<http://www.mainelegislature.org/legis/statutes/32/title32sec2272.html>

### Title/chapter 32 §2272. Definitions

12.The Practice of Occupational Therapy" means the therapeutic use of everyday life activities (occupations) with individuals or groups to enhance or enable participation, performance or function in roles and situations in home, school, workplace, community, and other settings. Occupational therapy services are provided for the purpose of promoting health and wellness and to those who have or are at risk for developing an illness, injury, disease, disorder, condition, impairment, disability, activity limitation, or participation restriction. Occupational therapy addresses the physical, cognitive, psychosocial, sensory, and other aspects of performance in a variety of contexts to support engagement in everyday occupations that affect physical and mental health, well-being, and quality of life. These services include:

A. Methods or strategies selected to direct the process of interventions such as:

1. Facilitation, establishment, remediation, or restoration of a skill or ability that has not yet developed, is impaired, or is in decline.

2. Compensation, modification, or adaptation of activity or environment to enhance performance or to prevent injuries, disorders, or other conditions.

3. Maintenance and enhancement of capabilities without which performance in everyday life activities would decline.

4. Health promotion and wellness to enable or enhance performance in everyday life activities.

5. Prevention or remediation of barriers to performance, including disability prevention.

B. Evaluation of client factors affecting activities of daily living (ADL), instrumental activities of daily living (IADL), education, work, play, leisure, and social participation, including:

1. Body functions (such as neuromuscular, sensory, visual, perceptual, mental, cognitive), pain factors, and body structures (such as cardiovascular, digestive, integumentary, genitourinary systems) and structures related to movement.

2. Habits, routines, roles, and behavior patterns.

3. Cultural, physical, environmental, social, and spiritual contexts and activity demands that affect performance.

4. Performance skills, including motor, process, emotional regulation, cognitive, sensory perceptual, and communication/interaction skills.

C. Interventions and procedures to promote or enhance safety and performance in activities of daily living (ADL), instrumental activities of daily living (IADL), education, work, play, leisure, and social participation, including:

1. Therapeutic use of occupations, exercises, and activities.

2. Training in self-care, self-management, home management, and community/work integration/reintegration, and school activities and work performance.

3. Development, remediation, or compensation of physical, mental and cognitive functions, neuromuscular, sensory functions, pain tolerance and management, developmental skills, and behavioral skills.

4. Therapeutic use of self, including one’s personality, insights, perceptions, and judgments, as part of the therapeutic process.

5. Education and training of individuals, including family members, caregivers, and others.

6. Care coordination, case management, and transition services.

7. Consultative services to groups, programs, organizations, or communities.

8. Modification of environments (home, work, school, or community) and adaptation of processes, including the application of ergonomic principles.

9. Assessment, design, fabrication, application, fitting, and training in assistive technology, adaptive devices, and orthotic devices, and training in the use of prosthetic devices.

10. Assessment, recommendation, and training in techniques to enhance functional mobility, including seating and positioning in wheelchair management.

11. Driver rehabilitation and community mobility.

12. Management of feeding, eating, and swallowing to enable eating and feeding performance.

13. Application of physical agent modalities and use of a range of specific therapeutic procedures (such as wound care management; techniques to enhance sensory, perceptual, and cognitive processing; manual therapy techniques, dry needling) to enhance performance skills.

SECTION HISTORY PL 1983, c. 746, §2 (NEW). PL 1991, c. 509, §9 (AMD). RR 1993, c. 1, §87 (COR). PL 1997, c. 212, §1 (AMD). PL 1997, c. 294, §2 (RPR). PL 1997, c. 683, §B18 (AMD). PL 1999, c. 386, §I1 (AMD). PL 2019, c. 287, §§18, 2, 3, 4, 5, 6, 7, 8, 9 (AMD). §2273.

### <http://www.mainelegislature.org/legis/statutes/32/title32sec2278.html> §2278

Temporary license

A temporary license may be granted to a person who has completed the education and level II fieldwork requirements of this chapter and who has also received NBCOT approval to sit for the appropriate certification examination. This temporary license allows the holder to practice occupational therapy under the supervision of a licensed occupational therapist. Temporary licensees shall take the first available national examination for which they become eligible. [PL 1997, c. 294, §5 (RPR).]

