

201 KAR 28:200. Continuing competence.

RELATES TO: KRS 210.366, 319A.070(3)(d), 319A.160

STATUTORY AUTHORITY: KRS 319A.070(3)(a)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 319A.070 (3) authorizes the board to promulgate administrative regulations and to establish the requirements for continuing competence. This administrative regulation sets forth the requirements for licensees to demonstrate continuing competence.

Section 1. Definitions.

- (1) "CCU" means continuing competence unit.
- (2) "Contact hour" means sixty (60) minutes engaged in a learning activity, excluding meal, breaks, and registration.
- (3) "Continuance competence unit" means an assigned unit of measure for each continuing competence activity for which the values are given in Section 3 of this administrative regulation.
- (4) "Continuing competence" means a dynamic, multidimensional process to develop and maintain the knowledge, skills, inter personal abilities, and critical and ethical reasoning necessary to perform occupational therapy professional responsibilities. Continuing competence activity for which the values are given in Section (5) of this administrative regulation.
- (5) "Training program in suicide assessment, treatment, and management" means six (6) or more hours of continuing education pre-approved by the board that contains educational objectives set forth in KRS 210.366.

Section 2. Continuing Competence Requirements.

- (1) A licensee applying for license renewal shall complete a minimum of twelve (12) CCUs of qualified activities for maintaining continuing competence during the preceding annual renewal period.
- (2) A licensee who is issued a license for a period less than twelve (12) months shall prorate the number of CCUs to one (1) CCU for each month licensed.
- (3) An applicant for reinstatement or licensure who was previously licensed by the board and whose license has been put on inactive status, revoked, or expired for three (3) years or less from the time the application is filed shall obtain twelve (12) CCUs of qualified activities for maintaining continuing competence for each year in which the license has been in the status prior to receiving the license.
- (4) An applicant for licensure who was previously licensed by the board and whose license has lapsed for more than three (3) years shall obtain thirty-six (36) CCUs of qualified activities for maintaining continuing competence.
- (5) At least once every six (6) years from date of initial license issue or from date of last completed training program in suicide assessment, treatment, and management that is pre-approved by the board, each licensee shall complete a training program in suicide assessment, treatment, and management that is pre-approved by the board.

Section 3. Qualified Activities for Maintaining Continuing Competence. The following activities qualify for the continuing competence requirements of this administrative regulation:

- (1) Continuing education courses.
 - (a) A licensee may earn one (1) CCU for each contact hour in continuing education courses including workshops, seminars, conferences, electronic courses, or self-study courses.
 - (b) Documentation for this activity shall include a certificate of completion or similar documentation including:

1. Name of course, date, and the author or instructor;
 2. Name of sponsoring organization and the location of the course; and
 3. The number of contact hours attended.
- (c) A training program in suicide assessment, treatment, and management shall meet the requirements established in Section 2(5) of this administrative regulation.
- (2) Employer provided in-service training.
- (a) A licensee may earn one (1) CCU for each contact hour of in-service training provided to the licensee by the licensee's employer.
 - (b) No more than six (6) CCUs of employer-provided training may be counted towards the total number of required CCUs. If an employer hosts continuing education courses open to practitioners outside of the organization, these courses shall fall under subsection (1) of this section.
 - (c) Training that deals with issues completely unrelated to the practice of occupational therapy that are required for employment compliance standards shall not be counted toward the continuing competence requirements.
 - (d) Documentation for this activity shall include a certificate of completion or similar documentation including:
 1. Name of course, date, and the instructor;
 2. Name of providing organization and the location of the course; and
 3. The number of contact hours attended.
 - (e) In-service training is structured training that is offered to an employee and that is intended to maintain or enhance the employee's job performance or to meet requirements that are imposed on the employer by a credentialing body.
- (3) Academic coursework.
- (a) Participation in on-site or distance learning academic courses from a university, college, or vocational technical adult education course related to the practice of occupational therapy shall be counted towards the requirements of this administrative regulation.
 - (b) A licensee may earn six (6) CCUs per credit hour.
 - (c) Documentation for this activity shall include:
 1. An official transcript indicating successful completion of the course and the date on which the course was taken; and
 2. A description of the course from the school catalogue or course syllabus.
- (4) Independent study.
- (a) Independent study may include reading books, journal articles, reviewing videos, and activities of a similar nature.
 - (b) A licensee may earn one (1) CCU for one (1) contact hour spent in an independent study activity.
 - (c) Documentation for this activity shall include:
 1. Title, author, and publisher of the material;
 2. The time spent on the material;
 3. The date of completion; and
 4. A statement that describes how the activity relates to a licensee's current or anticipated roles and responsibilities.
 - (d) No more than six (6) CCUs from this category shall be counted toward the total.
- (5) Mentorship.
- (a) Credit may be earned by each participant in a formalized mentorship agreement defined by a signed contract between the mentor and mentee that outlines specific goals and objectives and designates the plan of activities for the participants.
 - (b) A licensee may earn one (1) CCU for five (5) contact hours spent in activities directly related to achievement of goals and objectives under a mentorship agreement.
 - (c) Documentation for this activity shall include:

