

**TITLE 13
LEGISLATIVE RULE
BOARD OF OCCUPATIONAL THERAPY**

**SERIES 5
COMPETENCY STANDARDS FOR ADVANCED PRACTICE BY
OCCUPATIONAL THERAPISTS AND OCCUPATIONAL THERAPY ASSISTANTS**

§13-5-1. General.

1.1. Scope. -- This legislative rule establishes competency standards for advanced practice by occupational therapists and occupational therapy assistants

1.2. Authority. -- W. Va. Code §30-28-6.

1.3. Filing Date. -- May 13, 2009

1.4. Effective Date. -- June 2, 2009

§13-5-2. Definitions.

As used in this rule:

2.1. "ACOTE" means the Accreditation Council for Occupational Therapy Education.

2.2. "Advanced Practice" means treatment techniques or arenas which require education and training obtained subsequent to the qualifying degree program or beyond current ACOTE standards for the qualifying degree program.

2.3. "Board" or "WVBOT" means the West Virginia Board of Occupational Therapy.

2.4. "Deep thermal agent modalities" means therapeutic ultrasound and phonophoresis.

2.5. "Electrotherapeutic agent modalities" means neuromuscular electrical stimulation, transcutaneous electrical nerve stimulation, and iontophoresis.

2.6. "General Supervision" means initial direction, periodic inspection of service delivery, periodic meetings to review the outcome of service delivery, and the personal and direct

involvement of the supervisor in the licensed occupational therapy assistant's professional experience which can also include evaluation of his or her performance. The supervisor need not be present or on the premises at all times where the licensed occupational therapy assistant is performing the professional services. General supervision is demonstrated through co-signatures on all paperwork or electronic notes pertaining to the practice of occupational therapy for the person requiring general supervision. All paperwork or electronic notes pertaining to the practice of occupational therapy must be signed and dated, electronically or otherwise, by the supervising licensed occupational therapist.

2.7. "Mechanical modalities" means the therapeutic application of various forms of mechanical energy to the body, including traction and intermittent pneumatic compression (does not include spinal traction).

2.8. "Modality" means the employment of or the method of employment of a therapeutic agent.

2.9. "Physical Agent Modality (PAM)" means those modalities that produce a response in soft tissue through the use of light, water, temperature, sound, or electricity, and are used as an adjunct to or in preparation for purposeful activity.

2.10. "Superficial physical agent modality" means hot packs, cold packs, ice, fluidotherapy, paraffin, water, and other commercially available superficial heating and cooling devices.

2.11. "Occupational Therapist" means a person licensed to practice occupational therapy and whose license is in good standing.

2.12. "Occupational Therapy Assistant"

means a person licensed to assist in the practice of occupational therapy under the general supervision of the licensed occupational therapist and who license is in good standing.

§13-5-3. Physical Agent Modalities in Occupational Therapy.

3.1. Physical agent modalities may be used by occupational therapy practitioners when used as an adjunct to / or in preparation for purposeful activity to enhance occupational performance.

3.2. An occupational therapist shall not delegate evaluation, reevaluation, treatment planning, and treatment goals for physical agent modalities to an occupational therapy assistant.

3.3. Occupational therapy assistants and students of occupational therapy shall use modalities and techniques only when the individual has received the theoretical and technical preparation necessary for safe and appropriate integration of the intervention in occupational therapy.

3.4 When an occupational therapist delegates the use of modalities to an occupational therapy assistant or student, both shall:

3.4.a. Comply with appropriate supervision requirements as defined in §13-1-2; and

3.4.b. Assure that their use is based on service competency.

§13-5-4. Competency Requirements for Occupational Therapy Assistants in the use of Physical Agent Modalities.

4.1. To promote the safe provision of occupational therapy, this section sets forth the requirements which must be met before an

occupational therapy assistant may apply physical agent modalities.

4.2. Occupational therapy assistants may apply superficial thermal and mechanical modalities including, but not limited to, hot packs, cold packs, paraffin, fluidotherapy, and icing, under the general supervision of an occupational therapist, consistent with ACOTE standards for an educational program for occupational therapy assistants.

4.3. Any occupational therapy assistant who wishes to utilize advanced practice occupational therapy techniques involving deep thermal or electrical modalities under the general supervision of an occupational therapist, must maintain documented evidence of possessing the theoretical background and technical skills for safe and competent use.

4.4. The occupational therapy assistant is responsible for proving competency in the use of specific modalities and techniques.

4.5. Competency may be displayed through documented educational programs which include a method of evaluation and testing the knowledge of the therapist, including, but not limited to:

4.5.a. Accredited educational programs (including fieldwork education);

4.5.b. Specific certification;

4.5.c. Appropriate continuing education;

or

4.5.d. Inservice training.

4.6. Training shall be completed prior to the use of the specific modality. Documentation of training shall be made available to the Board upon request.