

CHAPTER 290

CONSUMER AND COMMERCIAL TRANSACTIONS

HOUSE BILL 96-1260

BY REPRESENTATIVES Nichol, George, Kreutz, Prinster, Reeves, Tucker, Armstrong, Dean, DeGette, Kerns, Knox, Lyle, Mace, and Snyder;
also Senators Mutzebaugh, Dennis, Hopper, Martinez, Schroeder, Wham, Tebedo, and Weddig.

AN ACT

CONCERNING A DECEPTIVE TRADE PRACTICE UNDER THE "COLORADO CONSUMER PROTECTION ACT" FOR USE OF THE TERM "OCCUPATIONAL THERAPIST" BY PERSONS NOT MEETING CERTAIN QUALIFICATIONS.

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

SECTION 1. 6-1-105 (1), Colorado Revised Statutes, 1992 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

6-1-105. Deceptive trade practices. (1) A person engages in a deceptive trade practice when, in the course of such person's business, vocation, or occupation, such person:

(ee.7) 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.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

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

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:

(A) HAS COMPLETED A MINIMUM OF SIX MONTHS OR NINE HUNDRED FORTY HOURS OF ADVANCED INTERNSHIP UNDER THE SUPERVISION OF AN OCCUPATIONAL THERAPIST;

(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; OR IN LIEU OF THE REQUIREMENTS OF SUBPARAGRAPHS (I) AND (II) OF THIS PARAGRAPH (ee.7)

(III) 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

(III.5) IF SUCH PERSON SATISFIES THE REQUIREMENTS OF SUBPARAGRAPH (III) OF THIS PARAGRAPH (ee.7), 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 - applicability. This act shall take effect July 1, 1996, and shall apply to persons claiming to be occupational therapists on or after such date; except that those persons who claimed to be occupational therapists before July 1, 1996, shall meet the requirements of section 6-1-105 (1) (ee.7), Colorado Revised Statutes, on or before July 1, 1999.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: June 3, 1996