

Senate File 115 - Introduced

SENATE FILE _____
BY DVORSKY

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act establishing a recreational therapy board, requiring the
2 licensure of recreational therapists, and providing for fees
3 and penalties.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

5 TLSB 2088XS 83

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1 1 Section 1. Section 147.1, subsections 3 and 6, Code 2009,
1 2 are amended to read as follows:
1 3 3. "Licensed" or "certified", when applied to a physician
1 4 and surgeon, podiatric physician, osteopathic physician and
1 5 surgeon, physician assistant, psychologist, chiropractor,
1 6 nurse, dentist, dental hygienist, dental assistant,
1 7 optometrist, speech pathologist, audiologist, pharmacist,
1 8 physical therapist, physical therapist assistant, occupational
1 9 therapist, occupational therapy assistant, recreational
1 10 therapist, respiratory care practitioner, practitioner of
1 11 cosmetology arts and sciences, practitioner of barbering,
1 12 funeral director, dietitian, marital and family therapist,
1 13 mental health counselor, social worker, massage therapist,
1 14 athletic trainer, acupuncturist, nursing home administrator,
1 15 hearing aid dispenser, or sign language interpreter or
1 16 transliterator means a person licensed under this subtitle.

1 17 6. "Profession" means medicine and surgery, podiatry,
1 18 osteopathic medicine and surgery, practice as a physician
1 19 assistant, psychology, chiropractic, nursing, dentistry,
1 20 dental hygiene, dental assisting, optometry, speech pathology,
1 21 audiology, pharmacy, physical therapy, physical therapist
1 22 assisting, occupational therapy, occupational therapy
1 23 assisting, recreational therapy, respiratory care, cosmetology
1 24 arts and sciences, barbering, mortuary science, marital and
1 25 family therapy, mental health counseling, social work,
1 26 dietetics, massage therapy, athletic training, acupuncture,
1 27 nursing home administration, hearing aid dispensing, or sign
1 28 language interpreting or transliterating.

1 29 Sec. 2. Section 147.2, subsection 1, Code 2009, is amended
1 30 to read as follows:

1 31 1. A person shall not engage in the practice of medicine
1 32 and surgery, podiatry, osteopathic medicine and surgery,
1 33 psychology, chiropractic, physical therapy, physical therapist
1 34 assisting, nursing, dentistry, dental hygiene, dental
1 35 assisting, optometry, speech pathology, audiology,
2 1 occupational therapy, occupational therapy assisting,
2 2 recreational therapy, respiratory care, pharmacy, cosmetology
2 3 arts and sciences, barbering, social work, dietetics, marital
2 4 and family therapy or mental health counseling, massage
2 5 therapy, mortuary science, athletic training, acupuncture,
2 6 nursing home administration, hearing aid dispensing, or sign
2 7 language interpreting or transliterating, or shall not
2 8 practice as a physician assistant, unless the person has
2 9 obtained a license for that purpose from the board for the
2 10 profession.

2 11 Sec. 3. Section 147.13, Code 2009, is amended by adding
2 12 the following new subsection:

2 13 NEW SUBSECTION. 24. For recreational therapists, the
2 14 board of recreational therapy.

2 15 Sec. 4. Section 147.14, subsection 1, Code 2009, is
2 16 amended by adding the following new paragraph:

2 17 NEW PARAGRAPH. x. For recreational therapy, three

2 18 licensed recreational therapists who have engaged in the
2 19 practice of recreational therapy or therapeutic recreation in
2 20 Iowa for at least three years immediately preceding their
2 21 appointment to the board and two members who are not licensed
2 22 to practice recreational therapy and who shall represent the
2 23 general public.

2 24 Sec. 5. Section 147.74, Code 2009, is amended by adding
2 25 the following new subsection:

2 26 NEW SUBSECTION. 9A. A recreational therapist licensed
2 27 under chapter 148F may use the words "recreational therapist"
2 28 after the person's name or signify the same by the use of the
2 29 letters "R. T." after the person's name.

2 30 Sec. 6. NEW SECTION. 148F.1 TITLE AND PURPOSE.

2 31 This chapter may be cited and referred to as the
2 32 "Recreational Therapy Practice Act".
2 33 The purpose of this chapter is to provide for the
2 34 regulation of persons offering recreational therapy services
2 35 to the public in order to safeguard the public health, safety,
3 1 and welfare.

3 2 Sec. 7. NEW SECTION. 148F.2 DEFINITIONS.

