

## **AGENDA ITEM 6**

### **CONSIDERATION AND POSSIBLE RECOMMENDATION TO THE BOARD ON ADDITIONAL AMENDMENTS TO SECTIONS 4180 AND SECTION 4181.**

The following attached for review:

- Background information
- Email dated June 30, 2024, from Heather Kitching
- Proposed Text for Sections 4180 and 4181
- 2023 ACOTE Standards (Effective 7/31/2025)
- Supervision Requirements for other states (provided by AOTA)

Link to **2023 ACOTE Standards** below:

**<https://acoteonline.org/download/5856/?tmstv=1706886053>**

## **Board Meeting November 3-4, 2022**

*Agenda Item 12. Consideration and possible action on determining the maximum number of occupational therapy students completing their fieldwork that can be supervised by an occupational therapist who is concurrently supervising occupational therapy assistants and/or limited permit holders.*

A very lengthy and robust discussion took place regarding the maximum number of students that could be supervised considering both clinical and nonclinical settings, the many role configurations possible in student supervision, and the best options to ensure consumer protection. The Board also discussed the parameters of when a licensee could seek approval from the Board to increase the number of how many students they could supervise in a non-clinical setting.

- Richard Bookwalter moved to add language to the California Code of Regulations (CCR), Title 16, Division 39, Section 4181, Supervision Parameters that states, “*An Occupational Therapist may not supervise more than three Level One fieldwork students, Level Two fieldwork students, Doctoral Capstone students, or Limited Permit holders at any one time, except by approval of the Board.*” And add “*An Occupational Therapy Assistant may not supervise more than three Level One fieldwork students, Level Two fieldwork students, Doctoral Capstone students or Limited Permit holders at any one time, except by approval of the Board.*”
- Hector Cabrera seconded the motion.

Vice President Beata Morcos expressed that she felt that students in any discipline need more oversight during their fieldwork; thus, she felt that the number of students should be less than the maximum number of occupational therapy assistants (OTAs) which an occupational therapist (OT) can supervise, which is three.

Hector Cabrera stated that he felt the maximum number of students supervised concurrently by an OT supervising OTAs, should be three. He also stated that if quality care and ethical learning is a priority, a lesser number of students is better.

- Denise Miller moved to send the issue of non-clinical student supervision maximums to the Board’s Administrative Committee for discussion and to include representatives from CAOTFC.
- Richard Bookwalter seconded the motion.

It was noted that the committee should discuss specific numbers of students that could be safely supervised in specific practice areas, including emerging practice areas, and provide their recommendations to the Board.

*Agenda Item 13. Consideration and possible action on determining the maximum number of students completing their entry-level doctoral capstone that can be supervised by an occupational*

*therapist who is concurrently supervising occupational therapy assistants, limited permit holders or students completing their fieldwork.*

The motion from agenda item 12 included agenda item 13 as well.

## **Administrative Committee Meeting March 22, 2023**

Agenda Item 4. *Consideration and discussion on the maximum number of students completing a nonclinical entry-level doctoral capstone that can be supervised by an occupational therapist who is concurrently supervising occupational therapy assistants, limited permit holders or students completing their fieldwork.*

Agenda Item 5. *Consideration of possible recommendation to the Board on the maximum number of students completing a non-clinical entry-level doctoral capstone that can be supervised by an occupational therapist who is concurrently supervising occupational therapy assistants, limited permit holders or students completing their fieldwork.*

## **Board Meeting May 18-19, 2023**

Agenda Item 14. *Consideration and possible action on amending California Code of Regulations (CCR), Title 16, Division 39, Section 4180, Definitions, to define “Doctoral Capstone student.”*

- Richard Bookwalter moved to approve the proposed language for noticing to amend CCR Section 4180, Definitions, to define “Doctoral Capstone Student.”
- Beata Morcos seconded the motion.

The proposed language approved was: “Doctoral Capstone student” means an occupational therapy student completing a capstone project or capstone experience while enrolled in an ACOTE-accredited doctoral degree program.

