of the bureau of criminal identification and investigation in the request to obtain from the federal bureau of investigation any information it has pertaining to the applicant or person.</p> <p>An applicant or person requesting a criminal records check shall provide the bureau of criminal identification and investigation with the applicant's or person's name and address and, regarding an applicant, with the licensing agency's name and address.</p> <p>(B) Upon receipt of the completed form, the set of fingerprint impressions, and the fee provided for in division (A) of this section, the superintendent of the bureau of criminal identification and investigation shall conduct a criminal records check of the applicant or person under division (B) of section 109.572 of the Revised Code. Upon completion of the criminal records check, the superintendent shall do whichever of the following is applicable:</p> <p>(1) If the request was submitted by an applicant for an initial license or restored license, report the results of the criminal records check and any information the federal bureau of investigation provides to the licensing agency identified in the request for a criminal records check...</p> <p><b>Section 4776.04   Criminal records check results not public records – availability.</b></p> <p>The results of any criminal records check conducted pursuant to a request made under this chapter and any report containing those results, including any information the federal bureau of investigation provides, are not public records for purposes of section 149.43 of the Revised Code and shall not be made available to any person or for any purpose other than as follows:</p> <p>(A) If the request for the criminal records check was submitted by an applicant for an initial license or restored license, as follows:</p> <p>(1) The superintendent of the bureau of criminal identification and investigation shall make the results available to the licensing agency for use in determining, under the agency's authorizing chapter of the Revised Code and section 9.79 of the Revised Code, whether the applicant who is the subject of the criminal records check should be granted a license under that chapter and that section.</p> <p>(2) The licensing agency shall make the results available to the applicant who is the subject of the criminal records check.</p>

State	Statute or Regulation <sup>1</sup>
	Criminal records check instructions from the OT Board: <a href="https://otptat.ohio.gov/Portals/0/forms/2019%20Criminal%20Records%20Check%20Instructions.pdf">https://otptat.ohio.gov/Portals/0/forms/2019%20Criminal%20Records%20Check%20Instructions.pdf</a>
Oklahoma  Background check is required	Extended Background Check is required. See page 2 of licensure application here: <a href="https://www.okmedicalboard.org/occupational_therapists/download/82/OT+Instructions+Sept+2020.pdf">https://www.okmedicalboard.org/occupational_therapists/download/82/OT+Instructions+Sept+2020.pdf</a>
Oregon  yes	See Fingerprint background check instructions here: <a href="https://www.oregon.gov/otlb/Pages/Applications.aspx">https://www.oregon.gov/otlb/Pages/Applications.aspx</a>
Pennsylvania  No	<b>Statute: 18 PA Consolidated Statutes 9124</b> (a) State agencies.--Except as provided by this chapter and specifically subsection (a.1), a board, commission or department of the Commonwealth, when determining eligibility for licensing, certification, registration or permission to engage in a trade, profession or occupation, may consider convictions of the applicant of crimes but the convictions shall not preclude the issuance of a license, certificate, registration or permit. (b) Prohibited use of information.--The following information shall not be used in consideration of an application for a license, certificate, registration or permit: (1) Records of arrest if there is no conviction of a crime based on the arrest. (2) Convictions which have been annulled, expunged or subject to limited access under sections 9122.1 (relating to petition for limited access) and 9122.2 (relating to clean slate limited access). (3) Convictions of a summary offense. (4) Convictions for which the individual has received a pardon from the Governor. (5) Convictions which do not relate to the applicant's suitability for the license, certificate, registration or permit.
Puerto Rico	
Rhode Island  No	Questions about criminal convictions are included on the application for an initial license. See here: <a href="https://health.ri.gov/applications/OccupationalTherapist.pdf">https://health.ri.gov/applications/OccupationalTherapist.pdf</a>
South Carolina  No	Questions about criminal convictions are included on the application for an initial license. See here: <a href="https://lir.sc.gov/ot/PDFForms/OTappform.pdf">https://lir.sc.gov/ot/PDFForms/OTappform.pdf</a>  <b>Statute: 40-1-140. Effect of prior criminal convictions.</b> A person may not be refused an authorization to practice, pursue, or engage in a regulated profession or occupation solely because of a prior criminal conviction unless the criminal conviction directly relates to the profession or occupation for which the authorization to practice is sought. However, a board may refuse an authorization to practice if, based upon all information available, including the applicant's record of prior convictions, it finds that the applicant is unfit or unsuited to engage in the profession or occupation.  Applicants who are the spouse of an active duty member of the armed forces and who are posted to a military installation in the state are required to submit to a fingerprint-based background check only if such a check is required by the same Board for an ordinary license.
South Dakota	

State	Statute or Regulation <sup>1</sup>
??	
<b>Tennessee</b>  Yes	<p>Instructions from the Board's website on criminal background checks: <a href="https://www.tn.gov/content/tn/health/health-professionals/criminal-background-check/cbc-instructions.html">https://www.tn.gov/content/tn/health/health-professionals/criminal-background-check/cbc-instructions.html</a></p> <p><b>Regulation: 1150-02.-05 Procedures for Licensure</b>  To become licensed as an occupational therapist or occupational therapy assistant in Tennessee, a person must comply with the following procedures and requirements.  (1) Occupational Therapist and Occupational Therapy Assistant by Examination  (k) The applicant shall cause to be submitted to the Board's administrative office directly from the vendor identified in the Board's licensure application materials, the result of a criminal background check.</p> <p><b>Statute: 63-1-116 Criminal background checks for health care providers.</b>  (a) Each board, council, committee or other governmental entity created pursuant to this title or title 68 that is attached to the department is authorized to promulgate all rules and regulations necessary for obtaining criminal background information from applicants prior to the issuance of any licenses, certificates, registrations or other authorizations required to practice any of the health related professions regulated by that board, council, committee or other governmental entity. The respective board, council, committee or other governmental entity may utilize, either individually or in combination, any of the following methods in furtherance of the objectives of this section:  (1) Query the Tennessee bureau of investigation's (TBI) Tennessee criminal history records system for any or all of the following information:  (A) Tennessee criminal history records;  (B) Tennessee repository for apprehension of persons (TRAP);  (C) State of Tennessee orders of protection files (STOP); and  (D) Criminal history records of the federal government and other states to which TBI may have access. Criminal history records of the federal bureau of investigation may be obtained for the reasons listed in this subsection (a), only if fingerprints are obtained and submitted through the TBI;  (2) Require applicants to provide any and all information and investigative records to the board, the division or its agent or to any agency that contracts with the state that is necessary for the purpose of verifying whether the applicant has been convicted of a crime;  (3) Require applicants to supply a fingerprint sample and submit to a criminal history records check to be conducted by the TBI, other law enforcement agency or any legally authorized entity; and  (4) Require applicants to supply any sample or release any information required for a criminal background investigation by a professional background screening organization or criminal background check service or registry.</p>
<b>Texas</b>  Yes	<p><b>Regulation: Texas Administrative Code §364.1, Requirements for Licensure.</b>  (a) All applicants for initial Texas licensure shall:  (5) submit a complete and legible set of fingerprints in the manner prescribed by the Board for the purpose of obtaining criminal history record information from the Department of Public Safety and the Federal Bureau of Investigation; and</p>
<b>Utah</b>  No	<p>Applicants can petition the Board for a determination as to whether their criminal history would disqualify them from obtaining a license:</p> <p>Fingerprints do not seem to be a requirement for licensure. See here (click on Criminal History tab at left): <a href="https://dopl.utah.gov/ot/">https://dopl.utah.gov/ot/</a></p>



State	Statute or Regulation <sup>1</sup>
Vermont No	Criminal background checks are required only for nurses, private investigators, security guards, real estate appraisers, and osteopathic physicians. See statute 3 VSA 123 here: <a href="https://legislature.vermont.gov/statutes/section/03/005/00123">https://legislature.vermont.gov/statutes/section/03/005/00123</a>
Virginia Court documents and National Practitioner Databank Self Query required	<p>Applicants for a license with misdemeanor or felony convictions are required to submit copies of related court documents as part of their application. All applicants are also required to complete a National Practitioner Databank Self Query. See page 2 of application instructions here: <a href="https://www.license.dhp.virginia.gov/apply/Forms/medicine/OT_OTa_instruct_forms.pdf">https://www.license.dhp.virginia.gov/apply/Forms/medicine/OT_OTa_instruct_forms.pdf</a></p> <p><b>OT Licensure Compact background check requirement:</b>  <b>Statute: 54.1-2956.7:1: Occupational Therapy Interjurisdictional Licensure Compact.</b>  Article III. State Participation in the Compact.  5. Implement or utilize procedures for considering the criminal history records of applicants for an initial compact privilege. These procedures shall include the submission of fingerprints or other biometric-based information by applicants for the purpose of obtaining an applicant's criminal history record information from the Federal Bureau of Investigation and the agency responsible for retaining that state's criminal records;  a. A member state shall, within a time frame established by the Commission, require a criminal background check for a licensee seeking/applying for a compact privilege whose primary state of residence is that member state, by receiving the results of the Federal Bureau of Investigation criminal record search, and shall use the results in making licensure decisions.  b. Communication between a member state, the Commission and among member states regarding the verification of eligibility for licensure through the Compact shall not include any information received from the Federal Bureau of Investigation relating to a federal criminal records check performed by a member state under P.L. 92-544.</p>
Washington Yes	According to the initial licensure application, a fingerprint-based background check is required. See page 3 here: <a href="https://doh.wa.gov/sites/default/files/legacy/Documents/Pubs/683032.pdf?uid=6269a53671bf9">https://doh.wa.gov/sites/default/files/legacy/Documents/Pubs/683032.pdf?uid=6269a53671bf9</a>
West Virginia No	<p><b>Regulation: §13-8-3. Rational nexus to the practice of occupational therapy.</b>  3.1. The board may not disqualify an applicant from initial licensure because of a prior criminal conviction that remains unreversed unless that conviction is for a crime that bears a rational nexus to the practice of occupational therapy. In determining whether a criminal conviction bears a rational nexus to occupational therapy, the board shall consider at a minimum:</p> <ul style="list-style-type: none"> <li>3.1.a. The nature and seriousness of the crime for which the individual was convicted;</li> <li>3.1.b. The passage of time since the commission of the crime;</li> <li>3.1.c. The relationship of the crime to the ability, capacity, and fitness required to perform the duties and discharge the responsibilities of an occupational therapist or occupational therapy assistant; and</li> <li>3.1.d. Any evidence of rehabilitation or treatment undertaken by the individual.</li> </ul>
Wisconsin No	<p>(13)</p> <p>(a)</p> <p>1. The department may conduct an investigation to determine whether an applicant for a credential satisfies any of the eligibility requirements specified for the credential, including whether the applicant does not have an arrest or conviction record. In conducting an investigation under this paragraph, the department may require an applicant to provide any information that is necessary for the investigation, except that, for an investigation of an arrest or conviction record, the department shall comply with the requirements of pars. (b) and (c). Once all required information has been received and the department has completed its investigation, the application shall be considered complete.</p>

State	Statute or Regulation <sup>1</sup>
	<p>2. Once an application is considered complete following an investigation as provided in subd. 1., the department shall, for a credential that is granted by a credentialing board, do one of the following:</p> <p>a. Forward the application to the credentialing board or the credentialing board's designee with the results of the department's investigation and a recommendation on whether to approve the application, approve the application with limitations, deny the application, or conduct further review. If the department forwards an application under this subd. 2. a., does not recommend further review of the application, and recommends that the application be approved or approved with limitations, the department shall notify the credentialing board or credentialing board's designee of the date on which the application is forwarded and the date on which the application would be considered approved under s. 440.035 (1r) unless anything specified in s. 440.035 (1r) (a) to (d) occurs prior to that date.</p> <p>b. In accordance with authority delegated to the department under s. 440.035 (1p), approve the application, approve the application with limitations, or deny the application.</p> <p>(am) A person holding a credential who is convicted of a felony or misdemeanor anywhere shall send a notice of the conviction by 1st class mail to the department within 48 hours after the entry of the judgment of conviction. The department shall by rule determine what information and documentation the person holding the credential shall include with the written notice.</p> <p>(b) The department may investigate whether an applicant for or holder of any of the following credentials has been charged with or convicted of a crime only pursuant to rules promulgated by the department under this paragraph, including rules that establish the criteria that the department will use to determine whether an investigation under this paragraph is necessary, except as provided in par. (c) and ss. 441.51 (5) (a) 5., 448.980 (5) (b) 3., 448.985 (3) (a) 4., 448.987 (3) (a) 5. a. and (5) (b) 2. a., and 455.50 (3) (e) 4. and (f) 4.:</p> <p>44. Occupational therapist.</p> <p>45. Occupational therapy assistant.</p> <p>(bm)</p> <p>1. Upon request by a credentialing board or other board in the department, the department shall conduct an investigation to determine whether an individual seeking a determination by that board under s. 111.335 (4) (f) has an arrest or conviction record. In conducting an investigation under this subdivision, the department may require an individual to provide any information that is necessary for the investigation.</p>
Wyoming  No	<p>A question about previous criminal convictions, other than minor traffic offenses, is included on the initial licensure application. See here: <a href="https://docs.google.com/document/d/1SOlsuWszQJsgfOlaUERM0LamV3x0_Fg3sqcapWzi3xg/edit">https://docs.google.com/document/d/1SOlsuWszQJsgfOlaUERM0LamV3x0_Fg3sqcapWzi3xg/edit</a> . Anyone who answers yes to this question must include court documents, the nature of the offense, date of discharge, and a statement from a parole officer. No explicit requirement for a fingerprint-based background check in law or regulation.</p>



**BOARD OF OCCUPATIONAL THERAPY**  
**REQUIRED FOR ELIGIBILITY FOR MEMBERSHIP**  
**OCCUPATIONAL THERAPY COMPACT**  
**Fingerprinting – Criminal Background Checks**

**NRS 640A.140 Application for license.**

2. The application must include all information required to complete the application.
3. *As part of the application and at his or her own expense, an applicant for a license as an occupational therapist or occupational therapy assistant must:*

*(a) Arrange to have a complete set of fingerprints taken by a law enforcement agency or other authorized entity acceptable to the Board; and*

*(b) Submit to the Board:*

*(I) A complete set of fingerprints and written permission authorizing the Board to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for a report on the applicant's background, and to such other law enforcement agencies as the Board deems necessary for a report on the applicant's background; or*

*(II) Written verification, on a form prescribed by the Board, stating that the set of fingerprints of the applicant was taken and directly forwarded electronically or by other means to the Central Repository for Nevada Records of Criminal History and that the applicant provided written permission authorizing the law enforcement agency or other authorized entity taking the fingerprints to submit the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for a report on the applicant's background, and to such other law enforcement agencies as the Board deems necessary for a report on the applicant's background.*

4. *The Board shall:*

*(a) Unless the applicant's fingerprints are directly forwarded pursuant to paragraph 3 subsection (b), submit those fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation and to such other law enforcement agencies as the Board deems necessary; and*

*(b) Request from each agency to which the Board submits the fingerprints any information regarding the applicant's background as the Board deems necessary.*

*5. An application for license as an occupational therapist or occupational therapy assistant is not considered complete and received until the Board receives:*

*(a) A complete set of fingerprints or verification that the fingerprints have been forwarded electronically or by other means to the Central Repository for Nevada Records of Criminal History, and written authorization from the applicant pursuant to this section; and*

*(b) The fee for the license of an occupational therapist or occupational therapy assistant that is prescribed by the Board.*

#### **NRS 640A.170 Temporary license.**

1. The Board may issue, ~~without examination,~~ a temporary license to a person who has the qualifications required pursuant to subsections 1, ~~2 and 3~~ of [NRS 640A.120](#) ~~and~~ who:

(a) ~~Is certified by the National Board for Certification in Occupational Therapy or its successor organization and~~ ~~Is~~ licensed as an occupational therapist or occupational therapy assistant in good standing in another state.; or

*(b). Is pending the results of the fingerprinting report required pursuant to NRS 640A.140.*

2. A temporary license issued pursuant to subsection 1 is valid for 6 months or until the person to whom it is issued otherwise obtains a license pursuant to this chapter, whichever occurs first.

