



New York State Occupational Therapy Association

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Memorandum of Support

Direct Access to Occupational Therapy

A.8889 by Assembly Member McDonald

This legislation amends section 7901 of the education law and section 5102 of the insurance law and allows patients up to twelve visits with an occupational therapist without a referral from a physician, nurse practitioner or other health care provider; provides that the occupational therapist inform the patient of certain potential insurance issues.

The New York State Occupational Therapy Association supports this legislation.

This legislation allows up to twelve licensed occupational therapy visits without a referral by a provider as long as the licensed occupational therapist has practiced occupational therapy on a full-time basis equivalent of not less than three years. In addition, the occupational therapist must provide written notice to each patient receiving treatment absent a referral from a provider that occupational therapy may not be covered by the patient's health care plan or insurer without such a referral and that such treatment may be a covered expense if rendered pursuant to a referral.

Direct access to occupational therapy allows the public to initiate rehabilitation in a timely manner which may address immediate safety issues such as falls or injury in the home or community. Direct access also avoids the cost of unnecessary medical appointments.

There is no evidence of a public safety concern regarding people having direct access to occupational therapy services. The public has had direct access to occupational therapy in over 32 states for many years without an incident. In addition, the public has had direct access to physical therapy services in New York for over twenty years without an incident.

NYSOTA urges the Assembly Higher Education Committee to report this bill out of committee.