Agenda Item 15. *Consideration and possible action on amending CCR Title 16, Division 39, Section 4181, Supervision Parameters, to specify: a) The maximum number of fieldwork students, doctoral capstone students, limited permit holders and occupational therapy assistants that an occupational therapist may concurrently supervise; and b) The maximum number of fieldwork students, doctoral capstone students, and limited permit holders that an occupational therapy assistant may concurrently supervise.*

President Miller referred to the letter the Board recently received from the California Occupational Therapy Association (OTAC) regarding the use of limits on mentorship and supervision of capstone students. Executive Officer Heather Martin explained that when the Board previously decided on “supervising no more than a total of three,” it was based on doctoral capstone students in general and did not distinguish between the different types of capstone experiences.

Board Member Richard Bookwalter opined that the topic should go back to the committee. Mr. Bookwalter expressed that the letter opposed the language because doctoral capstone students of all types are being grouped together with Fieldwork II students and others.

Board Member Sharon Pavlovich mentioned that each school defines the capstone experience differently and each experience does not require the same level of supervision. Ms. Pavlovich noted that to allow for innovation and creativity, the authors of the letter may not want limitations on the supervision models but would rather have the freedom to find the perfect fit for supervision on an individual basis.

President Miller opposed the removal of the capstone students from the supervision 'maximum' language approved by the Board. She stated that the Accreditation Council for Occupational Therapy Education (ACOTE) standards address each area that the letter mentions. She indicated she could support supervision being done by the subject matter expert but wants a final assessment done by an occupational therapist who could confirm the capstone experience was relevant to the field, the research was in line with the profession's practice framework and scope, and that it was a service that would be provided to consumers.

Board Member Bookwalter expressed that as regulators, the Board would need to distinguish between capstone supervision in clinical settings and other non-clinical settings. There was further discussion on sending the topic back to the Administrative Committee with the letter from OTAC.

- Sharon Pavlovich moved to send Agenda Item 15, regarding supervision parameters for doctoral capstone students, to the Administrative Committee with the accompanying OTAC letter.
- Beata Morcos seconded the motion.

## **Administrative Committee Meeting August 18, 2023**

*Agenda Item 5. Consideration and possible recommendation to the Board on the maximum number of students completing a non-clinical entry-level doctoral capstone that can be supervised by an occupational therapist who is concurrently supervising occupational therapy assistants, limited permit holders or students completing their fieldwork.*

The Committee suggested for clarity, rather than use the general terms "clinical capstone experience" or "non-clinical capstone experience," that a *non-clinical capstone experience* be specified by the capstone areas listed in the ACOTE Guidelines. Thus, "non-clinical capstone experience" would be replaced with "Doctoral capstone students completing an experience in including "an experience in research skills, administration, leadership, program and policy development, advocacy, or education," with no maximum number of students specified.

*Agenda Item 6. Consideration and possible recommendation to the Board on the maximum number of students completing a clinical entry-level doctoral capstone that can be supervised by an occupational therapist who is concurrently supervising occupational therapy assistants, limited permit holders or students completing their fieldwork.*

Given the Board's discussion surrounding a total of three Level I fieldwork students, Level II fieldwork students, Limited Permit holders, Doctoral capstone students completing a clinical capstone experience, and occupational therapy assistants, as being the most that an occupational therapist could supervise, the Committee thought it important to provide more specificity. Thus, they discussed the importance of adding further language to 'clinical experience' to include 'direct patient care.'

The new language the Committee would recommend to the Board would be: "Occupational therapists may supervise... No more than a total of three Level I fieldwork students, Level II

fieldwork students, Limited Permit holders, Occupational Therapy Assistants, or Doctoral capstone students completing a clinical, direct patient/client care experience, at any one time.”

*Agenda Item 7. Consideration and possible recommendation to the Board on the maximum number of students completing a non-clinical entry-level doctoral capstone that can be supervised by an occupational therapy assistant who is concurrently supervising occupational therapy assistants, limited permit holders or students completing their fieldwork.*

The Committee suggested adding a new subsection acknowledging that occupational therapy assistants (OTAs) can supervise doctoral capstone students completing a non-clinical capstone, as allowed under ACOTE Guidelines.

