

TITLE 54
PROFESSIONS, VOCATIONS, AND BUSINESSES

CHAPTER 37
OCCUPATIONAL THERAPY PRACTICE ACT

54-3701. LEGISLATIVE INTENT. In order to promote the public health, safety, and welfare; to promote the highest degree of professional conduct on the part of occupational therapists and occupational therapy assistants; and to assure the availability of occupational therapy services of high quality to persons in need of such services, it is the purpose of this chapter to provide for the regulation of persons offering occupational therapy services to the public.

[54-3701, added 1987, ch. 69, sec. 1, p. 123; am. 2009, ch. 222, sec. 1, p. 691.]

54-3702. DEFINITIONS. As used in this chapter:

- (1) "Association" means the Idaho occupational therapy association.
- (2) "Board" means the occupational therapy licensure board of Idaho as set out in section [54-3717](#), Idaho Code.
- (3) "Department" means the department of self-governing agencies.
- (4) "Division" means the division of occupational and professional licenses.
- (5) "Good standing" means the individual's license is not currently suspended or revoked by any state regulatory entity.
- (6) "Graduate occupational therapist" means a person who holds a certificate of graduation from an approved occupational therapy curriculum, who has submitted a completed application for certification by examination, and who may practice occupational therapy in association with and under the supervision of an occupational therapist and under authority of a limited permit.
- (7) "Graduate occupational therapy assistant" means a person who holds a certificate of graduation from an approved occupational therapy assistant curriculum, who has submitted a completed application for licensure by examination under this chapter and is performing the duties of occupational therapy assistant in association with and under the supervision of an occupational therapist and under the authority of a limited permit.
- (8) "License" means a document issued by the board to a person under this chapter authorizing the person to practice as an occupational therapist or occupational therapy assistant.
- (9) "Occupational therapist" means a person licensed under this chapter to practice occupational therapy.
- (10) "Occupational therapy" means the care and services provided by or under the direction and supervision of an occupational therapist.
- (11) "Aide in the delivery of occupational therapy services" means a person who is not licensed by the board and who provides supportive services to occupational therapists and occupational therapy assistants. An aide shall function only under the guidance, responsibility and line of sight supervision of the licensed occupational therapist or an occupational therapy assistant who is appropriately supervised by an occupational therapist. The aide provides only specifically selected client-related or nonclient-related tasks for which the aide has been trained and has demonstrated competence.

(12) "Occupational therapy assistant" means a person licensed under this chapter to practice occupational therapy and who works under the supervision of an occupational therapist.

(13) "Practice of occupational therapy" means the therapeutic use of everyday life activities (occupations) with individuals or groups for the purpose of participation in roles and situations in home, school, workplace, community, and other settings. Occupational therapy services are provided for the purpose of promoting health and wellness and to those who have or are at risk for developing an illness, injury, disease, disorder, condition, impairment, disability, activity limitation, or participation restriction. Occupational therapy addresses the physical, cognitive, psychosocial, sensory, and other aspects of performance in a variety of contexts to support engagement in everyday life activities that affect health, well-being and quality of life. The practice of occupational therapy includes:

(a) Development of occupation-based plans, methods or strategies selected to direct the process of interventions such as:

(i) Establishment, remediation, or restoration of a skill or ability that has not yet developed or is impaired.

(ii) Compensation, modification, or adaptation of activity or environment to enhance performance.

(iii) Maintenance and enhancement of capabilities without which performance in everyday life activities would decline.

(iv) Health promotion and wellness to enable or enhance performance in everyday life activities.

(v) Prevention of barriers to performance, including disability prevention.

(b) Evaluation of factors affecting a client's occupational performance areas of activities of daily living (ADL), instrumental activities of daily living (IADL), rest and sleep, education, work, play, leisure, and social participation, including:

(i) Client factors, including body functions (such as neuromuscular, sensory, visual, perceptual, cognitive), values, beliefs, and spirituality, and body structures (such as cardiovascular, digestive, integumentary, genitourinary systems).

(ii) Performance patterns, including habits, routines, roles, and behavior patterns.

(iii) Contexts and activity demands that affect performance, including cultural, physical, environmental, social, virtual and temporal.

(iv) Performance skills, including sensory perceptual skills, motor and praxis skills, emotional regulation skills, cognitive skills, communication and social skills.

(c) Interventions and procedures to promote or enhance safety and performance in activities of daily living (ADL), instrumental activities of daily living (IADL), education, work, play, leisure, and social participation, rest and sleep, including:

(i) Therapeutic use of occupations, exercises, and activities.

