

**Senate Executive Departments and Administration
Committee**
Phil Jasak 271-1403

HB 109, relative to the occupational therapy practice act.

Hearing Date: March 15, 2023

Members of the Committee Present: Senators Pearl, Gendreau, Perkins Kwoka and Altschiller

Members of the Committee Absent : Senator Carson

Bill Analysis: This bill revises the statutory definitions relative to the practice of occupational therapy.

Sponsors:

Rep. C. McGuire

Rep. Mooney

Rep. Cannon

Rep. B. Boyd

Who supports the bill: Rep. C. McGuire, Rep. Lekas, Daniel Wise (NHOTA), Danielle Amero (NHOTA), Alexa Trolley-Hanson, Lisa Owens, Chris Dunstan, Chloe Bettencourt, Amy Marshall, Brian Walsh, Andrew Tripp, Andrea Rondeau, Diane Bessey, Ariel Gosling, Jane Bergeron-Beaulieu (NHASEA), Helen Rist.

Who opposes the bill: None

Who is neutral on the bill: None

Summary of testimony presented:

Rep. Lekas

- Rep. Lekas stated HB 109 cleans up the language that describes what occupational therapist do. This language has not been changed for over 22 years. HB 109 removes the requirement for a doctor's referral for a patient to receive occupational therapy. Rep. Lekas stated that insurance may still require a referral to cover the treatment. HB 109 does not affect insurance in any way.
- Rep. Lekas specified the reason for this bill was because occupational therapy cannot be compared to a normal doctor's referral. Occupational therapist work in numerous environments including schools and business. In order to work with in those situations, the occupational therapist would need a referral from each individual. This time consuming task stands in the way of doing what the occupational therapists are there to do.

- He clarified that the separately listed professions of occupational and recreational therapy can be over lapped. Rep. Lekas explained how this bill would allow an individual with a recreational therapy license to perform occupational therapy, as long as the individual was in the scope of recreational therapy and vice versa.
- Sen. Pearl asked where in the bill it removes the licensing requirement.
 - Rep. Lekas responded page three.

Danielle Marrow- President of the New Hampshire Occupational Therapy Association (Support)

- Ms. Marrow agreed with the previous testimony of Rep. Lekas.
- She stated that by removing referral requirements, the state also removes a barrier to access. HB 109 will put the state in line with current provisions of physical and speech therapy. This bill will also reduce some of the burden placed upon school administrative.
- Sen. Peal asked if removing the requirement was a positive thing.
 - Ms. Marrow stated this requirement was extremely positive. Individuals will still need a referral for insurance companies. This bill would not affect how occupational therapy works in insurance situations; but, will allow further access for treatment in schools and behavioral health clinics.

PJ
Date Hearing Report completed: March 23, 2023