



New York State Occupational Therapy Association

PO Box 533, Chester, New York 10918 (518) 301-9187 www.nysota.org legislation@nysota.org

Memorandum of Support

Workers' Compensation Services by Occupational Therapy Assistants and Physical Therapist Assistants

S.3969-B by Senator Kennedy A.3753-A by Assembly member Zebrowski

This legislation amends subdivision 1(e) of section 13-b of the Workers' Compensation Law to allow occupational therapy assistants and physical therapist assistants to provide treatment under the workers' compensation programs.

Currently the workers' compensation law only covers services by an occupational therapist. NYSOTA believes that this was an unfortunate oversight when section 13-b of the Workers' Compensation Law was drafted.

The services provided by occupational therapy assistants and physical therapist assistants are an integral part of the health care delivery system. In many health care settings, the therapy assistant is a greatly valued member of the rehabilitation team.

Occupational therapy assistants are a licensed profession in New York, and work under the supervision of an occupational therapist. They can contribute to the evaluation of the injured worker and collaborate with the supervising occupational therapist in developing a treatment plan and providing rehabilitation services that are focused on returning the injured worker to the job.

The utilization of therapy assistants helps reduce the over-all cost of services for providers and helps to stem shortages in rehabilitation personnel. Services provided by therapy assistants are already covered by Medicare, Medicaid and many private insurers. It makes sense to include Workers' Compensation coverage also.

Currently S.3969-B is at third reading in the Senate.

We urge the Senate and the Assembly to pass this legislation.