The new language the Committee would recommend to the Board would be: “Occupational therapy assistants may supervise Doctoral capstone students completing an experience in research skills, administration, leadership, program and policy development, advocacy, or education, as required by an accredited educational program”

*Agenda Item 8. Consideration and possible recommendation to the Board on the maximum number of students completing a clinical entry-level doctoral capstone that can be supervised by an occupational therapy assistant who is concurrently supervising occupational therapy assistants, limited permit holders or students completing their fieldwork.*

To be consistent with ACOTE Guidelines, the Committee agreed to recommend to the Board, that language not be included to authorize OTAs to supervise an OT completing a clinical doctoral capstone experience.

## **Board Meeting August 24-25, 2023**

Executive Officer Heather Martin reminded the Board that at the May 2023, Board meeting there were two recommended edits to the supervision parameters and definitions in Sections 4180 and 4181. The Board approved language editing Section 4180, however, that did not include language limiting the number for Level I & II Fieldwork students, limited permit holders, and capstone students. The topic was sent to the Administrative Committee, which discussed clinical doctoral capstone experiences versus non-clinical doctoral capstone experiences when the committee met. At that meeting, Dr. Penny Stack, OTD, OTR/L, CLT, Doctoral Capstone Coordinator at Loma Linda University clarified that an OTA cannot supervise a doctoral capstone student completing a capstone project or experience in a clinical setting. The Administrative Committee made that correction to the proposed language and distinguished between the different types of capstone experiences.

President Miller announced that at the Administrative Committee’s August meeting, subject matter experts collaborated with the Committee to develop the proposed regulatory language presented. Ms. Martin noted that for *non-clinical* capstone projects, the proposed language lists the different areas allowed under ACOTE Guidelines, including research skills, administration, program policy development, advocacy, and education.

Ms. Miller announced that the Board received a public comment after the Administrative Committee meeting. It was from Dr. Penny Stack of Loma Linda University, who explained that a site mentor for a capstone experience is not meant to be supervision as used in traditional clinical practice and direct patient care.

Ms. Miller acknowledged that the Board also received a letter from OTAC. The authors asked the Board to reconsider the use of limits on mentorship and supervision of capstone students. They asked that the Board make an exception to the limits on occupational therapists supervising a doctoral capstone student that was focused on the clinical practice skills and not education, advocacy, or theory development.

Ms. Martin responded by noting that Committee recommended that non-clinical capstone experiences not be included in the 'maximum of three' limitation. The new language would be in alignment with the ACOTE standards for non-clinical capstone experiences and there would be no supervision limits on non-clinical capstone experiences.

Ms. Miller asked the Board to look at the Administrative Committee meeting highlights in their materials. Specifically, item #9, the language was specific to Section 4181, and the Board would need a motion to approve that language. She suggested that it was impossible to discuss Section 4181 without discussing Section 4180; therefore, the Administrative Committee will hold another meeting to discuss CCR 4180, and will bring language to the November 2023, Board meeting.

Board Member Richard Bookwalter spoke in favor of the language as presented for CCR 4181 with the addition of "occupational therapy assistants" in section 2. On E2, he suggested removing "patient" and replacing it with "direct care," along with the other edits previously discussed.

Ms. Miller explained that the committee got very specific as to clinical versus non-clinical in order to provide the language for CCR 4181. She noted that Mr. Bookwalter's concerns would be addressed at the next committee meeting.

The Board agreed to use "patient/client care experience" in the proposed language for CCR 4181.

Ms. Miller requested that when the Administrative Committee discusses CCR section 4180 and 4181, that they determine if other regulations concerning supervision would be impacted. If so, she would prefer everything to be noticed and brought back to a Board meeting at the same time.

- Richard Bookwalter moved to approve the proposed text amending Section 4181 with the amendments provided today and directed Board staff to submit the text, take all steps necessary to initiate the rulemaking process, and set the matter for a hearing, if requested.
- Christine Wietlisbach seconded the motion.