(ii) Training in self-care, self-management, home management, and community/work reintegration.

(iii) Development, remediation, or compensation of physical, cognitive, neuromuscular, sensory functions and behavioral skills.

(iv) Therapeutic use of self, including one's personality, insights, perceptions, and judgments, as part of the therapeutic process.

(v) Education and training of individuals, including family members, caregivers, and others.

(vi) Care coordination, case management, and transition services.

(vii) Consultative services to groups, programs, organizations, or communities.

(viii) Modification of environments (home, work, school, or community) and adaptation of processes, including the application of ergonomic principles.

(ix) Assessment, design, fabrication, application, fitting, and training in assistive technology, adaptive devices, orthotic devices, and prosthetic devices.

(x) Assessment, recommendation, and training in techniques to enhance functional mobility, including wheelchair management.

(xi) Driver rehabilitation and community mobility.

(xii) Management of feeding, eating, and swallowing to enable eating and feeding performance.

(xiii) Application of superficial, thermal and mechanical physical agent modalities, and use of a range of specific therapeutic procedures (such as basic wound management; techniques to enhance sensory, perceptual, and cognitive processing; therapeutic exercise techniques to facilitate participation in occupations) to enhance performance skills.

(xiv) Use of specialized knowledge and skills as attained through continuing education and experience for the application of deep thermal and electrotherapeutic modalities, therapeutic procedures specific to occupational therapy and wound care management for treatment to enhance participation in occupations as defined by rules adopted by the board.

(d) Engaging in administration, consultation, testing, education and research as related to paragraphs (a), (b) and (c) of this subsection and further established in rule.

[54-3702, added 1987, ch. 69, sec. 1, p. 124; am. 1998, ch. 153, sec. 1, p. 527; am. 2009, ch. 222, sec. 2, p. 691; am. 2018, ch. 51, sec. 1, p. 131; am. 2022, ch. 94, sec. 53, p. 316.]

54-3703. LICENSE REQUIRED. It shall be unlawful for any person to practice or to offer to practice occupational therapy, or to represent such person to be an occupational therapist or occupational therapy assistant unless such person is licensed under the provisions of this chapter. Only an individual may be licensed under this chapter.

[54-3703, added 1987, ch. 69, sec. 1, p. 124; am. 2009, ch. 222, sec. 3, p. 694.]

54-3704. EXEMPTIONS. Nothing in this chapter shall be construed as preventing or restricting the practice, services or activities or requiring licensure pursuant to this chapter of:

(1) Any person licensed or regulated by the state of Idaho from engaging in the profession or practice for which they are licensed or regulated,

including, but not limited to, any athletic trainer, chiropractor, dentist, nurse, physician, podiatrist, physical therapist, optometrist, osteopath, surgeon or any other licensed or regulated practitioner of the healing arts, nor restrict employees working under the direct supervision of those persons referred to in this subsection, as long as such person does not hold himself or herself out as an occupational therapist, occupational therapy assistant or a person engaged in the practice of occupational therapy; or

(2) Any person employed as an occupational therapist or occupational therapy assistant by the government of the United States or any agency thereof, if such person provides occupational therapy solely under the direction or control of the organization by which such person is employed; or

(3) Any person pursuing a supervised course of study leading to a degree or certificate in occupational therapy in an accredited or approved educational program, if the person is designated by a title which clearly indicates a student or trainee status; or

(4) Any person fulfilling the supervised fieldwork experience requirements of section [54-3706](#), Idaho Code, if the experience constitutes a part of the experience necessary to meet the requirement of that section; or

(5) Any person who, for purposes of continuing education, consulting, and/or training, is performing occupational therapy services in this state for no more than sixty (60) days in a calendar year in association with an occupational therapist licensed under this chapter, if the person is a licensed occupational therapist or occupational therapy assistant in good standing in another state.

[54-3704, added 1987, ch. 69, sec. 1, p. 124; am. 2009, ch. 222, sec. 4, p. 694; am. 2018, ch. 51, sec. 2, p. 134.]

54-3705. LIMITED PERMIT -- TEMPORARY LICENSE. (1) A limited permit may be granted to a graduate occupational therapist or a graduate occupational therapy assistant who has completed the education and experience requirements of this chapter for an occupational therapist or an occupational therapy assistant. The permit shall allow a person to practice occupational therapy under supervision as defined in section [54-3715](#), Idaho Code. This permit shall be valid for a period of six (6) months or as extended by the board.

