

OTP Board Statement on Telehealth/Telepractice

The Board of Occupational Therapy Practice (OTP Board) requested 2021 legislation that would specifically authorize telemedicine practice for their licensees. However, the Department of Labor and Industry Business Standards Division did not forward that request for a bill and instead issued a memorandum dated May 12, 2020. In that memorandum, the Department advised the OTP Board that such legislation is unnecessary to authorize telemedicine because the professional and occupational licensing boards' statutes and rules must be interpreted and applied to allow free practice of commerce within the applicable scope of practice. The Department further advised that specific safety standards are only authorized when necessary to prevent consumer harm and must be narrowly targeted to ensure affordable consumer access to professional services.

At a May 13, 2020, full board teleconference meeting, the Board agreed by motion with the Department's legal advice and concluded that telepractice and telehealth are alternative delivery methods which occupational therapists may utilize to treat patients and clients when proximity to the patient or client does not impact safety or effectiveness of the treatment or service delivered. Should a practitioner determine remote delivery of a particular treatment or service is unsafe or ineffective in their professional judgment based on education, training, experience and standards of practice, the professional services should occur in person.