

State Actions Affecting Occupational Therapy in Response to COVID-19—Updated as of August 18, 2021

AOTA is tracking actions taken by governors, state legislatures, and state agencies in response to the COVID-19 pandemic. Issues profiled below relate to licensure and telehealth. AOTA is collaborating with state occupational therapy associations to compile and distribute this information and to advocate to ensure that consumers can access OT services. For more information, contact AOTA's State Affairs staff at stpd@aota.org.

State	COVID-19 Emergency end date	Licensure updates	Telehealth updates
AL	July 6, 2021. On August 13, 2021, the Governor declared a new public health emergency.	No updates at this time.	<p>Board questions related to telehealth and licensure: Board states that the practice act does not address telehealth, but also does not put limits on its use. Ethical and scope-of-practice guidelines for face-to-face provision of services apply to provision of services via telehealth (posted March 27, 2020).</p> <p>Alabama Medicaid extended temporary telemedicine coverage for speech and occupational therapy providers. All previously published expiration dates related to the COVID-19 emergency have been extended by Alabama Medicaid. The new expiration date is the earlier of August 31, 2021, the conclusion of the COVID-19 national emergency, or any expiration date noticed by the Alabama Medicaid Agency.</p>
AK	On April 30, Governor Dunleavy ended the COVID-19 Disaster Declaration. A Public Health Emergency was declared on May 1, 2021 and remains in effect until rescinded or until the federal public health emergency	<p>Temporary waiver of the requirement that an out-of-state licensed provider obtain an Alaska license to provide services to a patient in Alaska ended on February 14, 2021.</p> <p>Senate Bill 241 authorizes a professional licensing board, including the PT & OT Board, to grant a license on an expedited basis to an individual who holds a license in good standing in another state to the extent necessary to respond to the public health disaster emergency; authorizing a licensing board or the Commissioner of the Dept. of Commerce, Community, & Economic Development to take any action necessary to protect the public health and safety including 1) temporarily waiving or modifying continuing education requirements, 2) regulating the scope of practice of a licensee, or 3) requiring a licensee to arrange supervision by another licensee.</p>	<p>Dept. of Commerce, Community, and Economic Development issued updated guidance on Telehealth and Licensure (June 3, 2021)</p> <p>Enacted HB 76 extends the public health emergency and the Governor's emergency powers through December 31, 2021. This legislation allows for services to continue to be provided via telehealth.</p>

	expires, whichever is sooner.		
AZ	Until further notice	<p>Executive Order 2021-02 requires state agencies to conduct a comprehensive review of any rules that were suspended during the public health emergency for COVID-19 to determine if those rules should be permanently suspended and report findings to the Governor's Office by June 1, 2021.</p> <p>Effective July 1, 2021, Executive Order 2020-17, which deferred by 6 months requirements to renew a state license scheduled to expire between March 1, 2020 and September 1, 2020, was rescinded.</p>	<p>Enacted legislation HB 2454 expands access to telemedicine for patients, ensures doctors receive equal compensation from insurance companies for telemedicine services, and allows out-of-state health care professionals to provide telemedicine in the state.</p>
AR	September 27. The previous Public Health Emergency ended on May 30, 2021. The Governor declared a new Public Health Emergency on July 29, 2021	<p>The Governor's declared Public Health Emergency, effective July 29, 2021, requires the Dept. of Health to identify any regulatory statutes, orders, or rules related to licensure of health care professionals that may be preventing, hindering, or delaying necessary action for coping with the emergency, report such to the Governor, and post on the Department's website. These statutes, orders, or rules shall then be suspended for the duration of the emergency.</p>	<p>Enacted HB 1063 extends emergency measures enacted for the duration of the coronavirus pandemic that allow providers to treat patients via telehealth without first conducting an in-person exam. It also amends the definition of telemedicine to include "real-time interactive audio technology, including the telephone."</p> <p>Department of Human Services Telemedicine COVID-19 Response Manual suspending rules related to allowable telemedicine services provided by licensed OT, PT, and speech therapists or assistants to established patients only with service and billing requirements (see page 6 of linked document). Rule suspensions are in effect until December 31, 2021.</p>
CA	Until further notice	<p>Emergency Medical Services Authority information for out-of-state medical personnel. Out-of-state licensed health care practitioners with a pre-existing patient who is moving to the state may seek a 30-day waiver to temporarily provide care to that patient remotely through telehealth.</p> <p>COVID-19 update from the California Board of Occupational Therapy</p> <p>COVID-19 related waivers issued by the Dept. of Consumer Affairs that are still in place are:</p> <ul style="list-style-type: none"> The time period has been extended (from four months to six months) for recent graduates who complete their 	<p>Executive Order N-43-20 suspended temporarily the requirement for a health care provider to obtain verbal or written consent before the use of telehealth services and to document that consent, and requiring that a covered health care provider ensure that the delivery of telehealth services is consistent with the March 17, 2020, notification from the U.S. Office of Civil Rights that implemented discretion in the enforcement of HIPAA requirements. This Executive Order is in effect until September 30, 2021.</p> <p>Governor signed AB 133 which extends the state's COVID-19 telehealth flexibilities until December 31, 2022, subject to federal approval.</p>