## **November 2023 Board Meeting:**

President Miller announced that the Board received several comments from members of the public regarding proposed amendments to Sections 4180 and 4181.

Executive Officer Martin provided background on the amendments to Section 4180, Definitions, and Section 4181, Supervision Parameters, to specify supervision maximums by occupational therapy assistants and occupational therapists. The Board had approved the proposed edits to Section 4181 at the August 2023 Board meeting and she provided a summary of the edits.

Ms. Miller moved the conversation to the second letter, which was from the University of the Pacific (UOP).

Mr. Bookwalter noted that some of the comments from UOP were similar to those already discussed by the Board, for example, the limits on the supervision. UOP proposed changing the definition for “faculty led fieldwork” to “fieldwork completed with direct, on-site supervision of a licensed OT or OTA employed by an accredited California academic institution.” The proposed change, as it stood, eliminated the ability of OT/OTA programs that are in the accreditation process from leading fieldwork experiences and placed an undue burden on academic institutions striving for accreditation, limiting their ability to provide essential and diverse fieldwork experiences to their students. UOP proposed a modification to the wording, “A California academic institution that has submitted a candidacy report to ACOTE.”

Ms. Miller stated that those comments from the UOP letter, stood out to her as well. Also, the paragraph above it. The authors addressed the definition of “faculty led fieldwork.” She noted that the authors were not commenting on the current language. Mr. Bookwalter agreed. In the Board’s current language “pre-accreditation or candidacy status” was added.

Ms. Miller presented the third letter which was from Loma Linda University (LLU) regarding proposed amendments to Section 4181

The Board moved to the fourth letter, which was from Sacramento City College (SCC) dated October 27, 2023, regarding the limitation on how many students could be supervised at a given time.

Ms. Miller stated that she believed the Board was getting closer to a feasible number. The Board would like more public participation which can be done by reviewing the minutes and weighing in.

Ms. Miller presented the last letter which was from OTAC. Ms. Miller asked the representative from OTAC, who was in attendance, to discuss the association’s concerns.

Samia Rafeedie stated that OTAC’s main concern was how the Board reached the suggested supervision ratio numbers.

Mr. Bookwalter added that for a long time an OT could only supervise two OTAs but could supervise three students. He stated that those numbers seemed unbalanced because an OTA had a degree and had been through a great deal of training whereas a student was just the opposite. It made good sense to change the number of OTAs an OT could supervise to three as well.

Penny Stack and Heather Kitching were asked what number they would be comfortable with, and they agreed on 15-18 Level 1 fieldwork students but since the Committee did not want to use a range, the Committee came up with the number 20. The Committee members and subject matter experts were very clear that if the number was more than 20, the quality of patient care would suffer.



Ms. Miller reiterated that the committee members were looking to limit the number to 15-18, but the subject matter experts in attendance justified limiting the supervision of up to 20 individual Level I occupational therapy students, Level I and Level II occupational therapy assistant students, or Aides providing non-client related tasks.

Ms. Pavlovich added that both of the subject matter experts described the types of labs that they used and how many students could be comfortably accommodated in terms of supervision and engaging with clients. The conversation was collaborative and productive in getting to the agreed upon number of 20.

Ms. Pavlovich noted that she thought one of the letters in question suggested the supervision number be raised to 30. Ms. Pavlovich added that she thought thirty is too many students for one person to supervise.

Candace Chatman addressed the concern that the public was not getting involved. She noted of her peers in the meeting minutes but acknowledged that there are a lot of new practitioners who are not aware that they can come to these meetings or where they can access meeting information. Although, the literature says you can have up to six students, she is comfortable with three students. She also acknowledged that the literature does not speak to consumer protection. Ms. Chatman expressed her desire to find a middle ground for educators and the Board, because the facilities focus on protecting their business. She asked for clarification on situations where an OT supervises a Level I student one day, two Level I students on a different day, and two Level I students and yet another day and how many students that would total since it's different days.

A robust conversation ensued regarding the meaning of "at any one time."

