

Date of Hearing: April 25, 2018

ASSEMBLY COMMITTEE ON EDUCATION
Patrick O'Donnell, Chair
AB 2386 (Rubio) – As Amended April 10, 2018

SUBJECT: Services credentialing: services credential with a specialization in occupational therapy or physical therapy services

SUMMARY: Requires the Commission on Teacher Credentialing to convene a workgroup to develop a proposed services credential with a specialization in occupational therapy or physical therapy services. Specifically, **this bill:**

- 1) Requires the Commission on Teacher Credentialing (CTC) to convene a workgroup to develop a proposed services credential with a specialization in occupational therapy or physical therapy services.
- 2) Requires the workgroup to provide a report on the proposed credential to the Legislature, the Governor, and the Superintendent of Public Instruction (SPI) by January 1, 2020.
- 3) Requires that in developing the proposed services credential, the workgroup must consider all of the following:
 - a) The minimum requirements for the credential.
 - b) What experience may automatically qualify an occupational therapist or physical therapist to earn the credential.
 - c) Any additional specialized preparation necessary to qualify for the credential.
 - d) What options may be made available to occupational therapists and physical therapists with respect to obtaining a credential.
- 4) Requires that the workgroup membership includes all of the following:
 - a) A representative from the Occupational Therapy Association of California.
 - b) A representative from the California Physical Therapy Association.
 - c) A representative from a labor union representing certificated employees.
 - d) A representative from a labor union representing classified employees.
 - e) A school administrator.
 - f) At least two academic representatives from educational institutions that have occupational therapy or physical therapy degree programs.
 - g) A representative from the California Department of Education (CDE).

h) A representative from a special education local plan area (SELPA).

EXISTING LAW:

- 1) Specifies that the minimum requirements for a services credential with a specialization in health are:
 - a) Five years, or its equivalent, of college or university education, or five years of professional preparation approved by the commission;
 - b) Possession of a valid license, certificate, or registration, appropriate to the health service to be designated, issued by the California agency authorized by law to license, certificate, or register persons to practice that health service in California;
 - c) Such additional requirements as may be prescribed by the commission.

Authorizes the holder of a services credential with a specialization in health to perform, at all grade levels, the health service approved by the commission as designated on the credential. Services as an audiometrist, occupational therapist, or physical therapist are not deemed health services within the meaning of this section. (EC 44267)

- 2) Specifies that the minimum requirements for a services credential in a specialization in clinical or rehabilitative services are:
 - a) A baccalaureate degree or higher degree from an institution approved by the commission;
 - b) A fifth year, or its equivalent, of college or university education;
 - c) Such specialized and professional preparation as the commission may require.

Authorizes the holder of a services credential with a specialization in clinical or rehabilitative services to perform, at all grade levels, the service approved by the CTC as designated on the credential. Includes, but is not limited to, speech, language, and hearing services. (EC 44268)

- 3) Specifies that occupational therapy services encompass occupational therapy assessment, treatment, education of, and consultation with, individuals who have been referred for occupational therapy services subsequent to diagnosis of disease or disorder (or who are receiving occupational therapy services as part of an Individualized Education Plan (IEP) pursuant to the federal Individuals with Disabilities Education Act (IDEA). Occupational therapy assessment identifies performance abilities and limitations that are necessary for self-maintenance, learning, work, and other similar meaningful activities. Occupational therapy treatment is focused on developing, improving, or restoring functional daily living skills, compensating for and preventing dysfunction, or minimizing disability. (Business and Professions Code (BPC) 2570.2).
- 4) Specifies that physical therapy encompasses the physical or corrective treatment of any bodily or mental condition of any person by the use of the physical, chemical, and other properties of heat, light, water, electricity, sound, massage, and active, passive, and resistive

exercise, and shall include physical therapy evaluation, treatment planning, instruction and consultative services. The practice of physical therapy includes the promotion and maintenance of physical fitness to enhance the bodily movement related health and wellness of individuals through the use of physical therapy interventions (BPC 2620).

FISCAL EFFECT: Unknown.

COMMENTS: *Need for the bill.* According to the author, “under existing law, occupational therapists and physical therapists are one of the few remaining health care professions that work in the schools and are not credentialed by CTC. Due to absence of a preliminary credential, these healthcare professionals are ineligible for management, development, or leadership positions within their school districts.”

Therapy services being provided in schools today. According to the California Department of Education’s *Guidelines for Occupational Therapy and Physical Therapy in California Public Schools, 2012*, occupational therapists and physical therapists work with the educational team to support a child’s ability to gain access to the general education curriculum, meet state standards, participate in postsecondary education, and become functional independent citizens upon graduation.