3. The Board may renew a temporary license *issued pursuant to subsection 1 (a)* not more than once and may revoke a temporary license for any of the grounds set forth in [NRS 640A.200](#).

*4. A temporary license issued pursuant to subsection 1 (b) may not be renewed.*

*5. Upon receipt of satisfactory results of the fingerprint report required pursuant to NRS 640A.140 or upon approval by the Board, a temporary license shall be converted to a standard license without further action by the applicant.*

#### **NRS 640A.xxx Provisional License**

*1. The Board may issue a provisional license to a person who has the qualifications required pursuant to subsections 2 and 3 of NRS 640A.120 who has not achieved the passing score on the national examination for certification in occupational therapy approved pursuant to ~~NRS 640A.150~~.* A ~~temporary~~ *provisional* license issued pursuant to this paragraph authorizes

the person to whom it is issued to practice occupational therapy only under the general supervision of an occupational therapist licensed pursuant to this chapter.

2. A ~~temporary~~ *provisional* license ~~issued pursuant to subsection 1~~ is valid for 6 months or until the person to whom it is issued otherwise obtains a license pursuant to this chapter, whichever occurs first.

3. The Board may renew a ~~temporary~~ *provisional* license not more than once and may revoke a ~~temporary~~ *provisional* license for any of the grounds set forth in [NRS 640A.200](#).

# BDR

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SUMMARY—Enacts provisions governing the interstate practice of occupational therapy. (BDR \_\_\_\_\_)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: Yes.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets [omitted material] is material to be omitted.

AN ACT relating to occupational therapy; enacting and entering into the Occupational Therapy Licensure Compact; and providing other matters properly relating thereto.

## Digest:

The Occupational Therapy Licensure Compact is an interstate compact that allows a person who is licensed as an occupational therapist or occupational therapy assistant in a state that is a member of the Compact to practice as a Occupational therapist or Occupational therapy assistant in other states that are members of the Compact.

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THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

**Section 1.** Chapter 640A of NRS is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this act.

**Sec. 2.** *The Occupational Therapy Licensure Compact, set forth in this section, is hereby enacted into law and entered into with all other jurisdictions legally joining the Compact, in substantially the form set forth in this section:*

## *OCCUPATIONAL THERAPY LICENSURE COMPACT*

### *ARTICLE I. PURPOSE*

*The purpose of this Compact is to facilitate interstate practice of occupational therapy with the goal of improving public access to occupational therapy services. The practice of occupational therapy occurs in the state where the patient or client is located at the time of the patient or client encounter. The Compact preserves the regulatory authority of states to protect public health and safety through the current system of state licensure.*

*This Compact is designed to achieve the following objectives:*

- 1. Increase public access to Occupational therapy services by providing for the mutual recognition of other member state licenses;*
- 2. Enhance the states' ability to protect the public's health and safety;*
- 3. Encourage the cooperation of member states in regulating multistate occupational therapy practice;*
- 4. Support spouses of relocating military members;*
- 5. Enhance the exchange of licensure, investigative and disciplinary information between member states; and*
- 6. Allow a remote state to hold a provider of services with a compact privilege in that state accountable to that state's practice standards.*
- 7. Facilitate the use of Telehealth technology in order to increase access to Occupational Therapy services.*

### *ARTICLE II. DEFINITIONS*

*As used in this Compact, and except as otherwise provided, the following definitions apply:*

- 1. "Active duty military" means full-time duty status in the active uniformed service of the United States, including, without limitation, members of the National Guard and Reserve on active duty orders pursuant to 10 U.S.C. §§ 1209 and 1211.*
- 2. "Adverse action" means disciplinary action taken by a occupational therapy licensing board based upon misconduct, unacceptable performance or a combination of both.*

3. *“Alternative program” means a non-disciplinary monitoring or practice remediation process approved by a occupational therapy licensing board. This includes, without limitation, substance abuse issues.*

4. *“Compact privilege” means the authorization granted by a remote state to allow a licensee from another member state to practice as an occupational therapist or work as an occupational therapist assistant in the remote state under its laws and rules. The practice of occupational therapy occurs in the member state where the patient or client is located at the time of the patient or client encounter.*

5. *“Continuing competence/education” means a requirement, as a condition of license renewal, to provide evidence of participation in, or completion of, educational and professional activities relevant to practice or area of work.*

6. *“Current significant investigative information” means investigative information that a licensing board, after an inquiry or investigation that includes notification and an opportunity for the occupational therapist or occupational therapy assistant to respond, if required by State law, has reason to believe is not groundless and, if proved true, would indicate more than a minor infraction.*

7. *“Data system” means a repository of information about licensees, including, without limitation, examination, licensure, investigative, compact privilege and adverse action.*

7. *“Encumbered License” means a license in which an Adverse Action restricts the Practice of Occupational Therapy by the licensee or said adverse action has been reported to the National Practitioners Data Bank (NDPB).*

8. *“Executive Committee” means a group of directors elected or appointed to act on behalf of, and within the powers granted to them by, the Commission.*

9. *“Home state” means the member state that is the licensee’s primary state of residence.*

10. *“Impaired practitioner” means individuals whose professional practice is adversely affected by substance abuse, addiction, or other health-related conditions.*

*“Investigative information” means information, records and documents received or generated by a occupational therapy licensing board pursuant to an investigation.*

11. *“Jurisprudence requirement” means the assessment of an individual’s*

*knowledge of the laws and rules governing the practice of occupational therapy in a state.*

12. *“Licensee” means an individual who currently holds an authorization from the state to practice as an occupational therapist or to work as an occupational therapy assistant.*

13. *“Member state” means a state that has enacted the Compact.*

14. *“Occupational therapist” means an individual who is licensed by a state to practice occupational therapy.*

16. *“Occupational therapy assistant” means an individual who is licensed by a state to assist in the practice of occupational therapy.*

17. *“Occupational therapy,” “Occupational therapy practice” and “the practice of Occupational therapy” mean the care and services provided by an occupational therapist or an occupational therapy assistant as set forth in the member state’s statutes and regulations.*

18. *“Occupational Therapy Compact Commission” or “Commission” means the national administrative body whose membership consists of all states that have enacted the Compact.*

19. *“Occupational therapy licensing board” or “licensing board” means the entity that is legislatively authorized to license and regulate occupational therapists and occupational therapy assistants.*

20. *“Primary state of residence” means the state (also known as the Home State” in which an occupational therapist or occupational therapy assistant who is not active duty military declares a primary residence for legal purposes as verified by: driver’s license, federal income tax return, lease, deed, mortgage or voter registration or other verifying documentation as further defined by Commission rules.*

21. *“Remote state” means a member state, other than the home state, where a licensee is exercising or seeking to exercise the compact privilege.*

22. *“Rule” means a regulation promulgated by the Commission that has the force of law.*

23. *“State” means any state, commonwealth, district or territory of the United States of America that regulates the practice of occupational therapy.*

24. *“Single-state license” means an occupational therapist or occupational therapy assistant license issued by a member state that authorizes practice only within the issuing state*

*and does not include a compact privilege in any other member state.*

25. *“Telehealth” means the application of telecommunication technology to deliver occupational therapy services for assessment, intervention and/or consultation.*

### *ARTICLE III. STATE PARTICIPATION IN THE COMPACT*

*1. To participate in the Compact, a state must:*

- (a) License occupational therapists and occupational therapy assistants;*
- (b) Participate fully in the Commission’s data system, including, but not limited to using the Commission’s unique identifier as defined in rules;*
- (c) Have a mechanism in place for receiving and investigating complaints about licensees;*
- (d) Notify the Commission, in compliance with the terms of the Compact and rules, of any adverse action or the availability of investigative information regarding a licensee;*
- (e) Implement or utilize procedures for considering the criminal history records of applicants for an initial compact privilege. These procedures shall include the submission of fingerprints or other biometric-based information by applicants for the purpose of obtaining an applicant’s criminal history record information from the Federal Bureau of Investigation and the agency responsible for retaining the State’s criminal records.*

*(i) A member state shall, within the time frame established by the Commission, require a criminal background check for a licensee seeking/applying for a compact privilege whose primary state of residence is that member state, by receiving the results of the Federal Bureau of Investigation criminal records search, and shall use the results in making licensure decisions.*

*(ii) Communication between a member state, the commission and among member states regarding the verification of eligibility for licensure through the compact shall not include any information received from the Federal Bureau of Investigation relating to a federal criminal records check performed by a member state under Public Law 92-544.*



- (e) Comply with the rules of the Commission;*
- (f) Utilize only a recognized national examination as a requirement for licensure pursuant to the rules of the Commission; and*
- (g) Have continuing competence/education requirements as a condition for license renewal.*

*2. A member state shall grant the compact privilege to a licensee holding a valid unencumbered license in another member state in accordance with the terms of the Compact and rules.*

*3. Member states may charge a fee for granting a compact privilege.*

*4. A member state shall provide for the State's delegate to attend all Occupational Therapy Compact Commission meetings.*

*5. Individuals not residing in a member state shall continue to be able to apply for a member state's single-state license as provided under the laws of each member state. However, the single-state license granted to these individuals shall not be recognized as granting the compact privilege in any other member state.*

*6. Nothing in this compact shall affect the requirements established by a member state for the issuance of a single-state license.*

#### **ARTICLE IV. COMPACT PRIVILEGE**

*1. To exercise the compact privilege under the terms and provisions of the Compact, the licensee shall:*

- (a) Hold a license in the home state;*
- (b) Have a valid United States Social Security Number or National Practitioner Identification Number;*
- (c) Have no encumbrance on any state license;*
- (d) Be eligible for a compact privilege in any member state in accordance with Article 4, subsection 4, 7 and 8;*
- (e) Have paid all fines and completed all requirements resulting from any adverse action against any license or compact privilege; and two years have elapsed from the date of such completion;*
- (f) Notify the Commission that the licensee is seeking the compact privilege*

*within a remote state(s);*

*(g) Pay any applicable fees, including, any state fee, for the compact privilege;*

*(h) Complete a criminal background check in accordance with section XXXX;*

*(i) The licensee shall be responsible for the payment of any fee associated with the completion of a criminal background check.*

*(i) Meet any jurisprudence requirements established by the remote state in which the licensee is seeking a compact privilege; and*

*(h) Report to the Commission adverse action taken by any non-member state within 30 days from the date the adverse action is taken.*

*2. The compact privilege is valid until the expiration date of the home license. The licensee must comply with the requirements of subsection 1 to maintain the compact privilege in the remote state.*

*3. A licensee providing Occupational therapy in a remote state under the compact privilege shall function within the laws and regulations of the remote state.*

*4. Occupational therapy assistants practicing in a remote state shall be supervised by an occupational therapist licensed or holding a compact privilege in that remote state.*

*5. A licensee providing Occupational therapy in a remote state is subject to that state's regulatory authority. A remote state may, in accordance with due process and that state's laws, remove a licensee's compact privilege in the remote state for a specific period of time, impose fines or take any other necessary actions to protect the health and safety of its citizens. The licensee is not eligible for a compact privilege in any state until the specific time for removal has passed and all fines are paid.*

*6. If a home state license is encumbered, the licensee shall lose the compact privilege in any remote state until the following occur:*

*(a) The home state license is no longer encumbered; and*

*(b) Two years have elapsed from the date of the adverse action.*

*7. Once an encumbered license in the home state is restored to good standing, the licensee shall meet the requirements of subsection 1 to obtain a compact privilege in any remote state.*

*8. If a licensee's compact privilege in any remote state is removed, the*

*individual shall lose the compact privilege in any remote state until the following occur:*

- (a) The specific period of time for which the compact privilege was removed has ended;*
- (b) All fines have been paid and all conditions have been met;*
- (c) Two years have elapsed from the date of completing requirements for XXXXX; and*
- (d) The compact privileges are reinstated by the Commission, and the compact data system is updated to reflect reinstatement.*

*9. If a licensee's compact privilege in any remote state is removed due to an erroneous charge, privileges shall be restored through the compact data system.*

*10. Once the requirements of subsection 7 have been met, the licensee shall meet the requirements in subsection 1 to obtain a compact privilege in a remote state.*

#### **ARTICLE V. OBTAINING A NEW HOME STATE LICENSE BY VIRTUE OF COMPACT PRIVILEGE**

*1. An occupational therapist or occupational therapy assistant may hold a home state license, which allows for compact privileges in member states, in only one member state at a time.*

*2. If an occupational therapist or occupational therapy assistant changes primary state of residence by moving between two member states:*

- (a) The occupational therapist or occupational therapy assistant shall file an application for obtaining a new home state license by virtue of a compact privilege, pay all applicable fees, and notify the current and new home state in accordance with applicable rules adopted by the Commission.*
- (b) Upon receipt of an application for obtaining a new home state license by virtue of compact privilege. The new home state shall verify that the occupational therapist or occupational therapy assistant meets the pertinent criteria outline in Article 4 via the data system, without need for primary source verification except for:*
  - (i) A FBI fingerprint based criminal background check if not previously performed or updated pursuant to applicable rules adopted by the Commission in accordance with Public Law 92-544;*
  - (ii) Other criminal background check as required by the new home state; and*
  - (iii) Submission of any requisite jurisprudence requirements of the new home*

*state.*

- (c) The former home state shall convert the former home state license into a compact privilege once the new home state has activated the new home state license in accordance with applicable rules adopted by the Commission.*
- (d) Notwithstanding any other provision of this Compact, if the occupational therapist or occupational therapy assistant cannot meet the criteria in Article 4, the new home state shall apply its requirements for issuing a new single-state license.*
- (e) The occupational therapist or occupational therapy assistant shall pay all applicable fees to the new home state in order to be issued a new home state license.*
- (f) If an occupational therapist or occupational therapy assistant changes primary state of residence by moving from a member state to a non-member state, or from a non-member state to a member state, the state criteria shall apply for issuance of a single-state license in the new state.*
- (g) Nothing in this compact shall interfere with a licensee's ability to hold a single-state license in multiple states; however, for the purposes of this compact, a licensee shall have only one home state license.*
- (h) Nothing in this compact shall affect the requirements established by a member state for the issuance of a single-state license.*

