

Occupational Therapy Aide Supervision Requirements

State	Citation	Legislative/Regulatory Information
Alabama	<p>Statute: AL code 1975, § 34-39-3.7</p> <p>Regulations: Chapter 625- X-8-.03</p>	<p>Occupational Therapy Aide. A person who assists in the delivery of occupational therapy, who works under direct on-site supervision of an occupational therapist or occupational therapy assistant, or both, 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.</p> <p>Supervision Of Occupational Therapy Aides.</p> <p>(1) An occupational therapy aide/support personnel is an unlicensed person who assist in the practice of occupational therapy, who works under the supervision of a licensed occupational therapist and whose activities require an understanding of occupational therapy but do not require professional or advance training in the basic anatomical, biological, psychological, and social sciences involved in the practice of occupational therapy. An occupational therapy aide is a worker who is trained on the job to meet the specific needs of the facility.</p> <p>(2) A licensed occupational therapist may delegate to occupational therapy aides only specific tasks which are neither evaluative, assessive, task selective nor recommending in nature, and only after insuring that the aide has been appropriately trained for the performance of the task.</p> <p>(3) Any duties assigned to an occupational therapy aide must be determined and appropriately supervised by a licensed occupational therapist and must not exceed the level of training, knowledge, skill, and competence of the individual being supervised. The licensed occupational therapist is totally and wholly responsible for the acts or actions performed by any occupational therapy aide functioning in the occupational therapy setting.</p> <p>(4) Duties or functions which occupational therapy aides may perform include, but are not limited to:</p> <ul style="list-style-type: none"> (a) Routine department maintenance task (b) Transportation of patients/clients (c) Preparation or setting up of treatment equipment and work area (d) Taking care of patient's/client's personal needs during treatment (e) Clerical, secretarial, administrative activities. <p>(5) Duties or functions which occupational therapy aides shall not perform include, but are not limited to,</p> <ul style="list-style-type: none"> (a) Interpret referrals or prescriptions for occupational therapy services (b) Perform evaluative procedures (c) Develop, plan, adjust, or modify treatment procedures (d) Act on behalf of the occupational therapist in any matter related to direct patient care which requires judgment or decision making (e) Act independently or without supervision of an occupational therapist. <p>(6) An aide/support personnel may assist in the delivery of occupational therapy; however, may not provide direct patient treatment.</p> <p>(7) Care rendered independently by an occupational therapy aide/support personnel shall not be charged as occupational therapy.</p>
Alaska	<p>Regulation: 12 AAC 54.815</p>	<p>Supervision Of Aides By Occupational Therapists.</p> <p>(a) An occupational therapist may delegate to an aide only those patient related duties that are commensurate with the aide's experience, education, and training.</p> <p>(b) Regardless of the setting in which an aide is working, the supervising occupational therapist is solely responsible for</p> <ul style="list-style-type: none"> (1) the interpretation of patient referrals; (2) the initial evaluation and reevaluation of the patient; (3) the development, modification, direction, and termination of the treatment plan; (4) the determination of the appropriate portions of the treatment plan that may be delegated to the aide, including specific precautions, problems, and contraindications to the plan; (5) documentation of the treatment provided, including all written and oral reports; (6) the adequate training of an aide for duties delegated to the aide; (7) interacting with the patient regarding patients condition, progress, and achievement of goals during each treatment session; (8) providing continual on-site supervision of the aide when the aide is performing patient related

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	12 AAC 54.820	<p>duties.</p> <p>(c) An occupational therapist may not supervise, in any combination, more than three aides, assistants, students, foreign-trained candidates, and permittees at the same time.</p> <p>(d) Notwithstanding the provisions of this section, an occupational therapist may not allow an aide to</p> <ol style="list-style-type: none"> (1) interpret a referral; (2) perform evaluation procedures; (3) initiate or adjust a treatment plan; or (4) assume responsibility for the planning of patient care. <p>(e) The duties performed by an aide under this section are not considered the practice of occupational therapy.</p> <p>(f) In this section,</p> <ol style="list-style-type: none"> (1) "aide" means a nonlicensed worker who performs patient related duties under the supervision of a licensed occupational therapist; (2) "continual on-site supervision" means that the occupational therapist is on the premises, readily visible to the aide, and available for immediate direction and supervision of the aide when the aide is performing patient related duties; (3) "patient related duties" means routine tasks performed during a treatment session, as selected by the supervising occupational therapist. <p>Standards For Supervision.</p> <p>For the purposes of 12 AAC 54.600 - 12 AAC 54.820, "supervision" means the occupational therapist</p> <ol style="list-style-type: none"> (1) will be present whenever a patient is evaluated, a treatment program is established, or a treatment program is changed; and (2) is present to personally review the diagnosis of the condition to be treated, authorize the procedure, and, before dismissal of the patient, evaluate the performance of the treatment given.
Arizona	<p>Statute: § 32-3401.3</p> <p>Regulation: R4-43-101.4</p> <p>R4-43-101.7</p> <p>R4-43-101.11</p> <p>R4-43-402</p>	<p>"Direct Supervision" means that the supervising occupational therapist is on the premise at all times while a limited permittee is performing occupational therapy services or when an unlicensed person is performing authorized tasks.</p> <p>"Immediate area" means an occupational therapist is on the same floor and within 80 feet of an occupational therapy aide providing services to an occupational therapy patient.</p> <p>"Occupational therapy aide," "unlicensed personnel," and "occupational therapy technician" means a person who is not licensed as an occupational therapist or occupational therapy assistant, working under the continuous supervision of a licensed occupational therapist.</p> <p>"Supervision" means a collaborative process for the responsible periodic review and inspection of all aspects of occupational therapy services. The following levels of supervision are minimal. An occupational therapist may assign an increased level of supervision if deemed necessary for the safety of a patient or client. The levels of supervision are:</p> <ol style="list-style-type: none"> a. "Continuous supervision" means the supervising occupational therapist is in the immediate area of the occupational therapy aide performing supportive services. b. "Close supervision" means the supervising occupational therapist provides initial direction to the occupational therapy assistant and daily contact while on the premises. c. "Routine supervision" means the supervising occupational therapist has face-to-face contact with the occupational therapy assistant at least once every 15-calendar days on a per patient or client basis while on the premises, with the supervising occupational therapist available by telephone or by written communication. d. "General supervision" means the supervising occupational therapist has face-to-face contact with the occupational therapy assistant at least once every 30-calendar days on a per patient or client basis while on the premises, with the supervising occupational therapist available by telephone or by written communication. e. "Minimal supervision" means the supervising occupational therapist has face-to-face contact with the occupational therapy assistant at least once every 30-calendar days while on the premises. <p>Supervision of Occupational Therapy Aides and other Unlicensed Personnel</p> <p>A. An occupational therapy aide shall not provide occupational therapy services in any setting.</p>

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		<p>However, an occupational therapy aide may provide supportive services assigned by an occupational therapist or occupational therapy assistant after the aide is specifically trained to provide the supportive services by an occupational therapist.</p> <p>B. An occupational therapy aide shall receive continuous supervision.</p> <p>C. An occupational therapy aide shall not act independently,</p> <p>D. An occupational therapy aide shall not perform the following tasks:</p> <ol style="list-style-type: none"> 1. Evaluate a client or patient; 2. Prepare a treatment plan; 3. Make entries in client or patient record regarding client or patient status; 4. Develop, plan, adjust, or modify treatment procedures; 5. Interpret referrals or prescriptions for occupational therapy services; 6. Continue a task if there is a change in the client's or patient's condition; 7. Perform any task without adequate training or skills; and 8. Perform any task requiring licensure under A.R.S. §32-3401-3445.
Arkansas	<p>Statute: 17-88-102</p> <p>Regulation: Regulation 6, 6.3, Arkansas State Occupational Therapy Licensing Act 381 of 1977.</p>	<p>"Occupational therapy aide" or "worker" means a person who aids a licensed occupational therapist in the practice of occupational therapy, 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.</p> <p>Direct Supervision Of Aides Defined.</p> <p>(A) The occupational therapy aide as defined in 17-88-102 (4) means a person who aids a licensed occupational therapist or occupational therapy assistant in the practice of occupational therapy, 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.</p> <p>(B) The aide functions with supervision appropriate to the task as determined by the supervisor. This supervision is provided by the occupational therapists or the occupational therapy assistant. The aide is not trained to make professional judgments or to perform tasks that require the clinical reasoning of an occupational therapy practitioner. The role of the aide is strictly to support the occupational therapist or the occupational therapy assistant with specific non-client related tasks, such as clerical and maintenance activities, preparation of a work area or equipment, or with routine client-related aspects of the intervention session.</p> <p>(C) Any duties assigned to an occupational therapy aide must be determined and appropriately supervised on-site, in-sight daily by a licensed occupational therapist or occupational therapy assistant and must not exceed the level of training, knowledge, skill and competence of the individual being supervised. Direct client related duties shall require continuous visual supervision by the occupational therapist or the occupational therapy assistant. The Board holds the supervising occupational therapist professionally responsible for the acts or actions performed by any occupational therapy aide supervised by the therapist in the occupational therapy setting.</p> <p>(D) Duties or functions which occupational therapy aides shall not perform include the following:</p> <ol style="list-style-type: none"> (1) Interpreting referrals or prescriptions for occupational therapy services; (2) Performing evaluative procedures; (3) Developing, planning, adjusting, or modifying treatment procedures; (4) Preparing written documentation of patient treatment or progress for the patient's record; (5) Acting independently or without on-site, insight supervision of a licensed occupational therapist during patient therapy sessions. <p>(E) Direct client related services provided solely by an occupational therapy aide/tech without on-site, insight continuous visual supervision by a licensed occupational therapist or an occupational therapy assistant cannot be billed as occupational therapy services.</p> <p>(F) Failure of licensee to supervise an Aide as described herein will be considered as unprofessional conduct and may result in punishment by the Board.</p>
California	<p>Statute: §2570.2</p>	<p>As used in this chapter, unless the context requires otherwise:</p> <p>(a) "Appropriate supervision of an aide" means that the responsible occupational therapist shall provide direct in-sight supervision when the aide is providing delegated client-related tasks and shall be readily available at all times to provide advice or instruction to the aide. The occupational therapist is responsible for documenting the client's record concerning the delegated client-related tasks performed by the aide.</p>

