

CHAPTER 38

CONSUMER AND COMMERCIAL TRANSACTIONS

HOUSE BILL 02-1048

BY REPRESENTATIVE(S) Crane, Groff, Jahn, Mace, and Williams S. ;
also SENATOR(S) Epps, Hanna, Hernandez, and Nichol.

AN ACT**CONCERNING OCCUPATIONAL THERAPY DECEPTIVE TRADE PRACTICE TITLE PROTECTION.**

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 6-1-707 (1) (c), Colorado Revised Statutes, is amended to read:

6-1-707. Use of title or degree - deceptive trade practice. (1) A person engages in a deceptive trade practice when, in the course of such person's business, vocation, or occupation, such person:

(c) Claims either orally or in writing to be a "certified occupational therapist", an "occupational therapist registered", a "licensed occupational therapist", or an "occupational therapist" or uses the abbreviation "O.T.", "O.T.R.", or "O.T.R./L." to indicate that such person is an occupational therapist unless such person:

(I) Has earned a baccalaureate, masters, or doctorate degree in occupational therapy from an institution that is:

(A) Accredited by the north central council of colleges and schools and by the American occupational therapy association's accreditation council for occupational therapy education; or

(B) A school, institute, college, or university chartered outside the United States, the academic degree from which has been validated by the world federation of occupational therapists, the American occupational therapy association, or other nationally recognized accrediting agency; and

(II) Meets all of the following:

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

~~(A) Has completed a minimum of six months or nine hundred forty hours of advanced~~ THE MINIMUM REQUIREMENTS OF internship under the supervision of an occupational therapist;

~~(B) Successfully passed the current~~ ENTRY-LEVEL certification examination given by the American occupational therapy certification board OR THE NATIONAL BOARD FOR CERTIFICATION IN OCCUPATIONAL THERAPY; and

~~(C) Holds a~~ AN INITIAL certificate through the American occupational therapy certification board or THE NATIONAL BOARD FOR CERTIFICATION IN OCCUPATIONAL THERAPY.

~~(III) In lieu of the requirements of subparagraphs (I) and (II) of this paragraph (c) has earned an associates degree in occupational therapy from an institution that is:~~

~~(A) Accredited by the north central council of colleges and schools and by the American occupational therapy association's accreditation council for occupational therapy education; or~~

~~(B) A school, institute, college, or university chartered outside the United States, the academic degree from which has been validated by the world federation of occupational therapists, the American occupational therapy association, or other nationally recognized accrediting agency; and~~

~~(IV) If such person satisfies the requirements of subparagraph (III) of this paragraph (c), such person shall also meet all of the following requirements:~~

~~(A) Has a minimum of three years experience in occupational therapy field work under the supervision of an occupational therapist holding a certificate through the American occupational therapy certification board;~~

~~(B) Successfully passed the current certification examination given by the American occupational therapy certification board; and~~

~~(C) Holds a certificate through the American occupational therapy certification board;~~

SECTION 2. Effective date. This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution; except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: March 26, 2002