



JOAN BALLWEG

STATE SENATOR · 14TH SENATE DISTRICT

Senate Bill 412: Ratification of the Occupational Therapy Licensure Compact, extending the time limit for emergency rule procedures, providing an exemption from emergency rule procedures, and granting rule-making authority.

Testimony of State Senator Joan Ballweg
Senate Committee on Insurance, Licensing and Forestry
July 21, 2021

Thank you, Chair Felzkowski, and members of the committee for holding this public hearing.

Senate Bill 412 authorizes Wisconsin to join the Occupational Therapy Licensure Compact. Like the Enhanced Nurse Licensure and Physical Therapy Compacts Wisconsin already participates in, this compact allows Occupational Therapists (OTs) and Occupational Therapy Assistants (OTAs) in good standing to practice in other compact-member states through in-person practice or telehealth.

Interstate compacts provide flexibility and enhanced mobility to practitioners by providing uniform regulation and standards of practice. This is especially the case for military spouses and those who live in state border communities who are often forced to attain duplicative licenses in multiple states.

Additionally, the compact allows for a greater level of care for patients who are moving, living in underserved areas or require specialized care. By streamlining communication and licensing across states, hospitals and clinics can more quickly hire to fill vacancies or connect patients with care through telehealth.

For Wisconsin, this compact will be particularly helpful with our increasing aging population. Through personalized intervention methods, OTs and OTAs can be instrumental in helping support older individuals as they experience physical and cognitive changes.

This compact was developed by the Council of State Governments, the American Occupational Therapy Association, National Board for Certification in Occupational Therapy and staff and legal experts from around the country. It is supported by the Wisconsin Occupational Therapy Association, Mayo Clinic Health System and Gundersen Health System.

In order for the compact to begin operations, 10 states must enact legislation to activate it. If Wisconsin were to sign this legislation into law today, we would be the ninth state to enter into the compact.

Thank you for your consideration of this legislation, and I am happy to answer any questions.



NANCY VANDERMEER

STATE REPRESENTATIVE • 70TH ASSEMBLY DISTRICT

TO: Honorable Members of the Senate Committee on Insurance, Licensing and Forestry

FROM: State Representative Nancy VanderMeer

DATE: July 21, 2021

SUBJECT: Testimony in Support of Senate Bill 412 – Ratification of the Occupational Therapy Licensure Compact

Thank you Chair Felzkowski and members of the Senate Committee on Insurance, Licensing and Forestry for holding a hearing on Senate Bill 412 today, and thank you Chair Felzkowski and Senator Taylor for co-sponsoring this legislation. Senate Bill 412 would allow our state to enter into a licensure compact for Occupational Therapists. I think most of us are familiar with licensure compacts as in the Legislature, we've fairly recently passed a number of compacts for medical licensure, including a compact for doctors, a compact for nurses that we renewed last session, and one for Physical Therapists.

I had the chance to author the Medical Licensure Compact and the Enhanced Nurse Licensure Compact in previous legislative sessions. There were a number of hurdles with those efforts, especially with the Medical Licensure Compact in 2015. Understandably, when we're evaluating something of this nature, it's important to consider a variety of viewpoints, including those of medical professionals, healthcare and licensure stakeholders, state administrative personnel, and others. However, that said, in retrospect, I think that most would agree that these previous compacts - that very are similar to the one we're discussing today - have been an overwhelming success.

I believe it's fair to say that by and large, these types of compacts work and are beneficial in a variety of ways, ranging from enhancing workforce and professional development, to limiting bureaucratic hurdles for healthcare professionals and our own administrators at the state level, and more. Most importantly, the type of compact we're discussing today and those we've previously supported and enacted, help to create and enhance access to quality care for those seeking care. Additionally, as with the previous compact agreements I've referenced, please note that under this bill, for Occupational Therapy professionals practicing or desiring to practice in Wisconsin, a compact license will be voluntary.

Senate Bill 412 creates an interstate compact for Occupational Therapists (OTs) and Occupational Therapy Assistants (OTAs). The compact license would allow OTs and OTAs to practice in other states that participate in the compact through a compact privilege. This will remove the need for practitioners to get an individual license in each state where they want to practice.

I will let the Occupational Therapy professionals, who should be here today, share more information with you on why compact will be beneficial for patients and their profession, but I do know that they believe that allowing our state to enter into the Occupational Therapy Compact will: enhance public safety, improve access to Occupational Therapy Services, and improve continuity of care when clients travel or relocate. This will also allow practitioners to increase their market opportunities through



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STATE REPRESENTATIVE • 70TH ASSEMBLY DISTRICT

telehealth and enhanced mobility. Also, this compact will benefit those who have spouses in the military who need to relocate.