#### **ARTICLE VI. ACTIVE DUTY MILITARY PERSONNEL OR THEIR SPOUSES**

- 1. A licensee who is active duty military or is the spouse of an individual who is active duty military may designate a home state where the individual holds a current license in good standing. The home state may be one of the following:*
  - (a) Home of record;*
  - (b) Permanent change of station; or*
  - (c) State of current residence if it is different from the permanent change of station state or home of record.*
- 2. Subsequent to designating a home state, the individual shall only change their home state through application for licensure in the new State or through the process described in Article V.*

## **ARTICLE VII. ADVERSE ACTIONS**

- 1. A home state has the exclusive power to impose adverse action against an occupational therapist or occupational therapy assistant's license issued by the home state.*
- 2. In addition to the other powers conferred by State law, a remote state shall have the authority, in accordance with existing State due process law, to:*
  - (a) Take adverse action against an occupational therapist's or occupational therapy assistant's compact privilege within the member state;*
  - (b) Issue subpoenas for both hearings and investigations that require the attendance and testimony of witnesses as well as the production of evidence. Subpoenas issued by a licensing board in a member state for the attendance and testimony of witnesses or the production of evidence from another member state shall be enforced in the latter state by any court of competent jurisdiction, according to the practice and procedure of that court applicable to subpoenas issued in proceedings pending before it. The issuing authority shall pay any witness fees, travel expenses, mileage and other fees required by the service statutes of the state in which the witnesses or evidence are located.*
- 3. For purposes of taking adverse action, the home state shall give the same priority and effect to reported conduct received from a member state as it would if the conduct had occurred within the home state. In so doing, the home state shall apply its own state laws to determine appropriate action.*
- 4. The home state shall complete any pending investigations of an occupational therapist or occupational therapy assistant who changes primary state of residence during the course of the investigations. The home state, where the investigations were initiated, shall also have the authority to take appropriate action(s) and shall promptly report the conclusions of the investigations to the OT Compact Commission data system. The Occupational Therapy Compact Commission data system administrator shall promptly notify the new home state of any adverse actions.*
- 5. A member state, if otherwise permitted by state law, may recover from the affected occupational therapist or occupational therapy assistant the costs of investigations and disposition of cases resulting from an adverse action taken against that*

*occupational therapist or occupational therapy assistant.*

*6. A member state may take adverse action based on the factual findings of the remote state, provided that the member state follows its own procedures for taking adverse action.*

*7. Joint Investigations:*

*(a) In addition to the authority granted to a member state by its respective state occupational therapy laws and regulations or other applicable state law, any member state may participate with other member states in joint investigations of licensees.*

*(b) Member states shall share any investigative, litigation, or compliance materials in furtherance of any joint or individual investigation initiated under the compact.*

*8. If an adverse action is taken by the home state against an occupational therapist's or occupational therapy assistant's license, the occupational therapist's or occupational therapy assistant's compact privilege in all other member states shall be deactivated until all encumbrances have been removed from the state license. All home state disciplinary orders that impose adverse action against an occupational therapist's or occupational therapy assistant's license shall include a statement the occupational therapist's or occupational therapy assistant's compact privilege is deactivated in all member states during the pendency of the order.*

*9. If a member state takes adverse action, it shall promptly notify the administrator of the data system. The administrator of the data system shall promptly notify the home state of an adverse actions by remote states.*

*10. Nothing in this Compact shall override a member state's decision that participation in an alternative program may be used in lieu of adverse action.*

## **ARTICLE VIII.**

### **ESTABLISHMENT OF THE OCCUPATIONAL THERAPY COMPACT COMMISSION**

*1. The Compact member states hereby create and establish a joint public agency known as the Occupational Therapy Compact Commission:*

*(a) The Commission is an instrumentality of the Compact member states.*

*(b) Venue is proper and judicial proceedings by or against the Commission must*

*be brought solely and exclusively in a court of competent jurisdiction where the principal office of the Commission is located. The Commission may waive venue and jurisdictional defenses to the extent it adopts or consents to participate in alternative dispute resolution proceedings.*

*(c) Nothing in this Compact shall be construed to be a waiver of sovereign immunity.*

## *2. Membership, voting and meetings.*

*(a) Each member state is limited to one delegate selected by that member state's licensing board.*

*(b) The delegate shall be either:*

*(i) a current member of the licensing board, who is an occupational therapist, occupational therapy assistant, or public member; or*

*(ii) An administrator of the licensing board.*

*(c) Any delegate may be removed or suspended from office as provided by the law of the state from which the delegate is appointed.*

*(d) The member state board shall fill any vacancy occurring in the Commission within 90 days.*

*(e) Each delegate shall be entitled to one vote with regard to the promulgation of rules and creation of bylaws and shall otherwise have an opportunity to participate in the business and affairs of the Commission.*

*(f) A delegate shall vote in person or by such other means as provided in the bylaws. The bylaws may provide for delegates' participation in meetings by telephone or other means of communication.*

*(g) The Commission shall meet at least once during each calendar year. Additional meetings must be held as set forth in the bylaws.*

*(h) The Commission shall establish by rule a term of office for delegates.*

## *3. The Commission shall have the following powers and duties:*

*(a) Establish a Code of Ethics for the Commission.*

*(b) Establish the fiscal year of the Commission;*

*(c) Establish bylaws;*

*(d) Maintain its financial records in accordance with the bylaws;*

- (e) Meet and take such actions as are consistent with the provisions of this Compact and the bylaws;*
- (f) Promulgate uniform rules to facilitate and coordinate implementation and administration of this Compact with such rules having the force and effect of law and being binding in all member states;*
- (g) Bring and prosecute legal proceedings or actions in the name of the Commission, provided that the standing of any state occupational therapy licensing board to sue or be sued under applicable law shall not be affected;*
- (h) Purchase and maintain insurance and bonds;*
- (i) Borrow, accept or contract for services of personnel, including, without limitation, employees of a member state;*
- (j) Hire employees, elect or appoint officers, fix compensation, define duties, grant such individuals appropriate authority to carry out the purposes of the Compact and establish the Commission's personnel policies and programs relating to conflicts of interest, qualifications of personnel and other related personnel matters;*
- (k) Accept any and all appropriate donations and grants of money, equipment, supplies, materials and services and receive, utilize and dispose of the same, provided that at all times the Commission shall avoid any appearance of impropriety or conflict of interest;*
- (l) Lease, purchase, accept appropriate gifts or donations of, or otherwise own, hold, improve or use, any property, real, personal or mixed, provided that at all times the Commission shall avoid any appearance of impropriety;*
- (m) Sell, convey, mortgage, pledge, lease, exchange, abandon or otherwise dispose of any property real, personal or mixed;*
- (n) Establish a budget and make expenditures;*
- (o) Borrow money;*
- (p) Appoint committees, including, without limitation, standing committees composed of members, state regulators, state legislators or their representatives, consumer representatives and such other interested persons as may be designated in this Compact and the bylaws;*
- (q) Provide and receive information from, and cooperate with, law enforcement*



*agencies;*

*(r) Establish and elect an Executive Board; and*

*(s) Perform such other functions as may be necessary or appropriate to achieve the purposes of this Compact consistent with the state regulation of occupational therapy licensure and practice.*

*4. The Executive Committee may act on behalf of the Commission according to the terms of this Compact:*

*(a) The Executive Committee shall be composed of nine members:*

*(i) Seven voting members who are elected by the Commission from the current membership of the Commission;*

*(ii) One ex officio, nonvoting member from the recognized national occupational therapy professional association; and*

*(iii) One ex officio, nonvoting member from the recognized national occupational therapy certification organization.*

*(b) The ex officio members shall be selected by their respective organizations.*

*(c) The Commission may remove any member of the Executive Committee as provided in the bylaws.*

*(d) The Executive Committee shall meet at least annually.*

*(e) The Executive Committee shall have the following duties and responsibilities:*

*(i) Recommend to the entire Commission changes to the rules or bylaws, changes to this Compact legislation, fees paid by Compact member states, including, without limitation, annual dues, and any Commission Compact fee charged to licensees for the compact privilege;*

*(ii) Ensure Compact administration services are appropriately provided, contractual or otherwise;*

*(iii) Prepare and recommend the budget;*

*(iv) Maintain financial records on behalf of the Commission;*

*(v) Monitor Compact compliance of member states and provide compliance reports to the Commission;*

*(vi) Establish additional committees as necessary; and*

*(vii) Perform other duties as provided in the rules or bylaws.*

*5. Meetings of the Commission.*

*(a) All meetings shall be open to the public, and public notice of meetings must be given in the same manner as required under the rulemaking provisions in article X.*

*(b) The Commission or the Executive Committee or other committees of the Commission may convene in a closed, nonpublic meeting if the Commission or Executive Committee or other committees of the Commission must discuss:*

*(i) Noncompliance of a member state with its obligations under the Compact;*

*(ii) The employment, compensation, discipline or other matters, practices or procedures related to specific employees or other matters related to the Commission's internal personnel practices and procedures;*

*(iii) Current, threatened or reasonably anticipated litigation;*

*(iv) Negotiation of contracts for the purchase, lease or sale of goods, services or real estate;*

*(v) Accusing any person of a crime or formally censuring any person;*

*(vi) Disclosure of trade secrets or commercial or financial information that is privileged or confidential;*

*(vii) Disclosure of information of a personal nature if the disclosure would constitute a clearly unwarranted invasion of personal privacy;*

*(viii) Disclosure of investigative records compiled for law enforcement purposes;*

*(ix) Disclosure of information related to any investigative reports prepared by or on behalf of or for use of the Commission or other committee charged with responsibility of investigation or determination of compliance issues pursuant to the Compact; or*

*(x) Matters specifically exempted from disclosure by federal or member state statute.*

*(c) If a meeting, or portion of a meeting, is closed pursuant to this provision, the Commission's legal counsel or designee shall certify that the meeting may be closed and shall reference each relevant exempting provision.*

*(d) The Commission shall keep minutes that fully and clearly describe all matters discussed in a meeting and shall provide a full and accurate summary of actions*

*taken, and the reasons therefore, including, without limitation, a description of the views expressed. All documents considered in connection with an action must be identified in such minutes. All minutes and documents of a closed meeting must remain under seal, subject to release by a majority vote of the Commission or order of a court of competent jurisdiction.*

*6. Financing of the Commission.*

*(a) The Commission shall pay, or provide for the payment of, the reasonable expenses of its establishment, organization and ongoing activities.*

*(b) The Commission may accept any and all appropriate revenue sources, donations and grants of money, equipment, supplies, materials and services.*

*(c) The Commission may levy on and collect an annual assessment from each member state or impose fees on other parties to cover the cost of the operations and activities of the Commission and its staff, which must be in a total amount sufficient to cover its annual budget as approved each year for which revenue is not provided by other sources. The aggregate annual assessment amount must be allocated based upon a formula to be determined by the Commission, which shall promulgate a rule binding upon all member states.*

*(d) The Commission shall not incur obligations of any kind prior to securing the funds adequate to meet the same, nor shall the Commission pledge the credit of any of the member states, except by and with the authority of the member state.*

*(e) The Commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the Commission are subject to the audit and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the Commission must be audited yearly by a certified or licensed public accountant, and the report of the audit shall be included in and become part of the annual report of the Commission.*

*7. Qualified immunity, defense and indemnification.*

*(a) The members, officers, executive director, employees and representatives of the Commission shall be immune from suit and liability, either personally or in their official capacity, for any claim for damage to or loss of property or personal injury*

*or other civil liability caused by or arising out of any actual or alleged act, error or omission that occurred, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of Commission employment, duties or responsibilities, provided that nothing in this paragraph shall be construed to protect any such person from suit or liability for any damage, loss, injury or liability caused by the intentional, willful or wanton misconduct of that person.*

*(b) The Commission shall defend any member, officer, executive director, employee or representative of the Commission in any civil action seeking to impose liability arising out of any actual or alleged act, error or omission that occurred within the scope of Commission employment, duties or responsibilities, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of Commission employment, duties or responsibilities, provided that this paragraph may not be construed to prohibit that person from retaining his or her own counsel, and provided further that the actual or alleged act, error or omission did not result from that person's intentional, willful or wanton misconduct.*

*(c) The Commission shall indemnify and hold harmless any member, officer, executive director, employee or representative of the Commission for the amount of any settlement or judgment obtained against that person arising out of any actual or alleged act, error or omission that occurred within the scope of Commission employment, duties or responsibilities, or that such person had a reasonable basis for believing occurred within the scope of Commission employment, duties or responsibilities, provided that the actual or alleged act, error or omission did not result from the intentional, willful or wanton misconduct of that person.*

#### **ARTICLE IX. DATA SYSTEM**

*1. The Commission shall provide for the development, maintenance and utilization of a coordinated database and reporting system containing licensure, adverse action and investigative information on all licensed individuals in member states.*

*2. Notwithstanding any other provision of state law to the contrary, a member state shall submit a uniform data set to the data system on all individuals to whom this Compact is applicable as required by the rules of the Commission, including, without limitation:*

*(a) Identifying information;*

*(b) Licensure data;*

*(c) Adverse actions against a license or compact privilege;*

*(d) Nonconfidential information related to alternative program participation;*

*(e) Any denial of application for licensure and the reason for such denial; and*

*(f) Other information that may facilitate the administration of this Compact, as determined by the rules of the Commission.*

*3. Current significant investigative information and other investigative information pertaining to a licensee in any member state will only be available to other member states.*

*4. The Commission shall promptly notify all member states of any adverse action taken against a licensee or an individual applying for a license. Adverse action information pertaining to a licensee in any member state will be available to any other member state.*

*5. Member states contributing information to the data system may designate information that may not be shared with the public without the express permission of the contributing state.*

*6. Any information submitted to the data system that is subsequently required to be expunged by the laws of the member state contributing the information shall be removed from the data system.*

## **ARTICLE X. RULEMAKING**

*1. The Commission shall exercise its rulemaking powers pursuant to the criteria set forth in this article and the rules adopted thereunder. Rules and amendments shall become binding as of the date specified in each rule or amendment.*

*2. The Commission shall promulgate reasonable rules in order to effectively and efficiently achieve the purposes of the Compact. Notwithstanding the foregoing, in*

*the event the Commission exercises its rulemaking authority in a manner that is beyond the scope of the purposes of the Compact, or the powers granted hereunder, then such an action by the Commission shall be invalid and have no force and effect.*

*3. If a majority of the legislatures of the member states rejects a rule by enactment of a statute or resolution in the same manner used to adopt the Compact within 4 years of the date of adoption of the rule, then such rule shall have no further force and effect in any member state.*

*3. Rules or amendments to the rules must be adopted at a regular or special meeting of the Commission.*

*4. Prior to promulgation and adoption of a final rule or rules by the Commission, and at least 30 days in advance of the meeting at which the rule will be considered and voted upon, the Commission shall file a Notice of Proposed Rulemaking:*

*(a) On the website of the Commission or other publicly accessible platform; and*

*(b) On the website of each member state occupational therapy licensing board or other publicly accessible platform or the publication in which each state would otherwise publish proposed rules.*

*5. The Notice of Proposed Rulemaking must include, without limitation:*

*(a) The proposed time, date and location of the meeting in which the rule will be considered and voted upon;*

*(b) The text of the proposed rule or amendment and the reason for the proposed rule;*

*(c) A request for comments on the proposed rule from any interested person; and*

