

AOTA/NBCOT Joint Initiative

Developing the Occupational Therapy Licensure Compact

The licensure compact explained, future steps, and how you can help.

Chuck Willmarth
Shaun Conway

In September 2019, AOTA and NBCOT issued a joint statement announcing that the two organizations would be collaborating to support the development of an interstate licensure compact for occupational therapy. Since that time, the compact legislation has been drafted and circulated for stakeholder input. While we have reached out to stakeholders such as state regulatory boards, state occupational therapy associations, employers, and others, it is important to understand that *all* occupational therapists, occupational therapy assistants, and students are considered stakeholders. We encourage everyone to review the draft licensure compact legislation and provide feedback.

We understand that a licensure compact is a new concept for the occupational therapy profession and hope the following frequently asked questions will help provide insight.

What is an interstate licensure compact?

An interstate licensure compact is a legal agreement or contract between state governments. In this case, the occupational therapy compact will provide licensed occupational therapists and occupational therapy assistants with the opportunity to practice in the states that join the compact without having to secure a new license in each state.

What are the benefits of a licensure compact for OT?

An occupational therapy licensure compact will have many benefits:

- Improve client access to occupational therapy
- Increase opportunities to practice across state lines (e.g., telehealth)
- Enhance mobility of occupational therapy practitioners
- Support spouses of relocating military families
- Improve continuity of care
- Preserve and strengthen the state licensure system
- Enhance the exchange of licensure, investigatory, and disciplinary information between member states.

What are the benefits of a licensure compact post-COVID-19?

A licensure compact for occupational therapy will allow practitioners to provide services in multiple states while at the same time preserving consumer protections, accountability, and the authority of state regulatory boards to regulate the profession.

During the COVID-19 emergency, many states have attempted to address

Figure 1. How the OT Compact is Envisioned to Work in the Future



ADAPTED WITH PERMISSION FROM THE PHYSICAL THERAPY COMPACT ([HTTP://WWW.PTCOMPACT.ORG](http://www.ptcompact.org)).

limitations of the existing state licensure system through executive orders. In some cases, states waived licensure requirements for those licensed in other jurisdictions. Other states waived licensing requirements for those wanting to provide telehealth services from out of state. While these actions enhanced mobility for practitioners, in some cases important consumer protections were left behind to speed up the process, including criminal background checks and fingerprint requirements.

What process will be used to create the occupational therapy licensure compact?

AOTA and NBCOT are working with the Council of State Governments (CSG) to create the occupational therapy licensure compact. CSG is an organization of state government officials from the legislative, executive, and judiciary branches of government. CSG has expertise in creating interstate compacts, including licensure compacts, and is leading stakeholders through a consensus-based development process.

Stakeholders include AOTA, NBCOT, state regulatory boards, state occupational therapy associations, occupational therapy practitioners, students, employers, and others. CSG convened the Occupational Therapy Licensure Compact Advisory Group to develop the framework for the compact. A small subset of the advisory group, the Drafting Team, wrote the initial draft compact legislation. The draft bill was presented to the advisory group for their review and consideration. The advisory group's feedback was then incorporated into the most current version of the draft bill, which has been distributed to the stakeholder groups identified above for input.

Feedback provided by these stakeholder groups will be reviewed and considered by the Occupational Therapy Licensure Compact Advisory Group and ultimately, the Drafting Team. After the final document is approved by AOTA and NBCOT, the final compact legislative language will be shared with state occupational therapy associations in order to pursue compact legislation in the 2021 state legislative sessions and beyond.

What are the key elements of the OT licensure compact legislation?

- It will be open to licensed OTs and OTAs

- Home state license authorizes practitioner participation in the compact
- A minimum of 10 states must approve legislation to activate the compact
- Encumbered licensees will not be able access compact privileges
- FBI fingerprint-based criminal background checks will be required
- It will include a provision to speed up licensure in the new home state for relocating OTs/OTAs.

How will the licensure compact work?

Licensed occupational therapists and occupational therapy assistants who want to obtain a licensure compact privilege to practice in another state will visit the OT compact website to complete an application. Compact applications will only be available to those who have a current license, not to applicants seeking initial licensure. Applicants will need to provide information about their current license and purchase a compact privilege where they want to practice. It is important to note that applicants must meet jurisprudence requirements before the compact privilege to practice can be granted.

Figure 1 illustrates how the process is envisioned to work after it is up and running.

Will the licensure compact replace my state license?

No. A "home state license" (license in one's primary state of residence) will still be required to practice. Participation in the OT licensure compact is *optional*, and the Occupational Therapy Compact Commission will not be authorized to issue home state licenses.

When will the licensure compact be operational?

Ten states must enact the licensure compact legislation to activate the licensure compact and convene the Occupational Therapy Compact Commission. The Commission will need time to become operational. The goal is to have everything up and running by 2024.

How much will it cost?

The cost to participate in the compact is to be determined, but the OT Licensure Compact Advisory Group anticipates total costs will be less than securing licenses in multiple states. The compact

that is under consideration would have one fee paid to the Occupational Therapy Compact Commission, the entity that will operate the compact, with another fee going to the state where the person plans to practice.

What are the next steps?

The stakeholder review process begins June 1 and will conclude in July. The goal is to work with stakeholders to come to a consensus and finalize the occupational therapy compact legislation by early fall 2020. The process will then include efforts to work with state occupational therapy associations and state regulatory boards/agencies to introduce the licensure compact legislation in multiple states during the 2021 state legislative sessions.

How can I review the draft licensure compact legislation and provide input?

The draft licensure compact legislation will be posted to AOTA's and NBCOT's websites along with a call for comments. CSG will provide additional information about the process that will be used to provide written comments. In addition, you may send comments or questions about the licensure compact to OTCompact@csg.org.

How can I help get the OT licensure compact enacted in my state?

State associations with support from AOTA will be advocating to get bills introduced in the states starting in 2021. You can support this effort through membership in your state association. After a bill is introduced in your state, your state association will need your help to advocate with your state legislators to support the compact.

Where can I get more information?

Check AOTA's website for more information on the interstate professional licensing compact, including background, the general timeline, and what it would mean for occupational therapy practitioners.

Check NBCOT's website for updates on the interstate OT licensure compact. 

Chuck Willmarth, CAE, is AOTA's Vice President of State Affairs and Health Policy. He can be reached at cwillmarth@aota.org.

Shaun Conway, OTR, is NBCOT's Senior Director, External & Regulatory Affairs. He can be reached at sconway@nbcot.org.