

**HOUSE BILL No. 2496**

By Committee on Appropriations

2-22

10 AN ACT concerning [**licensure and licenses; relating to**] the occu-  
11 pational therapy practice act; ~~definitions~~ [**continuing education**  
12 **requirements**]; amending K.S.A. [**48-3403 and**] 65-5402 and re-  
13 pealing the existing ~~section~~ [**sections**].  
14

15 *Be it enacted by the Legislature of the State of Kansas:*

16 Section 1. [**On July 1, 2005,**] K.S.A. 65-5402 is hereby amended to  
17 read as follows: 65-5402. As used in K.S.A. 65-5401 to 65-5417, inclusive,  
18 and K.S.A. 65-5418 to 65-5420, inclusive, and amendments thereto:

19 (a) “Board” means the state board of healing arts.

20 (b) “Practice of occupational therapy” means the therapeutic use of  
21 purposeful and meaningful occupations (goal-directed activities) to eval-  
22 uate and treat, pursuant to the referral, supervision, order or direction of  
23 a physician, a licensed podiatrist, a licensed dentist, *a licensed physician*  
24 *assistant, or an advanced registered nurse practitioner working pursuant*  
25 *to the order or direction of a person licensed to practice medicine and*  
26 *surgery, a licensed chiropractor, or a licensed optometrist, individuals*  
27 *who have a disease or disorder, impairment, activity limitation or partic-*  
28 *ipation restriction that interferes with their ability to function indepen-*  
29 *dently in daily life roles and to promote health and wellness. Occupational*  
30 *therapy intervention may include:*

31 (1) Remediation or restoration of performance abilities that are lim-  
32 ited due to impairment in biological, physiological, psychological or neu-  
33 rological cognitive processes;

34 (2) adaptation of tasks, process, or the environment or the teaching  
35 of compensatory techniques in order to enhance performance;

36 (3) disability prevention methods and techniques that facilitate the  
37 development or safe application of performance skills; and

38 (4) health promotion strategies and practices that enhance perform-  
39 ance abilities.

40 (c) “Occupational therapy services” include, but are not limited to:

41 (1) Evaluating, developing, improving, sustaining, or restoring skills  
42 in activities of daily living (ADL), work or productive activities, including  
43 instrumental activities of daily living (IADL) and play and leisure

1 activities;

2 (2) evaluating, developing, remediating, or restoring sensorimotor,  
3 cognitive or psychosocial components of performance;

4 (3) designing, fabricating, applying, or training in the use of assistive  
5 technology or orthotic devices and training in the use of prosthetic  
6 devices;

7 (4) adapting environments and processes, including the application  
8 of ergonomic principles, to enhance performance and safety in daily life  
9 roles;

10 (5) applying physical agent modalities as an adjunct to or in prepara-  
11 tion for engagement in occupations;

12 (6) evaluating and providing intervention in collaboration with the  
13 client, family, caregiver or others;

14 (7) educating the client, family, caregiver or others in carrying out  
15 appropriate nonskilled interventions; and

16 (8) consulting with groups, programs, organizations or communities  
17 to provide population-based services.

18 (d) “Occupational therapist” means a person licensed to practice oc-  
19 cupational therapy as defined in this act.

20 (e) “Occupational therapy assistant” means a person licensed to assist  
21 in the practice of occupational therapy under the supervision of an oc-  
22 cupational therapist.

23 (f) “Person” means any individual, partnership, unincorporated or-  
24 ganization or corporation.

25 (g) “Physician” means a person licensed to practice medicine and  
26 surgery.

27 (h) “Occupational therapy aide,” “occupational therapy tech” or “oc-  
28 cupational therapy paraprofessional” means a person who provides sup-  
29 portive services to occupational therapists and occupational therapy as-  
30 sistants in accordance with K.S.A. 65-5419, and amendments thereto.

31 **[Sec. 2. K.S.A. 48-3403 is hereby amended to read as follows:**  
32 **48-3403. (a) A licensee who desires to engage in or practice an**  
33 **occupation or profession in this state after release from military**  
34 **service shall submit, within six months after such release, but not**  
35 **later than two weeks after engaging in or practicing such occu-**  
36 **pation or profession in this state after such release, the renewal**  
37 **fee required by law for the current license period with a completed**  
38 **renewal application, and thereupon, the licensee shall be deemed**  
39 **to have complied with all requirements of law relating to payment**  
40 **of licensure renewal fees. A licensee who submits the renewal fee**  
41 **and completed renewal application in accordance with this section**  
42 **shall not be charged any late payment fees or penalties. The li-**  
43 **cence of a licensee who fails to renew the license pursuant to this**

1 **section may be canceled, revoked or suspended in accordance with**  
2 **the applicable law.**

3 **[(b) A licensee who is required by law to obtain continuing ed-**  
4 **ucation as a condition prerequisite to renewal of a license shall be**  
5 ~~given a one-year period of time for fulfillment of such continuing edu-~~  
6 ~~cation requirement, such period of time to commence on the date *exempt*~~  
7 ~~*from such continuing education requirement until completion of the next*~~  
8 ~~*full licensure period so long as* **the licensee submits the renewal fee**~~  
9 ~~**and completed renewal application in accordance with subsection**~~  
10 ~~**(a).**~~

11 **[Sec. 3. K.S.A. 48-3403 is hereby repealed.]**

12 ~~Sec. 4. [4.] [On July 1, 2005,] K.S.A. 65-5402 is hereby repealed.~~

13 ~~Sec. 5. [5.] This act shall take effect and be in force from and after~~  
14 ~~its publication in the ~~statute book~~ **[Kansas register].**~~