(2) A temporary license may be issued by the board to an applicant who is currently licensed and in good standing to practice in another jurisdiction and meets the requirements for licensure by endorsement of the other jurisdiction while the application is being processed by the board.

[54-3705, added 1987, ch. 69, sec. 1, p. 125; am. 2009, ch. 222, sec. 5, p. 695; am. 2013, ch. 14, sec. 1, p. 24.]

54-3706. REQUIREMENTS FOR LICENSURE. A person applying for a license as an occupational therapist or as an occupational therapy assistant shall file a written application provided by the board showing to the satisfaction of the board that such person meets the following requirements:

(1) Education: Applicant shall present evidence satisfactory to the board of having successfully completed the academic requirements of an educational program in occupational therapy that is accredited by the American occupational therapy association's accreditation council for occupational therapy education (ACOTE) or predecessor or a successor organization as established in rule and approved by the licensure board.

(2) Experience: Applicant shall submit to the licensure board evidence of having successfully completed a period of supervised fieldwork experience acceptable to the board, which period of fieldwork experience shall be:

(a) For an occupational therapist, a minimum of six (6) months of supervised fieldwork experience; or

(b) For an occupational therapy assistant, a minimum of four (4) months of supervised fieldwork experience.

(3) Examination: An applicant for licensure as an occupational therapist or as an occupational therapy assistant shall pass an examination as provided for in section [54-3708](#), Idaho Code.

(4) Is in good standing.

[54-3706, added 1987, ch. 69, sec. 1, p. 125; am. 2009, ch. 222, sec. 6, p. 695.]

54-3707. APPLICATION FOR LICENSURE. Each applicant for licensure shall submit a completed written application to the board, on forms prescribed by the board, together with the application fee. The application shall be verified under oath and shall require the following information:

(1) A certificate of graduation from an approved occupational therapy curriculum, or an approved occupational therapy assistants curriculum accredited by the American occupational therapy association's accreditation council for occupational therapy education, or predecessor or a successor organization as established in rule and approved by the licensure board.

(2) The disclosure of any criminal conviction or charges against the applicant other than minor traffic offenses;

(3) The disclosure of any disciplinary action against the applicant by any state professional regulatory agency or professional organization;

(4) A person trained as an occupational therapist outside of the United States and its territories shall satisfy the examination requirements as provided in section [54-3708](#), Idaho Code. The board shall require such applicants to meet examination eligibility requirements as established by the credentialing body recognized by the board and which are substantially equal to those found in section [54-3708](#), Idaho Code.

[54-3707, added 2009, ch. 222, sec. 7, p. 695.]

54-3708. EXAMINATION FOR LICENSURE OF OCCUPATIONAL THERAPISTS AND OCCUPATIONAL THERAPY ASSISTANTS. (1) Each applicant for licensure shall be examined by written examination to test the person's knowledge of the basic and clinical sciences relating to occupational therapy, occupational therapy techniques and methods, and such other subjects as the licensure board may require in rule to determine the applicant's fitness to practice. The written examination shall be the examination established and conducted by the national board for certification in occupational therapy and the passing score shall be the passing score established by the national board for certification in occupational therapy or its successor organization as established in rule.

(2) An application upon which the applicant takes no further action will be held for no longer than one (1) year.

[(54-3708) 54-3707, added 1987, ch. 69, sec. 1, p. 126; am. and redesign. 2009, ch. 222, sec. 8, p. 696; am. 2019, ch. 40, sec. 1, p. 107.]

54-3709. WAIVER OF REQUIREMENTS -- LICENSE ENDORSEMENT. The licensure board may waive the examination, education, or experience requirements and grant a license to any applicant who shall present proof of current licensure as an occupational therapist or occupational therapy assistant in another state, the District of Columbia, or territory of the United States which requires standards for licensure considered by the board to be equivalent to the requirements for licensure pursuant to this chapter.

[(54-3709) 54-3708, added 1987, ch. 69, sec. 1, p. 126; am. and re-desig. 2009, ch. 222, sec. 9, p. 696; am. 2018, ch. 51, sec. 3, p. 134.]

54-3710. ISSUANCE OF LICENSE. The board shall issue a license to any person who meets the requirements of this chapter upon payment of the prescribed license fees.

[(54-3710) 54-3709, added 1987, ch. 69, sec. 1, p. 126; am. and re-desig. 2009, ch. 222, sec. 10, p. 697.]