		<p>education and fieldwork to qualify for a limited permit and the time period of the validity of the limited permit has been extended by up to three additional months.</p> <ul style="list-style-type: none"> • Examination and continuing education (renewal) requirements for current healthcare licensees. • Reactivation requirements for inactive, retired, or canceled licensees. Email CBOT.Waivers@dca.ca.gov with questions. 	
CO	<p>July 8, 2021</p> <p>COVID-19 Disaster Recovery Order expires September 4, 2021</p>	<p>As a result of Executive Order 2021-122 (which has been extended until September 4), DORA extended emergency rules authorizing OTs and OTAs to perform services while working in certain settings as delegated by physicians, physician assistants, advanced practice registered nurses, certified registered nurse anesthetists, professional nurses, and respiratory therapists if adequately cross-trained and authorizing OTs and OTAs to administer the COVID-19 vaccine if working in certain settings, if delegated to do so by the same health care providers already mentioned, and if adequately cross-trained.</p>	<p>Enacted SB 212 requires health insurance carriers, including Medicaid, to cover telehealth. The legislation prohibits carriers from imposing specific requirements or limitations on HIPAA-compliant technologies; requiring an established patient-provider relationship; or imposing additional certification, location, or training requirements as a condition of reimbursement. Rules adopted by the Medical Services Board as a result of the passage of SB 212 were adopted and went into effect on September 30. The rules make permanent the expanded telemedicine authorized during the COVID-19 emergency and as authorized in the Senate bill for select physician services provided in various settings and allow for interactive video, audio, or data communication in lieu of face-to-face communication between a patient and provider.</p> <p>Policy Directives for Telehealth</p>
CT	<p>September 30, 2021</p>	<p>Executive Order 13 ended on July 20, 2021, the temporary suspension of licensure requirements for out-of-state health care providers authorized in previously-issued Executive Order 12B.</p>	<p>Enacted HB 6001 extends telehealth flexibilities granted by previous Executive Orders (No. 7F and No. 7FF) until March 2021. HB 6001 makes many emergency measures by the Governor permanent such as: 1) expanding the list of care providers able to use telehealth including occupational therapists and therapy assistants; 2) allowing coverage for services delivered over an audio-only phone and other audio-visual telemedicine platforms; 3) allowing care providers to use telehealth from any location; and 4) requiring reimbursement parity for telehealth services, and preventing insurers from seeking co-pays or deductibles or reducing the amount of reimbursement to providers. HB 5596 extends many of these provisions until June 30, 2023.</p>
DC	<p>Public Health Emergency ended</p>	<p>Board notice: In response to COVID-19, DC Health has waived all licensure requirements for practitioners who are licensed in</p>	<p>Dept. of Health issued guidance on the use of telehealth in the District of Columbia stating that telehealth services are</p>

	<p>July 25, 2021. The COVID-19 Public Emergency has been extended until October 8, 2021.</p>	<p>good standing in another jurisdiction. See Mayor's Administrative Order 2020-02 here.</p> <p>Dept. of Health emergency rules related to mitigation of the COVID-19 pandemic, including a requirement that licensed health care providers, including OTs, complete 2 hours of continuing education on COVID-19 vaccines, including but not limited to vaccine safety, best practices for counseling patients about the COVID-19 vaccine and vaccine efficacy and effectiveness (see pages 007787-007788 at the above link for rule text). These 2 hours of continuing education must be completed by September 30, 2021. These hours may be counted towards the hours required for public health priorities training hours. The emergency rule is in effect until November 18, 2021, and has been proposed for permanent adoption.</p>	<p>currently permissible in the District of Columbia provided such services are delivered in a manner consistent with standards of care, and licensed-out-of-state health care providers obtain a license in DC to provide services to a client in located in DC.</p> <p>Dept. of Health Care Finance additional telemedicine resources, including link to adopted permanent rule regarding Medicaid-reimbursable telemedicine services (see pages 009734-009739), which adds the beneficiary's home as the originating site, clarifies that a distant site provider includes any provider staff working remotely, clarifies that the distant provider sites listed in the existing rule is non-exhaustive and that services provided by other Medicaid providers via telehealth are reimbursable, and clarifying that when the originating site is the beneficiary's home, the distant site provider is responsible for ensuring that the technology in use meets minimum existing requirements in current regulation.</p> <p>Notice to insurers that Insurance Commissioner's Order 01-2020, which required insurance carriers to enhance coverage of telehealth services, is in effect until the end of the Mayor's declared Public Health Emergency.</p>
DE	<p>July 12, 2021</p>	<p>No updates at this time.</p>	<p>Enacted legislation HB 160, permanently codifies key provisions of the emergency legislation (HB 348 2020) which had continued several telehealth flexibilities until July 1, 2021. Specifically requires out-of-state practitioners to follow any regulations established by the Division of Professional Regulation; continues the suspension, established in the Second Modification of the State of Emergency, of the requirement that patients present in person and be located in the state before telemedicine services may be provided; allows for the in-person requirement to be waived if impractical; permits telemedicine services via non-smart phones or land line connections consistent with Tenth Modification of the State of Emergency; provides that professionals requiring direct supervision are not covered by the act; and requires telemedicine services permitted under the law to receive the same insurance coverage as under existing law.</p>

			<p>Dept. of Insurance Final Order adopting regulation amendments to align insurance regulations with the new telemedicine/telehealth law enacted by House Bill 348. Amendments are effective starting November 11, 2020, until July 1, 2021, unless extended by order of the Insurance Commissioner.</p> <p>Department of Insurance Bulletin: Passage of Telemedicine Statute</p>
FL	June 26, 2021	Information on Out-of-State Telehealth Provider Registration for licensees licensed outside the state of Florida.	Dept. of Health Emergency Orders 20-002 and 20-003 expanding the use of telehealth expired on June 26, 2021.
GA	Public Health Emergency ended July 1, 2021. A general state of emergency is in effect until August 29, 2021		<p>Enacted HB 307 authorizes health care providers to provide telemedicine services from home; authorizes patients to receive telemedicine services from their home, workplace, or school; allows for audio-only care under certain circumstances; prohibits requirement that patient have in-person consultation before receiving telemedicine services; prohibits more stringent utilization review requirements; prohibits separate deductibles for telemedicine services; prohibits requirement that health care providers use a specific telehealth platform or vendor; requires documentation by health care providers for telemedicine services that equals or exceeds in-person consultation</p> <p>Dept. of Community Health telehealth guidance for Medicaid providers: OTs are considered qualified providers and are permitted to provide Medicaid-reimbursed telehealth services during the Public Health Emergency. (dated March 26)</p>
Guam	July 31, 2021	No updates at this time.	

