

Report From Agency

STATE OF WISCONSIN OCCUPATIONAL THERAPISTS AFFILIATED CREDENTIALING BOARD

IN THE MATTER OF RULEMAKING	:	
PROCEEDINGS BEFORE THE	:	REPORT TO THE LEGISLATURE
OCCUPATIONAL THERAPISTS	:	CR 24-050
AFFILIATED CREDENTIALING	:	
BOARD	:	

I. THE PROPOSED RULE:

The proposed rule, including the analysis and text, is attached.

II. REFERENCE TO APPLICABLE FORMS: N/A

III. FISCAL ESTIMATE AND EIA:

The Fiscal Estimate and EIA is attached.

IV. DETAILED STATEMENT EXPLAINING THE BASIS AND PURPOSE OF THE PROPOSED RULE, INCLUDING HOW THE PROPOSED RULE ADVANCES RELEVANT STATUTORY GOALS OR PURPOSES:

The Occupational Therapists Affiliated Credentialing Board conducted a comprehensive evaluation of its rules to implement the Occupational Therapy Licensure Compact to ensure clarity and consistency with applicable Wisconsin statutes. The following updates were made:

- Created definitions of “occupational therapist,” “occupational therapist assistant,” and “occupational therapy.”
- Created definitions of “compact,” “compact privilege,” and identify the requirements for obtaining a compact privilege, including a requirement that an individual seeking a compact privilege successfully complete a jurisprudence examination.
- Created a definition of a “health care provider” to include an occupational therapist or an occupational therapy assistant licensed under ch. 448 who holds a compact privilege under subch. XII of ch. 448.
- Amended the definition of “supervisor” to specify it includes a person holding an occupational therapist compact privilege granted by the Board but does not include a person holding a temporary license.
- Amended the unprofessional conduct requirements in s. OT 5.02 to also apply to those licensed under compact privileges as needed.

V. SUMMARY OF PUBLIC COMMENTS AND THE BOARD’S RESPONSES, EXPLANATION OF MODIFICATIONS TO PROPOSED RULES PROMPTED BY PUBLIC COMMENTS:

The Occupational Therapists Affiliated Credentialing Board held a public hearing on September 17, 2024. There were no comments submitted. However, Chairperson Teresa Black recommended to the Board that the Adjacent State Analysis be updated to reflect

the current compact status of each state. The Board has made the changes as recommended.

Pursuant to s. 15.085 (5) (b), Stats., the Medical Examining Board reviewed the proposed rule on April 17, 2024 and made no comments or recommendations.

VI. RESPONSE TO LEGISLATIVE COUNCIL STAFF RECOMMENDATIONS:

All of the recommendations suggested in the Clearinghouse Report have been accepted in whole.

VII. REPORT FROM THE SBRRB AND FINAL REGULATORY FLEXIBILITY ANALYSIS: N/A