

1 AN ACT concerning occupational therapy.

2 Be it enacted by the People of the State of Illinois,  
3 represented in the General Assembly:

4 Section 5. The Regulatory Sunset Act is amended by  
5 changing Sections 4.14 and 4.24 as follows:

6 (5 ILCS 80/4.14) (from Ch. 127, par. 1904.14)  
7 Sec. 4.14. Acts repealed.

8 (a) The following Acts are repealed December 31, 2003:  
9 The Private Detective, Private Alarm, and Private  
10 Security Act of 1993.

11 ~~The Illinois Occupational Therapy Practice Act.~~  
12 (b) The following Acts are repealed January 1, 2004:  
13 The Illinois Certified Shorthand Reporters Act of  
14 1984.

15 The Veterinary Medicine and Surgery Practice Act of  
16 1994.

17 (Source: P.A. 92-457, eff 8-21-01.)

18 (5 ILCS 80/4.24)  
19 Sec. 4.24. Acts repealed on January 1, 2014. The  
20 following Acts are repealed on January 1, 2014:

21 The Electrologist Licensing Act.  
22 The Illinois Occupational Therapy Practice Act.  
23 The Illinois Public Accounting Act.

24 (Source: P.A. 92-457, eff. 8-21-01; 92-750, eff. 1-1-03.)

25 Section 10. The Illinois Occupational Therapy Practice  
26 Act is amended by changing Sections 2, 3, 3.1, 5, 11, and 15  
27 as follows:

28 (225 ILCS 75/2) (from Ch. 111, par. 3702)

1 (Section scheduled to be repealed on December 31, 2003)

2 Sec. 2. Definitions. In this Act:

3 (1) "Department" means the Department of Professional  
4 Regulation.

5 (2) "Director" means the Director of Professional  
6 Regulation.

7 (3) "Board" means the Illinois Occupational Therapy  
8 Licensure Board appointed by the Director.

9 (4) "Registered Occupational therapist" means a person  
10 initially registered and licensed to practice occupational  
11 therapy as defined in this Act, and whose license is in good  
12 standing.

13 (5) "Certified Occupational therapy assistant" means a  
14 person initially registered and licensed to assist in the  
15 practice of occupational therapy under the supervision of a  
16 licensed registered occupational therapist, and to implement  
17 the occupational therapy treatment program as established by  
18 the licensed registered occupational therapist. Such program  
19 may include training in activities of daily living, the use  
20 of therapeutic activity including task oriented activity to  
21 enhance functional performance, and guidance in the selection  
22 and use of adaptive equipment.

23 (6) "Occupational therapy" means the therapeutic use of  
24 purposeful and meaningful occupations or goal-directed  
25 activities to evaluate and provide interventions for  
26 individuals and populations who have a disease or disorder,  
27 an impairment, an activity limitation, or a participation  
28 restriction that interferes with their ability to function  
29 independently in their daily life roles and to promote health  
30 and wellness. Occupational therapy intervention may include  
31 any of the following:

32 (a) remediation or restoration of performance  
33 abilities that are limited due to impairment in  
34 biological, physiological, psychological, or neurological

1 processes;

2 (b) adaptation of task, process, or the environment  
3 or the teaching of compensatory techniques in order to  
4 enhance performance;

5 (c) disability prevention methods and techniques  
6 that facilitate the development or safe application of  
7 performance skills; and

8 (d) health promotion strategies and practices that  
9 enhance performance abilities.

10 The licensed registered occupational therapist or  
11 licensed certified occupational therapy assistant may assume  
12 a variety of roles in his or her career including, but not  
13 limited to, practitioner, supervisor of professional students  
14 and volunteers, researcher, scholar, consultant,  
15 administrator, faculty, clinical instructor, and educator of  
16 consumers, peers, and family.

17 (7) "Occupational therapy services" means services that  
18 may be provided to individuals and populations including,  
19 without limitation, the following:

20 (a) evaluating, developing, improving, sustaining,  
21 or restoring skills in activities of daily living, work,  
22 or productive activities, including instrumental living  
23 and play and leisure activities;

24 (b) evaluating, developing, remediating improving,  
25 or restoring sensorimotor sensory-motor, cognitive, or  
26 psychosocial components of performance;

27 (c) designing, fabricating, applying, or training  
28 in the use of assistive technology or temporary, orthoses  
29 and training in the use of orthoses and prostheses;

30 (d) adapting environments and processes, including  
31 the application of ergonomic principles, to enhance  
32 performance and safety in daily life roles;

33 (e) for the occupational therapist or occupational  
34 therapy assistant therapists possessing advanced

1 training, skill, and competency as demonstrated through  
2 examinations that shall be determined by the Department,  
3 applying physical agent modalities as an adjunct to or in  
4 preparation for engagement in occupations;

5 (f) evaluating and providing intervention in  
6 collaboration with the client, family, caregiver, or  
7 others;

8 (g) educating the client, family, caregiver, or  
9 others in carrying out appropriate nonskilled  
10 interventions; and

11 (h) consulting with groups, programs,  
12 organizations, or communities to provide population-based  
13 services.

