

Ask OTIS: OT/PT as a Single Service

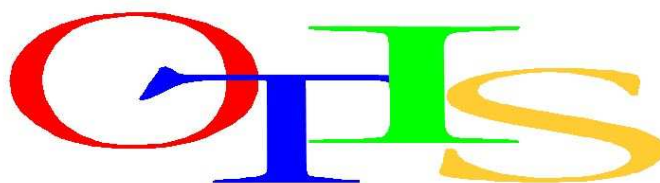
Q: My district provides OT/PT as a single service. One therapist is assigned a school and then provides a single service that addresses both OT and PT needs regardless of which discipline evaluated the child. We write OT/PT on the IEP rather than identify the specific discipline. Is this legal?

In order to answer this question, we asked Leslie Jackson from AOTA to provide input. Ms. Jackson works in the Federal Affairs and Practice Departments and her specialty areas are IDEA and pediatrics.

Leslie states: “According to the Individuals with Disabilities Education Act (IDEA), school districts are required to provide occupational AND physical therapy to help students with disabilities to benefit from special education. These ‘related services’ must be provided by qualified personnel in accordance with state law and regulations. Although occupational and physical therapies overlap in some areas, they are not the same and are not interchangeable. Only an occupational therapist, or occupational therapy assistant (or aide), under the supervision of the occupational therapist as defined by the state practice act, can provide occupational therapy. If the IEP lists occupational therapy as a needed support service, it must be provided by an occupational therapist. It is not an either/or situation.” She also stated that “occupational therapists have a responsibility to educate others regarding the appropriate use of occupational therapy regardless of the practice setting.”

In our conversation with Leslie, a couple very important points were raised. First, there is no such discipline as OT/PT. We need to be careful how we are documenting services on the IEP. Additionally, the IDEA requires that the initial evaluation be very clear regarding the specific contributions of different team members. If occupational therapy was part of the team, the occupational therapy component should be clearly delineated. Additionally, the occupational therapy Practice Act, Framework, and Standards of Practice require that occupational therapy services start with an *occupational therapy evaluation and report* and if services are indicated that an *occupational therapy intervention plan* be implemented. Occupational therapists should not be initiating services based on a physical therapy evaluation (although information from a physical therapy evaluation may be taken into consideration as part of an occupational therapy evaluation).

We discussed the issue regarding therapists who work in rural areas. The IDEA recognizes that there are shortages of certain personnel in some areas and has allowances for this. However, if an occupational therapist is providing services, it is occupational therapy and should be documented as such and vice versa if it is a physical therapist providing the services. Based on feedback we have gotten from some OTIS members, we asked her what if the services were put



on the IEP as “motor therapy”. Leslie stated, “the State would have to identify what motor therapy is, but it is not occupational therapy.”

Consumers are becoming more critical and knowledgeable regarding the services that are available and being provided by professionals in the schools. We have a professional responsibility to ensure that we are providing services within the scope of our skills and expertise. While we can take continuing education courses to build on our skills and expertise, seldom do these courses culminate in a national exam like the one we had to take to become certified occupational therapists. They do not allow us to take on the scope of practice of another discipline. To share an analogy that came up in our conversation with Leslie, just because a dentist takes some classes on surgery, you would not want the dentist to do abdominal surgery on you.....

We will close with the following from the *Code of Professional Conduct for Education Professionals in the State of Washington*: WAC 180-87-070: Unauthorized Professional Practice.

“Any act performed without good cause that materially contributes to one of the following unauthorized professional practice is an act of unprofessional practice”:
(there are 6, but we will quote one).

“The assignment or delegation in a school setting of any responsibility within the scope of the authorized practice of nursing, physical therapy, or occupational therapy to person not licensed to practice such profession unless such assignment or delegation is otherwise authorized by law, including the rules of the appropriate licensing board.”

For more information regarding the occupational therapy scope of practice, please refer to your *AOTA Code of Ethics, Occupational Therapy Standards of Practice, Occupational Therapy Practice Framework, Code of Professional Conduct for Education Professionals in the State of Washington, WA State Occupational Therapy Practice Act* and the *IDEA*.

This article was written by Yvonne Swinth, Dottie Handley-More, and Sara Woodward, OTIS Co-Chairs. An abbreviated version originally appeared in the WOTA Newsletter in April, 2005 (Volume 63, Number 2 p. 6).

OTIS (Occupational Therapists In Schools) is a standing committee for the Washington Occupational Therapy Association (WOTA) that was set up to help support therapists in school-based practice.