

1 AN ACT concerning occupational therapy.

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

4 Section 5. The Regulatory Sunset Act is amended by
5 changing Sections 4.14 and 4.24 as follows:

6 (5 ILCS 80/4.14) (from Ch. 127, par. 1904.14)
7 Sec. 4.14. Acts repealed.

8 (a) The following Acts are repealed December 31, 2003:

9 The Private Detective, Private Alarm, and Private
10 Security Act of 1993.

11 ~~The Illinois Occupational Therapy Practice Act.~~

12 (b) The following Acts are repealed January 1, 2004:

13 The Illinois Certified Shorthand Reporters Act of
14 1984.

15 The Veterinary Medicine and Surgery Practice Act of
16 1994.

17 (Source: P.A. 92-457, eff 8-21-01.)

18 (5 ILCS 80/4.24)

19 Sec. 4.24. Acts repealed on January 1, 2014. The
20 following Acts are repealed on January 1, 2014:

21 The Electrologist Licensing Act.

22 The Illinois Occupational Therapy Practice Act.

23 The Illinois Public Accounting Act.

24 (Source: P.A. 92-457, eff. 8-21-01; 92-750, eff. 1-1-03.)

25 Section 10. The Illinois Occupational Therapy Practice
26 Act is amended by changing Sections 2, 3, 3.1, 5, 11, and 15
27 as follows:

28 (225 ILCS 75/2) (from Ch. 111, par. 3702)

1 (Section scheduled to be repealed on December 31, 2003)

2 Sec. 2. Definitions. In this Act:

3 (1) "Department" means the Department of Professional
4 Regulation.

5 (2) "Director" means the Director of Professional
6 Regulation.

7 (3) "Board" means the Illinois Occupational Therapy
8 Licensure Board appointed by the Director.

9 (4) "Registered Occupational therapist" means a person
10 initially registered and licensed to practice occupational
11 therapy as defined in this Act, and whose license is in good
12 standing.

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

23 (6) "Occupational therapy" means the therapeutic use of
24 purposeful and meaningful occupations or goal-directed
25 activities to evaluate and provide interventions for
26 individuals and populations who have a disease or disorder,
27 an impairment, an activity limitation, or a participation
28 restriction that interferes with their ability to function
29 independently in their daily life roles and to promote health
30 and wellness. Occupational therapy intervention may include
31 any of the following:

32 (a) remediation or restoration of performance
33 abilities that are limited due to impairment in
34 biological, physiological, psychological, or neurological

1 processes;

2 (b) adaptation of task, process, or the environment
3 or the teaching of compensatory techniques in order to
4 enhance performance;

5 (c) disability prevention methods and techniques
6 that facilitate the development or safe application of
7 performance skills; and

8 (d) health promotion strategies and practices that
9 enhance performance abilities.

10 The licensed registered occupational therapist or
11 licensed certified occupational therapy assistant may assume
12 a variety of roles in his or her career including, but not
13 limited to, practitioner, supervisor of professional students
14 and volunteers, researcher, scholar, consultant,
15 administrator, faculty, clinical instructor, and educator of
16 consumers, peers, and family.

17 (7) "Occupational therapy services" means services that
18 may be provided to individuals and populations including,
19 without limitation, the following:

20 (a) evaluating, developing, improving, sustaining,
21 or restoring skills in activities of daily living, work,
22 or productive activities, including instrumental living
23 and play and leisure activities;

24 (b) evaluating, developing, remediating improving,
25 or restoring sensorimotor sensory-motor, cognitive, or
26 psychosocial components of performance;

27 (c) designing, fabricating, applying, or training
28 in the use of assistive technology or temporary, orthoses
29 and training in the use of orthoses and prostheses;

30 (d) adapting environments and processes, including
31 the application of ergonomic principles, to enhance
32 performance and safety in daily life roles;

33 (e) for the occupational therapist or occupational
34 therapy assistant therapists possessing advanced

1 training, skill, and competency as demonstrated through
2 examinations that shall be determined by the Department,
3 applying physical agent modalities as an adjunct to or in
4 preparation for engagement in occupations;

5 (f) evaluating and providing intervention in
6 collaboration with the client, family, caregiver, or
7 others;

8 (g) educating the client, family, caregiver, or
9 others in carrying out appropriate nonskilled
10 interventions; and

11 (h) consulting with groups, programs,
12 organizations, or communities to provide population-based
13 services.

