

CHAPTER 807
DISCIPLINE FOR OCCUPATIONAL THERAPISTS
AND OCCUPATIONAL THERAPY ASSISTANTS

[Prior to 3/6/02, see 645—201.10(272C)]

[Prior to 12/24/03, see 645—Ch 208]

[Prior to 9/18/24, see Professional Licensure Division[645] Ch 209]

Chapter rescission date pursuant to Iowa Code section 17A.7: 7/1/29

481—807.1(148B) Definitions.

“*Board*” means the board of physical and occupational therapy.

“*Discipline*” means any sanction the board may impose upon licensees.

“*Licensee*” means a person licensed to practice in Iowa pursuant to Iowa Code chapter 148A and 481—Chapters 804 through 808.

[ARC 7985C, IAB 5/15/24, effective 7/1/24; Editorial change: IAC Supplement 9/18/24]

481—807.2(272C) Grounds for discipline. The board may impose any of the disciplinary sanctions provided in 481—Chapter 504 when the board determines that any of the acts or offenses listed in that chapter or in Iowa Code section 147.55 have occurred:

807.2(1) Professional incompetency. Professional incompetency includes but is not limited to:

a. A substantial lack of knowledge or ability to discharge professional obligations within the scope of practice.

b. A substantial deviation from the standards of learning or skill ordinarily possessed and applied by other occupational therapists or occupational therapy assistants in the state of Iowa acting in the same or similar circumstances.

c. A failure to exercise the degree of care that is ordinarily exercised by the average occupational therapist or occupational therapy assistant acting in the same or similar circumstances.

d. Failure to conform to the minimal standard of acceptable and prevailing practice of the licensed occupational therapist or licensed occupational therapy assistant in this state.

e. Mental or physical inability reasonably related to and adversely affecting the licensee’s ability to practice in a safe and competent manner.

f. Being adjudged mentally incompetent by a court of competent jurisdiction.

807.2(2) Knowingly making misleading, deceptive, untrue or fraudulent representations in the practice of occupational therapy or engaging in unethical conduct or practice harmful or detrimental to the public. Proof of actual injury need not be established.

807.2(3) Violation of a regulation, rule or law of this state, another state, or the United States that relates to the practice of occupational therapy, including but not limited to the code of ethics found in rule 481—806.1(148B,272C).

807.2(4) Failure of a licensee or an applicant for licensure in this state to report any voluntary agreements restricting the individual’s practice of occupational therapy in another state, district, territory or country.

807.2(5) Knowingly aiding, assisting or advising a person to unlawfully practice occupational therapy.

807.2(6) Failure to report a change of name or address within 30 days after it occurs.

807.2(7) Representing oneself as a licensed occupational therapist or occupational therapy assistant when one’s license has been suspended or revoked, or when the license is on inactive status.

807.2(8) Repeated failure to comply with standard precautions for preventing transmission of infectious diseases as issued by the Centers for Disease Control and Prevention of the United States Department of Health and Human Services.

[ARC 7985C, IAB 5/15/24, effective 7/1/24; Editorial change: IAC Supplement 9/18/24]

These rules are intended to implement Iowa Code chapters 147, 148B and 272C.

[Filed 2/14/02, Notice 10/3/01—published 3/6/02, effective 4/10/02]

[Filed 11/26/03, Notice 9/17/03—published 12/24/03, effective 1/28/04]

[Filed 8/22/05, Notice 6/22/05—published 9/14/05, effective 10/19/05]
[Filed 11/19/05, Notice 9/14/05—published 12/21/05, effective 1/25/06]
[Filed 2/17/06, Notice 12/21/05—published 3/15/06, effective 4/19/06]
[Filed 11/30/07, Notice 9/26/07—published 12/19/07, effective 1/23/08]
[Filed 11/26/08, Notice 9/24/08—published 12/17/08, effective 1/21/09]
[Filed ARC 9328B (Notice ARC 9156B, IAB 10/20/10), IAB 1/12/11, effective 2/16/11]
[Filed ARC 0223C (Notice ARC 0134C, IAB 5/30/12), IAB 7/25/12, effective 8/29/12]
[Filed ARC 5758C (Notice ARC 5456C, IAB 2/24/21), IAB 7/14/21, effective 8/18/21]
[Filed ARC 7985C (Notice ARC 7552C, IAB 1/24/24), IAB 5/15/24, effective 7/1/24]
[Editorial change: IAC Supplement 9/18/24]