### **Burgos, Alexander N**

Subject: FW: [External] RE: NCBRTL Rules Submitted for July 2022 RRC Meeting

Attachments: 21 NCAC 65 .0301 Minimum Education and Competency Requirements for Licensed Recreational

Therapists (002).docx; 21 NCAC 65 .0501 Fees (002).docx; 21 NCAC 65 .0701 Reinstatement

(003).docx

From: Liebman, Brian R

**Sent:** Monday, July 11, 2022 4:54 PM **To:** becky ncbrtl.org < becky@ncbrtl.org >

Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>

Subject: RE: [External] RE: NCBRTL Rules Submitted for July 2022 RRC Meeting

Hi Becky,

I've edited all three for formatting, and I made a few edits to Rules .0301 and .0701 for clarity, as we discussed. In Rule .0301, all I did was change a few places where an acronym should be used, rather than the full name, and added the trademark symbol to "CTRS" as you instructed. In Rule .0701, I edited (a)(1) to make it more clear when the licensee has to complete a reinstatement application. Please review (particularly R. 0701, as I made a change to the grammar that I think makes it much clearer) and let me know if a) these are acceptable, and b) if I can send these on as final versions to Dana for filing.

Thanks! Brian

Brian Liebman
Counsel to the North Carolina Rules Review Commission
Office of Administrative Hearings
(984)236-1948
brian.liebman@oah.nc.gov

E-mail correspondence to and from this address may be subject to the North Carolina Public Records Law N.C.G.S. Chapter 132 and may be disclosed to third parties.

From: becky ncbrtl.org < becky@ncbrtl.org > Sent: Monday, July 11, 2022 2:41 PM

To: Liebman, Brian R <bri> Liebman@oah.nc.gov>

Subject: RE: [External] RE: NCBRTL Rules Submitted for July 2022 RRC Meeting

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Brian,

It was a pleasure talking with you. You certainly were a help. I think we both have a better understanding of the intent in these Rule changes.

Hopefully I have gotten these correct. Though, I am uncertain regarding the brackets so I would appreciate you double checking me on those.

Thanks so much,

### Becky

Becky Garrett, MS, LRT, CTRS, FDRT NCBRTL Executive Director PO Box 2655 Durham, NC 27715 336 212-1133 MON-THURS 8:30-4:30 Becky@ncbrtl.org www.ncbrtl.org

### **Burgos, Alexander N**

**Subject:** FW: [External] RE: NCBRTL Rules Submitted for July 2022 RRC Meeting

From: Liebman, Brian R <bri> Sprian.liebman@oah.nc.gov>

**Sent:** Monday, July 11, 2022 1:51 PM **To:** becky ncbrtl.org <becky@ncbrtl.org>

Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>

Subject: RE: [External] RE: NCBRTL Rules Submitted for July 2022 RRC Meeting

Hi Becky,

I'm sorry I missed your call. I think you're right, it'd be better to discuss over the phone. Are you available this afternoon?

Brian

Brian Liebman
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(984)236-1948
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From: becky ncbrtl.org < becky@ncbrtl.org > Sent: Monday, July 11, 2022 1:37 PM

To: Liebman, Brian R < brian.liebman@oah.nc.gov >

Subject: RE: [External] RE: NCBRTL Rules Submitted for July 2022 RRC Meeting

**CAUTION:** External email. Do not click links or open attachments unless you verify. Send all suspicious email as an attachment to Report Spam.

### Brian,

I just tried to call you to discuss some of your concerns but hopefully can explain via email. I have attached with changes but want to explain coursework in .0301 and language in .0701.

Becky

Rule .0301

In (c)(2), p.2, lines 4-5, the reference to "other supportive courses" is circular, as you're requiring health and human services coursework as part of the supportive coursework, and then define HHS coursework as including "...other supportive courses related to the practice of recreational therapy." Please correct/clarify your requirements.

:You were questioning shall include three semester hours of anatomy and physiology, three semester hours of abnormal psychology, three semester hours of human growth and development across the lifespan, and nine semester hours in the area of health and human services. Health and human services

coursework may include content in the areas of education, ethics, and other supportive courses related to the practice of recreational therapy.

I am uncertain how else to state the coursework requirements. The 3 hours in Anat. and Phys, 3 hours in abnormal Psych and 3 hours in Growth and Dev Across Life span and 9 additional hours in Health and Human services has been a requirement for many years and there are no proposed changes to those. Line 5&6, Health and Human Service is so broad, it would be impossible to list all of the possible courses that could relate to RT. Some RT students want to target their courses for a particular disability and this allows for that for example gerontology, aging etc. or may be physical rehab, or mental illness. These are the basic requirements they must meet to sit for the national exam. In .0701 in line (a) (1) the new language is only to assist our licensees in understanding they must submit either the Maintenance fees or the Renewal Fees plus the continuing education that they missed (the reason they are asking to be reinstated) some of our licensees were attempting to be reinstated without submitting Cont. ed. Trying to avoid keeping up the continuing education requirement. Many also did not understand their license expires without paying Maintenance Fees. So this was to reinforce both are required and Reinstatement is not a way to avoid them. Unfortunately, when our law was passed a bill write removed language in the Law concerning "maintenance" so all that is in the law is the fee. Amanda Reeder from OAH guided NCBRTL by statin then if the fee was not paid that would be noncompliance with the law and there fore license would not be valid. So in attempts to make this understood non submissions of Record Maintenance fee and Renewal with continuing education would be reasons licenses would expire and be the reason for Reinstatement.

I hope this clarifies your questions and concerns.

Becky Garrett, MS, LRT, CTRS, FDRT **NCBRTL Executive Director** PO Box 2655 Durham, NC 27715 336 212-1133 MON-THURS 8:30-4:30 Becky@ncbrtl.org www.ncbrtl.org

21 NCAC 65 .0301 IS AMENDED AS PUBLISHED WITH CHANGES IN 36:15 NCR 1316-18 AS FOLLOWS:

# 21 NCAC 65 .0301 MINIMUM LEVEL OF EDUCATION AND COMPETENCY FOR LICENSED RECREATIONAL THERAPIST

- (a) For the purposes of G.S. 90C-27(a), a candidate for licensure as a recreational therapist shall have graduated from an accredited college or university with a baccalaureate degree or higher and with a major or specialization in recreational therapy or therapeutic recreation. The academic major or specialization shall be verified by an official transcript.
- (b) For the purposes of this Rule, the following terms mean:
  - (1) An "academic major" is defined as a degree in recreational therapy or therapeutic recreation.
  - (2) A "specialization in recreational therapy or therapeutic recreation" is defined as a degree in recreation and leisure studies, or recreation, or health and physical education, or health and human performance with a specialization, also known as an option, emphasis, or concentration, in therapeutic recreation or recreational therapy.
  - (3) An "accredited college or university" is defined as a college or university accredited by an accreditation body recognized by the United States Department of Education or by the Committee on Accreditation of Recreational Therapy Education (CARTE) under the Commission of Accreditation of Allied Health Education (CAAHEP).
- (c) An academic major or specialization is defined by the following components:
- (1) Coursework for a degree or specialization in recreational therapy or therapeutic recreation shall reflect six\_courses, three hours per course in which the title, course description, and course outline reflects recreational therapy or therapeutic recreation content related to the "APIE Process" including Assessment/Evaluation Planning and Implementation and the Advancement of the Profession, "APIE(D) Process". Course titles may include Introduction or Foundations, Assessment, Planning, Implementation, Evaluation, Research, and Advancement of the Profession. Topics that should be addressed in classes should include Ethies, Standards of Practice, ethics, standards of practice, documentation. Recreational Therapy/Therapeutic Recreation coursework offered in North Carolina must be taught by a licensed recreational therapist (LRT) or out of state by a Certified Therapeutic Recreation Specialist (CTRS) by the National Council of Therapeutic Recreation Certification (NCTRC) https://www.nctrc.org/. For candidates for licensure who have passed the NCTRC examination and were certified by the National Council for Therapeutic Recreation Certification as a CTRSTM, a therapeutic recreation or recreational therapy content course taught is considered the same as a therapeutic recreation or recreational therapy content course taken.
  - "Supportive coursework" are courses, not including the recreational therapy or therapeutic recreation content courses, that provide knowledge necessary to develop the ability to practice recreational therapy or therapeutic recreation and are required for the major or specialization in recreational therapy or therapeutic recreation. Supportive courses provide knowledge about human development,

human functioning, health, health care and human services, illness and disabling conditions. courses. Supportive courses for a degree or specialization in recreational therapy or therapeutic recreation shall include three semester hours of anatomy and physiology, three semester hours of abnormal psychology, three semester hours of human growth and development across the lifespan, and nine semester hours in the area of health and human services. Health and human services coursework may include content in the areas of education, ethics, and other supportive courses related to the practice of recreational therapy.

- (3) In addition to the coursework required in Subparagraphs (c)(1) and (2) of this Rule, a field placement course shall be required for an academic major or specialization in therapeutic recreation or recreational therapy.
  - (A) A "field placement course," sometimes called an "internship course," is a course taken for college or university credit and shall require clinical education in an agency providing therapeutic recreation services to clients. The field placement or internship course shall meet the criteria for a field placement set forth by the NCTRC in the NCTRC Standards publication herein incorporated by reference including any subsequent amendments and editions. A copy of the NCTRC field placement requirements may be obtained at no cost on the National Council for Therapeutic Recreation Certification (NCTRC) website at: https://www.nctrc.org/wp-content/uploads/2017/09/InternshipInterruptionGuidelines.pdf
  - (B) A "university supervisor" of a field placement course is defined as the university faculty assigned to supervise the student and course from the university. If the university is in North Carolina, University university supervisors shall be licensed by the North Carolina Board of Recreational Therapy Licensure (NCBRTL) throughout the entire internship experience.
  - (C) An "agency supervisor" is the recreational therapist or therapeutic recreation specialist, in an agency providing therapeutic recreation or recreational therapy services to patients or clients, assigned to provide clinical supervision to the field placement student from the agency. Supervisors of students completing field placements in North Carolina shall be licensed by the North Carolina Board of Recreational Therapy Licensure (NCBRTL)

    NCBRTL throughout the entire internship experience.
  - (D) "Successful performance" in a field placement course is defined as a grade of D or Pass awarded by the university supervisor. "Successful performance from the agency supervisor" is defined by an overall rating of "Achieves Expectations" documented on the Clinical Performance Appraisal and Summary Reference Form, (CPASRF) that may be accessed at the Board's website, www.ncbrtl.org or by contacting the Board. The CPASRF includes the content and performance criteria from the ATRA SOP American Therapeutic Recreation Association Standards of Practice (ATRA SOP), as set forth in Rule .0203 of

1 this Chapter. The CPASRF is provided by the Board or at the Board's website 2 www.ncbrtl.org

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- (d) Candidates for licensure who have been certified as a Certified Therapeutic Recreation Specialist, (CTRSTM) by the National Council for Therapeutic Recreation Certification (NCTRC) a CTRS by NCTRC since 1990 and have completed all recreational therapy or therapeutic recreation content courses, and all support content course requirements, but have not completed an internship or field placement course cannot locate their internship supervisor, shall file an Internship Supervisor Location Appeals Form and shall be issued a license to practice as a recreational therapist if they verify a minimum of one year of successful performance as a recreational therapist or therapeutic recreation specialist during which time they were a — CTRS<sup>TM</sup> by the NCTRC. Successful work performance shall be verified to the NCBRTL on a CPASRF provided by NCBRTL. "Successful performance" is defined as an overall rating completed by the agency supervisor of "Achieves Expectations" on the CPASRF provided by the NCBRTL.
- (e) Successful passage of the NCTRC examination shall be determined by the NCTRC. Applicants for licensure shall submit evidence of successful passage of the NCTRC examination to the NCBRTL. Evidence of successful passage of the NCTRC examination shall be copy of his or her NCTRC certificate or a successful passage notification letter from NCTRC.

