SENATE BILL NO. 54

INTRODUCED BY NATHE

IN THE SENATE

	IN THE SENATE
JANUARY 7, 1991	INTRODUCED AND REFERRED TO COMMITTEE ON PUBLIC HEALTH, WELFARE, & SAFETY.
	FIRST READING.
JANUARY 24, 1991	COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.
JANUARY 25, 1991	PRINTING REPORT.
	SECOND READING, DO PASS.
JANUARY 26, 1991	ENGROSSING REPORT.
	THIRD READING, PASSED. AYES, 46; NOES, 0.
	TRANSMITTED TO HOUSE.
	IN THE HOUSE
JANUARY 26, 1991	INTRODUCED AND REFERRED TO COMMITTEE ON HUMAN SERVICES & AGING.
	FIRST READING.
FEBRUARY 5, 1991	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
FEBRUARY 7, 1991	SECOND READING, CONCURRED IN.
FEBRUARY 8, 1991	THIRD READING, CONCURRED IN. AYES, 93; NOES, 0.
	RETURNED TO SENATE.
	IN THE SENATE
FEBRUARY 9, 1991	RECEIVED FROM HOUSE.
	SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

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1	SENATE BILL NO. 54
2	INTRODUCED BY NATHE
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4	A BILL FOR AN ACT ENTITLED: "AN ACT TO PERMIT A LICENSED
5	OCCUPATIONAL THERAPIST TO PROVIDE TREATMENT USING PHYSICAL
6	THERAPEUTIC AGENTS AND PROCEDURES; AMENDING SECTION
7	37-24-103, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."
8	
9	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
10	Section 1. Section 37-24-103, MCA, is amended to read:
11	*37-24-103. Definitions. As used in this chapter,
12	unless the context requires otherwise, the following
13	definitions apply:
L 4	(1) "Board" means the board of occupational therapy
15	practice established by 2-15-1859.
16	(2) "Department" means the department of commerce
17	provided for in Title 2, chapter 15, part 18.
18	(3) "Occupational therapist" means a person licensed to
19	
	practice occupational therapy under this chapter.
20	practice occupational therapy under this chapter. (4) "Occupational therapy" means the use of purposeful
20 21	
	(4) "Occupational therapy" means the use of purposeful

or learning disability, or the aging process in order to

maximize independence, prevent disability, and maintain

health. The practice encompasses evaluation, treatment, and

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L Montana	Legislative Council

- 1 consultation. Treatment includes but is not limited to the
- 2 use of physical therapeutic agents and procedures.
- 3 Occupational therapy services may be provided individually,
- 4 in groups, or through social systems. Specific occupational
- 5 therapy services include but are not limited to:
 - (a) teaching daily living skills;
- 7 (b) developing perceptual-motor skills and sensory
- 8 integrative functioning;
- 9 (c) developing play skills and prevocational and
- 10 leisure capacities;
- 11 (d) designing, fabricating, or applying splints or
- 12 selective adaptive equipment and training in the use of
- 13 upper extremity prosthetics or upper extremity orthotic
- 14 devices:
- 15 (e) using specifically designed crafts and exercises to
- 16 enhance functional performance;
- 17 (f) administering and interpreting tests such as manual
- 18 muscle and range of motion; and
- 19 (g) adapting environments for the handicapped.
- 20 (5) "Occupational therapy aide" means a person who
- 21 assists in the practice of occupational therapy under the
- 22 direct supervision of an occupational therapist or
- 23 occupational therapy assistant and whose activities require
- 24 an understanding of occupational therapy but do not require
- 25 professional or advanced training in the basic anatomical,

- biological, psychological, and social sciences involved inthe practice of occupational therapy.
- 3 (6) "Occupational therapy assistant" means a person
 4 licensed to assist in the practice of occupational therapy
 5 under this chapter, who works under the general supervision
 6 of an occupational therapist in accordance with the
 7 provisions of the Essentials for an Approved Educational
 8 Program for the Occupational Therapy Assistant, published by
 9 the American occupational therapy association, as it read on
 10 October 1, 1985."
- NEW SECTION. **Section 2.** Effective date. [This act] is effective on passage and approval.