HI	October 4, 2021	<p>Previous suspensions of occupational therapy statutes in Governor's COVID-19 emergency proclamations have expired. The suspension of occupational therapy statutes related to biennial renewal, failure to renew, restoration, inactive licensure, and conversion from registration were not extended and expired on April 13, 2021. The suspension of the occupational therapy practice act requirement that an individual must be licensed to provide OT services in the state, to the extent necessary to allow out-of-state OTs and OTAs holding current and active state licenses and to allow those previously licensed to practice in Hawaii the ability to practice without a license under certain circumstances, was not extended and expired on June 8, 2021.</p>	<p>The previous suspension of various laws related to telehealth outlined in the Governor's Twenty-First Proclamation Related to the COVID-19 Emergency were not extended and expired on August 6, 2021.</p>
ID	30 days from July 18, 2021	No updates at this time.	<p>Governor's Executive Order 2020-13 makes all waivers of telehealth regulations that were issued during the coronavirus pandemic permanent, including adding a patient's home as an originating site where a patient may receive telehealth services.</p> <p>Idaho Department of Health and Welfare guidance on telehealth for occupational therapy providers and Medicaid providers generally. Also released are bulletins on reimbursement for diagnosis and treatment of COVID-19 (includes telehealth reimbursement information) and telehealth HIPAA guidance.</p> <p>Department of Insurance bulletin on telehealth in private insurance to expand telehealth access to all in-network providers and expand how telehealth services can be received. Remains in effect as long as the Governor's emergency proclamation remains in effect.</p>
IL	August 22, 2021	<p>Dept. of Financial and Professional Regulation Guidance for Out-of-State Health Care Providers using Telehealth Services in Illinois</p> <p>Dept. of Financial and Professional Regulation Proclamation suspending the permanent licensure requirements for various health care providers, including OTs and OTAs, who are licensed in another state, are in good standing, and working in response</p>	<p>Enacted legislation (HB 3308) ensures coverage for clinically appropriate and medically necessary telehealth services, including OT, at the same rate as in-person services until January 1, 2027, and authorizes the provision of early intervention services via telehealth. Legislation builds on previously signed Executive Order 2020-09.</p>

		to the public health emergency declared by the Governor. Licensees are limited to providing treatment only in response to the COVID-19 outbreak. This proclamation has been extended until December 31, 2021. Executive Order 2020-23 , which this proclamation is based on, has been extended through August 21, 2021.	Provisions of Executive Order 2020-09 that are still in effect until August 21, 2021 include authorization for a covered health care provider and/or covered entity that uses audio or video communication technology to provide telehealth services to mental health and developmental disability patients to use any non-public facing remote communication technology to the extent that it is consistent with the US Office of Civil Rights' announced enforcement discretion for telehealth remote communications during the federal Public Health Emergency.
IN	August 31, 2021	Executive Order 21-17 rescinded all previous COVID-19 Executive Orders as of June 30, 2021. Executive Orders 20-05 and 20-13 and their subsequent extensions are continued to allow inactive, retired, or out-of-state providers to apply for a temporary health care license or have a temporary license extended through September 30, 2021, provided the individual meets certain requirements.	Enacted legislation (SB 3) prohibits Medicaid from specifying originating sites and distant sites for purposes of reimbursement; specifies certain activities as "health care services;" and expanding the list of practitioners who can deliver services via telehealth (including OTs and OTAs), among other things. As a result of passage of this legislation, provisions in Executive Orders 20-05, 20-12, and 20-13 related to telehealth will remain in effect for 60 days from May 11, 2021 at which time they will be rescinded unless further extended.
IA	August 22, 2021	Governor's Executive Order issued on July 23, 2021 continued the temporary suspension of rules that required all doctors and medical staff working in a hospital to be licensed in Iowa to the extent that the individual is licensed to practice in another state (see section six). This extension is in effect until August 22, 2021. The temporary suspension of statutory and regulatory requirements for OTs and OTAs related to continuing education was not extended beyond June 26, 2021.	The previous Executive Order that temporarily expanded telehealth to include audio-only telephone transmission and requiring reimbursement for certain telehealth services to be the same as the reimbursement for in-person services was not extended beyond June 26, 2021. Iowa Department of Human Services COVID-19 Provider FAQs: Telehealth state that expanded telehealth services are in effect statewide through at least 60 days after the public health emergency declaration is lifted.
KS	June 15, 2021	Board of Healing Arts continuing COVID-19 measures include 1) a free temporary emergency license process for qualified health care providers, including OTs, who are licensed in other states, who hold a Kansas exempt license, whose Kansas license has lapsed, who have had exams cancelled due to the pandemic, or who are temporarily unable to pay because of the pandemic; and 2) an extension of CE deadlines and waiver of the in-person CE requirement.	Updated Kansas Department of Health and Environment Bulletin Expansion of Telemedicine Services for Therapy Services During the COVID-19 Emergency outlines codes allowed for payment. Information from the Board of Healing Arts regarding the Telemedicine Waiver available to individuals who hold a full, active, unrestricted license in another state or who meet the qualifications required under Kansas law to practice the respective profession and who are not currently the subject