*(d) The manner in which interested persons may submit notice to the Commission of the interested persons' intentions to attend the public hearing and any written comments.*

*6. Prior to adoption of a proposed rule, the Commission shall allow persons to submit written data, facts, opinions and arguments, which must be made available to the public.*

*7. The Commission shall grant an opportunity for a public hearing before it adopts a rule or amendment if a hearing is requested by:*

- (a) At least 25 persons;*
- (b) A state or federal governmental subdivision or agency; or*
- (c) An association having at least 25 members.*

*8. If a hearing is held on the proposed rule or amendment, the Commission shall publish the place, time and date of the scheduled public hearing. If the hearing is held via electronic means, the Commission shall publish the mechanism for access to the electronic hearing.*

- (a) All persons wishing to be heard at the hearing shall notify the executive director of the Commission or other designated member in writing of their desire to appear and testify at the hearing not less than 5 business days before the scheduled date of the hearing.*
- (b) Hearings shall be conducted in a manner providing each person who wishes to comment a fair and reasonable opportunity to comment orally or in writing.*
- (c) All hearings must be recorded. A copy of the recording must be made available on request.*
- (d) Nothing in this article may not be construed as requiring a separate hearing on each rule. Rules may be grouped for the convenience of the Commission at hearings required by this article.*

*9. Following the scheduled hearing date, or by the close of business on the scheduled hearing date if the hearing was not held, the Commission shall consider all written and oral comments received.*

*10. If written notice of intent to attend the public hearing by interested parties is not received, the Commission may proceed with promulgation of the proposed rule without a public hearing.*

*11. By majority vote of all members, the Commission shall take final action on the proposed rule and shall determine the effective date of the rule, if any, based on the rulemaking record and the full text of the rule.*

*12. Upon determination that an emergency exists, the Commission may consider and adopt an emergency rule without prior notice, opportunity for*

*comment or hearing, provided that the usual rulemaking procedures provided in the Compact and in this article must be retroactively applied to the rule as soon as reasonably possible, in no event later than 90 days after the effective date of the rule. For the purposes of this subsection, an emergency rule is one that must be adopted immediately in order to:*

- (a) Meet an imminent threat to public health, safety or welfare;*
- (b) Prevent a loss of Commission or member state funds;*
- (c) Meet a deadline for the promulgation of an administrative rule that is established by federal law or rule; or*
- (d) Protect public health and safety.*

*13. The Commission or an authorized committee of the Commission may direct revisions to a previously adopted rule or amendment for purposes of correcting typographical errors, errors in format, errors in consistency or grammatical errors. Public notice of any revisions must be posted on the website of the Commission. The revision shall be subject to challenge by any person for a period of 30 days after posting. The revision may be challenged only on grounds that the revision results in a material change to a rule. A challenge must be made in writing and delivered to the chair of the Commission prior to the end of the notice period. If a challenge is not made, the revision must take effect without further action. If the revision is challenged, the revision may not take effect without the approval of the Commission.*

## **ARTICLE XI. OVERSIGHT, DISPUTE RESOLUTION AND ENFORCEMENT**

### **1. Oversight.**

*(a) The executive, legislative and judicial branches of state government in each member state shall enforce this Compact and take all actions necessary and appropriate to effectuate the Compact's purposes and intent. The provisions of this Compact and the rules promulgated under this Compact have standing as statutory law.*

*(b) All courts shall take judicial notice of the Compact and the rules in any judicial or administrative proceeding in a member state pertaining to the subject matter of*



*this Compact which may affect the powers, responsibilities or actions of the Commission.*

*(c) The Commission is entitled to receive service of process in any such proceeding and has standing to intervene in such a proceeding for all purposes. Failure to provide service of process to the Commission shall render a judgment or order void as to the Commission, this Compact or promulgated rules.*

## *2. Default, technical assistance and termination.*

*(a) If the Commission determines that a member state has defaulted in the performance of its obligations or responsibilities under this Compact or the promulgated rules, the Commission shall:*

*(i) Provide written notice to the defaulting state and other member states of the nature of the default, the proposed means of curing the default and any other action to be taken by the Commission; and*

*(ii) Provide remedial training and specific technical assistance regarding the default.*

*(b) If a state in default fails to cure the default, the defaulting state may be terminated from the Compact upon an affirmative vote of a majority of the member states and all rights, privileges and benefits conferred by this Compact may be terminated on the effective date of termination. A cure of the default does not relieve the offending state of obligations or liabilities incurred during the period of default.*

*(c) Termination of membership in the Compact shall be imposed only after all other means of securing compliance have been exhausted. Notice of intent to suspend or terminate shall be given by the Commission to the governor, the majority and minority leaders of the defaulting state's legislature and each of the member states.*

*(d) A state that has been terminated is responsible for all assessments, obligations and liabilities incurred through the effective date of termination, including, without limitation, obligations that extend beyond the effective date of termination.*

*(e) The Commission shall not bear any costs related to a state that is found to be in*

*default or that has been terminated from the Compact, unless agreed upon in writing between the Commission and the defaulting state.*

*(f) The defaulting state may appeal the action of the Commission by petitioning the United States District Court for the District of Columbia or the federal district where the Commission has its principal offices. The prevailing member shall be awarded all costs of such litigation, including, without limitation, reasonable attorney's fees.*

### *3. Dispute resolution.*

*(a) Upon request by a member state, the Commission shall attempt to resolve disputes related to the Compact that arise among member states and between member and nonmember states.*

*(b) The Commission shall promulgate a rule providing for both mediation and binding dispute resolution for disputes as appropriate.*

### *4. Enforcement.*

*(a) The Commission, in the reasonable exercise of its discretion, shall enforce the provisions and rules of this Compact.*

*(b) By majority vote, the Commission may initiate legal action in the United States District Court for the District of Columbia or the federal district where the Commission has its principal offices against a member state in default to enforce compliance with the provisions of the Compact and its promulgated rules and bylaws. The relief sought may include both injunctive relief and damages.*

*If judicial enforcement is necessary, the prevailing member shall be awarded all costs of such litigation, including, without limitation, reasonable attorney's fees.*

*(c) The remedies herein are not the exclusive remedies of the Commission. The Commission may pursue any other remedies available under federal or state law.*

## **ARTICLE XI. DATE OF IMPLEMENTATION OF THE INTERSTATE COMMISSION FOR OCCUPATIONAL THERAPY PRACTICE AND ASSOCIATED RULES, WITHDRAWAL AND AMENDMENT**

*1. The Compact shall come into effect on the date on which the Compact statute is enacted into law in the tenth member state. The provisions, which become effective at that time, are limited to the powers granted to the Commission relating to*

*assembly and the promulgation of rules. Thereafter, the Commission shall meet and exercise rulemaking powers necessary to the implementation and administration of the Compact.*

*2. Any state that joins the Compact subsequent to the Commission's initial adoption of the rules shall be subject to the rules as they exist on the date on which the Compact becomes law in that state. Any rule that has been previously adopted by the Commission shall have the full force and effect of law on the day the Compact becomes law in that state.*

*3. Any member state may withdraw from this Compact by enacting a statute repealing the same.*

*(a) A member state's withdrawal shall not take effect until 6 months after enactment of the repealing statute.*

*(b) Withdrawal shall not affect the continuing requirement of the withdrawing state's occupational therapy licensing board to comply with the investigative and adverse action reporting requirements of this Compact prior to the effective date of withdrawal.*

*4. Nothing contained in this Compact shall not be construed to invalidate or prevent any occupational therapy licensure agreement or other cooperative arrangement between a member state and a nonmember state that does not conflict with the provisions of this Compact.*

*5. This Compact may be amended by the member states. An amendment to this Compact shall not become effective and binding upon any member state until it is enacted into the laws of all member states.*

### **ARTICLE XIII. CONSTRUCTION AND SEVERABILITY**

*This Compact must be liberally construed so as to effectuate the purposes of the Compact. The provisions of this Compact are severable and if any phrase, clause, sentence or provision of this Compact is declared to be contrary to the constitution of any party state or of the United States or the applicability thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this Compact and the applicability of the remainder of this Compact to any government, agency, person or circumstance shall not be affected thereby. If this Compact is held*

*contrary to the constitution of any party state, the Compact shall remain in full force and effect as to the remaining party states and in full force and effect as to the party state affected as to all severable matters.*

#### **ARTICLE XIV     BINDING EFFECT OF COMPACT AND OTHER LAWS**

- 1. A licensee providing occupational therapy in a remote state under the compact privilege shall function within the laws and regulations of the remote state.*
- 2. Nothing herein prevents the enforcement of any other law of a member state that is not inconsistent with the compact.*
- 3. Any laws in a member state in conflict with the compact are superseded to the extent of the conflict.*
- 4. Any lawful actions of the commission, including all rules and bylaws promulgated by the Commission, are binding upon the member states.*
- 5. All agreements between the Commission and the member states are binding in accordance with their terms.*
- 6. In the event any provision of the Compact exceeds the constitutional limits imposed on the legislature of any member state, the provision shall be ineffective to the extent of the conflict with the constitutional provision in question in that member state.*

**Sec. 3.**           *Except as otherwise required by the Occupational Therapy Licensure Compact enacted by section 2 of this act, a person practicing as an occupational therapist or occupational therapy assistant under compact privilege pursuant to the Occupational Therapy Licensure Compact enacted by section 2 of this act shall be deemed to be licensed to practice as an occupational therapist or occupational therapy assistant, as applicable, in this State.*

**Sec. 4.**           *The Board shall recognize a license to practice under compact privilege of each applicant who proves to the satisfaction of the Board his or her eligibility to practice under compact privilege. An applicant for licensure by compact privilege must satisfactorily complete the Nevada jurisprudence examination.*

**BOARD OF OCCUPATIONAL THERAPY**  
**ALTERNATIVE LEGISLATION IN LIEU OF COMPACT**

**NRS 640A.XXX**      *License by Reciprocity*

1. *The Board may issue a license by reciprocity to an applicant for licensure as an occupational therapist or occupational therapy assistant who meets the qualifications pursuant to NRS 640A.120 paragraph 1 who:*
  - (a) *holds a current unrestricted license as an occupational therapist or occupational therapy assistant in any Member State of the Occupational Therapy Compact; and*
  - (b) *completes the examination on Nevada law and regulations pursuant to NRS 640A.150.*

**OTHER PROPOSED LEGISLATIVE REVISIONS TO NRS 640A**

**NRS 640A.100**    *Salary of voting members;* Per diem allowance and travel expenses of members; authority regarding employees; payment of expenses and salaries.

1. ~~The Each~~ members of the Board ~~serve without compensation~~ *is entitled to receive:*
  - (a)    *A salary of not more than \$150 per day, as fixed by the Board, while engaged in the business of the Board; and*
  - (b)    ~~, except that while engaged in the business of the Board, each member is entitled to~~  
~~the A~~ per diem allowance and travel expenses *at a rate fixed by the Board, while engaged in the business of the Board. The rate must not exceed the rate* provided for state officers and employees generally.
2. The Board may employ an Executive Director and any other employees it deems necessary, establish their duties and fix their salaries.
3. *While engaged in the business of the Board, each employee of the Board is entitled to receive a per diem allowance and travel expenses at a rate fixed by the Board. The rate must not exceed the rate provided for state officers and employees generally.*
  1. The expenses of the Board and members of the Board, and the salaries of its employees, must be paid from the fees received by the Board pursuant to this chapter, and no part of those expenses and salaries may be paid out of the State General Fund.

**NRS 640A.120 Qualifications for license.** ~~Except as otherwise provided in NRS 640A.165 and 640A.166,~~ to be eligible for licensing by the Board as an occupational therapist or occupational therapy assistant, an applicant must:

- 1. Hold current certification as an Occupational Therapist or Occupational Therapy Assistant with the National Board for Certification in Occupational Therapy, or successor organization; or*
- 2. Have graduated from an educational program accredited by the Accreditation Council for Occupational Therapy Education; or an equivalent foreign educational program accepted by the National Board for Certification in Occupational Therapy as equivalent as a requirement for certification; and*
- 3. Been determined eligible to take the national examination required for certification by the National Board for Certification in Occupational Therapy.*

~~—1. Be a natural person of good moral character.~~

~~—2. Except as otherwise provided in NRS 640A.130, have satisfied the academic requirements of an educational program approved by the Board. The Board shall not approve an educational program designed to qualify a person to practice as an occupational therapist or an occupational therapy assistant unless the program is accredited by the Accreditation Council for Occupational Therapy Education of the American Occupational Therapy Association, Inc., or its successor organization.~~

~~—3. Except as otherwise provided in NRS 640A.130, have successfully completed:~~

~~—(a) If the application is for licensing as an occupational therapist, 24 weeks; or~~

~~—(b) If the application is for licensing as an occupational therapy assistant, 16 weeks;~~

~~Ê of supervised fieldwork experience approved by the Board. The Board shall not approve any supervised experience unless the experience was sponsored by the American Occupational Therapy Association, Inc., or its successor organization, or the educational institution at which the applicant satisfied the requirements of subsection 2.~~

~~—4. Except as otherwise provided in NRS 640A.160 and 640A.170, pass an examination approved by the Board.~~

~~—(Added to NRS by 1991, 988; A 2013, 277; 2015, 3024, 3902)~~

~~—NRS 640A.130—Waiver for completion of equivalent foreign education and experience.~~  
The Board may waive the requirements of subsections 2 and 3 of NRS 640A.120 for an applicant who:

- ~~—1. Receives an education in occupational therapy from a foreign school; and~~
- ~~—2. Proves to the satisfaction of the Board that his or her education and experience are substantially equivalent to the education and experience required by those subsections.~~
- ~~—(Added to NRS by 1991, 989)~~

#### **NRS 640A.140 Application for license.**

1. ~~Except as otherwise provided in NRS 640A.165 and 640A.166,~~ A person who desires to be licensed by the Board as an occupational therapist or occupational therapy assistant must:

(a) Submit an application to the Board ~~on a form furnished~~ *in the manner determined* by the Board; and

(b) Provide evidence satisfactory to the Board that he or she possesses the qualifications required pursuant to ~~subsections 1, 2 and 3 of~~ NRS 640A.120.

2. The application must include all information required to complete the application.

(Added to NRS by 1991, 989; A 1997, 2152; 2005, 2753, 2807; 2015, 3025, 3903)

#### **NRS 640A.150 Examination for license.**

1. The Board shall:

(a) Approve an examination *on the law and regulations for practice of occupational therapy in this state*; ~~for licensing as an occupational therapist and an examination for licensing as an occupational therapy assistant; and~~

(b) Establish *by regulation* the requirements to pass ~~each~~ *the* examination; *and*

(c) *Establish by regulation the frequency for completion of the examination.*

~~—2. Each examination must be in writing and be designed to test an applicant's knowledge of:~~

~~—(a) The basic and clinical sciences relating to occupational therapy;~~

~~—(b) The techniques and methods of occupational therapy; and~~

~~—(c) Any other subjects the Board requires to determine the fitness of an applicant to practice occupational therapy.~~

~~—3. A person who has satisfied the requirements of NRS 640A.140 may take the appropriate examination for licensing.~~



~~—NRS 640A.160 Issuance of license without examination.—~~ The Board may issue, without examination, a license as an occupational therapist or occupational therapy assistant to a person who has the qualifications required pursuant to subsections 1, 2 and 3 of NRS 640A.120 and who is certified by the National Board for Certification in Occupational Therapy or its successor organization.

