



AN ACT ELIMINATING THE REQUIREMENT FOR OCCUPATIONAL THERAPISTS TO GET AN ENDORSEMENT FOR CERTAIN THERAPEUTIC APPLICATION MODALITIES; AND AMENDING SECTIONS 37-24-106 AND 37-24-107, MCA.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1.** Section 37-24-106, MCA, is amended to read:

**"37-24-106. Use of sound and electrical physical agent modalities.** (1) Except as provided in subsection (2), a person may not utilize occupational therapy techniques involving sound or electrical physical agent modality devices unless the person:

(a) is licensed under this chapter; and

(b) limits application of sound and electrical physical agent modalities to the shoulder, arm, elbow, forearm, wrist, or hand to restore and enhance upper extremity function; ~~and~~

~~———(c) (i) provides to the board documentation of certification by the hand certification commission, inc., and has successfully completed 40 hours of instruction or training in sound and electrical physical agent modality devices and documents competency, as approved by the board, in the areas provided in 37-24-105(1)(c); or~~

~~———(ii) has successfully completed 20 hours of instruction or training and five proctored treatments under the direct supervision of a licensed medical practitioner in sound physical agent modality devices and 20 hours of instruction or training and five proctored treatments under the direct supervision of a licensed medical practitioner in electrical physical agent modality devices and documents competency, as approved by the board, in the areas provided in 37-24-105(1)(c).~~

(2) A certified occupational therapy assistant who works under the direct supervision of a qualified occupational therapist may apply deep physical agent modalities to the shoulder, arm, elbow, forearm, wrist, and hand."

**Section 2.** Section 37-24-107, MCA, is amended to read:

**"37-24-107. Use of occupational therapy techniques involving topical medications.** A person may not utilize occupational therapy techniques involving topical medications as described in 37-24-108 unless the person has successfully completed the following ~~hours of instruction in addition to those provided for in 37-24-106:~~

(1) 5 hours of instruction or training in pharmacology ~~as it pertains~~ relevant to topical medications listed in 37-24-108(2);

(2) one proctored treatment in direct application of topical medications under the direct supervision of a licensed medical practitioner; and

(3) (a) two proctored treatments in phonophoresis under the direct supervision of a licensed medical practitioner; or

(b) three proctored treatments of iontophoresis under the direct supervision of a licensed medical practitioner."

- END -

I hereby certify that the within bill,  
SB 0059, originated in the Senate.

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President of the Senate

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2019.

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Secretary of the Senate

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Speaker of the House

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2019.

SENATE BILL NO. 59  
INTRODUCED BY E. MCCLAFFERTY  
BY REQUEST OF THE BOARD OF OCCUPATIONAL THERAPY PRACTICE

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