			of an investigation or disciplinary action by a state licensing agency.
KY	Until further notice	No updates at this time.	<p>Enacted HB 140 makes some telehealth measures implemented during the pandemic permanent. Requires reimbursement rates for telehealth to be equivalent to reimbursement rates for the same service provided in-person.</p> <p>Enacted SB 150 provides that unless prohibited or limited by federal law, a health care provider who establishes a provider-patient relationship may remotely provide health care services to a patient through the use of telemedicine.</p> <p>Information regarding temporary registration of out-of-state health care providers to provide telehealth services to patients in Kentucky during the Governor's state of emergency. Additional information from the state Public Protection Cabinet.</p>
LA	September 1, 2021	<p>Governor's Executive Order suspending state licensure laws, rules, and regulations for out-of-state or out-of-country medical professionals who hold a current license in good standing in their respective state or country and that they practice in good faith and within reasonable scope of their skills, training, or ability. Also temporarily suspends the requirement that a licensing board have a quorum for decision-making and allows the Executive Director of the Board to temporarily suspend, waive, or amend a Board rule that would prohibit, limit, or interfere with the licensing of health care professionals to address the emergency. (See Section 6A and B). These provisions have been extended until September 1, 2021.</p> <p>Louisiana State Board of Medical Examiners' updated plain-language guidance regarding Board changes during the COVID-19 crisis.</p>	<p>Emergency rule from Medicaid authorizing temporary coverage of services provided via an interactive telecommunications system, without the requirement of video if such action is determined to be necessary to ensure services meet recipients' needs (see page 501). This emergency rule was re-adopted, effective July 13, 2021.</p> <p>Commissioner of Insurance filed a Notice of Intent (see pages 1029-1031) to propose permanent rules requiring health insurance carriers to waive any coverage limitations restricting telemedicine access to network providers, to waive any requirement for a prior patient-provider relationship for services to be delivered via telemedicine, and requiring carriers to cover telemedicine consultations between a patient and provider to the extent the same services would be covered if provided in person.</p> <p>Board of Medical Examiners clarified that while the Board did not have established telehealth rules, occupational therapists are considered health care providers under the state's law. Board further clarified that OTAs may utilize telehealth to the same extent as OTs.</p>

ME	June 30, 2021	<p>Governor's Executive Order 35, which authorized out-of-state licensees and former licensees to obtain a Maine license under certain circumstances, expires on August 30, 2021. Licenses issued to an out-of-state licensee for up to 60 days or to an individual who had their license reactivated in accordance with the Executive Order expire on August 30, 2021, unless an application for a full license is made on or before midnight, August 30, 2021. Such licensees may provide services in person or via telehealth until a full Maine license is issued.</p> <p>On June 11, 2021, the Governor signed legislation giving the Office of Professional and Occupational Regulation the authority to waive, on a case-by-case basis and after consulting with the appropriate licensing board, documentation requirements for licensure submitted by applicants educated in or with relevant experience in the US, its territories, and foreign nations as long as the waiver does not reduce the required proficiency standards of the profession and creating a licensure by endorsement process to issue a license to an applicant who presents proof of licensure in good standing in another jurisdiction of the U.S. provided the licensure requirements in the state are substantially equivalent to those in Maine.</p>	<p>Governor's Executive Order 35, which authorized licensees to provide services via all modes of telehealth including audio-only, expires on August 30, 2021.</p> <p>On June 21, 2021, the Governor signed legislation authorizing health care providers, including OTs and OTAs, to provide services via telehealth; defining telehealth as including synchronous and asynchronous encounters; and requiring the OT licensing board to adopt rules governing telehealth services by licensees. Bulletin from the Bureau of Insurance on the new law.</p>
MD	July 1, 2021	No updates at this time.	<p>Medicaid FAQs about Telehealth (updated June 25, 2021)</p> <p>Maryland OT licensing board advises Maryland licensees to contact the Board directly for questions about telehealth.</p> <p>Enacted legislation requires coverage of telehealth regardless of the patient's location at the time services are provided and also expands coverage to include audio-only telehealth conversation until June 30, 2023.</p>
MA	June 15, 2021	No updates at this time.	<p>Governor signed into law legislation that makes permanent the telehealth expansion established in his Emergency Order issued on March 15, 2020. The Emergency Order has been rescinded.</p> <p>MassHealth All Provider Bulletin gives providers participating in MassHealth an update on coverage and reimbursement for services related to COVID-19 after the Termination of the State of Emergency.</p>

MI	<p>October 12, 2020</p> <p>All previously issued COVID-19 related Executive Orders are no longer in effect.</p>	<p>No updates at this time.</p>	<p>Governor Whitmer signed several bills into law that codify pieces of Executive Order 2020-86. HNB 5412 prohibits an insurer from requiring face-to-face contact between a licensed health care provider and patient for services appropriately provided via telemedicine, as determined by the insurer. HNB 5413 prohibits the same requirement from a group or nongroup health care corporation certificate issued or renewed after December 31, 2012. HNB 5415 requires coverage for remote patient monitoring through the state medical assistance program and Healthy Michigan. HNB 5416 requires telemedicine services to be covered under the state medical assistance program and Healthy Michigan if the originating site is an in-home or in-school setting, in addition to another originating site allowed in the Medicaid provider manual or any established site considered appropriate by the provider.</p>
MN	<p>COVID-19 peacetime emergency ended June 30, 2021. Public Health Disaster in effect</p>	<p>HF 4556, signed into law by the Governor in April (see section 13), gives the Commissioner of Health temporary emergency authority, beginning on the date the Governor declared a state of emergency, temporarily to delay, waive, or modify state laws related to licensing of health care professions including occupational therapy, and temporarily to grant variances on an individual or blanket basis to rules within the Commissioner's jurisdiction that do not affect the health or safety of persons in a licensed program.</p>	<p>SF 4334 signed into law provides coverage for telemedicine services and includes a patient's residence as an originating site.</p>
MS	<p>30 days from August 15, 2021</p>	<p>No updates at this time.</p>	<p>The Mississippi Division of Medicaid will expand its coverage of telehealth services.</p> <p>Medicaid adopted temporary rule expanding coverage of remote patient monitoring services for specific chronic conditions during the declared public health emergency. A permanent rule went into effect on January 1, 2021.</p> <p>The Dept. of Health adopted a rule requiring health provider entities/organizations offering telehealth services in the state to register with the Department of Health. Individual practitioners and organizations providing medical/health services via telehealth must ensure that the standard of care is maintained for a telehealth encounter consistent with the expectation of in-person care. Rule went into effect on May 19, 2021.</p>

