

**645—208.1(148B,272C) Code of ethics for occupational therapists and occupational therapy assistants.**

**208.1(1)** Occupational therapy. The practice of occupational therapy shall minimally consist of:

- a.* Interpreting all referrals;
- b.* Evaluating each patient;
- c.* Identifying and documenting individual patient's problems and goals;
- d.* Establishing and documenting a plan of care;
- e.* Providing appropriate treatment;
- f.* Determining the appropriate portions of the treatment program to be delegated to assistive personnel;
- g.* Appropriately supervising individuals as described in rule 645—206.8(272C);
- h.* Providing timely patient reevaluation;
- i.* Maintaining timely and adequate patient records of all occupational therapy activity and patient responses consistent with the standards found in rule 645—208.2(147).

**208.1(2)** An occupational therapist shall:

- a.* Not practice outside the scope of the license;
- b.* Inform a referring practitioner when any requested treatment procedure is inadvisable or contraindicated and shall refuse to carry out such orders;
- c.* Not continue treatment beyond the point of possible benefit to the patient or treat a patient more frequently than necessary to obtain maximum therapeutic effect;
- d.* Not directly or indirectly request, receive, or participate in the dividing, transferring, assigning, rebating, or refunding of an unearned fee;
- e.* Not profit by means of credit or other valuable consideration as an unearned commission, discount, or gratuity in connection with the furnishing of occupational therapy services;
- f.* Not obtain third-party payment through fraudulent means. Third-party payers include, but are not limited to, insurance companies and government reimbursement programs. Obtaining payment through fraudulent means includes, but is not limited to:
  - (1) Reporting incorrect treatment dates for the purpose of obtaining payment;
  - (2) Reporting charges for services not rendered;
  - (3) Incorrectly reporting services rendered for the purpose of obtaining payment which is greater than that to which the licensee is entitled; or
  - (4) Aiding a patient in fraudulently obtaining payment from a third-party payer;
- g.* Not exercise undue influence on patients to purchase equipment, products, or supplies from a company in which the occupational therapist owns stock or has any other direct or indirect financial interest;
- h.* Not permit another person to use the therapist's license for any purpose;
- i.* Not verbally or physically abuse a patient or client;
- j.* Not engage in sexual misconduct. Sexual misconduct includes the following:
  - (1) Engaging in or soliciting a sexual relationship, whether consensual or nonconsensual, with a patient or client;
  - (2) Making sexual advances, requesting sexual favors, or engaging in other verbal conduct or physical contact of a sexual nature with a patient or client;
- k.* Adequately supervise personnel in accordance with the standards for supervision found in rule 645—206.8(272C);
- l.* Assist in identifying a professionally qualified licensed practitioner to perform the service when the occupational therapist does not possess the skill to evaluate a patient, plan the treatment program, or carry out the treatment.

**208.1(3)** Occupational therapy assistants. An occupational therapy assistant shall:

- a.* Not practice outside the scope of the license;
- b.* Not exercise undue influence on patients to purchase equipment, products or supplies from a company in which the occupational therapy assistant owns stock or has any other direct or indirect financial interest;

- c.* Not directly or indirectly request, receive, or participate in the dividing, transferring, assigning, rebating, or refunding of an unearned fee;
- d.* Not obtain third-party payment through fraudulent means. Third-party payers include, but are not limited to, insurance companies and government reimbursement programs. Obtaining payment through fraudulent means includes, but is not limited to:
  - (1) Reporting incorrect treatment dates for the purpose of obtaining payment;
  - (2) Reporting charges for services not rendered;
  - (3) Incorrectly reporting services rendered for the purpose of obtaining payment which is greater than that to which the licensee is entitled; or
  - (4) Aiding a patient in fraudulently obtaining payment from a third-party payer;
- e.* Not permit another person to use the occupational therapist's or occupational therapy assistant's license for any purpose;
- f.* Not verbally or physically abuse a patient or client;
- g.* Not engage in sexual misconduct. Sexual misconduct includes the following:
  - (1) Engaging in or soliciting a sexual relationship, whether consensual or nonconsensual, with a patient or client; and
  - (2) Making sexual advances, requesting sexual favors, or engaging in other verbal conduct or physical contact of a sexual nature with a patient or client;
- h.* Work only when supervised by an occupational therapist and in accordance with rule 645—206.8(272C). If the available supervision does not meet the standards in rule 645—206.8(272C), the occupational therapy assistant shall refuse to administer treatment;
- i.* Inform the delegating occupational therapist when the occupational therapy assistant does not possess the skills or knowledge to perform the delegated tasks, and refuse to perform the delegated tasks;
- j.* Sign the occupational therapy treatment record to indicate that occupational therapy services were provided in accordance with the rules and regulations for practicing as an occupational therapist or occupational therapy assistant.