~~—(Added to NRS by 1991, 989; A 2013, 278)~~

#### **NRS 640A.170 Temporary license.**

1. The Board may issue, ~~without examination,~~ a temporary license to a person who has the qualifications required pursuant to subsections 1, ~~2 and 3~~ of NRS 640A.120 and who:

~~—(a) Is certified by the National Board for Certification in Occupational Therapy or its successor organization and~~ is licensed as an occupational therapist or occupational therapy assistant in good standing in another state;~~;~~ ~~or~~

2. A temporary license issued pursuant to subsection 1 is valid for 6 months or until the person to whom it is issued otherwise obtains a license pursuant to this chapter, whichever occurs first.

3. The Board may renew a temporary license not more than once and may revoke a temporary license for any of the grounds set forth in NRS 640A.200.

#### ***NRS 640A.xxx Provisional License***

*1. The Board may issue a provisional license to a person who has the qualifications required pursuant to subsections 2 and 3 of NRS 640A.120 who has not achieved the passing score on the national examination for certification in occupational therapy approved pursuant to NRS 640A.150. A temporary provisional* license issued pursuant to this paragraph authorizes the person to whom it is issued to practice occupational therapy only under the general supervision of an occupational therapist licensed pursuant to this chapter.

2. A *temporary provisional* license ~~issued pursuant to subsection 1~~ is valid for 6 months or until the person to whom it is issued otherwise obtains a license pursuant to this chapter, whichever occurs first.

3. The Board may renew a *temporary provisional* license not more than once and may revoke a *temporary provisional* license for any of the grounds set forth in NRS 640A.200.

### OCCUPATIONAL THERAPY COMPACT PLANNING SCHEDULE

Legislation		Regulation	Implementation
2023	<b>OT Compact Legislation</b>	Legislative Interim - July 22 through June 2023	August 22 – Planning Session
	1. Fingerprint Requirements		Sept – December – Stakeholder Outreach
	2. Temporary License Pending		January 2023 – BDR Presentation
	3. Miscellaneous Other NRS Updates		February – June 2023 Session
FAIL			
2025	Legislative Session	Resubmit OT Compact Legislation	2023 / 2024 Planning as above
PASS			
2024	BOARD OF OCCUPATIONAL THERAPY	1. Fingerprinting Exemptions/Grandfathering 2. Temporary License Revisions 3. Other Miscellaneous Updates	1. FBI Approval to Fingerprint 2. Data System Updates 3. Effective Date Upon FBI and Regulation Approvals
COMPACT COMMISSION		ESTABLISH COMPACT RULES	1 – 3 YEARS
2025	Earliest Implementation Date – Nevada OT Board issues Compact Privilege Licenses		

### ALTERNATIVE OPTION PLANNING SCHEDULE

Legislation		Regulation	Implementation
2023	<b>Preparatory Legislation / Options</b>	Legislative Interim - July 22 through June 2023	August 22 – Planning Session
	License by Reciprocity – Compact States	Miscellaneous Updates Workshops	Sept – December – Stakeholder Outreach
	Miscellaneous Other NRS Updates		January 2023 – BDR Presentation
			February – June 2023 Session
FAIL			
Planning Session on Next Steps			
PASS			
2024	BOARD OF OCCUPATIONAL THERAPY	Implementing Regulations Other Miscellaneous Updates	Data System Updates Effective Date Upon Regulation Approval
		Planning Session on Next Steps for OT Compact Participation	

**State of Nevada**  
**Board of Occupational Therapy**

6170 Mae Anne Ave., Suite 1, Reno, Nevada 89523  
Phone (775) 746-4101 / Fax (775) 746-4105 / Website [www.nvot.org](http://www.nvot.org)

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<b>AGENDA ITEM 8: Executive Director's Report</b>
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Attachments

Written Report  
3<sup>rd</sup> Quarter Financial Reports

**State of Nevada**  
**Board of Occupational Therapy**

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**EXECUTIVE DIRECTOR'S REPORT**  
**May 14, 2022**

**Licensure Statistics** - The following chart provides current and prior year licensing details and activity as of March 31, 2022. The number of practitioners increased by 128 licensees over the previous year, with an increase of 136 licensees for those holding active standard licenses.

As of 3<sup>rd</sup> Quarter, the Board has processed 192 new licenses; there have been 83 licenses expire during the same period. The license renewal period has opened for those expiring June 30<sup>th</sup>.

**Comparison to Prior Year**

Description	2022	2021	% +	OTR's	2021	COTA's	2021
Total Current Licensees	1696	1568	8.1%	1286	1187	410	381
Standard Licensees (active)	1683	1547	8.8%	1279	1177	382	370
Provisional Licensees	5	3		1	2	4	1
Temporary Licensees	8	7		6	6	2	1
Inactive Licensees	38	36		27	27	11	9

**Fiscal Year 22 by Quarter**

Fiscal Year 2022	Total Licensees	OT	OTA
July 1, 2021	1587	1204	383
September 30, 2021	1642	1246	396
December 31, 2021	1668	1266	402
March 31, 2022	1696	1286	410

***FY 22 Financial Statements – 3rd Quarter ending March 31, 2022***

Financial status at 3<sup>rd</sup> Quarter reflects a net loss of (\$36,888) approximately 80% of budget. Overall, total net income remained comparable to 2<sup>nd</sup> quarter which was (\$36,145.54) a difference of \$742.13.

Profit and Loss Comparison to Previous Year: For comparison purposes, the P & L Statement for comparison to FY 21 3<sup>rd</sup> Quarter is provided for information. Legal services and Salaries and Wages are the primary line items which increased from the previous fiscal year.

**Budget vs Actual Analysis**

Revenue: Revenue and Other Income combined is \$ 184,046.58; an increase of \$67,255.13 from 2<sup>nd</sup> Quarter ending December 31, 2021. Revenue includes \$7,147 in accounts receivable assessed for legal fees incurred in disciplinary actions.

Revenue from licensing fees is coming in lower than budget due to slower licensing activity during the 1<sup>st</sup> and 2<sup>nd</sup> quarter of FY 22 combined with the affects of deferred renewal and waived temporary fees during the COVID emergency which reduced the allocated deferred revenue

through FY 22. It is projected licensing revenue will be approximately \$20,000-\$25,000 under the FY 22 budget projections.

Expense: Operating Expenses were \$220,934.25 as of 3<sup>rd</sup> Quarter, 72.6% of Budget. Records storage fees reflect the termination of contract and destruction of old records. The Board no longer retains hard copy records past the record retention period.

Net Ordinary Income/Loss: Net licensing revenue less expense from operations for the 3<sup>rd</sup> quarter is (\$ 46,724.31). Net Total Income is (\$ 36,887.67) when including Other Income and Expense.

### **Balance Sheet and Investments**

Balance Sheet: Total Cash at March 31, 2022 is \$ 591,274.61; deferred revenue is \$124,724.86, reflecting cash receipts for licenses and renewals not yet earned which will be recognized as revenue as it is earned.

Cash in the operating checking account is \$ 117,129.25; Investments total \$ 471,844.23 in certificates of deposit and \$2,301.13 in MM Cash available for investment or operating expenses.

Investment Account: Wells Fargo Investment Funds are in short-term CD's maturing at intervals less than one year. One long-term 5-year CD will mature in FY 23.

Two short-term CD's matured in April, 2022 and have been re-invested for 3 and 6 month terms. Interest rates are rising and funds will continue to accrue interest at the highest rate available.

***Administrative Collaborative*** – The Administrative Collaborative met on April 26, 2022; the discussion topic was administrative sanctions vs disciplinary actions.

***Office Operations*** – The Board office remains open to the public, staff continue to work hybrid schedules ensuring on-site coverage during office hours.

***Complaints Status*** - There are two (2) complaint cases pending which include the 2 cases before the Board on this agenda. There have been no new complaints received.

***Department of Education*** – The Office of Educator Development, Licensure and Family Engagement requested information on the requirements for licensure as an occupational therapy assistant along with comments on proposed revisions to the endorsement for occupational therapists. The Board endorsed the AOTA and NOTA request to include endorsement language for occupational therapy assistants in letter dated April 11, 2022, and provided suggested language.

# State of Nevada Board of Occupational Therapy

## Profit and Loss Comparison

July 2021 - March 2022

	TOTAL	
	JUL 2021 - MAR 2022	JUL 2020 - MAR 2021 (PY)
Income		
Fees	23,650.00	24,025.00
Fines and Legal Fees	7,848.05	385.82
License Fees	137,736.89	140,890.34
List Fee	4,975.00	3,825.00
<b>Total Income</b>	<b>\$174,209.94</b>	<b>\$169,126.16</b>
GROSS PROFIT	<b>\$174,209.94</b>	<b>\$169,126.16</b>
Expenses		
Attorney General / Legal Fees	12,404.15	3,102.62
Audit fees		8,000.00
Bank Service/Merchant Charges	2,187.80	4,282.23
Board Education	725.00	475.00
Dues		571.00
Equipment Purchase	882.37	2,928.98
Equipment Rental	1,548.16	1,409.16
Insurance	1,383.92	839.50
Licensing - Data System	5,750.03	5,901.25
Meeting Expenses	75.00	
Office Expense		
Dues & subscriptions	1,768.64	
Internet Service	1,293.80	944.73
Postage and Delivery	411.50	387.44
Printing and Reproduction		65.40
Records Storage	1,381.00	411.00
Telephone	455.19	736.70
<b>Total Office Expense</b>	<b>5,310.13</b>	<b>2,545.27</b>
Office Lease	23,484.00	22,867.34
Office Supplies	598.33	1,808.70
Payroll Expenses	0.00	0.00
Deferred Compensation	11,356.67	9,733.58
Employer Taxes	10,430.83	9,310.53
Medical Benefit	3,290.40	3,524.84
PTO Expense	1,181.09	3,474.80
Salaries and Wages	121,671.37	108,449.62
<b>Total Payroll Expenses</b>	<b>147,930.36</b>	<b>134,493.37</b>
Professional Fees		
Accounting	2,250.00	2,250.00
IT / Technical Support	405.00	
Legislative Services	16,000.00	18,000.00
<b>Total Professional Fees</b>	<b>18,655.00</b>	<b>20,250.00</b>

# State of Nevada Board of Occupational Therapy

## Profit and Loss Comparison

July 2021 - March 2022

	TOTAL	
	JUL 2021 - MAR 2022	JUL 2020 - MAR 2021 (PY)
Travel		
Out of State Travel	0.00	
<b>Total Travel</b>	<b>0.00</b>	
<b>Total Expenses</b>	<b>\$220,934.25</b>	<b>\$209,474.42</b>
NET OPERATING INCOME	<b>\$ -46,724.31</b>	<b>\$ -40,348.26</b>
Other Income		
Interest Income	2,312.27	4,897.40
Sublease Income	7,524.37	5,667.15
<b>Total Other Income</b>	<b>\$9,836.64</b>	<b>\$10,564.55</b>
Other Expenses		
Unrealized Investment Loss		-1,823.56
<b>Total Other Expenses</b>	<b>\$0.00</b>	<b>\$ -1,823.56</b>
NET OTHER INCOME	<b>\$9,836.64</b>	<b>\$12,388.11</b>
NET INCOME	<b>\$ -36,887.67</b>	<b>\$ -27,960.15</b>

# State of Nevada Board of Occupational Therapy

Budget vs. Actuals: FY\_2021\_2022 - FY22 P&L

July 2021 - March 2022

	TOTAL			
	ACTUAL	BUDGET	OVER BUDGET	% OF BUDGET
Income				
Fees	23,650.00	30,000.00	-6,350.00	78.83 %
Fines and Legal Fees	7,848.05		7,848.05	
License Fees	137,736.89	210,743.00	-73,006.11	65.36 %
List Fee	4,975.00	4,750.00	225.00	104.74 %
<b>Total Income</b>	<b>\$174,209.94</b>	<b>\$245,493.00</b>	<b>\$ -71,283.06</b>	<b>70.96 %</b>
GROSS PROFIT	<b>\$174,209.94</b>	<b>\$245,493.00</b>	<b>\$ -71,283.06</b>	<b>70.96 %</b>
Expenses				
Attorney General / Legal Fees	12,404.15	11,000.00	1,404.15	112.77 %
Bank Service/Merchant Charges	2,187.80	5,500.00	-3,312.20	39.78 %
Board Education	725.00	2,500.00	-1,775.00	29.00 %
Equipment Purchase	882.37	3,000.00	-2,117.63	29.41 %
Equipment Rental	1,548.16	2,100.00	-551.84	73.72 %
Insurance	1,383.92	1,100.00	283.92	125.81 %
Licensing - Data System	5,750.03	8,850.00	-3,099.97	64.97 %
Meeting Expenses	75.00	500.00	-425.00	15.00 %
Office Expense				
Dues & subscriptions	1,768.64	2,300.00	-531.36	76.90 %
Internet Service	1,293.80	1,920.00	-626.20	67.39 %
Postage and Delivery	411.50	750.00	-338.50	54.87 %
Printing and Reproduction		200.00	-200.00	
Records Storage	1,381.00	600.00	781.00	230.17 %
Telephone	455.19	1,000.00	-544.81	45.52 %
<b>Total Office Expense</b>	<b>5,310.13</b>	<b>6,770.00</b>	<b>-1,459.87</b>	<b>78.44 %</b>
Office Lease	23,484.00	32,125.00	-8,641.00	73.10 %
Office Supplies	598.33	600.00	-1.67	99.72 %
Payroll Expenses	0.00		0.00	
Deferred Compensation	11,356.67	15,005.00	-3,648.33	75.69 %
Employer Taxes	10,430.83	13,947.00	-3,516.17	74.79 %
Medical Benefit	3,290.40	4,387.00	-1,096.60	75.00 %
PTO Expense	1,181.09		1,181.09	
Salaries and Wages	121,671.37	162,922.00	-41,250.63	74.68 %
<b>Total Payroll Expenses</b>	<b>147,930.36</b>	<b>196,261.00</b>	<b>-48,330.64</b>	<b>75.37 %</b>
Professional Fees				
Accounting	2,250.00	3,000.00	-750.00	75.00 %
IT / Technical Support	405.00	2,500.00	-2,095.00	16.20 %
Legislative Services	16,000.00	24,000.00	-8,000.00	66.67 %
<b>Total Professional Fees</b>	<b>18,655.00</b>	<b>29,500.00</b>	<b>-10,845.00</b>	<b>63.24 %</b>
Travel				
Out of State Travel	0.00	3,000.00	-3,000.00	0.00 %
Travel - in state		1,500.00	-1,500.00	
<b>Total Travel</b>	<b>0.00</b>	<b>4,500.00</b>	<b>-4,500.00</b>	<b>0.00 %</b>