MO	August 31, 2021	Governor's Executive Order 20-04 authorizes the Division of Professional Regulation and its Boards to temporarily waive or suspend the operation of any statutory requirement or administrative rule under their purview, upon approval of the Office of the Governor, in order to best serve public health and safety during the period of the emergency and authorizes any executive agency, board, commission, or department to submit a written request to the Office of the Governor to temporarily waive any statutory requirement or administrative rule under their purview in order to best serve public health and safety during the period of the emergency. Such suspensions shall be effective upon written approval by the Office of the Governor. No law or rule suspensions impacting occupational therapy practice have been adopted. Executive Order 21-07 extended the above authorization until August 31, 2021.	Insurance Bulletin 20-07 requiring health carriers in the state to provide coverage for services provided via telehealth as if the service was provided in person and waiving the requirement that out-of-state providers obtain a license in the state to provide services via telehealth to a patient/client in the state. Governor's Executive Order 21-07 extends flexibilities in telemedicine until August 31, 2021.
MT	June 30, 2021	No updates at this time.	Enacted legislation, HB 43 , expands access to telehealth services originally extended because of the COVID-19 pandemic. At its public meeting on May 13, the OT Practice Board voted to adopt advice provided by the Department of Labor and Industry Business Standards Division that telehealth is an alternative delivery method within the state OT scope of practice. This allows licensees to provide services via telehealth once the Governor's directive expires provided the licensee has determined, in their professional judgment, that it is safe to provide OT services to a client via telehealth. See Board statement on telehealth here. Dept. of Public Health and Human Services adopted an emergency rule waiving the face-to-face encounter requirements to initiate home health services and medical supplies, equipment, and appliances, in addition to other required face-to-face encounters. The emergency rules are in effect for no longer than 120 days after July 1, 2021.
NE	June 30, 2021	Executive Orders 20-10 and 20-37 related to licensure and credentialing expired on July 30, 2021.	Executive Order 20-12 on telehealth will be extended until August 27, 2021. LB 400 , which was passed and enacted by the state legislature and codifies many of the provisions in the Executive Order, takes effect on August 28.
NV	Until further notice	COVID-19 updates from the OT Board (July 31, 2021): Telehealth—Telehealth Practice is allowable in Nevada by a	OT Board announcement that telehealth practice is allowable by a licensed practitioner. Board of Occupational

		<p>licensed practitioner. Supervision and documentation may be conducted remotely via telehealth. All OT resources should be made available to those affected by the COVID-19 outbreak.</p> <p>The Board Office is Open to the Public— Pursuant to Emergency Directive 047 and CDC guidelines, face coverings must be worn by all individuals while visiting the Board office.</p>	<p>Therapy proposed permanent telehealth regulations in July, 2021.</p> <p>At its January 16, 2021, public meeting, the Board of Occupational Therapy voted to propose a new regulation on telehealth requirements for practice that apply to OTs and OTAs.</p>
NH	June 12, 2021	<p>OPLC update: The OPLC is no longer accepting applications for COVID-19 Emergency Licenses. All COVID-19 Emergency Licenses issued prior to June 12, 2021, will expire with the expiration of the COVID-State of Emergency. All health care COVID-19 Emergency Licenses will be converted to a temporary license that will be valid until January 31, 2022.</p> <p>Emergency and Temporary License information</p>	<p>Enacted HB 1623 makes the previous emergency orders allowing and reimbursing for telehealth permanent.</p>
NJ	<p>June 4, 2021</p> <p>Governor Murphy signed legislation (A5820/S3866) enabling the end of the COVID-19 public health emergency and Executive Order 244 which ended the COVID-19 public health emergency. Under the legislation the majority of executive orders issued will expire 30 days from June 4, 2021.</p>	<p>Division of Consumer Affairs announcement of expedited licensure reciprocity for health care professionals, including OTs. Effective June 4, 2021, the Division will no longer accept new applications for Temporary Emergency Reciprocity Licenses for out-of-state licensees. Occupational therapy licenses granted under this authority expired on June 30, 2021.</p>	<p>Governor Murphy signed legislation (A3680 and A3682) to expand access to telehealth services.</p> <p>Occupational Therapy Advisory Council proposed new regulations on telehealth.</p>
NM	September 15, 2021	<p>Governor's Executive Order 2020-004 authorizing credentialing of out-of-state professionals by the Department of Health and the Department of Homeland Security, in accordance with state law, who can render aid and necessary services during the state of</p>	<p>State Medicaid Department and the Superintendent of Insurance issued requirements for telehealth.</p>