Ms. Miller and Ms. Pavlovich agreed that "at any one time" could be interpreted as two on one day and two different students on the next day. Ms. Wietlisbach confirmed that the language was open to interpretation.

Ms. Martin suggested that Level I Fieldwork students be addressed in a separate section so the language could address observation only, exposure and all other experiences and/or settings that pertain to only Level 1 Fieldwork.

Ms. Miller thought it was a good suggestion but was unsure if she wanted to move forward on adding additional language for something that may not be common.

Board Member Richard Bookwalter spoke in favor of the proposed language as it existed. He felt that the language gave a cushion for people who want to limit the number of students they take.

Ms. Miller asked if the Board voted on the language, when would it be presented as a regulatory package?

Ms. Martin added and there was still a lot of work to do before noticing the language because there are three agencies that would need to look at it before it was made available to the public. If the Board decides on maximum to be supervised is three (individuals) then that number will need

to be justified. Ms. Martin suggested that “at any one time” or any other language is not clear, then it would be best to address before the package is submitted.

Attorney Helen Geoffroy stated that it should be part of this preprocess to weed out the comments and lack of clarity and to find a number that is justified so that when it goes to the Office of Administrative Law, they do not have any questions regarding clarity or justification so that a second public comment period is required.

Ms. Martin added that one of the public comments referred to the ACOTE guidelines and the fact that if the faculty led fieldwork supervision rate exceeds one to fifteen, the program must be able to provide ACOTE with a sufficient explanation and justify how safety and quality of instruction are managed. Ironically, if the Board’s regulations allowed the supervision of twenty Level 1 Fieldwork students, that program would be required to advise ACOTE, which could be a burden.

Ms. Rafeedie asked for clarification regarding being able to supervise 20 Level 1 Fieldwork students and the language in the OT Practice Act that states an OT cannot supervise more than three OTAs at any one time.

Ms. Martin stated that the language referring to supervising no more than three OTAs should clarify that it “excludes” or “shall not apply” to faculty-led fieldwork. Ms. Martin suggested that this clarification could be added in subsection (e)(2).

## **Email regarding proposed amendments to Section 4181(e)(2)**

**No more than a total of three Level I Fieldwork students, Level II fieldwork students, Limited Permit holders, Occupational Therapy Assistants, or Doctoral Capstone students completing a clinical, direct patient/client care experience, at any one time...**

Having read the definitions in Section 4180 for “doctoral capstone students” and proposed amendment above, I remain concerned that the distinction of entry-level capstone students versus post-professional remains unclear. In section 4180 there is an implication that the language only refers to entry-level programs by its reference to ACOTE status. Post-professional programs are not the jurisdiction of ACOTE and do not require accreditation. However, if one does not know that (and most likely do not) there is a risk of including post-professional doctoral capstone students in this limited mix of those in one’s supervision charge. I believe this can become too restrictive as a post-professional student is often a licensed professional and, therefore, requires far less supervision in general in all contexts of direct patient/client care. Like all other license holders, post-professional students are responsible for themselves relative to what they are competent in and what they are still needing mentorship in. Therefore, post-professional students should not be included in this list of whom is within the “no more than a total of three.”

Thank you for your consideration of including this perspective on the agenda of our next meeting.

**Heather J. Kitching, OTD, OTR/L, FAOTA**

MSOT Program Coordinator

Department of Occupational Therapy, CHHSN

California State University, Dominguez Hills

California Code of Regulations  
Title 16 Professional and Vocational Regulations  
Division 39. California Board of Occupational Therapy  
Article 9. Supervision Standards

<b>Legend:</b>	Added text is indicated with an <u>underline</u> .  Deleted text is indicated by <del>strikeout</del> .
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**Amend section 4180 to read as follows:**

**§ 4180. Definitions**

In addition to the definitions found in Business and Professions Code sections 2570.2 and 2570.3 the following terms are used and defined herein:

~~(a)~~ ~~"Client related tasks" means tasks performed as part of occupational therapy services rendered directly to the client.~~

~~(b)~~ (a) "Level I student" means an occupational ~~therapy~~ therapist or occupational therapy assistant student participating in activities designed to introduce him or her to fieldwork experiences and develop an understanding of the needs of clients.

