

IS IT TIME FOR RECREATIONAL THERAPISTS IN MICHIGAN TO BECOME LICENSED?

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- This session will discuss what state licensure is and how it is different from national certification. The presentation will outline the steps for pursuing licensure in Michigan, and explore the purpose and need for state licensure for recreational therapists in Michigan. Public policy and advancement of the profession are only a few of the reasons for recreational therapists in Michigan to begin to explore licensure. Come find out more!

SESSION DESCRIPTION

Upon completion of this session, participants will be able to:

- ▶ Describe the difference between state licensure and national certification.
- ▶ Identify 3 steps in the state licensure process.
- ▶ Explain 3 reasons for pursuing licensure for recreational therapists at the state level.

LEARNING OUTCOMES

1. Introduction
2. Quiz
3. What is state licensure?
4. Why is state licensure important?
5. What is the process of becoming licensed?
6. What happens once there is licensure in a state?
7. Assessment of interest
8. Q & A

SESSION OVERVIEW



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- ▶ **Registration** -> process to verify possession of a specific credential relevant to performing tasks & responsibilities in a field
- ▶ **Certification** -> voluntary process by which organization grants recognition to individuals who met certain predetermined qualifications/standards
- ▶ **Licensure** -> mandatory credentialing process by which a state grants permission for a person in a specific occupation to practice in a state by ensuring that the person has a minimum level of knowledge and skill to protect the public

▶ From NCTRC Position Paper on Legal Regulation of the Practice of Recreational Therapy (2006)

THREE TERMS TO BE AWARE OF...

- ▶ **Credentialing:** voluntary process by which organization grants recognition to individuals who met certain predetermined qualifications/standards
- ▶ **Credentialing programs** develop when there is a need to define entry standards and assure compliance with these standards to protect the public, assist employers, and increase the credibility of the discipline.

PROFESSIONAL CREDENTIALING

What it is ...

- ▶ Legally mandated process regulated by state governments
- ▶ State says that you cannot practice or call yourself "X professional" without a license

What it is NOT ...

- ▶ Credentialing
 - ▶ Does not = CTRS
 - ▶ Does not = NCTRC
 - ▶ Voluntary
 - ▶ Meet standards to ensure baseline competency for practice, and assure compliance with standards
 - ▶ Provides credibility to the profession and protects the public

WHAT IS LICENSURE?

Certification

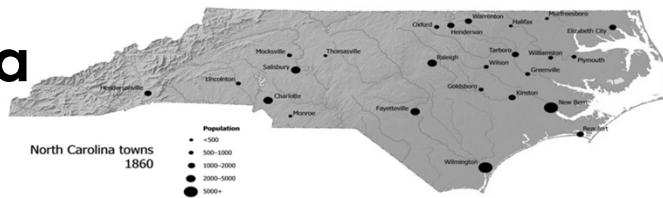
- ▶ National perspective
- ▶ Voluntary (standards)
- ▶ Peer review & sanction
- ▶ Broad scope & SOP
- ▶ Less restrictive
- ▶ Protects the public
- ▶ Recognized indirectly by funding sources
- ▶ Recognized by most regulators

Licensure

- ▶ State perspective
- ▶ Legal mandate
- ▶ Legal prosecution
- ▶ Specific scope & SOP
- ▶ More restrictive
- ▶ Protects the public
- ▶ Recognized by state as pre-condition for fund
- ▶ Recognized by all regulators

CERTIFICATION VS. LICENSURE**STATES WITH LICENSURE**

North Carolina



	North Carolina
Effective Date	2005
Bill Title	North Carolina Recreational Therapy Licensure Act 90C-20
Gov't Sponsor	Department of Health and Human Services
# of Licensees (9/16)	LRT: 898 LRTA: 45
# of CTRSs (9/16)	1035

Utah



	Utah
Effective Date	1975
Bill Title	Recreation Therapy Practice Act 58-40
Gov't Sponsor	Division of Occupational and Professional Licensing
# of Licensees (9/15)	MTRS: 34 TRS: 267 TRT: 272
# of CTRSs (9/16)	359

New Hampshire



	New Hampshire
Effective Date	2008
Bill Title	Recreational Therapy Law RSA 326-J
Gov't Sponsor	New Hampshire Office of Allied Licensed Health Professionals
# of Licensees (9/16)	CTRS/L: 81
# of CTRSs (9/16)	119

Oklahoma



	Oklahoma
Effective Date	2010
Bill Title	Therapeutic Recreation Practice Act 540
Gov't Sponsor	Oklahoma Board of Medical Licensure and Supervision
# of Licensees (9/16)	CTRS/L: 121
# of CTRSs (9/16)	149



OTHERS

- ▶ Other states
 - ▶ California: Title Protection
 - ▶ Washington: Registration
 - ▶ Washington DC: Registration
- ▶ States in process
 - ▶ NY
 - ▶ PA
 - ▶ GA
 - ▶ KY
 - ▶ NM
 - ▶ NJ

- ▶ Ensure RT is provided by qualified and competent practitioners
- ▶ Protect public from harm
- ▶ Demonstrate commitment to the public to be responsible



REASONS FOR LICENSURE – WHY?