The American Occupational Therapy Association is leading the broader compact initiative in collaboration with the National Board for Certification in Occupational Therapy. The National Center for Interstate Compacts at the Council of State Governments provided technical assistance and facilitated the development of the Occupational Therapy Compact. In order for the compact to begin operations, ten states must pass legislation to activate the compact. Ohio, Missouri, Colorado, Virginia, North Carolina, Maryland, Maine and Georgia have enacted the compact. This legislation is supported by the Wisconsin Occupational Therapy Association.

Thank you again for the opportunity to testify here today. I ask that you please join Senator Ballweg and myself in supporting this legislation.



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July 21, 2021

Chairwoman Felzkowski and Members of the Committee on Insurance, Licensing, and Forestry,

I am Nicole Boyington, President of the Wisconsin Occupational Therapy Association. I have been an occupational therapist for 20 years. As an area manager for an organization that had buildings in multiple states, this OT compact would have been very beneficial. I was travelling to 3 states to do evaluations and supervise COTAs. When we would get a building in a new state, I would have to apply for a new license in that state. It would take a lot of time and became very expensive. The OT compact would have made it easier for me to do this position.

For 100 years the Wisconsin Occupational Therapy Association (WOTA) has advocated on behalf of Occupational Therapists (OTs) and Occupational Therapy Assistants (OTAs) across the state to provide OTs and OTAs more opportunities to practice and provide more access to care for patients. Today I am here to speak about the importance and need of SB 412- the Occupational Therapy Licensure Compact.

SB 412, has significant support from WOTA as the Compact would remove the need for practitioners to register for licenses in each Compact state they would like to practice. Not only would this open up more opportunities for OTs and OTAs in Compact states, but it would also increase access for Wisconsinites to receive OT services. Licensure requirements under the OT Compact will remain the same in each state. This legislation, as done previously in other professions, simply allows OTs enhanced opportunities to practice. The National Board for Certification in Occupational Therapy (NBCOT) and American Occupational Therapy Association (AOTA) has developed this compact and is working in congruence with Council on State Governments to provide this opportunity for practitioners and patients this year. If enacted into law, Wisconsin could be the 10th state needed to activate the compact.

WOTA believes there is no better time to pass this legislation. As the pandemic has proven, access to care in all corners of the state is vital for the health and wellbeing of Wisconsin patients. SB 412 will provide opportunities for more practitioners to offer OT services in Wisconsin, support practitioners with military spouses, and provide continuity of care for clients traveling across state lines.

Thank you for holding a public hearing on SB: 412, we hope you will support the 5,000 OTs and OTAs throughout Wisconsin.

Senate Bill 412 Occupational Therapy Licensure Compact

Public Hearing July 21, 2021 10:01 AM State Capitol 411 South

Testimony for Wisconsin Senate Committee on Insurance, Licensing and Forestry

Good Morning.

My name is Wayne L Winistorfer and I live in Oshkosh. My State Senator is Dan Feyen and my Assemblyman is Gordon Hintz.

I have been an occupational therapist for over 43 years. Most of my career has been in the State of Wisconsin, but I have also worked in Minnesota and Illinois.

I am here to support the adoption of Senate Bill 412, Occupational Therapy Interstate Licensure Compact.

I am here to support the efforts of the Wisconsin Occupational Therapy Association, of which I have been a member since my days as an occupational therapy student "last century".

I am also a career-long member of the American Occupational Therapy Association. In 2019, I was appointed by the President of the AOTA as a member of the work group of the Council of State Governments to develop the **DRAFT legislation that is the content of this Senate Bill 412, which is before you.**

I am licensed as an occupational therapist and served as a member and Chair of the OT Licensure Council throughout the 1990's in the Department of Regulation and Licensing. I share my background and experiences to illustrate to you that I understand the professional, regulatory and health care workforce impacts of an Interstate Licensure Compact for the Occupational Therapy profession.

I am employed as a Director of Rehabilitation Services for a health system in NE Wisconsin. I hire and employ occupational therapy practitioners. I have seen the negative consequences of occupational therapy practitioners and other rehabilitation professionals being delayed or prevented from moving and working in Wisconsin because of challenging licensure processes. *Let me say that Wisconsin's processes are more efficient and effective than some other states.* The OT Interstate Compact is one tool for expediting mobility and to get the right health professional resources in the places they are needed most.

I have also seen the positive outcomes of the Nursing Interstate Compact during the COVID pandemic. My employer was able to enlist nurses from Michigan and Texas to come to Wisconsin when we needed their help, and later facilitated Wisconsin nurses to serve in other states when help was needed.

This Interstate Licensure Compact bill is designed to assure public safety, which is the primary purpose of licensure laws. It also retains responsibility for public safety within the purview of the State of Wisconsin. Interstate Compacts enable the movement of health care resources to where they are needed.