18 Authority 90C-22(2)(i); 90C-22(7); 90C-24(a)(13); 90C-27(a); History Note: 19 Temporary Adoption Eff. December 1, 2005; 20 Eff. June 1, 2006; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 21, 21 22 2018. Amended Eff. August 1, 2022; March 1, 2016; October 1, 2007; 23

1 21 NCAC 65 .0301 IS AMENDED WITH CHANGES AS PUBLISHED IN 36:15 NCR1316-18 AS FOLLOWS: 2 3 21 NCAC 65 .0501 LICENSURE FEES 4 (a) A cashier's check, money order, certified check, an employer's check, or online payment is acceptable for the 5 initial application licensure fees. 6 (b) Fees are nonrefundable and payable to the North Carolina Board of Recreational Therapy Licensure. A cashier's 7 check, money order, certified check, an employer's check, personal checks, or online payment shall be accepted 8 for payment of renewal fee and record maintenance fee. The processing fee for returned checks shall be the 9 maximum allowed by law. 10 (c) The Board shall collect the following fees: 11 (1) Initial Application for Licensure Fee 12 Licensed Recreational Therapist \$100.00 (A) 13 (B) Licensed Recreational Therapy Assistant \$50.00 14 (2) Licensure renewal fees (due every two years) 15 (A) Licensed Recreational Therapist <del>\$75.00</del> <u>\$85.00</u> (B) \$35.00 \$40.00 16 Licensed Recreational Therapy Assistant <del>\$35.00</del> \$45.00 17 (3) Inactive status 18 (4) Record Maintenance fee (due non- renewal year) 19 (A) Licensed Recreational Therapist 20 (B) Licensed Recreational Therapy Assistant 21 22 Authority G.S. 90C-24(a)(3); 90C-24(a)(10); 90C-28; History Note: 23 Temporary Adoption Eff. December 6, 2005; 24 Eff. December 1, 2006; Amended Eff. August 1, 2022, March 1, 2016; September 1, 2009; 25 26 Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 21, 27 2018. 28

1	21 NCAC 65 .0	701 IS AMENDED WITH CHANGES AS PUBLISHED IN 36:15 NCR1316-18 AS FOLLOWS:		
2				
3	21 NCAC 65 .0	7701 REINSTATEMENT OF LAPSED LICENSE		
4	(a) A recreation	nal therapist or a recreational therapy assistant whose license has lapsed and who desires reinstatement		
5	of that license s	hall:		
6	(1)	Complete a reinstatement application form provided by the Board with current contact and		
7		employment information provided by the Board within 60 days of expiration; expiration or missed		
8		submissions of Record Maintenance Fee or Renewal fee and Renewal application with continuing		
9		education that was previously submitted;		
10	(2)	Submit evidence of satisfaction of all court conditions resulting from any misdemeanor or felony		
11		conviction(s), if applicable;		
12	(3)	Submit evidence of meeting education and competency requirements pursuant to Rule .0301 or Rule		
13		.0302 as applicable at the time of-reinstatement application;		
14	(4)	Submit evidence of meeting continuing education requirements in accordance with Rule .0601; and		
15	(5)	Submit payment of application fee and any missed Renewal or Record Maintenance licensure fees.		
16	(b) Persons whose license is suspended for failure to renew must not practice recreational therapy and must not hold			
17	themselves out as licensed by the Board until they apply for and receive reinstatement of their license by the Board.			
18	(c) The Board s	hall inform the applicant in writing of the Board's decision within 30 days after the application deadline		
19	and the Board finds the complete application shows the requirements have been met.			
20				
21	History Note:	Authority G.S. 90C-24(a)(3); 90C-28; 90C-30;		
22		Temporary Adoption Eff. December 1, 2005;		
23		Eff. December 1, 2006;		
24		Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 21,		
25		2018;		
26		Amended Eff. August 1, 2022, March 1, 2020.		
27				

### **Burgos, Alexander N**

Subject: FW: [External] RE: NCBRTL Rules Submitted for July 2022 RRC Meeting

From: Liebman, Brian R <bri> Sprian.liebman@oah.nc.gov>

**Sent:** Monday, July 11, 2022 11:39 AM **To:** becky ncbrtl.org <br/>becky@ncbrtl.org>

Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>

Subject: RE: [External] RE: NCBRTL Rules Submitted for July 2022 RRC Meeting

Hi Becky,

Unfortunately, I am still seeing some issues here. To be clear, you only need to highlight any changes you've made to the Rule **after** you published it in the Register. I think you've highlighted all changes to the Rule, even the ones that were published. Also, I'm seeing changes that were made but are not underlined/struck through. For instance, in R .0301, you added "as a CTRS" after "certified" but didn't underline and highlight the addition. Also, if you're deleting text that was previously added in the published version of the Rule, you need to bracket that text, then strike through it. If you have questions about formatting, please call me and I can help you through it.

As to the substance of the Rules, I do not see that you've addressed many of my requests for Rules .0301, .0501, and .0701. In the absence of a change or at least an explanation showing why the existing language makes sense, I am considering recommending objection to all three rules for lack of clarity. I am copying the requests I still think need to be addressed below:

#### Rule .0301

In (c)(2), p.2, lines 4-5, the reference to "other supportive courses" is circular, as you're requiring health and human services coursework as part of the supportive coursework, and then define HHS coursework as including "...other supportive courses related to the practice of recreational therapy." Please correct/clarify your requirements.

#### Rule .0501

In (b), you state that the processing fee for returned checks "shall be the maximum allowed by law." What law are you referring to, because I didn't see this referenced in the statutes cited in the History Note. I'd either specify what law you mean in the body of the text, or add a citation to the History Note.

#### Rule .0701

In (a)(1), I think it would be clearer to say "...application form provided by the Board with current contact..."

In (a)(1), I do not understand what you're requiring in the new language. Particularly confusing is the last clause "and application with continuing education." Please revise to be more clear.

In (a)(3), you require the applicant to submit evidence of meeting education and competency requirements that were "applicable at the time of reinstatement". As the person is only applying for reinstatement, and has not yet been reinstated, do you mean to say at the time of application? Otherwise, please clarify your intent here.

In (a)(5), did you mean to say "...missed Renewal or <u>Record</u> Maintenance licensure fees"?

Thank you,

### Brian

Brian Liebman
Counsel to the North Carolina Rules Review Commission
Office of Administrative Hearings
(984)236-1948
<a href="mailto:brian.liebman@oah.nc.gov">brian.liebman@oah.nc.gov</a>

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### **Burgos, Alexander N**

**Subject:** FW: [External] RE: NCBRTL Rules Submitted for July 2022 RRC Meeting

Attachments: 21 NCAC 65 .0301 Form 400 Signed with scanned copy of dated Rule.0301.pdf; 21 NCAC 65 .0501

Fees Form 400 400 signed with copy of dated Rule .0501.pdf; 21 NCAC .701 Form 400 signed with dated Rule .0701.pdf; 21 NCAC 65 .0501 Fees.docx; 21 NCAC 65 .0701 Reinstatement.docx; 21 NCAC

65 .0301 Minimum Education and Competency Requirements for Licensed Recreational

Therapists.docx

From: becky ncbrtl.org < becky@ncbrtl.org > Sent: Monday, July 11, 2022 9:24 AM

To: Liebman, Brian R < brian.liebman@oah.nc.gov >

Subject: RE: [External] RE: NCBRTL Rules Submitted for July 2022 RRC Meeting

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### Good Morning Brain,

I am attaching corrected scanned signed Form 400 for 21 NCAC 65 .0301, .0501 and .0701 with dated copies of the Rules. I am also attaching word version of the Rules with changes.

Please let me know any additional corrections needed.

Thank-you, Becky

Becky Garrett, MS, LRT, CTRS, FDRT NCBRTL Executive Director PO Box 2655 Durham, NC 27715 336 212-1133 MON-THURS 8:30-4:30 Becky@ncbrtl.org www.ncbrtl.org

## SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: The NC Board of Recreational Th	
2. Rule citation & name (name not required for repeal): 21 COMPETENCY FOR LICENSED RECREATIONAL THERA	NCAC 65 .0301 MINIMUM LEVEL OF EDUCATION AND APIST
3. Action:  ADOPTION AMENDMENT REPEAL  4. Rule exempt from RRC review?  Yes. Cite authority:  No  6. Notice for Proposed Rule:  Notice Required Notice of Text published on: February 1, 2022 Link to Agency notice: www.ncbrtl.org	READOPTION REPEAL through READOPTION  5. Rule automatically subject to legislative review?  Yes. Cite authority:  No
Hearing on: Adoption by Agency on: April 21, 2022  Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
<ul> <li>Yes         Agency submitted request for consultation on:         Consultation not required. Cite authority:     </li> <li>No</li> </ul>	<ul> <li>□ This Rule was part of a combined analysis.</li> <li>□ State funds affected</li> <li>□ Local funds affected</li> <li>□ Substantial economic impact (≥\$1,000,000)</li> <li>□ Approved by OSBM</li> <li>⋈ No fiscal note required</li> </ul>
9A. What prompted this action? Check all that apply:  Agency Court order / cite: Federal statute / cite: Federal regulation / cite:  9B. Explain: Profession growth shows increase in require	☐ Legislation enacted by the General Assembly Cite Session Law: ☐ Petition for rule-making ☐ Other: ments
10. Rulemaking Coordinator: Becky Garrett	11. Signature of Agency Head* or Rule-making Coordinator:
Phone: 336212-1133 E-Mail: Becky@ncbrtl.org  Additional agency contact, if any: Phone: E-Mail:	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.  Typed Name: Becky Garrett Title: Executive Director
RRC AND Action taken:	D OAH USE ONLY
RRC extended period of review:  RRC determined substantial changes:  Withdrawn by agency Subject to Legislative Review Other:	