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	<p>§ 2570.13</p> <p>Code of Regulations Title 16, Division 39 § 4184</p>	<p>(b) "Aide" means an individual who provides supportive services to an occupational therapist and who is trained by an occupational therapist to perform, under appropriate supervision, delegated, selected client and nonclient-related tasks for which the aide has demonstrated competency. An occupational therapist licensed pursuant to this chapter may utilize the services of one aide engaged in patient-related tasks to assist the occupational therapist in his or her practice of occupational therapy. An occupational therapy assistant shall not supervise an aide engaged in client-related tasks.</p> <p>(a) Consistent with this section, subdivisions (a), (b), and (c) of Section 2570.2, and accepted professional standards, the board shall adopt rules necessary to assure appropriate supervision of occupational therapy assistants and aides. (b) A certified occupational therapy assistant may practice only under the supervision of an occupational therapist who is authorized to practice occupational therapy in this state. (c) An aide providing delegated, client-related supportive services shall require continuous and direct supervision by an occupational therapist.</p> <p>Delegation of Tasks to Aides</p> <p>(a) The primary function of an aide in an occupational therapy setting is to perform routine tasks related to occupational therapy services. Non-client related tasks may be delegated to an aide when the supervising occupational therapy practitioner has determined that the person has been appropriately trained and has supportive documentation for the performance of the services.</p> <p>(b) Client related tasks that may be delegated to an aide include specifically selected routine aspects of an intervention session. In addition to the requirements of Code section 2570.2, subdivisions (a) and (b), the following factors must be present when an occupational therapist delegates a selected aspect of an intervention to an aide:</p> <ol style="list-style-type: none"> (1) The outcome anticipated for the aspects of the intervention session being delegated is predictable. (2) The situation of the client and the environment is stable and will not require that judgement or adaptations be made by the aide. (3) The client has demonstrated previous performance ability in executing the task. (4) The aide has demonstrated competence in the task, routine and process. <p>(c) The supervising occupational therapist shall not delegate to an aide the following tasks:</p> <ol style="list-style-type: none"> (1) Performance of occupational therapy evaluative procedures; (2) Initiation, planning, adjustment, or modification of treatment procedures. (3) Acting on behalf of the occupational therapist in any matter related to occupational therapy treatment that requires decision making. (d) All documented client related services shall be reviewed and cosigned by the supervising occupational therapist.
Colorado		No relevant Statutes or Regulations
Connecticut		No relevant Statutes or Regulations
Delaware		No relevant Statutes or Regulations
District of Columbia	<p>Statute: Sec. 2-1705.2</p> <p>Regulation: Chapter 63-6399</p>	<p>No relevant Statutes</p> <p>Direct supervision - supervision in which an occupational therapist is available on the premises and within vocal communication either directly or by a communications device.</p>
Florida	<p>Statute: 468.203-5</p> <p>468.203-8</p>	<p>"Occupational therapy aide" means a person who assists in the practice of occupational therapy, who works under the direct supervision of a licensed occupational therapist or occupational therapy assistant, and whose activities require a general understanding of occupational therapy pursuant to board rules.</p> <p>"Supervision" means responsible supervision and control, with the licensed occupational therapist providing both initial direction in developing a plan of treatment and periodic inspection of the actual</p>

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	<p>Regulation: Chapter 64B11-4.002</p>	<p>implementation of the plan. Such plan of treatment shall not be altered by the supervised individual without prior consultation with, and the approval of, the supervising occupational therapist. The supervising occupational therapist need not always be physically present or on the premises when the assistant is performing services; however, except in cases of emergency, supervision shall require the availability of the supervising occupational therapist for consultation with and direction of the supervised individual.</p> <p>Occupational Therapy Aides and Other Unlicensed Personnel Involved in the Practice of Occupational Therapy.</p> <p>(1) An occupational therapy aide is an unlicensed person who assists in the practice of occupational therapy, who works under the direct supervision of a licensed 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. An occupational therapy aide is a worker who is trained on the job to provide support services to occupational therapists and occupational therapy assistants. The term occupational therapist aide as used in this section means any unlicensed personnel involved in the practice of occupational therapy.</p> <p>(2) A licensed occupational therapist or occupational therapy assistant may delegate to occupational therapy aides only specific tasks which are neither evaluative, assessive, task selective nor recommending in nature, and only after insuring that the aide has been appropriately trained for the performance of the task. All delegated patient related tasks must be carried out under direct supervision, which means that the aide must be within the line of vision of the supervising occupational therapist or occupational therapy assistant.</p> <p>(3) Any duties assigned to an occupational therapy aide must be determined and appropriately supervised by a licensed occupational therapist or occupational therapy assistant and must not exceed the level of training, knowledge, skill, and competence of the individual being supervised. The licensed occupational therapist or occupational therapy assistant is totally and wholly responsible for the acts or actions performed by any occupational therapy aide functioning in the occupational therapy setting.</p> <p>(4) Occupational therapy aides may perform ministerial duties, tasks and functions without direct supervision which shall include, but not be limited to:</p> <ul style="list-style-type: none"> (a) Clerical or secretarial activities; (b) Transportation of patients/clients; (c) Preparing, maintaining or setting up of treatment equipment and work area; (d) Taking care of patients'/clients' personal needs during treatment. <p>(5) Occupational therapy aides shall not perform tasks that are either evaluative, assessive, task selective or recommending in nature which shall include, but not be limited to:</p> <ul style="list-style-type: none"> (a) Interpret referrals or prescriptions for occupational therapy services; (b) Perform evaluative procedures; (c) Develop, plan, adjust, or modify treatment procedures; (d) Act on behalf of the occupational therapist in any matter related to direct patient care which requires judgment or decision making except when an emergency condition exists; (e) Act independently or without direct supervision of an occupational therapist; (f) Patient treatment; (g) Any activities which an occupational therapy aide has not demonstrated competence in performing.
Georgia	<p>Statute: 43-28-3.6</p> <p>Regulation: 671-2-02</p>	<p>"Occupational therapy aide" means a person who assists the occupational therapist and the occupational therapy assistant in the practice of occupational therapy and who works under the direct supervision of the occupational therapist.</p> <p>Supervision Defined.</p> <p>Supervision as used in the law shall mean personal involvement of the licensed occupational therapist in the supervisee's professional experience which includes evaluation of his or her performance. Further, supervision shall mean personal supervision with weekly verbal contact and consultation, monthly review of patient care documentation, and specific delineation of tasks and responsibilities by the licensed occupational therapist and shall include the responsibility for personally reviewing and interpreting the results of any habilitative or rehabilitative procedures conducted by the supervisee. It is the responsibility of the licensed occupational therapist to ensure</p>

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	671-2-.03	<p>that the supervisee does not perform duties for which he or she is not trained. C.O.T.A.s and limited permit holders must be supervised.</p> <p>Direct Supervision Defined. Direct supervision as used in the Law shall mean daily on-site, close contact whereby the supervisor is able to respond quickly to the needs of the client or supervisee. It requires specific delineation of task and responsibilities by a licensed Occupational Therapist and shall include the responsibility of personally reviewing and interpreting the result of any habilitative or rehabilitative procedures conducted by the supervisee. It is the responsibility of the licensed occupational therapist to ensure that the supervisee does not perform duties for which he/she is not trained.</p>
Guam	<p>Statute: Chapter 12, Article 14, § 121401</p> <p>Regulation:</p>	<p>(e) Occupational therapy technician/aide means a person who can assist in treatment oriented activities, under the direct supervision and presence of an occupational therapist or occupational therapy assistant, and whose activities require a general understanding of occupational therapy services acquired on-the-job.</p> <p>No relevant Regulations</p>
Hawaii	<p>Statute: §457G</p> <p>Regulation:</p>	<p>"Direct supervision" means daily, direct contact at the site of work by a registered occupational therapist.</p> <p>No relevant Regulations</p>
Idaho	<p>Statute: 54-3702-6</p> <p>Regulation: 22.01.09.010.09</p> <p>22.01.09.033</p>	<p>"Occupational therapy aide" means an unlicensed person who aids a licensed occupational therapist or occupational therapy assistant in the practice of occupational therapy, 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.</p> <p>Occupational Therapy Aide. An unlicensed person who aids a licensed occupational therapist or occupational therapy assistant in the practice of occupational therapy, 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.</p> <p>a. Supervision. Supervision of an occupational therapy aide shall require that such person be licensed to practice as an Occupational Therapist or as an Occupational Therapy Assistant and be consistent with Section 033 of these rules.</p> <p>Occupational Therapy Aide. 01. Evaluation Of Patient/Client Before Task Assignment. The occupational therapist shall evaluate each patient/client before tasks are assigned to an occupational therapy aide. Only the occupational therapist or the occupational therapy assistant shall determine, assign, and modify those tasks that can be safely and effectively performed by an occupational therapy aide. 02. What Aids Cannot Do. The occupational therapist and occupational therapy assistant shall not assign or permit aides to: a. Interpret referrals or prescriptions for occupational therapy services; b. Interpret or analyze evaluation data; c. Develop, plan, or modify treatment plans; d. Act independently without the supervision of an occupational therapist or occupational therapy assistant; e. Perform or document services represented as occupational therapy unless the occupational therapy aide is under the supervision of an occupational therapist or occupational therapy assistant. All documentation must be countersigned by the occupational therapist. 03. Professional Supervision Of An Occupational Therapy Aide Is Defined As: a. Documented training by the occupational therapist of the occupational therapy aide in each specific occupational therapy technique for each specific client and the training shall be performed on the client. b. Face to face meetings between the occupational therapy aide and the occupational therapist or an occupational therapy assistant under the direction of the occupational therapist occurring at such</p>

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		<p>intervals as determined by the occupational therapist to meet the client's needs, but shall occur at least once every two (2) weeks:</p> <p>c. The occupational therapist shall observe the occupational therapy aide perform on the client the specific techniques for which the aide was trained at intervals as determined by the occupational therapist to meet the client's need, but shall occur at least once a month.</p> <p>d. Meetings and client contacts will be documented in the client's record.</p>
Illinois	<p>Statute: 225 ILCS 75/2</p> <p>Regulation: §1315.164</p>	<p>"An aide in occupational therapy" means an individual who provides supportive services to occupational therapists or occupational therapy assistants but who is not certified by a nationally recognized occupational therapy certifying or licensing body.</p> <p>Supervision of an Aide in Occupational Therapy</p> <p>a) An aide in occupational therapy is a person who is not licensed by the Board and provides supportive services to occupational therapists and occupational therapy assistants that may include client-related and non-client related duties and that do not require the knowledge, skills or judgment of an occupational therapist or occupational therapy assistant. An aide in occupational therapy works under the direct on-site supervision of an occupational therapist and/or occupational therapy assistants. The occupational therapist is ultimately responsible for the use of aides in occupational therapy.</p> <p>b) An occupational therapist and/or occupational therapy assistant may delegate to an aide in occupational therapy only specific tasks, which are neither evaluative, selective nor recommending in nature, only after insuring that the aide has been appropriately trained for the performance of the task.</p> <p>c) Any duties assigned to an aide in occupational therapy must be determined and appropriately supervised by an occupational therapist and/or occupational therapy assistant and must not exceed the level of training, knowledge, skill and competence of the individual being supervised.</p> <p>d) Duties and/or functions that aides in occupational therapy may perform include, but are not limited to:</p> <ol style="list-style-type: none"> 1) Under supervision <ol style="list-style-type: none"> A) routine department maintenance work; B) transportation of individuals/patients/clients; C) preparation or setting up of treatment equipment and work areas; D) taking care of individuals'/patients'/clients' personal needs during treatment that are not part of occupational therapy treatment; E) clerical, secretarial, administrative activities; and F) assisting in the construction of adaptive equipment. 2) On-site supervision and within the visual field of the occupational therapist or occupational therapy assistant: <ol style="list-style-type: none"> A) following up with selected routine activity or exercise; and B) aiding the occupational therapist and/or the occupational therapy assistant during occupational therapy treatment of the individual, patient or client. <p>e) Duties or functions that aides in occupational therapy shall not perform include, but are not limited to:</p> <ol style="list-style-type: none"> 1) initiate and/or interpret referrals for occupational therapy services; 2) perform evaluative/assessment procedures; 3) develop, plan, adjust or modify treatment procedures; 4) act on behalf of the occupational therapist and/or occupational therapy assistant in any matter related to direct individual/patient/client care that requires judgment or decision-making; 5) document services reported as occupational therapy; or 6) represent himself or herself as an occupational therapist or an occupational therapy assistant. <p>f) An aide in occupational therapy may not provide direct individual/patient/client treatment.</p>
Indiana	<p>Statute: IC 25-23.5-1-5.5</p>	<p>"Occupational therapy aid"</p> <p>(a) "Occupational therapy aide" means a person who:</p> <ol style="list-style-type: none"> (1) assists in the delivery of occupational therapy according to a treatment plan established by an occupational therapist; and (2) works under the direct supervision of an: <ol style="list-style-type: none"> (A) occupational therapist; or (B) occupational therapy assistant. <p>(b) The term does not include a person who does any of the following:</p>

