

**G.S. 150B-21.3A Report for 21 NCAC 65, BOARD OF RECREATIONAL THERAPY LICENSURE**

Agency - Board of Recreational Therapy Licensure

Comment Period - 02/13/2018 through 04/16/2018

Date Submitted to APO - August 21, 2018

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(e)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
	SECTION .0200 – REQUIREMENTS FOR PRACTICE	21 NCAC 65 .0203	LICENSED RECREATIONAL THERAPIST STANDARDS OF PRACTICE	Amended Eff: March 1, 2016	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		21 NCAC 65 .0204	LICENSED RECREATIONAL THERAPY ASSISTANT STANDARDS OF PRACTICE	Amended Eff: March 1, 2016	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		21 NCAC 65 .0205	SUPERVISION OF A LICENSED RECREATIONAL THERAPY ASSISTANT	Amended Eff: March 1, 2016	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .0300 – REQUIREMENTS FOR LICENSURE	21 NCAC 65 .0301	MINIMUM LEVEL OF EDUCATION AND COMPETENCY FOR LICENSED RECREATIONAL THERAPIST	Amended Eff: March 1, 2016	Necessary without substantive public interest	No		Yes	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		21 NCAC 65 .0302	MINIMUM LEVEL OF EDUCATION AND COMPETENCY FOR LICENSED RECREATIONAL THERAPY ASSISTANTS	Amended Eff: March 1, 2016	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .0400 - APPLICATION	21 NCAC 65 .0401	APPLICATION PROCEDURES FOR LICENSED RECREATIONAL THERAPIST AND LICENSED RECREATIONAL THERAPY ASSISTANTS	Amended Eff: March 1, 2016	Necessary without substantive public interest	No		Yes	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .0500 – LICENSURE FEES	21 NCAC 65 .0501	LICENSURE FEES	Amended Eff: March 1, 2016	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION 0600 - CONTINUING EDUCATION REQUIREMENTS	21 NCAC 65 .0601	CONTINUING EDUCATION REQUIREMENTS FOR LICENSED RECREATIONAL THERAPIST AND LICENSED RECREATIONAL THERAPY ASSISTANTS	Amended Eff: May 1, 2013	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		21 NCAC 65 .0602	RENEWAL REQUIREMENTS FOR LICENSED RECREATIONAL THERAPIST AND LICENSED RECREATIONAL THERAPY ASSISTANTS	Amended Eff: March 1, 2016	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		21 NCAC 65 .0603	CHANGE OF ADDRESS OR NAME REQUIREMENTS FOR LICENSED RECREATIONAL THERAPIST AND LICENSED RECREATIONAL THERAPY ASSISTANT	Amended Eff: March 1, 2016	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .0700 - REINSTATEMENT	21 NCAC 65 .0701	REINSTATEMENT OF LAPSED LICENSE	Eff: December 1, 2006	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .0800 – INACTIVE STATUS	21 NCAC 65 .0801	INACTIVE STATUS	Amended Eff: March 1, 2016	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .0900 - RECIPROCITY	21 NCAC 65 .0901	ENDORSEMENT	Eff: December 1, 2006	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .1000 - REVOCATION, SUSPENSION OR DENIAL OF LICENSURE	21 NCAC 65 .1001	INVESTIGATIONS OF SUSPECTED VIOLATIONS AND COMPLAINTS	Amended October 1, 2017	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note

**Cara Gray's Comments Board reply is in Red**

**21 NCAC 65.0301 Minimum Level of Education and Competency for Licensed Recreation Therapists**

a. Should we state recreation(al) due to some programs including the (al) and some not? **None of the NC programs are just Recreation(al) that I am aware of.**

b. Only accredited programs are included? **Yes.**

c. Can clarification be provided on what counts for "Health & Human Services Coursework"? We all debate this.... **Too vast to list, we accept from 1000's of universities. I suppose we could broaden the definition. Never had a NC student that didn't have more than enough. The definition and examples on the application is: The courses that should be used to meet support content requirements are those that are useful to practice as a recreational therapist. For example, kinesiology or biomechanics, counseling or helping skills, motor learning, educational or cognitive psychology, psychology of adjustment, pharmacology, first aid and safety and courses in various aspects of health care (e.g. rehabilitation, mental health, legal aspects of health care, health care organization and delivery, etc.) are particularly helpful to the practice of recreational therapy in clinical settings and are recommended as support content courses. Courses such as Sociology, Rehabilitation, Medical Terminology, Gerontology, General Psychology, Special Education are nonexclusive recommendations.**

c.3.D. - can we change the passing grade to a "C" instead of "D" or is this just standardization? **Some schools, I believe UNCW is one that allows Pass/Fail for Internship so we must accept "D" as it is passing. If that has changed, the Board has always wanted "C".**

**21 NCAC 65.0401 Application procedures for licensed recreational therapists and licensed recreational therapist assistant**

d. "The Board shall notify the applicant in writing if the applicant is ineligible for licensure" -- should we provide more clarification here, for example, will it be noted why they are ineligible/what criteria was not met for licensure? **Yes, they receive denial letter listing the reason they are denied and how they can correct. Application remain open for 1 year for correction.**

**Endorsements** - in general, I do not understand this. I am happy to schedule a phone meeting to discuss this, as it may be easier than an email explanation. I just want to know what this means for our profession and our practice.