# State of Nevada Board of Occupational Therapy

Budget vs. Actuals: FY\_2021\_2022 - FY22 P&L

July 2021 - March 2022

	TOTAL			
	ACTUAL	BUDGET	OVER BUDGET	% OF BUDGET
<b>Total Expenses</b>	<b>\$220,934.25</b>	<b>\$304,306.00</b>	<b>\$ -83,371.75</b>	<b>72.60 %</b>
NET OPERATING INCOME	<b>\$ -46,724.31</b>	<b>\$ -58,813.00</b>	<b>\$12,088.69</b>	<b>79.45 %</b>
Other Income				
Interest Income	2,312.27	3,000.00	-687.73	77.08 %
Sublease Income	7,524.37	10,033.00	-2,508.63	75.00 %
<b>Total Other Income</b>	<b>\$9,836.64</b>	<b>\$13,033.00</b>	<b>\$ -3,196.36</b>	<b>75.47 %</b>
NET OTHER INCOME	<b>\$9,836.64</b>	<b>\$13,033.00</b>	<b>\$ -3,196.36</b>	<b>75.47 %</b>
NET INCOME	<b>\$ -36,887.67</b>	<b>\$ -45,780.00</b>	<b>\$8,892.33</b>	<b>80.58 %</b>

# State of Nevada Board of Occupational Therapy

## Balance Sheet As of March 31, 2022

	TOTAL
<b>ASSETS</b>	
Current Assets	
Bank Accounts	
Wells Fargo Bank - Checking	117,129.25
Wells Fargo Bank - Investments	471,844.23
Wells Fargo Bank - Money Market	2,301.13
<b>Total Bank Accounts</b>	<b>\$591,274.61</b>
Accounts Receivable	
Accounts Receivable	12,514.35
<b>Total Accounts Receivable</b>	<b>\$12,514.35</b>
Other Current Assets	
Prepaid Expenses	9,767.31
Undeposited Funds	0.00
<b>Total Other Current Assets</b>	<b>\$9,767.31</b>
<b>Total Current Assets</b>	<b>\$613,556.27</b>
Fixed Assets	
Net Fixed Assets	0.00
<b>Total Fixed Assets</b>	<b>\$0.00</b>
<b>TOTAL ASSETS</b>	<b>\$613,556.27</b>
<b>LIABILITIES AND EQUITY</b>	
Liabilities	
Current Liabilities	
Accounts Payable	
Accounts Payable	1,092.14
<b>Total Accounts Payable</b>	<b>\$1,092.14</b>
Credit Cards	
WF Mastercard	813.14
<b>Total Credit Cards</b>	<b>\$813.14</b>
Other Current Liabilities	
Accrued PTO	29,134.81
Deferred Compensation Payable	46.87
Deferred Revenue	124,724.86
Direct Deposit Liabilities	0.00
Due to State Treasurer	410.23
Other Current Liabilities	2,508.15
Payroll Liability	504.00
Payroll Tax Liability	44.11
<b>Total Other Current Liabilities</b>	<b>\$157,373.03</b>
<b>Total Current Liabilities</b>	<b>\$159,278.31</b>

# State of Nevada Board of Occupational Therapy

## Balance Sheet As of March 31, 2022

	TOTAL
<b>Total Liabilities</b>	<b>\$159,278.31</b>
Equity	
Retained Earnings	491,165.63
Net Income	-36,887.67
<b>Total Equity</b>	<b>\$454,277.96</b>
<b>TOTAL LIABILITIES AND EQUITY</b>	<b>\$613,556.27</b>

State of Nevada Board of Occupational Therapy

Transaction Report  
January - March, 2022

DATE	TRANSACTION TYPE	NUM	NAME	MEMO/DESCRIPTION	ACCOUNT	SPLIT	AMOUNT	BALANCE
Wells Fargo Bank - Checking								115,180.71
Beginning Balance								
01/02/2022	Expense		QuickBooks Online		Wells Fargo Bank - Checking	Office Expense:Dues & subscriptions	-80.00	115,100.71
01/02/2022	Expense	5435	Numbers Inc.		Wells Fargo Bank - Checking	Prepaid Expenses	-750.00	114,350.71
01/02/2022	Expense	5436	Scott Cooley		Wells Fargo Bank - Checking	Prepaid Expenses	-7,956.75	106,393.96
01/02/2022	Deposit		Bernards	Verify - Bernards	Wells Fargo Bank - Checking	List Fee	25.00	106,418.96
01/03/2022	Expense		Voya		Wells Fargo Bank - Checking	Deferred Compensation Payable	-2,246.55	104,172.41
01/03/2022	Deposit		Pinkham	Verify - Pinkham	Wells Fargo Bank - Checking	List Fee	25.00	104,197.41
01/04/2022	Deposit		Fuller	New - Fuller	Wells Fargo Bank - Checking	License Fees	400.00	104,597.41
01/04/2022	Deposit		Keplinger	Verify - Keplinger	Wells Fargo Bank - Checking	List Fee	25.00	104,622.41
01/05/2022	Expense		QuickBooks Payroll Service	BUSINESS TO BUSINESS ACH INTUIT PAYROLL S QUICKBOOKS 220105	Wells Fargo Bank - Checking	Payroll Liability	-595.34	104,027.07
01/06/2022	Deposit		Pyne	Convert OTA - Pyne	Wells Fargo Bank - Checking	License Fees	75.00	104,102.07
01/06/2022	Payment	1020	ABA Board		Wells Fargo Bank - Checking	Accounts Receivable	17.02	104,119.09
01/06/2022	Payment	1321	REHS		Wells Fargo Bank - Checking	Accounts Receivable	5.60	104,124.69
01/06/2022	Expense	5437	JK Belz & Associates		Wells Fargo Bank - Checking	Professional Fees:Legislative Services	-2,000.00	102,124.69
01/06/2022	Expense		Voya		Wells Fargo Bank - Checking	Deferred Compensation Payable	-611.16	101,513.53
01/07/2022	Deposit		Grant	New - Grant	Wells Fargo Bank - Checking	License Fees	400.00	101,913.53
01/07/2022	Deposit		Liner	New Temp - Liner	Wells Fargo Bank - Checking	License Fees	300.00	102,213.53
01/07/2022	Deposit		Elliott	New - Elliott	Wells Fargo Bank - Checking	License Fees	400.00	102,613.53
01/08/2022	Deposit		Van Meter	Renewal - Van Meter	Wells Fargo Bank - Checking	License Fees	250.00	102,863.53
01/09/2022	Deposit		Quinn Christensen	Renewal - Quinn Christensen	Wells Fargo Bank - Checking	License Fees	250.00	103,113.53
01/09/2022	Deposit		Chevez	Renewal - Chevez	Wells Fargo Bank - Checking	License Fees	250.00	103,363.53
01/09/2022	Deposit		Alisa Zuniga	New - Alisa Zuniga	Wells Fargo Bank - Checking	License Fees	325.00	103,688.53
01/10/2022	Bill Payment (Check)	5438	One Net		Wells Fargo Bank - Checking	Accounts Payable	-2.72	103,685.81
01/10/2022	Deposit		White	Renewal - White	Wells Fargo Bank - Checking	License Fees	250.00	103,935.81
01/10/2022	Deposit		Samuels	New Prov - Samuels	Wells Fargo Bank - Checking	License Fees	300.00	104,235.81
01/10/2022	Deposit		Mijares	Renewal - Mijares	Wells Fargo Bank - Checking	License Fees	250.00	104,485.81
01/11/2022	Deposit		Duchess Menchavez Noble	Legal - Duchess Noble	Wells Fargo Bank - Checking	Accounts Receivable	100.00	104,585.81
01/11/2022	Deposit		Vaughn	Renewal - Vaughn	Wells Fargo Bank - Checking	License Fees	250.00	104,835.81
01/11/2022	Deposit		Genovese	Verify - Genovese	Wells Fargo Bank - Checking	List Fee	25.00	104,860.81
01/12/2022	Deposit		Joshi	Verify - Joshi	Wells Fargo Bank - Checking	List Fee	25.00	104,885.81
01/12/2022	Expense			BANKCARD FEE - 0227295150	Wells Fargo Bank - Checking	Bank Service/Merchant Charges	-52.42	104,833.39
01/12/2022	Expense			BANKCARD INTERCHANGE FEE - 0227295150	Wells Fargo Bank - Checking	Bank Service/Merchant Charges	-73.33	104,760.06
01/12/2022	Expense			BANKCARD DISCOUNT FEE - 0227295150	Wells Fargo Bank - Checking	Bank Service/Merchant Charges	-0.04	104,760.02
01/13/2022	Deposit		Feeney	New - Feeney	Wells Fargo Bank - Checking	License Fees	400.00	105,160.02
01/13/2022	Deposit		Gushiken	Renewal - Gushiken	Wells Fargo Bank - Checking	License Fees	250.00	105,410.02
01/14/2022	Deposit		CompHealth		Wells Fargo Bank - Checking	List Fee	25.00	105,435.02
01/14/2022	Deposit		Brennan Newberry	New - Brennan Newberry	Wells Fargo Bank - Checking	License Fees	400.00	105,835.02
01/16/2022	Deposit		Henao	Renewal - Henao	Wells Fargo Bank - Checking	License Fees	250.00	106,085.02
01/17/2022	Deposit		Gibson	Verify - Gibson	Wells Fargo Bank - Checking	List Fee	25.00	106,110.02
01/17/2022	Deposit		Solano	Renewal - Solano	Wells Fargo Bank - Checking	License Fees	250.00	106,360.02
01/18/2022	Deposit		Spence	New - Spence	Wells Fargo Bank - Checking	License Fees	400.00	106,760.02
01/18/2022	Deposit		Campbell	New - Campbell	Wells Fargo Bank - Checking	License Fees	325.00	107,085.02
01/19/2022	Deposit		Bradford	Verify - Bradford	Wells Fargo Bank - Checking	List Fee	25.00	107,110.02
01/19/2022	Expense		QuickBooks Payroll Service	BUSINESS TO BUSINESS ACH INTUIT PAYROLL S QUICKBOOKS 220119	Wells Fargo Bank - Checking	Payroll Liability	-638.99	106,471.03
01/20/2022	Payment		Speech Board		Wells Fargo Bank - Checking	Accounts Receivable	30.06	106,501.09
01/20/2022	Deposit		Trees	New - Trees	Wells Fargo Bank - Checking	License Fees	400.00	106,901.09
01/20/2022	Expense	5441	Information Technology		Wells Fargo Bank - Checking	Office Expense:Telephone	-9.89	106,891.20
01/20/2022	Expense		Voya		Wells Fargo Bank - Checking	Deferred Compensation Payable	-611.16	106,280.04
01/20/2022	Expense		US Treasury		Wells Fargo Bank - Checking	Payroll Tax Liability	-4,308.82	101,971.22
01/21/2022	Deposit		Harris	Verify - Harris	Wells Fargo Bank - Checking	List Fee	25.00	101,996.22
01/22/2022	Deposit		Anderson	New - Anderson	Wells Fargo Bank - Checking	License Fees	400.00	102,396.22

State of Nevada Board of Occupational Therapy

Transaction Report  
January - March, 2022

DATE	TRANSACTION TYPE	NUM	NAME	MEMO/DESCRIPTION	ACCOUNT	SPLIT	AMOUNT	BALANCE
01/22/2022	Deposit		Antonopoulos	Renewal - Antonopoulos	Wells Fargo Bank - Checking	License Fees	250.00	102,646.22
01/22/2022	Bill Payment (Check)	5439	Attorney General	Legal fees	Wells Fargo Bank - Checking	Accounts Payable	-6,145.10	96,501.12
01/22/2022	Credit Card Payment				Wells Fargo Bank - Checking	WF Mastercard	-591.33	95,909.79
01/24/2022	Expense		A T & T		Wells Fargo Bank - Checking	Office Expense:Telephone	-42.58	95,867.21
01/25/2022	Expense		Charter		Wells Fargo Bank - Checking	Office Expense:Internet Service	-139.98	95,727.23
01/25/2022	Deposit		Antonopoulos	Renewal - Antonopoulos	Wells Fargo Bank - Checking	License Fees	-250.00	95,477.23
01/25/2022	Deposit		Laurito de Barro	Renewal - Laurito de Barro	Wells Fargo Bank - Checking	License Fees	250.00	95,727.23
01/26/2022	Deposit		Marks	New - Marks	Wells Fargo Bank - Checking	License Fees	400.00	96,127.23
01/27/2022	Deposit		Mata	New - MATA	Wells Fargo Bank - Checking	License Fees	325.00	96,452.23
01/27/2022	Deposit		Kowalske	New - Kowalske	Wells Fargo Bank - Checking	License Fees	400.00	96,852.23
01/29/2022	Deposit		Chiangi	Renewal - Chiangi	Wells Fargo Bank - Checking	License Fees	250.00	97,102.23
01/29/2022	Expense	5443	Information Technology		Wells Fargo Bank - Checking	Office Expense:Telephone	-2.96	97,099.27
01/29/2022	Expense	5442	GreenBrae Trophy		Wells Fargo Bank - Checking	Meeting Expenses	-75.00	97,024.27
01/30/2022	Deposit		Grant	Renewal - Grant	Wells Fargo Bank - Checking	License Fees	250.00	97,274.27
01/30/2022	Deposit		Antonopoulos	Prov Renewal - Antonopoulos	Wells Fargo Bank - Checking	License Fees	100.00	97,374.27
01/31/2022	Journal Entry	1072		Reverse duplicate expense 9-3-21	Wells Fargo Bank - Checking	-Split-	611.16	97,985.43
01/31/2022	Deposit		Douglas	Renewal - Douglas	Wells Fargo Bank - Checking	License Fees	250.00	98,235.43
01/31/2022	Expense		QuickBooks Payroll Service	BUSINESS TO BUSINESS ACH INTUIT PAYROLL S QUICKBOOKS 220131	XXXXX5765 STATE OF NEVADA BOARD	Payroll Liability	-7,149.96	91,085.47
01/31/2022	Deposit			INTEREST PAYMENT	Wells Fargo Bank - Checking	Interest Income	0.90	91,086.37
01/31/2022	Deposit		Hugo	Verify - Hugo	Wells Fargo Bank - Checking	List Fee	25.00	91,111.37
02/01/2022	Expense		Voya		Wells Fargo Bank - Checking	Deferred Compensation Payable	-2,246.55	88,864.82
02/02/2022	Deposit		Nechama Golding	New - nechama Golding	Wells Fargo Bank - Checking	License Fees	400.00	89,264.82
02/02/2022	Expense		QuickBooks Online		Wells Fargo Bank - Checking	Office Expense:Dues & subscriptions	-80.00	89,184.82
02/02/2022	Expense		QuickBooks Payroll Service	BUSINESS TO BUSINESS ACH INTUIT PAYROLL S QUICKBOOKS 220202	XXXXX5765 STATE OF NEVADA BOARD	Payroll Liability	-609.89	88,574.93
02/03/2022	Expense		Voya		Wells Fargo Bank - Checking	Deferred Compensation Payable	-611.16	87,963.77
02/03/2022	Deposit		Shana Boyle	Convert - Shana Boyle	Wells Fargo Bank - Checking	License Fees	100.00	88,063.77
02/03/2022	Deposit		Julie Diaz	Renew - Julie Diaz	Wells Fargo Bank - Checking	License Fees	175.00	88,238.77
02/03/2022	Deposit		Allyson Hartman	Verify - Allyson Hartman	Wells Fargo Bank - Checking	List Fee	25.00	88,263.77
02/04/2022	Deposit		Lakisha Brown	New - Lakisha Brown	Wells Fargo Bank - Checking	License Fees	325.00	88,588.77
02/04/2022	Transfer			WF ADVISORS CREDIT 220204 0010504246791 ST OF NV BD OF OCC	Wells Fargo Bank - Checking	Wells Fargo Bank - Money Market	50,000.00	138,588.77
02/04/2022	Expense		Pitney Bowes		Wells Fargo Bank - Checking	Office Expense:Postage and Delivery	-520.99	138,067.78
02/05/2022	Deposit		Nhu Mac	Renew - Nhu Mac Nhu Mac	Wells Fargo Bank - Checking	License Fees	175.00	138,242.78
02/05/2022	Deposit		Angela Penaflorida	Renew - Angela Penaflorida	Wells Fargo Bank - Checking	License Fees	250.00	138,492.78
02/07/2022	Deposit		Jennifer Menefee	New - Jennifer Menefee Jennifer Menefee	Wells Fargo Bank - Checking	License Fees	400.00	138,892.78
02/07/2022	Deposit		Patricia LeBrun	Mailing List - Patricia Lebrun	Wells Fargo Bank - Checking	List Fee	50.00	138,942.78
02/07/2022	Deposit		Raquel Sweat	Mailing List - Raquel Sweat	Wells Fargo Bank - Checking	List Fee	50.00	138,992.78
02/07/2022	Deposit		REHS		Wells Fargo Bank - Checking	Office Expense:Records Storage	56.04	139,048.82
02/07/2022	Deposit		Alena Frazier	Renew - Alena Frazier	Wells Fargo Bank - Checking	License Fees	250.00	139,298.82
02/07/2022	Expense	5444	Vital Records Storage		Wells Fargo Bank - Checking	Office Expense:Records Storage	-151.04	139,147.78
02/08/2022	Deposit		Kyler Lund	Renew - Kyler Lund	Wells Fargo Bank - Checking	License Fees	250.00	139,397.78
02/08/2022	Expense	5445	ProGroup Insurance		Wells Fargo Bank - Checking	Prepaid Expenses	-600.00	138,797.78
02/09/2022	Deposit		Duchess Menchavez Noble	Legal / Fine - Duchess Menchavez Noble	Wells Fargo Bank - Checking	Accounts Receivable	100.00	138,897.78
02/09/2022	Deposit		Brent Cramer	Verify - Brent Cramer	Wells Fargo Bank - Checking	List Fee	25.00	138,922.78
02/10/2022	Expense			BANKCARD DISCOUNT FEE - 0227295150	Wells Fargo Bank - Checking	Bank Service/Merchant Charges	-0.08	138,922.70
02/10/2022	Expense			BANKCARD FEE - 0227295150	Wells Fargo Bank - Checking	Bank Service/Merchant Charges	-62.45	138,860.25
02/10/2022	Deposit		Victoria McGaughey	New - Victoria McGaughey	Wells Fargo Bank - Checking	License Fees	400.00	139,260.25
02/10/2022	Expense			BANKCARD INTERCHANGE FEE - 0227295150	Wells Fargo Bank - Checking	Bank Service/Merchant Charges	-126.90	139,133.35
02/11/2022	Deposit		Lenai Samuels	Conversion - Lenai Samuels	Wells Fargo Bank - Checking	License Fees	100.00	139,233.35
02/13/2022	Deposit		Melissa Genovese	Verify - Melissa Genovese	Wells Fargo Bank - Checking	List Fee	25.00	139,258.35
02/14/2022	Deposit		Veronica Nool	New - Veronica Nool	Wells Fargo Bank - Checking	License Fees	400.00	139,658.35
02/14/2022	Deposit		Elaine Cordeiro	New - Elaine Cordeiro	Wells Fargo Bank - Checking	License Fees	300.00	139,958.35
02/14/2022	Deposit		Alyssa Drevenak	Verify - Alyssa Drevenak Drevenak	Wells Fargo Bank -	List Fee	25.00	139,983.35

