

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2120—State Board of Embalmers and Funeral
Directors**

Chapter 2—General Rules

PROPOSED RESCISSION

20 CSR 2120-2.105 Preneed Fees. This rule established and fixed the fee for registration as a preneed contract seller and as a preneed contract provider.

PURPOSE: This rule is being rescinded as all fees associated with preneed are now stated in 20 CSR 2120-2.100.

AUTHORITY: sections 333.111(2), RSMo Supp. 1993 and 436.071, RSMo 1986. This rule originally filed as 4 CSR 120-2.105. Emergency rule filed Aug. 5, 1982, effective Aug. 15, 1982, expired Nov. 15, 1982. Original rule filed Aug. 5, 1982, effective Nov. 11, 1982. Amended: Filed Sept. 6, 1988, effective Dec. 11, 1988. Moved to 20 CSR 2120-2.105, effective Aug. 28, 2006. Rescinded: Filed July 26, 2010.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Board of Embalmers and Funeral Directors, PO Box 423, Jefferson City, MO 65102, by facsimile at 573-751-0813 or via email at embalm@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2205—Missouri Board of Occupational Therapy
Chapter 5—Continuing Competency Requirements**

PROPOSED RESCISSION

20 CSR 2205-5.010 Continuing Competency Requirements. This rule detailed the continuing competency requirements of a licensee to practice as an occupational therapist or an occupational therapy assistant.

PURPOSE: This rule is being rescinded and readopted to reorganize the Continuing Competency Credit (CCC) activities and to clarify what is/is not acceptable CCC.

AUTHORITY: sections 324.065 and 324.080, RSMo 2000 and section 324.086, RSMo Supp. 2007. This rule originally filed as 4 CSR 205-5.010. Original rule filed Aug. 4, 1998, effective Dec. 30, 1998. Amended: Filed Nov. 13, 2002, effective April 30, 2003. Amended: Filed Dec. 1, 2005, effective June 30, 2006. Moved to 20 CSR 2205-5.010, effective Aug. 28, 2006. Amended: Filed July 9, 2008, effective Jan. 30, 2009. Rescinded: Filed July 28, 2010.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Board of Occupational Therapy, PO Box 1335, Jefferson City, MO 65102, by facsimile at 573-526-3489, or via email at ot@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2205—Missouri Board of Occupational Therapy
Chapter 5—Continuing Competency Requirements**

PROPOSED RULE

20 CSR 2205-5.010 Continuing Competency Requirements

PURPOSE: This rule details the continuing competency requirements of a licensee to practice as an occupational therapist or an occupational therapy assistant.

(1) At the time of license renewal, the licensee shall verify completion of twenty-four (24) Continuing Competency Credits (CCC) on the renewal form. Failure to note verification of completion shall result in the license not being renewed. Falsification of verification may result in disciplinary action.

(2) Each licensee shall retain documentation of the CCCs verified on the renewal form for two (2) years following license renewal.

(3) At least fifty percent (50%) of the twenty-four (24) continuing competency credits must be directly related to the delivery of occupational therapy services and the remaining CCCs must be related to one's practice area or setting.

(4) A licensee who is or becomes licensed during a renewal cycle shall be required to obtain CCCs at the rate computed by the following formula:

(A) Formula: Number of months licensed during the renewal cycle divided by the total number of months in the reporting cycle then multiplied by the number of CCCs required for renewal during the reporting cycle resulting in a total number of CCCs required to complete for renewal this reporting cycle. When applicable, this total will then be rounded to the nearest whole number by applying the following rounding rule: round down to the nearest whole number if the digit to the right of the decimal is four (4) or less, round up to the nearest whole number if five (5) or more. Example: An occupational therapist becomes licensed September 1, 2004, the reporting cycle is twenty-four (24) months, ending June 30, 2005, and the annual requirement is twelve (12) hours per year. $10 \text{ months} \div 24 \text{ months} \times 24 = 9.9$ or round up to ten (10) hours (Licensee must have completed ten (10) CCCs to renew.)