1. The name of mentor and mentee;
 2. A copy of a signed agreement;
 3. The dates, hours spent and focus of mentorship activities; and
 4. A statement outlining the outcomes of mentorship agreement.
- (6) Fieldwork supervision.
- (a) Credit may be earned by participation as the primary clinical fieldwork educator for an OT or OTA fieldwork student.
 - (b) A licensee may earn one (1) CCU per forty (40) hours of supervision for each fieldwork student supervised.
 - (c) Documentation shall include:
 1. A written verification from the school to the fieldwork educator with the name of student, school, and dates of fieldwork or the signature page of the completed student evaluation form.
 2. Evaluation scores and comments that are deleted or blocked out.
- (7) Professional writing.
- (a) Credit may be earned by the publication of a book, chapter, or article.
 - (b) A licensee may earn:
 1. Twelve (12) CCUs as an author of a book;
 2. Six (6) CCUs as an editor of a book;
 3. Six (6) CCUs as author of a chapter;
 4. Four (4) CCUs as author of a peer reviewed article;
 5. Two (2) CCUs as author of a nonpeer reviewed article;
 - (c) Documentation for this activity shall consist of full reference for publication including, title, author, editor, and date of publication; or copy of acceptance letter if not yet published.
- (8) Professional presentations and instruction.
- (a) Credit may be earned by the presentation of academic guest lectures, state or national workshops or conferences, and employer-provided in-service training for OT/Ls or OTA/Ls.
 - (b) A licensee may earn two (2) CCUs for each hour of credit that is awarded for an activity.
 - (c) Documentation for this activity shall include a copy of official program, schedule, or syllabus including presentation title, date, hours of presentation, and type of audience or verification of that signed by the sponsor.
- (9) Research.
- (a) Credit may be earned for the development of or participation in extensive scholarly research activities or extensive outcome studies.
 - (b) A licensee may earn one (1) CCU for one (1) contact hour spent working on a research project.
 - (c) Documentation for this activity shall include verification from the primary investigator indicating the name of research project, dates of participation, major hypotheses or objectives of the project, and licensee's role in the project.
- (10) Grants.
- (a) Credit may be earned for the development of a grant proposal.
 - (b) A licensee may earn one (1) CCU for one (1) contact hour spent working on a grant proposal.
 - (c) Documentation for this activity shall include name of grant proposal, name of grant source, purpose and objectives of the project, and verification from the grant author regarding licensee's role in the development of the grant if not the author.
- (11) Professional meetings and activities.
- (a) Participation in board or committee work with agencies or organizations in professionally related areas to promote and enhance the practice of occupational

therapy may be counted toward the requirements of this administrative regulation.

(b) A licensee may earn one (1) CCU for five (5) contact hours on a committee or board.

(c) Documentation for this activity shall include:

1. The name of the committee or board, name of the agency or organization, purpose of service, and description of licensee's role; and

2. The participation shall be validated by an officer or representative of the organization or committee.

(d) No more than six (6) CCUs from this category shall be counted toward the total.

(12) Specialty certifications.

(a) The board shall recognize completion of activities that result in an advanced competence credential or specialty certification earned or recertified during the current renewal period.

(b) A licensee may earn up to twelve (12) CCUs for each advanced competence recognition or specialty certification credential earned or recertified during a renewal period.

(c) Documentation for this activity shall include a certificate of completion that identifies satisfactory completion of requirements for obtaining advanced competence recognition or specialty certification.