- ▶ Can take years
- ▶ Need right political environment
- ▶ Create legislators who are informed and supportive of profession
- ▶ Portability/reciprocity concerns

LICENSURE ISSUES & CHALLENGES



**IF MICHIGAN WERE TO PURSUE LICENSURE,
WHAT SHOULD IT LOOK LIKE?**

- ▶ Determine how the allied health therapies in your state will respond:
 - ▶ Neutral?
 - ▶ Support your effort?
 - ▶ Rally against it?

CONSIDERATION 1 – POLITICS ARE IMPORTANT!



- ▶ Ask yourself: WHO DO I KNOW THAT HAS INFLUENCE?
- ▶ Do your CTRs have affiliations with senators or representatives? A family member, a board member, a friend, a colleague...
- ▶ Does your university partner have a lobbying team?
- ▶ Is a related profession attempting legislation for something? If you support their initiative, will they reciprocate with support?

LOOK FOR CONNECTIONS IN YOUR STATE GOVERNMENT

CONSIDERATION 2 - SCOPE OF PRACTICE

- ▶ The purpose of regulation is **public protection** not professional self-interest.
- ▶ **Changes** in the scope of practice are inherent and related to changes in the HC system.
- ▶ **Collaboration** between HC providers should be the norm and not the exception.
- ▶ **Overlap** among professions is necessary and acceptable.
- ▶ Practice acts should require that licensees **demonstrate** that they have the requisite training and competence to provide a service.

- ▶ The primary purpose of recreation therapy practice is to **improve health and quality of life by reducing impairments of body functions and structure, reducing activity limitations, participation restrictions, and environmental barriers of the clients served.** The ultimate goal of recreation therapy is to **facilitate full and optimal involvement in community life.** The scope of RT practice includes all patient/clients services of assessments, planning, design, implementation, evaluation, and documentation of specific therapeutic interventions, management, consultation, research and education, for either individuals or groups that require specific RT intervention.

RECREATIONAL THERAPY SCOPE OF PRACTICE

**REFLECTION OF RT WITHIN SCOPE OF
PRACTICE**

SPECIFIC INTERVENTIONS?

- ▶ Community integration
- ▶ Inclusion
- ▶ Recreation modalities to improve functional abilities
- ▶ Healthy living to reduce secondary disability
- ▶ Foster peer and intergenerational relationships
- ▶ Minimize environmental constraints
- ▶ Educate individual and family

INTERVENTIONS/TASKS

**WHAT STANDARDS SHOULD BE THE
EXPECTATIONS OF RT SERVICE DELIVERY?**

Direct Practice

1. Assessment
2. Treatment Planning
3. Plan Implementation
4. Re-Assessment and Evaluation
5. Discharge and Transition Planning
6. Prevention, Safety Planning & Risk Management
7. Ethical Conduct

Management Practice

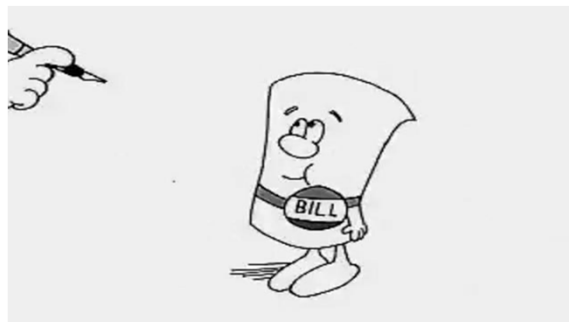
8. Written Plan of Operation
9. Staff Qualifications and Competency Assessment
10. Quality Improvement
11. Resource Management
12. Program Evaluation and Research

ATRA STANDARDS OF PRACTICE

- ▶ Require passing of NCTRC certification exam and having credential of CTRS
- ▶ Focus is on recreational therapy practice

SPECIFICS REQUIRED

- ▶ Must be licensed in the state as RT to say you are an RT
- ▶ State credential "CTRS/L"
- ▶ Violations of use of terms and/or credential
- ▶ Eligibility for licensure
- ▶ Renewals
- ▶ Licensing board



CONTENT OF LICENSURE BILL

- ▶ Once a state passes a RT Licensure Law, RTs in that state are required to pay a fee when they submit their proof of continuing education to the state.
 - ▶ In some states this is annually, others biannually.
- ▶ Maintaining a state license is a separate process from maintaining your national certification
 - ▶ The two processes can never be combined.
- ▶ Because most states base their RT licensure requirements on the practitioner having the CTRS credential, it is ESSENTIAL that you do not let your CTRS lapse.
- ▶ In many cases, the CEUs that you earn to satisfy your license renewal will be able to be applied to your certification renewal.

