

DEPARTMENT OF HEALTH

NOTICE OF PROPOSED RULEMAKING

The Director of the Department of Health, pursuant to the authority set forth under § 302(14) of the D.C. Health Occupations Revision Act of 1985, effective March 15, 1986 (D.C. Law 6-99; D.C Official Code § 3-1203.02(14)), and Mayor's Order 98-140, dated August 20, 1998, hereby gives notice of his intent to take final rulemaking action to adopt the following amendment to Chapter 63 of Title 17 of the District of Columbia Municipal Regulations (DCMR) in not less than thirty (30) days from the date of publication of this notice in the D.C. Register. The purpose of these amendments is to require examination results to be sent directly to the Board; prohibit a person who has failed the examination from practicing as an occupational therapist or occupational therapy assistant; require a person who has been selected for an audit to supply the requested information within ten (10) days; prohibit a person who has an initial application pending from engaging in independent practice; require a person who has submitted an initial application to submit a supervised practice form before engaging in employment; and to limit the period of time under which an applicant for an initial license may practice with a supervised practice form.

Chapter 63 (Occupational Therapy) of Title 17 DCMR (Business, Occupations & Professions) (May 1994) is amended to read as follows:

Add a new section 6304.3 to read as follows:

6304.3 An applicant shall submit a completed application to the Board and arrange for examination results to be sent by NBCOT, directly to the Board.

Amend section 6304.4 to read as follows:

6304.4 An applicant who has failed the national examination shall cease working as an occupational therapist or occupational therapy assistant.

Add a new section 6311 to read as follows:

6311 CONTINUING EDUCATION CREDIT AUDIT

6311.1 The Board may audit up to twenty (20) percent of the number of licensees to determine compliance with the continuing education credit requirements.

6311.2 Upon notification by the Board that a licensee has been selected for an audit, the licensee shall submit the required documentation within ten (10) days of receipt of the notice.

Add new sections 6312.6, 6312.7, and 6312.8 to read as follows:

- 6312.6 An applicant for an initial license whose application is pending shall not engage in unsupervised practice.
- 6312.7 An applicant for licensure shall not engage in any type of practice until an application for licensure and a supervised practice form have been submitted to the Board.
- 6312.8 An applicant may practice for no more than sixty (60) days under a supervised practice form. The supervised practice form shall not be renewed.

All persons desiring to comment on the subject matter of this proposed rulemaking should file comments in writing not later than thirty days after the date of publication of this notice in the D.C. Register. Comments should be sent to the Department of Health, Office of the General Counsel, 825 North Capitol Street, N.E., 4th Floor, Washington, D.C. 20002. Copies of the proposed rules may be obtained from the Department at the same address during the hours of 9:00 a.m. to 5 p.m., Monday through Friday, excluding holidays.