July 11, 2022

21 NCAC 65 .0301 IS AMENDED AS PUBLISHED IN 36:15 NCR 1316-18 AS FOLLOWS:

2 3

# 21 NCAC 65 .0301 MINIMUM LEVEL OF EDUCATION AND COMPETENCY FOR LICENSED RECREATIONAL THERAPIST

- (a) For the purposes of G.S. 90C-27(a), a candidate for licensure as a recreational therapist shall have graduated from an accredited college or university with a baccalaureate degree or higher and with a major or specialization in recreational therapy or therapeutic recreation. The academic major or specialization shall be verified by an official transcript.
- (b) For the purposes of this Rule, the following terms mean:
  - (1) An "academic major" is defined as a degree in recreational therapy or therapeutic recreation.
  - (2) A "specialization in recreational therapy or therapeutic recreation" is defined as a degree in recreation and leisure studies, or recreation, or health and physical education, or health and human performance with a specialization, also known as an option, emphasis, or concentration, in therapeutic recreation or recreational therapy.
  - (3) An "accredited college or university" is defined as a college or university accredited by an accreditation body recognized by the United States Department of Education or by the Committee on Accreditation of Recreational Therapy Education (CARTE) under the Commission of Accreditation of Allied Health Education (CAAHEP).
- (c) An academic major or specialization is defined by the following components:
  - Coursework for a degree or specialization in recreational therapy or therapeutic recreation shall reflect six\_courses, three hours per course in which the title, course description, and course outline reflects recreational therapy or therapeutic recreation content related to the "APIE Process" including Assessment/Evaluation Planning and Implementation and the Advancement of the Profession. "APIE(D) Process". Course titles may include Introduction or Foundations, Assessment, Planning, Implementation, Evaluation, Research, and Advancement of the Profession. Topics that should be addressed in classes should include ethics, standards of practice, documentation. Recreational Therapy/Therapeutic Recreation coursework offered in North Carolina must be taught by a licensed recreational therapist (LRT) or out of state by a Certified Therapeutic Recreation Specialist (CTRS) by the National Council of Therapeutic Recreation Certification (NCTRC) https://www.nctrc.org/. For candidates for licensure who have passed the NCTRC examination and were certified by the National Council for Therapeutic Recreation Certification as a CTRS, a therapeutic recreation or recreational therapy content course taught is considered the same as a therapeutic recreation or recreational therapy content course taken.
  - "Supportive coursework" are courses, not including the recreational therapy or therapeutic recreation content courses, that provide knowledge necessary to develop the ability to practice recreational therapy or therapeutic recreation and are required for the major or specialization in recreational therapy or therapeutic recreation. Supportive courses provide knowledge about human development,

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human functioning, health, health care and human services, illness and disabling conditions. courses. Supportive courses for a degree or specialization in recreational therapy or therapeutic recreation shall include three semester hours of anatomy and physiology, three semester hours of abnormal psychology, three semester hours of human growth and development across the lifespan, and nine semester hours in the area of health and human services. Health and human services coursework may include content in the areas of education, ethics, and other supportive courses related to the practice of recreational therapy.

- (3) In addition to the coursework required in Subparagraphs (c)(1) and (2) of this Rule, a field placement course shall be required for an academic major or specialization in therapeutic recreation or recreational therapy.
  - (A) A "field placement course," sometimes called an "internship course," is a course taken for college or university credit and shall require clinical education in an agency providing therapeutic recreation services to clients. The field placement or internship course shall meet the criteria for a field placement set forth by the NCTRC in the NCTRC Standards publication herein incorporated by reference including any subsequent amendments and editions. A copy of the NCTRC field placement requirements may be obtained at no cost on the National Council for Therapeutic Recreation Certification (NCTRC) website at: <a href="https://www.nctrc.org/wp-content/uploads/2017/09/InternshipInterruptionGuidelines.pdf">https://www.nctrc.org/wp-content/uploads/2017/09/InternshipInterruptionGuidelines.pdf</a>
  - (B) A "university supervisor" of a field placement course is defined as the university faculty assigned to supervise the student and course from the university. If the university is in North Carolina, university supervisors shall be licensed by the North Carolina Board of Recreational Therapy Licensure (NCBRTL) throughout the entire internship experience.
  - (C) An "agency supervisor" is the recreational therapist or therapeutic recreation specialist, in an agency providing therapeutic recreation or recreational therapy services to patients or clients, assigned to provide clinical supervision to the field placement student from the agency. Supervisors of students completing field placements in North Carolina shall be licensed by the North Carolina Board of Recreational Therapy Licensure (NCBRTL) NCBRTL throughout the entire internship experience.
  - (D) "Successful performance" in a field placement course is defined as a grade of D or Pass awarded by the university supervisor. "Successful performance from the agency supervisor" is defined by an overall rating of "Achieves Expectations" documented on the Clinical Performance Appraisal and Summary Reference Form, (CPASRF) that may be accessed at the Board's website, www.ncbrtl.org or by contacting the Board. The CPASRF includes the content and performance criteria from the ATRA SOP American Therapeutic Recreation Association Standards of Practice (ATRA SOP), as set forth in Rule .0203 of this Chapter. The CPASRF is provided by the Board or at the Board's website www.ncbrtl.org

- (d) Candidates for licensure who have been certified as a Certified Therapeutic Recreation Specialist, (CTRSTM) by the National Council for Therapeutic Recreation Certification (NCTRC) a CTRS by NCTRC since 1990 and have completed all recreational therapy or therapeutic recreation content courses, and all support content course requirements, but have not completed an internship or field placement course cannot locate their internship supervisor, shall file an Internship Supervisor Location Appeals Form and shall be issued a license to practice as a recreational therapist if they verify a minimum of one year of successful performance as a recreational therapist or therapeutic recreation specialist during which time they were a—CTRSTM by the NCTRC. Successful work performance shall be verified to the NCBRTL on a CPASRF provided by NCBRTL. "Successful performance" is defined as an overall rating completed by the agency supervisor of "Achieves Expectations" on the CPASRF provided by the NCBRTL.
  - (e) Successful passage of the NCTRC examination shall be determined by the NCTRC. Applicants for licensure shall submit evidence of successful passage of the NCTRC examination to the NCBRTL. Evidence of successful passage of the NCTRC examination shall be copy of his or her NCTRC certificate or a successful passage notification letter from NCTRC.

16 History Note:

Authority 90C-22(2)(i); 90C-22(7); 90C-24(a)(13); 90C-27(a);

Temporary Adoption Eff. December 1, 2005;

Eff. June 1, 2006;

19 Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 21,

20 2018.

21 Amended Eff. August 1, 2022; March 1, 2016; October 1, 2007;

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# 21 NCAC 65 .0301 MINIMUM LEVEL OF EDUCATION AND COMPETENCY FOR LICENSED RECREATIONAL THERAPIST

- (a) For the purposes of G.S. 90C-27(a), a candidate for licensure as a recreational therapist shall have graduated from an accredited college or university with a baccalaureate degree or higher and with a major or specialization in recreational therapy or therapeutic recreation. The academic major or specialization shall be verified by an official transcript.
- (b) For the purposes of this Rule, the following terms mean:
  - (1) An "academic major" is defined as a degree in recreational therapy or therapeutic recreation.
  - (2) A "specialization in recreational therapy or therapeutic recreation" is defined as a degree in recreation and leisure studies, or recreation, or health and physical education, or health and human performance with a specialization, also known as an option, emphasis, or concentration, in therapeutic recreation or recreational therapy.
  - (3) An "accredited college or university" is defined as a college or university accredited by an accreditation body recognized by the United States Department of Education or by the Committee on Accreditation of Recreational Therapy Education (CARTE) under the Commission of Accreditation of Allied Health Education (CAAHEP).
  - (c) An academic major or specialization is defined by the following components:
    - (1) Coursework for a degree or specialization in recreational therapy or therapeutic recreation shall reflect six\_courses, three hours per course in which the title, course description, and course outline reflects recreational therapy or therapeutic recreation content related to the "APIE Process" including Assessment/Evaluation Planning and Implementation and the Advancement of the Profession. "APIE(D) Process". Course titles may include Introduction or Foundations, Assessment, Planning, Implementation, Evaluation, Research, and Advancement of the Profession. Topics that should be addressed in classes should include ethics, standards of practice, documentation. Recreational Therapy/Therapeutic Recreation coursework offered in North Carolina must be taught by a licensed recreational therapist (LRT) or out of state by a Certification (NCTRC) https://www.nctrc.org/. For candidates for licensure who have passed the NCTRC examination and were certified by the National Council for Therapeutic Recreation Certification as a CTRS, a therapeutic recreation or recreational therapy content course taught is considered the same as a therapeutic recreation or recreational therapy content course taken.
    - "Supportive coursework" are courses, not including the recreational therapy or therapeutic recreation content courses, that provide knowledge necessary to develop the ability to practice recreational therapy or therapeutic recreation and are required for the major or specialization in recreational therapy or therapeutic recreation. Supportive courses provide knowledge about human development,

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human functioning, health, health care and human services, illness and disabling conditions: courses. Supportive courses for a degree or specialization in recreational therapy or therapeutic recreation shall include three semester hours of anatomy and physiology, three semester hours of abnormal psychology, three semester hours of human growth and development across the lifespan, and nine semester hours in the area of health and human services. Health and human services coursework may include content in the areas of education, ethics, and other supportive courses related to the practice of recreational therapy.