With the passage of this legislation in the State of Wisconsin **NOW**, Wisconsin can be on track to be one of the first 10 states to adopt this legislation. Ten states are required to "trigger" the formation of the OT Interstate Compact Commission. I am eager to have Wisconsin play a leadership role by engaging with 9 other states to establish the rules and processes for the OT Interstate Compact Commission.

I urge you to move Senate Bill 412 for adoption.

I want to thank the sponsors of this Bill and I thank you for conducting this public hearing.

I am open to taking any questions you may have, either at this time, or in follow-up at another time.

Thank you.

GUNDERSEN HEALTH SYSTEM®

July 21, 2021

Senator Mary Felzkowski, Chair
Room 415 South
State Capitol
PO Box 7882
Madison WI 53708

Senator Rob Stafsholt, Vice-Chair
Room 15 South
State Capitol
PO Box 7882
Madison, WI 53708

Re: Support for Senate Bill 412

Dear Chair Felzkowski, Vice-Chair Stafsholt, and members of the Senate Committee on Insurance, Licensing, and Forestry:

My name is Deborah Head, and I am testifying in support of SB 412. I appreciate the opportunity to provide testimony in support of the Occupational Therapy Licensure Compact and your consideration of this bill. I am an Occupational Therapist and Rehabilitation Program Manager at Gundersen Health System and a representative on the Wisconsin Hospital Association Post-Acute Care workgroup. I am here today representing Gundersen Health System.

Gundersen Health System is a tri-state health system serving patients in Wisconsin, Minnesota, and Iowa. Our system includes a primary hospital in La Crosse, six critical access hospitals, over 70 clinics, five skilled nursing facilities, and a dedicated inpatient rehabilitation facility. There are close to 60 occupational therapists across the organization, providing comprehensive occupational therapy services with specialties ranging from rehabilitation, assistive technology, behavioral health to neurological, orthopedic, and pediatric therapy to name a few. GHS OTs are projected to see nearly 10,000 out of state patients by the end of this calendar year. The Occupational Therapy Licensure Compact has many benefits for both the patient and OT practitioners to ensure patients have access to Occupational Therapy services close to home.

Benefits of this compact include the following:

Improved access to Occupational Therapy Services

- GHS patients with severe debilitating injury or illness can drive a considerable distance to get to the main clinic. Availability of OT services being provided closer to their home or via telehealth

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could mean fewer trips the patient is required to make to meet their healthcare needs. This can assist with service to populations currently underserved.

- OT's or OTA's complete Home Evaluations in preparation for hospital discharge for some rehabilitation patients, requiring therapists to hold licenses in each of our neighboring states to be able to complete these necessary services if the patient does not live in Wisconsin.
- An OT Compact agreement allows an OT/OTA the privilege to practice and improve access by avoiding lengthy licensure delays, having more providers available to travel closer to the patient.

Enhance mobility for OT practitioners to provide services close to home

- The requirement for OT practitioners to obtain licenses in multiple states is costly, and a long burdensome process that leads to delays in providing OT services to patients in neighboring states. The process can take months for an OT/OTA to obtain a second or third license in a neighboring state when they are currently employed and practicing under their home state license. OTs and OTAs are licensed in all 50 states, with consistency in core licensure requirements across the board.
- By reducing or eliminating the OT practitioner's requirement to obtain multiple state licenses, it will enable us to provide better staff coverage in GHS regional clinics. In smaller or rural clinics there may be only one OT providing services, and covering extended leaves or vacations is a hardship on those clinics that can lead to patients not being served adequately.

Improved flexibility of service delivery options (Telehealth)

- Virtual provision of care has expanded rapidly especially since the COVID-19 PHE. At GHS, Pediatric OT provides many virtual visits, however, faces barriers when the patient is not a Wisconsin resident. With a limited number of OTs with a neighboring state license, it leads to not all children having equal access to the option of a video visit. Having the option of a video visit is a huge benefit to patients and families traveling long distances for specialized OT treatment. With patients growing comfort in virtual applications, it is important we eliminate barriers to providing this option to all our patients.

Another benefit is promoting cooperation between OT Compact states in the areas of licensure and regulation. The OT compact leaves state specific licensure requirements in place and strengthens the collective focus on consumer protection across state lines. As a tri-state health system serving patients in Wisconsin, Minnesota, and Iowa, we support this greater coordination across state lines that will help us provide care for our patients.

On behalf of Gundersen Health System, we are pleased to support Senate Bill 412 for the state of Wisconsin to allow licensed Occupational Therapists (OTs) and Occupational Therapy Assistants (OTAs) to practice in all states that join the compact. This will remove the need for practitioners to get an individual license in each state where they practice, therefore reducing lengthy regulatory burden and increase timely patient access.