54-3711. RENEWAL AND REINSTATEMENT OF LICENSE. (1) All licenses issued under the provisions of this chapter shall be for a term of two (2) years and shall expire on the birthday of the licensee unless renewed in the manner prescribed by rule. License renewal and reinstatement shall be in accordance with section [67-2614](#), Idaho Code.

(2) The board may issue an inactive license to a licensee pursuant to rules adopted by the board that may specify the terms, procedures, and fees necessary to maintain an inactive license. The holder of an inactive license shall not engage in any practice requiring a license under this chapter. An occupational therapist or occupational therapy assistant wishing to convert an inactive license to an active license must account to the board for that period of time in which the license was inactive and must fulfill requirements that demonstrate competency to resume practice. Those requirements may include, but are not limited to, education, supervised practice, and examination. The board may consider practice in another jurisdiction in determining competency.

[54-3711, added 2019, ch. 40, sec. 3, p. 107; am. 2024, ch. 86, sec. 35, p. 412.]

54-3712. FEES. The licensure board shall adopt rules establishing fees for the following:

- (a) Initial license fee;
- (b) Renewal of license fee;
- (c) Inactive license fee;
- (d) Limited permit and temporary license fee; and
- (e) Reinstatement fee.

[(54-3712) 54-3711, added 1987, ch. 69, sec. 1, p. 127; am. and re-desig. 2009, ch. 222, sec. 12, p. 697.]

54-3713. SUSPENSION AND REVOCATION OF LICENSE -- REFUSAL TO RENEW. (1) Subject to the provisions of [chapter 52, title 67](#), Idaho Code, the board may deny a license or refuse to renew a license, or may suspend or revoke a license or may impose probationary conditions or disciplinary actions set out in section [54-3720](#), Idaho Code, if the licensee or applicant for license has

been found guilty of unprofessional conduct as set forth in section [54-3718](#), Idaho Code, which has endangered or is likely to endanger the health, welfare, or safety of the public.

(2) A denial, refusal to renew, suspension, revocation, or imposition of probationary conditions upon a license may be ordered by the board after a hearing in the manner provided by [chapter 52, title 67](#), Idaho Code. An application for reinstatement may be made to the board one (1) year from the date of the revocation of a license. The board shall (a) accept or reject an application for reinstatement; and (b) hold a hearing to consider such reinstatement.

(3) A suspended license is subject to expiration and may be renewed as provided in this chapter, but such renewal shall not entitle the licensee, while the license remains suspended and until it is reinstated, to engage in the licensed activity, or in any other conduct or activity in violation of the order of judgment by which the license was suspended.

(4) A license revoked on disciplinary grounds is subject to expiration as provided in this chapter, but it may not be renewed. The licensee, as a condition of reinstatement, shall meet license requirements for new licensees and shall pay a reinstatement fee set by the board.

[(54-3713) 54-3712, added 1987, ch. 69, sec. 1, p. 127; am. and redesign. 2009, ch. 222, sec. 13, p. 697.]

54-3714. LICENSURE BOARD. (1) There is hereby created in the division of occupational and professional licenses the occupational therapy licensure board of Idaho.

(2) The occupational therapy licensure board of Idaho shall consist of five (5) members who shall be appointed by and serve at the pleasure of the governor, three (3) of whom shall be occupational therapists, one (1) of whom shall be an occupational therapy assistant, and one (1) of whom shall be a member of the public with an interest in the rights of consumers of occupational therapy services. All members of the board shall be residents of Idaho. The governor may consider recommendations for appointment to the board from the association and from any individual residing in this state. The persons appointed to the licensure board who are required to be licensed under this chapter shall have been engaged in rendering occupational therapy services to the public, teaching, or research in occupational therapy for at least five (5) years immediately preceding their appointments and shall at all times be holders of a valid license and be in good standing without restriction upon such license.

(3) Appointments shall be for three (3) year terms, but no person shall be appointed to serve more than two (2) consecutive terms. Terms shall begin on the first day of the calendar year and end on the last day of the calendar year or until successors are appointed.

(4) The licensure board shall annually hold a meeting and elect a chairman who shall preside at meetings of the licensure board. In the event the chairman is not present at any licensure board meeting, the licensure board may by majority vote of the members present appoint a temporary chairman. A majority of the members of the licensure board shall constitute a quorum. Other meetings may be convened at the call of the chairman or the written request of any two (2) licensure board members.

(5) Each member of the licensure board shall be compensated as provided in section [59-509](#)(n), Idaho Code.