**Endorsement is reciprocity for those licensed in other states. Must be substantially equivalent or we could be holding NC residents to a higher standard so must be at minimum the same. I'll be happy to call her and discuss.**

It would be appropriate to begin adopting the language approved by ATRA and CTRA wherein therapeutic recreation is the field, recreational therapy is the practice, and recreational therapists are the practitioners. This would then be used throughout the entire document; there are several places wherein the language is inconsistent with these three terms.

We cannot change terminology in the law unless through legislative amendment and now is not the time to consider going back to the General Assembly.

Per our conversation regarding our curriculum change, this should include a clause that states that these additional health and human services courses may also be in recreational therapy as long as they go above and beyond the six required for practice and three required for support coursework.

Recreational Therapy is a Health and Human services so redundant to make that statement. NCBRTL has always accept RT courses as H&HS courses. Impossible to list all possibilities for all universities titles of H&HS courses. Ex. Are given. The courses that should be used to meet support content requirements are those that are useful to practice as a recreational therapist. For example, kinesiology or biomechanics, counseling or helping skills, motor learning, educational or cognitive psychology, psychology of adjustment, pharmacology, first aid and safety and courses in various aspects of health care (e.g. rehabilitation, mental health, legal aspects of health care, health care organization and delivery, etc.) are particularly helpful to the practice of recreational therapy in clinical settings and are recommended as support content courses. Courses such as Sociology, Rehabilitation, Medical Terminology, Gerontology, General Psychology, Special Education are nonexclusive recommendations.

Do you want this expanded to reflect the entire set of knowledge areas for the job analysis? Yes

I would specify semester vs. quarter hours; there are still some universities out there on quarters. You do state semester hours under the section on supportive coursework. That was taken out several years ago NC Community College system uses semester. I can't remember the last qtr hour transcript we have received. Unaware of nay other two year RT programs in the US.

This will need to be changed to meet the increasing requirements from NCTRC. Perhaps but not necessarily so and will wait until it occurs because if NCBRTL puts in Rules then it has to be a current requirement..

Just for point of discussion, but not necessarily amendment of the rules at this point, has the Board considered accepting students from accredited PROGRAMS (vs. universities)? This would increase the level of competence for students practicing in state. I do see the reference to CARTE/ CAAHEP below. A NCBRTL will not pass something that would not accept a NC school.

There should also be a sentence that states that all students completing field placements outside of the state should be under supervisors with the appropriate credential for that state. State reciprocity is not listed as internship qualification, NCTRC Certification is.

Did this change? Aren't applications now being accepted/ reviewed on a rolling basis? Yes, so it will be a part of this Rule Update.

May want to specify that it is the Job Analysis Knowledge Areas. Individuals will sometimes confuse these with the Job Tasks.

Last I knew, ATRA is no longer following IACET guidelines. NCTRC, however, is completing pre-approval processes in other manners. I am unsure if you want to update this section to reflect the changes over the last three years. **Always a problem of accepting non accredited Continuing Ed, no one monitors the content nor the presenter but the issue continues but will take out IACET Accreditation portion**

I am not stating that the rule should be changed, but that NCBRTL consistently remind NCRTA and surrounding states of the requirements for this letter. **NCRTA, SRTS and TR div knows this, out of state is always educational curve. Practitioners should be responsible for asking for it, personal responsibility. NCBRTL always repeats requirements.**

I believe that payment should not be considered a compliance violation. There needs to be a way to fine individuals for late fees, and then after a second warning/ timeline have them been in a compliance violation. It is different to not have your continuing education completed rather than to forget to pay your fee. This should be rewritten.

**There is no fine for being late written in the law therefore we have no legal authority to issue one. There is no other avenue available for late or expired license except re-application. Expiration after missed due date means just that, License expires. So reapplying is only avenue. Reinstatement is available for 60 days past expiration. Again to change this would be Chapter 90C amendment through General Assembly. Too risky to lose the law completely at this time. NCBRTL only had Eight LRTs had to be Reinstated in 2017 and only two so far in 2018 so it is not a very large percentage of LRT who have to do this. Vast majority are compliant especially since Compliance and Ethics Training was established. Unfortunately, our LRTs are not so good about reading the stated requirements (presented with their license) and the 3 email notifications they receive.**