66th Legislature

1	SENATE BILL NO. 59
2	INTRODUCED BY E. MCCLAFFERTY
3	BY REQUEST OF THE BOARD OF OCCUPATIONAL THERAPY PRACTICE
4	
5	A BILL FOR AN ACT ENTITLED: "AN ACT ELIMINATING THE REQUIREMENT FOR OCCUPATIONAL
6	THERAPISTS TO GET AN ENDORSEMENT FOR CERTAIN THERAPEUTIC APPLICATION MODALITIES; AND
7	AMENDING SECTIONS 37-24-106 AND 37-24-107, MCA."
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9	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
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11	Section 1. Section 37-24-106, MCA, is amended to read:
12	"37-24-106. Use of sound and electrical physical agent modalities. (1) Except as provided in
13	subsection (2), a person may not utilize occupational therapy techniques involving sound or electrical physical
14	agent modality devices unless the person:
15	(a) is licensed under this chapter; <u>and</u>
16	(b) limits application of sound and electrical physical agent modalities to the shoulder, arm, elbow,
17	forearm, wrist, or hand to restore and enhance upper extremity function ; and
18	(c) (i) provides to the board documentation of certification by the hand certification commission, inc., and
19	has successfully completed 40 hours of instruction or training in sound and electrical physical agent modality
20	devices and documents competency, as approved by the board, in the areas provided in 37-24-105(1)(c); or
21	(ii) has successfully completed 20 hours of instruction or training and five proctored treatments under the
22	direct supervision of a licensed medical practitioner in sound physical agent modality devices and 20 hours of
23	instruction or training and five proctored treatments under the direct supervision of a licensed medical practitioner
24	in electrical physical agent modality devices and documents competency, as approved by the board, in the areas
25	provided in 37-24-105(1)(c) .
26	(2) A certified occupational therapy assistant who works under the direct supervision of a qualified
27	occupational therapist may apply deep physical agent modalities to the shoulder, arm, elbow, forearm, wrist, and
28	hand."
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30	Section 2. Section 37-24-107, MCA, is amended to read:



1	"37-24-107. Use of occupational therapy techniques involving topical medications. A person may
2	not utilize occupational therapy techniques involving topical medications as described in 37-24-108 unless the
3	person has successfully completed the following hours of instruction in addition to those provided for in
4	37-24-106 :
5	(1) 5 hours of instruction or training in pharmacology as it pertains relevant to topical medications listed
6	in 37-24-108(2);
7	(2) one proctored treatment in direct application of topical medications under the direct supervision of
8	a licensed medical practitioner; and
9	(3) (a) two proctored treatments in phonophoresis under the direct supervision of a licensed medical
10	practitioner; or
11	(b) three proctored treatments of iontophoresis under the direct supervision of a licensed medical
12	practitioner."
13	- END -