-End-

APPROVED BY COMMITTEE
ON PUBLIC HEALTH, WELFARE
A SAFETY

1	SENATE BILL NO. 54
2	INTRODUCED BY NATHE
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4	A BILL FOR AN ACT ENTITLED: "AN ACT TO PERMIT A LICENSED
5	OCCUPATIONAL THERAPIST TO PROVIDE TREATMENT USING-PHYSICAL
6	THERAPEUTIC-AGENTS-AND-PROCEDURES THAT INCLUDES THE USE OF
7	SUPERFICIAL HEAT AND COLD AND OTHER LIMITED TREATMENT USED
8	IN PREPARATION FOR OR IN CONJUNCTION WITH PURPOSEFUL
9	ACTIVITY; AMENDING SECTION 37-24-103, MCA; AND PROVIDING AN
10	IMMEDIATE EFFECTIVE DATE AND A TERMINATION DATE."
11	
12	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
13	Section 1. Section 37-24-103, MCA, is amended to read:
14	*37-24-103. Definitions. As used in this chapter,
15	unless the context requires otherwise, the following
16	definitions apply:
17	(1) "Board" means the board of occupational therapy
18	practice established by 2-15-1859.
19	(2) "Department" means the department of commerce
20	provided for in Title 2, chapter 15, part 18.
21	(3) "Occupational therapist" means a person licensed to
22	practice occupational therapy under this chapter.
23	(4) "Occupational therapy" means the use of purposeful
24	activity with an individual who is limited by physical
25	injury or illness, psychosocial dysfunction, developmenta

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- 1 or learning disability, or the aging process in order to
- 2 maximize independence, prevent disability, and maintain
- 3 health. The practice encompasses evaluation, treatment, and
- 4 consultation. Preatment--includes-but-is-not-limited-to-the
- 5 use-of-physical-therapeutic-agents-and-procedures- TREATMENT
- 6 INCLUDES THE USE OF SUPERFICIAL HEAT AND COLD, INCLUDING HOT
- 7 PACKS, COLD PACKS, ICE, PARAFFIN, AND WATER, APPLIED TO THE
- 8 ELBOW, FOREARM, AND HAND; VIBRATION AND BRUSHING; TREATMENT
- 9 OF ORAL MOTOR CONDITIONS; AND THE USE OF THERAPEUTIC DEVICES
- 10 LIMITED TO THE ELBOW, FOREARM, AND HAND THAT THE BOARD
- 11 APPROVES CONSISTENT WITH THE BASIC EDUCATION REQUIREMENTS
- 12 FOR PROFESSIONAL LICENSURE UNDER THIS CHAPTER. TREATMENT IS
- 13 LIMITED TO PROCEDURES IN PREPARATION FOR OR IN CONJUNCTION
- 14 WITH PURPOSEFUL ACTIVITY. Occupational therapy services may
- 15 be provided individually, in groups, or through social
- 16 systems. Specific occupational therapy services include but
- 17 are not limited to:
- 18 (a) teaching daily living skills;
- 19 (b) developing perceptual-motor skills and sensory
- 20 integrative functioning;
- 21 (c) developing play skills and prevocational and
- 22 leisure capacities;
- (d) designing, fabricating, or applying splints or
- 24 selective adaptive equipment and training in the use of
- b upper extremity prosthetics or upper extremity orthotic SECOND READING

l devices;

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- 2 (e) using specifically designed crafts and exercises to3 enhance functional performance;
- 4 (f) administering and interpreting tests such as manual muscle and range of motion; and
 - (g) adapting environments for the handicapped.
 - (5) "Occupational therapy aide" means a person who assists in the practice of occupational therapy under the direct supervision of an occupational therapist or occupational therapy assistant and whose activities require an understanding of occupational therapy but do not require professional or advanced training in the basic anatomical, biological, psychological, and social sciences involved in the practice of occupational therapy.
 - (6) "Occupational therapy assistant" means a person licensed to assist in the practice of occupational therapy under this chapter, who works under the general supervision of an occupational therapist in accordance with the provisions of the Essentials for an Approved Educational Program for the Occupational Therapy Assistant, published by the American occupational therapy association, as it read on October 1, 1985."
- NEW SECTION. SECTION 2. CONSTRUCTION OF LAW. NOTHING