~~(c)~~ (b) "Level II student" means an occupational ~~therapy~~ therapist or occupational therapy assistant student participating in delivering occupational therapy services to clients with the goal of developing competent, entry-level practitioners.

(c) "Doctoral Capstone student" means an occupational therapy student completing a capstone project or capstone experience while enrolled in an ACOTE-accredited doctoral degree program or doctoral program with ACOTE pre-accreditation or candidacy status.

(d) "Supervision of a doctoral capstone experience" means the mentorship of the doctoral capstone student completing a direct patient/client care experience.

(e) "Client related tasks" means tasks performed as part of occupational therapy services rendered directly to the client.

(f) "Faculty-led fieldwork" means a fieldwork completed in direct in-sight supervision of a licensed occupational therapist or occupational therapy assistant employed by a California educational institution.

~~(d)~~ (g) "Non-client related tasks" means clerical, secretarial and administrative activities; transportation of patients/clients; preparation or maintenance of treatment equipment and work area; taking care of patient/client personal needs during treatments; and assisting in the construction of adaptive equipment and splints.

~~(e)~~ (h) "Periodic" means at least once every 30 days.

Note: Authority cited: Sections 2570.13 and 2570.20, Business and Professions Code.

Reference: Sections 2570.2, 2570.3, 2570.4, 2570.5, 2570.6, and 2570.13, Business and Professions Code.

**Amend section 4181 of Division 39, Title 16 of the California Code of Regulations to read as follows:**

**§ 4181. Supervision Parameters**

(a) Appropriate supervision of an occupational therapy assistant includes, at a minimum:

(1) The weekly review of the occupational therapy plan and implementation and periodic onsite review by the supervising occupational therapist. The weekly review shall encompass all aspects of occupational therapy services and be completed by telecommunication or onsite.

(2) Documentation of the supervision, which shall include either documentation of direct client care by the supervising occupational therapist, documentation of review of the client's medical and/or treatment record and the occupational therapy services provided by the occupational therapy assistant, or co-signature of the occupational therapy assistant's documentation.

(3) The supervising occupational therapist shall be readily available in person or by telecommunication to the occupational therapy assistant at all times while the occupational therapy assistant is providing occupational therapy services.

(4) The supervising occupational therapist shall provide periodic on-site supervision and observation of client care rendered by the occupational therapy assistant.

(b) The supervising occupational therapist shall at all times be responsible for all occupational therapy services provided by an occupational therapy assistant, a limited permit holder, a student or an aide. The supervising occupational therapist has continuing responsibility to follow the progress of each client, provide direct care to the client, and assure that the occupational therapy assistant, limited permit holder, student or aide do not function autonomously.

(c) The level of supervision for all personnel is determined by the supervising occupational therapist whose responsibility it is to ensure that the amount, degree, and pattern of supervision are consistent with the knowledge, skill and ability of the person being supervised.

(d) Occupational therapy assistants may supervise:

(1) Level I occupational therapy students;

(2) Level I and Level II occupational therapy assistant students; and

(3) Aides providing non-client related tasks;

(4) Doctoral capstone students completing an experience in research skills, administration, leadership, program and policy development, advocacy, or education, as required by an accredited educational program;

(5) No more than a total of three Level I fieldwork students, Level II fieldwork students, or Limited Permit holders at any one time; and

(6) No more than 20 Level I fieldwork students in a faculty-led fieldwork.

(e) Occupational therapists may supervise:

(1) Doctoral capstone students completing an experience in research skills, administration, leadership, program and policy development, advocacy, and education, as required by an accredited educational program;

**(2) No more than a total of three Level I fieldwork students, Level II fieldwork students, Limited Permit holders, or Doctoral capstone students completing a clinical, direct patient/client care experience, at any one time;** and

(3) No more than 20 Level I fieldwork students in a faculty-led fieldwork.

~~(e)~~ (f) The supervising occupational therapist shall determine that the occupational therapy practitioner possesses a current license or permit to practice occupational therapy prior to allowing the person to provide occupational therapy services.

