ALABAMA STATE BOARD OF OCCUPATIONAL THERAPY
ADMINISTRATIVE CODE

CHAPTER 625-X-9
GROUNDS FOR DENIAL, REFUSAL TO RENEW, SUSPENSION, REVOCATION, OR IMPOSITIONOF PROBATIONARY CONDITIONS

625-X-9-.02 Unprofessional Conduct.

(1) Code of Alabama 1975, § 34-39-3, provides in part, that no occupational therapy treatment programs to be rendered by an Occupational Therapist or Occupational Therapy Assistant, or Occupational Therapy Aide shall be initiated without the referral of a physician or dentist who shall establish a medical diagnosis of the condition for which the individual will receive occupational therapy services, except Occupational Therapists employed by state agencies and those employed by the public schools and colleges of this state who provide screening and rehabilitation services for the educationally related needs of the students.

(2) An Occupational Therapist or an Occupational Therapy Assistant shall not delegate to an unlicensed employee or person under his or her control or supervision a service which requires the skill, knowledge, or judgement of an Occupational Therapist or an Occupational Therapy Assistant.

(3) An Occupational Therapist or Occupational Therapy Assistant shall inform the referring source when any requested treatment procedure is inadvisable or contraindicated, and shall refuse to carry out the orders of a referring practitioner when the requested treatment is inadvisable or contraindicated.

(4) An Occupational Therapist or Occupational Therapy Assistant shall not continue treatment beyond the point of possible benefit to the patient or treat more frequently than necessary to obtain the maximum therapeutic effect.

(5) An Occupational Therapist or an Occupational Therapy Assistant shall not permit another person to use his or her license for any purpose.

(6) An Occupational Therapist or an Occupational Therapy Assistant shall not verbally, physically or otherwise abuse a patient.

(7) An Occupational Therapist or an Occupational Therapy Assistant shall not engage in false or misleading advertising, betrayal of professional confidence, or falsification of patients' records.

(8) An Occupational Therapist or an Occupational Therapy Assistant shall not submit a false report of continuing education or fail to submit the annual report on continuing education.

(9) An Occupational Therapist or an Occupational Therapy Assistant shall notify the Board within 30 days after the occurrence of any judgement or settlement of a malpractice claim or action.

(10) An Occupational Therapist or an Occupational Therapy Assistant shall comply with any subpoena issued by the Board.

(11) An Occupational Therapist or an Occupational Therapy Assistant shall report to the Board any violation of these regulations.

(12) An Occupational Therapist or Occupational Therapy Assistant shall not directly or indirectly request, receive or participate in the dividing, transferring, assigning, rebating or refunding of an unearned fee nor shall an Occupational Therapist or an Occupational Therapy Assistant profit by means of a credit or other valuable consideration as an unearned commission, discount or gratuity in connection with the furnishing of occupational therapy assessment or treatment.

(13) An Occupational Therapist or Occupational Therapy Assistant shall not exercise influence on patients to purchase equipment produced or supplied by a company by which the Occupational Therapist or Occupational Therapy Assistant owns stock or has any other direct or indirect financial interest.

(14) An Occupational Therapist or Occupational Therapy Assistant should be responsible for providing services without regard to race, creed, national origin, sex, age, handicap, disease, social status, financial status, or religious affiliation.

(15) An Occupational Therapist or Occupational Therapy Assistant shall inform patients of the nature and potential outcomes of treatment and shall respect the right of potential recipients of services to refuse treatment.

(16) An Occupational Therapist or Occupational Therapy Assistant shall inform patients involved in education or research activities of the potential outcome of those activities.

(17) An Occupational Therapist or Occupational Therapy Assistant shall include patients in the treatment planning process.

(18) An Occupational Therapist or Occupational Therapy Assistant shall maintain goal-directed and objective relationships with all patients.

(19) An Occupational Therapist or Occupational Therapy Assistant shall protect the confidential nature of information gained from

educational practice and investigational activities unless sharing such information is necessary to protect the well-being of a third party.

(20) An Occupational Therapist or Occupational Therapy Assistant shall take all reasonable precautions to avoid harm to the recipient of services or detriment to the recipient's property.

(21) An Occupational Therapist or Occupational Therapy Assistant shall function within the parameter of his or her competence and the standards of the profession.

(22) An Occupational Therapist or Occupational Therapy Assistant shall refer clients to other service providers or consult with other service providers when additional knowledge and expertise is required.

(23) An Occupational Therapist or Occupational Therapy Assistant shall be acquainted with applicable state, federal, and institutional rules and shall practice accordingly.

(24) An Occupational Therapist or Occupational Therapy Assistant shall inform employers, employees and colleagues about those laws and administrative rules of the Board policies that apply to the profession of occupational therapy.

(25) An Occupational Therapist or Occupational Therapy Assistant shall require those whom they supervise to adhere to ethical standards of conduct.

(26) An Occupational Therapist or Occupational Therapy Assistant shall accurately record and report client information.

(27) An Occupational Therapist or Occupational Therapy Assistant shall accurately represent his or her competence and training to the public.

(28) An Occupational Therapist or Occupational Therapy Assistant shall not use or participate in the use of any form of communication that contains a false, fraudulent, deceptive or unfair statement or claim.

(29) An Occupational Therapist or Occupational Therapy Assistant shall report any illegal, incompetent or unethical practice to this Board.

(30) An Occupational Therapist or Occupational Therapy Assistant shall not disclose privileged/confidential information when participating in reviews of peers, programs, or systems.

(31) An Occupational Therapist or Occupational Therapy Assistant who employs or supervises colleagues shall provide appropriate supervision.

(32) An Occupational Therapist or Occupational Therapy Assistant shall recognize the contributions of colleagues when disseminating professional information.

(33) An Occupational Therapist or Occupational Therapy Assistant shall not obtain, possess, or attempt to obtain or possess a controlled substance without lawful authority, nor shall an Occupational Therapist or Occupational Therapy Assistant sell, prescribe, give away, or administer controlled substances in the practice of occupational therapy.

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Statutory Authority: Code of Ala. 1975, §34-39-12.
History: Filed January 7, 1992.