

There have been two significant changes to the rules and regulations for occupational therapy practitioners in recent months. Your licensure board has been working for several years to craft meaningful continued competency regulations. The work of many people and many hours has come to fruition and all licensed **occupational therapists** will need to document 24 hours or more of activities that promote continued competency when they renew their licenses in 2015! While all 24 hours may be completed using approved continuing education activities, licensees are reminded that continued competence is different than continuing education. For a complete explanation of methods for documenting 24 hours, licensees are encouraged to read the complete regulation via the following official link:

<http://www.pabulletin.com/secure/data/vol43/43-25/1117.html>

**At this time the regulation pertains to occupational therapists, not occupational therapy assistants.** Further information is posted on the board website at

[http://www.portal.state.pa.us/portal/server.pt/community/state\\_board\\_of\\_occupational\\_therapy/12518](http://www.portal.state.pa.us/portal/server.pt/community/state_board_of_occupational_therapy/12518)

### **Professional Liability (Malpractice) Insurance:**

Act 138 of 2012 took effect on September 10, 2012 and requires that ALL occupational therapists in Pennsylvania obtain and maintain professional liability insurance as a condition of licensure effective July 1, 2013. Currently, this requirement does not apply to occupational therapy assistants. The requirement does apply to ALL licensed OTs, regardless of the number of hours spent in direct patient care.

Under the Occupational Therapy Law, in order to hold an occupational therapy license in the Commonwealth of Pennsylvania, you are required to have professional liability insurance in the minimum of one million dollars (\$1,000,000) per occurrence or claims made.

Occupational Therapists renewing their licenses will need to attest to having insurance by checking the appropriate box on the renewal when they renew. Proof of malpractice insurance **does not need** to be sent to the State Board by those renewing their licenses. The State Board of Occupational Therapy Education and Licensure will **audit** renewed licensees and request they submit insurance documentation. Failure to provide verification when audited will result in automatic suspension of the license by law.

Therapists applying for new licenses (temporary or permanent) and those re-activating a license will need to obtain coverage as part of the application process:

Acceptable coverage shall include:

- 1) Personally purchased medical professional liability insurance;
- 2) Self-insurance;
- 3) Medical professional liability insurance coverage provided by the occupational therapist's employer.

For new licensees, **you have 30 days from the date your license is issued to provide proof of acceptable coverage** which may include a certificate of insurance issued by the insurer or a copy of the declarations page of the professional liability insurance policy or a letter from the applicant's professional liability insurance carrier indicating that the

applicant will be covered against professional liability in the required amounts effective upon the issuance of the applicant's license to practice occupational therapy in this Commonwealth. For professional liability insurance coverage through the occupational therapist's employer, documentation must reflect you as a named insured. **Failure to do so shall result in automatic suspension of your professional license.**

The licensure board welcomes your questions as you work to implement these changes into your practice.

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