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	<p>Regulation: 844 IAC 10-6-1</p> <p>844 IAC 10-6-2</p> <p>844 IAC 10-6-3</p>	<p>(1) Performs assessments or reassessments. (2) Establishes treatment plans. (3) Initiates treatment modifications.</p> <p>Training programs An occupational therapy aide is an unlicensed or uncertified person who assists in the practice of occupational therapy. Therefore, before an occupational therapy aide may be involved in the provision of direct services to patients, the occupational therapy aide shall have received site-specific training that is appropriate and consistent with the role and function of the aide in the facility to which he or she is assigned. Well-defined and documented training programs are required for the occupational therapy aide to ensure the delivery of quality services.</p> <p>Indirect and direct patient services An occupational therapy aide may contribute to indirect patient services through the provision of routine department maintenance, transportation of patients, preparation and setting up of treatment equipment, and performing clerical activities. An aide, with direct on-site supervision of a certified occupational therapist or, when appropriate, a certified occupational therapy assistant, may provide direct patient service.</p> <p>Direct supervision Direct supervision means that the supervising occupational therapist or occupational therapy assistant shall: (1) be on the premises, immediately available, in person, and responsible at all times whenever an occupational therapy aide is performing direct client services; and (2) examine each client prior to the treatment session of the purpose of determining whether a portion of the treatment may be delegated to the occupational therapy aide.</p>
Iowa		No relevant Statutes or Regulations
Kansas	<p>Statute: Chapter 65-5402</p> <p>Regulation:</p>	<p>"Occupational therapy aide," "occupational therapy tech" or "occupational therapy paraprofessional" means a person who provides supportive services to occupational therapists and occupational therapy assistants in accordance with K.S.A. 65-5419, and amendments thereto.</p> <p>No relevant Regulations</p>
Kentucky	<p>Statute: §319A.010</p> <p>Regulation: 201 KAR 28:130.2</p>	<p>(5) "Aide" means a person who is not licensed by the board who provides supportive services to occupational therapists and occupational therapy assistants. An aide shall function under the guidance and responsibility of a licensed occupational therapist and is supervised by an occupational therapist or an occupational therapy assistant for specifically selected routine tasks for which the aide has been trained and has demonstrated competence. The aide shall comply with supervision requirements developed by the board that are consistent with prevailing professional standards;</p> <p>Supervision of Occupational Therapy Aides. Section 4. Supervision of Occupational Therapy Aides. (1) An occupational therapy aide shall provide supportive services only with face-to-face supervision from an OT/L or OTA/L. (2) The supervising OT/L or OTA/L shall be in direct verbal and visual contact with the occupational therapy aide, at all times, for all therapy-related activities.</p>
Louisiana		No relevant Statutes or Regulations
Maine		No relevant Statutes or Regulations
Maryland	<p>Statute: §10-101</p>	<p>(c) Aide. "Aide" means any individual who: (1) Is not licensed by the Board to perform occupational therapy or limited occupational therapy; and</p>

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		<p>(2) Provides supportive services to the occupational therapist or occupational therapy assistant under direct supervision.</p> <p>(e) Direct supervision. “Direct supervision” means supervision provided on a face-to-face basis by a supervising therapist when delegated client-related tasks are performed.</p> <p>(q) On-site supervision. “On-site supervision” means supervision in which a supervisor is immediately available on a face-to-face basis when client procedures are performed or as otherwise necessary.</p> <p>(r) Periodic supervision. (1) “Periodic supervision” means supervision by a licensed occupational therapist on a face-to-face basis, occurring the earlier of at least: (i) Once every 10 therapy visits; or (ii) Once every 30 calendar days. (2) “Periodic supervision” includes: (i) Chart review; and (ii) Meetings to discuss client treatment plans, client response, or observation of treatment.</p> <p>(s) Supervision. “Supervision” means aid, direction, and instruction provided by an occupational therapist to adequately ensure the safety and welfare of clients during the course of occupational therapy.</p>
	Regulation: 10.46.01.01	<p>“Aide” means any individual who is not licensed by the Board to perform occupational therapy or limited occupational therapy and who provides supportive services to the occupational therapist or occupational therapy assistant under direct supervision.</p>
	10.46.01.05	<p>“Direct supervision” means supervision provided on a face-to-face basis by a supervising therapist when delegated client-related tasks are performed.</p>
	10.46.01.11	<p>“On-site supervision” means supervision in which a supervisor is immediately available on a face-to-face basis when client procedures are performed or as otherwise necessary.</p>
	10.46.01.12	<p>(12) Periodic Supervision. (a) “Periodic supervision” means supervision by an occupational therapist on a face-to-face basis, for each client, occurring the earlier of at least: (i) Once every 10 therapy visits; or (ii) Once every 30 calendar days. (b) “Periodic supervision” includes: (i) Chart review; and (ii) Meetings to discuss client treatment plans, client response, or observation of treatment.</p>
	10.46.01.15	<p>“Supervision” means the giving, by an individual designated as supervisor, of aid, direction, and instruction that is adequate to ensure the safety and welfare of clients during the provision of occupational therapy.</p>
	10.46.01.03	<p>Supervision Requirements. A. Occupational Therapist. (1) An occupational therapist shall exercise sound judgment and provide adequate care in the performance of duties as provided in nationally recognized standards of practice. (2) An occupational therapist shall document client information as follows: (a) Evaluation; (b) Treatment program; (c) Progress reports; (d) Reevaluations; (e) Discharge summaries; (f) Verbal orders; and (g) Clarification orders.</p>

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		<p>(3) An occupational therapist is permitted to supervise the following:</p> <ul style="list-style-type: none"> (a) Occupational therapy assistant; (b) Aide; (c) Temporary occupational therapy licensee; (d) Temporary occupational therapy assistant licensee; and (e) Occupational therapy student or occupational therapy assistant student. <p>(4) Unless otherwise stated, a supervisor need not be physically present on the premises at all times, but may be available by telephone or by other electronic communication means.</p> <p>C. Aide.</p> <p>(1) A supervising occupational therapist or occupational therapy assistant working with an aide shall provide direct supervision to the aide when the aide is performing tasks within the occupational therapy treatment program.</p> <p>(2) An aide shall perform only those tasks that do not require education or training in occupational therapy.</p> <p>(3) An occupational therapist or occupational therapy assistant working with an aide shall document evidence of in-service training and demonstration of skill competence to ensure safe performance of the tasks assigned to the aide.</p> <p>(4) Prescribed tasks within the treatment program that may be performed by an aide under direct supervision of an occupational therapist or occupational therapy assistant include:</p> <ul style="list-style-type: none"> (a) Transfer practice; (b) Assisting in routine: <ul style="list-style-type: none"> (i) Functional activity, (ii) Functional exercise, or (iii) Activities of daily living (ADL) program; (c) Applying assistive devices; (d) Applying adaptive devices; (e) Assisting the client with the use of assistive equipment; (f) Assisting the client with the use of adaptive equipment; (g) Reality orientation for the confused client; and (h) Assisting the occupational therapist in treatment including, but not limited to: <ul style="list-style-type: none"> (i) Guarding, (ii) Positioning, and (iii) Assisting with group and community re-entry activities. <p>(5) Non-treatment activities that may be performed by an aide under the direction of an occupational therapist or occupational therapy assistant include:</p> <ul style="list-style-type: none"> (a) Clerical; (b) Secretarial; (c) Housekeeping; (d) Supply maintenance; (e) Equipment maintenance; (f) Fabrication of straps for splinting and bracing; (g) Holding for splinting or bracing; (h) Fabrication of assistive devices that are not worn directly by a client; (i) Routine transfers for transporting clients; (j) Transporting clients; and (k) Activities ancillary to group and individual activities.
Massachusetts	<p>Statute:</p> <p>Regulation: 259 CMR 2.01</p>	<p>No relevant Statutes</p> <p>Direct Supervision. A process by which a supervisor is on the premises and available to provide supervision in the form of aid, direction, and instruction when procedures or activities are performed.</p> <p>Supervision. A process by which two or more people participate in joint effort to establish, maintain and elevate a level of performance. Supervision requires the physical presence of all parties at regularly scheduled supervision sessions. Supervision is structured according to the supervisee's qualifications, position, level of preparation, depth of experience and the environment within which the supervisee functions.</p>

State	Citation	Legislative/Regulatory Information
	<p>259 CMR 3.01</p> <p>259 CMR 3.02</p>	<p>Occupational Therapy Aide. A health care worker who is trained on the job to meet specific needs within an occupational therapy department. An aide is required to work under the direct supervision of an occupational therapist or occupational therapy assistant. An occupational therapy aide may also be known as a rehabilitation aide or other similar title.</p> <p>Use of Supportive Personnel (1) Responsibility for Supportive Personnel. Primary responsibility for occupational therapy care rendered by supportive personnel rests with the supervising occupational therapist. (2) Supervision of Occupational Therapy Assistants and Occupational Therapy Aides. Adequate supervision of occupational therapy assistants and occupational therapy aides requires, at a minimum, that a supervising occupational therapist perform the following: (a) provide initial evaluation; (b) interpret available information concerning the individual under care; (c) develop plan of care, including long and short term goals; (d) identify and document precautions, special problems, contraindications, anticipated progress, and plans for reevaluation; (e) select and delegate appropriate tasks in the plan of care; (f) designate or establish channels of written and oral communication; (g) assess competence of supportive personnel to perform assigned tasks; (h) direct and supervise supportive personnel in delegated tasks; and (i) re-evaluate, adjust plan of care when necessary, perform final evaluation and establish follow-up plan. (3) Supervision by Occupational Therapists. a. Occupational therapists must exercise their professional judgement when determining the number of supportive personnel they can safely and effectively supervise to ensure that quality care is provided at all times. b. Licensed occupational therapy personnel must provide adequate staff to patient ratio at all times to ensure the provision of safe, quality care. c. An occupational therapist must provide supervision to the following persons rendering occupational therapy services: 1. occupational therapy assistants; and 2. temporary license holders. d. An occupational therapist must provide direct supervision to the following persons rendering occupational therapy services: 1. occupational therapist students; 2. occupational therapy assistant students; and 3. occupational therapy aides, rehabilitation aides, or persons known by other similar titles. (5) Supervision by Occupational Therapy Assistants. (a) Occupational therapy assistants must exercise their professional judgement when determining the number of supportive personnel they can safely and effectively supervise to ensure that quality care is provided at all times. (b) An occupational therapy assistant must provide supervision to occupational therapy assistants with temporary licenses. (c) An occupational therapy assistant must provide direct supervision to the following persons providing occupational therapy services: 1. occupational therapy assistant students; and 2. occupational therapy aides, rehabilitation aides or persons known by other similar titles. (6) Performance of Services by Occupational Therapy Aides. Activities which may be performed by occupational therapy aides under appropriate supervision are restricted to: (a) follow-up of functional and ambulation activities; (b) follow-up of routine specific exercises; (c) application of superficial heat and cold; and (d) non-treatment related activities, such as secretarial and housekeeping, transporting patients and preparation for treatment. These activities must be performed under the supervision of an occupational therapist or occupational therapist assistant.</p>

