

P.L. 2026, CHAPTER 65, *approved August 6, 2026*
Senate, No. 1493 (*First Reprint*)

1 AN ACT concerning licensure requirements in occupational therapy
2 and amending and supplementing P.L.1993, c.85.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. Section 3 of P.L.1993, c.85 (C.45:9-37.53) is amended to
8 read as follows:

9 3. As used in P.L.1993, c.85 (C.45:9-37.51 et seq.):

10 “Client” means a person, group, or population that receives
11 professional services rendered by a licensed occupational therapist,
12 a licensed occupational therapy assistant or a temporary licensed
13 occupational therapist or assistant in medical, health, mental and
14 behavioral health and educational, vocational, social, or community
15 settings.

16 “Continuing competence and professional development” means a
17 requirement, as a condition of licensure renewal, to provide
18 evidence of participation in, or completion of, educational and
19 professional activities relevant to the practice or area of work of a
20 licensee. This shall include the continuing professional
21 development process of maintaining and documenting the
22 application of knowledge, skills and behaviors required to function
23 effectively, safely, ethically, and legally through ongoing self-
24 assessment, development, and implementation of a personal
25 professional development plan and subsequent self-reassessment.

26 "Council" means the Occupational Therapy Advisory Council
27 established pursuant to section 4 of P.L.1993, c.85 (C.45:9-37.54).

28 "Director" means the Director of the Division of Consumer
29 Affairs in the Department of Law and Public Safety.

30 “LGBTQIA+” means a member of the lesbian, gay, bisexual,
31 pansexual, transgender, genderqueer, queer, intersex, agender,
32 asexual, questioning, and other non-heterosexual-identifying
33 community.

34 “NBCOT” means the National Board for Certification in
35 Occupational Therapy.

36 “Occupational performance” means the performance of life
37 skills, roles and functions, within all areas of occupation, including
38 activities of daily living, instrumental activities of daily living,

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined **thus** is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly ABU committee amendments adopted June 28, 2026.

1 health management, rest and sleep, education, work, play, leisure,
2 and social participation that are affected by sensory, motor,
3 perceptual, cognitive, psycho-social, or mental and behavioral
4 health abilities.

5 "Occupational therapist" means a person licensed to practice
6 occupational therapy pursuant to the provisions of P.L.1993, c.85
7 (C.45:9-37.51 et seq.).

8 "Occupational therapy" means the evaluation, planning, and
9 implementation of a program of purposeful activities to develop or
10 maintain functional skills necessary to achieve the maximal
11 physical or mental and behavioral functioning, or both, of the
12 **【individual in the person's daily】 client for optimum** occupational
13 performance. The tasks of daily living may be threatened or
14 impaired by physical injury or illness, developmental disability,
15 sensorimotor disability, psychological and social disability, the
16 aging process, poverty, or cultural deprivation. Occupational
17 therapy utilizes task oriented activities adapted to prevent or correct
18 physical or emotional disabilities as well as to minimize the
19 disabling effects of those disabilities on the life of the **【individual】**
20 client. **【Occupational therapy services include the use of specific**
21 **techniques which enhance functional performance and include, but**
22 **are not limited to, the evaluation and assessment of an individual's**
23 **self-care, lifestyle performance patterns, work skills, performance**
24 **related cognitive, sensory, motor, perceptual, affective,**
25 **interpersonal and social functioning, vocational, and prevocational**
26 **capacities, the design, fabrication, and application of adaptive**
27 **equipment or prosthetic or orthotic devices, excluding dental**
28 **devices, the administration of standardized and nonstandardized**
29 **assessments, and consultation concerning the adaptation of physical**
30 **environments for persons with disabilities. These services are**
31 **provided to individuals or groups through medical, health,**
32 **educational and social systems.】**

33 "Occupational therapy assistant" means a person licensed
34 pursuant to the provisions of **【this act】** P.L.1993, c.85 (C.45:9-
35 37.51 et seq.) to assist in the practice of occupational therapy under
36 the supervision of or in collaboration with an occupational therapist
37 on a regularly scheduled basis for the purpose of the planning,
38 review, or evaluation of occupational therapy services.

