



CHAPTER 90

ARTICLE 18I - OCCUPATIONAL THERAPY LICENSURE COMPACT

N.C.G.S. § 90-270.181.

Definitions.

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As used in this Compact, and except as otherwise provided, the following definitions shall apply:

Active duty military. - Full-time duty status in the active uniformed service of the United States, including members of the National Guard and Reserve on active duty orders pursuant to 10 U.S.C. Chapter 1209 and 10 U.S.C. Chapter 1211.

Adverse action. - Any administrative, civil, equitable, or criminal action permitted by a state's laws which is imposed by a licensing board or other authority against an occupational therapist or occupational therapy assistant, including actions against an individual's license or Compact privilege, such as censure, revocation, suspension, probation, monitoring of the licensee, or restriction on the licensee's practice.

Alternative program. - A nondisciplinary monitoring process approved by an occupational therapy licensing board.

Compact privilege. - The authorization which is the equivalent to a license, granted by a remote state to allow a licensee from another member state to practice as an occupational therapist or practice as an occupational therapy assistant in the remote state under its laws and rules. The practice of occupational therapy occurs in the member state where the patient or client is located at the time of the patient-client encounter.

Continuing competence/education. - A requirement, as a condition of license renewal, to provide evidence of participation in, or completion of, educational and professional activities relevant to practice or area of work.

Current significant investigative information. - Investigative information that a licensing board, after an inquiry or investigation that includes notification and an opportunity for the occupational therapist or occupational therapy assistant to respond, if required by state law, has reason to believe is not groundless and, if proved true, would indicate more than a minor infraction.

Data system. - A repository of information about licensees, including, but not limited to, license status, investigative information, Compact privileges, and adverse actions.

Encumbered license. - A license in which an adverse action restricts the practice of occupational therapy by the licensee or said adverse action has been reported to the National Practitioners Data Bank (NPDB).

Executive Committee. - A group of directors elected or appointed to act on behalf of, and within the powers granted to them by, the Commission.

Home state. - The member state that is the licensee's primary state of residence.

Impaired practitioner. - Individuals whose professional practice is adversely affected by substance abuse, addiction, or other health-related conditions.

Investigative information. - Information, records, or documents received or generated by an occupational therapy licensing board pursuant to an investigation.

Jurisprudence requirement. - The assessment of an individual's knowledge of the laws and rules governing the practice of occupational therapy in a state.

Licensee. - An individual who currently holds an authorization from the state to practice as an occupational therapist or as an occupational therapy assistant.

Member state. - A state that has enacted the Compact.

Occupational therapist. - An individual who is licensed by a state to practice occupational therapy.

Occupational therapy assistant. - An individual who is licensed by a state to assist in the practice of occupational therapy.

Occupational therapy; occupational therapy practice; practice of occupational therapy. - The care and services provided by an occupational therapist or an occupational therapy assistant as set forth in the member state's statutes and regulations.

Occupational Therapy Compact Commission or Commission. - The national administrative body whose membership consists of all states that have enacted the Compact.

Occupational therapy licensing board or licensing board. - The agency of a state that is authorized to license and regulate occupational therapists and occupational therapy assistants.

Primary state of residence. - The state, also known as the home state, in which an occupational therapist or occupational therapy assistant who is not active duty military, declares a primary residence for legal purposes as verified by any of the following:

a. Drivers license.

b. Federal income tax return.

c. Lease.

d. Deed.

e. Mortgage.

f. Voter registration.

g. Other verifying documentation as defined by Commission rules.

Remote state. - A member state other than the home state where a licensee is exercising or seeking to exercise the Compact privilege.

Rule. - A regulation promulgated by the Commission that has the force of law.

State. - Any state, commonwealth, district, or territory of the United States of America that regulates the practice of occupational therapy.

Single-state license. - An occupational therapist or occupational therapy assistant license issued by a member state that authorizes practice only within the issuing state and does not include a Compact privilege in any other member state.

Telehealth. - The application of telecommunication technology to deliver occupational therapy services for assessment, intervention, or consultation. (2021-31, s. 1.)

END OF SECTION TEXT

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APPARATUS III

Citation

FULL SECTION

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