

CHAPTER 65 – BOARD OF RECREATIONAL THERAPY LICENSURE

SECTION .0100 - GENERAL

21 NCAC 65 .0101	NAME SHORT TITLE
21 NCAC 65 .0102	MEETINGS
21 NCAC 65 .0103	RECIPROCITY

History Note: Authority G. S. 90-6: 90C-4(a); 90C-5(i); 90C-15;
Eff. January 1, 1994;
Amended Eff. September 1, 1994;
Repealed Eff. December 1, 2006.

21 NCAC 65 .0104 ACADEMIC - TRS EXAMINATION

History Note: Authority G.S. 90C-6; 150B-21.6;
Eff. February 1, 1994;
Amended Eff. October 1, 1994;
Repealed Eff. December 1, 2006.

21 NCAC 65 .0105 PROVISIONAL TRS
21 NCAC 65 .0106 CERTIFICATION FEES

History Note: Authority G.S. 90C-6; 90C-9d; 90C-10;
Eff. January 1, 1994;
Repealed Eff. December 1, 2006.

21 NCAC 65 .0107 CERTIFICATE RENEWALS

History Note: Authority G.S. 90C-6; 90C-9c(4); 90C-11;
Eff. January 1, 1995;
Repealed Eff. December 1, 2006.

21 NCAC 65 .0108 REVOCATION AND OTHER SANCTIONS

History Note: Authority G.S. 90C-14(2)(3);
Eff. January 1, 1994;
Repealed Eff. December 1, 2006.

SECTION .0200 – REQUIREMENTS FOR PRACTICE

21 NCAC 65 .0201 RECREATIONAL THERAPY STANDARDS OF PRACTICE

History Note: Authority G.S. 90C 22(2)(3);
Temporary Adoption Eff. December 1, 2005;
Temporary Adoption Expired September 11, 2006.

21 NCAC 65 .0202 RECREATIONAL THERAPY CODE OF ETHICS

History Note: Authority G.S. 90C-22(2)(g);
Temporary Adoption Eff. December 1, 2005;
Temporary Adoption Expired Eff. September 11, 2006.

21 NCAC 65 .0203 LICENSED RECREATIONAL THERAPIST STANDARDS OF PRACTICE

A Licensed Recreational Therapist shall practice recreational therapy, also known as therapeutic recreation, in accordance with the most recent version of the American Therapeutic Recreation Association, Standards for the Practice (the ATRA SOP), including any subsequent amendments or editions. A copy may be purchased from ATRA at: <https://www.atra-online.com/> at a cost of twenty-eight dollars (\$28.00) for ATRA members and forty dollars (\$40.00) for non-ATRA members.

History Note: Authority G.S. 90C-22(2); 90C-24(a)(3); 90C-24(a)(10); 90C-24(a)(13);
Eff. December 1, 2006;
Amended Eff: March 1, 2016;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 21, 2018.

21 NCAC 65 .0204 LICENSED RECREATIONAL THERAPY ASSISTANT STANDARDS OF PRACTICE

Under the supervision of a Licensed Recreational Therapist, a Licensed Recreational Therapy Assistant shall practice recreational therapy in accordance with ATRA SOP, as incorporated by reference in Rule .0203 of this Section.

History Note: Authority G.S. 90C-22(3); 90C-24(a)(3); 90C-24(a)(10); 90C-24(a)(13);
Eff. December 1, 2006;
Amended Eff: March 1, 2016;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 21, 2018.

21 NCAC 65 .0205 SUPERVISION OF A LICENSED RECREATIONAL THERAPY ASSISTANT

(a) The Licensed Recreational Therapy Assistant (LRTA) shall perform duties and functions under the clinical supervision of the Licensed Recreational Therapist (LRT). Once the LRT determines the LRTA has demonstrated competence to provide interventions, client documentation, and to make recommendations for program modification, the LRTA shall practice in accordance with ATRA SOP as referred to in Rule .0203 of this Section.