A temporary license may not be renewed more than once. [PL 1997, c. 294, §5 (NEW).]

No more than one temporary license may be granted to a person who has completed the education requirements of this chapter. This license allows the holder to practice occupational therapy under the supervision of a licensed occupational therapist. This license must be issued for a term of 6 months and may be renewed for an additional 6 months at the discretion of the board. [PL 2011, c. 286, Pt. G, §1 (NEW).]

Occupational Therapists trained outside of the United States and its territories must receive approval to sit for the examination from NBCOT in order to be eligible for a temporary license. The Board shall require these applicants to meet examination eligibility requirements as established by the credentialing body recognized by the Board and which are substantially equal to those contained in section (3.03) before taking the examination. [PL 1997, c. 294, §5 (NEW).]

SECTION HISTORY PL 1983, c. 746, §2 (NEW). PL 1991, c. 509, §12 (AMD). PL 1997, c. 294, §5 (RPR). PL 2011, c. 286, Pt. G, §1 (AMD). PL 2019, c. 287, §18 (AMD).

§2279. Qualifications

An applicant applying for a license as an occupational therapy practitioner must file a written application showing that the applicant meets the following requirements. [PL 2007, c. 402, Pt. L, §5 (AMD).]

1. Residence. [PL 2019, c. 287, §11 (RP).]

2. Character. [PL 1997, c. 294, §6 (RP).]

2-A. Character references. [PL 2013, c. 217, Pt. J, §2 (RP).]

3. Education. An applicant must present evidence satisfactory to the board of having successfully completed the academic and fieldwork requirements of an educational program in occupational therapy or occupational therapy assisting.

A. The occupational therapy or occupational therapy assistant educational program must be accredited by ACOTE. [PL 1997, c. 294, §6 (AMD).] B. [PL 1997, c. 294, §6 (RP).] [PL 1997, c. 294, §6 (AMD).]

4. Experience. [PL 1997, c. 294, §6 (RP).]

5. Examination. An applicant for licensure as an occupational therapy practitioner must pass an examination as provided for in section 2280-A. [PL 1997, c. 683, Pt. B, §20 (RPR).]

6. Licensure. An applicant may be licensed as an occupational therapist if the applicant has practiced as an occupational therapy assistant for 4 years, has completed the level II fieldwork requirements for an occupational therapist before January 1, 1988, and has passed the examination for occupational therapists. [PL 1997, c. 294, §6 (AMD).]

7. Certification. An applicant must submit a verification of certification form from NBCOT. The form must be completed and signed by NBCOT. An applicant applying within 3 months of having taken the certification examination who has the examination scores sent directly to the board is exempt from this requirement. [PL 1997, c. 294, §6 (NEW).]

8. Fee. An applicant must pay an application fee and license fee as set under section 2285. [PL 2007, c. 402, Pt. L, §5 (AMD).]

SECTION HISTORY PL 1983, c. 746, §2 (NEW). PL 1991, c. 509, §13 (AMD). PL 1997, c. 212, §§2,3 (AMD). PL 1997, c. 294, §6 (AMD). PL 1997, c. 683, §§B19,20 (AMD). PL 2007, c. 402, Pt. L, §5 (AMD). PL 2013, c. 217, Pt. J, §2 (AMD). PL 2019, c. 287, §§11, 18 (AMD). §2280. Examination for licensure of occupational therapists and occupational therapy assistants (REPEALED)

SECTION HISTORY PL 1983, c. 746, §2 (NEW). PL 1991, c. 509, §14 (AMD). PL 1997, c. 294, §7 (RP). PL 2019, c. 287, §18 (AMD). §2280-A. National examination for licensure of occupational therapists and occupational therapy assistants

The certification examination of NBCOT for the occupational therapist or occupational therapy assistant satisfies examination requirements of the board. [PL 2007, c. 402, Pt. L, §6 (AMD).] The certification examination for the occupational therapist or occupational therapy assistant may be waived for any person who was certified as an occupational therapist or occupational therapy assistant by the American Occupational Therapy Association prior to June 1977. [PL 1997, c. 294, §8 (NEW).]

