

Text added to Existing Rules shown in ***bold italics***
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Initial Proposal - MM-DD-YY - 1

CHAPTER Occ 100 ORGANIZATIONAL RULES

PART Occ 101 PURPOSE

Occ 101.01 Purpose. This chapter sets forth the organization and statutory responsibilities of the occupational therapy governing board and the manner of communication with the board.

Source. #8572, *eff 1-26-05*; ss by #13081, *eff 7-31-20* (See Revision Note at chapter heading for Occ 100)

PART Occ 102 DEFINITIONS

Occ 102.01 "Board" means "board" as defined in RSA 326-C:1, I, namely, "the occupational therapy governing board established in RSA 328-F."

Source. #8572, *eff 1-26-05*; ss by #13081, *eff 7-31-20* (See Revision Note at chapter heading for Occ 100)

Occ 102.02 "Occupational therapist" means "occupational therapist" as defined in RSA 326-C:1, II, namely, "a person currently licensed to practice occupational therapy in the state of New Hampshire."

Source. #8572, *eff 1-26-05*; ss by #13081, *eff 7-31-20* (See Revision Note at chapter heading for Occ 100)

Occ 102.03 "Occupational therapy" means "occupational therapy" as defined in RSA 326-C:1, ~~III~~*IV*, namely "the therapeutic use of purposeful and meaningful occupations or goal-directed activities to evaluate and treat individuals who have a disease or disorder, impairment, activity limitation, or participation restriction which interferes with their ability to function independently in daily life roles, and to promote health and wellness.

(a) Occupational therapy intervention may include:

- (1) Remediation or restoration of performance abilities that are limited due to impairment in biological, physiological, psychological, or neurological processes.
- (2) Adaptation of task, process, or the environment, or the teaching of compensatory techniques, in order to enhance performance.
- (3) Disability prevention methods and techniques which facilitate the development or safe application of performance skills.
- (4) Health promotion strategies and practices which enhance performance abilities.

(b) Occupational therapy services include, but are not limited to:

- (1) Work or productive activities, including instrumental activities of daily living, and play and leisure activities.
- (2) Evaluating, developing, remediating, or restoring sensorimotor, cognitive, or psychosocial components of performance.
- (3) Designing, fabricating, applying, or training in the use of assistive technology or orthotic devices, and training in the use of prosthetic devices.
- (4) Adaptation of environments and processes, including the application of ergonomic principles, to enhance performance and safety in daily life roles.
- (5) Application of physical agent modalities as an adjunct to, or in preparation for, engagement in purposeful activities and occupations.
- (6) Evaluating and providing intervention in collaboration with the client, family, caregiver, or others.
- (7) Educating the client, family, caregiver, or others in carrying out appropriate non-skilled interventions.
- (8) Consulting with groups, programs, organizations, or communities to provide population-based services.”

Source. #8572, *eff 1-26-05*; ss by #13081, *eff 7-31-20* (See Revision Note at chapter heading for Occ 100)

Occ 102.04 "Occupational therapy assistant (OTA)" means "occupational therapy assistant" as defined in RSA 326-C:1, ~~IV-III~~, namely, "a person currently licensed to assist in the practice of occupational therapy, under the supervision of an occupational therapist, in the state of New Hampshire."

Source. #8572, *eff 1-26-05*; ss by #13081, *eff 7-31-20* (See Revision Note at chapter heading for Occ 100)

Adopt Occ 102.05 to read as follows:

Occ 102.05 "American Occupational Therapy Association (AOTA)" means the entity recognized as the national professional organization of occupational therapy practitioners or its successors.

Adopt Occ 102.06 to read as follows:

Occ 102.06 "National Board for Certification in Occupational Therapy, Inc. (NBCOT)" means the entity that develops the national examination for occupational therapy and certifies individuals in occupational therapy practice or its successor.

Readopt with amendment Occ 103.01, effective 7-31-20 (Document 13081), to read as follows:

Occ 103.01 Composition of the Board. The board consists of 5 members appointed as specified in RSA 328-F:4, *V*. The members shall include 3 licensed occupational therapists, one occupational therapy assistant, and one public member.

Repeal Occ 103.02, effective 7-31-20 (Document 13081), and hold said section in reserve as follows:

~~Occ 103.02 Relationship of the Board to the Office of Licensed Allied Health Professionals. Pursuant to RSA 328-F:3, II, the chairperson of the board or the appointee of the chairperson is a member of the board of directors of the Office of Licensed Allied Health Professionals. The chairperson is elected by the board every January. **RESERVED**~~

Readopt with amendment Occ 103.03, effective 7-31-20 (Document 13081), to read as follows:

Occ 103.03 Responsibilities of the Board. The board's responsibilities include:

(a) ~~The~~ ***Establishing the eligibility requirements for the*** initial licensing ~~licensure~~ of occupational therapists and occupational therapy assistants;

(b) ~~The~~ ***Establishing the eligibility requirements for license renewal, including any continuing competency requirements, and any requirements for education, clinical experience, and training for and reinstatement*** licensing of occupational therapists and occupational therapy assistants;

(c) ~~The investigation of possible professional misconduct by licensees and applicants for licensure;~~ ***The eligibility requirements, including any continuing competency requirements, for the reinstatement of licenses suspended for disciplinary reasons and for such reinstatement of certifications if authorized by their practice acts;*** and

(d) ~~Disciplinary proceedings and~~ ***The allocation*** the imposition of ***disciplinary*** sanctions for professional ***in cases of*** misconduct by licensees.

Readopt with amendment Occ 103.04, effective 7-31-20 (Document 13081), to read as follows:

Occ 103.04 Board Meetings and Quorum.

(a) ~~Pursuant to RSA 328-F:8, ¶~~ The board shall meet ~~monthly or more~~ ***as*** often as its business requires.

(b) A majority of the board shall constitute a quorum ***quorum shall consist of a majority of the members of the board who have been approved by the Governor and Executive Council.***

Readopt with amendment Occ 103.04, effective 7-31-20 (Document 13081), to read as follows:

Occ 103.05 Other Organizational Rules. The board is part of the Office of Licensed Allied Health Professionals. ***Office of Professional Licensure and Certification (OPLC) is responsible for the administration of the board.*** Information such as the board's office location, address, and telephone number is described at ~~Ahp Part 104-Plc 102.03~~. Information regarding the public's access to minutes and other board records is described at ~~Ahp 103.05 and Ahp 104.03 Plc 103~~.

Appendix

Rule	Specific State Statute the Rule Implements
Occ 101 - 102	RSA 541-A:7
Occ 103.01	RSA 328-F:4
Occ 103.02	2023, 79:281

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Occ 103.03(a)	RSA 328-F:11(a)
Occ 103.03(b)	RSA 326-F:11(b)
Occ 103.03(c)	RSA 328-F:11(e)
Occ 103.03(d)	RSA 328-F:11(g)
Occ 103.04	RSA 541-A:16, I(a)
Occ 103.05	RSA 91-A:2, II; RSA 541-A:16, I(a);