		<p>emergency. This provision has been extended until September 15, 2021.</p>	<p>The Board of Examiners for Occupational Therapy issued guidance for occupational therapy practitioners to utilize telehealth.</p> <p>Superintendent of Insurance Bulletin 2020-005: Utilization and Reimbursement of Telemedicine during the COVID-19 public health emergency. Bulletin 2021-003 clarified many provisions of Bulletin 2020-005, particularly regarding coverage of behavioral health services provided via telehealth.</p>
NY	June 24, 2021	<p>Advisory Notice from NYSED: Please be advised that the COVID-19 Disaster Emergency declared by the Governor, pursuant to Executive Order 202 issued on March 7, 2020, and each successor Executive Order to Executive Order 202 have expired as of June 25, 2021. While the several exceptions and authorizations relevant to the Title VIII statutes and regulations contained within these Executive Orders have now expired, the Department understands the concern regarding the short notice of the expiration of the COVID-19 Disaster Emergency and will take that into consideration in the event of any potential inquiries involving activity that had previously been authorized by Executive Order 202 and its successor Executive Orders at this time. However, Title VIII professionals should exercise due diligence and good faith efforts to return to compliance with all Title VIII statutory and regulatory requirements without delay. Please be advised that The Declarations of the Secretary of the United States Department of Health and Human Services issued pursuant to the federal Public Readiness and Emergency Preparedness (PREP) Act remain in effect and continue to provide certain authorizations and exemptions for many professions and activities related to the ongoing COVID-19 emergency response, including allowing an expanded list of professionals to administer vaccine or to administer COVID-19 testing. Information about the PREP Act can be found on our website. The Department is working closely with other New York State agencies and the Governor's Office to clarify issues relating to the expiration of the Disaster Emergency and the reinstatement of laws and regulations that have been previously modified or suspended</p>	<p>NYS Dept. of Health emergency rule (effective June 25, 2021) authorizing all Medicaid providers who are authorized to provide in-person services, including OTs, to provide such services via telehealth, provided the services are appropriate to meet the patient's health care needs and are within the provider's standard of care. Reimbursement is required for telehealth services provided via telephone or other audio-only technologies.</p> <p>New York State Medicaid Update—June 2021— Telehealth (includes billing guidance, definitions, and guidance on providing audio-only services). Intent of the guidance is to extend the expansion for the ability of all Medicaid providers in all situations to use a wide variety of communication methods to deliver services remotely during the COVID-19 federally declared Public Health Emergency (PHE). Will remain in effect for the remainder of the federal PHE.</p> <p>Workers' Compensation Board proposed permanent rule allowing OTs to provide care via telemedicine and to bill for services provided via telemedicine, using two-way audio and visual electronic communication, where medically appropriate. This rule is currently in effect as an emergency rule until 90 days from July 13, 2021.</p>

		<p>during the COVID 19 Disaster Emergency. Please continue to monitor the Department's website for updated guidance.</p> <p>The Board of Regents' emergency rule (see page 17) to excuse continuous experience requirements in Regulation 76.2(b) where such experience cannot be obtained due to the State of Emergency was permanently adopted, effective February 24, 2021. Another emergency rule was proposed extending the continuous experience requirements waiver after the State of Emergency ended.</p>	
NC	October 5, 2021	<p>OT Board announcement on continuing education: for the renewal period ending June 30, 2020 ONLY, all OT practitioners may renew based on the continuing competence activities he or she has completed; renewal deadline has not been extended. Any continuing competence activity, including ethics, that was not completed on the June 30, 2020, renewal will be required for the June 30, 2021, renewal in addition to the continuing competence activity requirements for the 2021 renewal.</p> <p>Executive Order 130 authorizes 1) licensing boards to waive or modify enforcement of rules that would impair out-of-state licensees from practicing in the state, retired or inactive licensees from practicing in the state, skilled but unlicensed volunteers from providing care, and students at an appropriately advanced stage of professional study from providing care; and 2) the state OT board to waive the regulations on admission and licensure for the practice of OT. Any actions taken by the OT Board as a result of this Executive Order will be reported. A subsequent Executive Order allowed for out-of-state licensees, retired or inactive licensees, skilled but unlicensed volunteers, and students at an appropriately advanced stage of professional study to administer FDA-authorized COVID-19 vaccinations. Both Executive Orders have been extended until August 8, 2021.</p> <p>Board posted on May 6, 2020, that, as a result of Executive Order 130, it voted to 1) allow OT practitioners licensed in other states to provide OT services in NC as long as the practitioner completes the waiver form provided by the Board and is approved, and 2) to allow OT practitioners previously licensed in North Carolina and whose licenses were in good standing, but</p>	<p>NC Medicaid temporarily modified its Telemedicine and Telepsychiatry Clinical Coverage Policy to provide guidance for outpatient specialized therapies (physical therapy, occupational therapy, speech language therapy, and audiology) that can now be delivered via telehealth.</p>

		have been expired for less than 4 years to provide OT services in the state as long as the waiver form is completed and approved.	
ND	April 30, 2021	No updates at this time.	Insurance Department Bulletin 2021-1 rescinds Bulletin 2020-3 as a result of the Governor signing HB 1465 and in consideration of ongoing federal guidance. Bulletin 2021-1 requires insurance carriers issuing benefit plans that offer telehealth services to apply the services consistent with the bulletin. It also requires the relaxation of HIPAA guidelines consistent with CMS guidance, that carriers start or continue to provide covered services, including OT plan evaluation, via telehealth, and states the definitions related to telehealth stated in HB 1465.
OH	June 18, 2021	LICENSE RENEWALS—February 1, 2021 Recent legislation, House Bill 404, has extended the deadline for expiration of all licenses issued by the state of Ohio to July 1, 2021.	Permanent rule allowing OTs and OTAs to be eligible providers of telehealth services under Medicaid, but allowing only OTs to bill for such services went into effect in November, 2020. Ohio OTPAT Board statement on telehealth
OK	May 4, 2021	No updates at this time.	Enacted SB 674 requires health benefit plans to provide coverage of health care services provided through telehealth. Additionally, this legislation requires an insurer to reimburse the health care professional on the same basis and at least the rate of reimbursement that the insurer is responsible for covering if the service was provided in person.
OR	December 31, 2021 Most pandemic-related Executive Orders have been rescinded as of June 30, 2021, with certain exceptions.	Occupational Therapy Licensing Board COVID-19 updates and information COVID-19 temporary rule suspensions still in effect	Enacted HB 2508 would require Oregon Health Authority to ensure reimbursement of health services delivered through telemedicine. Oregon Health Authority updated temporary emergency rule related to telemedicine services generally. State has come to an agreement with several health insurance companies to continue providing expanded telehealth opportunities through at least December 31, 2020. This temporary rule has been permanently adopted and went into effect on September 11. The OHA has adopted a new rule that repeals and replaces the current rule—the rule goes into effect on January 1. The new rule allows for synchronous and asynchronous telehealth technology; requires telehealth services to be medically and clinically appropriate for