(13) Continuing competence plan.

(a) A licensee may earn two (2) CCUs for completion of activities related to the development and implementation of a continuing competence plan for professional development.

(b) Documentation for this activity shall include a signed document by the licensee attesting to the fact that he or she has used a formal assessment process which included the establishment of professional development goals and objectives and a portfolio approach to organize and document continuing competence activities related to the licensee's plan.

(14) Volunteer services.

(a) Credit may be earned by participation in volunteer services performed for organizations, populations, or individuals if the services maintain or enhance the licensee's competence in professional skills in the practice of occupational therapy.

(b) A licensee may earn one (1) CCU for each five (5) contact hours.

(c) Documentation for this activity shall include verification letter from organizations and report of outcomes of services provided.

(d) No more than six (6) CCUs from this category shall be counted toward the total.

Section 4. Approval of Courses for Continuing Education Credit under Section 3(1) of this administrative regulation.

(1) A continuing education course shall be current in subject matter and relevant to the practice of occupational therapy.

(2) A continuing education course under Section 3(1) of this administrative regulation shall qualify for credit under this administrative regulation if it is approved by one of the following methods:

(a) The board shall approve a course or provider of a course that is administered or approved by:

1. A recognized national, state, or local occupational therapy association;

2. An accredited health care organization or facility; or

3. An accredited college or university.

(b) A continuing education course provider who does not come within the provisions of paragraph (a) of this subsection shall submit the following information to the board

using the Application for Continuing Education Program Approval (Course Providers), at least ninety (90) days prior to the presentation of the course:

1. A thorough course description;
2. A statement of the projected learning outcomes;
3. A statement of the target audience;
4. The content focus of the course;
5. A detailed agenda for the activity;
6. A statement of the number of contact hours requested;
7. A listing of the presenters and their qualifications; and
8. A sample of the certificate of completion awarded to successful attendees.

(c) A licensee who does not come within the provisions of paragraph (a) or (b) of this subsection shall submit the following information to the board using the Application for Continuing Education Program Approval (Course Providers):

1. A thorough course description;
2. A statement of the achieved learning outcomes;
3. The content focus of the course;
4. A detailed agenda for the activity;
5. A statement of the number of contact hours requested;
6. A listing of the presenters and their qualifications; and
7. A sample of the certificate of completion awarded to successful attendees.

Section 5. Waiver of Requirements. Under extenuating circumstances, the board may waive all or part of the continuing competence activity requirements of this administrative regulation if an occupational therapist or occupational therapy assistant submits written request for a waiver and provides evidence to the satisfaction of the board of an illness, injury, family hardship, active military service, or other similar extenuating circumstance which precluded the individual's completion of the requirements on a case-by-case basis.

Section 6. Documentation and Reporting Procedures.

- (1) A licensee shall maintain the required proof of completion for each continuing competence activity as specified in this administrative regulation.
- (2) The required documentation shall be retained by the licensee for a minimum of one (1) year following the last day of the license renewal period for which the continuing competence activities were earned.
- (3) A licensee shall not send his or her continuing competence activity documentation to the board unless audited under Section 7 of this administrative regulation or otherwise requested by the board.

Section 7. Audit of Continuing Competence Activities.

- (1) The board shall perform a random audit of up to ten (10) percent of all licensees who shall be required by the board to furnish documentation of the completion of the appropriate number of continuing education hours for the current renewal period.
- (2) A licensee who is audited shall respond to the audit within sixty (60) days of the date of the request.
- (3) A licensee who fails to comply with the continuing competence activity requirements of this administrative regulation may be subject to disciplinary action that may include suspension or revocation of license.

Section 8. Other Provisions.

- (1) A licensee may not carry over continuing competence activity CCUs from one (1) licensure period to the next.
- (2) A licensee may not receive credit for completing the same continuing competence activity more than once.

Section 9. Incorporation by Reference.

(1) "Application for Continuing Education Program Approval (Course Providers)", September 2016, is incorporated by reference.

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(30 Ky.R. 130; 855; eff. 10-15-2003; 41 Ky.R. 1440; 2082; eff. 5-1-2015; 44 Ky.R. 124, 1216; eff. 1-5-2018; TAm eff. 10-16-2020; Cert eff. 11-22-2024.)