- (3) In addition to the coursework required in Subparagraphs (c)(1) and (2) of this Rule, a field placement course shall be required for an academic major or specialization in therapeutic recreation or recreational therapy.
  - (A) A "field placement course," sometimes called an "internship course," is a course taken for college or university credit and shall require clinical education in an agency providing therapeutic recreation services to clients. The field placement or internship course shall meet the criteria for a field placement set forth by the NCTRC in the NCTRC Standards publication herein incorporated by reference including any subsequent amendments and editions. A copy of the NCTRC field placement requirements may be obtained at no cost on the National Council for Therapeutic Recreation Certification (NCTRC) website at: <a href="https://www.nctrc.org/wp-content/uploads/2017/09/InternshipInterruptionGuidelines.pdf">https://www.nctrc.org/wp-content/uploads/2017/09/InternshipInterruptionGuidelines.pdf</a>
  - (B) A "university supervisor" of a field placement course is defined as the university faculty assigned to supervise the student and course from the university. If the university is in North Carolina, university supervisors shall be licensed by the North Carolina Board of Recreational Therapy Licensure (NCBRTL) throughout the entire internship experience.
  - (C) An "agency supervisor" is the recreational therapist or therapeutic recreation specialist, in an agency providing therapeutic recreation or recreational therapy services to patients or clients, assigned to provide clinical supervision to the field placement student from the agency. Supervisors of students completing field placements in North Carolina shall be licensed by the North Carolina Board of Recreational Therapy Licensure (NCBRTL) NCBRTL throughout the entire internship experience.
  - (D) "Successful performance" in a field placement course is defined as a grade of D or Pass awarded by the university supervisor. "Successful performance from the agency supervisor" is defined by an overall rating of "Achieves Expectations" documented on the Clinical Performance Appraisal and Summary Reference Form, (CPASRF) that may be accessed at the Board's website, www.ncbrtl.org or by contacting the Board. The CPASRF includes the content and performance criteria from the ATRA SOP American Therapeutic Recreation Association Standards of Practice (ATRA SOP), as set forth in Rule .0203 of this Chapter. The CPASRF is provided by the Board or at the Board's website www.ncbrtl.org

- (d) Candidates for licensure who have been certified as a Certified Therapeutic Recreation Specialist, (CTRSTM) by the National Council for Therapeutic Recreation Certification (NCTRC) a CTRS by NCTRC since 1990 and have completed all recreational therapy or therapeutic recreation content courses, and all support content course requirements, but have not completed an internship or field placement course cannot locate their internship supervisor, shall file an Internship Supervisor Location Appeals Form and shall be issued a license to practice as a recreational therapist if they verify a minimum of one year of successful performance as a recreational therapist or therapeutic recreation specialist during which time they were a CTRSTM by the NCTRC. Successful work performance shall be verified to the NCBRTL on a CPASRF provided by NCBRTL. "Successful performance" is defined as an overall rating completed by the agency supervisor of "Achieves Expectations" on the CPASRF provided by the NCBRTL.
  - (e) Successful passage of the NCTRC examination shall be determined by the NCTRC. Applicants for licensure shall submit evidence of successful passage of the NCTRC examination to the NCBRTL. Evidence of successful passage of the NCTRC examination shall be copy of his or her NCTRC certificate or a successful passage notification letter from NCTRC.

History Note: Authority 90C-22(2)(i); 90C-22(7); 90C-24(a)(13); 90C-27(a);

Temporary Adoption Eff. December 1, 2005;

18 Eff. June 1, 2006;

19 Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 21,

20 2018.

21 Amended Eff. August 1, 2022; March 1, 2016; October 1, 2007;

 21 NCAC 65 .0301 IS AMENDED AS PUBLISHED WITH CHANGES IN 36:15 NCR 1316-18 AS FOLLOWS:

# 21 NCAC 65 .0301 MINIMUM LEVEL OF EDUCATION AND COMPETENCY FOR LICENSED RECREATIONAL THERAPIST

- (a) For the purposes of G.S. 90C-27(a), a candidate for licensure as a recreational therapist shall have graduated from an accredited college or university with a baccalaureate degree or higher and with a major or specialization in recreational therapy or therapeutic recreation. The academic major or specialization shall be verified by an official transcript.
- (b) For the purposes of this Rule, the following terms mean:
  - (1) An "academic major" is defined as a degree in recreational therapy or therapeutic recreation.
  - (2) A "specialization in recreational therapy or therapeutic recreation" is defined as a degree in recreation and leisure studies, or recreation, or health and physical education, or health and human performance with a specialization, also known as an option, emphasis, or concentration, in therapeutic recreation or recreational therapy.
  - (3) An "accredited college or university" is defined as a college or university accredited by an accreditation body recognized by the United States Department of Education or by the Committee on Accreditation of Recreational Therapy Education (CARTE) under the Commission of Accreditation of Allied Health Education (CAAHEP).
- (c) An academic major or specialization is defined by the following components:
- (1) Coursework for a degree or specialization in recreational therapy or therapeutic recreation shall reflect six\_courses, three hours per course in which the title, course description, and course outline reflects recreational therapy or therapeutic recreation content related to the "APIE Process" including Assessment/Evaluation Planning and Implementation and the Advancement of the Profession. "APIE(D) Process". Course titles may include Introduction or Foundations, Assessment, Planning, Implementation, Evaluation, Research, and Advancement of the Profession. Topics that should be addressed in classes should include ethics, standards of practice, documentation. Recreational Therapy/Therapeutic Recreation coursework offered in North Carolina must be taught by a licensed recreational therapist (LRT) or out of state by a Certified Therapeutic Recreation Specialist (CTRS) by the National Council of Therapeutic Recreation Certification (NCTRC) https://www.nctrc.org/.

  For candidates for licensure who have passed the NCTRC examination and were certified by the National Council for Therapeutic Recreation Certification as a CTRS, a therapeutic recreation or recreational therapy content course taught is considered the same as a therapeutic recreation or recreational therapy content course taken.
  - "Supportive coursework" are courses, not including the recreational therapy or therapeutic recreation content courses, that provide knowledge necessary to develop the ability to practice recreational therapy or therapeutic recreation and are required for the major or specialization in recreational therapy or therapeutic recreation. Supportive courses provide knowledge about human development,

human functioning, health, health care and human services, illness and disabling conditions. courses. Supportive courses for a degree or specialization in recreational therapy or therapeutic recreation shall include three semester hours of anatomy and physiology, three semester hours of abnormal psychology, three semester hours of human growth and development across the lifespan, and nine semester hours in the area of health and human services. Health and human services coursework may include content in the areas of education, ethics, and other supportive courses related to the practice of recreational therapy.

- (3) In addition to the coursework required in Subparagraphs (c)(1) and (2) of this Rule, a field placement course shall be required for an academic major or specialization in therapeutic recreation or recreational therapy.
  - (A) A "field placement course," sometimes called an "internship course," is a course taken for college or university credit and shall require clinical education in an agency providing therapeutic recreation services to clients. The field placement or internship course shall meet the criteria for a field placement set forth by the NCTRC in the NCTRC Standards publication herein incorporated by reference including any subsequent amendments and editions. A copy of the NCTRC field placement requirements may be obtained at no cost on the National Council for Therapeutic Recreation Certification (NCTRC) website at: https://www.nctrc.org/wp-content/uploads/2017/09/InternshipInterruptionGuidelines.pdf
  - (B) A "university supervisor" of a field placement course is defined as the university faculty assigned to supervise the student and course from the university. If the university is in North Carolina, university supervisors shall be licensed by the North Carolina Board of Recreational Therapy Licensure (NCBRTL) throughout the entire internship experience.
  - (C) An "agency supervisor" is the recreational therapist or therapeutic recreation specialist, in an agency providing therapeutic recreation or recreational therapy services to patients or clients, assigned to provide clinical supervision to the field placement student from the agency. Supervisors of students completing field placements in North Carolina shall be licensed by the North Carolina Board of Recreational Therapy Licensure (NCBRTL)

    NCBRTL throughout the entire internship experience.
  - (D) "Successful performance" in a field placement course is defined as a grade of D or Pass awarded by the university supervisor. "Successful performance from the agency supervisor" is defined by an overall rating of "Achieves Expectations" documented on the Clinical Performance Appraisal and Summary Reference Form, (CPASRF) that may be accessed at the Board's website, www.ncbrtl.org or by contacting the Board. The CPASRF includes the content and performance criteria from the ATRA SOP American Therapeutic Recreation Association Standards of Practice (ATRA SOP), as set forth in Rule .0203 of this Chapter. The CPASRF is provided by the Board or at the Board's website www.ncbrtl.org

- (d) Candidates for licensure who have been certified as a Certified Therapeutic Recreation Specialist, (CTRSTM) by the National Council for Therapeutic Recreation Certification (NCTRC) a CTRS by NCTRC since 1990 and have completed all recreational therapy or therapeutic recreation content courses, and all support content course requirements, but have not completed an internship or field placement course cannot locate their internship supervisor, shall file an Internship Supervisor Location Appeals Form and shall be issued a license to practice as a recreational therapist if they verify a minimum of one year of successful performance as a recreational therapist or therapeutic recreation specialist during which time they were a—CTRSTM by the NCTRC. Successful work performance shall be verified to the NCBRTL on a CPASRF provided by NCBRTL. "Successful performance" is defined as an overall rating completed by the agency supervisor of "Achieves Expectations" on the CPASRF provided by the NCBRTL.
  - (e) Successful passage of the NCTRC examination shall be determined by the NCTRC. Applicants for licensure shall submit evidence of successful passage of the NCTRC examination to the NCBRTL. Evidence of successful passage of the NCTRC examination shall be copy of his or her NCTRC certificate or a successful passage notification letter from NCTRC.

16 History Note: Authority 90C-22(2)(i); 90C-22(7); 90C-24(a)(13); 90C-27(a);
17 Temporary Adoption Eff. December 1, 2005;
18 Eff. June 1, 2006;

19 Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 21, 20 2018.

21 Amended Eff. <u>August 1, 2022;</u> March 1, 2016; October 1, 2007;

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21 NCAC 65 .0301 IS AMENDED AS PUBLISHED WITH CHANGES IN 36:15 NCR 1316-18 AS FOLLOWS:

# 21 NCAC 65 .0301 MINIMUM LEVEL OF EDUCATION AND COMPETENCY FOR LICENSED RECREATIONAL THERAPIST

- (a) For the purposes of G.S. 90C-27(a), a candidate for licensure as a recreational therapist shall have graduated from an accredited college or university with a baccalaureate degree or higher and with a major or specialization in recreational therapy or therapeutic recreation. The academic major or specialization shall be verified by an official transcript.
- (b) For the purposes of this Rule, the following terms mean:
  - (1) An "academic major" is defined as a degree in recreational therapy or therapeutic recreation.
  - (2) A "specialization in recreational therapy or therapeutic recreation" is defined as a degree in recreation and leisure studies, or recreation, or health and physical education, or health and human performance with a specialization, also known as an option, emphasis, or concentration, in therapeutic recreation or recreational therapy.
  - (3) An "accredited college or university" is defined as a college or university accredited by an accreditation body recognized by the United States Department of Education or by the Committee on Accreditation of Recreational Therapy Education (CARTE) under the Commission of Accreditation of Allied Health Education (CAAHEP).
- (c) An academic major or specialization is defined by the following components:
- (1) Coursework for a degree or specialization in recreational therapy or therapeutic recreation shall reflect six\_courses, three hours per course in which the title, course description, and course outline reflects recreational therapy or therapeutic recreation content related to the "APIE Process" including Assessment/Evaluation Planning and Implementation and the Advancement of the Profession. "APIE(D) Process". Course titles may include Introduction or Foundations, Assessment, Planning, Implementation, Evaluation, Research, and Advancement of the Profession. Topics that should be addressed in classes should include ethics, standards of practice, documentation. Recreational Therapy/Therapeutic Recreation coursework offered in North Carolina must be taught by a licensed recreational therapist (LRT) or out of state by a Certified Therapeutic Recreation Specialist (CTRS) by the National Council of Therapeutic Recreation Certification (NCTRC) https://www.nctrc.org/.

