

DEPARTMENT OF REGULATORY AGENCIES

Office of Occupational Therapy Licensure

OCCUPATIONAL THERAPY RULES AND REGULATIONS

3 CCR 715-1

[Editor's Notes follow the text of the rules at the end of this CCR Document.]

1.18 Temporary Licensure of Occupational Therapists and Occupational Therapy Assistants pursuant to the Governor's Executive Order D 2020 038

A. The basis for these rules is Executive Order D 2020-038 issued by Governor Jared Polis pursuant to the State of Emergency Declaration found in Executive Orders 2020 003, 2020 027 and 2020 032, Article IV, Section 2 of the Colorado Constitution, the Colorado Disaster Emergency Act, sections 24-33.5-701, et. seq., C.R.S., and sections 12-20-204 and 12-270-116, C.R.S.

B. These Emergency Rules are adopted by the Director of the Division of Professions and Occupations (Director) to effectuate Executive Order D 2020 038 directing the immediate expansion of the workforce of trained medical personnel available to provide healthcare services within inpatient facilities due to the coronavirus disease 2019 (COVID-19) pandemic in Colorado.

C. The Director may issue a temporary license to an applicant that is a new graduate of an approved occupational therapy who meets all qualifications for certification with the exception of the required examination as set forth in section 12-270-107(3), C.R.S.

1. Temporary licenses will be issued beginning May 1, 2020, and for 120 days thereafter.

2. The temporary license is effective from the date of issuance through December 31, 2020.

3. Occupational Therapy new graduates must submit an application for temporary certification.

4. Occupational therapy applicants granted this temporary licensure shall practice under the direct supervision of a Colorado licensed occupational therapist in good standing during the entire term of the temporary licensure.

a. For the purpose of this emergency rule, "direct supervision" means the Colorado licensed occupational therapist must be on the premises with the temporary occupational therapy licensee and immediately available to respond to an emergency or provide assistance.

b. For the purpose of this emergency rule, "premises" means within the same building, office or facility and within the physical proximity to establish direct contact with the patient should the need arise.

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5. Once the temporary licensee successfully completes the statutorily required examination, the temporary licensee must immediately submit an application and the required fee for full licensure.

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6. On January 1, 2021, if a full license to practice occupational therapy in Colorado has not been issued, the temporary licensee shall cease practice immediately and until such time as full licensure to practice occupational therapy in Colorado has been granted.

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7. This temporary license is not renewable and does not create a property interest for the holder of the temporary license.

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8. The temporary certificate holder may be subject to discipline by the Director as defined in section 12-270-101, et seq., C.R.S.

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D. The Director may issue a temporary provisional license to an applicant that is a new graduate of an approved occupational therapy assistant program who meets all qualifications for provisional certification with the exception of the required examination as set forth in section 12-270-108(3), C.R.S.

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1. Temporary licenses will be issued beginning May 1, 2020, and for 120 days thereafter.

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2. The temporary license is effective from the date of issuance through December 31, 2020.

3. New graduates of an occupational therapy assistant program must submit an application for temporary provisional certification.

4. Occupational therapy assistant applicants granted this temporary licensure shall practice under the direct supervision of a Colorado licensed occupational therapist in good standing during the entire term of the temporary licensure.

a. For the purpose of this emergency rule, "direct supervision" means the Colorado licensed occupational therapist must be on the premises with the temporary occupational therapy assistant licensee and immediately available to respond to an emergency or provide assistance.

b. For the purpose of this emergency rule, "premises" means within the same building, office or facility and within the physical proximity to establish direct contact with the patient should the need arise.

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5. Once the temporary licensee successfully completes the statutorily required examination, the temporary licensee must immediately submit an application and the required fee for full licensure.

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6. On January 1, 2021, if a full license to practice as an occupational therapy assistant in Colorado has not been issued, the temporary licensee shall cease practice immediately and until such time as full licensure to practice as an occupational therapy assistant in Colorado has been granted.

7. This temporary license is not renewable and does not create a property interest for the holder of the temporary provisional license.

8. The temporary license may be subject to discipline by the Director as defined in section 12-270-101, et seq., C.R.S.

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