

HOUSE BILL NO. 347

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FOURTH LEGISLATURE - SECOND SESSION

BY THE HOUSE LABOR AND COMMERCE COMMITTEE

Introduced: 2/23/26

Referred: Labor and Commerce, Health and Social Services

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to occupational therapists and occupational therapy assistants; relating**
2 **to the practice of physical therapy; and relating to the practice of occupational**
3 **therapy."**

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 * **Section 1.** AS 08.84 is amended by adding a new section to read:

6 **Sec. 08.84.095. Scope of practice for occupational therapists and**
7 **occupational therapy assistants.** (a) An occupational therapist may provide
8 occupational therapy to a person whose ability or opportunity to participate in
9 activities of daily living, play, leisure, or an occupation is or may be limited or
10 restricted because the person has or is at risk of having an injury, disorder,
11 impairment, or disability that limits or restricts the person's ability to engage in an
12 occupation or other goal-oriented task or activity. The therapist may evaluate, analyze,
13 and diagnose the cause of the limitation or restriction and intervene with occupational
14 therapy to decrease or eliminate the cause, help the person recover from or adjust to

1 the limitation or restriction, and restore the person's ability to engage in an occupation
2 or other goal-oriented task or activity.

3 (b) An occupational therapist may initiate and provide occupational therapy,
4 including therapy under (c) of this section, without a referral from another provider of
5 health care services.

6 (c) The services an occupational therapist may provide to a person include

7 (1) treating a person's pain;

8 (2) habilitating, rehabilitating, and working with a person to adjust
9 physical, neuromusculoskeletal, cognitive, psychosocial, sensory-perceptive, visual, or
10 other aspects of performance in a variety of contexts to improve or maintain the
11 person's ability to engage in an occupation or other goal-oriented task or activity,
12 regardless of the person's ability-related needs;

13 (3) evaluating and treating a person to promote, enhance, or restore the
14 person's ability to safely perform activities of daily living and instrumental activities
15 of daily living and safely engage in sleep, rest, education, work, play, leisure, health
16 management, and social participation;

17 (4) administering, evaluating, and interpreting tests and measurements
18 of a person's bodily functions and structures;

19 (5) establishing, remediating, preventing, or compensating for a barrier
20 to a person's performance skills; in this paragraph, a barrier to a person's performance
21 skills may include the person's bodily structures and functions, habits, routines, roles,
22 environmental and personal factors, and physical, neuromusculoskeletal, cognitive,
23 psychosocial, sensory perception, communication, interaction, and pain management
24 skills;

25 (6) managing a person's ability to eat, feed themselves, or swallow to
26 improve or maintain eating and feeding performance;

27 (7) designing, fabricating, applying, or fitting assistive technology or
28 an adaptive or orthotic device;

29 (8) training a person to

30 (A) use assistive technology or an adaptive, orthotic, or
31 prosthetic device; and

- 1 (B) manage the person's seating and positioning;
- 2 (9) adapting environments and assessing, recommending, and training
- 3 a person on the techniques the person may use to enhance the person's functional and
- 4 community mobility;
- 5 (10) preventing pain and dysfunction, restoring function, or reversing
- 6 or arresting the progression of a pathology;
- 7 (11) applying an adjunctive intervention or therapeutic procedure to
- 8 prepare for or use with occupation-based activities; in this paragraph, "adjunctive
- 9 intervention or therapeutic procedure" includes a thermal, mechanical, electrophysical,
- 10 or instrument-assisted treatment modality, wound care, and manual therapy; and
- 11 (12) promoting a person's good physical and mental health and
- 12 wellness, regardless of the person's ability-related needs.

13 (d) An occupational therapist may allow an occupational therapy assistant to

14 assist with or administer occupational therapy that the occupational therapy assistant is

15 professionally competent to assist with or administer, including assessing a patient in

16 an evaluation delegated to the occupational therapist assistant and preparing reports on

17 the assessment for the occupational therapist. The occupational therapist shall

18 supervise the occupational therapist assistant when acting under this subsection.

19 (e) In this section, "health" means a person's physical or mental health.

20 * **Sec. 2.** AS 08.84.190(3) is amended to read:

21 (3) "occupational therapy" means [, FOR COMPENSATION,] the use

22 of purposeful activity, evaluation, treatment, and consultation with persons [HUMAN

23 BEINGS] whose ability to cope with the tasks of daily living are threatened with [,] or

24 impaired by developmental deficits, learning disabilities, aging, poverty, cultural

25 differences, physical injury or illness, or psychological and social disabilities to

26 maximize independence, prevent disability, and maintain health; ["OCCUPATIONAL

27 THERAPY" INCLUDES

- 28 (A) DEVELOPING DAILY LIVING, PLAY, LEISURE,
- 29 SOCIAL, AND DEVELOPMENTAL SKILLS;
- 30 (B) FACILITATING PERCEPTUAL-MOTOR AND
- 31 SENSORY INTERGRATIVE FUNCTIONING;

1 (C) ENHANCING FUNCTIONAL PERFORMANCE,
 2 PREVOCAIONAL SKILLS, AND WORK CAPABILITIES USING
 3 SPECIFICALLY DESIGNED EXERCISES, THERAPEUTIC ACTIVITIES
 4 AND MEASURES, MANUAL INTERVENTION, AND APPLIANCES;

5 (D) DESIGN, FABRICATION, AND APPLICATION OF
 6 SPLINTS OR SELECTIVE ADAPTIVE EQUIPMENT;

7 (E) ADMINISTERING AND INTERPRETING
 8 STANDARDIZED AND NONSTANDARDIZED ASSESSMENTS,
 9 INCLUDING SENSORY, MANUAL MUSCLE, AND RANGE OF MOTION
 10 ASSESSMENTS, NECESSARY FOR PLANNING EFFECTIVE
 11 TREATMENT; AND

12 (F) ADAPTING ENVIRONMENTS FOR THE DISABLED;]

13 * **Sec. 3.** AS 08.84.190(4) is amended to read:

14 (4) "occupational therapy assistant" means a person who, [ASSISTS
 15 IN THE PRACTICE OF OCCUPATIONAL THERAPY] under the supervision of **a**
 16 **licensed** [AN] occupational therapist, **administers or assists with administering**
 17 **occupational therapy**;

18 * **Sec. 4.** AS 08.84.190 is amended by adding a new paragraph to read:

19 (8) "test and measurement" includes imaging, electrodiagnostic and
 20 electrophysiological methods or techniques, and other methods or techniques
 21 generally accepted by the physical therapist or occupational therapist professions in
 22 the state for use in obtaining information about a patient in order to administer
 23 therapy.