State of Nevada Board of Occupational Therapy

Transaction Report  
January - March, 2022

DATE	TRANSACTION TYPE	NUM	NAME	MEMO/DESCRIPTION	ACCOUNT	SPLIT	AMOUNT	BALANCE
02/14/2022	Expense	5447	One Net		Checking Wells Fargo Bank - Checking	Office Expense:Telephone	-1.00	139,982.35
02/15/2022	Expense	5448	Staples Advantage		Wells Fargo Bank - Checking	Office Supplies	-124.03	139,858.32
02/15/2022	Expense	5446	Information Technology		Wells Fargo Bank - Checking	Office Expense:Telephone	-6.20	139,852.12
02/15/2022	Deposit		Brittany Hall	Renew - BRITTANY HALL	Wells Fargo Bank - Checking	License Fees	175.00	140,027.12
02/16/2022	Expense	5449	Attorney General		Wells Fargo Bank - Checking	Attorney General / Legal Fees	-2,135.30	137,891.82
02/16/2022	Deposit		Jacob Wright	New - Jacob Wright	Wells Fargo Bank - Checking	License Fees	400.00	138,291.82
02/16/2022	Deposit		Shirley Altstadt	Renew - Shirley Altstadt	Wells Fargo Bank - Checking	License Fees	50.00	138,341.82
02/16/2022	Expense		QuickBooks Payroll Service	BUSINESS TO BUSINESS ACH INTUIT PAYROLL S QUICKBOOKS 220216 XXXXX5765 STATE OF NEVADA BOARD	Wells Fargo Bank - Checking	Payroll Liability	-535.42	137,806.40
02/17/2022	Expense		Voya		Wells Fargo Bank - Checking	Deferred Compensation Payable	-611.16	137,195.24
02/17/2022	Deposit		Marisa Kozlik	Renew - Marisa Kozlik	Wells Fargo Bank - Checking	License Fees	125.00	137,320.24
02/17/2022	Deposit		Andrea D Taylor	Verify - Andrea D Taylor Taylor	Wells Fargo Bank - Checking	List Fee	25.00	137,345.24
02/17/2022	Deposit		Anna Ketron	New - Anna Ketron	Wells Fargo Bank - Checking	License Fees	400.00	137,745.24
02/18/2022	Deposit		Mallory Varnum	Renew - Mallory Varnum Mallory Varnum	Wells Fargo Bank - Checking	License Fees	250.00	137,995.24
02/18/2022	Expense		Pitney Bowes		Wells Fargo Bank - Checking	Equipment Rental	-157.80	137,837.44
02/19/2022	Deposit		Carla Meadows	Verify - Carla Meadows	Wells Fargo Bank - Checking	List Fee	25.00	137,862.44
02/19/2022	Deposit		McKenzie Vanvactor	New - McKenzie Vanvactor	Wells Fargo Bank - Checking	License Fees	400.00	138,262.44
02/19/2022	Deposit		Heidi Simon	New - Heidi Simon	Wells Fargo Bank - Checking	License Fees	400.00	138,662.44
02/21/2022	Deposit		Ann Barden	Renew - Ann Barden	Wells Fargo Bank - Checking	License Fees	250.00	138,912.44
02/21/2022	Deposit		Alex Post	Verify - Alex Post	Wells Fargo Bank - Checking	List Fee	25.00	138,937.44
02/22/2022	Expense		A T & T		Wells Fargo Bank - Checking	Office Expense:Telephone	-43.52	138,893.92
02/22/2022	Deposit		Allyson Hartman	Verify - Allyson Hartman	Wells Fargo Bank - Checking	List Fee	25.00	138,918.92
02/23/2022	Deposit		Chelsea Downing-Larick	Verify - Chelsea Downing-Larick	Wells Fargo Bank - Checking	List Fee	25.00	138,943.92
02/23/2022	Deposit		Tiffany Poon	Verify - TIFFANY Poon	Wells Fargo Bank - Checking	List Fee	25.00	138,968.92
02/23/2022	Deposit		Chloe Peyton	Renew - Chloe Peyton	Wells Fargo Bank - Checking	License Fees	250.00	139,218.92
02/23/2022	Deposit		Kelley Luke	Mailing List - Kelley Luke	Wells Fargo Bank - Checking	List Fee	50.00	139,268.92
02/23/2022	Deposit		Luis Trevino	New - Luis Trevino	Wells Fargo Bank - Checking	License Fees	400.00	139,668.92
02/24/2022	Deposit		Stephen Solinas	New - Stephen Solinas Stephen Solinas	Wells Fargo Bank - Checking	License Fees	400.00	140,068.92
02/24/2022	Deposit		Nadia Hill	Renew - Nadia Hill	Wells Fargo Bank - Checking	License Fees	175.00	140,243.92
02/25/2022	Deposit		Shane Everett	Mailing List - Shane Everett	Wells Fargo Bank - Checking	List Fee	50.00	140,293.92
02/25/2022	Deposit		Samuel Gustafson	New - Samuel Gustafson	Wells Fargo Bank - Checking	License Fees	150.00	140,443.92
02/25/2022	Expense		Charter		Wells Fargo Bank - Checking	Office Expense:Internet Service	-139.98	140,303.94
02/25/2022	Deposit		Yidanys Chala	Renew - Yidanys Chala	Wells Fargo Bank - Checking	License Fees	250.00	140,553.94
02/26/2022	Deposit		Kari Lake	Verify - Kari R Lake	Wells Fargo Bank - Checking	List Fee	25.00	140,578.94
02/27/2022	Deposit		Brandon Marshall	New - Brandon Marshall	Wells Fargo Bank - Checking	License Fees	400.00	140,978.94
02/27/2022	Transfer				Wells Fargo Bank - Checking	WF Mastercard	-301.71	140,677.23
02/27/2022	Deposit		Tina Nguyen	Renew - Tina Nguyen	Wells Fargo Bank - Checking	License Fees	175.00	140,852.23
02/27/2022	Deposit		Andrea D Taylor	Renew - Andrea D Taylor	Wells Fargo Bank - Checking	License Fees	150.00	141,002.23
02/28/2022	Deposit		Kate Sanford	New - Kate Sanford Kate Sanford	Wells Fargo Bank - Checking	License Fees	325.00	141,327.23
02/28/2022	Expense		QuickBooks Payroll Service	BUSINESS TO BUSINESS ACH INTUIT PAYROLL S QUICKBOOKS 220228 XXXXX5765 STATE OF NEVADA BOARD	Wells Fargo Bank - Checking	Payroll Liability	-7,149.94	134,177.29
02/28/2022	Check	EFT	US Treasury		Wells Fargo Bank - Checking	Payroll Tax Liability	-4,294.32	129,882.97
02/28/2022	Deposit			INTEREST PAYMENT	Wells Fargo Bank - Checking	Interest Income	1.03	129,884.00
03/01/2022	Deposit		Cindy Lawson	Verify - Cindy Lawson	Wells Fargo Bank - Checking	List Fee	25.00	129,909.00
03/01/2022	Expense		Voya		Wells Fargo Bank - Checking	Deferred Compensation Payable	-2,246.55	127,662.45
03/01/2022	Expense		QB Online		Wells Fargo Bank - Checking	Office Expense:Dues & subscriptions	-80.00	127,582.45
03/02/2022	Deposit		Liana Roberts	New - Liana Roberts	Wells Fargo Bank - Checking	License Fees	400.00	127,982.45
03/02/2022	Expense		QuickBooks Payroll Service	BUSINESS TO BUSINESS ACH INTUIT PAYROLL S QUICKBOOKS 220302 XXXXX5765 STATE OF NEVADA BOARD	Wells Fargo Bank - Checking	Payroll Liability	-609.87	127,372.58
03/03/2022	Deposit		Kari Lake	Verify - Kari Lake	Wells Fargo Bank - Checking	List Fee	25.00	127,397.58
03/03/2022	Deposit		Crystal Godette	New - Crystal Godette	Wells Fargo Bank - Checking	License Fees	400.00	127,797.58
03/03/2022	Expense		Voya		Wells Fargo Bank - Checking	Deferred Compensation Payable	-611.16	127,186.42
03/03/2022	Expense		Kari Lake	Duplicate Verify Request - Kari Lake	Wells Fargo Bank - Checking	List Fee	-25.00	127,161.42
03/05/2022	Deposit		Bobbi Roberts	Verify - Bobbi Roberts	Wells Fargo Bank - Checking	List Fee	25.00	127,186.42