(5) Conversion of Continuing Education Units (CEU) to Continuing Competency Credits (CCC)—

(A) One (1) CEU equals ten (10) Continuing Competency Credits;
(B) One (1) contact hour equals one (1) Continuing Competency Credit;

(C) Fifty (50) minutes equals one (1) Continuing Competency Credit; and

(D) One (1) Academic Credit Hour equals ten (10) Continuing Competency Credits.

(6) Acceptable types of continuing competency activities, corresponding degree of continuing competency credit and the required documentation are as follows:

Continuing Competency Activity	Minimum Continuing Competency Credit	Maximum Continuing Competency Credits	Audit Documentation
PRESENTING			
Making presentations for local Organizations/associations/groups on OT related topics (e.g. energy conservation, back care, and prevention of injury)	1 Hour equals 1 CCC	12 CCC	Date and location of presentation, copy of presentation or program listing; contact person for organization
Making professional presentations at state or national workshops, seminars, and conferences	1 Hour equals 2 CCC	24 CCC	Copy of presentation or program listing
Guest lecturer, teaching OT related academic course per semester (must not be one's primary role)	1 Credit Hour equals 3 CCC	24 CCC	Syllabus of course, course outline Verification letter from Dept. Chair
Providing professional in-service training and/or instruction for occupational therapists, occupational therapy assistants, and related professionals	1 Hour equals 1 CCC	12 CCC	Attendance records goals and objectives of in-service training Verification letter from supervisor
ATTENDING WORKSHOPS/COURSES/INDEPENDENT LEARNING			
Attending workshops, seminars, lectures, on-line courses, and professional conferences accepted by the certifying entity approved by the division	1 Hour equals 1 CCC	24 CCC	CEU, contact hours, certificates of attendance, letter from sponsor
Attending employer-provided continuing education	1 Hour equals 1 CCC	24 CCC	Attendance records, certificates
Reading a peer-reviewed, role-related professional article, and writing a report describing the implications for improving skills in one's specific role	1 article equals .5 CCC	12 CCC	Annotated bibliography and analysis of how articles impacted improving skills in one's role
Successful completion of formal academic coursework	1 Credit Hour equals 10 CCC	24 CCC	Official transcript from accredited college
Professional study group, minimum of 3 participants	3 Hours equals 1 CCC	24 CCC	Group attendance records; study group goals, analysis of goal attainment and learning
Independent learning with assessment element (online courses, CE articles, self-study series, etc.)	1 Hour equals 1 CCC	12 CCC	CEU's, contact hours
Independent learning without assessment element (audited coursework, multimedia course, etc.)	10 CCC	24 CCC	Certificate of completion
PUBLISHING			
Publication of article in non-peer-reviewed publication (e.g. OT Practice, SIS Quarterly, Advance, etc.)	1 Article equals 5 CCC	24 CCC	Copy of publication
Publication of chapter(s) in occupational or related professional textbook	1 Chapter equals 10 CCC	24 CCC	Copy of text, letter from editor
Publication of article in peer-reviewed professional publication (e.g. journals, book chapter, research paper)	1 Article equals 10 CCC	24 CCC	Copy of text, letter from editor
PROFESSIONAL SERVICES			
Mentoring a colleague to improve the skills of the protégé (Mentor)	20 Hours equals 3 CCC	12 CCC	Goals and objectives, analysis of mentee performance
Outcomes of Self-Assessment and Professional Development Plan	2 CCC for Self-Assessment and Professional Dev. Plan	2 CCC	Acceptable documents include the completed NBCOT Self-Assessment and Professional Development Plan describing how goals were met and impacted competence/skills

Reflective occupational therapy practice in collaboration with an advanced colleague to improve one's skill level	20 Hours equals 3 CCC	12 CCC	Mentor verification of skills, evaluation of Mentor and experience analysis of learning
Volunteer services to organizations, populations, individuals, that advance the reliance on the use of one's OT skills and experiences	10 Hours equals 2 CCC	12 CCC	Verification letter from organization Report describing outcomes of volunteer service provided
Extensive scholarly research activities, or extensive outcome studies	10 CCC	24 CCC	Grant funding number, abstract/executive summary and/or copies of the completed research/studies
FIELDWORK SUPERVISION			
Level II fieldwork day to day direct supervision OT or OTA	2 CCC per rotation (8-12 weeks)	24 CCC	Documentation required, name of student(s), letter of verification from school, dates of fieldwork
Entry-level or post-doctoral advanced fieldwork direct supervision (must not be one's primary role)	2 CCC per rotation (8-12 weeks)	24 CCC	Documentation required, name of student(s), letter of verification from school, dates of fieldwork

(7) Workshops, seminars, lectures, and professional conferences accepted by the certifying entity approved by the board shall automatically be accepted for license renewal.