  For candidates for licensure who have passed the NCTRC examination and were certified by the National Council for Therapeutic Recreation Certification as a CTRS, a therapeutic recreation or recreational therapy content course taught is considered the same as a therapeutic recreation or recreational therapy content course taken.
  - "Supportive coursework" are courses, not including the recreational therapy or therapeutic recreation content courses, that provide knowledge necessary to develop the ability to practice recreational therapy or therapeutic recreation and are required for the major or specialization in recreational therapy or therapeutic recreation. Supportive courses provide knowledge about human development,

human functioning, health, health care and human services, illness and disabling conditions. courses. Supportive courses for a degree or specialization in recreational therapy or therapeutic recreation shall include three semester hours of anatomy and physiology, three semester hours of abnormal psychology, three semester hours of human growth and development across the lifespan, and nine semester hours in the area of health and human services. Health and human services coursework may include content in the areas of education, ethics, and other supportive courses related to the practice of recreational therapy.

- (3) In addition to the coursework required in Subparagraphs (c)(1) and (2) of this Rule, a field placement course shall be required for an academic major or specialization in therapeutic recreation or recreational therapy.
  - (A) A "field placement course," sometimes called an "internship course," is a course taken for college or university credit and shall require clinical education in an agency providing therapeutic recreation services to clients. The field placement or internship course shall meet the criteria for a field placement set forth by the NCTRC in the NCTRC Standards publication herein incorporated by reference including any subsequent amendments and editions. A copy of the NCTRC field placement requirements may be obtained at no cost on the National Council for Therapeutic Recreation Certification (NCTRC) website at: https://www.nctrc.org/wp-content/uploads/2017/09/InternshipInterruptionGuidelines.pdf
  - (B) A "university supervisor" of a field placement course is defined as the university faculty assigned to supervise the student and course from the university. If the university is in North Carolina, university supervisors shall be licensed by the North Carolina Board of Recreational Therapy Licensure (NCBRTL) throughout the entire internship experience.
  - (C) An "agency supervisor" is the recreational therapist or therapeutic recreation specialist, in an agency providing therapeutic recreation or recreational therapy services to patients or clients, assigned to provide clinical supervision to the field placement student from the agency. Supervisors of students completing field placements in North Carolina shall be licensed by the North Carolina Board of Recreational Therapy Licensure (NCBRTL)

    NCBRTL throughout the entire internship experience.
  - (D) "Successful performance" in a field placement course is defined as a grade of D or Pass awarded by the university supervisor. "Successful performance from the agency supervisor" is defined by an overall rating of "Achieves Expectations" documented on the Clinical Performance Appraisal and Summary Reference Form, (CPASRF) that may be accessed at the Board's website, www.ncbrtl.org or by contacting the Board. The CPASRF includes the content and performance criteria from the ATRA SOP American Therapeutic Recreation Association Standards of Practice (ATRA SOP), as set forth in Rule .0203 of this Chapter. The CPASRF is provided by the Board or at the Board's website www.ncbrtl.org

- (d) Candidates for licensure who have been certified as a Certified Therapeutic Recreation Specialist, (CTRSTM) by the National Council for Therapeutic Recreation Certification (NCTRC) a CTRS by NCTRC since 1990 and have completed all recreational therapy or therapeutic recreation content courses, and all support content course requirements, but have not completed an internship or field placement course cannot locate their internship supervisor, shall file an Internship Supervisor Location Appeals Form and shall be issued a license to practice as a recreational therapist if they verify a minimum of one year of successful performance as a recreational therapist or therapeutic recreation specialist during which time they were a—CTRSTM by the NCTRC. Successful work performance shall be verified to the NCBRTL on a CPASRF provided by NCBRTL. "Successful performance" is defined as an overall rating completed by the agency supervisor of "Achieves Expectations" on the CPASRF provided by the NCBRTL.
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16 History Note: Authority 90C-22(2)(i); 90C-22(7); 90C-24(a)(13); 90C-27(a);
17 Temporary Adoption Eff. December 1, 2005;
18 Eff. June 1, 2006;

19 Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 21, 20 2018.

21 Amended Eff. <u>August 1, 2022;</u> March 1, 2016; October 1, 2007;

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## SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: The NC Board of Recreational T	Therapy Licensure					
2. Rule citation & name (name not required for repeal): 2						
3. Action:						
ADOPTION AMENDMENT REPEAL	READOPTION REPEAL through READOPTION					
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?					
Yes. Cite authority:	☐ Yes. Cite authority:					
No No No						
6. Notice for Proposed Rule:						
<ul> <li>Notice Required</li> <li>Notice of Text published on: December 15, 2021</li> <li>Link to Agency notice: www.ncbrtl.org</li> <li>Hearing on: Jan 14, 2022</li> <li>Adoption by Agency on: February 17, 2022</li> <li>Notice not required under G.S.:</li> <li>Adoption by Agency on:</li> </ul>						
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.					
⊠ Yes	☐ This Rule was part of a combined analysis.					
Agency submitted request for consultation on:	D State Condenses of					
11/29/2021	State funds affected Local funds affected					
Consultation not required. Cite authority:	☐ Substantial economic impact (≥\$1,000,000)					
	Approved by OSBM					
□ No	No fiscal note required					
	☐ Legislation enacted by the General Assembly Cite Session Law: ☐ Petition for rule-making ☐ Other:					
10. Rulemaking Coordinator: Becky Garrett	11. Signature of Agency Head* or Rule-making Coordinator:					
Phone: 336212-1133	P.10 11					
E-Mail: Becky@ncbrtl.org	Dichy garrett					
	*If this function has been delegated (reassigned) pursuant to					
Additional agency contact, if any:	G.S. 143B-10(a), submit a copy of the delegation with this form.					
Phone:	Toward Names Books Commett					
E-Mail:	Typed Name: Becky Garrett Title: Executive Director					
RRC A	ND OAH USE ONLY					
Action taken:						
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:						

1 21 NCAC 65 .0301 IS AMENDED WITH CHANGES AS PUBLISHED IN 36:15 NCR1316-18 AS FOLLOWS:

2 3 21 NCAC 65 .0501 LIC

LICENSURE FEES

- 4 (a) A cashier's check, money order, certified check, an employer's check, or online payment is acceptable for the 5 initial application licensure fees.
- (b) Fees are nonrefundable and payable to the North Carolina Board of Recreational Therapy Licensure. A cashier's check, money order, certified check, an employer's check, personal checks, or online payment shall be accepted for payment of renewal fee and record maintenance fee. The processing fee for returned checks shall be the maximum allowed by law.
- 10 (c) The Board shall collect the following fees:

11	(1)	Initial Application for Licensure Fee		
12		(A)	Licensed Recreational Therapist	\$100.00
13		(B)	Licensed Recreational Therapy Assistant	\$50.00
14	(2)	Licens	sure renewal fees (due every two years)	
15		(A)	Licensed Recreational Therapist	<del>\$75.00</del> <u>\$85.00</u>

16		(B)	Licensed Recreational Therapy Assistant	\$35.00 <u>\$40.00</u>
17	(3)	Inacti	ve status	\$35.00 \$45.00

18 (4). Record Maintenance fee (due non- renewal year)

19 (A) Licensed Recreational Therapist \$75.00 \subseteq 80.00

20 (B) Licensed Recreational Therapy Assistant \$35.00 \subseteq 40.00

Authority G.S. 90C-24(a)(3); 90C-24(a)(10); 90C-28;

21 (B) Electised Recreational Therapy Assistant 355.00

23 Temporary Adoption Eff. December 6, 2005;

24 Eff. December 1, 2006;

25 Amended Eff. <u>August 1, 2022,</u> March 1, 2016; September 1, 2009;

26 Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 21,

27 2018.

History Note:

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#### 1 21 NCAC 65 .0301 IS AMENDED WITH CHANGES AS PUBLISHED IN 36:15 NCR1316-18 AS FOLLOWS:

#### 21 NCAC 65 .0501 LICENSURE FEES

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- (a) A cashier's check, money order, certified check, an employer's check, or online payment is acceptable for the 4 5 initial application licensure fees.
- (b) Fees are nonrefundable and payable to the North Carolina Board of Recreational Therapy Licensure. A cashier's 6 check, money order, certified check, an employer's check, personal checks, or online payment shall be accepted 7 for payment of renewal fee and record maintenance fee. The processing fee for returned checks shall be the 8 9 maximum allowed by law.
  - (c) The Board shall collect the following fees:

11	(1)	Initial Application for Licensure Fee		
12		(A)	Licensed Recreational Therapist	\$100.00
13		(B)	Licensed Recreational Therapy Assistant	\$50.00

(B) Licensed Recreational Therapy Assistant \$50.00

(2) Licensure renewal fees (due every two years) (A) Licensed Recreational Therapist \$75.00 \$85.00

> Licensed Recreational Therapy Assistant (B) \$35.00 \$40.00 Inactive status \$35.00 \$45.00

(4) Record Maintenance fee (due non-renewal year)

(A) Licensed Recreational Therapist \$75.00 \$80.00

> (B) Licensed Recreational Therapy Assistant \$35.00 \$40.00

22 History Note: Authority G.S. 90C-24(a)(3); 90C-24(a)(10); 90C-28;

Temporary Adoption Eff. December 6, 2005;

24 Eff. December 1, 2006;

25 Amended Eff. August 1, 2022, March 1, 2016; September 1, 2009;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 21,

27 2018.

(3)

1 21 NCAC 65 .0301 IS AMENDED WITH CHANGES AS PUBLISHED IN 36:15 NCR1316-18 AS FOLLOWS: 2 3 21 NCAC 65 .0501 LICENSURE FEES 4 (a) A cashier's check, money order, certified check, an employer's check, or online payment is acceptable for the 5 initial application licensure fees. 6 (b) Fees are nonrefundable and payable to the North Carolina Board of Recreational Therapy Licensure. A cashier's 7 check, money order, certified check, an employer's check, personal checks, or online payment shall be accepted 8 for payment of renewal fee and record maintenance fee. The processing fee for returned checks shall be the 9 maximum allowed by law. 10 (c) The Board shall collect the following fees: 11 (1) Initial Application for Licensure Fee 12 Licensed Recreational Therapist \$100.00 (A) 13 (B) Licensed Recreational Therapy Assistant \$50.00 14 (2) Licensure renewal fees (due every two years) 15 (A) Licensed Recreational Therapist <del>\$75.00</del> <u>\$85.00</u> (B) \$35.00 \$40.00 16 Licensed Recreational Therapy Assistant <del>\$35.00</del> \$45.00 17 (3) Inactive status 18 (4) Record Maintenance fee (due non- renewal year) 19 (A) Licensed Recreational Therapist <del>75.00</del> <u>\$80.00</u> 20 (B) Licensed Recreational Therapy Assistant 21 22 Authority G.S. 90C-24(a)(3); 90C-24(a)(10); 90C-28; History Note: 23 Temporary Adoption Eff. December 6, 2005; 24 Eff. December 1, 2006; Amended Eff. August 1, 2022, March 1, 2016; September 1, 2009; 25 26 Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 21,

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2018.

## SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: The NC Board of Recreational Th	nerapy Licensure
2. RULE CITATION & NAME (NAME NOT REQUIRED OF LAPSED LICENSE	FOR REPEAL): 21 NCAC 65 .0701 REINSTATEMENT
3. Action:  ADOPTION AMENDMENT REPEAL  4. Rule exempt from RRC review?  Yes. Cite authority:  No  6. Notice for Proposed Rule:	READOPTION REPEAL through READOPTION  5. Rule automatically subject to legislative review?  Yes. Cite authority:  No
<ul> <li>Notice Required         Notice of Text published on: December 15, 2021         Link to Agency notice: www.ncbrtl.org         Hearing on: Jan 14, 2022         Adoption by Agency on: February 17, 2022     </li> <li>Notice not required under G.S.:         Adoption by Agency on:     </li> </ul>	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
<ul> <li>Yes         Agency submitted request for consultation on:         Consultation not required. Cite authority:     </li> <li>No</li> </ul>	<ul> <li>□ This Rule was part of a combined analysis.</li> <li>□ State funds affected</li> <li>□ Local funds affected</li> <li>□ Substantial economic impact (≥\$1,000,000)</li> <li>□ Approved by OSBM</li> <li>⋈ No fiscal note required</li> </ul>
9A. What prompted this action? Check all that apply:  Agency Court order / cite: Federal statute / cite: Federal regulation / cite:  9B. Explain: Clarification of when Reinstatement is allow	☐ Legislation enacted by the General Assembly Cite Session Law: ☐ Petition for rule-making ☐ Other: ed
10. Rulemaking Coordinator: Becky Garrett  Phone: 336212-1133 E-Mail: Becky@ncbrtl.org  Additional agency contact, if any: Phone: E-Mail:	11. Signature of Agency Head* or Rule-making Coordinator:  Becly January  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.  Typed Name: Becky Garrett Title: Executive Director
RRC ANI	O OAH USE ONLY
Action taken:  RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:	

1	21 NCAC 65 .07	701 IS AMENDED WITH CHANGES AS PUBLISHED IN 36:15 NCR1316-18 AS FOLLOWS:
2		
3	21 NCAC 65 .0	701 REINSTATEMENT OF LAPSED LICENSE
4	(a) A recreation	al therapist or a recreational therapy assistant whose license has lapsed and who desires reinstatement
5	of that license sh	nall:
6	(1)	Complete a reinstatement application form with current contact and employment information
7		provided by the Board within 60 days of expiration; expiration or missed submissions of Record
8		Maintenance Fee or Renewal fee and application with continuing education;
9	(2)	Submit evidence of satisfaction of all court conditions resulting from any misdemeanor or felony
0		conviction(s), if applicable;
11	(3)	Submit evidence of meeting education and competency requirements pursuant to Rule .0301 or Rule
12		.0302 as applicable at the time of reinstatement;
L3	(4)	Submit evidence of meeting continuing education requirements in accordance with Rule .0601; and
14	(5)	Submit payment of application fee and any missed Renewal or Maintenance licensure fees.
15	(b) Persons wh	ose license is suspended for failure to renew must not practice recreational therapy and must not hold
16	themselves out	as licensed by the Board until they apply for and receive reinstatement of their license by the Board.
17	(c) The Board s	hall inform the applicant in writing of the Board's decision within 30 days after the application deadline
18	and the Board f	inds the complete application shows the requirements have been met.
19		
20	History Note:	Authority G.S. 90C-24(a)(3); 90C-28; 90C-30;
21		Temporary Adoption Eff. December 1, 2005;
22		Eff. December 1, 2006;
23		Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 21,
24		2018;
25		Amended Eff. August 1, 2022, March 1, 2020.
26		

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20	History Note:	Authority G.S. 90C-24(a)(3); 90C-28; 90C-30;				
21		Temporary Adoption Eff. December 1, 2005;				
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22		Eff. December 1, 2006;
23		Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 21,
24		2018;
25		Amended Eff. August 1, 2022, March 1, 2020.
26		

### **Burgos, Alexander N**

**Subject:** FW: [External] RE: NCBRTL Rules Submitted for July 2022 RRC Meeting

### **Alexander Burgos**

Paralegal
Office of Administrative Hearings
1711 New Hope Church Road
Raleigh NC, 27609
(984) 236-1940
Alexander.burgos@oah.nc.gov

From: Liebman, Brian R <bri> Sprian.liebman@oah.nc.gov>

**Sent:** Friday, July 8, 2022 11:21 AM **To:** becky ncbrtl.org <becky@ncbrtl.org>

Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>

Subject: RE: [External] RE: NCBRTL Rules Submitted for July 2022 RRC Meeting

Hi Becky,

Thanks for getting these back to me, and early too!

However, I have a few issues we need to resolve. First, I've got two copies of R .0701 here. Can you please submit a copy of R .0501? Second, looking at Rules .0301 and .0701, I do not see where any changes you've made are highlighted, underlined/struck through, etc. as required by our formatting rules. I'd direct you to 26 NCAC 02 .0108 for general formatting rules, and also to the link provided in the change requests, which has good examples of what you need to do when you've made changes after publication. Here is the link to the example for permanent amendments with changes, which is what's applicable to you: <a href="https://www.oah.nc.gov/media/5078/download">https://www.oah.nc.gov/media/5078/download</a>. Finally, while it appears you changed the Forms, you will need to sign each of them.

Second, for Rule .0301, I wanted to confirm that you republished the rule on 2/1/22, and then adopted it on 2/17/22, only 16 days later, correct? If so, I will have to recommend objection to this Rule for failure to comply with the APA. G.S. 150B-21.2(f) requires that you accept comments for at least 60 days after the text is published in the N.C. Register. G.S. 150B-21.2(g) states that the agency may not adopt a rule until the time for commenting has elapsed. Thus, if you re-published on 2/1/22, the earliest you could adopt was 4/4/22, which is the first business day after the 60 day clock runs.

If you need any further help with formatting, or if I can answer any other questions, please feel free to reach out.

Thanks, Brian

Brian Liebman Counsel to the North Carolina Rules Review Commission Office of Administrative Hearings (984)236-1948 brian.liebman@oah.nc.gov E-mail correspondence to and from this address may be subject to the North Carolina Public Records Law N.C.G.S. Chapter 132 and may be disclosed to third parties.

From: becky ncbrtl.org < becky@ncbrtl.org >

**Sent:** Friday, July 8, 2022 7:51 AM

To: Liebman, Brian R < brian.liebman@oah.nc.gov >

Subject: RE: [External] RE: NCBRTL Rules Submitted for July 2022 RRC Meeting

**CAUTION:** External email. Do not click links or open attachments unless you verify. Send all suspicious email as an attachment to Report Spam.

Brian,

 $Thank-you. \ Hopefully, these \ corrections \ are \ what \ is \ needed. \ I \ appreciate \ your \ assistance.$ 

Becky

Becky Garrett, MS, LRT, CTRS, FDRT NCBRTL Executive Director PO Box 2655 Durham, NC 27715 336 212-1133 MON-THURS 8:30-4:30 Becky@ncbrtl.org www.ncbrtl.org

## SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: The NC Board of Recreational Therapy Licensure	
2. Rule citation & name (name not required for repeal): 21 NCAC 65 .0301 MINIMUM LEVEL OF EDUCATION AND COMPETENCY FOR LICENSED RECREATIONAL THERAPIST	
3. Action:	
$\square$ ADOPTION $\boxtimes$ AMENDMENT $\square$ REPEAL $\square$	READOPTION REPEAL through READOPTION
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
☐ Yes. Cite authority:	Yes. Cite authority:
$\overline{\boxtimes}$ No	$  \overline{\boxtimes}  $ No
6. Notice for Proposed Rule:	
Notice Required	
Notice of Text published on: February 1, 2022	
Link to Agency notice: www.ncbrtl.org Hearing on:	
Adoption by Agency on: February 17, 2022	
Notice not required under G.S.:	
Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
Yes	☐ This Rule was part of a combined analysis.
Agency submitted request for consultation on:	
Consultation not required. Cite authority:	State funds affected
·	Local funds affected
⊠ No	Substantial economic impact (≥\$1,000,000)
	<ul><li> □ Approved by OSBM</li><li> ⋈ No fiscal note required</li></ul>
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9. REASON FOR ACTION	
9A. What prompted this action? Check all that apply:	
Agency	☐ Legislation enacted by the General Assembly
Court order / cite:	Cite Session Law:
Federal statute / cite:	Petition for rule-making
☐ Federal regulation / cite:	Other:
9B. Explain: Profession growth shows increase in requirements	
10. Rulemaking Coordinator: Becky Garrett	11. Signature of Agency Head* or Rule-making Coordinator:
DL 22/212 1122	
Phone: 336212-1133	
E-Mail: Becky@ncbrtl.org	*If this function has been delegated (reassigned) pursuant to
Additional agency contact, if any:	G.S. 143B-10(a), submit a copy of the delegation with this form.
Phone:	G.S. 145B-10(a), submit a copy of the delegation with this form.
E-Mail:	Typed Name: Becky Garrett
E Man.	Title: Executive Director
	The Executive Director
RRC AND OAH USE ONLY	
Action taken:	
RRC extended period of review:	
RRC determined substantial changes:	
Withdrawn by agency	
Subject to Legislative Review	
Other:	

21 NCAC 65 .0301 IS AMENDED AS PUBLISHED IN 36:15 NCR1316-18 AS FOLLOWS:

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# 21 NCAC 65 .0301 MINIMUM LEVEL OF EDUCATION AND COMPETENCY FOR LICENSED RECREATIONAL THERAPIST

- (a) For the purposes of G.S. 90C-27(a), a candidate for licensure as a recreational therapist shall have graduated from an accredited college or university with a baccalaureate degree or higher and with a major or specialization in recreational therapy or therapeutic recreation. The academic major or specialization shall be verified by an official transcript.
- (b) For the purposes of this Rule, the following terms mean:
  - (1) An "academic major" is defined as a degree in recreational therapy or therapeutic recreation.
  - (2) A "specialization in recreational therapy or therapeutic recreation" is defined as a degree in recreation and leisure studies, or recreation, or health and physical education, or health and human performance with a specialization, also known as an option, emphasis, or concentration, in therapeutic recreation or recreational therapy.
  - (3) An "accredited college or university" is defined as a college or university accredited by an accreditation body recognized by the United States Department of Education or by the Committee on Accreditation of Recreational Therapy Education (CARTE) under the Commission of Accreditation of Allied Health Education (CAAHEP).
- (c) An academic major or specialization is defined by the following components:
- 20 (1) Coursework for a degree or specialization in recreational therapy or therapeutic recreation shall 21 reflect six courses, three hours per course in which the title, course description, and course outline 22 reflects recreational therapy or therapeutic recreation content related to the "APIE Process" including 23 Assessment/Evaluation Planning and Implementation and the Advancement of the Profession. 24 "APIE(D) Process". Course titles may include Introduction or Foundations, Assessment, Planning, 25 Implementation, Evaluation, Research, and Advancement of the Profession. Topics that should be 26 addressed in classes should include ethics, standards of practice, documentation. Recreational 27 Therapy/Therapeutic Recreation coursework offered in North Carolina must be taught by a licensed 28 recreational therapist (LRT) or out of state by a Certified Therapeutic Recreation Specialist (CTRS) 29 by the National Council of Therapeutic Recreation Certification (NCTRC) https://www.nctrc.org/. For candidates for licensure who have passed the NCTRC examination and were certified by the 30 31 National Council for Therapeutic Recreation Certification as a CTRS, a therapeutic recreation or 32 recreational therapy content course taught is considered the same as a therapeutic recreation or 33 recreational therapy content course taken.
  - (2) "Supportive coursework" are courses, not including the recreational therapy or therapeutic recreation content courses, that provide knowledge necessary to develop the ability to practice recreational therapy or therapeutic recreation and are required for the major or specialization in recreational therapy or therapeutic recreation. Supportive courses provide knowledge about human development,

human functioning, health, health care and human services, illness and disabling conditions. courses. Supportive courses for a degree or specialization in recreational therapy or therapeutic recreation shall include three semester hours of anatomy and physiology, three semester hours of abnormal psychology, three semester hours of human growth and development across the lifespan, and nine semester hours in the area of health and human services. Health and human services coursework may include content in the areas of education, ethics, and other supportive courses related to the practice of recreational therapy.