State of Nevada Board of Occupational Therapy

Transaction Report  
January - March, 2022

DATE	TRANSACTION TYPE	NUM	NAME	MEMO/DESCRIPTION	ACCOUNT	SPLIT	AMOUNT	BALANCE
03/05/2022	Deposit		Rita Villalon	Renew - Rita Villalon	Wells Fargo Bank - Checking	License Fees	250.00	127,436.42
03/06/2022	Deposit		Mathew Wasserman	Renew - Mathew Wasserman	Wells Fargo Bank - Checking	License Fees	250.00	127,686.42
03/07/2022	Deposit		Meneely DeGarmo	Verify - Meneely DeGarmo	Wells Fargo Bank - Checking	List Fee	25.00	127,711.42
03/07/2022	Deposit		DANIELLE POLLEY	New - DANIELLE POLLEY	Wells Fargo Bank - Checking	License Fees	400.00	128,111.42
03/07/2022	Deposit		Kelsey Ryneski	New - Kelsey Ryneski	Wells Fargo Bank - Checking	License Fees	325.00	128,436.42
03/08/2022	Deposit		JAMAE DENISE DECUIR	New - JAMAE DENISE DECUIR	Wells Fargo Bank - Checking	License Fees	400.00	128,836.42
03/08/2022	Deposit		Andrea Auld	New - Andrea Auld	Wells Fargo Bank - Checking	License Fees	400.00	129,236.42
03/08/2022	Deposit		Carla Facchini	Renew Inactive - Carla Facchini	Wells Fargo Bank - Checking	License Fees	125.00	129,361.42
03/08/2022	Deposit		Karen Hua	New - Karen Hua	Wells Fargo Bank - Checking	License Fees	400.00	129,761.42
03/08/2022	Expense	5450	JK Belz & Associates		Wells Fargo Bank - Checking	Professional Fees:Legislative Services	-2,000.00	127,761.42
03/09/2022	Deposit		Danielle Yuk	New Veteran - Danielle Yuk	Wells Fargo Bank - Checking	License Fees	162.50	127,923.92
03/09/2022	Deposit		M Laurito de Barro	Convert - M Laurito de Barro	Wells Fargo Bank - Checking	License Fees	75.00	127,998.92
03/10/2022	Expense			BANKCARD FEE - 0227295150	Wells Fargo Bank - Checking	Bank Service/Merchant Charges	-87.30	127,911.62
03/10/2022	Expense			BANKCARD DISCOUNT FEE - 0227295150	Wells Fargo Bank - Checking	Bank Service/Merchant Charges	-0.07	127,911.55
03/10/2022	Expense			BANKCARD INTERCHANGE FEE - 0227295150	Wells Fargo Bank - Checking	Bank Service/Merchant Charges	-125.29	127,786.26
03/11/2022	Deposit		Kassidi Hale	Convert - Kassidi Hale	Wells Fargo Bank - Checking	License Fees	75.00	127,861.26
03/11/2022	Deposit		Leah Chamberlin	Renew - Leah Chamberlin	Wells Fargo Bank - Checking	License Fees	250.00	128,111.26
03/13/2022	Deposit		JARED BRESEE	Renew - Jared Bresee	Wells Fargo Bank - Checking	License Fees	175.00	128,286.26
03/13/2022	Deposit		Camille Scelfo-Dalbey	Renew - Camille Scelfo-Dalbey	Wells Fargo Bank - Checking	License Fees	250.00	128,536.26
03/14/2022	Deposit		Lauren Haggar	List - Lauren Haggar	Wells Fargo Bank - Checking	List Fee	50.00	128,586.26
03/14/2022	Deposit		Katie Irvin	Renew - Katie Irvin	Wells Fargo Bank - Checking	License Fees	250.00	128,836.26
03/15/2022	Deposit		Jennifer Chatman	New - Jennifer Chatman	Wells Fargo Bank - Checking	License Fees	325.00	129,161.26
03/15/2022	Deposit		Meghan Berry	Verify - Meghan Berry	Wells Fargo Bank - Checking	List Fee	25.00	129,186.26
03/15/2022	Deposit		Duchess Menchavez Noble	Fine - Duchess Menchavez Noble	Wells Fargo Bank - Checking	Accounts Receivable	100.00	129,286.26
03/16/2022	Deposit		Jennifer White	Verify - Jennifer White	Wells Fargo Bank - Checking	List Fee	25.00	129,311.26
03/16/2022	Expense		QuickBooks Payroll Service	BUSINESS TO BUSINESS ACH INTUIT PAYROLL S QUICKBOOKS 220316 XXXXX5765 STATE OF NEVADA BOARD	Wells Fargo Bank - Checking	Payroll Liability	-595.37	128,715.89
03/17/2022	Deposit		Carly Ahonen	New - carly ahonen	Wells Fargo Bank - Checking	License Fees	400.00	129,115.89
03/18/2022	Expense	5453	Information Technology		Wells Fargo Bank - Checking	Office Expense:Telephone	-2.74	129,113.15
03/18/2022	Expense	3.17 payroll	Voya		Wells Fargo Bank - Checking	Deferred Compensation Payable	-611.16	128,501.99
03/18/2022	Deposit		Jenny Atwell	Renew - Jenny Atwell	Wells Fargo Bank - Checking	License Fees	175.00	128,676.99
03/18/2022	Expense	5451	Attorney General		Wells Fargo Bank - Checking	Attorney General / Legal Fees	-619.40	128,057.59
03/18/2022	Expense	5452	Vital Records Storage	Final Invoice - Records Destruction	Wells Fargo Bank - Checking	Office Expense:Records Storage	-977.77	127,079.82
03/19/2022	Deposit		aaron mckenzie	Renew - Aaron McKenzie	Wells Fargo Bank - Checking	License Fees	250.00	127,329.82
03/19/2022	Deposit		Donice Augustine	New - Donice Augustine	Wells Fargo Bank - Checking	License Fees	250.00	127,579.82
03/21/2022	Deposit		Jarel Russell	New - Jarel Russell	Wells Fargo Bank - Checking	License Fees	400.00	127,979.82
03/21/2022	Deposit		Adina Eden Patao	New - Adina Eden Patao	Wells Fargo Bank - Checking	License Fees	400.00	128,379.82
03/21/2022	Deposit		Donice Augustine	Bal Due New - Donice Augustine	Wells Fargo Bank - Checking	License Fees	75.00	128,454.82
03/22/2022	Deposit		Sheila Preston	Verify - Sheila Preston	Wells Fargo Bank - Checking	List Fee	25.00	128,479.82
03/22/2022	Deposit		Mark Schwartz	Verify - Mark Schwartz	Wells Fargo Bank - Checking	List Fee	25.00	128,504.82
03/22/2022	Deposit		Katherine Wondra	Verify - Katherine Wondra	Wells Fargo Bank - Checking	List Fee	25.00	128,529.82
03/23/2022	Deposit		VANJA JOSIPOVIC Josipovic	Renew - Vanja Josipovic	Wells Fargo Bank - Checking	License Fees	250.00	128,779.82
03/23/2022	Deposit		Nicole Cannon	Verify - Nicole Cannon	Wells Fargo Bank - Checking	List Fee	25.00	128,804.82
03/24/2022	Deposit		Judy Groom	List - judy groom	Wells Fargo Bank - Checking	List Fee	50.00	128,854.82
03/24/2022	Expense		A T & T		Wells Fargo Bank - Checking	Office Expense:Telephone	-43.52	128,811.30
03/24/2022	Deposit		Jennifer Menefee	Verify - Jennifer Menefee	Wells Fargo Bank - Checking	List Fee	25.00	128,836.30
03/24/2022	Deposit		Brittany Gage	New - Brittany Gage	Wells Fargo Bank - Checking	License Fees	400.00	129,236.30
03/24/2022	Deposit		Amy Hills	Verify - Amy Hills	Wells Fargo Bank - Checking	List Fee	25.00	129,261.30
03/24/2022	Deposit		Ariana Shemms	Renew - Ariana Shemms	Wells Fargo Bank - Checking	License Fees	250.00	129,511.30
03/24/2022	Transfer				Wells Fargo Bank - Checking	WF Mastercard	-314.26	129,197.04
03/25/2022	Expense	5241956030822	Charter		Wells Fargo Bank - Checking	Office Expense:Internet Service	-144.98	129,052.06
03/25/2022	Deposit		Kimberly Rieck	Verify - Kimberly Rieck	Wells Fargo Bank - Checking	List Fee	25.00	129,077.06
03/25/2022	Deposit		Rebecca Higginson	New Provisional - Rebecca Higginson	Wells Fargo Bank -	License Fees	250.00	129,327.06

State of Nevada Board of Occupational Therapy

Transaction Report  
January - March, 2022

DATE	TRANSACTION TYPE	NUM	NAME	MEMO/DESCRIPTION	ACCOUNT	SPLIT	AMOUNT	BALANCE
03/28/2022	Deposit		Amanda Smiley	Verify - Amanda Smiley	Checking Wells Fargo Bank - Checking	List Fee	25.00	129,352.06
03/28/2022	Deposit		Mary Palmer	Renew - Mary Palmer	Wells Fargo Bank - Checking	License Fees	250.00	129,602.06
03/29/2022	Deposit		Danielle Homokay	Verify - Danielle Homokay	Wells Fargo Bank - Checking	List Fee	25.00	129,627.06
03/29/2022	Deposit		Amy Siegler	Verify - Amy Siegler	Wells Fargo Bank - Checking	List Fee	25.00	129,652.06
03/29/2022	Deposit		Keven Carney	Verify - Keven Carney	Wells Fargo Bank - Checking	List Fee	25.00	129,677.06
03/30/2022	Deposit		Ellina Shtaiif	Verify - Ellina Shtaiif	Wells Fargo Bank - Checking	List Fee	25.00	129,702.06
03/30/2022	Expense		US Treasury	BUSINESS TO BUSINESS ACH IRS NEVADA BOARD	USATAXPYMT 033022 225248904098215 STATE OF Wells Fargo Bank - Checking	Payroll Tax Liability	-4,646.56	125,055.50
03/30/2022	Expense		QuickBooks Payroll Service	BUSINESS TO BUSINESS ACH INTUIT PAYROLL S QUICKBOOKS 220330 NEVADA BOARD	XXXXX5765 STATE OF Wells Fargo Bank - Checking	Payroll Liability	-566.24	124,489.26
03/31/2022	Deposit		Jennifer Main	New - Jennifer Main	Wells Fargo Bank - Checking	License Fees	400.00	124,889.26
03/31/2022	Expense		Voya		Wells Fargo Bank - Checking	Deferred Compensation Payable	-611.16	124,278.10
03/31/2022	Expense		QuickBooks Payroll Service	BUSINESS TO BUSINESS ACH INTUIT PAYROLL S QUICKBOOKS 220331 NEVADA BOARD	XXXXX5765 STATE OF Wells Fargo Bank - Checking	Payroll Liability	-7,149.94	117,128.16
03/31/2022	Deposit			INTEREST PAYMENT	Wells Fargo Bank - Checking	Interest Income	1.09	117,129.25
Total for Wells Fargo Bank - Checking							\$1,948.54	
TOTAL							\$1,948.54	



**State of Nevada**  
**Board of Occupational Therapy**

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<b>AGENDA ITEM 9: New / Revised Regulations</b>
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Recommendations for revision to Board regulations are attached for discussion and direction as to whether to move forward with the subject regulation revisions.

Attachments

New\* Standards of Practice  
General Requirements  
Specialty Practice

Revised NAC 640A.070 Continuing Education

Senate Bill 196 Revising NRS 640A.200

## STANDARDS OF PRACTICE

**NAC 640A.xxx      General requirements. (NRS 640A.110)** A licensee shall:

1. Maintain competence in the practice of occupational therapy and his or her personal scope of practice.
2. Report to the Board any unlicensed, unauthorized, unqualified, unethical or unprofessional practice of occupational therapy by another person.
3. Protect the public by following infection control guidelines promulgated by the Centers for Disease Control (CDC).

“Competence” defined. Competence is the application of knowledge, skills and behaviors required to function effectively, safely, ethically and legally within the scope of practice of occupational therapy.

**NAC 640A.xxx      Specialty Practice (NRS 640A.110).** A licensee shall not engage in specialty practice unless competence has been obtained in the specialty practice area. Competence is obtained through continuing education, practice experience, specialty training or specialty certification.

A licensee shall:

1. Maintaining documentation of education, practice experience, specialty training or specialty certification.
2. Practice at least one-year in a specialty practice setting under the guidance of an established specialty practice occupational therapist.
3. Obtain written consent of the patient or client prior to performing a pelvic examination, an internal evaluation or performing any internal therapeutic procedures.
4. Shall not engage in touching of a patient or client for a sexual purpose or in any way not necessary for any treatment intervention.

**NAC 640A.070 Continuing education: Generally.**

1. Except as otherwise provided in subsections **5, 8** and NAC 640A.101, a person with a standard license shall complete, to the satisfaction of the Board, at least 24 hours of continuing education per biennial renewal cycle.
2. If the licensee obtains more than 24 hours of continuing education during a biennial renewal cycle, he or she may carry over a maximum of 10 hours towards completion of his or her requirement for continuing education for the following biennial renewal cycle.
3. A licensee must achieve a passing score on the Nevada Occupational Therapy Jurisprudence Examination at least once every 5 years.
4. A person may receive credit for fieldwork supervision, the completion of a particular continuing education course or the achievement of a passing score on the Nevada Occupational Therapy Jurisprudence Examination only once during a biennial renewal cycle.
5. A person who obtains a standard license within 12 months of graduation from an educational program which is accredited by an agency approved by the Board and which includes a fieldwork program is required to obtain 12 hours of continuing education in order to renew the license for the first time.
6. A licensee shall comply with the requirements for continuing education, including, without limitation, submitting to the Board a list of any courses and activities that the licensee completed to satisfy the provisions of this section. The materials described in this subsection must be submitted at the time, as established by the Board, the licensee is required to submit to the Board the application for the renewal of his or her license.
7. To ensure compliance with the provisions of this section, the Board will conduct random audits of the continuing education completed by licensees.
- 8. A licensee who holds current certification from the National Board for Certification in Occupational Therapy is deemed to have met the requirements for continuing education pursuant to this section, if the licensee has renewed their certification during the 24 months prior to the date of application for renewal of his or her license with the Board.**

## Senate Bill No. 196

CHAPTER..... AN ACT relating to health care; prohibiting a provider of health care or a person supervised by a provider of health care from performing a pelvic examination under certain circumstances; authorizing the imposition of professional discipline against certain providers of health care who perform or supervise the performance of a prohibited pelvic examination; and providing other matters properly relating thereto.

**Section 1. Chapter 629 of NRS is hereby amended by adding thereto a new section to read as follows:**

*1. A provider of health care shall not:*

*(a) Perform or supervise the performance of a pelvic examination that the provider of health care is not appropriately licensed, certified or registered to perform or is not within the scope of practice of the provider of health care.*

**Sec. 11. NRS 640A.200** is hereby amended to read as follows: 640A.200

1. The Board may, after notice and a hearing as required by law, suspend, revoke or refuse to issue or renew a license to practice as an occupational therapist or occupational therapy assistant, or may impose conditions upon the use of that license, if the Board determines that the holder of or applicant for the license is guilty of unprofessional conduct which has endangered or is likely to endanger the public health, safety or welfare. The Board may reinstate a revoked license pursuant to the provisions of chapter 622A of NRS upon application by the person to whom the license was issued.

2. Notwithstanding the provisions of chapter 622A of NRS, if the Board receives a report pursuant to subsection 5 of NRS 228.420, a disciplinary proceeding regarding the report must be commenced within 30 days after the Board receives the report.

3. An order that imposes discipline and the findings of fact and conclusions of law supporting that order are public records.

4. As used in this section, “**unprofessional conduct**” includes:

(a) The obtaining of a license by fraud or through the misrepresentation or concealment of a material fact;

(b) The conviction of: (1) A felony or gross misdemeanor relating to the practice of occupational therapy; or (2) Any crime involving moral turpitude;

(c) The violation of any provision of this chapter or regulation of the Board adopted pursuant to this chapter; [and]

***(d) The performance or supervision of the performance of a pelvic examination in violation of section 1 of this act; and***

(e) The operation of a medical facility, as defined in NRS 449.0151, at any time during which: (1) The license of the facility is suspended or revoked; or (2) An act or omission occurs which results in the suspension or revocation of the license pursuant to NRS 449.160.  $\supseteq$  This paragraph applies to an owner or other principal responsible for the operation of the facility.

**NAC 640A.350 Acts constituting unprofessional conduct.** ([NRS 640A.110](#), [640A.200](#)) In addition to those acts specified in subsection 4 of [NRS 640A.200](#), the following acts, among others, constitute “unprofessional conduct”:

16. Misrepresenting or falsifying credentials, including, without limitation, those relating to education, training, experience and areas of **competency**;

18. Performing professional services which the occupational therapist knows he or she is not **competent** to perform.

**State of Nevada**  
**Board of Occupational Therapy**

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**AGENDA ITEM 11: Board Activities & Reports from Members**

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**Financial Reviewer**

The Board has established a system of Internal Controls comprised of a segregation of duties in the financial and banking processes to ensure adequate safeguards are in place for the Board's financial systems.

Internal controls ensure that one person is not responsible for the entire financial management system including the receipt of funds and payment of expenses and that the Board is apprised regularly of the financial status and the processing of transactions necessary to operate the Board effectively and efficiently.

The Board Financial Reviewer receives a monthly financial packet, reviews bank statements, bank reconciliations, verifies expenditure transaction detail, requests and reviews backup documentation as needed, if discrepancies are identified or questions arise, and completes the Attestation of Review.

The Board may appoint any member of the Board to serve as the financial reviewer.

**Board Training**

FARB Conference – July 21 – 22, Washington DC

**2022 Meeting Schedule**

<b>Calendar Year 2022</b>	<b>Topics/Comments</b>
July 16	Biennial Budget
August 12-13	<i>Strategic Planning Retreat– Las Vegas</i>
October 8	If needed
November 5	Audit Report Approval
December 10	If needed

**Reports and Comments from Board Members**

**Future Agenda Items**

Legislation Status  
Regulation Status