14 (8) "An aide in occupational therapy" means an  
15 individual who provides supportive services to occupational  
16 therapists or occupational therapy assistants ~~therapy~~  
17 ~~practitioners~~ but who is not certified by a nationally  
18 recognized occupational therapy certifying or licensing body.  
19 (Source: P.A. 92-297, eff. 1-1-02; 92-366, eff. 1-1-02;  
20 92-651, eff. 7-11-02.)

21 (225 ILCS 75/3) (from Ch. 111, par. 3703)

22 (Section scheduled to be repealed on December 31, 2003)

23 Sec. 3. After the effective date of this Act, no person  
24 shall practice occupational therapy or hold himself out as an  
25 occupational therapist or an occupational therapy assistant,  
26 or as being able to practice occupational therapy or to  
27 render services designated as occupational therapy in this  
28 State, unless he is licensed in accordance with the  
29 provisions of this Act.

30 Nothing in this Act shall be construed as preventing or  
31 restricting the practice, services, or activities of:

32 (1) Any person licensed in this State by any other law  
33 from engaging in the profession or occupation for which he is

1 licensed; or

2 (2) Any person employed as an occupational therapist or  
3 occupational therapy assistant by the Government of the  
4 United States, if such person provides occupational therapy  
5 solely under the direction or control of the organization by  
6 which he or she is employed; or

7 (3) Any person pursuing a course of study leading to a  
8 degree or certificate in occupational therapy at an  
9 accredited or approved educational program if such activities  
10 and services constitute a part of a supervised course of  
11 study, and if such person is designated by a title which  
12 clearly indicates his or her status as a student or trainee;  
13 or

14 (4) Any person fulfilling the supervised work experience  
15 requirements of Sections 8 and 9 of this Act, if such  
16 activities and services constitute a part of the experience  
17 necessary to meet the requirement of those Sections; or

18 (5) Any person performing occupational therapy services  
19 in the State, if such a person is not a resident of this  
20 State and is not licensed under this Act, and if such  
21 services are performed for no more than 60 days a calendar  
22 year in association with an occupational therapist licensed  
23 under this Act and if such person meets the qualifications  
24 for license under this Act and:

25 (i) such person is licensed under the law of  
26 another state which has licensure requirements at least  
27 as restrictive as the requirements of this Act, or

28 (ii) such person meets the requirements for  
29 certification as an Occupational Therapist Registered  
30 (O.T.R.) or a Certified Occupational Therapy Assistant  
31 (C.O.T.A.) established by the National Board for  
32 Certification of Occupational Therapy or another  
33 nationally recognized credentialing body approved by the  
34 Board American-Occupational-Therapy-Association; or

1           (6) The practice of occupational therapy by one who has  
2 applied in writing to the Department for a license, in form  
3 and substance satisfactory to the Department, and has  
4 complied with all the provisions of either Section 8 or 9  
5 except the passing of the examination to be eligible to  
6 receive such license. In no event shall this exemption  
7 extend to any person for longer than 6 months, except as  
8 follows:

9           (i) if the date on which a person can take the next  
10 available examination authorized by the Department  
11 extends beyond 6 months from the date the person  
12 completes the occupational therapy program as required  
13 under Section 8 or 9, the Department shall extend the  
14 exemption until the results of that examination become  
15 available to the Department; or

16           (ii) if the Department is unable to complete its  
17 evaluation and processing of a person's application for a  
18 license within 6 months after the date on which the  
19 application is submitted to the Department in proper  
20 form, the Department shall extend the exemption until the  
21 Department has completed its evaluation and processing of  
22 the application.

23           In the event such applicant fails the examination, the  
24 applicant shall cease work immediately until such time as the  
25 applicant is licensed to practice occupational therapy in  
26 this State.

27           (7) The practice of occupational therapy by one who has  
28 applied to the Department, in form and substance satisfactory  
29 to the Department, and who is licensed to practice  
30 occupational therapy under the laws of another state,  
31 territory of the United States or country and who is  
32 qualified to receive a license under the provisions of either  
33 Section 8 or 9 of this Act. In no event shall this exemption  
34 extend to any person for longer than 6 months.

1           (8) The practice of occupational therapy by one who has  
 2 applied to the Department, in form and substance satisfactory  
 3 to the Department, and who is qualified to receive a license  
 4 under the provisions of either Section 8 or 9 of this Act.  
 5 In no event shall this exemption extend to any person for  
 6 longer than 6 months.

7 (Source: P.A. 90-427, eff. 8-15-97.)

8 (225 ILCS 75/3.1)

9 (Section scheduled to be repealed on December 31, 2003)

10          Sec. 3.1. Referrals. A licensed registered occupational  
 11 therapist or licensed certified occupational therapy  
 12 assistant may consult with, educate, evaluate, and monitor  
 13 services for clients concerning non-medical occupational  
 14 therapy needs. Implementation of direct occupational therapy  
 15 to individuals for their specific health care conditions  
 16 shall be based upon a referral from a licensed physician,  
 17 dentist, podiatrist, or optometrist.