39 “Occupational therapy services” means the use of specific
40 techniques to enhance the occupational performance of a client,
41 including, but not limited to, the evaluation and assessment of a
42 client's self-care; lifestyle performance patterns; work skills;
43 performance-related cognitive, sensory, motor, perceptual, mental,
44 behavioral, affective, interpersonal and social functioning; and
45 vocational and prevocational capacities. Occupational therapy
46 services also includes the design, fabrication, and application of

1 adaptive equipment or prosthetic or orthotic devices, excluding
2 dental devices; the utilization of physical agent modalities; the
3 administration of standardized and non-standardized assessments;
4 and consultation including recommendations for the adaptation of
5 physical environments. Occupational therapy services may also be
6 provided ¹in traditional, non-traditional and emerging areas in line
7 with occupational therapy practice including, but not limited to, to
8 address¹ parental health; women's health; pelvic health and
9 intimacy; LGBTQIA+ issues; sports and concussion management;
10 disaster preparedness and emergency management; and population
11 health management. ¹The services shall be provided to
12 individuals, groups, or populations through medical, health and
13 wellness, educational, community, and social systems.¹

14 "Purposeful activities" means acts and occupations of
15 craftsmanship and workmanship, as well as creative, educational, or
16 other activities, which in whole or in part are used to correct,
17 compensate for, or prevent dysfunction in the tasks and activities of
18 everyday living, and which simultaneously incorporate personally
19 and culturally relevant biological, psychological, and social
20 elements that produce positive adaptation and motivational
21 behavior.

22 "Supervision" means the responsible and direct involvement of a
23 licensed occupational therapist with an occupational therapy
24 assistant, a temporary licensed occupational therapist, a temporary
25 licensed occupational therapy assistant, or an occupational therapy
26 student fulfilling the required fieldwork component of educational
27 training for the development of an occupational therapy treatment
28 plan and the periodic review of the implementation of that plan. The
29 form and extent of the supervision shall be determined by the
30 council.

31 "Task oriented activities" means purposeful activities having an
32 explicit, observable, and measurable short-term goal which
33 contributes to the well-being of **self or others** clients.

34 (cf: P.L.2017, c.131, s.182)

35

36 2. Section 4 of P.L.1993, c.85 (C.45:9-37.54) is amended to
37 read as follows:

38 4. There is established in the Division of Consumer Affairs in
39 the Department of Law and Public Safety an Occupational Therapy
40 Advisory Council appointed by the Governor, with the advice and
41 consent of the Senate, which shall serve as an advisory body to the
42 Director of the Division of Consumer Affairs. The council shall
43 consist of seven members who are residents of the State, four of
44 whom shall be licensed occupational therapists having at least five
45 years of experience in occupational therapy in this State
46 immediately preceding appointment, one of whom shall be a

1 licensed occupational therapy assistant having at least five years of
2 experience in occupational therapy in this State immediately
3 preceding appointment, and two of whom shall be public members.
4 The first occupational therapist and occupational therapy assistant
5 members shall be qualified for licensure pursuant to the provisions
6 of **【this act】** P.L.1993, c.85 (C.45:9-37-51 et seq.).

7 Except for those first appointed, members shall serve for a term
8 of three years. Each member shall hold office until the appointment
9 of his successor. A vacancy in the office of any member shall be
10 filled for the unexpired term only. The initial appointment to the
11 council shall be two members for terms of one year, two members
12 for terms of two years, and three members for terms of three years.
13 No member shall serve more than **【two】** three successive terms.

14 The Governor may remove any council member for misconduct,
15 incompetency or neglect of duty after providing the council member
16 with a written statement of charges and an opportunity for a hearing
17 thereon.

18 (cf: P.L.1993, c.85, s.4)

19
20 3. Section 5 of P.L.1993, c.85 (C.45:9-37.55) is amended to
21 read as follows:

22 5. The members of the council, before entering the discharge of
23 their duties, and within 30 days after their appointment, shall take
24 and subscribe to an oath before an officer authorized to administer
25 oaths in this State for the faithful performance of their duties and
26 file the oath with the Secretary of State. The members of the
27 council shall annually elect from their number a chairman and a
28 vice-chairman each of whom shall hold office for one year and until
29 a successor is elected and qualified.

30 Regular meetings of the council shall be held at such times and
31 places as it prescribes and special meetings may be held upon the
32 call of the chairman or the director. At least **【two】** four regular
33 meetings shall be held each year.

