

CHAPTER 367 CONTINUING EDUCATION

§367.1. Continuing Education.

(a) The Act mandates licensee participation in a continuing education program for license renewal. All activities taken to complete this requirement must meet the definition of continuing education as outlined in this section. The licensee is solely responsible for keeping accurate documentation of all continuing education activities and for selecting continuing education as per the requirements in this chapter.

(1) Definition of Continuing Education; also known as CE. Continuing Education - Professional development activities that meet the requirements in this chapter and directly concern one or more of the following:

- (A) occupational therapy practice as defined in §362.1 of this title (relating to Definitions);
- (B) health conditions treated by occupational therapy;
- (C) ethical or regulatory matters in occupational therapy; or
- (D) occupational therapy documentation or reimbursement for occupational therapy services.

(2) Unacceptable Activities. Unacceptable professional development activities not eligible for continuing education include but are not limited to:

- (A) Any non-instructional time frames such as breaks, meals, introductions, and pre/post testing.
- (B) Business meetings.
- (C) Exhibit hall attendance.
- (D) Reading journals.
- (E) Courses that provide information about the work setting's philosophy, policies, or procedures or designed to educate employees about a specific work setting.
- (F) Courses in topics concerning professionalism or customer service.
- (G) Courses such as: social work; defensive driving; water safety; team building; GRE, GMAT, MCAT preparation; general foreign languages; disposal of hazardous waste; patient privacy; CPR; First Aid; HIPAA; and FERPA.

(b) Required Continuing Education Hours.

(1) Unless otherwise specified in this chapter, 1 hour of continuing education is equal to 1 contact hour.

(2) All licensees must complete a minimum of 24 contact hours every two years during the period of time the license is current in order to renew the license. Licensees must provide proof of completion of contact hours at the Board's request.

(3) Licensees who submit their renewal with all required items prior to the month when their license expires may count CE completed during their license's expiration month for their next renewal period.

(c) Each continuing education activity may be counted only one time in two renewal cycles.

(d) Activities approved or offered by the American Occupational Therapy Association or the Texas Occupational Therapy Association are pre-approved for CE credit for license renewal. The Board will review its approval process and continuation thereof for educational activities at least every five years.

(e) Program providers are prohibited from self-promotion of programs, products, and/or services during the presentation of the program.

Source Note: The provisions of this §367.1 adopted to be effective October 11, 1994, 19 TexReg 7714; amended to be effective January 1, 1996, 20 TexReg 10907; amended to be effective February 2, 1999, 24 TexReg 606; amended to be effective February 3, 2000, 25 TexReg 818; amended to be effective August 21, 2000, 25 TexReg 8063; amended to be effective July 22, 2001, 26 TexReg 5441; amended to be effective January 1, 2003, 27 TexReg 12015; amended to be effective October 27, 2003, 28 TexReg 9291; amended to be effective August 29, 2006, 31 TexReg 6801; amended to be effective May 31, 2007, 32 TexReg 2880; amended to be effective February 25, 2008, 33 TexReg 1603; amended to be effective February 14, 2013, 38 TexReg 676; amended to be effective October 1, 2015, 40 TexReg 5802; amended to be effective July 1, 2016, 41 TexReg 4048; amended to be effective June 1, 2017, 42 TexReg 2738; amended to be effective September 1, 2019, 44 TexReg 4325.

§367.2. Categories of Education.

Continuing education activities completed by the licensee for license renewal shall be acceptable if falling under one or more of the following categories and meeting further requirements in this chapter.

(1) Formal academic courses from an occupational therapy program.

(A) Completion of course work at or through an accredited college or university shall be counted as follows: 3 contact hours for each credit hour of a course with a grade of A, B, C, and/or P (Pass). Thus a 3 credit course counts for 9 contact hours, no maximum. Documentation shall include a transcript from the accredited college or university.

(B) Creation of a new course or courses at or through an accredited college or university may be counted for 10 contact hours maximum. Documentation shall be a letter from the Program Director.

(2) In-service educational programs, training programs, institutes, seminars, workshops, facility based courses, internet-based courses, conferences, and home-study courses with specified learning objectives. Hour for hour credit on program content only, no maximum. Documentation shall include a certificate of completion or letter of verification.

