



Ohio Occupational Therapy Association
Testimony of Brenda George, MS, OTR/L
House Bill 491—Substitute Licensure

Chairwoman Lehner, Vice Chair Huffman, Ranking Member Sykes, and members of the Senate Education Committee, thank you for the opportunity to provide testimony on House Bill 491. My name is Brenda George and I am the Pediatric Special Interest Section Coordinator and a member of the Legislative Committee for the Ohio Occupational Therapy Association, (OOTA). I have been a school-based occupational therapist for over forty-two years, living and practicing in Fairfield County, Ohio.

I am here today to share some concerns regarding House Bill 491, which proposes to expand upon the current substitute license issued by the Ohio Department of Education, to include related services providers. I appreciate the recognition of the important matter of related service provider shortages by the bill sponsor and the members of this committee; however the proposal in HB 491 is not the right solution.

This proposed legislation purports to ease staffing shortages of related service providers, however, I would suggest that the type of the substitute license within this bill would contribute to workforce shortages. It is important to understand that the term “substitute” as used in this bill does not mean a temporary license to fill in for an existing related service provider who may be on medical leave. Instead, this license is being proposed as a way to ease long term staffing issues.

Current and Historical Workforce Issues

Workforce shortages of related services providers have been ongoing concerns for many professional provider groups and school districts, and have been the topic for several surveys and studies since the 1990s. Per Ohio Operating Standards 3301-51 and IDEA 2004, related services providers include occupational therapists, occupational therapy assistants, physical therapists, physical therapy assistants, speech-language pathologists, audiologists, nurses, school psychologists and social workers. The focus of related service providers is to implement *educationally relevant* services, which support a student’s access to and meaningful participation in their education.

Related services are a part of a school team with the responsibility to impact progress and achievement of measurable education outcomes. Studies and surveys typically have concluded that poor working conditions exist and significantly contribute to recruitment and retention issues at the local school level, leaving needed staff positions unfilled. Common adverse working conditions include excessive caseloads, ethical practice concerns and required documentation for service provision and claiming.

The impact of working conditions is further illustrated by ODE data. According to ODE data from 2017-18, of the 1574 Occupational Therapists with ODE Licenses who hold a pupil services license, slightly over 50% (894) are actively using this license to work in a school setting. Therefore, we currently have a pool of ODE licensed occupational therapy practitioners who could work in a school setting, but are choosing not to.

Early this year, ODE convened a Related Services Personnel Workgroup at the direction of the General Assembly to identify and evaluate causes and recommend sustainable solutions regarding workforce shortages impacting Ohio school districts. This workgroup's report is expected to be released early next year and will offer a comprehensive set of solutions to tackle the workforce shortage issue. As a member of this large, cross-discipline stakeholder workgroup, I have participated in presentations, discussions, projects and tasks, working collaboratively with each member to fulfill this charge. To date, offering related service providers a "substitute" license option has not been discussed as a solution to the workforce shortages.

Licensure Requirements

To work in an Ohio public school, occupational therapy practitioners must hold two licenses. Current ODE rules state that an occupational therapy provider must present evidence of a current license by the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board, in order to receive a pupil services license which is valid for five years. There are no additional educational requirements for occupational therapists and occupational therapy assistants to receive a pupil services license.

An Occupational Therapy License requires continuing education for renewal and this continuing education is to be relevant to the practitioner's current setting. This means that occupational therapy providers working in the school setting should take continuing education that strengthens their knowledge and skills for serving children with special needs. For those occupational therapists working in a skilled nursing facility, these practitioners would take continuing education courses that strengthen treatment skills for working in this long-term setting with an older adult population. Therefore, occupational therapists working in other settings would not have the skill set to provide educationally relevant services in a school setting.

Compare and Contrast Licensing Requirements

After considerable discussion and study of this proposed legislation, when compared to current licensing requirements, there are 2 differences for an occupational therapy provider. One is the cost of the license—a 5-year pupil services license costs \$75 more than a 5-year "substitute" license. It is difficult to understand that potential school

providers would be discouraged from practicing in a school setting because of the difference in licensure fee.

The second difference is that there is a high probability that an Occupational Therapist from a different practice setting obtaining a “substitute” license would not have the continuing education or background to effectively provide educationally relevant services to students with educational disabilities.

In Summary

From my understanding of and years of work with OOTA members, as well as from my own personal experience, it appears that practitioners choose to work in alternative settings due to concerns about adverse working conditions in school settings. This contributes to poor recruitment and retention, leading to workforce attrition. We do not believe the issue of recruitment is related to the cost of the pupil service license, and certainly not the \$75.00 difference that would eventually be realized by the “substitute” license applicant.

Related service provider shortages are a much larger issue for Ohio than what can be solved by offering a “substitute” license. As the proposed bill does not effectively address these broad, overarching factors, the passage of HB 491 would be unresponsive to the shortage issue, and therefore the bill is not necessary at this time. In addition, I would suggest that the “substitute” license could further negatively contribute to the current working conditions.

Recommendations

I recommend that this committee postpone any further consideration of HB 491 until ODE recommendations are finalized and presented to the General Assembly in 2019. There needs to be a thorough stakeholder discussion and understanding of the problems, and viable, effective solutions recommended. In the meantime, I am happy to support any Ohio school district in finding occupational therapy providers to fill in any service provider gaps.

Thank you for your time and consideration, and I would be happy to answer any questions you may have.

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