State	Citation	Legislative/Regulatory Information
	259 CMR 3.03	<p>Co-signing of Documentation</p> <p>(1)(a) The supervising occupational therapist must co-sign the documentation of occupational therapy students and those holding temporary licenses as occupational therapists.</p> <p>(b) The supervising occupational therapist or occupational therapy assistant must co-sign the documentation of occupational therapy assistant students, those holding temporary licenses as occupational therapy assistants, and occupational therapy aides, rehabilitation aides, and persons known by other similar titles.</p> <p>(2) Occupational therapy assistants are not required to have their documentation co-signed.</p> <p>(3) Occupational therapy aides, rehabilitation aides, or persons known by other similar titles may not make entries in a patient's record regarding the patient's status. Information describing impairments (such as ROM, strength, cognition, balance, <i>etc</i>) and function, as well as subjective information (such as patient responses to treatment, report of symptoms and psychological status), is considered to be patient status information which may not be entered in a patient record by aides or persons known by similar titles. Objective information, such as the number of repetitions performed, may be entered on log and flow sheet type documents by aides and such other persons. Entries of objective information by aides and such other persons must be co-signed by the supervising occupational therapist or occupational therapy assistant, in accordance with the requirements of 259 CMR.</p>
Michigan		No relevant Statutes or Regulations
Minnesota	<p>Statute: §148.6402-10</p>	<p>Direct Supervision.</p> <p>"Direct supervision" of an occupational therapy assistant using physical agent modalities means that the occupational therapist has evaluated the patient and determined a need for use of a particular physical agent modality in the occupational therapy treatment plan, has determined the appropriate physical agent modality application procedure, and is available for in-person intervention while treatment is provided.</p>
Mississippi	<p>Statute: 73-24-3</p> <p>Regulation: 1-3</p> <p>10-2</p>	<p>(f) "Occupational therapy aide" shall mean a person not licensed in the field of occupational therapy who assists occupational therapists and occupational therapy assistants in the practice of occupational therapy, is under the direct supervision of the licensed occupational therapist or licensed occupational therapy assistant, and whose activities require an understanding of occupational therapy.</p> <p>"Occupational Therapy Aide" means a person who is not licensed in the field of occupational therapy and who assists occupational therapists and occupational therapy assistants in the practice of occupational therapy under direct supervision. The occupational therapy aides' activities require an understanding of occupational therapy.</p> <p>"Direct supervision" means the daily, direct, on-site contact at all times of a licensed occupational therapist or occupational therapy assistant when an occupational therapy aide assists in the delivery of patient care.</p> <p>Occupational therapy aides:</p> <ol style="list-style-type: none"> 1. An occupational therapy aide is an unlicensed person who assists an occupational therapist or occupational therapy assistant as defined in Section 1-3 of these regulations. An occupational therapy aide is a worker who is trained on the job. 2. Duties assigned to an occupational therapy aide must be determined and directly supervised by a licensed occupational therapist or occupational therapy assistant and must not exceed the level of specific training, knowledge, skill and competence of the individual being supervised. 3. The supervising occupational therapist or occupational therapy assistant is professionally responsible for the acts or actions performed by any occupational therapy aide supervised by the licensee in the occupational therapy setting. 4. Documentation of all training specific to the aide's duties must be in the aide's file. 5. Duties or functions which occupational therapy aides shall not perform include the following: <ol style="list-style-type: none"> a. Interpreting referrals or prescriptions for occupational therapy services; b. Performing evaluative procedures; c. Developing, planning, adjusting, or modifying treatment procedures; d. Preparing written documentation of patient treatment or progress; <p>and</p>

State	Citation	Legislative/Regulatory Information
		<p>e. Act independently without the direct supervision of a licensed occupational therapist or occupational therapy assistant during patient therapy sessions.</p> <p>D. The supervision/consultation requirements stated in these regulations are minimal. It is the professional responsibility and duty of the licensed occupational therapist to provide the occupational therapist assistant with more supervision if deemed necessary in the occupational therapist's professional judgement.</p>
Missouri	<p>Statute: §324.050-7</p> <p>Regulation: 4 CSR 205-4.030</p>	<p>"Occupational therapy aide", a person who assists in the practice of occupational therapy under the direct supervision of an occupational therapist or occupational therapy assistant at all times and whose activities require an understanding of occupational therapy but do not require training in the basic anatomical, biological, psychological and social sciences involved in the practice of occupational therapy;</p> <p>Supervision of Occupational Therapy Aides</p> <p>(1) An occupational therapist or occupational therapy assistant must provide direct supervision of an occupational therapy aide at all times.</p> <p>(2) When an occupational therapist or occupational therapy assistant delegates to an occupational therapy aide maintenance or restorative services to patients/clients, the occupational therapist or occupational therapy assistant must be in the immediate area and within audible and visual range of the patient/client and the occupational therapy aide.</p> <p>(3) An occupational therapist or occupational therapy assistant may delegate to an occupational therapy aide only specific tasks which are neither evaluative, assessive, task selective nor recommending in nature, and only after ensuring that the aide has been appropriately trained for the performance of the task.</p> <p>(4) Occupational therapists and occupational therapy assistants must exercise their professional judgement when determining the number of occupational therapy aides they can safely and effectively supervise to ensure that quality care is provided at all times.</p> <p>(5) Any duties assigned to an occupational therapy aide must be determined and appropriately supervised by an occupational therapist or occupational therapy assistant and must not exceed the level of training, knowledge, skill, and competence of the individual being supervised. The licensed occupational therapist or occupational therapy assistant is responsible for the acts or actions performed by any occupational therapy aide functioning in the occupational therapy setting.</p> <p>(6) An occupational therapist or occupational therapy assistant may delegate to an occupational therapy aide duties or functions other than maintenance or restorative services to patients or clients, including but not limited to subsections (6)(A) through (6)(D). When an occupational therapist or occupational therapy assistant delegates to an occupational therapy aide, duties or functions other than maintenance or restorative services to patients or clients, the occupational therapist or occupational therapy assistant must provide direct supervision, however, the occupational therapist or occupational therapy assistant is not required to remain within audible and visual range of the patient/client.</p> <p>(A) Transportation of patients/clients;</p> <p>(B) Preparation or setting up of treatment equipment and work area;</p> <p>(C) Attending to patient.s/client.s personal needs during treatment; and</p> <p>(D) Clerical/secretarial or administrative duties.</p> <p>(7) Duties or functions that an occupational therapist or occupational therapy assistant may not delegate to an occupational therapy aide include, but are not limited to:</p> <p>(A) Interpretation of referrals or prescriptions for occupational therapy services;</p> <p>(B) Evaluative procedures;</p> <p>(C) Development, planning, adjusting or modification of treatment procedures;</p> <p>(D) Acting on behalf of the occupational therapist in any matter related to direct patient care which requires judgement or decision making; and</p> <p>(E) Any act performed independently or without supervision of an occupational therapist.</p>
Montana	<p>Statute: 37-24-103-6</p>	<p>"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.</p>

State	Citation	Legislative/Regulatory Information
	<p>Regulation: 8.35.415</p> <p>8.35.416</p>	<p>Supervision - General Statement</p> <p>(1)The supervisor shall determine the degree of supervision to administer to the supervisee based on the supervisor's estimation of the supervisee's clinical experience, responsibilities, and competence at a minimum.</p> <p>(2) A fully-licensed occupational therapist shall not require supervision.</p> <p>(3) A certified occupational therapist assistant, in accordance with 37-24-103(2), MCA, shall work under the general supervision of a licensed occupational therapist.</p> <p>(4) Temporary practice permit holders under 37-1-305(2), MCA, shall work under the routine supervision of a certified occupational therapist assistant or a licensed occupational therapist.</p> <p>(5) Entry-level practitioners shall be defined as practitioners having less than six month's experience in the specific practice setting and may on a case-by-case basis, require supervision as determined by the board.</p> <p>(6) Occupational therapy aides under 37-24-103(6), MCA, shall work under the direct supervision of a licensed occupational therapist or a certified occupational therapist assistant. Occupational therapy aides shall have no supervisory capacity.</p> <p>Supervision - Methods</p> <p>(1) Direct supervision shall require the supervisor to be physically present in the direct treatment area of the client-related activity being performed by the supervisee. Direct supervision requires face-to-face communication, direction, observation and evaluation on a daily basis.</p> <p>(2) Routine supervision requires direct contact at least daily at the site of work, with interim supervision occurring by other methods, such as telephonic, electronic or written communication.</p> <p>(3) General supervision requires face-to-face communication, direction, observation and evaluation by the supervisor of the supervisee's delivery of client services at least monthly at the site of client-related activity, with interim supervision occurring by other methods, such as telephonic, electronic or written communication.</p>
Nebraska	<p>Statute: 71-6103.10</p> <p>Regulation: § 114-002</p>	<p>Occupational therapy aide means a person who assists in the practice of occupational therapy, who works under the supervision of an occupational therapist, and whose activities require an understanding of occupational therapy but do not require professional or advanced training or licensure;</p> <p>Occupational therapy aide means a person who assists in the practice of occupational therapy, who works under the supervision of an occupational therapist, and whose activities require an understanding of occupational therapy but do not require professional or advanced training or licensure.</p> <p>Supervision means the process by which the quantity and quality of work of an Occupational Therapy Assistant is monitored. Supervision means the directing of the authorized activities of an Occupational Therapy Assistant by a licensed Occupational Therapist and must not be construed to require the physical presence of the supervisor when carrying out assigned duties.</p>
Nevada	<p>Statute: NRS 640A.230</p> <p>Regulation: NAC 640A.270</p>	<p>Unauthorized practice prohibited; required supervision; penalty.</p> <p>1. Except as otherwise provided in NRS 629.091, a person shall not practice occupational therapy, or represent that he is authorized to practice occupational therapy, in this state unless he holds a current license issued pursuant to this chapter.</p> <p>2. A licensed occupational therapist shall directly supervise the work of any person who assists him as an aide or technician.</p> <p>3. A person who violates any provision of this section is guilty of a misdemeanor.</p> <p>Delegation of duties to occupational therapy aide or technician; limitations.</p> <p>1. A person may assist a licensed occupational therapist as an occupational therapy aide or technician. Such an occupational therapy aide or technician is not required to be licensed pursuant to the provisions of chapter 640A of NRS or possess the professional or advanced training in basic anatomical, biological, psychological or social sciences which are required for the practice of occupational therapy.</p> <p>2. Except as otherwise provided in subsection 3, a licensed occupational therapist may delegate duties to an occupational therapy aide or technician if he determines, before he delegates a duty, that the aide or technician possesses the necessary knowledge, competence, training and skills to perform</p>

