



Ninety-Ninth Legislature - First Session - 2005  
**Introducer's Statement of Intent**  
**LB 244**

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**Chairperson:** Jim Jensen  
**Committee:** Health and Human Services  
**Date of Hearing:** January 21, 2005

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

In 2004, the legislature adopted mandatory licensure for all Occupational Therapists who prior to that time, had voluntary licensure which had a very high rate of compliance. The occupational therapists in cooperation with Health and Human Services developed LB 941 that eventually was amended into LB 1005 and passed by the legislature in 2004.

Health and Human Services Regulation and Licensure began the process of draft regulations and interpreted the bill to require that regulations be in place before an occupational therapist could use physical agent modalities. Occupational therapists who had been using these modalities for a number of years would have to suspend this as part of their therapeutic regimen which would not only be detrimental to their patients care but to their practice as well.

LB 244 would grandfather in any person who was practicing as 1) an occupational therapist and administering physical agent modalities or (b) an occupational therapy assistant setting up and implementing superficial thermal agent modalities prior to July 16, 2004, may continue to administer such modalities until July 1, 2006.

**Principal Introducer:** \_\_\_\_\_  
**Senator Dennis Byars**