Note: Authority: Sections 2570.13 and 2570.20, Business and Professions Code. Reference: Sections 2570.2, 2570.3, 2570.4, 2570.5, 2570.6, and 2570.13, Business and Professions Code.

## Supervision Limitations<sup>1</sup>

State	
Alabama	<p><b>Regulation: Alabama Administrative Code 625-X-8-.01 Supervision Of Licensed Occupational Therapy Assistants.</b></p> <p>(4) Supervision Ratios:            An occupational therapist may supervise up to three (3) full-time occupational therapy assistants, but never more than two (2) occupational therapy assistants who require “direct” level of supervision. The total number of supervised occupational therapy assistants, occupational therapy personnel on a limited permit, and non-licensed occupational therapy personnel (including any occupational therapy students, occupational therapy assistant students, licensee applicants required to perform a preceptorship, and/or aides) may not exceed five (5) without prior Board approval. The Board may permit the supervision of a greater number by an occupational therapist if, in the Board’s opinion, there would be adequate supervision to protect public health and safety.</p>
Alaska	<p><b>Regulation: Title 12, Chapter 54, Article 7, Occupational Therapy Standards of Practice.</b></p> <p><b>§12 AAC 54.800. OCCUPATIONAL THERAPY STANDARDS.</b></p> <p>(b) An occupational therapist may not supervise more than three aides, assistants, students, foreign-educated candidates, or permittees at the same time, in any combination.</p>
Arizona	
Arkansas	
California	<p><b>Statute: California Business &amp; Professions Code Division 2, Chapter 5.6, §2570.3</b></p> <p>(j) “Supervision of an occupational therapy assistant” means that the responsible occupational therapist shall at all times be responsible for all occupational therapy services provided to the client. The occupational therapist who is responsible for appropriate supervision shall formulate and document in each client’s record, with his or her signature, the goals and plan for that client, and shall make sure that the occupational therapy assistant assigned to that client functions under appropriate supervision. As part of the responsible occupational therapist’s appropriate supervision, he or she shall conduct at least weekly review and inspection of all aspects of occupational therapy services by the occupational therapy assistant.</p> <p>(1) The supervising occupational therapist has the continuing responsibility to follow the progress of each client, provide direct care to the client, and to ensure that the occupational therapy assistant does not function autonomously.</p>

<sup>1</sup> **DISCLAIMER:** This chart is provided for informational and educational purposes only and is not a substitute for legal advice or the professional judgment of health care professionals in evaluating and treating patients. Contact your state licensing board, committee, or agency with any questions regarding this information or to verify the accuracy of this information.

State	
	(2) An occupational therapist shall not supervise more occupational therapy assistants, at any one time, than can be appropriately supervised in the opinion of the board. Three occupational therapy assistants shall be the maximum number of occupational therapy assistants supervised by an occupational therapist at any one time, but the board may permit the supervision of a greater number by an occupational therapist if, in the opinion of the board, there would be adequate supervision and the public's health and safety would be served. In no case shall the total number of occupational therapy assistants exceed twice the number of occupational therapists regularly employed by a facility at any one time.
Colorado	<p><b>Regulations: Colorado Code of Regulations 3 CCR 715-1.8, Supervision of Licensed Occupational Therapy Assistants and Aides</b></p> <p>C. An occupational therapist must exercise professional judgment when determining the number of personnel the occupational therapist can safely and effectively supervise to ensure that quality client care is provided at all times.</p> <p>D. An occupational therapist must provide adequate staff-to-client ratio at all times to ensure the provision of safe, quality care.</p>
Connecticut	
Delaware	
Dis of Columbia	
Florida	
Georgia	
Guam	
Hawaii	
Idaho	
Illinois	
Indiana	
Iowa	
Kansas	
Kentucky	
Louisiana	
Maine	
Maryland	
Massachusetts	<p><b>3.05: Supervision of Personnel</b></p> <p>(2) Occupational therapists and occupational therapy assistants must exercise their professional judgment when determining the number of personnel they can safely and effectively supervise to ensure that safe and appropriate care is provided at all times.</p> <p>(a) Specific frequency, methods, and content of supervision should be determined based on the following factors:</p> <ol style="list-style-type: none"> <li>1. Complexity of Clients' needs;</li> <li>2. Number of Clients;</li> <li>3. Diversity of Client conditions;</li> </ol>



