

§2291. Obtaining new home state license by virtue of compact privilege

1. Home state license. An occupational therapist or occupational therapy assistant may hold a home state license, which allows for compact privileges in member states, in only one member state at a time.

[PL 2021, c. 324, §2 (NEW).]

2. Change of residence. If an occupational therapist or occupational therapy assistant changes the therapist's or the assistant's primary state of residence by moving between 2 member states, the following requirements apply.

A. The occupational therapist or occupational therapy assistant shall file an application for obtaining a new home state license by virtue of a compact privilege, pay all applicable fees and notify the current and the new home state in accordance with applicable rules adopted by the commission. [PL 2021, c. 324, §2 (NEW).]

B. Upon receipt of an application for obtaining a new home state license by virtue of compact privilege, the new home state shall verify that the occupational therapist or occupational therapy assistant meets the pertinent criteria outlined in section 2290 via the data system, without need for primary source verification except for:

(1) A Federal Bureau of Investigation fingerprint-based criminal background check if not previously performed or updated pursuant to applicable rules adopted by the commission in accordance with the Departments of State, Justice, and Commerce, the Judiciary, and Related Agencies Appropriations Act, 1973, Title II, Public Law 92-544 (1972);

(2) Any other criminal background check as required by the new home state; and

(3) Submission of any requisite jurisprudence requirements of the new home state. [PL 2021, c. 324, §2 (NEW).]

C. The former home state shall convert the former home state license into a compact privilege once the new home state has activated the new home state license in accordance with applicable rules adopted by the commission. [PL 2021, c. 324, §2 (NEW).]

D. Notwithstanding any other provision of this compact, if the occupational therapist or occupational therapy assistant cannot meet the criteria in section 2290, the new home state shall apply its requirements for issuing a new single-state license. [PL 2021, c. 324, §2 (NEW).]

E. The occupational therapist or the occupational therapy assistant shall pay all applicable fees to the new home state in order to be issued a new home state license. [PL 2021, c. 324, §2 (NEW).]

[PL 2021, c. 324, §2 (NEW).]

3. Criteria for single-state license. If an occupational therapist or occupational therapy assistant changes the therapist's or the assistant's primary state of residence by moving from a member state to a nonmember state, or from a nonmember state to a member state, the state criteria apply for issuance of a single-state license in the new state.

[PL 2021, c. 324, §2 (NEW).]

4. Ability to hold single-state license in more than one state. This compact does not interfere with a licensee's ability to hold a single-state license in multiple states; however, for the purposes of this compact, a licensee may have only one home state license.

[PL 2021, c. 324, §2 (NEW).]

5. Requirements for single-state license. This compact does not affect the requirements established by a member state for the issuance of a single-state license.

[PL 2021, c. 324, §2 (NEW).]

SECTION HISTORY

PL 2021, c. 324, §2 (NEW).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 131st Maine Legislature and is current through January 1, 2025. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.