 1 IN [THIS ACT] MAY BE CONSTRUED TO PROHIBIT THE USE OF

 THERAPEURIC DEVICES OR EQUIPMENT AUTHORIZED AS A SPECIFIC

- OCCUPATIONAL THERAPY SERVICE UNDER 37-24-103(4)(D).
- 2 NEW SECTION. Section 3. Effective date -- TERMINATION.
- 3 [This act] is effective on passage and approval \underline{AND}
- 4 TERMINATES JULY 1, 1993.

-End-

52nd Legislature SB 0054/02 SB 0054/02

1	SENATE BILL NO. 54
2	INTRODUCED BY NATHE
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4	A BILL FOR AN ACT ENTITLED: "AN ACT TO PERMIT A LICENSED
5	OCCUPATIONAL THERAPIST TO PROVIDE TREATMENT USING-PHYSICAL
6	THERAPEUTIC-AGENTS-AND-PROCEDURES THAT INCLUDES THE USE OF
7	SUPERFICIAL HEAT AND COLD AND OTHER LIMITED TREATMENT USED
8	IN PREPARATION FOR OR IN CONJUNCTION WITH PURPOSEFUL
9	ACTIVITY; AMENDING SECTION 37-24-103, MCA; AND PROVIDING AN
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12	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
13	Section 1. Section 37-24-103, MCA, is amended to read:
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15	unless the context requires otherwise, the following
16	definitions apply:
17	(1) "Board" means the board of occupational therapy
18	practice established by 2-15-1859.
19	(2) "Department" means the department of commerce
20	provided for in Title 2, chapter 15, part 18.
21	(3) "Occupational therapist" means a person licensed to
22	practice occupational therapy under this chapter.
23	(4) "Occupational therapy" means the use of purposeful
24	activity with an individual who is limited by physical
25	injury or illness nevelopped all dysfunction developmental

1	or learning disability, or the aging process in order to
2	maximize independence, prevent disability, and maintain
3	health. The practice encompasses evaluation, treatment, and
4	consultation. <u>Treatmentincludes-but-is-not-limited-to-the</u>
5	use-of-physical-therapeutic-agents-and-procedures: TREATMENT
6	INCLUDES THE USE OF SUPERFICIAL HEAT AND COLD, INCLUDING HOT
7	PACKS, COLD PACKS, ICE, PARAFFIN, AND WATER, APPLIED TO THE
8	ELBOW, FOREARM, AND HAND; VIBRATION AND BRUSHING; TREATMENT
9	OF ORAL MOTOR CONDITIONS; AND THE USE OF THERAPEUTIC DEVICES
10	LIMITED TO THE ELBOW, FOREARM, AND HAND THAT THE BOARD
11	APPROVES CONSISTENT WITH THE BASIC EDUCATION REQUIREMENTS
12	FOR PROFESSIONAL LICENSURE UNDER THIS CHAPTER. TREATMENT IS
13	LIMITED TO PROCEDURES IN PREPARATION FOR OR IN CONJUNCTION
14	WITH PURPOSEFUL ACTIVITY. Occupational therapy services may
15	be provided individually, in groups, or through social
16	systems. Specific occupational therapy services include but
17	are not limited to.

