

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-ONE

S.P. 531 - L.D. 1646

An Act To Amend the Occupational Therapy Licensing Statutes

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 32 MRSA §2272, sub-§12, as enacted by PL 1997, c. 294, §2, is repealed.

Sec. 2. 32 MRSA §2272, sub-§12-D is enacted to read:

12-D. Occupational therapy. "Occupational therapy" means the therapeutic use of everyday life activities and occupations with individuals or groups to enhance or enable participation, performance or function in roles and situations in home, school, workplace, community and other settings for the purpose of promoting health and wellness to those who have or are at risk for developing an illness, injury, disease, disorder, condition, impairment, disability, activity limitation or participation restriction. Occupational therapy addresses the physical, cognitive, psychosocial, sensory and other aspects of performance in a variety of contexts to support engagement in everyday occupations that affect physical and mental health, well-being and quality of life. "Occupational therapy" includes:

A. Methods and strategies selected to direct the process of interventions such as:

- (1) Facilitating establishment, remediation or restoration of a skill or ability that has not yet developed, is impaired or is in decline;
- (2) Compensation, modification or adaptation of an activity or environment to enhance performance or to prevent injuries, disorders or other conditions;
- (3) Maintenance and enhancement of capabilities without which performance of everyday life activities would decline;
- (4) Health promotion and wellness to enable or enhance performance in everyday life activities; and
- (5) Prevention or remediation of barriers to performance, including disability prevention;

B. Evaluation of client factors affecting activities of daily living, instrumental activities of daily living, education, work, play, leisure and social participation, including:

(1) Body functions such as neuromuscular, sensory, visual, perceptual, mental and cognitive functions; pain factors; bodily systems such as cardiovascular, digestive, integumentary and genitourinary systems; and structures related to movement;

(2) Habits, routines, roles and behavior patterns;

(3) Cultural, physical, environmental, social and spiritual contexts and activity demands that affect performance; and

(4) Performance skills, including motor, process, emotional regulation, cognitive, sensory perceptual, communication and social interaction skills; and

C. Interventions and procedures to promote or enhance safety and performance in activities of daily living, instrumental activities of daily living, education, work, play, leisure and social participation, including:

(1) Therapeutic use of occupations, exercises and activities;

(2) Training in self-care, self-management, home management, community and work integration and reintegration, school activities and work performance;

(3) Development, remediation or compensation of physical, mental and cognitive functions, neuromuscular and sensory functions, pain tolerance and management, developmental skills and behavioral skills;

(4) Therapeutic use of self, including one's personality, insights, perceptions and judgments, as part of the therapeutic process;

(5) Education and training of other individuals, including family members and caregivers;

(6) Care coordination, case management and transition services;

(7) Consultative services to groups, programs, organizations and communities;

(8) Modification of environments such as home, school, workplace and community settings and adaptation of processes, including the application of ergonomic principles;

(9) Assessment, design, fabrication, application, fitting and training in assistive technology, adaptive devices and orthotic devices and training in the use of prosthetic devices;

(10) Assessment, recommendation and training in techniques to enhance functional mobility, including seating and positioning and wheelchair management;

(11) Driver rehabilitation and community mobility;

(12) Management of feeding, eating and swallowing to enable eating and feeding performance; and

(13) Application of physical agent modalities and use of a range of specific therapeutic procedures to enhance performance skills; techniques to enhance sensory, perceptual and cognitive processing; and manual therapy techniques.

Sec. 3. 32 MRSA §2283, sub-§4 is enacted to read:

4. Continuing education requirements for license renewal. As a condition of renewal of a license, the board shall prescribe by rule continuing education requirements as authorized under Title 10, section 8003, subsection 5-A, paragraph D.