- (3) In addition to the coursework required in Subparagraphs (c)(1) and (2) of this Rule, a field placement course shall be required for an academic major or specialization in therapeutic recreation or recreational therapy.
  - (A) A "field placement course," sometimes called an "internship course," is a course taken for college or university credit and shall require clinical education in an agency providing therapeutic recreation services to clients. The field placement or internship course shall meet the criteria for a field placement set forth by the NCTRC in the NCTRC Standards publication herein incorporated by reference including any subsequent amendments and editions. A copy of the NCTRC field placement requirements may be obtained at no cost on the National Council for Therapeutic Recreation Certification (NCTRC) website at: <a href="https://www.nctrc.org/wp-content/uploads/2017/09/InternshipInterruptionGuidelines.pdf">https://www.nctrc.org/wp-content/uploads/2017/09/InternshipInterruptionGuidelines.pdf</a>
  - (B) A "university supervisor" of a field placement course is defined as the university faculty assigned to supervise the student and course from the university. If the university is in North Carolina, university supervisors shall be licensed by the North Carolina Board of Recreational Therapy Licensure (NCBRTL) throughout the entire internship experience.
  - (C) An "agency supervisor" is the recreational therapist or therapeutic recreation specialist, in an agency providing therapeutic recreation or recreational therapy services to patients or clients, assigned to provide clinical supervision to the field placement student from the agency. Supervisors of students completing field placements in North Carolina shall be licensed by the North Carolina Board of Recreational Therapy Licensure (NCBRTL)

    NCBRTL throughout the entire internship experience.
  - (D) "Successful performance" in a field placement course is defined as a grade of D or Pass awarded by the university supervisor. "Successful performance from the agency supervisor" is defined by an overall rating of "Achieves Expectations" documented on the Clinical Performance Appraisal and Summary Reference Form, (CPASRF) that may be accessed at the Board's website, www.ncbrtl.org or by contacting the Board. The CPASRF includes the content and performance criteria from the ATRA SOP American Therapeutic Recreation Association Standards of Practice (ATRA SOP), as set forth in Rule .0203 of this Chapter. The CPASRF is provided by the Board or at the Board's website www.ncbrtl.org

- (d) Candidates for licensure who have been certified as a Certified Therapeutic Recreation Specialist, (CTRSTM) by the National Council for Therapeutic Recreation Certification (NCTRC) a CTRS by NCTRC since 1990 and have completed all recreational therapy or therapeutic recreation content courses, and all support content course requirements, but have not completed an internship or field placement course cannot locate their internship supervisor, shall file an Internship Supervisor Location Appeals Form and shall be issued a license to practice as a recreational therapist if they verify a minimum of one year of successful performance as a recreational therapist or therapeutic recreation specialist during which time they were a—CTRSTM by the NCTRC. Successful work performance shall be verified to the NCBRTL on a CPASRF provided by NCBRTL. "Successful performance" is defined as an overall rating completed by the agency supervisor of "Achieves Expectations" on the CPASRF provided by the NCBRTL.
  - (e) Successful passage of the NCTRC examination shall be determined by the NCTRC. Applicants for licensure shall submit evidence of successful passage of the NCTRC examination to the NCBRTL. Evidence of successful passage of the NCTRC examination shall be copy of his or her NCTRC certificate or a successful passage notification letter from NCTRC.

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 History Note: Authority 90C-22(2)(i); 90C-22(7); 90C-24(a)(13); 90C-27(a);

17 Temporary Adoption Eff. December 1, 2005;

18 Eff. June 1, 2006;

19 Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 21,

20 2018.

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21 Amended Eff. <u>August 1, 2022; March 1, 2016; October 1, 2007;</u>

# SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: The NC Board of Recreational Therapy Licensure		
2. Rule citation & name (name not required for repeal): 21 NCAC 65 .0501 LICENSURE FEES		
3. Action:  ☐ ADOPTION ☐ AMENDMENT ☐ REPEAL ☐	READOPTION REPEAL through READOPTION	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	Yes. Cite authority:	
⊠ No	$\bowtie$ No	
6. Notice for Proposed Rule:		
<ul> <li>Notice Required         Notice of Text published on: December 15, 2021         Link to Agency notice: www.ncbrtl.org         Hearing on: Jan 14, 2022         Adoption by Agency on: February 17, 2022         Notice not required under G.S.:         Adoption by Agency on:     </li> </ul>		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
N Voc	☐ This Rule was part of a combined analysis.	
<b>X</b> Yes Agency submitted request for consultation on:		
11/29/2021	State funds affected	
Consultation not required. Cite authority:	Local funds affected	
	Substantial economic impact (≥\$1,000,000) Approved by OSBM	
$\square$ No	No fiscal note required	
9. REASO 9A. What prompted this action? Check all that apply:  Agency Court order / cite: Federal statute / cite: Federal regulation / cite:  9B. Explain: Increased adminstrative costs	ON FOR ACTION  Legislation enacted by the General Assembly Cite Session Law: Petition for rule-making Other:	
10. Rulemaking Coordinator: Becky Garrett	11. Signature of Agency Head* or Rule-making Coordinator:	
Phone: 336212-1133		
E-Mail: Becky@ncbrtl.org		
2 Main. Beeky@nesithorg	*If this function has been delegated (reassigned) pursuant to	
Additional agency contact, if any:	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Phone:		
E-Mail:	Typed Name: Becky Garrett	
	Title: Executive Director	
RRC AND OAH USE ONLY		
Action taken:	OTH COL OTHER	
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

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8		submissions of Record Maintenance Fee or Renewal Fee with Renewal application with continuing	
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22		Temporary Adoption Eff. December 1, 2005;	
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24		Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 21,	
25		2018;	
26		Amended Eff. March 1, 2020.	
27		Amended Eff. August 1, 2022	
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# SUBMISSION FOR PERMANENT RULE

2. RULE CITATION & NAME (NAME NOT REQUIRED FOR REPEAL): 21 NCAC 65.0701 REINSTATEMENT OF LAPSED LICENSE  3. Action:    ADDPTION   AMENDMENT   REPEAL   READOPTION   REPEAL through READOPTION	1. Rule-Making Agency: The NC Board of Recreational Therapy Licensure		
ADOPTION			
S. Rule automatically subject to legislative review?   Yes. Cite authority:   No   No   Notice Required   Notice of Text published on: December 15, 2021   Laink to Agency notice: www.ncbrtLorg   Hearing on: Jan 14, 2022   Adoption by Agency on: February 17, 2022   Notice not required under G.S.: Adoption by Agency on: Pebruary 17, 2022   Notice not required under G.S.: Adoption by Agency on:   This Rule was part of a combined analysis.   Yes   Agency submitted request for consultation on:   State funds affected   Local funds affected   Local funds affected   Substantial economic impact (≥\$1,000,000)   Approved by OSBM   No fiscal note required   Pedical statute / Cite   Pedical statute / cite:   Pedi	I — — — — — — —	DEADOPTION DEPEAL through DEADOPTION	
Yes. Cite authority:   Yes. Cite authority:   No   No   No   No   No   No   No   N			
No   Notice for Proposed Rule:	l		
6. Notice for Proposed Rule:  Notice Required Notice of Text published on: December 15, 2021 Link to Agency notice: www.ncbrtl.org Hearing on: Jan 14, 2022 Adoption by Agency on: February 17, 2022 Notice not required under G.S.: Adoption by Agency on:  7. Rule establishes or increases a fee? (See G.S. 12-3.1)  Yes Agency submitted request for consultation on: Consultation not required. Cite authority:  No  9. REASON FOR ACTION  9. REASON FOR ACTION  9. What prompted this action? Check all that apply:  Agency Cite Session Law: Federal statute / cite: Federal regulation / cite:  9. Explain: Clarification of when Reinstatement is allowed  10. Rulemaking Coordinator: Becky Garrett  Phone: 336212-1133 E-Mail: Becky@ncbrtl.org  Additional agency contact, if any: Phone: E-Mail:  RRCAND OAH USE ONLY	<u> </u>	·	
Notice Required Notice of Text published on: December 15, 2021 Link to Agency notice: www.ncbrtl.org Hearing on: Jan 14, 2022 Adoption by Agency on: February 17, 2022   Notice not required under G.S.: Adoption by Agency on:  7. Rule establishes or increases a fee? (See G.S. 12-3.1)   Yes			
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Link to Agency notice: www.ncbrtl.org Hearing on: Jan 14, 2022 Adoption by Agency on: February 17, 2022 Notice not required under G.S.: Adoption by Agency on: February 17, 2022 Notice not required under G.S.: Adoption by Agency on:  7. Rule establishes or increases a fee? (See G.S. 12-3.1)    Yes			
Hearing on: Jan 14, 2022 Adoption by Agency on: February 17, 2022 Notice not required under G.S.: Adoption by Agency on:  7. Rule establishes or increases a fee? (See G.S. 12-3.1)  Yes Agency submitted request for consultation on: Consultation not required. Cite authority:  No  9. REASON FOR ACTION  9. REASON FOR ACTION  9. What prompted this action? Check all that apply: Court order / cite: Federal statute / cite: Federal regulation / cite: Federal regulation of when Reinstatement is allowed  10. Rulemaking Coordinator: Becky Garrett  Phone: 336212-1133 E-Mail: Becky@ncbrtl.org  Additional agency contact, if any: Phone: E-Mail:  RRC AND OAH USE ONLY	I		
Notice not required under G.S.:   Adoption by Agency on:   Adoption by Agency on:   Yes			
Adoption by Ågency on:  7. Rule establishes or increases a fee? (See G.S. 12-3.1)			
7. Rule establishes or increases a fee? (See G.S. 12-3.1)    Yes			
Yes			
Agency   Legislation enacted by the General Assembly   Court order / cite:   Petition for rule-making   Petition for rule-making   Other:    10. Rulemaking Coordinator: Becky Garrett   11. Signature of Agency Head* or Rule-making Coordinator:    Phone: 336212-1133   E-Mail: Becky@ncbrtl.org   Additional agency contact, if any:   Phone: E-Mail:   Typed Name: Becky Garrett   Title: Executive Director   Title: Executive Director   RRC AND OAH USE ONLY	7. Rule establishes or increases a fee? (See G.S. 12-3.1)		
Consultation not required. Cite authority:    Local funds affected     Substantial economic impact (≥\$1,000,000)     Approved by OSBM     No fiscal note required	☐ Yes	☐ This Rule was part of a combined analysis.	
Local funds affected   Substantial economic impact (≥\$1,000,000)   Approved by OSBM   No fiscal note required		☐ State funds affected	
9. REASON FOR ACTION  9A. What prompted this action? Check all that apply:  Agency	Consultation not required. Cite authority:		
9. REASON FOR ACTION  9A. What prompted this action? Check all that apply:    Agency	⊠ No		
9. REASON FOR ACTION  9A. What prompted this action? Check all that apply:  Agency			
9A. What prompted this action? Check all that apply:    Agency		<b>☒</b> No fiscal note required	
Agency Court order / cite: Cite Session Law: Petition for rule-making Cother:    Gederal statute / cite: Petition for rule-making Cother:    Gederal regulation / cite: Other:    Petition for rule-making Cother:    Other:		ON FOR ACTION	
Court order / cite: Cite Session Law: Petition for rule-making Other:  9B. Explain: Clarification of when Reinstatement is allowed  10. Rulemaking Coordinator: Becky Garrett  Phone: 336212-1133  E-Mail: Becky@ncbrtl.org  Additional agency contact, if any: Phone: E-Mail: Typed Name: Becky Garrett  Typed Name: Becky Garrett  Typed Name: Becky Garrett  Typed Name: Becky Garrett  Title: Executive Director	9A. What prompted this action? Check all that apply:		
Federal statute / cite:			
Federal regulation / cite:	l ==		
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E-Mail: Typed Name: Becky Garrett Title: Executive Director  RRC AND OAH USE ONLY	Additional agency contact, if any:	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Title: Executive Director  RRC AND OAH USE ONLY			
RRC AND OAH USE ONLY	E-Mail:		
		Title: Executive Director	
	RRC AND OAH USE ONLY		
RRC extended period of review: RRC determined substantial changes:			
Withdrawn by agency			
Subject to Legislative Review			
Other:			