34 (cf: P.L.1993, c.85, s.5)

35
36 4. Section 7 of P.L.1993, c.85 (C.45:9-37.57) is amended to
37 read as follows:

38 7. In addition to such other powers and duties as the director
39 may possess by law, the director shall:

40 a. Administer, coordinate and enforce the provisions of **【this**
41 **act】** P.L.1993, c.85 (C.45:9-37.51 et seq.) and delegate, at the
42 director's discretion, to the council one or more of the director's
43 powers or duties authorized pursuant to **【this act】** P.L.1993, c.85
44 (C.45:9-37.51 et seq.);

45 b. Evaluate the qualifications of applicants for licensure under
46 **【this act】** P.L.1993, c.85 (C.45:9-37.51 et seq.) as an occupational

1 therapist or occupational therapy assistant and administer or
2 approve in consultation with the council the examinations for
3 licensure as an occupational therapist or occupational therapy
4 assistant and issue a license to each qualified applicant;

5 c. Investigate allegations of practices violating the provisions
6 of **【this act】** P.L.1993, c.85 (C.45:9-37.51 et seq.);

7 d. Establish standards relating to professional conduct,
8 qualifications for professional licensure, ethical standards, and
9 disciplinary proceedings;

10 e. Maintain a record of every occupational therapist and
11 occupational therapy assistant licensed in this State, their places of
12 business, places of residence and the date and number of their
13 licenses;

14 f. Conduct hearings pursuant to the "Administrative Procedure
15 Act," P.L.1968, c.410 (C.52:14B-1 et seq.), except that the director
16 shall have the right to administer oaths to witnesses, and shall have
17 the power to issue subpoenas for the compulsory attendance of
18 witnesses and the production of pertinent books, papers, or records;

19 g. In consultation with the council, establish continuing
20 competence and professional development requirements; and

21 h. Do any and all things which may be appropriate to achieve
22 the objectives contemplated by **【this act】** P.L.1993, c.85 (C.45:9-
23 37.51 et seq.).

24 (cf: P.L.1993, c.85, s.7)

25
26 5. Section 11 of P.L.1993, c.85 (C.45:9-37.61) is amended to
27 read as follows:

28 11. To be eligible for licensure as an occupational therapist, an
29 applicant shall fulfill the following requirements:

30 a. Be at least 18 years of age;

31 b. Be of good moral character;

32 c. Present evidence to the director of having successfully
33 completed the academic requirements of an educational program in
34 occupational therapy approved by the director, in consultation with
35 the council, and accredited by the Accreditation Council for
36 Occupational Therapy Education, the American Occupational
37 Therapy Association, the World Federation of Occupational
38 Therapy or other nationally recognized programmatic accrediting
39 agency; and

40 d. **【Submit to the director evidence of having successfully**
41 **completed at least 24 weeks of supervised fieldwork experience**
42 **approved by the educational institution at which the applicant**
43 **completed the occupational therapy educational program; and**】****
44 Deleted by amendment, P.L. , c. (pending before the
45 Legislature as this bill)

1 e. Successfully complete an examination administered by the
2 NBCOT or other nationally recognized certification agency, or
3 approved by the director, in consultation with the council, to
4 determine the applicant's competence to practice occupational
5 therapy.

6 (cf: P.L.1993, c.85, s.11)

7
8 6. Section 12 of P.L.1993, c.85 (C.45:9-37.62) is amended to
9 read as follows:

10 12. To be eligible for licensure as an occupational therapy
11 assistant, an applicant shall fulfill the following requirements:

12 a. Be at least 18 years of age;

13 b. Be of good moral character;

14 c. Present evidence to the director of having successfully
15 completed the academic requirements of an educational program in
16 occupational therapy approved by the director, in consultation with
17 the council~~;~~, and accredited by the Accreditation Council for
18 Occupational Therapy Education, the American Occupational
19 Therapy Association, the World Federation of Occupational
20 Therapy or other nationally recognized programmatic accrediting
21 agency; and

22 d. ~~Submit to the director evidence of having successfully~~
23 ~~completed at least 12 weeks of supervised fieldwork experience~~
24 ~~approved by the educational institution at which the applicant~~
25 ~~completed the occupational therapy educational program;~~ Deleted
26 by amendment, P.L. , c. (pending before the Legislature as this
27 bill).

28 e. Successfully complete an examination administered by the
29 NBCOT or other nationally recognized certification agency, or
30 approved by the director, in consultation with the council, to
31 determine the applicant's competence to practice occupational
32 therapy.