			<p>covered conditions for patients where an established relationship exists between provider and patient, to be reimbursed at the same rate as in-person services and to be culturally and linguistically appropriate; and requires telehealth providers to be enrolled with OHA to provide telehealth services within their Board’s scope of practice, and to obtain informed consent from the patient to receive telehealth services.</p> <p>Oregon Health Authority temporary emergency rule that authorizes reimbursement for occupational therapy services provided via telehealth to a Medicaid-eligible child under an IEP or IFSP. A permanent rule has been adopted and went into effect on October 5.</p>
PA	June 10, 2021	<p>Dept. of State announcement of expiration of temporary waivers of various statutes and regulations. The following waivers pertaining to OT expire on the below indicated dates:</p> <ul style="list-style-type: none"> - Waiver to extend certain temporary licenses for OTs and OTAs— expires August 17, 2021 - Waiver to expand the OT scope of practice to include various functions that OTs are trained for, but are outside their normal scope of practice—expires August 31, 2021 - Waiver to suspend statutory and regulatory requirements for OTs and OTAs that call for direct supervision or require contact that is “in-person,” “face-to-face,” “on-site,” “on the premises,” etc., and allowing for indirect supervision via electronic means—expires September 30. - Waiver to allow licensed health care professionals including OTs and OTAs, to provide services via telemedicine during coronavirus emergency—expires September 30 	<p>Governor Wolf issued “Cross-Agency Telehealth Guidance” which outlines the use of telemedicine in the state.</p> <p>Dept. of Human Services Provider Quick Tips: Telemedicine Guidelines Related to COVID-19 (updated June 21, 2021)</p>
RI	September 4, 2021	No updates at this time.	<p>Executive Order 20-06 requires clinically appropriate medically necessary telemedicine services delivered by in-network providers to be reimbursed at rates not lower than services delivered through in-person methods. Requires insurance carriers to establish reasonable requirements for the coverage of such services. This Executive Order was terminated effective July 6, 2021.</p>

			<p>Enacted legislation expands telemedicine coverage requirements for insurers and requires that all Rhode Island Medicaid programs cover telemedicine visits—visits with health care providers via telephone or audio-video enabled device. This legislation also preserves the executive order through the end of the state of emergency by requiring that in-network telemedicine coverage be reimbursed at rates not lower than if the same services were delivered in-person. Once the state of emergency ends, this provision will remain in place unless or until this provision is revised based on recommendations provided by an advisory committee that is created in this new law.</p>
SC	June 6, 2021	No updates at this time.	<p>Board of Occupational Therapy Advisory Opinion on the Use of Telehealth (issued June 12, 2020)</p>
SD	Until further notice	<p>Governor's Executive Order 2020-16 temporarily suspending the rule requiring the physical presence of an occupational therapist on the premises where a patient is being cared for by an occupational therapy assistant (issued April 15, 2020). This provision has been extended for the duration of the state of emergency. State of emergency is in effect until further notice, but the EO that extended the rule suspension expired June 30, 2021.</p> <p>Governor's Executive Order 2020-25 temporarily suspending certain laws requiring applicants to submit proof of completing examination requirements to prevent delaying licensure during the emergency. OTs and OTAs, as well as other health care providers, granted a license without having submitted such proof shall submit proof of examination to their respective licensing board by November 30, 2020 (issued May 26, 2020). These suspensions have been extended for the duration of the state of emergency.</p>	<p>Enacted legislation SB 96 allows health care providers to treat patients via telehealth without first needing an in-person exam. SB 96 also revises the state's definition of telehealth to cover "interactive audio-video, interactive audio with store and forward, store-and-forward technology, and remote patient monitoring."</p>
TN	August 31, 2021	<p>Tennessee Office of the Commissioner of Health policy suspending continuing education audits of in-person/live hours through December 31, 2021. Governor issued an Executive Order that did not continue the suspension of continuing education requirements as well as other licensure flexibilities. These expired on July 30, 2021.</p>	<p>Enacted HB 8002 requires payers to cover telehealth services as they would cover in-person care, relaxes the definition of the originating site for telehealth, and mandates reimbursement parity for telehealth up to April 2022.</p>

TX	July 31, 2021	<p>Board website notice: If you are unable to renew your OT or OTA or PT or PTA license due to COVID-19, please contact the board by calling 512-305-6900 or emailing info@ptot.texas.gov.</p>	<p>Changes to Medicaid and CHIP services will be posted here (click on the Teleservices tab). Many flexibilities have been extended through August 31, 2021.</p> <p>Enacted legislation (HB 4) ensures that Medicaid recipients have the option to receive services as telemedicine medical service, telehealth services, or otherwise using telecommunications or information technology (includes occupational therapy services).</p> <p>Department of Insurance is ending a rules suspension that required health benefit plans to cover telehealth services provided via audio-only phone consultations as of September 20, 2021.</p>
UT	Until further notice	<p>Division of Occupational and Professional Licensing COVID-19 announcements regarding resumption of fingerprinting services and the lifting of the temporary suspension of "live" CE requirements as of June 1, 2021 (virtual or online CE will continue to be accepted by DOPL through December 31, 2021).</p>	<p>Emergency rule authorizes a Medicaid enrolled provider to deliver covered services via a synchronous or asynchronous telehealth platform as clinically appropriate. (See page 111-113 of linked pdf). This rule (see pages 51-53 here for text) has been permanently adopted, only authorizing synchronous telehealth services, and went into effect on September 22, 2020.</p>
VT	June 15, 2021	<p>Governor signed into law a bill that establishes a temporary license for graduates of an approved education program during a period when licensing exams are not available and expands telehealth in the state by allowing out-of-state licensees to provide services to Vermont residents without obtaining a Vermont license.</p> <p>OPR webpage with information on how to apply for a temporary license.</p>	<p>COVID-19 emergency response legislation, HB 742, enacted in the state expands telehealth.</p>
VA	June 30, 2021	<p>Several licensure flexibilities put in place as a result of COVID-19 expired on June 30, 2021. These include licensure for out-of-state licensed health care providers working in certain facilities for the purpose of assisting with public health and medical disaster response operations and a waiver of fees and continuing education requirements for individuals who held an unencumbered license within the last 4 years and who are seeking reinstatement.</p>	<p>Enacted legislation (HB 5046/SB 5080) eliminates the originating site restrictions and the requirement that a care provider accompany a patient during the telehealth session. Expands the telehealth platform to allow care providers to treat the patient in their own homes or other locations. Mandates that payers cover telehealth services regardless of the originating site and whether a provider is with the patient and directs the Medicaid program to continue covering audio-only phone services.</p>