14 (8) "An aide in occupational therapy" means an
15 individual who provides supportive services to occupational
16 therapists or occupational therapy assistants ~~therapy~~
17 ~~practitioners~~ but who is not certified by a nationally
18 recognized occupational therapy certifying or licensing body.
19 (Source: P.A. 92-297, eff. 1-1-02; 92-366, eff. 1-1-02;
20 92-651, eff. 7-11-02.)

21 (225 ILCS 75/3) (from Ch. 111, par. 3703)

22 (Section scheduled to be repealed on December 31, 2003)

23 Sec. 3. After the effective date of this Act, no person
24 shall practice occupational therapy or hold himself out as an
25 occupational therapist or an occupational therapy assistant,
26 or as being able to practice occupational therapy or to
27 render services designated as occupational therapy in this
28 State, unless he is licensed in accordance with the
29 provisions of this Act.

30 Nothing in this Act shall be construed as preventing or
31 restricting the practice, services, or activities of:

32 (1) Any person licensed in this State by any other law
33 from engaging in the profession or occupation for which he is

1 licensed; or

2 (2) Any person employed as an occupational therapist or
3 occupational therapy assistant by the Government of the
4 United States, if such person provides occupational therapy
5 solely under the direction or control of the organization by
6 which he or she is employed; or

7 (3) Any person pursuing a course of study leading to a
8 degree or certificate in occupational therapy at an
9 accredited or approved educational program if such activities
10 and services constitute a part of a supervised course of
11 study, and if such person is designated by a title which
12 clearly indicates his or her status as a student or trainee;
13 or

14 (4) Any person fulfilling the supervised work experience
15 requirements of Sections 8 and 9 of this Act, if such
16 activities and services constitute a part of the experience
17 necessary to meet the requirement of those Sections; or

18 (5) Any person performing occupational therapy services
19 in the State, if such a person is not a resident of this
20 State and is not licensed under this Act, and if such
21 services are performed for no more than 60 days a calendar
22 year in association with an occupational therapist licensed
23 under this Act and if such person meets the qualifications
24 for license under this Act and:

25 (i) such person is licensed under the law of
26 another state which has licensure requirements at least
27 as restrictive as the requirements of this Act, or

28 (ii) such person meets the requirements for
29 certification as an Occupational Therapist Registered
30 (O.T.R.) or a Certified Occupational Therapy Assistant
31 (C.O.T.A.) established by the National Board for
32 Certification of Occupational Therapy or another
33 nationally recognized credentialing body approved by the
34 Board American-Occupational-Therapy-Association; or

1 (6) The practice of occupational therapy by one who has
2 applied in writing to the Department for a license, in form
3 and substance satisfactory to the Department, and has
4 complied with all the provisions of either Section 8 or 9
5 except the passing of the examination to be eligible to
6 receive such license. In no event shall this exemption
7 extend to any person for longer than 6 months, except as
8 follows:

9 (i) if the date on which a person can take the next
10 available examination authorized by the Department
11 extends beyond 6 months from the date the person
12 completes the occupational therapy program as required
13 under Section 8 or 9, the Department shall extend the
14 exemption until the results of that examination become
15 available to the Department; or

16 (ii) if the Department is unable to complete its
17 evaluation and processing of a person's application for a
18 license within 6 months after the date on which the
19 application is submitted to the Department in proper
20 form, the Department shall extend the exemption until the
21 Department has completed its evaluation and processing of
22 the application.

23 In the event such applicant fails the examination, the
24 applicant shall cease work immediately until such time as the
25 applicant is licensed to practice occupational therapy in
26 this State.

27 (7) The practice of occupational therapy by one who has
28 applied to the Department, in form and substance satisfactory
29 to the Department, and who is licensed to practice
30 occupational therapy under the laws of another state,
31 territory of the United States or country and who is
32 qualified to receive a license under the provisions of either
33 Section 8 or 9 of this Act. In no event shall this exemption
34 extend to any person for longer than 6 months.

1 (8) The practice of occupational therapy by one who has
2 applied to the Department, in form and substance satisfactory
3 to the Department, and who is qualified to receive a license
4 under the provisions of either Section 8 or 9 of this Act.
5 In no event shall this exemption extend to any person for
6 longer than 6 months.

7 (Source: P.A. 90-427, eff. 8-15-97.)

8 (225 ILCS 75/3.1)

9 (Section scheduled to be repealed on December 31, 2003)

10 Sec. 3.1. Referrals. A licensed registered occupational
11 therapist or licensed certified occupational therapy
12 assistant may consult with, educate, evaluate, and monitor
13 services for clients concerning non-medical occupational
14 therapy needs. Implementation of direct occupational therapy
15 to individuals for their specific health care conditions
16 shall be based upon a referral from a licensed physician,
17 dentist, podiatrist, or optometrist.

