**02-477**

Office of Professional and Occupational Regulation

**BOARD OF OCCUPATIONAL THERAPY PRACTICE**

2025-2026 Regulatory Agenda

AGENCY UMBRELLA-UNIT NUMBER: **02-477**

AGENCY NAME: Department of Professional and Financial Regulation, Office of Professional & Occupational Regulation, **Board of Occupational Therapy Practice**

CONTACT INFORMATION for thE agency **RULEMAKING LIAISON**: Penny Vaillancourt, Director, OPOR, 35 State House Station, Augusta, ME 04333, 207-441-7153, penny.vaillancourt@maine.gov

**EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA:** None.

**EXPECTED 2025-2026 RULEMAKING ACTIVITY:**

Expected rulemaking will be to implement legislation governing licensure by endorsement and provisional licensure and telehealth services. A review for conformance with statutes and current rules will be conducted and updated as may be necessary, including an update to discontinue the use of the terms “handicap,” “handicapped” and “hearing impaired” pursuant to 36 M.R.S. § 2557, sub-§2.

**CHAPTER 2: Advisory Rulings**

STATUTORY AUTHORITY: 5 M.R.S. §§ 8051, 9001(4)

PURPOSE: The board may revise its rules regarding the discretionary issuance of advisory rulings by the Board.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees and the public.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER 3: Licensure by Endorsement**

STATUTORY AUTHORITY: 10 M.R.S. § 8003-H; 32 M.R.S. § 2279(6)

PURPOSE: Provides the pathway for Maine Licensure for applicants with an active license in a U.S. jurisdiction that maintains licensing requirements that are substantially equivalent to Maine’s requirements for the licensed profession or occupation.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Applicants for licensure.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER 3-A: Licensure as a Temporary Licensee, Occupational Therapist or Occupational Therapy Assistant**

STATUTORY AUTHORITY: 32 M.R.S. §§ 2274(2), 2278, 2279, 2284

PURPOSE: The board may review and revise the requirements and procedures governing the issuance of permanent and temporary licenses, and licenses granted via endorsement, for the practice of occupational therapy.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Applicants for licensure.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER 4: License Renewal and Continuing Education Requirements; Reinstatement**

STATUTORY AURHORITY: 32 M.R.S. §§ 2274(2); 2283(4); 10 M.R.S. § 8003(5-A)(D)(5)

PURPOSE: The board may review and revise the continuing education education requirements.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER 5: Role of the Occupational Therapy Assistant; Supervision of Occupational Therapy Assistants and Temporary Licensees**

STATUTORY AUTHORITY: 32 M.R.S. §§ 2272(12), 2274(2)

PURPOSE: The board may review and revise the permissible duties of the Occupational Therapy Assistants and the duties of Occupational Therapists in the supervision of their Assistants.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER 7: Code of Ethics**

STATUTORY AUTHORITY: 32 M.R.S. §§ 2274(2), 2272(12-D)

PURPOSE: The board may review and revise the rules regarding the code of ethics for licensed Occupational Therapists and Occupational Therapy Assistants by adopting the Occupational Therapy Code of Ethics published by the American Occupational Therapy Association.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees and members of the public.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER 9: Professional Misconduct**

STATUTORY AUTHORITY: 32 M.R.S. § 2274(2), 2286

PURPOSE: The board may review and revise the rules describing professional misconduct that may result in disciplinary action against a licensee, including denial or nonrenewal of a license.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees and members of the public.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER NUMBER AND TITLE: N/A**

STATUTORY BASIS: 32 M.R.S. § 2274(2), 2272(12-D), 2276-A

PURPOSE: To adopt rules to establish standards of practice and appropriate restrictions for the various types and forms of telehealth services.

SCHEDULE FOR ADOPTION: Within the year.

AFFECTED PARTIES: Licensees and members of the public.

CONSENSUS-BASED RULE DEVELOPMENT: N/A