State	
	<p>4. Service Competency of the occupational therapist and the occupational therapy assistant;  5. Type of practice setting and the administrative requirements of that setting; and  6. Other regulatory requirements.</p>
Michigan	<p><b>Regulation: Michigan Administrative Code R 338.1229a. Delegation of tasks to an unlicensed individual; direct supervision of an unlicensed individual; requirements.</b>  (4) An occupational therapist shall not supervise more than 3 unlicensed individuals who are providing services to patients or clients at the same time.</p>
Minnesota	
Mississippi	
Missouri	
Montana	
Nebraska	
Nevada	
New Hampshire	<p><b>Regulations: New Hampshire Administrative Rules, Occ 400 CONTINUED STATUS, Part 407 ONGOING REQUIREMENTS</b>  Occ 407.08 Limitation on Number of Occupational Therapy Assistants Under Supervision. An occupational therapist shall not supervise at any one time more occupational therapy assistants than those whose combined work hours total the work hours of 2 full-time occupational therapy assistants.</p>
New Jersey	<p><b>Regulation: New Jersey Administrative Code, Title 13, Chapter 44K, Subchapter 6, Supervision</b>  6.2 DESIGNATED SUPERVISOR: GENERAL QUALIFICATIONS AND RESPONSIBILITIES  c) A licensed occupational therapist may supervise five occupational therapy students who are fulfilling the required fieldwork component of their educational training.</p>
New Mexico	
New York	<p><b>Regulations: New York Codes, Rules, and Regulations §76.8 Supervision of an occupational therapy assistant.</b>  f. In no event shall the occupational therapist or licensed physician supervise more than five occupational therapy assistants, or its full time equivalent, provided that the total number of occupational therapy assistants being supervised by a single occupational therapist or licensed physician shall not exceed 10.</p>
North Carolina	
North Dakota	
Ohio	
Oklahoma	<p><b>Regulation: Oklahoma Administrative Code Title 435, Chapter 30</b>  <b>435:30-1-16. Responsible supervision</b></p>

State	
	<p>(a) An occupational therapist will not sign the Form #5, Verification of Supervision, to be the direct clinical supervisor for more than a total of four occupational therapy assistants or applicants for licensure regardless of the type of professional licensure or level of training.</p> <p>(b) It shall be the responsibility of the occupational therapist to monitor the number of persons under his/her direct clinical supervision. It shall be the responsibility of the occupational therapy assistant to inquire of the occupational therapist in regards to the number of persons being directly supervised.</p> <p>(c) On a case-by-case basis, an occupational therapist may petition the Committee to receive permission to supervise additional occupational therapy assistants or applicants.</p> <p>(d) If responsible supervision is not practiced, both the occupational therapist and occupational therapy assistant are in violation of this rule.</p>
Oregon	
Pennsylvania	
Puerto Rico	
Rhode Island	
South Carolina	
South Dakota	
Tennessee	
Texas	
Utah	<p><b><u>Statute:</u> Utah Code Title 58, Chapter 42a, Part 3, Section 306 Supervision requirements.</b></p> <p>An occupational therapist who is supervising an occupational therapy assistant shall:</p> <p>(5) supervise no more than two full-time occupational therapy assistants at one time, or four part-time occupational therapy assistants if the combined work hours of the assistants do not exceed 40 hours per week, unless otherwise approved by the division in collaboration with the board;</p>
Vermont	
Virginia	<p><b><u>Regulation:</u> 18 VAC 85-80-110 Supervisory Responsibilities of an Occupational Therapist.</b></p>

State	
	C. An occupational therapist may provide clinical supervision for up to six occupational therapy personnel, to include no more than three occupational therapy assistants at any one time.
Washington	
West Virginia	
Wisconsin	
Wyoming	