

§2272. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [PL 1997, c. 294, §2 (RPR).]

1. ACOTE. "ACOTE" means the Accreditation Council for Occupational Therapy Education, a nationally recognized accrediting agency for professional programs in the field of occupational therapy. [PL 1997, c. 294, §2 (RPR).]

2. AOTA. "AOTA" means the American Occupational Therapy Association. [PL 1997, c. 294, §2 (RPR).]

3. Board. "Board" means the Board of Occupational Therapy Practice established under this chapter.

[PL 1997, c. 294, §2 (RPR).]

4. Certification examination. "Certification examination" means the certification examination for an occupational therapist or the certification examination for an occupational therapy assistant, both of which are administered by NBCOT.

[PL 2019, c. 287, §2 (AMD).]

5. Certified occupational therapy assistant.

[PL 2019, c. 287, §3 (RP).]

6. Commissioner. "Commissioner" means the Commissioner of Professional and Financial Regulation.

[PL 1997, c. 294, §2 (RPR).]

7. Department. "Department" means the Department of Professional and Financial Regulation.

[PL 1997, c. 294, §2 (RPR).]

7-A. Occupational therapy practitioner.

[PL 1997, c. 683, Pt. B, §18 (RAL).]

8. Developing programs.

[PL 2019, c. 287, §4 (RP).]

8-A. Director. "Director" means the Director of the Office of Professional and Occupational Regulation within the department.

[PL 2019, c. 287, §5 (NEW).]

9. Level II fieldwork. "Level II fieldwork" means the experience required to prepare occupational therapy and occupational therapy assistant students to carry out professional responsibilities under appropriate supervision and professional role modeling.

[PL 2019, c. 287, §6 (AMD).]

10. NBCOT. "NBCOT" means the National Board for Certification in Occupational Therapy, formerly the AOTCB, or American Occupational Therapy Certification Board.

[PL 1997, c. 294, §2 (NEW).]

11. Occupational therapist. "Occupational therapist" means an individual who has passed the certification examination of the National Board for Certification in Occupational Therapy for an occupational therapist or meets the requirements of section 2279, subsection 6 and who is licensed to practice occupational therapy under this chapter in the State.

[PL 1997, c. 294, §2 (NEW).]

12. Occupational therapy.

[PL 2021, c. 278, §1 (RP).]

12-A. Occupational therapy practitioner.

[PL 2019, c. 287, §7 (RP).]

12-B. Occupational therapy assistant. "Occupational therapy assistant" means an individual who has passed the certification examination of the NBCOT for an occupational therapy assistant or who was certified as an occupational therapy assistant prior to June 1977 and who is licensed to practice occupational therapy under this chapter in the State under the supervision of a licensed occupational therapist.

[PL 2019, c. 287, §8 (NEW).]

12-C. Occupational therapy practitioner. "Occupational therapy practitioner" means an individual who is licensed as an occupational therapist or an occupational therapy assistant.

[PL 2019, c. 287, §8 (NEW).]

12-D. Occupational therapy. "Occupational therapy" means the therapeutic use of everyday life activities and occupations with individuals or groups to enhance or enable participation, performance or function in roles and situations in home, school, workplace, community and other settings for the purpose of promoting health and wellness to those who have or are at risk for developing an illness, injury, disease, disorder, condition, impairment, disability, activity limitation or participation restriction. Occupational therapy addresses the physical, cognitive, psychosocial, sensory and other aspects of performance in a variety of contexts to support engagement in everyday occupations that affect physical and mental health, well-being and quality of life. "Occupational therapy" includes:

A. Methods and strategies selected to direct the process of interventions such as:

- (1) Facilitating establishment, remediation or restoration of a skill or ability that has not yet developed, is impaired or is in decline;
- (2) Compensation, modification or adaptation of an activity or environment to enhance performance or to prevent injuries, disorders or other conditions;
- (3) Maintenance and enhancement of capabilities without which performance of everyday life activities would decline;
- (4) Health promotion and wellness to enable or enhance performance in everyday life activities; and
- (5) Prevention or remediation of barriers to performance, including disability prevention; [PL 2021, c. 278, §2 (NEW).]

B. Evaluation of client factors affecting activities of daily living, instrumental activities of daily living, education, work, play, leisure and social participation, including:

- (1) Body functions such as neuromuscular, sensory, visual, perceptual, mental and cognitive functions; pain factors; bodily systems such as cardiovascular, digestive, integumentary and genitourinary systems; and structures related to movement;
- (2) Habits, routines, roles and behavior patterns;
- (3) Cultural, physical, environmental, social and spiritual contexts and activity demands that affect performance; and
- (4) Performance skills, including motor, process, emotional regulation, cognitive, sensory perceptual, communication and social interaction skills; and [PL 2021, c. 278, §2 (NEW).]

C. Interventions and procedures to promote or enhance safety and performance in activities of daily living, instrumental activities of daily living, education, work, play, leisure and social participation, including:

- (1) Therapeutic use of occupations, exercises and activities;

- (2) Training in self-care, self-management, home management, community and work integration and reintegration, school activities and work performance;
- (3) Development, remediation or compensation of physical, mental and cognitive functions, neuromuscular and sensory functions, pain tolerance and management, developmental skills and behavioral skills;
- (4) Therapeutic use of self, including one's personality, insights, perceptions and judgments, as part of the therapeutic process;
- (5) Education and training of other individuals, including family members and caregivers;
- (6) Care coordination, case management and transition services;
- (7) Consultative services to groups, programs, organizations and communities;
- (8) Modification of environments such as home, school, workplace and community settings and adaptation of processes, including the application of ergonomic principles;
- (9) Assessment, design, fabrication, application, fitting and training in assistive technology, adaptive devices and orthotic devices and training in the use of prosthetic devices;
- (10) Assessment, recommendation and training in techniques to enhance functional mobility, including seating and positioning and wheelchair management;
- (11) Driver rehabilitation and community mobility;
- (12) Management of feeding, eating and swallowing to enable eating and feeding performance; and
- (13) Application of physical agent modalities and use of a range of specific therapeutic procedures to enhance performance skills; techniques to enhance sensory, perceptual and cognitive processing; and manual therapy techniques. [PL 2021, c. 278, §2 (NEW).]

[PL 2021, c. 278, §2 (NEW).]

13. Person. "Person" means any individual, partnership, unincorporated organization or corporation.

[PL 1997, c. 294, §2 (NEW).]

14. Supervision of OTA. "Supervision of OTA" means initial directions and periodic inspection of the service delivery and provision of relevant in-service training. The supervising licensed occupational therapist shall determine the frequency and nature of the supervision to be provided based on the clients' required level of care and the OTA's caseload, experience and competency.

[PL 2019, c. 287, §9 (AMD).]

15. Supervision of temporary licensees. "Supervision of temporary licensees" includes initial and periodic inspection or written assessments, written treatment plans, patient notes and periodic evaluation of performance. The reviews and evaluations must be conducted in person by a licensed occupational therapist.

[PL 1997, c. 294, §2 (NEW).]

SECTION HISTORY

PL 1983, c. 746, §2 (NEW). PL 1991, c. 509, §9 (AMD). RR 1993, c. 1, §87 (COR). PL 1997, c. 212, §1 (AMD). PL 1997, c. 294, §2 (RPR). PL 1997, c. 683, §B18 (AMD). PL 1999, c. 386, §11 (AMD). PL 2019, c. 287, §§2-9 (AMD). PL 2021, c. 278, §§1, 2 (AMD).

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