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selective adaptive equipment and training in the use of upper extremity prosthetics or upper extremity orthotic

- 1 devices;
- (e) using specifically designed crafts and exercises to
 enhance functional performance;
- 4 (f) administering and interpreting tests such as manual 5 muscle and range of motion; and
- 6 (g) adapting environments for the handicapped.
- 7 (5) "Occupational therapy aide" means a person who 8 assists in the practice of occupational therapy under the 9 direct supervision of an occupational therapist or occupational therapy assistant and whose activities require 11 an understanding of occupational therapy but do not require 12 professional or advanced training in the basic anatomical, 13 biological, psychological, and social sciences involved in 14 the practice of occupational therapy.
- (6) "Occupational therapy assistant" means a person 15 16 licensed to assist in the practice of occupational therapy 17 under this chapter, who works under the general supervision 18 an occupational therapist in accordance with the 19 provisions of the Essentials for an Approved Educational 20 Program for the Occupational Therapy Assistant, published by 21 the American occupational therapy association, as it read on 22 October 1, 1985."
- 23 NEW SECTION. SECTION 2. CONSTRUCTION OF LAW, NOTHING
- 24 IN [THIS ACT] MAY BE CONSTRUED TO PROHIBIT THE USE OF
- 25 THERAPEUTIC DEVICES OR EQUIPMENT AUTHORIZED AS A SPECIFIC

- 1 OCCUPATIONAL THERAPY SERVICE UNDER 37-24-103(4)(D).
- NEW SECTION. Section 3. Effective date -- TERMINATION.
- 3 [This act] is effective on passage and approval AND
- 4 TERMINATES JULY 1, 1993.

-End-

SB 0054/02

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2	INTRODUCED BY NATHE
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4	A BILL FOR AN ACT ENTITLED: "AN ACT TO PERMIT A LICENSED
5	OCCUPATIONAL THERAPIST TO PROVIDE TREATMENT USING-PHYSICAL
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21	(3) "Occupational therapist" means a person licensed to
22	practice occupational therapy under this chapter.
23	(4) "Occupational therapy" means the use of purposeful
24	activity with an individual who is limited by physical
25	injury or illness, psychosocial dysfunction, developmental

- 2 maximize independence, prevent disability, and maintain health. The practice encompasses evaluation, treatment, and consultation. Preatment--includes-but-is-not-limited-to-the use-of-physical-therapeutic-agents-and-procedures- TREATMENT INCLUDES THE USE OF SUPERFICIAL HEAT AND COLD, INCLUDING HOT PACKS, COLD PACKS, ICE, PARAFFIN, AND WATER, APPLIED TO THE ELBOW, FOREARM, AND HAND; VIBRATION AND BRUSHING; TREATMENT OF ORAL MOTOR CONDITIONS; AND THE USE OF THERAPEUTIC DEVICES 10 LIMITED TO THE ELBOW, FOREARM, AND HAND THAT THE BOARD 11 APPROVES CONSISTENT WITH THE BASIC EDUCATION REQUIREMENTS 12 FOR PROFESSIONAL LICENSURE UNDER THIS CHAPTER. TREATMENT IS 13 LIMITED TO PROCEDURES IN PREPARATION FOR OR IN CONJUNCTION 14 WITH PURPOSEFUL ACTIVITY. Occupational therapy services may 15 be provided individually, in groups, or through social 16 systems. Specific occupational therapy services include but 17 are not limited to:
- 18 (a) teaching daily living skills;
- (b) developing perceptual-motor skills and sensory integrative functioning;

or learning disability, or the aging process in order to

- (c) developing play skills and prevocational andleisure capacities;
- 23 (d) designing, fabricating, or applying splints or
 24 selective adaptive equipment and training in the use of
 25 upper extremity prosthetics or upper extremity orthotic
 REFERENCE BILL

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1 devices;

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 - (6) "Occupational therapy assistant" means a person licensed to assist in the practice of occupational therapy under this chapter, who works under the general supervision an occupational therapist in accordance with the provisions of the Essentials for an Approved Educational Program for the Occupational Therapy Assistant, published by the American occupational therapy association, as it read on October 1, 1985."
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- OCCUPATIONAL THERAPY SERVICE UNDER 37-24-103(4)(D).
- NEW SECTION. Section 3. Effective date -- TERMINATION.
- [This act] is effective on passage and approval AND 3
- TERMINATES JULY 1, 1993.

-End-

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