Thank you for taking time to hear my testimony; I am happy to answer any questions.

Deborah Head, OTR/L
Rehabilitation Program Manager - Rehabilitation Services
Gundersen Health System

Good Morning Senators thank you for this opportunity to present.

My name is Zeki AbuLughod, I am an occupational therapy student at Mount Mary University and a proud citizen of Port Washington, WI along the shores of Lake Michigan. I am looking forward to providing occupational therapy services at the professional level within the next year. An integral part of why I chose to pursue occupational therapy is the ability and expectation that OT's are able to adjust and adapt how we provide services. As a profession, we are able to serve clientele of all varieties of backgrounds, in different settings, and with all types of diagnoses. We develop programming and services in a client-centered format so we are able to provide the best quality care to those who need it the most.

One way we have recently seen the OT's skill of adapting and adjusting how service is provided is their ability to provide quality services while working remotely due to Covid-19 safety precautions.

This has, in turn, increased the amount of clientele occupational therapists can reach. Remote work also means greater employment opportunities when OT's can reach clients who may not be local. Because of this ability to reach distant clientele, there is an opportunity for companies who have locations across state lines to have employees serve clients across state lines. Right now, this is not an option.

This legislation is a prime opportunity for employees and employers alike. Passing this legislation would make Wisconsin an attractive state for practitioners contemplating relocation or who are in a transition phase seeking out new environments to work in and also facilitates easy access for practitioners who are employed as traveling OT's. This legislation can immensely help OT's who are members of the military or have family members who have to relocate frequently when attending to military responsibilities.

This legislation streamlines the time-consuming process of becoming recertified any time one has to move from a state, whatever the circumstances. This simplification helps OT's continue providing quality care, increasing access to their services, and broadens their opportunities of serving those who need their services the most.

With that in mind, I hope you support this legislation and recognize the positive and monumental impact you are able to have on the future of the occupational therapy profession in the beautiful state of Wisconsin.

Good Morning Chairwoman Felzkowski and members of the Committee on Insurance, Licensing, and Forestry thank you for holding this hearing today,

My name is Whitney Nett. I am an occupational therapy student from Mount Mary University in Milwaukee. I currently reside in Greenfield with my husband and two young children. I am completing a dual level II fieldwork this summer with the Wisconsin Occupational Therapy Association and Rehab Resources with an expected graduation date of December of this year.

I chose to pursue occupational therapy because I value how OT looks at the whole person; considering their well-being in all aspects of their life. OT is a field that will allow me to work with people from all walks of life and help them engage in their environment that is purposeful and meaningful to them. OTs are always learning and evolving, and I want to be part of a field that will challenge me while contributing to improving the health of others.

My brother spent 6 years in the U.S. Navy and during this time he lived on multiple bases in several states. I ask that you consider supporting the OT compact because this will make life easier for our military families who move frequently and need to carry OT licenses to practice in multiple states. The process of applying for multiple licenses is expensive and time consuming, so the OT compact will eliminate this stress for our practitioners. Our neighbors in Illinois are also currently trying to pass the OT compact and living in southeastern Wisconsin, this will open up more job opportunities for those of us near the border.

If enacted, Wisconsin will be the tenth state to join this compact initiative. Please join us in supporting this opportunity for occupational therapy professionals.

Good morning Senators,

My name is Morgan Precour, and I am from Elm Grove, a suburb west of Milwaukee. I am currently an occupational therapy student at Mount Mary University in Milwaukee where I plan to graduate this December 2021.

I first found my passion and drive for occupational therapy while I was working as a nanny for a local family with three children with disabilities. Through this experience, I watched their son blossom from a nonverbal, frustrated little boy into a talkative, involved, and engaged high schooler. Occupational therapy provided him with the strategies and skills to interact with his peers and engage in school-based occupations including inclusive classroom education and extracurricular activities. From then on, I knew I wanted to serve a similar clientele in the pediatric population and their families. I hope to provide similar life changing services and opportunities to my own clients as a practicing OT.

As a student, I am serving on my level II fieldwork placement with the Wisconsin Occupational Therapy Association. The work I am doing with WOTA is vital now more than ever to advocate for OT services across the state of Wisconsin and to impact not only my future, but also the future of the OT profession.

The Occupational Therapy Licensure Compact will impact my future as an aspiring pediatric travel therapist. I am interested in providing services to individuals and their families located in areas with fewer access to resources both locally and nationally. The COVID-19 pandemic exemplified the need for increased access to health care services in all corners of the state of Wisconsin. SB 412 will provide greater access to services for our citizens and more opportunities to practice for our licensed professionals.

Thank you for holding the public hearing and allowing me to speak on behalf of SB 412. I hope that you join us in supporting this opportunity for Occupational Therapy professionals and our clients.