[(54-3714) 54-3713, added 1987, ch. 69, sec. 1, p. 127; am. and re-desig. 2009, ch. 222, sec. 14, p. 698; am. 2010, ch. 106, sec. 1, p. 216; am. 2016, ch. 340, sec. 39, p. 958; am. 2018, ch. 51, sec. 4, p. 135; am. 2021, ch. 222, sec. 31, p. 645.]

54-3715. SUPERVISION. Within the scope of occupational therapy practice, supervision is aimed at ensuring the safe and effective delivery of occupational therapy services and the fostering of professional competence and development. Practices and procedures governing the supervision of occupational therapy assistants, a limited permit holder and an aide in the delivery of occupational therapy services shall be established in rule and be adopted by the board.

[54-3715, added 2009, ch. 222, sec. 15, p. 699; am. 2019, ch. 40, sec. 4, p. 108.]

54-3716. COMPLAINTS. (1) Any person may file a complaint with the board against any licensed occupational therapist or licensed occupational therapy assistant in the state charging that person with having violated the provisions of this chapter.

(2) The complaint shall specify charges in sufficient detail so as to disclose to the accused fully and completely the alleged acts of misconduct for which he or she is charged.

(3) Upon receiving a complaint, the board shall notify the licensee of the complaint and request a written response from the licensee.

(4) The board shall keep an information file about each complaint filed with the board. The information in each complaint file shall contain complete, current and accurate information including, but not limited to:

- (a) All persons contacted in relation to the complaint;
- (b) A summary of findings made at each step of the complaint process;
- (c) An explanation of the legal basis and reason for a complaint that is dismissed; and
- (d) Other relevant information.

[54-3716, added 2009, ch. 222, sec. 16, p. 699.]

54-3717. OCCUPATIONAL THERAPY LICENSURE BOARD OF IDAHO -- POWERS AND DUTIES. (1) The licensure board shall administer, coordinate, and enforce the provisions of this chapter, evaluate the qualifications, and approve the examinations for licensure under this chapter, and may issue subpoenas, examine witnesses, and administer oaths, and may investigate practices that are alleged to violate the provisions of this chapter.

(2) The licensure board shall adopt rules and regulations, pursuant to [chapter 52, title 67](#), Idaho Code, relating to professional conduct to carry out the policy of this chapter including, but not limited to, regulations relating to professional licensure and to the establishment of ethical standards of practice, disciplinary proceedings, license suspension proceedings, or license revocation proceedings for persons holding a license to practice occupational therapy in this state.

(3) The licensure board shall hold meetings, conduct hearings and keep records and minutes as are necessary to carry out its functions.

(4) Authorize, by written agreement, the division of occupational and professional licenses to act as its agent in its interests as set out in the written agreement.

(5) Communicate disciplinary actions to relevant state and federal authorities, the national board for certification in occupational therapy (NBCOT), the American occupational therapy association (AOTA) and to other state occupational licensing authorities.

(6) Adopt rules requiring continuing education for the renewal of a license.

[(54-3717) 54-3714, added 1987, ch. 69, sec. 1, p. 128; am. and redesign. 2009, ch. 222, sec. 17, p. 700; am. 2019, ch. 40, sec. 5, p. 108; am. 2022, ch. 94, sec. 54, p. 319.]

54-3718. GROUNDS FOR UNPROFESSIONAL CONDUCT. The board may take disciplinary action against a licensee for unprofessional conduct including:

(1) Obtaining a license by means of fraud, misrepresentation, or concealment of material facts;

(2) Being guilty of unprofessional conduct as defined by the rules established by the board, or violating the code of ethics adopted and published by the board;

(3) Being convicted of a crime in any court except for minor offenses;

(4) Violating any lawful order, rule or regulation rendered or adopted by the board;

(5) Violating any provision of this chapter or rules promulgated pursuant to this chapter;

(6) Practicing beyond the scope of the practice of occupational therapy;

(7) Providing substandard care as an occupational therapist due to a deliberate or negligent act or failure to act regardless of whether actual injury to the client is established;

(8) Providing substandard care as an occupational therapy assistant, including exceeding the authority to perform components of intervention selected and delegated by the supervising occupational therapist regardless of whether actual injury to the client is established;

(9) Failing to provide appropriate supervision to an occupational therapy assistant or aide in accordance with this chapter and board rules;

(10) Practicing as an occupational therapist or occupational therapy assistant when competent services to recipients may not be provided due to the therapist's own physical or mental impairment;