In school-based practice, occupational therapists are health professionals whose purpose in a public school setting is to support a child’s engagement and participation in daily occupations, which include activities of daily living, education, prevocational work, play, rest, leisure, and social participation. Physical therapists are health professionals whose purpose is to correct, facilitate, or adapt the child’s functional performance in motor control and coordination, posture and balance, functional mobility, accessibility, and the use of assistive devices.

According to the Occupational Therapy Association of California, occupational therapy services have been provided to students in public schools since the 1970s. These services are mandated to be provided to students with special needs, under the IDEA. There are currently 16,000 occupational therapists licensed to practice in California and 3,000 or 20% of these are estimated to practice in school-based settings.

According to the California Physical Therapy Association, physical therapy services have been provided in schools since the 1970s and are mandated for students with special needs under IDEA. There are 22,000 physical therapy practitioners currently licensed in California and approximately 8% of these or over 1,700 practice in school-based settings.

Licensure requirements. In order to be licensed to practice in California, occupational therapists must have graduated from an accredited institution, pass the National Board for Certification in Occupational Therapy examination, and obtain a license through the California Board of Occupational Therapy. In order to be licensed as a physical therapist in California, physical therapists must earn a master’s degree from an accredited institution, and pass national and state licensure examinations. Both professions are required to earn continuing education units and meet professional and ethical standards to maintain licensure.

Role of the CTC. The CTC is an independent governmental entity that is responsible for accrediting educator credential preparation programs, issuing credentials and permits for service in California public schools, and administering credential discipline when necessary.

Current services credentials authorized by the CTC include:

- School administrators
- School nurses
- Teacher librarians
- School counselors
- School social workers
- School psychologists
- Speech language pathologists
- Audiologists
- Orientation and mobility specialists.

Occupational therapists and physical therapists do not currently have the opportunity to earn a credential in their field. This bill would require the CTC to convene a workgroup to develop a proposed services credential with a specialization in occupational therapy or physical therapy and to report to the Legislature by January 1, 2020.

Arguments in support. The Occupational Therapy Association of California and the California Physical Therapy Association state that a school credential will recognize the unique value of OTs and PTs and help to recruit, hire, and retain highly qualified therapists and open new opportunities comparable to other related service providers who are already credentialed by the Commission on Teacher Credentialing. OTs and PTs possess masters and doctoral level degrees, require supervised clinical experience, are licensed by the State of California, and are required to complete ongoing professional development to maintain licensure, and therefore are deserving of a credential status. A basic credential will create opportunities for these professionals to pursue advanced education leading to an administrative credential and allow them to engage in leadership roles such as Autism Coordinators, Program Specialists, Inclusion Specialists, or Transition Specialists.

Over 60 individuals, writing in support include practicing OTs and PTs as well as graduate students in OT and PT programs, note that allowing these professionals to pursue a credential will offer increased collaboration professionals within a leadership capacity as well as the option to advance professionally through the education system.

Arguments in opposition. The California School Employees Association (CSEA) opposes the bill as it requires the development of a service credential for OTs and PTs without an optional credential and they oppose any mandated credential. CSEA notes that some OTs and PTs currently working in schools do not want to be forced to have a credential to do the same work they are doing now. Some CSEA members have Bachelor's degrees and fear that they could receive a pay cut of \$20-30,000 per year if they are required to become credentialed and could face loss of their jobs. While some OTs and PTs want to remain as classified staff, there are others who do wish to have the opportunity to gain a service credential. CSEA does not believe

that all OTs and PTs want this career path and should not be forced to do so. They believe that an optional credential is the only fair solution. Finally, they note that the workgroup is not directed to consider OTs or PTs working in charter schools or for private contractors serving schools.

Committee amendments. In order to ensure a fair process, *committee staff recommends* that the bill be amended to require the workgroup, in developing the proposed services credential, consider whether such a credential is warranted.

The bill specifies the make-up of the workgroup, but does not allow for any discretion by CTC, of additional individuals to include on the workgroup. *Committee staff recommends* that the bill be amended to specify that the workgroup must include, but not be limited to, the specified individuals listed.

Prior legislation. AB 1087 (Irwin) of this Session requires the Commission on Teacher Credentialing to develop a services credential with a specialization in occupational therapy and physical therapy services. This bill was held in Assembly Education.

REGISTERED SUPPORT / OPPOSITION:

Support

California Physical Therapy Association
Occupational Therapy Association of California
Numerous individuals

Opposition

California School Employees Association

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