State	Citation	Legislative/Regulatory Information
	NAC 640A.275	<p>the duty. The duties which may be delegated to an occupational therapy aide or technician include, but are not limited to, the:</p> <ul style="list-style-type: none"> (a) Routine maintenance of a department; (b) Transportation of a patient; (c) Preparation of a work area for a therapy session with a patient; (d) Preparation of treatment equipment for a therapy session with a patient; (e) Attendance to the personal needs of a patient during treatment; (f) Assistance in the construction of adaptive equipment and splints; and (g) Performance of clerical, secretarial and administrative duties. <p>3. A licensed occupational therapist may not delegate a duty to an occupational therapy aide or technician if the duty requires the aide or technician to make independent evaluations, assessments or recommendations. The duties which may not be delegated to an aide or technician include, but are not limited to, the:</p> <ul style="list-style-type: none"> (a) Interpretation of the record of a patient referred to an occupational therapist; (b) Interpretation of prescriptions for a patient; (c) Development, planning, adjustment or modification of procedures for the treatment of a patient; (d) Recordation of the treatment or progress of a patient; (e) Duties described in subsections 3 and 4 of NAC 640A.265; and (f) Performance of any duty which requires the aide or technician to act independently or without the supervision of a licensed occupational therapist during a therapy session with a patient. <p>4. An occupational therapist who delegates a duty to an aide or technician:</p> <ul style="list-style-type: none"> (a) Shall supervise the aide or technician in accordance with the provisions of NAC 640A.275; and (b) Is professionally responsible for the duty performed by the aide or technician. <p>Supervision of occupational therapy aide or technician: "Directly supervise" interpreted. As used in NRS 640A.230, the board interprets the term "directly supervise" to mean supervision of an occupational therapy aide or technician by a licensed occupational therapist who:</p> <ul style="list-style-type: none"> 1. Is physically present on the premises at all times when the aide or technician is working with patients; 2. Provides personal instruction to the aide or technician on a regular basis; 3. Personally evaluates the work of the aide or technician on a regular basis; and 4. Sets forth detailed statements of the duties and responsibilities of the aide or technician.
New Hampshire		No relevant Statute or Regulation
New Jersey		No relevant Statute or Regulation
New Mexico	Statute: Chapter 61-12A-1 16-12A-5 Regulation: NMAC 16.15.3.7	<p>G. "occupational therapy aide or technician" means an unlicensed person who assists in occupational therapy, who works under direct supervision of a registered occupational therapist or certified occupational therapy assistant;</p> <p>Supervision; required; defined. No occupational therapy shall be performed by any certified occupational therapy assistant, occupational therapy aide or technician, or by any person practicing on a provisional permit, unless such therapy is supervised by a registered occupational therapist. The board shall adopt regulations defining supervision, which definitions may include various categories such as "close supervision", "routine supervision" and "general supervision".</p> <p>Definitions: A. "Supervision" means the typical oversight required for individuals at the various levels of role performance. Supervision is a shared responsibility. The supervising occupational therapist (OT) has a responsibility to provide supervision to occupational therapy assistants (OTAs), persons practicing on a provisional permit, and occupational therapy aides/technicians. The supervisee has a responsibility to obtain supervision. B. An "entry-level occupational therapy assistant" (OTA) means a new graduate that has not passed the National Board for Certification in Occupational Therapy Exam. C. "Entry-level Occupational Therapy Assistant" (OTA) means a new graduate with less than 960</p>

State	Citation	Legislative/Regulatory Information
		<p>evaluate each patient/client before direct care tasks are assigned to the occupational therapy assistant (OTA). The occupational therapist (OT) shall determine and assign only those tasks that can be safely and effectively done by an occupational therapy assistant (OTA). Direct care tasks may include, but are not limited to:</p> <ol style="list-style-type: none"> (1) completing data collection procedures such as record review, interviews, general observations, and behavioral checklists; (2) administering standardized and criterion-referenced tests after service competency has been established; (3) reporting changes in status that might warrant reassessment or referral; (4) contributing to treatment plan as developed by the occupational therapist (OT); (5) providing direct intervention by engaging patient/client in activities related to occupational performance areas; (6) adjusting and modifying treatment plans subject to final approval by an occupational therapist (OT); and (7) reporting the factors that warrant discontinuation of intervention orally and in writing. <p>B. The occupational therapist (OT) must sign the evaluation, the original treatment plan, any change of the treatment plan, and discharge of services.</p> <p>C. Duties and functions which the occupational therapy assistant (OTA) shall not perform include, but are not limited to:</p> <ol style="list-style-type: none"> (1) interpreting referrals or prescriptions for occupational therapy service; (2) interpreting and analyzing evaluation data; (3) developing or planning treatment plans independently; and (4) acting independently without supervision of an occupational therapist (OT); <p>D. In extenuating circumstances, when the occupational therapy assistant (OTA) is without supervision, the occupational therapy assistant (OTA) may continue carrying out established programs for no longer than thirty (30) calendar days under agency supervision while appropriate occupational therapy supervision is sought. It is the responsibility of the Board to interpret what establishes "extenuating circumstances".</p> <ol style="list-style-type: none"> (1) The agency and the supervisee must notify the Board office, in writing, of the name of the agency supervisor within twenty-four (24) hours of approval for extenuating circumstances. This notification may be by means of fax or e-mail. (2) The agency supervisor must sign the Supervision Log for each day of supervision. <p>E. As pertains to the occupational therapy aide/technician: the occupational therapist (OT) shall evaluate each patient/client before direct care tasks are assigned to the occupational therapy aide/technician. Only the occupational therapist (OT) shall determine, assign and modify those tasks that can be safely and effectively performed by the occupational therapy aide/technician.</p> <ol style="list-style-type: none"> (1) The occupational therapist (OT) or occupational therapy assistant (OTA) shall not document services rendered by an aide or technician as occupational therapy services provided by a licensed practitioner. (2) The occupational therapist (OT) or occupational therapy assistant (OTA) shall supervise those delegated, established routine activities which are performed by the occupational therapy aide/technician. (3) The occupational therapist (OT) and the occupational therapy assistant (OTA) shall not assign or permit occupational therapy aides/technicians to: <ol style="list-style-type: none"> (a) interpret referrals or prescriptions for occupational therapy services; (b) interpret or analyze evaluation data; (c) develop, plan, adjust, or modify treatment plans; (d) act on behalf of the occupational therapist (OT) or the occupational therapy assistant (OTA) in any matter related to direct patient/client care which requires judgment or decision making; (e) act independently without the supervision of an occupational therapist (OT) or an occupational therapy assistant (OTA); (f) document services provided by an aide or technician as occupational therapy provided by a licensed practitioner; and (g) represent themselves as an occupational therapist (OT) or occupational therapy assistant (OTA).
New York		No relevant Statute or Regulation
North		B. Unlicensed personnel means individuals within an OT Department who work under the intense

State	Citation	Legislative/Regulatory Information
Carolina		<p>close supervision of occupational therapy practitioners to provide non-treatment services and selected, delegated, skilled patient care services.</p> <p>B. OT practitioners are ultimately responsible for all delegated services. Only those tasks that are appropriate to the unlicensed personnel*s level of training and that can be safely carried out and supervised will be delegated to the unlicensed personnel.</p> <p>C. The OT practitioner who supervises the performance of the unlicensed personnel will establish and update a written job description for unlicensed personnel. This job description will include specific service competencies and reflect appropriate reporting mechanisms. These supervision criteria will be made explicit in workplace policies and procedures.</p> <p>D. The supervising OT practitioner will develop a written site-specific training program for unlicensed personnel which ensures the OT practitioner is providing quality services when using unlicensed personnel. Training will focus on skill development and service competency with an emphasis on the limitation of the role and functions of the unlicensed personnel. Documentation of the unlicensed person*s service competency, including completion of the site-specific training program will be maintained at the facility.</p> <p>E. While the OT practitioner is responsible to the employer for employment activities, the practitioner is also legally accountable to the NCBOT and all applicable state and federal laws and regulations.</p> <p>F. Workplace administrative pressures or a shortage of OT practitioners will not result in the inappropriate use of unlicensed personnel.</p> <p>G. Disciplinary action against the OT practitioner may occur if the practitioner does not ensure that the unlicensed personnel perform only appropriate services in a safe and effective manner.</p> <p>H. It is the responsibility of the OT practitioner to provide and review these guidelines with each unlicensed person under her/his supervision.</p> <p>IV. SUPERVISION OF UNLICENSED PERSONNEL</p> <p>The occupational therapy practitioner uses unlicensed personnel to implement selected, delegated, skilled tasks in the course of providing occupational therapy services. It is the OT practitioner, not the unlicensed personnel, who provides skilled occupational therapy services through the exercise of professional judgment. Appropriate delegation and supervision of tasks is legally required. The unlicensed personnel will receive both general site-specific and client-specific training. The unlicensed personnel will complete well defined and documented training, which establishes competency through the use of return demonstration to the supervising OT practitioner. Service competency must be assessed on an ongoing basis or where appropriate according to facility or external regulations. (AOTA, 1999, In Press). The OT practitioner is responsible for providing the initial training and guidance, as well as ongoing training and supervision of the unlicensed personnel in the course of accomplishing the selected, delegated, skilled tasks.</p> <p>Supervision requires direct contact at the service delivery site at the beginning of each patient care service. When the unlicensed personnel carries out a delegated task with a consumer, the OT practitioner must be available for immediate physical intervention within the service delivery site.</p> <ol style="list-style-type: none"> 1. Supervision will be provided by the treating OT practitioner. 2. Supervision will be intense and close. 3. Supervision will include communication of medical and treatment precautions related to the patient*s condition 4. Supervision will include provisions for emergencies during patient care services. <p>The OT practitioner is legally responsible and accountable for all occupational therapy services provided to the client or consumer.</p>
North Dakota	<p>Statute: 43-40-01.6</p> <p>43-40-03.1</p> <p>Regulation: § 55.5-02-03-01</p>	<p>"Occupational therapy aide" means an unlicensed person who assists in the practice of occupational therapy under the direct supervision of an occupational therapist or occupational therapy assistant in accordance with the rules adopted by the board.</p> <p>Occupational Therapy Aides</p> <ol style="list-style-type: none"> 2. Occupational therapy aides may assist in the practice of occupational therapy only under the direct supervision of an occupational therapist or occupational therapy assistant and in accordance with the rules adopted by the board. <p>Supervision</p> <p>The occupational therapist shall exercise appropriate supervision over persons who are authorized to practice only under the supervision of the licensed therapist. No occupational therapist may supervise more than three occupational therapy assistants at the same time providing that at least one of the occupational therapy assistants has five or more years of experience in occupational therapy.</p> <ol style="list-style-type: none"> 1. Supervision is a collaborative process that requires both the licensed occupational threapist and the licensed occupational therapy assistant to share responsibility. Supervision is providing direction in the performance of specific, delineated tasks and responsibilities that are delivered by a licensed occupational therapy assistant and includes the responsibility of reviewing the results of any occupational therapy procedure conducted by the supervisee. Appropriate supervision will include

State	Citation	Legislative/Regulatory Information
	55.5-02-03.02	<p>consideration given to factors such as level of skill, the establishment of service competency, experience and work-setting demands, as well as the complexity and stability of the client population to be treated. Supervisors who take a leave of absence or vacation must make arrangements to have their supervisory responsibilities filled by another qualified supervisor.</p> <p>2. The entry-level occupational therapy assistant who has practiced occupational therapy less than one thousand six hundred fifty hours shall receive onsite supervision from a licensed occupational therapist. Onsite supervision means daily, direct, face-to-face collaboration at least twenty-five percent of the workday and for the remaining seventy-five percent of the workday, the supervisor must be on the premises and readily available by methods such as telephone or electronic communication for face-to-face consultation.</p> <p>3. The occupational therapy assistant, with greater than one thousand six hundred fifty hours but less than five years of work experience in occupational therapy, shall receive monthly, direct, face-to-face collaboration at the worksite by a licensed occupational therapist at least five percent of the total occupational therapy work as a practicing occupational therapy assistant with interim supervision occurring by other methods such as telephone or electronic communication.</p> <p>4. The occupational therapy assistant with greater than five years of work experience in occupational therapy, shall receive monthly, direct, face-to-face collaboration at the worksite by a licensed occupational therapist a minimum of two and one-half percent of the total supervision occurring by other methods such as telephone or electronic communication.</p> <p>5. Licensed occupational therapy assistants, regardless of their years of experience, may require closer supervision by the licensed occupational therapist for interventions that are more complex or evaluative in nature and for areas in which service competencies have not been established.</p> <p>6. Minimal supervision of the occupational therapist and occupational therapy assistant limited permitholder shall include initial and periodic inspection of written evaluation, written intervention plans, patient note, and periodic evaluation of client interaction. Such reviews and evaluations must be conducted in person by a licensed occupational therapist. A minimum of six hours of supervision per week is required. An occupational therapy assistant limited permitholder must have onsite supervision by a licensed occupational therapist.</p> <p>7. Any documentation written by a limited permitholder for inclusion in the client's official record shall also be signed by the supervising licensed occupational therapist.</p> <p>8. The supervising occupational therapist shall determine that limited permitholder and occupational therapy assistants hold current permits or licenses to practice or assist in the practice of occupational therapy prior to allowing the limited permitholder and occupational therapy assistants to engage in or assist in the practice of occupational therapy.</p> <p>Delineation of tasks to unlicensed persons.</p> <p>1. The primary function of unlicensed supportive personnel functioning in an occupational therapy setting is to perform designed routine tasks related to the operation of an occupational therapy service. An occupational therapist or an occupational therapy assistant may delegate to unlicensed persons only specific tasks which are neither evaluative, assessive, task selective nor recommending in nature, and only after insuring that the unlicensed person has been appropriately trained and has supportive documentation for the performance of the tasks. Such tasks may include:</p> <ul style="list-style-type: none"> a. Routine department maintenance; b. Transportation of patients and clients; c. Preparation or setting up of treatment equipment and work area; d. Taking care of patient's and client's personal needs during treatments; e. Assisting the occupational therapist or occupational therapy assistant in the construction of adaptive equipment; and f. Clerical, secretarial duties. <p>2. The occupational therapist or occupational therapy assistant may not delegate to unlicensed person:</p> <ul style="list-style-type: none"> a. Performance of occupational therapy evaluative procedures; b. Initiation, planning, adjustment, modification or performance of occupational therapy treatment procedures; c. Making occupational therapy entries directly in patient's or client's official records; and d. Acting on behalf of the occupational therapist in any matter related to occupational therapy intervention which requires decision making.
Ohio	Statute:	No relevant Statutes

