



GAE MAGNAFICI

STATE REPRESENTATIVE • 28th ASSEMBLY DISTRICT

I am grateful for the opportunity to present my support for Assembly Bill 959 today. This bill advocates for a significant amendment in the governance of the Occupational Therapy Affiliated Credentialing Board, responding directly to the board's own request for change. Historically under the supervision of the Medical Examining Board since its inception by the DSPS, the bill proposes the formation of an autonomous Occupational Therapy Examining Board.

The essence and responsibilities of the board remain unchanged. However, this shift towards independence marks a significant step away from the oversight of the Medical Examining Board. Since 1989, the relationship between these two boards has been productive and collaborative, effectively serving the Occupational Therapy sector. However, the landscape of Occupational Therapy in Wisconsin has evolved, with a noticeable shift towards community-based practice. While still prevalent in traditional medical settings, the field has expanded its scope, lessening the necessity for oversight by the Medical Examining Board.

A pivotal factor in this proposal is the change since 2016, where Occupational Therapy services no longer mandatorily require a physician's referral, except for certain reimbursement conditions. Occupational Therapists increasingly cater to diverse populations, including those not acutely ill or under immediate medical supervision. Their work extends to modifying environments such as homes, schools, and workplaces to aid individuals with health issues in engaging in daily activities.

Considering these developments, the oversight by the Medical Examining Board seems less pertinent. The example of Physical Therapy, a therapeutic parallel to Occupational Therapy, illustrates this point effectively. It has thrived under an independent examining board for over a decade after transitioning from affiliation with the Medical Examining Board.

Furthermore, this bill could alleviate the workload of the Medical Examining Board, which supervises several affiliated boards. Empowering professionals within these fields to concentrate their expertise on specific areas enhances the overall quality of healthcare in Wisconsin.

I urge the committee to endorse Assembly Bill 959. Occupational Therapy is a vital component of our healthcare system, employing numerous therapists and assistants dedicated to meeting the evolving health needs of Wisconsinites. Establishing an independent examining board would enable these professionals to effectively shape the trajectory of their practice, ensuring optimal healthcare outcomes.



PATRICK TESTIN

STATE SENATOR

DATE: January 24, 2024

RE: **Testimony on Assembly Bill 959**

TO: Assembly Committee on Regulatory Licensing Reform

FROM: Senator Patrick Testin

Good Afternoon Chairman Sortwell and Committee Members,

Thank you for the opportunity to testify on Assembly Bill 959.

Occupational therapy (OT) is a branch of health care that helps people of all ages who have physical, sensory, or cognitive problems. Occupational therapists specialize in teaching, educating, and supporting participation in any activity that occupies an individual's time and assist people to overcome various problems in order to live more independent lives. People may need assistance due to injury or illness, mental health problems, developmental delay or the effects of ageing.

The Occupational Therapists Affiliated Credentialing Board is responsible for licensing and regulating occupational therapy professionals in Wisconsin and is overseen by the Medical Examining Board.

As of 2016, Occupational Therapy no longer requires physician referral to access their services unless reimbursement requires it. OTs work with large populations that are not acutely ill or under the care of a physician for a current medical condition, such as children with behavioral issues, altering home, school, and work environments so individuals who have had health issues can engage in their occupations in those settings. Therefore, it is no longer necessary for Occupational Therapists to be overseen by the Medical Examining board.

AB 959 creates an independent Occupational Therapy Examining Board through the Department of Safety and Professional Services (DSPS). This board would replace the Occupational Therapy Affiliated Credentialing Board, which is currently maintained through DSPS and would no longer be overseen by the Medical Examining Board.

This change was requested by the Occupational Therapy Affiliated Credentialing Board. While OT maintains its practice in medical settings, hospitals, clinics, and skilled nursing facilities, the context of OT practice in Wisconsin has expanded and the need for oversight from the Medical Examining Board has greatly decreased.



Good afternoon, Chairman Sortwell and members of the committee.

Thank you for taking the time to hear AB959. The Occupational Therapy Affiliated Credentialing Board is appreciative of the work that Representative Magnafici and Senator Testin have done in drafting this bill that would create an independent Occupational Therapy Examining Board through the Department of Safety and Professional Services (DPS). The role of the licensing board is to discipline professionals for infractions such as patient harm, and Medicaid fraud, establish the scope of OT practice, and establish professional standards for OT practitioners.

They write questions for the open book test on the law and administrative rules and oral exam, and administer the oral exam several times a year. The board also monitors continued competency of practitioners through monitoring Continuing Education. Under the current DPS Occupational Therapy functions as an affiliated credentialing board. They are affiliated with the Medical Examining Board. This means the MEB has oversight of the OT Affiliated credentialing Board and any changes made to the OT administrative rules. This relationship between the Medical Examining board and the OT certification board was established with OTs regulation in 1989 and it has served OT well for many years.

However, the scope of OT practice has expanded to more community-based practice in the last 33 years. While OTs maintain their practice in medical settings, hospitals, clinics, and skilled nursing facilities, the context of OT practice in Wisconsin has expanded and the need for oversight from the Medical Examining Board is no longer necessary. The primary reason for this request is that as of 2016 Occupational Therapy no longer requires physician referral to access their services unless reimbursement requires it.

OTs work with large populations that are not acutely ill or under the care of a physician for a current medical condition, such as children with behavioral issues, altering home, school, and work environments so individuals who have had health issues can engage in their occupations in those settings. Also, many OTs work with clients in multiple physical and mental health wellness areas to help prevent illness. Therefore, OTs no longer need to be overseen by the Medical Examining Board. Physical Therapy is the therapeutic counterpart to OT in many practice settings and has been overseen by an independent Examining Board for 13 years. They were affiliated with the Medical Examining Board until they established the PT Examining board. It is anticipated that there would not be a cost for this change since the OTACB would continue to perform the same functions, just without the general oversight from the MEB. The MEB has several boards affiliated with it, so removing the OT board from their oversight could help to reduce their workload.

Thanks again for hearing AB959 today, and we appreciate your support to move this bill forward.