(3) Development of publications, media materials, or grant/research activities. Documentation shall include a copy of the actual publication or media material(s) or a

letter of verification documenting acceptance for publication or distribution, or title page and receipt of grant or research proposal.

(A) Published scholarly work in a peer-review journal.

(i) Primary or second author, 15 contact hours maximum.

(ii) Other author, consultant, reviewer, or editor, 5 contact hours maximum.

(B) Grant or research proposals accepted for consideration.

(i) Principal investigator or co-principal investigator, 10 contact hours maximum.

(ii) Consultant or reviewer, 4 contact hours maximum.

(C) Published book.

(i) Primary author or book editor, 15 contact hours maximum.

(ii) Second or other author, 7 contact hours maximum.

(iii) Consultant or reviewer, 5 contact hours maximum.

(D) Published book chapter or monograph.

(i) Primary author, 7 contact hours maximum.

(ii) Second or other author, consultant, reviewer, or editor, 2 contact hours maximum.

(E) Author, consultant, reviewer, or editor of other practice related publications such as newsletters, blogs, and trade magazines, 2 contact hours maximum.

(F) Developer of practice-related or instructional materials using alternative media such as video, audio, or software programs or applications to advance the professional skills of others (not for proprietary use), 15 contact hours maximum.

(4) Presentations by licensee. Documentation shall include verification of presentation noting the date, title, and number of contact hours of the presentation, presenter(s), and type of presentation (i.e., 2 hour poster, 3 hour workshop). Any presentation may be counted only once.

(A) Professional presentation, e.g. in-services, workshops, institutes. Hour for hour credit. 10 contact hours maximum.

(B) Community/Service organization presentation. Hour for hour credit. 10 contact hours maximum.

(5) Supervision of students completing an accredited educational program or re-entry course.

(A) A licensee may earn a maximum of 10 contact hours for student supervision per renewal period.

(B) Fieldwork Supervision.

(i) Fieldwork Level 1: A licensee may earn .025 contact hours for each hour of supervision provided to a student.

(ii) Fieldwork Level 2:

(I) A licensee may earn 6 contact hours for 8 weeks of supervision provided to a student.

(II) A licensee may earn 9 contact hours for 12 weeks of supervision provided to a student.

(III) Licensees may divide fieldwork supervision hours based on the supervision provided.

(iii) Documentation shall include verification provided by the school to the fieldwork educator(s) with the name of the student, level of fieldwork, school, and dates or hours of fieldwork or the signature page of the completed evaluation form. Evaluation scores and comments should be deleted or blocked out.

(C) Student Project Supervision.

(i) A licensee may earn .025 contact hours for each hour of supervision provided to a student completing a supervised project for the accredited educational program.

(ii) Documentation shall include the following:

(I) verification provided by the school to the supervisor with the name of the student, school and academic program, and dates of the semester for which the project was completed; and

(II) an attestation signed by the licensee and the student or school attesting to the dates and hours of supervision and the activities completed.

(D) Supervision of a Re-Entry Student.

(i) A licensee may earn CE for the supervision of a student completing a re-entry course through an accredited college or university.

(ii) A licensee may earn 3 contact hours for 4 weeks of supervision.

(iii) A licensee may earn 6 contact hours for 8 weeks of supervision.

(iv) Licensees may divide fieldwork supervision hours based on the supervision provided.

(v) Documentation shall include verification provided by the school to the supervisor(s) with the name of the student, school and re-entry program, and dates of the supervision rotation or the signature page of the completed evaluation form. Evaluation scores and comments should be deleted or blocked out.

(6) Mentorship.

(A) Participation as a mentor or mentee for the purpose of the development of occupational therapy skills by a mentee under the guidance of a mentor skilled in a particular occupational therapy area. Both the mentor and mentee must hold a regular OT or OTA license in a state or territory of the U.S.

(B) Documentation shall include a signed mentorship agreement between a mentor and mentee that outlines specific goals and objectives and designates the plan of activities that are to be met by the mentee; the names of both mentor and mentee and their license numbers and issuing states; an activity log that corresponds to the mentorship agreement and lists dates and hours spent on each objective-based activity; a final evaluation of the outcomes of the mentorship agreement completed by the mentor; and a final evaluation of the outcomes of the mentorship agreement completed by the mentee.

