

PENNSYLVANIA OCCUPATIONAL THERAPY ASSOCIATION

TESTIMONY

OF

MARY MUHLENHAUPT, OTD, OTR/L, FAOTA

HOUSE BILL 1438

TUESDAY, MARCH 22, 2016 9:00 A.M.

HOUSE PROFESSIONAL LICENSURE COMMITTEE

My name is Mary Muhlenhaupt, and I am the President of the Pennsylvania Occupational Therapy Association, which represents the interest of over 11,000 licensed occupational therapists and occupational therapy assistants in the Commonwealth of Pennsylvania.

Occupational Therapy is the only profession trained in the physical, psychological, cognitive, environmental and social impact of disease and disability. That is a technical way of saying that we study and treat all aspects of a person's ability to live and work in everyday life. In the face of a disease or injury, we study how a person's habits, routines, tasks, and lifestyle are affected. The overarching goal for occupational therapists is to allow a person once again participate in his or her life with dignity and meaning.

Many of you know someone who benefited from occupational therapy services. Perhaps this is a relative who learned modifications to complete dressing and other daily living skills following hip replacement surgery, or a neighbor's son with autism who is now able to complete his seatwork in the classroom and participate in special subjects such as art and music class.

Thank you for inviting the Pennsylvania Occupational Therapy Association to share our thoughts on House Bill 1438, which would establish a new licensing board for music therapists and to explain why we oppose this bill. In these times of difficult and protracted budget negotiations and looming government shutdowns both here in Pennsylvania and nationally, we believe that clear public need must be shown before the Department of State's Bureau of Professional Licensure and Occupational Affairs is expanded by adding another licensing board. We understand that certified music therapists can obtain licensure under the current State Board of Social Workers, Marriage and Family Therapists and Professional Counselors, making a separate board inefficient and unnecessarily costly. Since the State Board of Occupational Therapy Education and Licensure is a part of the Bureau of Professional Licensure and Occupational Affairs, we have a direct interest in its continued efficient functioning and funding. For example, not long ago, legislation we supported that included a very modest increase in the per diem reimbursement paid to members of our licensing board to attend meetings was vetoed by Governor Corbett because it increased the Bureau's budget, albeit less than a thousand dollars. We ask that the fiscal and operational health of the Department of State be protected by not adding a new licensing board. We ask that the legislature ensure the continuing functioning of the Department as it is currently constituted.

We understand that prior to the creation of a new licensing board, there must be a sunrise evaluation that analyzes: (1) the public need for the proposed board, (2) the potential harm to the public if the board is not created, (3) the costs associated with establishing the new board, and (4) whether the new board would infringe on the scope of practice of other licensed professions already operating in the Commonwealth. We urge that that a sunrise evaluation be undertaken and completed before the legislature considers enacting House Bill 1438.

On the issue of infringement, since House Bill 1438 would make it illegal for anyone to use music for therapeutic purposes without a license, it is imperative that any legislation establishing licensure for music therapists include explicit, unambiguous provisions stating that the act would not prevent an occupational therapist from performing therapy services involving music. We oppose the general savings clause contained in House Bill 1438 and would only support legislative language that explicitly references the Occupational Therapy Practice Act and exempts the services of licensed occupational therapists.

For these reasons, we oppose House Bill 1438. Thank you for giving the Pennsylvania Occupational Therapy Association the opportunity to speak to you today. Thank you for hearing and considering our testimony.