State	Citation	Legislative/Regulatory Information
	<p>Regulation: 4755-7-02</p>	<p>Delegation of tasks to unlicensed persons.</p> <p>(A) The primary function of unlicensed supportive personnel functioning in an occupational therapy setting is to perform designed routine tasks related to the operation of an occupational therapy service. An occupational therapist or an occupational therapy assistant may delegate to unlicensed persons only specific tasks which are neither evaluative, assessive, task selective nor recommending in nature, and only after insuring that the unlicensed person has been appropriately trained and has supportive documentation for the performance of the tasks. Such tasks may include, but are not limited to:</p> <ol style="list-style-type: none"> (1) Routine department maintenance. (2) Transportation of patient/clients. (3) Preparation or setting up of treatment equipment and work area. (4) Taking care of patients'/clients' personal needs during treatments. (5) Assisting in the construction of adaptive equipment and splints. (6) Clerical, secretarial, administrative activities. <p>(B) The occupational therapist or occupational therapy assistant may not delegate to unlicensed persons:</p> <ol style="list-style-type: none"> (1) Performance of occupational therapy evaluative procedures. (2) Initiation, planning, adjustment, modification or performance of occupational therapy treatment procedures. (3) Making occupational therapy entries directly in patient's or client's official records. (4) Acting on behalf of the occupational therapist in any matter related to occupational therapy treatment which requires decision making. <p>(C) The occupational therapy student is an unlicensed person, however, in accordance with divisions (C) and (D) of section 4755.12 of the Revised Code, persons enrolled in an accredited occupational therapy education program when participating in supervised clinical education experiences may, at the discretion of the supervising occupational therapist, be assigned duties or functions commensurate with their education and training.</p> <p>(D) Annual performance evaluation to be completed by the supervising occupational therapy practitioner.</p>
Oklahoma	<p>Statute: Title 59 O.S. § 888.3</p> <p>Regulations: 435:30-1-2.</p> <p>435:30-1-15</p>	<p>4. "Occupational therapy aide" means a person who assists in the practice of occupational therapy and whose activities require an understanding of occupational therapy, but do not require the technical or professional training of an occupational therapist or occupational therapy assistant;</p> <p>Definitions.</p> <p>"Direct supervision" means personal supervision and specific delineation of tasks and responsibilities by an Oklahoma licensed occupational therapist and shall include the responsibility for personally reviewing and interpreting the results of any habilitative or rehabilitative procedures conducted by the supervisee. It is the responsibility of the Oklahoma licensed occupational therapist to be onsite during treatment to ensure that the supervisee does not perform duties for which he is not trained.</p> <p>"General supervision" means responsible supervision and control, with the Oklahoma licensed occupational therapist providing both initial direction in developing a plan of treatment and periodic inspection of the actual implementation of the plan. Such plan of treatment shall not be altered by the supervised individual without prior consultation with and approval of the supervising occupational therapist. The supervising occupational therapist need not always be physically present or on the premises when the assistant is performing services; however, except in cases of emergency, supervision shall require the availability of the supervising occupational therapist for consultation with and direction of the supervised individual.</p> <p>Supervision of students, new graduates, techs and aides. The Occupational Therapist is responsible and accountable for the overall use and actions of unlicensed personnel under his/her supervision and control:</p> <ol style="list-style-type: none"> (3) Techs and aides. Direct on-site supervision will be provided by the Occupational Therapist or Occupational Therapy Assistant for aides/technicians providing patient care. Occupational Therapists and Occupational Therapy Assistants will delegate only those tasks that are of a routine nature and do not require interpretation or professional judgment. The occupational therapy practitioner must ensure the aide/technician has demonstrated competency in the delegated tasks.

State	Citation	Legislative/Regulatory Information
	435:30-1-16	<p>Responsible supervision</p> <p>(a) An occupational therapist will not sign the Form #5, Verification of Supervision, to be the direct clinical supervisor for more than a total of four occupational therapy assistants or applicants for licensure regardless of the type of professional licensure or level of training.</p> <p>(b) It shall be the responsibility of the occupational therapist to monitor the number of persons under his/her direct clinical supervision. It shall be the responsibility of the occupational therapy assistant to inquire of the occupational therapist in regards to the number of persons being directly supervised.</p> <p>(c) In unique cases, an occupational therapist may petition the Committee to receive permission to supervise additional occupational therapy assistants or applicants.</p> <p>(d) If responsible supervision is not practiced, both the occupational therapist and occupational therapy assistant are in violation of this rule.</p>
Oregon	<p>Statute:</p> <p>Regulation: 339-010-0005</p> <p>339-010-0055</p>	<p>No relevant Statute</p> <p>Definitions</p> <p>(1) "Supervision", is a process in which two or more people participate in a joint effort to promote, establish, maintain and/or evaluate a level of performance. The occupational therapist is responsible for the program outcomes and documentation to accomplish the goals and objectives. Levels of supervision:</p> <p>(a) "Close supervision" requires daily, direct contact in person at the work site;</p> <p>(b) "Routine supervision" requires the supervisor to have direct contact in person at least every two weeks at the work site with interim supervision occurring by other methods, such as telephone or written communication.</p> <p>(c) "General supervision" requires the supervisor to have least monthly direct contact in person with the supervisee at the work site with supervision available as needed by other methods.</p> <p>(4) "Occupational therapy aide", as it is used in OAR 339-010-0055, means an unlicensed worker who is assigned by the licensed occupational therapy practitioner to perform selected tasks.</p> <p>Occupational Therapy Aides Tasks</p> <p>(1) An occupational therapy practitioner shall:</p> <p>(a) Only assign tasks to an occupational therapy aide as provided in these rules;</p> <p>(b) Only assign tasks to an occupational therapy aide which the aide is competent to perform; and</p> <p>(c) Provide close supervision of the aide when the aide is performing assigned tasks.</p> <p>(2) Tasks which the occupational therapy practitioner may assign to the occupational therapy aide include, but are not limited to:</p> <p>(a) Doing routine department clerical or maintenance tasks;</p> <p>(b) Transporting patients;</p> <p>(c) Caring for patients'/clients' personal needs during treatment;</p> <p>(d) Assisting in the construction of splints and adaptive equipment;</p> <p>(e) Preparing the treatment or the work area;</p> <p>(f) Following up with a selected routine activity or exercise;</p> <p>(g) Aiding the occupational therapy practitioner during treatment.</p> <p>(3) An occupational therapy practitioner may not assign to an occupational therapy aide any duties that involve the exercise of independent judgement which include, but are not limited to:</p> <p>(a) Performing evaluative procedures;</p> <p>(b) Initiating, planning or modifying performance of treatment procedures;</p> <p>(c) Interpreting referrals or prescriptions for occupational therapy;</p> <p>(d) Acting independently or without supervision.</p>
Pennsylvania	<p>Statute:</p> <p>Regulation: Chapter 42, § 42.21</p>	<p>No relevant Statutes</p> <p>Delegation of duties to aides and other unlicensed personnel.</p> <p>(a) A licensee may delegate to aides and other unlicensed personnel duties associated with nontreatment aspects of occupational therapy services if the following conditions are met:</p> <p>(1) The licensee who delegates a duty shall accept professional responsibility for the performance of that duty by the aide or other unlicensed person to whom it is delegated. Responsibility for the performance of a duty delegated by an occupational therapy assistant shall lie with both the assistant and with the occupational therapist who supervises that assistant.</p>

State	Citation	Legislative/Regulatory Information
		<p>(2) The aide or other unlicensed person does not perform an activity which requires licensure under the act.</p> <p>(b) The following are examples of the lawful use of aides or other unlicensed personnel in the occupational therapy setting:</p> <ol style="list-style-type: none"> (1) Transporting patients. (2) Preparing or setting up a work area or equipment. (3) Attending to the personal needs of patients/clients during treatment. (4) Assisting patients/clients with nontreatment aspects of occupational therapy services, such as monitoring and cuing patients/clients as they participate in activities. (5) Performing clerical and housekeeping activities. <p>(c) The following are examples of the unlawful use of aides or other unlicensed personnel in the occupational therapy setting:</p> <ol style="list-style-type: none"> (1) Evaluating patients/clients. (2) Treating patients/clients. (3) Recording occupational therapy progress reports on the chart of a patient/client. (d) Failure to comply with this section constitutes unprofessional conduct under section 16(a)(2) of the act (63 P. S. § 1516(a)(2)).
Puerto Rico		No relevant Statute or Regulation
Rhode Island	<p>Statute: Chapter 5-40.1, § 5-40.1-3</p> <p>§ 5-40.1-21</p>	<p>(11) "Occupational therapy aide" means a person not licensed pursuant to the statutes and rules applicable to the practice of occupational therapy, who works under the supervision of a licensed occupational therapist or occupational therapy assistant, who assists in the practice of occupational therapy and whose activities require an understanding of occupational therapy, but do not require professional or advanced training in the basic anatomical, psychological, and social sciences involved in the practice of occupational therapy.</p> <p>(12) "Supervision" means that a licensed occupational therapist or occupational therapy assistant shall at all times be responsible for supportive personnel and students.</p> <p>Supervision.</p> <p>(a) A licensed occupational therapist exercises sound judgment and provides adequate care in the performance of duties. A licensed occupational therapist is permitted to supervise the following: occupational therapists, occupational therapy assistants, occupational therapy aides, care extenders, occupational therapy students, and volunteers.</p> <p>(b) A licensed occupational therapy assistant exercises sound judgment and provides adequate care in the performance of duties. A licensed occupational therapy assistant is permitted to supervise the following: occupational therapy aides, care extenders, students, and volunteers.</p> <p>(c) Subject to the requirements of this section, a licensed occupational therapy assistant may practice limited occupational therapy only under the supervision of a licensed occupational therapist. Supervision requires at a minimum that the supervising licensed occupational therapist meet in person with the licensed occupational therapy assistant to provide initial direction and periodic on-site supervision. The supervising licensed occupational therapist working with the licensed occupational therapy assistant determines the amount and type of supervision necessary in response to the experience and competence of the licensed occupational therapy assistant and the complexity of the treatment program. The supervisor and the licensed occupational therapy assistant are jointly responsible for maintaining records, including patient records, to document compliance with this regulation.</p> <p>(d) A licensed occupational therapy assistant:</p> <ol style="list-style-type: none"> (1) May not initiate a treatment program until the patient has been evaluated and the treatment planned by the licensed occupational therapist; (2) May not perform an evaluation, but may assist in the data gathering process and administer specific assessments where clinical competency has been demonstrated, under the direction of the licensed occupational therapist; (3) May not analyze or interpret evaluation data; (4) May participate in the screening process by collecting data and communicate the information gathered to the licensed occupational therapist; (5) Monitors the need for reassessment and report changes in status that might warrant reassessment