WHAT HAPPENS ONCE THERE IS LICENSURE?

WHAT ARE RT LICENSE RENEWAL FEES?

AS OF 8/1/14

NORTH CAROLINA	NEW HAMPSHIRE	OKLAHOMA	UTAH
RT-\$75 every two years	RT- \$110 every two years	RT-\$100 every two years	RT-\$47 every two years
OT-\$50 every year	OT- \$110 every two years	OT-\$100 every year	OT -\$47 every two years
PT-\$100 every year	PT- \$110 every two years	PT-\$90 every year	PT-\$47 every two years



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LICENSURE PROCESS

STEP 1: RECOGNITION & PRE-CREDENTIALING EFFORTS

Engage in Advocacy

- Raise the issue-small group discussion
- Identify TR state leaders-commit for 5 years minimum
- Organize a group or official task force
- Monitor the current state issues and legislation
- Begin to establish an understanding of the state legislative process
- Research develop, borrow, modify materials
- Develop consistent message statement: *The reason and purpose for licensing*
- Develop relationships and make inquiries
- Involve consumer, families, RT and supportive professionals
- Start looking for a sponsor and co-sponsor: Republican and Democrat contacts and support
- Maintain and nurture contact with legislative contacts
- Begin research on cases of "harm to public"

STEP 2: DETERMINE THE STATUS QUO

- Existing state laws and regulations
- Determine Options (Personnel regulations, credentials, other legislation)
- Determine legislative climate
- Determine support/commitment of RT professional in state-*Financial Commitment*
- Identify support systems outside the profession
- Identify potential opposition
- Solicit information from other professions and state occupational licensing body

STEP 3: CONCEPTUALIZE THE LAW & PROCESS

- Identify resources (individual and professional contacts)
(develop a work plan and budget)
- Establish needs and rationale for licensure (to protect the public) (use your harm research)
- Consider the influences and mood of state occupational licensing body
- Contact a legislative attorney or legislative bill writer
- Determine actions:
licensure, certification, no action

STEP 4: ESTABLISH A WORK PLAN

- Seek advice from other states
- Host discussion forums and focus groups
- Identify key individuals and recruit for committees
- Identify a plan for support and opposition
- Develop an information packet...
 - "What is Recreational Therapy?"*
 - Statement of purpose*
 - Proof of harm*
- Identify detailed strategy steps
 - Sponsors, funding, legislative contacts, consumer and family involvement, networking strategy

STEP 5: PREPARE A BILL

- Look at existing legislation in the state
- Seek support from a legislative lobbyist or from your identified sponsor
- Draft first edition of a bill
- Seek input and host professional forums on the content of the draft bill
- Assess support and opposition
- Lobby for support from all
- Be open to edit and write and edit
- As you write start making notes for clarification in the rules

STEP 6: LEGISLATIVE PROCESS

- First reading of bill in committee (hearings are held, support of community is needed)
- Additional readings and revisions as determined by your state law
- Final vote by entire legislature
- Governor's desk for action

STEP 7: MONITOR, MONITOR, MONITOR

- Monitor progress and application
- Maintain legislative contacts
- Watch for last minute opposition or amendments
- Collect data to validate need
Violation, citations, harm caused
- Send in required reports to the federal monitoring bank

STEP 8: THE RULES

- Critical piece to a solid Practice Act
Clarify, define, and outline the Practice Act...for practice and for enforcement
- The Rules are not written by the organization or the profession ...relationship and involvement
- Public Hearings
- The legislative monitoring and process never ends!!!

DEVELOPMENT OF A MODEL BILL FRAMEWORK

This Chapter is known as:

Recreational Therapy Practice Act

Definitions

- The practice of Recreational Therapy
- Definition of Recreational Therapy also known as Therapeutic Recreation
- Assessment
- Treatment or Intervention Plan
- Written Plan of Operation

DEVELOPMENT OF A MODEL BILL FRAMEWORK

- Classifications or Levels of Licensing
- Qualifications
- Education
- Scope of Practice
- Continuing Education
- Unlawful conduct & Unprofessional conduct
- Disciplinary procedures
- Exceptions to practice

- ATRA & NCTRC expertise (resources)
- Experts in licensed states
- Networks at & between conferences
- Use of NCTRC exam Program, Job Analysis, recertification & trademarks

**COLLABORATE WITH NCTRC &
ATRA**