



HEALTH PROFESSIONS LICENSING AUTHORITY	
TITLE: Occupational Therapists Working in Positions Not Identified as 'Occupational Therapist' Policy Statement and Guidelines	
EFFECTIVE DATE: 21 August 2006	REVIEWED: August 2008
BOARD: Occupational Therapists Board of the Northern Territory	

Preamble

The following guidelines have been endorsed by the Council of Occupational Therapists Registration Boards (Australian and New Zealand) Inc (COTRB), for the purpose of clarifying whether or not, the practice of a person who holds a tertiary qualification in occupational therapy, falls within the scope of occupational therapy practice; and thus registration and a practising certificate are required.

The Occupational Therapists Board of the Northern Territory (the Board) recognises that some qualified occupational therapists work in positions, which, although not titled 'Occupational Therapist', use the body of knowledge and skills of an occupational therapist. The Board considers that this may constitute practising occupational therapy and provides the following guidance to employers, practitioners, the public and the Health Professions Licensing Authority to determine who is required to hold current registration.

SUPPORTING POLICIES / GUIDELINES

This policy should be read in conjunction with the following policies: 'Entitlement to Registration – Occupational Therapist'; 'Renewal Restoration Registration Enrolment and 'Recency of Practice'. Council of Occupational Therapists Registration Boards (COTRB), Policy 'Registration of Occupational Therapists Working in Positions not Identified as 'Occupational Therapist'.

Policy Statement

Persons using the title 'Occupational Therapist'; persons required to hold a tertiary qualification in occupational therapy to be eligible to hold a position; and persons directly providing occupational therapy services to clients/patients; are required to maintain current registration as occupational therapists to legally practice in the Northern Territory.

Legislative requirements.

The title 'Occupational Therapist' is reserved for individuals registered in that category.

Section 101 Offence to practise health care if unregistered;

- (1) A person must not –
 - (a) Carry out an act that by or under an Act is required to be carried out by a health practitioner; or

- (b) Carry out an act that by or under an Act is required to be carried out by a health practitioner holding a practising certificate, unless he or she is registered or enrolled and holds a practising certificate.

Penalty 500 penalty units¹

Section 103 False claims

Subsection (1) and Subsection (2) make it an offence for a person to hold themselves out or allow themselves to be held out as being registered or enrolled if they are not registered or enrolled and hold a current practising certificate.

Penalty 500 penalty units

Guidelines To Identification of Entitlement to Practice

Entitlements to practice requirements are listed on the Board's 'Entitlement to Registration – Occupational Therapists' policy.

The Board's 'Recency of Practice' policy requires a practitioner to have practised within the previous 5 years.

Current registration is required:

1. If the job title is 'occupational therapist';
2. For any position where the selection criteria stipulates that an occupational therapy qualification is an essential requirement;
3. If an occupational therapy qualification is listed as one of several required optional qualifications and occupational therapist obtains or occupies the position, and
4. In circumstances where the position's occupant signs correspondence, purports to provide an occupational therapy service, or otherwise depicts themselves as an occupational therapist, even if the job title or selection criteria do not suggest that the person requires an occupational therapy qualification.

¹ A penalty unit is a monetary sum as defined in the *Penalty Units Act 1999*.