

Additional questions about proposed interstate licensing compacts

**To be completed by proposal sponsor. (500 Word Count Limit for this page)**

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1. Who would be affected by the compact? Are any of these practitioners unionized? If so, which unions represent these practitioners?

Occupational therapists, occupational therapy assistants, occupational therapy consumers, and regulators. Most occupational therapy practitioners (OTPs) are not unionized, occupational therapists (OTs) employed by the state are part of the Minnesota Association of Professional Employees (MAPE) union, and the occupational therapy assistants (OTAs) are part of the American Federation of State, County, and Municipal Employees (AFSME) union.

2. How will practitioners who are not represented by the advocates learn about the bill?

Via emails to OTPs who are licensed in Minnesota, with emails being obtained through the Minnesota Board of Occupational Therapy Practice.

3. Do standards for practice and/or licensing vary throughout the country? How?

Standards for occupational therapy practice are generally the same in licensing jurisdictions throughout the country. In some instances, treatment interventions, such as dry needling, are explicitly allowed in some jurisdictions, while in some other states licensure laws are either silent or do not allow dry needling. It is important to note that OTPs practicing in a state with a compact privilege must adhere to the standards of practice in the state they are practicing in. Also, licensure requirements for continuing education units and jurisprudence exams do vary throughout the country. In the case of continuing education units, the Occupational Therapy (OT) Licensure Compact requires states to have continuing education requirements but does not dictate a certain number of units, which do vary throughout the country.

4. Does the compact already exist? When did it become active? Which states are members of the compact? If not, when will it become active?

While the OT Licensure Compact has been established and currently has 28 states that have enacted the necessary legislation to become members, we do not expect the OT Compact Commission to start issuing compact privileges until 2025. The 28 states that

have joined the compact thus far include: Alabama, Arizona, Arkansas, Colorado, Delaware, Georgia, Indiana, Iowa, Kentucky, Louisiana, Maine, Maryland, Mississippi, Missouri, Montana, Nebraska, New Hampshire, North Carolina, Ohio, South Carolina, South Dakota, Tennessee, Utah, Virginia, Washington, West Virginia, Wisconsin, Wyoming

5. How many of the affected occupation are currently working in MN? How many are expected to work in Minnesota if the compact is approved?

There are 4,622 occupational therapists and 1,179 occupational therapy assistants who have active licenses in Minnesota. While it is hard to make an accurate prediction of how many occupational therapy practitioners will work in Minnesota if the compact is enacted, we anticipate there likely would be a greater number of OTPs working in the state than at present because of the reductions in time and paperwork in obtaining a compact privilege as compared to a traditional license.

6. Will Minnesota's regulatory authority be notified when an out-of-state practitioner begins practice in Minnesota? What process, if any, will be followed?

Yes. Practitioners with a compact privilege would be identified through the license look up feature on the MN OT Board of Practice website. The practitioner must also notify the OT compact commission of their intent to seek the compact privilege in a remote state and this data will be stored in the OT Compact Commission data system. While the data system is not designed yet, an intended feature is the regular reporting of this information to compact member states.

7. How will out-of-state practitioners be regulated while in MN? Will Minnesota's regulatory agency accept and investigate complaints regarding out-of-state licensees? If not, what is the process for a patient to make a complaint?

Out of state practitioners practicing with a compact privilege in Minnesota will have all of the rights and responsibilities as if they had a traditional license issued by the state of Minnesota. They must adhere to all of the laws, regulations, and MN OT Board decisions as current MN license holders do. Regarding investigating complaints, OTPs would be investigated as any other practitioner in the state would be, due to the MN OT Board of Practice's responsibility to protect the citizens of MN. The OT compact allows the MN OT Board of Practice to investigate and discipline a compact privilege holder. The complaints, investigation, and discipline is then shared with the OT Compact Commission, their home state of licensure, and all of the other compact member states.

8. Does the regulator body have capacity/how will it increase capacity to handle additional complaints? Will out-of-state practitioners pay a fee to increase regulatory capacity?

The Minnesota Board of Occupational Therapy Practice has capacity to handle the additional complaints. A fee will be assessed by the board for the compact privilege to support the management of the compact privileges and any complaint management.