



## Montana Board of Occupational Therapy Practice

### COVID-19 FAQ

(FAQ updated 3/27/20)

This FAQ is specific to frequently asked questions from licensees and the public in the context of the COVID-19. This FAQ will be updated on an as-needed basis. Check back periodically for updates. If you have a question regarding COVID-19 and Board of Occupational Therapy Practice licensing that is not on this FAQ you can e-mail department staff directly at [dlibsdbbh@mt.gov](mailto:dlibsdbbh@mt.gov).

If you have general questions pertaining to licensure and the board that are not specifically related to the COVID-19 situation we recommend you review the general board FAQ and the board website at [www.bbh.mt.gov](http://www.bbh.mt.gov). For questions that are not specifically related to the COVID-19 situation you can continue to e-mail customer service staff at [dlibsdhel@mt.gov](mailto:dlibsdhel@mt.gov).

### General Message Concerning the Governor's Stay-in-Place Directive

Below is an excerpt from the Governor's directive concerning essential businesses.

- For further questions you are encouraged to review the Governor's directive which can be found at <https://covid19.mt.gov/>.
- If a business has questions, or believe they should be categorized differently/want further clarity you should contact the Governor's Office call line at 1-800-755-6672. That is the quickest way to get a final response.

Language from Directive of Interest to OTP Licensees:

***"Health Care and Public Health Operations. For purposes of this Directive, individuals may leave their residence to work for or obtain services through Health Care and Public Health Operations.***

***Health Care and Public Health Operations includes, but is not limited to:*** hospitals; clinics; dental offices; pharmacies; public health entities, including those that compile, model, analyze and communicate public health information; pharmaceutical, pharmacy, medical device and equipment, and biotechnology companies (including operations, research and development, manufacture, and supply chain); organizations collecting blood, platelets, plasma, and other necessary materials; licensed medical cannabis dispensaries and licensed cannabis cultivation centers; reproductive health care providers; eye care centers, including those that sell glasses and contact lenses; home Health Care services providers; mental health and substance use providers; other Health Care facilities and suppliers and providers of any related and/or ancillary Health Care services; and entities that transport and dispose of medical materials and remains...



*...Essential Businesses and Operation should also employ, where feasible, telework or other remote working opportunities to limit disease spread..."*

#### **FAQs**

##### **Question 1:**

I am currently licensed under the Montana Board of Occupational Therapy Practice. Am I allowed to conduct telepractice/telehealth in order to provide services to clients located in Montana?

##### **Response 1:**

The *board* has no position at this time. **The Governor's Administration intends for the telehealth directive to be broadly applicable and construed. It will thus apply to ALL Montana licensed health care practitioners during the pendency of the emergency period**

##### **Question 2:**

I am currently licensed under the Montana Board of Occupational Therapy Practice and I am going to be conducting telehealth/telepractice for the first time. Does the board have any training requirements or recommend any particular types of training so I have more information on how to practice telehealth while complying with all of the laws under this board?

##### **Response 2:**

Staff and the board cannot give legal advice so we cannot recommend nor endorse any particular trainings or protocols/best practices. You might try contacting your state and/or national professional association(s) to see if they have any recommendations. As a licensee you are still held to all the other statutes and rules including ethics, unprofessional conduct, privacy, etc. regardless of the method you are using to deliver those services.

##### **Question 3:**

I am currently licensed as an under the Montana Board of Occupational Therapy Practice. I [am providing/will be providing] telehealth/telepractice services to clients located in Montana. Can I bill insurance for those services?

**Response 3:**

Laws pertaining to billing, including private insurance and Medicare and Medicaid, are outside this board's jurisdiction and regulatory authority. As a licensee you are expected to comply with other state and federal laws that pertain to your scope of practice. However, it is not this board that regulates those specific areas.

You could try contacting the Office of the Commissioner of Securities and Insurance and the Montana Department of Public Health and Human Services for more information. You could also try contacting your state and/or national professional association(s) to see if they have any recommendations regarding resources. Note that the COVID-19 situation is fluid and new information is posted on all these entities websites frequently. One document that was current as of the date of this FAQ is a memo from DPHHS dated 3/19/20 with regard to telehealth/telepractice, including telephone and live video.

**Question 4:**

I am currently licensed as an under the Montana Board of Occupational Therapy Practice. I [am providing/will be providing] telehealth/telepractice services to clients located in Montana. Since the state of Montana and the federal government have declared state and national emergencies does that alter the types of services I can bill insurance for?

**Response 4:**

See Response #3.

**Question 5:**

Can I conduct telepractice/telehealth in another jurisdiction if I am licensed in Montana as an I am currently licensed under the Montana Board of Occupational Therapy Practice but do not have a license in that other jurisdiction?

**Response #5**

Under Montana's laws you would be considered to be practicing in the jurisdiction where the client was located, not in Montana. Laws concerning telepractice/telehealth vary from jurisdiction to jurisdiction and you will need to check with regulatory entity in the jurisdiction where your client is located with regard to its laws.

**Question 6:**

I am licensed in Montana under the Montana Board of Occupational Therapy Practice. Many conferences and training courses are being cancelled or changed to online due to health and safety concerns, etc. What should I do if I cannot meet my annual continuing education (CE) requirements?

**Response 6:**

The issue of conferences and training courses being cancelled is affecting licensees nationwide in many professions. For the time being, keep in mind that this board allows its licensees to: (1) obtain online CE; (2) utilize carryover CE from the previous renewal year; and (3) request CE hardship exemptions. However, as I said, this is only one of many larger issues facing licensees across many professions. If this board needs to take action in the future to deal with licensees' legitimate inability to obtain CE due to the COVID-19 situation it can do so. There is no need to apply for a hardship exemption at this time unless you had already intended to do so for non-COVID-19 reasons.

**Question 7:**

I want to apply for a Montana license under the Montana Board of Occupational Therapy Practice. Is Montana still issuing "regular" licenses during the COVID-19 situation? Has the normal application process changed? Can I expect delays?

**Response 7:**

The department and board recognize that the current COVID-19 pandemic has created discord in the normal application, examination, background check, and licensure process. We are striving to address these concerns and potential roadblocks as quickly as possible; however, please understand that this will not occur overnight. The board must continue its public safety mission while adapting to daily changes occurring from the pandemic. This will take time. Applicants are encouraged to begin their application for licensure and to complete as much of the required information as possible. Applications remain valid for one year under normal circumstances. If you submit your application and an item is missing, our licensing specialist will work with you to complete the application. We do not deny applicants for submitting an



incomplete application. By completing the application's remaining parts, exempting exams, etc., you can get ahead on the licensure process.

Online applications are always the most efficient application method and allow you to upload your own supplemental forms directly into your application at any time. Paying the fee triggers the beginning of the staff review process. Be aware that to verify authenticity, some documents such as exam results, transcripts, and background checks must be sent to the department directly from the source and cannot be uploaded by the applicant.