(C) Participation as a Mentee: A licensee may earn one contact hour for each 3 hours spent in activities as a mentee directly related to the achievement of goals and objectives up to a maximum of 15 contact hours.

(D) Participation as Mentor: A licensee may earn one contact hour for each 5 hours spent in activities as a mentor up to a maximum of 10 contact hours.

(7) Participation in volunteer activities related to occupational therapy including service on a committee, board, or commission of a state occupational therapy association, AOTA, or NBCOT for the purpose of tangible outcomes such as official documents, publications, and official reports. Documentation shall include a copy of the actual publication or official document/report that reflects the licensee's name. Maximum of 10 contact hours.

(8) NBCOT Navigator® Activities. Licensees may earn CE for the completion of NBCOT Navigator activities. For such activities, 1 NBCOT CAU is the equivalent of 1 contact hour, no maximum. Documentation is a certificate of completion or letter of verification. Self-reflections and self-assessments, reading list and research portal activities, professional development plans, or similar activities are not eligible for CE credit.

(9) AOTA Benchmark. Licensees may earn CE for the completion of the AOTA Benchmark. Documentation is a certificate of completion or letter of verification indicating credit awarded. No maximum.

(10) Any deviation from the continuing education categories will be reviewed on a case by case basis by the Coordinator of Occupational Therapy or by the Continuing Education Committee. A request for special consideration must be submitted in writing a minimum of 60, though no more than 270, days prior to expiration of the license.

Source Note: The provisions of this §367.2 adopted to be effective July 22, 2001, 26 TexReg 5441; amended to be effective August 29, 2006, 31 TexReg 6801; amended to be effective May 31, 2007, 32 TexReg 2880; amended to be effective June 18, 2009, 34 TexReg 3983; amended to be effective March 21, 2010, 35 TexReg 2313; amended to be effective June 7, 2012, 37 TexReg 4068; amended to be effective February 14, 2013, 38 TexReg 676; amended to be effective December 2, 2013, 38 TexReg 8682; amended to be effective September 28, 2014, 39 TexReg 7782; amended to be effective June 1, 2015, 40 TexReg 3198; amended to be effective July 1, 2016, 41 TexReg 4048; amended to be effective June 1, 2017, 42 TexReg 2738; amended to be effective March 1, 2018, 43 TexReg 901; amended to be effective September 1, 2019, 44 TexReg 4325.

§367.3. Continuing Education Audit.

(a) The Board shall select for audit a random sample of licensees. The audit will cover a period for which the licensee has already completed the continuing education requirement.

(b) Licensees randomly selected for the audit must provide to TBOTE appropriate documentation within 30 days of notification.

(c) The licensee is solely responsible for keeping accurate documentation of all continuing education requirements. Continuing education documentation must be maintained for two years from the date of the last renewal for auditing purposes.

(d) Continuing education documentation includes, but is not limited to: an official transcript, AOTA self-study completion certificates, copies of official sign-in or attendance sheets, course certificates of attendance, certificates of completion, and letters of verification.

(e) Documentation must identify the licensee by name, and must include the date and title of the course, the name and signature of the authorized signer, and the number of hours or contact hours awarded for the course. When continuing education units (CEUs), professional development units (PDUs), or other units or credits are listed on the documentation, such must be accompanied by documentation from the continuing education provider noting the equivalence of the units or credits in terms of hours or contact hours.

(f) Knowingly providing false information or failure to respond during the audit process or the renewal process is grounds for disciplinary action.

Source Note: The provisions of this §367.3 adopted to be effective July 22, 2001, 26 TexReg 5441; amended to be effective August 29, 2006, 31 TexReg 6801; amended to be effective February 14, 2013, 38 TexReg 676; amended to be effective September 28, 2014, 39 TexReg 7782; amended to be effective October 1, 2015, 40 TexReg 5802; amended to be effective July 1, 2016, 41 TexReg 4048; amended to be effective September 1, 2019, 44 TexReg 4325.

§367.4. Process for Selecting a Peer Organization to Evaluate and Approve Continuing Education Courses.

If the Board chooses to authorize a license holder peer organization in Texas to evaluate and approve continuing education courses:

(1) The Board will conduct a request for proposals and bid process to select an organization, and

(2) The Board will request bids and proposals at least once every four years.

Source Note: The provisions of this §367.4 adopted to be effective March 1, 2018, 43 TexReg 901.