State	Citation	Legislative/Regulatory Information
	<p>Regulation: R5-40.1-OCC § 1.9</p> <p>§ 1.10</p> <p>§ 5.5.8</p> <p>§ 5.5.9</p> <p>§ 5.5.10</p>	<p>or referral under the supervision of the licensed occupational therapist; and</p> <p>(6) Immediately discontinues any treatment procedure which appears harmful to the patient and immediately notifies the supervising occupational therapist.</p> <p>(1) An occupational therapy aide is a worker trained on the job. A licensed occupational therapist or licensed occupational therapy assistant using occupational therapy aide personnel to assist with the provision of occupational therapy services must provide close supervision in order to protect the health and welfare of the consumer.</p> <p>(2) The primary function of an occupational therapy aide functioning in an occupational therapy setting is to perform designated routine tasks related to the operation of an occupational therapy service. These tasks may include, but are not limited to, routine department maintenance, transporting patients/clients, preparing or setting up treatment equipment and work area, assisting patients/clients with their personal needs during treatment, assisting in the construction of adaptive equipment, and carrying out a predetermined segment or task in the patient's care.</p> <p>(f) The licensed occupational therapist or occupational therapy assistant shall not delegate to an occupational therapy aide:</p> <p>(1) Performance of occupational therapy evaluation procedures;</p> <p>(2) Initiation, planning, adjustment, modification, or performance of occupational therapy procedures requiring the skills or judgment of a licensed occupational therapist or licensed occupational therapy assistant;</p> <p>(3) Making occupational therapy entries directly in patients' or clients' official records; and</p> <p>(4) Acting on behalf of the occupational therapist in any matter related to occupational therapy which requires decision making or professional judgment.</p> <p>“Occupational therapy aide” means a person not licensed pursuant to the statutes and rules applicable to the practice of occupational therapy, who works under the supervision of a licensed occupational therapist or occupational therapy assistant, who assists in the practice of occupational therapy and whose activities require an understanding of occupational therapy, but do not require professional or advanced training in the basic anatomical, psychological and social sciences involved in the practice of occupational therapy.</p> <p>"Supervision" means that a licensed occupational therapist or occupational therapy assistant shall at all times be responsible for supportive personnel and students.</p> <p>An occupational therapy aide is a worker who is trained on the job. A licensed occupational therapist or licensed occupational therapy assistant using occupational therapy aide personnel to assist with the provision of occupational therapy services must provide close supervision in order to protect the health and welfare of the consumer.</p> <p>The primary function of an occupational therapy aide functioning in an occupational therapy setting is to perform designated routine tasks related to the operation of an occupational therapy service. Such tasks may include, but are not limited to:</p> <p>a) routine department maintenance;</p> <p>b) transportation of patients/clients;</p> <p>c) preparation or setting up of treatment equipment and work area;</p> <p>d) assisting patients/clients with their personal needs during treatment;</p> <p>e) assisting in the construction of adaptive equipment; and</p> <p>f) carrying out a predetermined segment or task in the patient's care.</p> <p>The licensed occupational therapist or occupational therapy assistant shall not delegate to an occupational therapy aide:</p> <p>a) performance of occupational therapy evaluation procedures;</p> <p>b) initiation, planning, adjustment, modification, or performance of occupational therapy procedures requiring the skills or judgment of a licensed occupational therapist or licensed occupational therapy assistant;</p> <p>c) making occupational therapy entries directly in patients' or clients' official records; and</p> <p>d) acting on behalf of the occupational therapist in any matter related to occupational therapy which requires decision making or professional judgment.</p>
South	Statute:	(4) "Direct supervision" means personal, daily supervision, and specific delineation of tasks and

State	Citation	Legislative/Regulatory Information
Carolina	<p>Chapter 36, § 40-36-20</p> <p>§ 40-36-300</p> <p>Regulation:</p>	<p>responsibilities by an occupational therapist and includes the responsibility for personally reviewing and interpreting the results of a supervisee on a daily basis.</p> <p>(8) "Occupational therapy aide" means a person who has received on-the-job training in occupational therapy and is employed in an occupational therapy setting under the direct on-site supervision of a licensed occupational therapist or licensed occupational therapy assistant.</p> <p>(10) "On-site" means the same premises while direct client treatment is being performed.</p> <p>(12) "Supervision" means personal and direct involvement of an occupational therapist in a supervisee's professional experience which includes evaluation of the supervisee's performance with respect to each client treated by the supervisee.</p> <p>Responsibilities and duties of occupational therapy assistants and aides; restrictions.</p> <p>(A) An occupational therapy assistant only shall assist in the practice of occupational therapy under the supervision of a licensed occupational therapist and shall:</p> <p>(1) only accept those duties and responsibilities for which the assistant has been specifically trained and is qualified to perform;</p> <p>(2) consult with the supervising occupational therapist every seven treatments or thirty days, whichever is first, for each client;</p> <p>(3) inform the occupational therapist of any changes in a client that may require reevaluation or change in treatment;</p> <p>(4) contribute to a client evaluation by gathering data, administering structured tests, and reporting observations but may not evaluate a client independently or initiate treatment before a licensed occupational therapist's evaluation.</p> <p>(B) An occupational therapy aide may perform duties associated with nontreatment aspects of occupational therapy including, but not limited to, transporting clients, preparing treatment areas, attending to the personal needs of clients during treatment sessions, and clerical or housekeeping activities under the direct on-site supervision of a licensed occupational therapist or licensed occupational therapy assistant. When performing these duties, the occupational therapy aide must be clearly identified by using "O.T./Aide" or another designation approved by the board;</p> <p>(C) An occupational therapy aide may not:</p> <p>(1) perform an activity or task which requires licensure under this chapter;</p> <p>(2) perform an activity or task which requires the exercise of the professional judgment of an occupational therapist; or</p> <p>(3) develop or model client treatment plans or discharge plans.</p> <p>(D) An occupational therapy student may perform duties or functions commensurate with the student's training and experience under the direct on-site supervision of a licensed occupational therapist.</p> <p>No relevant Regulations</p>
South Dakota	<p>Statute: Title 36, 36-31-1</p> <p>Regulation: 20:64:01:01</p> <p>20:64:03:01</p>	<p>(5) "Occupational therapy aide," any person who assists in the practice of occupational therapy under the direct supervision of an occupational therapist or occupational therapy assistant;</p> <p>(2) "Direct supervision," the physical presence of an occupational therapist or occupational therapy assistant in the immediate room when remediative tasks are being performed by an occupational therapy aide;</p> <p>(3). "Supervision," the physical presence of an occupational therapist on the premises where a patient is being cared for by an occupational therapy assistant.</p> <p>Direct supervision of occupational therapy aide. An occupational therapy aide may only perform selected routine tasks which are neither evaluative, assessive, nor recommendative and for which the aide has been suitably trained. An occupational therapy aide shall be under the direct supervision of an occupational therapist or occupational therapy assistant.</p>
Tennessee	<p>Statute: § 63-13-103</p>	<p>(22) "Occupational therapy aide" - 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 do not require professional or advance training in the basic anatomical, biological,</p>

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	<p>§ 63-13-207</p> <p>Regulation: 1150-2-.01</p> <p>1150-2-.10</p>	<p>psychological and social sciences involved in the practice of occupational therapy. Delegation of tasks to unlicensed personnel.</p> <p>(a) A licensed occupational therapy practitioner may delegate to unlicensed personnel specific routine tasks associated with nontreatment aspects of occupational therapy services which are neither evaluative, assessive, task selective, or recommending in nature, nor which require decision making or making occupational therapy entries in official patient records, if the following conditions are met:</p> <p>(1) The occupational therapy practitioner accepts professional responsibility for the performance of that duty by the personnel to whom it is delegated. In the case of duties delegated by a COTA, both the COTA and the Occupational Therapist Registered (OTR) who supervises the technician will be responsible;</p> <p>(2) The unlicensed personnel do not perform any duties which require licensure under this act; and</p> <p>(3) The occupational therapy practitioner ensures that the unlicensed personnel have been appropriately trained for the performance of the tasks.</p> <p>b) Tasks which may be delegated may include:</p> <p>(1) Transporting of patients;</p> <p>(2) Preparing or setting up a work area or equipment;</p> <p>(3) Routine department maintenance or housekeeping activities;</p> <p>(4) Taking care of patient's personal needs during treatments; and</p> <p>(5) Clerical, secretarial or administrative duties.</p> <p>(21) "Occupational therapy aide" - 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 do not require professional or advance training in the basic anatomical, biological, psychological and social sciences involved in the practice of occupational therapy.</p> <p>(27) Supervision is defined as the following:</p> <p>(a) Close: Daily direct contact at the site of treatment.</p> <p>(b) Routine: Direct contact at least every two (2) weeks at the site of treatment, with interim supervision occurring by other methods such as telephone or written communication.</p> <p>(c) General: At least monthly direct contact with supervision available as needed by other methods.</p> <p>(d) Minimal: Provided only on a need basis, and may be less than monthly.</p> <p>(e) Continuous: Within sight of the individual being supervised.</p> <p>(4) Supervision of an Occupational Therapy Aide/Tech shall be as follows:</p> <p>(a) There shall be close supervision with daily, direct contact at site of treatment, which demands physical presence of a licensed Occupational Therapist or Occupational Therapy Assistant, whenever the Aide/Tech assists in the practice of Occupational Therapy.</p> <p>(b) There shall be personal instruction, observation and evaluation by the licensed Occupational Therapist or licensed Occupational Therapy Assistant.</p> <p>(c) There shall be specific delineation of tasks and responsibilities by the licensed Occupational Therapist or licensed Occupational Therapy Assistant who is responsible for reviewing and interpreting the results of care. The licensed Occupational Therapist or licensed Occupational Therapy Assistant must ensure that the Aide/Tech does not perform duties for which he is not trained.</p> <p>1. A licensed occupational therapy practitioner may delegate to unlicensed personnel, including but not limited to Aides/Techs, specific routine tasks associated with nontreatment aspects of occupational therapy services which are neither evaluative, assessive, task selective, or recommending in nature, nor which require decision-making or making occupational therapy entries in official patient records, if the following conditions are met:</p> <p>(i) The occupational therapy practitioner accepts professional responsibility for the performance of that duty by the personnel to whom it is delegated. In the case of duties delegated by a OTA, both the OTA and the OT who supervises the technician will be responsible; and</p> <p>(ii) The unlicensed personnel do not perform any duties which require licensure under this act; and</p> <p>(iii) The occupational therapy practitioner ensures that the unlicensed personnel have been appropriately trained for the performance of the tasks.</p> <p>2. Tasks which may be delegated may include:</p> <p>(i) Transporting of patients;</p> <p>(ii) Preparing or setting up a work area or equipment;</p> <p>(iii) Routine department maintenance or housekeeping activities;</p> <p>(iv) Taking care of patients' personal needs during treatments; and</p>