			<p>Medicaid Memo issued March 5, 2021, extended various flexibilities until April 20, 2021, including flexibilities related to durable medical equipment and telehealth, behavioral health and addiction and recovery treatment services and telehealth, and the general telehealth flexibilities stated in the Memos issued on March 19, 2020, and May 15, 2020 (see above). A subsequent Memo issued on April 22, 2021 extended all flexibilities stated in this Memo through July 20, 2021.</p> <p>Telemedicine flexibility for out-of-state licensed health care providers who have established a patient-provider relationship with a Virginia resident expired on June 30, 2021.</p>
WA	Until further notice	<p>Dept. of Health notice that health professionals licensed in other states may practice in Washington by registering through the emergency volunteer health practitioner process or by applying for a Washington state license.</p>	<p>Apple Health revised various policies on telehealth that went into effect on July 1, 2021:</p> <ul style="list-style-type: none"> - Telehealth requirements for PT, OT, and speech therapy during the COVID pandemic - Telemedicine and telehealth brief, including overviews of the updated telehealth and telemedicine policies, billing instructions for MCOs, best practices, resources, and information on HIPAA compliance - Clinical policy and billing for COVID-19 <p>Dept. of Labor and Industries announced that it will extend some of its temporary workers' compensation telehealth policies until December 31, 2021. This includes the policy regarding OTs, PTs, and SLPs using telerehab to initiate and deliver services after an attending provider's referral.</p> <p>Enacted legislation (HB 1196) requires, beginning January 1, 2023, for audio-only telemedicine, that an insured person has an established relationship with the provider of health care services; allows a hospital to be an originating site for audio-only telemedicine; and sets forth patient consent requirements before audio-only telemedicine services may be provided to a patient.</p>
WV	Until further notice	No updates at this time.	<p>Board of Occupational Therapy new telehealth rules (effective May 1, 2021)</p>

			Enacted HB2024 expands the use of telemedicine by allowing medical personnel to participate in telemedicine visits, ensure parity between telemedicine and in-person visits, and restrict the ability of medical professional boards to restrict telemedicine beyond what is in this statute.
WI	March 31, 2021	Governor Evers signed Assembly Bill 148 on March 26, 2021. The bill authorizes an occupational licensing board to issue a temporary license to a health care provider, including an OT or OTA, who is licensed in good standing in another state so the provider can provide services within their scope of practice in Wisconsin, including via telehealth. Certain conditions must be met before the temporary license can be issued.	ForwardHealth Update 2020-15 regarding additional services to be provided via telehealth, including occupational therapy, provided the service is a covered service that can be delivered with functional equivalency to the face-to-face services. Statement of Scope notice regarding the Wisconsin OT Affiliated Credentialing Board consideration of a permanent rule on telehealth to establish standards of practice and conduct for providing OT services using telehealth.
WY	Until further notice	Board of Occupational Therapy policy on continuity of care (expired July 1, 2020 or when the Governor of the State of Wyoming lifted the declared state of emergency. The Board has not posted a re-adoption of this policy): The Board has received questions from occupational therapists licensed in other states regarding whether they may continue providing treatment to their clients in Wyoming who, for various reasons related to the COVID-19 outbreak, can no longer travel to them to receive care. As a policy matter, the Board strongly favors maintaining the continuity of care between an occupational therapist and a client, even if the occupational therapist is not licensed in Wyoming. Therefore, the Board hereby declares that it will not seek injunctive relief against an occupational therapist licensed in another state who continues to provide services to established clients, including through telehealth technology, during a declared state of emergency that prevents clients from traveling to their therapist. This policy does not authorize all unlicensed practice of occupational therapy in Wyoming. In particular, occupational therapists in other states who wish to provide services to clients in Wyoming must observe the following guidelines: 1) The occupational therapist must have an established therapist-client relationship with the client in question. The therapist must have provided services to the client at least one	Wyoming Medicaid newsletter notice regarding authorized originating sites of telehealth services and billing information. Originating sites include the office of a physician or other practitioner and skilled nursing facilities (effective January 1, 2021).

		<p>time prior to providing services to the client in Wyoming. If the Board receives information that an occupational therapist licensed in another state has attempted to initiate a therapist-client relationship with a Wyoming citizen, the Board may seek an injunction against the occupational therapist.</p> <p>2) The occupational therapist must comply with Wyoming law and Chapter 3 and 7 of the Board's rules regarding the treatment of clients and holding client information confidential. If the Board receives information that an occupational therapist licensed in another state has violated Chapter 3 or 7 of its rules, the Board may seek an injunction against the occupational therapist.</p>	
--	--	--	--