(8) Audit of Continuing Competency Activities.

(A) A licensee is subject to an audit of the continuing competency activity documentation after the time of license renewal.

(B) The board may audit continuing competency activities as time and resources permit.

(C) Upon request the licensee shall submit to the board for review the continuing competency credit documentation verifying successful completion of continuing competency requirements. Licensees shall assist the board in its audits by providing timely and complete responses to the board's inquiries.

(D) Failure to submit requested information to the board by the date requested or submission of inadequate or falsified records may result in disciplinary action.

(9) Upon application and for good cause shown, the board may excuse or extend the time for completion of some or all of the required continuing competency credits.

(A) An application shall be in writing and delivered to the board's office.

1. The board may require additional information or an interview with the board or its designee. Failure to timely respond or appear shall be grounds to deny the application.

2. If the application requests excuse of the credits, a statement of how competency is being maintained shall be part of the application.

3. If the application requests an extension of time, it shall include proposed activities.

(B) If an extension of time is granted, the continuing competency credits earned during the extension shall not be counted in the subsequent renewal period.

AUTHORITY: sections 324.065, 324.080, and 324.086, RSMo Supp. 2009. This rule originally filed as 4 CSR 205-5.010. Original rule filed Aug. 4, 1998, effective Dec. 30, 1998. Amended: Filed Nov. 13, 2002, effective April 30, 2003. Amended: Filed Dec. 1, 2005, effective June 30, 2006. Moved to 20 CSR 2205-5.010, effective Aug. 28, 2006. Amended: Filed July 9, 2008, effective Jan. 30, 2009. Rescinded and Readopted: Filed July 28, 2010.

PUBLIC COST: This proposed rule will cost state agencies or political subdivisions approximately twenty-one thousand three hundred seventy dollars and thirty-three cents (\$21,370.33) biennially for the life of the rule. It is anticipated that the costs will recur for the life

of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.

PRIVATE COST: This proposed rule will cost private entities approximately eight hundred eighty thousand two hundred sixty-three dollars and eighty cents to one million three hundred eighty-eight thousand eight hundred fifty-nine dollars and eighty cents (\$880,263.80-\$1,388,859.80) biennially for the life of the rule. It is anticipated that the costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Board of Occupational Therapy, PO Box 1335, Jefferson City, MO 65102, by facsimile at 573-526-3489, or via email at ot@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

PUBLIC ENTITY FISCAL NOTE

I. RULE NUMBER

Title 20 - Department of Insurance, Financial Institutions and Professional Registration

Division 2205 - Missouri Board of Occupational Therapy

Chapter 5 - Continuing Competency Requirements

Proposed Rule - 20 CSR 2205-5.010 Continuing Competency Requirements

Prepared January 5, 2010 by the Division of Professional Registration

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance
Missouri Board of Occupational Therapy	\$21,370.33
Total Biennial Cost of Compliance for the Life of the Rule	
	\$21,370.33

III. WORKSHEET

The License Technician II reviews the Continuing Competency Credit for completeness, prepares for board review, and sends follow-up letter to applicant as needed. The Executive Director assists the License Technician II and/or licensees when there are any discrepancies in documentation provided. The board approves the Continuing Competency Credit.

