WEST VIRGINIA LEGISLATURE
SECOND REGULAR SESSION, 1992

ENROLLED

HOUSE BILL No. H.388

(By Delegates S. Cook and Brown)

Passed March 7, 1992
In Effect From Passage
AN ACT to amend and reenact section seven, article twenty-eight, chapter thirty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the period of time a nonlicensed occupational therapist may practice in the state of West Virginia.

Be it enacted by the Legislature of West Virginia:

That section seven, article twenty-eight, chapter thirty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

§30-28-7. License required; persons and practices not affected.

(a) No person may hold himself out as an occupational therapist or an occupational therapy assistant in this state unless he is licensed in accordance with the provisions of this article.

(b) Nothing in this article shall be construed as preventing or restricting the practice, services or activities of:

(1) Any person licensed under any other law of this state, including physicians, nurses, clinical psychologists, speech pathologists and audiologists, dentists and physical therapists, from engaging in the profession or occupation for which he is licensed;

(2) Any person employed as an occupational therapist or an occupational therapy assistant by the government
of the United States, if such a person provides occupa-
tional therapy solely under the direction or control of the
organization by which he is employed;

(3) Any person pursuing a course of study leading to
a degree or certificate in occupational therapy in an
educational program which is accredited by the Amer-
ican occupational therapy association in collaboration
with the American medical association, or in an
educational program approved by the American occu-
pational therapy association, and if such person is
designated by a title which clearly indicates his status
as a student or trainee;

(4) Any person fulfilling the supervised field work
experience, if such activities and services constitute a
part of the experience necessary to meet the require-
ments of section eight of this article;

(5) Any person performing occupational therapy
services in this state not licensed under this article, if
such services are performed for no more than ninety
consecutive days a calendar year in association with an
occupational therapist licensed under this article, if such
person meets the qualification for license under this
article, except for the qualifying examination; or

(6) Any person performing occupational therapy
services in this state not licensed under this article, if
such services are performed for no more than ninety
consecutive calendar days in a calendar year and if:

(A) Such a person is licensed under the law of another
state which has licensure requirements equivalent to the
requirements of this article; or

(B) Such a person meets the requirements for certi-
fication as an occupational therapist registered (OTR) or
a certified occupational therapy assistant (COTA)
established by the American occupational therapy
association.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originating in the House.

Takes effect from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker of the House of Delegates

The within is approved this the 30th day of March 1992.

Governor
PRESENTED TO THE
GOVERNOR
Date 3/5/93
Time 11:40 a.m.