

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

S

1

SENATE BILL 825

Short Title: Clarify Occ. Therapist Practice.

(Public)

Sponsors: Senator Sands.

Referred to: Human Resources.

April 10, 1989

A BILL TO BE ENTITLED

AN ACT TO CLARIFY THE NORTH CAROLINA OCCUPATIONAL THERAPY PRACTICE ACT.

The General Assembly of North Carolina enacts:

Section 1. G.S. 90-270.66(4) reads as rewritten:

"(4) 'Occupational therapy' means a health care profession providing evaluation, treatment and consultation to help individuals achieve a maximum level of independence by developing skills and abilities interfered with by disease, emotional disorder, physical injury, the aging process, or impaired development. Occupational therapists use purposeful activities and specially designed orthotic and prosthetic devices to reduce specific impairments and to help individuals achieve independence at home and in the work place."

Sec. 2. G.S. 90-270.68 reads as rewritten:

"§ 90-270.68. Establishment of Board, terms of members, meetings, compensation.

The North Carolina Board of Occupational Therapy is created. The Board shall have six members. All members shall be appointed by the Governor and shall be residents of this State at the time of and during their appointment. Three members shall be occupational therapists and one shall be an occupational therapist assistant; each of these members shall have practiced, taught, or engaged in research in occupational therapy for at least three of the five years immediately preceding appointment to the Board. ~~and one~~ The fifth board member shall be a physician licensed to practice medicine who specializes in orthopedic medicine; medicine; and the sixth board member shall represent the public at large and shall be a person who is not licensed under this Chapter. ~~each of these members must have practiced, taught or engaged in research in~~

1 occupational therapy for at least three of the five years immediately preceding his appointment.
2 The remaining board member shall represent the public at large.

3 ~~On or before October 1, 1984, the Governor shall appoint two occupational therapist~~
4 ~~members to serve a one year term, one public member to serve a two year term, one~~
5 ~~occupational therapist assistant to serve a three year term, and one occupational~~
6 ~~therapist to serve a four year term and the physician to serve a four year term.~~
7 ~~Thereafter the term of office for all members shall be four years and only persons~~
8 ~~licensed under this Article shall be eligible for appointment to the occupational therapist~~
9 ~~and occupational therapist assistant positions on the Board. No member shall serve~~
10 ~~more than two complete consecutive terms. The medical doctor, occupational therapists,~~
11 ~~and occupational therapist assistant shall be appointed by the Governor from a list~~
12 ~~compiled by the North Carolina Occupational Therapy Association, Inc., following the~~
13 ~~use of a nomination procedure made available to all occupational therapists and~~
14 ~~occupational therapist assistants licensed and residing in North Carolina. In soliciting~~
15 ~~nominations and compiling its list, the Association shall give consideration to~~
16 ~~geographic distribution, clinical specialty, and other factors that will promote~~
17 ~~representation of all aspects of occupational therapy practice. The records of the~~
18 ~~nomination procedures shall be filed with the Board and made available for a period of~~
19 ~~six months following nomination for reasonable inspection by any licensed practitioner~~
20 ~~of occupational therapy. In the event that a member of the Board cannot complete a~~
21 ~~term of office, the vacancy shall be filled by appointment by the Governor, in~~
22 ~~accordance with the procedures set forth in this section, for the remainder of the~~
23 ~~unexpired term.~~

24 Each year the Board shall meet and designate a chairman and a secretary-treasurer
25 from among its members. The Board may hold additional meetings upon call of the
26 chairman or any two board members. A majority of the Board membership shall
27 constitute a quorum.

28 Members of the Board shall receive no compensation for their services, but shall be
29 entitled to travel, per diem, and other expenses authorized by G.S. 93B-5."

30 Sec. 3. G.S. 90-270.75 reads as rewritten:

31 **"§ 90-270.75. Renewal of license.**

32 (a) Licenses issued under this Article shall be subject to annual renewal upon
33 completion of such continuing education requirements as may be required by the Board,
34 upon the payment of a renewal fee specified under G.S. 90-270.77 and in compliance
35 with this Article, and shall expire unless renewed in the manner prescribed by the
36 Board. The Board may provide for the late renewal of a license upon the payment of a
37 late fee in accordance with G.S. 90-270.77, but no such late renewal may be granted
38 more than five years after a license expires.

39 (b) A suspended license is subject to expiration and may be renewed as provided
40 in this section, but such renewal shall not entitle the licensee to engage in the licensed
41 activity or in any other conduct or activity in violation of the order or judgment by
42 which the license was suspended until the license is reinstated. If a license revoked on
43 disciplinary grounds is reinstated, the licensee shall pay the renewal fee and any late fee
44 that may be applicable."

1 Sec. 4. This act is effective upon ratification and shall apply to Board
2 appointments made and licenses renewed on or after that date.