SECTION HISTORY PL 1997, c. 294, §8 (NEW). PL 2007, c. 402, Pt. L, §6 (AMD). PL 2019, c. 287, §18 (AMD).

§2281. Waiver of requirements for licensure

The board shall grant a license to any person who, prior to July 25, 1984, successfully completed an examination administered by the Psychological Corporation under contract with the American Occupational Therapy Certification Board if that person meets the requirements of section 2279, subsection 3. [PL 2019, c. 287, §12 (AMD).]

SECTION HISTORY PL 1983, c. 746, §2 (NEW). PL 1991, c. 509, §15 (AMD). PL 1997, c. 294, §9 (AMD). PL 2013, c. 217, Pt. J, §3 (AMD). PL 2019, c. 287, §§12, 18 (AMD).

§2282. Issuance of license (REPEALED)

SECTION HISTORY PL 1983, c. 746, §2 (NEW). PL 2007, c. 402, Pt. L, §7 (AMD). PL 2019, c. 287, §13 (RP). PL 2019, c. 287, §18 (AMD).

<http://www.mainelegislature.org/legis/statutes/32/title32sec2283.html>

§2283. Renewal of license

1. Renewal. A license renewal fee as set under section 2285 must be paid by the licensee. Licenses issued under this chapter are subject to renewal and expire on the stated expiration date as determined by the commissioner. Any license not renewed by the designated renewal date automatically expires. Licenses may be renewed up to 90 days after the date of expiration upon payment of a late fee in addition to the renewal fee as set under section 2285. Any person who submits an application for renewal more than 90 days after the date of expiration is subject to all requirements governing new applicants under this chapter, except that the board, giving due consideration to the protection of the public, may waive examination if that renewal application is received, together with the late fee and renewal fee, within 2 years from the date of the expiration. [PL 2007, c. 402, Pt. L, §8 (RPR).]

2. Inactive status. [PL 1991, c. 509, §16 (RP).]

Upon request, the Board shall grant inactive status to a licensee who maintains continuing competence requirements established by the Board, and (a) does not practice during such "inactive" period as an Occupational Therapist or an Occupational Therapy Assistant, and (b) does not during such "inactive" period hold him or herself out as an Occupational Therapist or an Occupational Therapy Assistant.

3. Continuing education. [PL 2019, c. 287, §14 (RP).]

A. Licensees applying for license renewal shall complete a minimum of 24 contact hours of qualified activities for maintaining continuing competence during the preceding 2-year renewal period. Licensees who are issued a license for a period less than the typical renewal period shall prorate the number of contact hours to 1 contact hour for each month licensed.

B. Applicants for initial licensure as an occupational therapist or occupational therapy assistant, who apply for licensure within 1 year of successfully completing the entry-level certification exam, are exempt from continuing competence activity requirements for their initial license. Thereafter, they shall be required to complete the continuing competence activity requirements.

C. To be accepted by the regulatory board, activities must be related to a licensee's current or anticipated roles and responsibilities in the practice of occupational therapy and must directly or indirectly serve to protect the public by enhancing the licensee's continuing competence.

D. Subject matter for qualified activities includes research; theoretical or practical content related to the practice of occupational therapy; or the development, administration, supervision, and teaching of clinical practice or service delivery programs by occupational therapists or occupational therapy assistants. Continuing professional development encompasses topics related to changing health, education, and other service systems that may appear to be beyond the confines of traditional occupational therapy service delivery (e.g., emerging practice areas). Specific examples of such topics include case management, administration, interprofessional team-based care, informatics, and evidence-based practice (Roessger, 2015, as cited in AOTA, 2017).

E. Approved activities for the state of Maine will follow AOTA Model Continuing Competence Requirements—A Resource for State Occupational Therapy Regulatory Boards and State Agencies <https://www.aota.org/~/media/Corporate/Files/Advocacy/State/Resources/ContComp/modceguidelines.pdf>