Continuing Competency Credit Processing Cost

STAFF	ANNUAL SALARY	SALARY TO INCLUDE FRINGE BENEFIT	HOURLY SALARY	COST PER MINUTE	TIME PER APPLICATION	COST PER APPLICATION	NUMBER OF APPLICATIONS	TOTAL COST
Executive	\$58,865.28	\$87,644.52	\$42.14	\$0.70	5 minutes	\$3.51	3853	\$13,529.42
Licensure Technician II	\$28,524.00	\$42,469.38	\$20.42	\$0.34	5 minutes	\$1.70	3853	\$6,555.87

**Total Biennial Personal Services Cost for Continuing
Competency Credit Processing \$20,085.29**

The License Technician II prepares and sends the Continuing Competency Credit Audit Notification letters and Audit Closure letters to randomly selected licensees. The Executive Director assists the License Technician II and/or licensees when there are any discrepancies in documentation provided.

Continuing Competency Audit Cost

STAFF	ANNUAL SALARY	SALARY TO INCLUDE FRINGE BENEFIT	HOURLY SALARY	COST PER MINUTE	TIME PER APPLICATION	COST PER APPLICATION	NUMBER OF APPLICATIONS	TOTAL COST
Executive	\$58,865.28	\$87,644.52	\$42.14	\$0.70	5 minutes	\$3.51	192	\$674.19
Licensure Technician II	\$28,524.00	\$42,469.38	\$20.42	\$0.34	5 minutes	\$1.70	192	\$326.69

**Total Biennial Personal Services Cost for Continuing
Competency Credit Audits \$1,000.88**

Expense and Equipment Dollars for Continuing Competency Credit Audits

Expense & Materials	Cost Per	Number	Total Cost
Letterhead (Notification Letter)	\$0.20	192	\$38.40
Envelopes (Notification Letter)	\$0.10	192	\$19.20
Postage (Notification Letter)	\$0.44	192	\$84.48
Letterhead (Closure Letter)	\$0.20	192	\$38.40
Envelopes (Closure Letter)	\$0.10	192	\$19.20
Postage (Closure Letter)	\$0.44	192	\$84.48
Total Biennial Expense and Equipment			\$284.16

IV. ASSUMPTION

1. The costs accounted for in this fiscal note are not actually new costs, but costs that already exist. All costs associated with a rule must be re-accounted for when rescinding and readopting a rule.
2. Figures are based on FY10 actuals. All Occupational Therapists and Occupational Therapist Assistants are required to comply with the the Continuing Competency Credit requirement. Only 5% of the total licensees are audited biennially.
3. Employee's salaries were calculated using the annual salary multiplied by 48.89% for fringe benefits and then divided by 2080 hours per year to determine the hourly salary. The hourly salary was then divided by 60 minutes to determine the cost per minute. The cost per minute was then multiplied by the amount of time individual staff spent on the processing of applications or renewals. The total cost was based on the cost per application multiplied by the estimated number of applications.
4. It is anticipated that the total cost will recur for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.

PRIVATE ENTITY FISCAL NOTE

I. RULE NUMBER**Title 20 - Department of Insurance, Financial Institutions and Professional Registration****Division 2205 - Missouri Board of Occupational Therapy****Chapter 5 - Continuing Competency Requirements****Proposed Rule - 20 CSR 2205-5.010 Continuing Competency Requirements**

Prepared January 5, 2010 by the Division of Professional Registration

II. SUMMARY OF FISCAL IMPACT**First Year of Implementation of Rule**

Estimate the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by type of the business entities which would likely be affected:	Estimated cost of compliance with the rule by affected entities:
3853	Licensees seeking Continuing Competency Credit (Continuing Competency Credits per renewal cycle @ \$228 - \$360)	\$878,484.00 - 1,387,080.00
3853	Licensees seeking Continuing Competency Credit (postage @ \$0.44)	\$1,695.32
192	Licensees randomly selected for Continuing Competency Credit Audit (postage @ \$.44)	\$84.48
Estimated Biennial Cost of Compliance for the Life of the Rule		\$880,263.80 - \$1,388,859.80

III. WORKSHEET

See table above.

IV. ASSUMPTION

1. The costs accounted for in this fiscal note are not actually new costs, but costs that already exist. All costs associated with a rule must be re-accounted for when rescinding and readopting a rule.
2. It is anticipated that the total cost will recur for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.