33 (cf: P.L.1993, c.85, s.12)

34
35 7. Section 13 of P.L.1993, c.85 (C.45:9-37.63) is amended to
36 read as follows:

37 13. ~~The examinations required by~~ Pursuant to the examination
38 requirements in sections 11 and 12 of [this act] P.L.1993, c.85
39 (C.45:9-37.61 and 37.62), [shall test the applicant's knowledge of
40 basic and clinical sciences as they relate to occupational therapy,
41 occupational therapy techniques and methods, and any other
42 subjects the director, in consultation with the council, may require
43 to determine the applicant's fitness to practice occupational therapy.
44 Examinations shall be held within the State at least twice a year at a
45 time and place to be determined by the director, in consultation with
46 the council. The director shall give adequate written notice of the

1 examination to applicants for licensure and examination. An
2 applicant who fails an examination may apply for re-examination
3 upon payment of the prescribed fee **】** applicants for examination and
4 reexamination upon failure shall follow the process set forth by the
5 NBCOT or other nationally recognized certification agency.

6 (cf: P.L.1993, c.85, s.13)

7
8 8. Section 14 of P.L.1993, c.85 (C.45:9-37.64) is amended to
9 read as follows:

10 14. a. The director, in consultation with the council, shall issue
11 a license to any applicant who has satisfactorily met all the
12 requirements of **【this act】** P.L.1993, c.85 (C.45:9-37.51 et seq.). No
13 license shall be issued to an applicant if the applicant has: (1)
14 committed any act which if committed by a licensee would be
15 grounds for suspension or revocation; or (2) misrepresented any
16 material fact on the applicant's application.

17 b. Except in the case of a temporary license issued pursuant to
18 section 17 of **【this act】** P.L.1993, c.85 (C.45:9-37.67), all licenses
19 shall be issued for a two-year period upon the payment of the
20 licensing fee prescribed by the director, and shall be renewed upon
21 the filing of a renewal application, which shall require proof of
22 fulfilling continuing competence and professional development
23 requirements, pursuant to section 10 of P.L. , c. (C.) (pending
24 before the Legislature as this bill), and the payment of a licensing
25 renewal fee. The director may provide for the late renewal of a
26 license upon the payment of a late fee in accordance with rules and
27 regulations, but no late renewal of a license may be granted more
28 than five years after its expiration.

29 c. A practitioner whose license is suspended or revoked or
30 whose surrender of license with or without prejudice has been
31 accepted by the director or the council shall promptly deliver the
32 original license and current biennial registration to the council.

33 (cf: P.L.1993, c.85, s.14)

34
35 9. Section 18 of P.L.1993, c.85 (C.45:9-37.68) is amended to
36 read as follows:

37 18. The director may grant inactive license status to a licensee
38 who: a. is not actively practicing as an occupational therapist or an
39 occupational therapy assistant; b. does not represent himself as an
40 occupational therapist or an occupational therapy assistant; and c.
41 completes **【any】** continuing 【education】 competence and
42 professional development requirements 【which may be】 established
43 by the director, in consultation with the council, pursuant to
44 sections 4 and 10 of P.L. , c. (C.) (pending before the
45 Legislature as this bill).

46 (cf: P.L.1993, c.85, s.18)

1 10. (New section) a. Pursuant to sections 4 and 9 of P.L. , c.
2 (C.) (pending before the Legislature as this bill), continuing
3 competence and professional development requirements shall be a
4 condition for licensure renewal for licensed occupational therapists
5 and licensed occupational therapy assistants. The director, in
6 consultation with the council, shall establish:

7 (1) standards for:

8 (a) programs offering continuing competence and professional
9 development requirements; and

10 (b) continuing competence and professional development
11 requirements specific to ethics and jurisprudence; and

12 (2) the number of credits for occupational therapists and
13 occupational therapy assistance for each biennial licensure renewal
14 period.

15 b. Each credit to be acquired by a licensed occupational
16 therapist and for a licensed occupational therapy assistant shall
17 represent or be equivalent to one hour of actual course attendance,
18 or in the case of those electing an alternative method of satisfying
19 the requirements, shall be approved by the director, in consultation
20 with the council, and certified pursuant to procedures established
21 for that purpose.

22
23 11. This act shall take effect on the first day of the thirteenth
24 month next and shall be applicable to applications for initial
25 licensure or for licensure renewal received on or after that date.

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28 _____
29
30 Updates requirements for licensure in occupational therapy.