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		<p>(v) Clerical, secretarial or administrative duties.</p> <p>(d) Appropriate records must be maintained to document compliance. The licensed Occupational Therapist or licensed Occupational Therapy Assistant must countersign all Aide/Tech documentation.</p> <p>(e) Intensity of supervision is determined by nature of task to be performed, the needs of the consumer, and the capability of the Aide/Tech.</p> <p>(5) Supervision parameters</p> <p>(a) Supervision is a collaborative process that requires both the licensed occupational therapist and the licensed occupational therapy assistant to share responsibility. Appropriate supervision will include consideration given to factors such as level of skill, the establishment of service competency (the ability to use the identified intervention in a safe and effective manner), experience and work setting demands, as well as the complexity and stability of the client population to be treated.</p> <p>(b) Supervision is an interactive process that requires both the licensed occupational therapist and the licensed occupational therapy assistant or other supervisee to share responsibility for communication between the supervisor and the supervisee. The licensed occupational therapist should provide the supervision and the supervisee should seek it. An outcome of appropriate supervision is to enhance and promote quality services and the professional development of the individuals involved.</p> <p>(c) Supervision of occupational therapy services provided by a licensed occupational therapy assistant is recommended as follows:</p> <ol style="list-style-type: none"> 1. Entry level occupational therapy assistants are persons working on initial skill development (less than 1 year of work experience) or who are entering new practice environments or developing new skills (one or more years. of experience) and should require close supervision. 2. Intermediate level occupational therapy assistants are persons working on increased skill development, mastery of basic role functions (minimum one - three years of experience or dependent on practice environment or previous experience) and should require routine supervision. 3. Advanced level occupational therapy assistants are persons refining specialized skills (more than 3 years work experience, or the ability to understand complex issues affecting role functions) and should require general supervision. 4. Licensed occupational therapy assistants, regardless of their years of experience, may require closer supervision by the licensed occupational therapist for interventions that are more complex or evaluative in nature and for areas in which service competencies have not been established. 5. Certain occupational therapy assistants may only require minimal supervision when performing non-clinical administrative responsibilities.
Texas	<p>Statute: 454.002</p> <p>Regulation: § 362.1</p> <p>§ 373.1</p>	<p>(5) "Occupational therapy aide" means a person:</p> <p>(A) who aids in the practice of occupational therapy; and</p> <p>(B) whose activities require on-the-job training and on-site supervision by an occupational therapist or an occupational therapy assistant.</p> <p>(31) Non-licensed Personnel--OT Aide or OT Orderly or other person not licensed by this board who provides support services to occupational therapy practitioners and whose activities require on-the-job training and close personal supervision</p> <p>Supervision of Non-Licensed Personnel</p> <p>(a) OTRs and LOTs are fully responsible for the planning and delivery of occupational therapy services. They may use non-licensed personnel to extend their services; however, the non-licensed personnel must be under the supervision of an occupational therapy practitioner.</p> <p>(b) Close Personal Supervision implies direct, on-site contact whereby the supervising occupational therapy licensee is able to respond immediately to the needs of the patient. This type of supervision is required for non-licensed personnel providing support services to the occupational therapy practitioners.</p> <p>(c) When occupational therapy practitioners delegate occupational therapy tasks to non-licensed personnel, the occupational therapy practitioners are responsible for ensuring that this person is adequately trained in the tasks delegated.</p> <p>(d) The occupational therapy practitioners providing the treatment must interact with the patient regarding the patient's condition, progress, and/or achievement of goals during each treatment session.</p> <p>(e) Delegation of tasks to non-licensed personnel includes but is not limited to:</p> <p>(1) routine department maintenance;</p>

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		<p>(2) transportation of patients/clients;</p> <p>(3) preparation or set up of treatment equipment and work area;</p> <p>(4) assisting patients/clients with their personal needs during treatment;</p> <p>(5) assisting in the construction of adaptive/assistive equipment and splints. The licensee must be on-site and attending for any initial applications to the patient;</p> <p>(6) carrying out a predetermined segment or task in the patient's care for which the patient has demonstrated some previous performance ability in executing the task;</p> <p>(f) The non-licensed personnel may not:</p> <p>(1) perform occupational therapy evaluative procedures</p> <p>(2) initiate, plan, adjust, or modify occupational therapy procedures.</p> <p>(3) act on behalf of the OTR or LOT in any matter relating to occupational therapy which requires decision making or professional judgements.</p>
Utah	<p>Statute:</p> <p>Regulation: R156-42a-102</p>	<p>No relevant Statutes</p> <p>(1) "General supervision" as used in Section 58-42a-304 and Subsection R156-42a-302b(2) means the supervising occupational therapist is:</p> <p>(a) present in the area where the person supervised is performing services; and</p> <p>(b) immediately available to assist the person being supervised in the services being performed.</p>
Vermont		<p>No relevant Statute or Regulation</p>
Virginia	<p>Statute:</p> <p>Regulation: 18 VAC 85-80-10</p> <p>18 VAC 85-80-110</p>	<p>No relevant Statute</p> <p>"Occupational therapy personnel" means appropriately trained individuals who provide occupational therapy services under the supervision of a licensed occupational therapist.</p> <p>Supervisory responsibilities.</p> <p>A. Delegation to unlicensed occupational therapy personnel.</p> <p>1. An occupational therapist shall be responsible for supervision of occupational therapy personnel who work under his direction.</p> <p>2. An occupational therapist shall not delegate the discretionary aspects of the initial assessment, evaluation or development of a treatment plan for a patient to unlicensed occupational therapy personnel nor shall he delegate any task requiring a clinical decision or the knowledge, skills, and judgment of a licensed occupational therapist.</p> <p>3. Delegation shall only be made if, in the judgment of the occupational therapist, the task or procedures does not require the exercise of professional judgment, can be properly and safely performed by appropriately trained unlicensed occupational therapy personnel, and the delegation does not jeopardize the health or safety of the patient.</p> <p>4. Delegated tasks or procedures shall be communicated on a patient-specific basis with clear, specific instructions for performance of activities, potential complications, and expected results.</p> <p>B. The occupational therapist providing clinical supervision shall meet with the occupational therapy personnel to review and evaluate treatment and progress of the individual patients at least once every fifth treatment session or 21 calendar days, whichever occurs first.</p> <p>C. An occupational therapist shall not provide clinical supervision for more than six occupational therapy personnel.</p> <p>D. An occupational therapist shall be responsible and accountable for the services provided by occupational therapy personnel under his clinical supervision.</p>
Washington	<p>Statute: RCW 18.59.020</p> <p>Regulation: WAC 246-</p>	<p>(5) "Occupational therapy aide" means a person who is trained to perform specific occupational therapy techniques under professional supervision as defined by the board but who does not perform activities that require advanced training in the sciences or practices involved in the profession of occupational therapy.</p> <p>(3) "Professional supervision" of an occupational therapy aide in RCW 18.59.020(5) shall mean:</p> <p>(a) Documented training by the occupational therapist of the occupational therapy aide in each</p>

State	Citation	Legislative/Regulatory Information
	847-010	<p>specific occupational therapy technique for each specific client and the training shall be performed on the client;</p> <p>(b) Face to face meetings between the occupational therapy aide and the supervising occupational therapist or an occupational therapy assistant under the direction of the supervising occupational therapist occurring at intervals as determined by the occupational therapist to meet the client's needs, but shall occur at least once every two weeks; and</p> <p>(c) The occupational therapist shall observe the occupational therapy aide perform on the client the specific occupational therapy techniques for which the occupational therapy aide was trained at intervals as determined by the occupational therapist to meet the client's needs, but shall occur at least once a month. The meetings and client contacts shall be documented and the documentation shall be maintained in the client's treatment records. The failure to meet at sufficient intervals to meet the client's needs shall be grounds for disciplinary action against the occupational therapist's license to practice in the state of Washington pursuant to WAC 246-847-160 (4) and (14), 246-847-170 (2) and (3) and RCW 18.59.100 for conduct occurring prior to June 11, 1986 and pursuant to RCW 18.130.180 for conduct occurring on or after June 11, 1986.</p> <p>(4) Sections (2) and (3) of this rule shall not be effective until July 1, 1985.</p>
West Virginia	<p>Statute: §30-28-3</p> <p>Regulation: Title 13, 13-1-2</p>	<p>(g) "Occupational therapy aide" means a person who assists in the practice of occupational therapy, who works under the direct supervision of an occupational therapist and the 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. As contained in this section, the term "direct supervision" shall mean the actual physical presence of a licensed occupational therapist or licensed occupational therapy assistant.</p> <p>1.7. "Direct Supervision" means the actual physical presence of a licensed supervisor and the specific delineation of tasks and responsibilities for personally reviewing and interpreting the results of any habilitative or rehabilitative procedures conducted by the limited permit holder, occupational therapy student, or aide. It is the responsibility of the licensed supervisor to ensure that the limited permit holder, occupational therapy student, or aide does not perform duties for which he or she is not trained. The supervising licensed occupational therapist or licensed occupational therapy assistant shall be physically present when the limited permit holder, occupational therapy student, or aide is performing the patient or consumer service. An occupational therapist practicing under a limited permit shall be supervised by a licensed occupational therapist.</p> <p>2.10. "General Supervision" means initial direction, periodic inspection of service delivery, periodic meetings to review the outcome of service delivery, and the personal and direct involvement of the supervisor in the certified occupational therapy assistant's professional experience which includes evaluation of his or her performance. The supervisor need not be present or on the premises at all times where the licensed certified occupational therapy assistant is performing the professional services.</p> <p>2.18. "Occupational Therapy Aide" means a person who assists in the practice of occupational therapy, who works under the direct supervision of a licensed occupational therapist or licensed 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.</p>
Wisconsin		<p>OT 4.05 Supervision of non-licensed personnel and therapy aides.</p> <p>(1) An occupational therapist or occupational therapy assistant must provide direct supervision of non-licensed personnel at all times. Direct supervision requires that the supervising occupational therapist or occupational therapy assistant be on premises and available to assist.</p> <p>(2) When an occupational therapist or occupational therapy assistant delegates to non-licensed personnel maintenance or restorative services to clients, the occupational therapist or occupational therapy assistant must be in the immediate area and within audible and visual range of the client and the non-licensed personnel</p> <p>(3) An occupational therapist or occupational therapy assistant may delegate to non-licensed personnel only non-skilled, specific tasks which are neither evaluative, assessive, task selective nor recommending in nature, and only after ensuring that the non-licensed person has been appropriately</p>

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		<p>trained for the performance of the task.</p> <p>(4) Occupational therapists and occupational therapy assistants must exercise their professional judgment when determining the number of non-licensed persons they can safely and effectively supervise to ensure that quality care is provided at all times. A limit of 2 is recommended.</p> <p>(5) Any duties assigned to non-licensed personnel must be determined and appropriately supervised by an occupational therapist or occupational therapy assistant and must not exceed the level of training, knowledge, skill and competence of the individual being supervised. The licensed occupational therapist or occupational therapy assistant is responsible for the acts or actions performed by any non-licensed person functioning in the occupational therapy setting.</p> <p>(6) An occupational therapist or occupational therapy assistant may delegate to non-licensed personnel duties or functions other than maintenance or restorative services to the clients, including but not limited to the following services:</p> <ul style="list-style-type: none"> (a) Transportation of clients. (b) Preparation or setting up of treatment equipment and work area. (c) Attending to clients' personal needs during treatment. (d) Clerical, secretarial or administrative duties. <p>(7) Duties or functions that an occupational therapist or occupational therapy assistant may not delegate to non-licensed personnel include, but are not limited to, the following:</p> <ul style="list-style-type: none"> (a) Interpretation of referrals or prescriptions for occupational therapy services. (b) Evaluative procedures. (c) Development, planning, adjusting or modification of treatment procedures. (d) Acting on behalf of the occupational therapist or occupational therapy assistant in any matter related to direct client care which requires judgment or decision making.
Wyoming		No relevant Statute or Regulation