18 An occupational therapist shall refer to a licensed
19 physician, dentist, optometrist, or podiatrist any patient
20 whose medical condition should, at the time of evaluation or
21 treatment, be determined to be beyond the scope of practice
22 of the occupational therapist.

23 (Source: P.A. 92-297, eff. 1-1-02.)

24 (225 ILCS 75/5) (from Ch. 111, par. 3705)

25 (Section scheduled to be repealed on December 31, 2003)

26 Sec. 5. The Director shall appoint an Illinois
27 Occupational Therapy Licensure Board as follows: 7 persons
28 who shall be appointed by and shall serve in an advisory
29 capacity to the Director. One member must be a physician
30 licensed to practice medicine in all of its branches; 3
31 members must be licensed registered occupational therapists
32 in good standing, and actively engaged in the practice of

1 occupational therapy in this State; 2 members must be
2 licensed eertified occupational therapy assistants in good
3 standing and actively engaged in the practice of occupational
4 therapy in this State; and 1 member must be a public member
5 who is not licensed under this Act, or a similar Act of
6 another jurisdiction, and is not a provider of health care
7 service.

8 Members shall serve 4 year terms and until their
9 successors are appointed and qualified. No member shall be
10 appointed under this or any prior Act to the Board for
11 service which would constitute more than 2 full terms.
12 Appointments to fill vacancies shall be made in the same
13 manner as original appointments, for the unexpired portion of
14 the vacated term. Initial terms shall begin upon the
15 effective date of this Act.

16 The membership of the Board should reasonably reflect
17 representation from the geographic areas in this State.

18 The Director may terminate the appointment of any member
19 for cause which in the opinion of the Director reasonably
20 justifies such termination.

21 The Director shall consider the recommendations of the
22 Board on questions involving standards of professional
23 conduct, discipline and qualifications of candidates and
24 license holders under this Act.

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

26 (225 ILCS 75/11) (from Ch. 111, par. 3711)

27 (Section scheduled to be repealed on December 31, 2003)

28 Sec. 11. The expiration date and renewal period for each
29 certificate issued under this Act shall be set by rule.

30 Any occupational therapist or occupational therapy
31 assistant who has permitted his license to expire or who has
32 had his license on inactive status may have his license
33 restored by making application to the Department and filing

1 proof acceptable to the Department of his fitness to have his
2 license restored. The Department may consider a certificate
3 expired less than 5 years as prima facie evidence that the
4 applicant is fit. If the applicant's license has expired or
5 been placed on inactive status, proof of fitness may include
6 sworn evidence certifying to active practice in another
7 jurisdiction satisfactory to the Department and by paying the
8 required restoration fee.

9 If the occupational therapist or occupational therapy
10 assistant has not maintained an active practice in another
11 jurisdiction satisfactory to the Department, the Department
12 shall determine, by an evaluation program established by
13 rule, his fitness to resume active status and may require the
14 occupational therapist or occupational therapy therapist
15 assistant to successfully complete a practice examination.

16 However, any occupational therapist or occupational
17 therapy assistant whose license certificate expired while he
18 was (1) in Federal Service on active duty with the Armed
19 Forces of the United States, or the State Militia called into
20 service or training, or (2) in training or education under
21 the supervision of the United States preliminary to induction
22 into the military service, may have his certificate renewed
23 or restored without paying any lapsed renewal fees if within
24 2 years after termination of such service, training or
25 education except under conditions other than honorable, he
26 furnished the Department with satisfactory evidence to the
27 effect that he has been so engaged and that his service,
28 training or education has been so terminated.

29 (Source: P.A. 84-793.)

30 (225 ILCS 75/15) (from Ch. 111, par. 3715)

31 (Section scheduled to be repealed on December 31, 2003)

32 Sec. 15. Any person who is issued a license as an
33 occupational therapist registered under the terms of this Act

1 may use the words "occupational therapist" or "licensed
2 occupational therapist registered", or he may use the letters
3 "O.T" or--"O.T.R.", in connection with his or her name or
4 place of business to denote his or her licensure under this
5 Act.

6 Any person who is issued a license as a certified
7 occupational therapy assistant under the terms of this Act
8 may use the words, "occupational therapy assistant" or
9 "licensed certified occupational therapy assistant", or he or
10 she may use the letters, "O.T.A." or--"C.O.T.A.", in
11 connection with his or her name, or place of business to
12 denote his or her licensure under this Act hereunder.

13 (Source: P.A. 83-696.)

14 Section 99. Effective date. This Act takes effect upon
15 becoming law.