3 3 As used in this chapter:

3 4 1. "Board" means the board of recreational therapy.
3 5 2. "Recreational therapy" means a treatment service
3 6 designed to restore, remediate, or rehabilitate a patient's or
3 7 client's level of functioning and independence in life
3 8 activities, or to reduce or eliminate the life activity
3 9 restrictions caused by an illness or disabling condition, with
3 10 the primary purpose being to provide recreational resources
3 11 and opportunities in order to improve health and well-being.
3 12 "Recreational therapy" includes all direct patient or client
3 13 services of assessment, planning, design, implementation,
3 14 evaluation, and documentation of specific interventions,
3 15 management, consultation, research, and education.

3 16 3. "Therapeutic recreation" means treatment services or
3 17 recreational therapy services provided to persons with
3 18 illnesses or disabling conditions.

3 19 Sec. 8. NEW SECTION. 148F.3 DUTIES OF THE BOARD.

3 20 The board shall administer this chapter. The board's
3 21 duties shall include but are not limited to the following:

3 22 1. Adoption of rules to administer this chapter, chapter
3 23 147, and chapter 272C with respect to the licensing of
3 24 recreational therapists.

3 25 2. Adoption of rules relating to professional conduct and
3 26 licensing and the establishment of ethical and professional
3 27 standards of practice.

3 28 3. Adoption of rules relating to the process and knowledge
3 29 base of recreational therapy as delineated in the national
3 30 council for therapeutic recreation certification job analysis
3 31 study, as adopted by the board in rule. The rules shall adopt
3 32 by reference the specific edition of the job analysis study
3 33 which is to be followed.

3 34 4. Acting on matters concerning licensure and the process
3 35 of applying for, granting, suspending, imposing supervisory or
4 1 probationary conditions upon, reinstating, revoking, or
4 2 renewing a license.

4 3 5. Establishing and collecting licensure fees as provided
4 4 in section 147.80.

4 5 6. Developing continuing education requirements as a
4 6 condition of license renewal.

4 7 7. Evaluating requirements for licensure in other states
4 8 to determine if reciprocity may be granted.

4 9 Sec. 9. NEW SECTION. 148F.4 PERSONS AND PRACTICES NOT
4 10 AFFECTED.

4 11 This chapter does not prevent or restrict the practice,
4 12 services, or activities of any of the following:

4 13 1. A person licensed in this state by any other law from
4 14 engaging in the profession or occupation for which the person
4 15 is licensed.

4 16 2. A person employed as a recreational therapist by the
4 17 government of the United States if that person provides
4 18 recreational therapy solely under the direction or control of
4 19 the organization by which the person is employed.

4 20 3. A person pursuing a course of study leading to a degree
4 21 or certificate in recreational therapy in an accredited or
4 22 approved educational program, if the activities and services
4 23 constitute a part of a supervised course of study and the
4 24 person is designated by a title which clearly indicates the
4 25 person's status as a student or trainee.

4 26 Sec. 10. NEW SECTION. 148F.5 REQUIREMENTS FOR LICENSURE
4 27 == TEMPORARY LICENSE.

4 28 1. An applicant applying for a license as a recreational

4 29 therapist must file a written application on forms provided by
4 30 the board, showing to the satisfaction of the board that the
4 31 applicant holds a current certification as a certified
4 32 therapeutic recreation specialist by the national council for
4 33 therapeutic recreation certification.

4 34 2. A person may qualify for a one-year, nonrenewable
4 35 temporary license if the person is eligible to sit for the
5 1 national council for therapeutic recreation certification
5 2 examination.

5 3 Sec. 11. Section 272C.1, subsection 6, Code 2009, is
5 4 amended by adding the following new paragraph:

5 5 NEW PARAGRAPH. af. The board of recreational therapy,
5 6 created pursuant to chapter 147.

5 7 Sec. 12. INITIAL BOARD. The initial members of the board
5 8 of recreational therapy shall be appointed to the following
5 9 terms:

5 10 1. Two recreational therapist members eligible for
5 11 licensure and one public member shall be appointed for a term
5 12 of two years.

5 13 2. One recreational therapist member eligible for
5 14 licensure and one public member shall be appointed for a term
5 15 of one year.

5 16 EXPLANATION

5 17 This bill creates new Code chapter 148F that requires the
5 18 licensure of recreational therapists. The bill provides for
5 19 the establishment of a five-member recreational therapy board
5 20 consisting of three members who are recreational therapists
5 21 and two members who represent the general public. The bill
5 22 provides for fees to fund the board and provides penalties for
5 23 violation of the practice requirement; those penalties are set
5 24 out for all health-related boards in Code chapters 147 and
5 25 272C. The board is similar in composition and
5 26 responsibilities to the other health-related licensing boards.

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