

**CS FOR SENATE BILL NO. 91(STA)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - FIRST SESSION

BY THE SENATE STATE AFFAIRS COMMITTEE

Offered: 4/16/97

Referred: Rules

Sponsor(s): SENATE RULES COMMITTEE BY REQUEST OF THE LEGISLATIVE BUDGET AND  
AUDIT COMMITTEE

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to the regulation of physical therapists, physical therapy  
2 assistants, occupational therapists, and occupational therapy assistants; extending the  
3 termination date of the State Physical Therapy and Occupational Therapy Board;  
4 and providing for an effective date."

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

6 \* **Section 1.** AS 08.03.010(c)(16) is amended to read:

7 (16) State Physical Therapy and Occupational Therapy Board  
8 (AS 08.84.010) -- June 30, 2001 [1997];

9 \* **Sec. 2.** AS 08.84.030(b)(1) is amended to read:

10 (b) To be eligible for licensure by the board as an occupational therapist or  
11 occupational therapy assistant, an applicant, unless a graduate of a foreign school of  
12 occupational therapy located outside the United States, shall

13 (1) have successfully completed a curriculum of occupational therapy  
14 approved by the Committee of Allied Health Education and Accreditation of the

1 American Medical Association or [, AND] the American Occupational Therapy  
2 Association [APPROPRIATE TO THE LICENSE BEING SOUGHT];

3 (2) submit proof of successful completion and supervised field work  
4 approved by the board

5 (A) for an occupational therapist, a minimum of six months of  
6 supervised field work;

7 (B) for an occupational therapy assistant, a minimum of two  
8 months of supervised field work;

9 (3) pass, to the satisfaction of the board, an examination prepared by  
10 a national testing service approved by the board or an examination recognized by the  
11 American Occupational Therapy Association to determine the applicant's fitness for  
12 practice as an occupational therapist or an occupational therapy assistant, or be entitled  
13 to licensure without examination under AS 08.84.060; and

14 (4) meet qualifications for licensure established in regulations adopted  
15 by the board under AS 08.84.010(b).

16 \* **Sec. 3.** AS 08.84.032 is amended to read:

17 **Sec. 08.84.032. Foreign-trained applicants.** (a) To be eligible for licensure  
18 by the board as a physical therapist or physical therapy assistant, an applicant who is  
19 a graduate of a school of physical therapy that is located outside of the United States  
20 shall

21 (1) have completed, to the satisfaction of the board, a resident course  
22 of study and professional instruction equivalent to that provided by a school approved  
23 by the Council on Medical Education and Hospitals of the American Medical  
24 Association or the American Physical Therapy Association, and furnish documentary  
25 evidence of compliance with this paragraph, translated, if necessary, into the English  
26 language by a person verifying the accuracy of the translations;

27 (2) have completed, to the satisfaction of the board, an internship under  
28 the continuous direction and immediate supervision of a physical therapist in an  
29 institution that ordinarily provides physical therapy and is approved by the board, for  
30 that period of time specified by the board, and furnish documentary evidence of  
31 compliance with this paragraph;

1                   (3) **at the discretion of the board, demonstrate an ability to**  
 2 **effectively speak English through an interview with** [PASS AN ORAL  
 3 EXAMINATION ADMINISTERED BY] a member of the board;

4                   (4) have met applicable requirements under the federal Immigration and  
 5 Nationality Act (8 U.S.C. 1101 et seq.), unless a United States citizen;

6                   (5) pass the examination administered by the board under  
 7 AS 08.84.030(a)(2); and

8                   (6) pay the fee required under AS 08.84.050.

9                   (b) To be eligible for licensure by the board as an occupational therapist or  
 10 occupational therapy assistant, an applicant who is a graduate of a school of  
 11 occupational therapy that is located outside of the United States shall

12                   (1) have completed, to the satisfaction of the board, a resident course  
 13 of study and professional instruction equivalent to that provided by a curriculum  
 14 approved by the Committee of Allied Health Education and Accreditation of the  
 15 American Medical Association **or** [AND] the American Occupational Therapy  
 16 Association, and have furnished documentary evidence of compliance with this  
 17 paragraph, translated, if necessary, into the English language by a person verifying the  
 18 accuracy of the translations;

19                   (2) have completed, to the satisfaction of the board, supervised field  
 20 work equivalent to that required under AS 08.84.030(b);

21                   (3) **at the discretion of the board, demonstrate an ability to**  
 22 **effectively speak English through an interview with a member of the board;**

23                   (4) have met applicable requirements under 8 U.S.C. 1101 - 1503  
 24 (Immigration and Nationality Act) unless a United States citizen;

25                   (5) [(4)] pass an examination administered or approved by the board  
 26 under AS 08.84.030; and

27                   (6) [(5)] pay the fee required under AS 08.84.050.

28 \* **Sec. 4.** AS 08.84.065(a) is amended to read:

29                   (a) The board may issue a nonrenewable temporary permit to an applicant for  
 30 licensure by acceptance of credentials or by examination who

31                   (1) meets the requirements of

- 1 (A) AS 08.84.030(a)(1) or (b)(1); or
- 2 (B) AS 08.84.032(a)(2) and (4) or **(b)(2) and (4)** [(b)(2) AND
- 3 (3)]; and
- 4 (2) pays the required fee.

5 \* **Sec. 5.** AS 08.84.150(b) is amended to read:

6 (b) A person may not provide services that the person describes as  
7 occupational therapy without being licensed **under this chapter** unless the person is

8 (1) a student in an accredited occupational therapy program or in a  
9 supervised field work program;

10 (2) a graduate of a foreign school of occupational therapy fulfilling the  
11 internship requirement of AS 08.84.032, and then only unless under the continuous  
12 direction and immediate supervision of an occupational therapist;

13 (3) an occupational therapist or occupational therapy assistant employed  
14 by the United States Government while in the discharge of official duties;

15 (4) granted a limited permit under AS 08.84.075;

16 (5) licensed under this title and uses occupational therapy skills in the  
17 practice of the profession for which the license is issued; or

18 (6) employed as a teacher or teacher’s aide by an educational institution  
19 and is required to use occupational therapy skills during the course of employment, if

20 (A) the occupational therapy skills are used under a program  
21 implemented by the employer and developed by a licensed occupational  
22 therapist;

23 (B) the employer maintains direct supervision of the person’s  
24 use of occupational therapy skills; and

25 (C) the person does not represent to

26 (i) be an occupational therapist or occupational therapy  
27 assistant; and

28 (ii) practice occupational therapy.

29 \* **Sec. 6.** This Act takes effect July 1, 1997.