#### 21 NCAC 65 .0701 IS AMENDED AS PUBLISHED IN 36:15 NCR1316-18 AS FOLLOWS:

#### 21 NCAC 65 .0701 REINSTATEMENT OF LAPSED LICENSE

- (a) A recreational therapist or a recreational therapy assistant whose license has lapsed and who desires reinstatement of that license shall:
  - (1) Complete a reinstatement application form with current contact and employment information provided by the Board within 60 days of expiration; expiration or missed submissions of Record Maintenance Fee or Renewal fee and application with continuing education;
  - (2) Submit evidence of satisfaction of all court conditions resulting from any misdemeanor or felony conviction(s), if applicable;
  - (3) Submit evidence of meeting education and competency requirements pursuant to Rule .0301 or Rule .0302 as applicable at the time of reinstatement;
  - (4) Submit evidence of meeting continuing education requirements in accordance with Rule .0601; and
  - (5) Submit payment of application fee and any missed Renewal or Maintenance licensure fees.
- (b) Persons whose license is suspended for failure to renew must not practice recreational therapy and must not hold themselves out as licensed by the Board until they apply for and receive reinstatement of their license by the Board.
- (c) The Board shall inform the applicant in writing of the Board's decision within 30 days after the application deadline and the Board finds the complete application shows the requirements have been met.

History Note: Authority G.S. 90C-24(a)(3); 90C-28; 90C-30;

Temporary Adoption Eff. December 1, 2005;

Eff. December 1, 2006;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 21, 2018:

Amended Eff. March 1, 2020.

Amended Eff. August 1, 2022

### **Burgos, Alexander N**

From: Liebman, Brian R

**Sent:** Friday, June 24, 2022 12:31 PM

To: becky ncbrtl.org
Cc: Burgos, Alexander N

Subject: RE: [External] RE: NCBRTL Rules Submitted for July 2022 RRC Meeting

**Attachments:** 2022.07 - Recreational Therapy Request for Changes.docx

Becky,

I've reviewed the Rules submitted by the Board for the July 2022 RRC meeting. The RRC will formally review these Rules at its meeting on Thursday, July 21, 2022, at 9:00 a.m. The meeting will be a hybrid of in-person and WebEx attendance, and an evite should be sent to you as we get closer to the meeting. If there are any other representatives from your agency who will want to attend virtually, let me know prior to the meeting, and we will get evites out to them as well.

Please submit the revised Rules and forms to me via email, no later than 5 p.m. on Monday, July 11, 2022.

In the meantime, please do not hesitate to reach out via email with any questions or concerns.

Thanks,

Brian

Brian Liebman
Counsel to the North Carolina Rules Review Commission
Office of Administrative Hearings
(984)236-1948
brian.liebman@oah.nc.gov

E-mail correspondence to and from this address may be subject to the North Carolina Public Records Law N.C.G.S. Chapter 132 and may be disclosed to third parties.

From: Liebman, Brian R

Sent: Friday, June 24, 2022 11:43 AM
To: becky ncbrtl.org < becky@ncbrtl.org >

Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>

Subject: RE: [External] RE: NCBRTL Rules Submitted for July 2022 RRC Meeting

Becky,

I ran my question to you past our publications staff, and it appears that you did publish all three rules in Volume 36, Issue 12, which was published on December 15, 2021. From my review, it looks like you republished .0301 in February because of the addition to (c)(1) and the list of coursework, unless I'm mistaken.

I am going to send you my requests for changes as soon as I finish typing them out. Since these rules were published, I think all you'll need to do is fix the Forms and address the formatting issues for .0501 and .0701.

Thanks,

#### Brian

Brian Liebman Counsel to the North Carolina Rules Review Commission Office of Administrative Hearings (984)236-1948

brian.liebman@oah.nc.gov

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From: Liebman, Brian R

**Sent:** Friday, June 24, 2022 10:49 AM **To:** 'becky ncbrtl.org' < becky@ncbrtl.org>

Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>

Subject: RE: [External] RE: NCBRTL Rules Submitted for July 2022 RRC Meeting

Hi Becky,

So is this the only edition of the Register that you've published rules in recently? Because I only see Rule .0301 published in the February 1, 2022 edition. I also looked in the 2 prior and 2 succeeding editions of the Register and didn't see anything from the Board.

Thanks, Brian

Brian Liebman
Counsel to the North Carolina Rules Review Commission
Office of Administrative Hearings
(984)236-1948
brian.liebman@oah.nc.gov

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From: becky ncbrtl.org < becky@ncbrtl.org > Sent: Tuesday, June 21, 2022 6:32 PM

To: Liebman, Brian R <bri> Liebman@oah.nc.gov>

Subject: [External] RE: NCBRTL Rules Submitted for July 2022 RRC Meeting

**CAUTION:** External email. Do not click links or open attachments unless you verify. Send all suspicious email as an attachment to Report Spam.

Mr. Liebman,

I apologize, I rarely do the Rule process and seem to always forget something. Below is the email I received from Dana. Please let me know what I need to do.

Thank-you,

Becky

The NC Register, Volume 36, Issue 15, February 1, 2022 is posted on the OAH website in PDF and Word format. To access the Register online, go to: <a href="https://www.oah.nc.gov/documents/nc-register">https://www.oah.nc.gov/documents/nc-register</a>

I.	EXECUTIVE ORDERS
	Executive Order Nos. 243-246
ш	PROPOSED RULES
11.	Justice, Department of
	Sheriffs' Education and Training Standards Commission
	Public Safety, Department of Private Protective Services Board
	Occupational Licensing Boards and Commissions
	Architecture and Registered Interior Designers, Board of
	Recreational Therapy Licensure, Board of
III.	<b>APPROVED RULES</b>
	Health and Human Services, Department of
	Medical Care Commission
	Health Service Regulation, Division of
	Justice, Department of
	Criminal Justice Education and Training Standards Commission
	Public Safety, Department of
	Private Protective Services Board
	Environmental Quality, Department of
	Environmental Management Commission
	Occupational Licensing Boards and Commissions
	Chiropractic Examiners, Board of
	General Contractors, Licensing Board for
	Landscape Architects, Board of
	Medical Board
	ivicuicai Doaiu
IV.	RULES REVIEW COMMISSION

Becky Garrett, MS, LRT, CTRS, FDRT NCBRTL Executive Director PO Box 2655 Durham, NC 27715 336 212-1133 MON-THURS 8:30-4:30 Becky@ncbrtl.org www.ncbrtl.org

From: Liebman, Brian R < brian.liebman@oah.nc.gov >

**Sent:** Tuesday, June 21, 2022 6:15 PM **To:** becky ncbrtl.org < becky@ncbrtl.org>

**Cc:** Burgos, Alexander N <<u>alexander.burgos@oah.nc.gov</u>> **Subject:** NCBRTL Rules Submitted for July 2022 RRC Meeting

Hi Ms. Garrett,

I'm the attorney reviewing the rules submitted by the Board for review by RRC at next month's meeting. I noted that although 21 NCAC 65 .0301 was published in the 2/1/22 edition of the NC Register, I did not see either Rule .0501 or Rule .0701 published there. Moreover, neither Rule is formatted as if it were published, as they lack introductory statements and line numbers. Can you confirm whether they were published, and point me to the correct version of the Register?

Thanks,

#### Brian

Brian Liebman
Counsel to the North Carolina Rules Review Commission
Office of Administrative Hearings
(984)236-1948
brian.liebman@oah.nc.gov

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Email correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties by an authorized state official.

### **Burgos, Alexander N**

**From:** Liebman, Brian R

**Sent:** Tuesday, June 21, 2022 6:15 PM

To: becky@ncbrtl.org
Cc: Burgos, Alexander N

**Subject:** NCBRTL Rules Submitted for July 2022 RRC Meeting

Follow Up Flag: Follow up Flag Status: Completed

**Categories:** Red Category

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Thanks, Brian

Brian Liebman Counsel to the North Carolina Rules Review Commission Office of Administrative Hearings (984)236-1948 brian.liebman@oah.nc.gov

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