(11) Having an occupational therapist or occupational therapy assistant license revoked or suspended, other disciplinary action taken, or an application for licensure refused, revoked or suspended by the proper authorities of another state, territory or country, irrespective of intervening appeals and stays;

(12) Engaging in sexual misconduct. For the purposes of this subsection, sexual misconduct includes:

(a) Engaging in or soliciting sexual relationships, whether consensual or non-consensual, while an occupational therapist or occupational therapy assistant/client relationship exists with that person;

(b) Making sexual advances, requesting sexual favors or engaging in physical contact of a sexual nature with a client or clients;

(13) Aiding or abetting a person who is not licensed as an occupational therapist or occupational therapy assistant in this state and who directly or indirectly performs activities requiring a license;

(14) Abandoning or neglecting a client or clients under and in need of immediate professional care, without making reasonable arrangements for the continuation of such care.

[54-3718, added 2009, ch. 222, sec. 18, p. 700.]

54-3719. DISPOSITION OF RECEIPTS -- EXPENSES. All fees received under the provisions of this chapter shall be paid to the division of occupational and professional licenses and deposited in the state treasury to the credit of the occupational licenses fund and all costs and expenses incurred under the provisions of this chapter shall be a charge against and paid from said fund.

[(54-3719) 54-3715, added 1987, ch. 69, sec. 1, p. 123; am. and re-desig. 2009, ch. 222, sec. 19, p. 701; am. 2010, ch. 106, sec. 2, p. 217; am. 2021, ch. 224, sec. 65, p. 684; am. 2022, ch. 94, sec. 55, p. 319.]

54-3720. PENALTIES AND DISCIPLINARY ACTIONS. (1) Any person who violates any provision of this chapter shall, upon conviction, be guilty of a misdemeanor.

(2) In addition to the penalties provided for in subsection (1) of this section, the board may impose separately, or in combination, any of the following disciplinary actions on a licensee as provided in this chapter:

- (a) Refuse to issue or renew a license;
- (b) Suspend or revoke a license;
- (c) Impose probationary conditions;
- (d) Issue a letter of reprimand or concern;
- (e) Require restitution of fees;
- (f) Impose a fine as provided for by rule that deprives the licensee of any economic advantage gained by the violation;
- (g) Impose practice and/or supervision requirements;
- (h) Require licensees to participate in continuing competence activities specified by the board;
- (i) Accept a voluntary surrendering of license; or
- (j) Take other appropriate corrective actions, including advising other parties, as needed, to protect their legitimate interests and to protect the public.

(3) The assessment of costs and attorney's fees incurred in an investigation and prosecution or defense in an administrative proceeding against a licensee shall be governed by the provisions of section [12-117](#)(5), Idaho Code.

(4) If the board imposes suspension or revocation of license, application may be made to the board for reinstatement, subject to the limits of this chapter. The board shall have discretion to accept or reject an application for reinstatement and may require an examination or other satisfactory proof of eligibility for reinstatement.

(5) If a licensee is placed on probation, the board may require the license holder to:

- (a) Report regularly to the board on matters that are the basis of probation;
- (b) Limit practice to the areas prescribed by the board;
- (c) Continue to review continuing competence activities until the license holder attains a degree of skill satisfactory to the board in those areas that are the basis of the probation; or

(d) Provide other relevant information to the board.

(6) (a) The board is empowered to apply for relief by injunction, without bond, to restrain any person, partnership, or corporation from any threatened or actual act or practice that constitutes an offense under the provisions of this chapter. It shall not be necessary for the board to allege and prove that there is no adequate remedy at law in order to obtain the relief requested. The members of the board shall not be individually liable for applying for such relief.

(b) If a person other than a licensed occupational therapist or occupational therapy assistant threatens to engage in or has engaged in any act or practice that constitutes an offense under the provisions of this chapter, a district court of any county on application of the board may issue an injunction or other appropriate order restraining such conduct.

[(54-3720) 54-3716, added 1987, ch. 69, sec. 1, p. 123; am. and re-desig. 2009, ch. 222, sec. 20, p. 702; am. 2018, ch. 348, sec. 18, p. 814.]

54-3722. SEVERABILITY. The provisions of this chapter are hereby declared to be severable and if any provision of this chapter or the application of such provision to any person or circumstance is declared invalid for any reason, such declaration shall not affect the validity of remaining portions of this chapter.

[(54-3722) 54-3717, added 1987, ch. 69, sec. 1, p. 129; am. and re-desig. 2009, ch. 222, sec. 22, p. 703.]

CHAPTER 38
BOARD OF CEMETERIANS -- [REPEALED]