18          An occupational therapist shall refer to a licensed  
 19 physician, dentist, optometrist, or podiatrist any patient  
 20 whose medical condition should, at the time of evaluation or  
 21 treatment, be determined to be beyond the scope of practice  
 22 of the occupational therapist.

23 (Source: P.A. 92-297, eff. 1-1-02.)

24 (225 ILCS 75/5) (from Ch. 111, par. 3705)

25 (Section scheduled to be repealed on December 31, 2003)

26          Sec. 5. The Director shall appoint an Illinois  
 27 Occupational Therapy Licensure Board as follows: 7 persons  
 28 who shall be appointed by and shall serve in an advisory  
 29 capacity to the Director. One member must be a physician  
 30 licensed to practice medicine in all of its branches; 3  
 31 members must be licensed registered occupational therapists  
 32 in good standing, and actively engaged in the practice of

1 occupational therapy in this State; 2 members must be  
2 licensed eertified occupational therapy assistants in good  
3 standing and actively engaged in the practice of occupational  
4 therapy in this State; and 1 member must be a public member  
5 who is not licensed under this Act, or a similar Act of  
6 another jurisdiction, and is not a provider of health care  
7 service.

8 Members shall serve 4 year terms and until their  
9 successors are appointed and qualified. No member shall be  
10 appointed under this or any prior Act to the Board for  
11 service which would constitute more than 2 full terms.  
12 Appointments to fill vacancies shall be made in the same  
13 manner as original appointments, for the unexpired portion of  
14 the vacated term. Initial terms shall begin upon the  
15 effective date of this Act.

16 The membership of the Board should reasonably reflect  
17 representation from the geographic areas in this State.

18 The Director may terminate the appointment of any member  
19 for cause which in the opinion of the Director reasonably  
20 justifies such termination.

21 The Director shall consider the recommendations of the  
22 Board on questions involving standards of professional  
23 conduct, discipline and qualifications of candidates and  
24 license holders under this Act.

25 (Source: P.A. 88-424.)

26 (225 ILCS 75/11) (from Ch. 111, par. 3711)

27 (Section scheduled to be repealed on December 31, 2003)

28 Sec. 11. The expiration date and renewal period for each  
29 certificate issued under this Act shall be set by rule.

30 Any occupational therapist or occupational therapy  
31 assistant who has permitted his license to expire or who has  
32 had his license on inactive status may have his license  
33 restored by making application to the Department and filing



1 proof acceptable to the Department of his fitness to have his  
2 license restored. The Department may consider a certificate  
3 expired less than 5 years as prima facie evidence that the  
4 applicant is fit. If the applicant's license has expired or  
5 been placed on inactive status, proof of fitness may include  
6 sworn evidence certifying to active practice in another  
7 jurisdiction satisfactory to the Department and by paying the  
8 required restoration fee.

9 If the occupational therapist or occupational therapy  
10 assistant has not maintained an active practice in another  
11 jurisdiction satisfactory to the Department, the Department  
12 shall determine, by an evaluation program established by  
13 rule, his fitness to resume active status and may require the  
14 occupational therapist or occupational therapy therapist  
15 assistant to successfully complete a practice examination.

16 However, any occupational therapist or occupational  
17 therapy assistant whose license certificate expired while he  
18 was (1) in Federal Service on active duty with the Armed  
19 Forces of the United States, or the State Militia called into  
20 service or training, or (2) in training or education under  
21 the supervision of the United States preliminary to induction  
22 into the military service, may have his certificate renewed  
23 or restored without paying any lapsed renewal fees if within  
24 2 years after termination of such service, training or  
25 education except under conditions other than honorable, he  
26 furnished the Department with satisfactory evidence to the  
27 effect that he has been so engaged and that his service,  
28 training or education has been so terminated.

29 (Source: P.A. 84-793.)

30 (225 ILCS 75/15) (from Ch. 111, par. 3715)

31 (Section scheduled to be repealed on December 31, 2003)

32 Sec. 15. Any person who is issued a license as an  
33 occupational therapist registered under the terms of this Act

1 may use the words "occupational therapist" or "licensed  
 2 occupational therapist registered", or he may use the letters  
 3 "O.T" ~~or--"O.T.R."~~, in connection with his or her name or  
 4 place of business to denote his or her licensure under this  
 5 Act.

6 Any person who is issued a license as a certified  
 7 occupational therapy assistant under the terms of this Act  
 8 may use the words, "occupational therapy assistant" or  
 9 "licensed certified occupational therapy assistant", or he or  
 10 she may use the letters, "O.T.A." ~~or--"C.O.T.A."~~, in  
 11 connection with his or her name, or place of business to  
 12 denote his or her licensure under this Act hereunder.

13 (Source: P.A. 83-696.)

14 Section 99. Effective date. This Act takes effect upon  
 15 becoming law.