(b) Clinical supervision shall be performed in accordance with the ATRA SOP, including the following elements:

- (1) The Licensed Recreational Therapist shall:
 - (A) Determine the recreational therapy treatment plan and the elements of that plan appropriate for delegation to a LRTA;
 - (B) Determine whether the LRTAs acting under his or her supervision possess the competence to perform the delegated duties;
 - (C) Delegate responsibilities to the LRTA that are consistent with assessed competencies and within the overall LRTA scope of practice as defined and described in the most recent version of the ATRA SOP;
 - (D) Review chart documentation, re-examine, and reassess the patient or client and revise the recreational therapy treatment plan;
 - (E) Establish the recreational therapy discharge plan;
 - (F) Determine whether co-signature of chart documentation done by the LRTA is necessary for safe and effective care and treatment;
 - (G) Be available in-person or by telecommunication to the LRTA while the LRTA is in practice; and
 - (H) Be limited to clinically supervising only the number of LRTAs that provides safe and effective patient or client intervention at all times.
- (2) A Licensed Recreational Therapy Assistant shall:
 - (A) Assist in the practice of recreational therapy only to the extent allowed by the supervising LRT;
 - (B) Assist in the assessment of patient or client needs as set forth in the ATRA SOP and employer policy;
 - (C) Make modifications to the recreational therapy treatment programs that are consistent with the recreational therapy treatment plan and under the supervision of the LRT;

- (D) Engage in off-site patient or client related functions that are appropriate for the LRTA's qualifications and assessed competency in consideration of the functional status of the patient or client; and
 - (E) Document patient or client care provided in accordance with written employer policy.
- (3) Prohibited Practice:
- (A) A LRTA shall not engage in practices of a LRT; and
 - (B) A LRTA shall not engage in acts beyond the scope of practice delegated by the supervising LRT.

History Note: Authority G.S. 90C-22(3); 90C-24(a)(1); 90C-24(a)(3); 90C-24(a)(6); 90C-24(a)(13); Temporary Adoption Eff. December 1, 2005; Eff. January 1, 2007; Amended Eff. March 1, 2016; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 21, 2018.

SECTION .0300 – REQUIREMENTS FOR LICENSURE

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 five 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 Advancement of the Profession. For candidates for licensure who have passed the NCTRC examination and were certified by the National Council for Therapeutic Recreation Certification, a therapeutic recreation or recreational therapy content course taught is considered the same as a therapeutic recreation or 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. 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 a 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: <http://www.nctrc.org> .
- (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.
- (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).
- (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, 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, (CTRS™) by the National Council for Therapeutic Recreation Certification (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 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™" 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(13); 90C-27(a);
Temporary Adoption Eff. December 1, 2005;
Eff. June 1, 2006;
Amended Eff. March 1, 2016; October 1, 2007;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 21, 2018.*

21 NCAC 65 .0302 MINIMUM LEVEL OF EDUCATION AND COMPETENCY FOR LICENSED RECREATIONAL THERAPY ASSISTANTS

(a) For the purposes of G.S. 90C-27(b), an academic major is defined as an Associate of Applied Science Degree in therapeutic recreation or recreational therapy from a community college by an accrediting agency approved by the United States Department of Education.

(b) Coursework for an Associate degree shall reflect the following:

- (1) Nine semester hours in therapeutic recreation or recreational therapy content. courses;
- (2) Ten semester hours in therapeutic recreation or recreational therapy intervention courses;
- (3) Fifteen semester hours of supportive coursework, including:
 - (A) A minimum of five semester hours of anatomy and physiology;
 - (B) Three semester hours of abnormal psychology;
 - (C) Three semester hours of growth and development across life span; and

- (D) The remaining four semester hours in any combination of supportive coursework shall be in the areas of psychology, sociology, physical and biological science, human services or physical education;
- (4) A course with a 380 hour field placement experience in a clinical, residential, or community-based agency under the supervision of a Licensed Recreational Therapist or Licensed Recreational Therapy Assistant approved by the university supervisor. The field placement shall be 12 consecutive weeks with each week including 20 hours. Supervisors of field placements in North Carolina shall be licensed by NCBRTL. Successful performance in a field placement course shall be demonstrated to the NCBRTL. "Successful performance" in a field placement course is defined as a grade of D or pass awarded by the university field placement supervisor and an Overall Rating of "Achieves Performance Expectations" awarded by the agency supervisor on the performance appraisal form (CPASRF) provided by the NCBRTL, available on the Board's website, www.ncbrtl.org or by contacting the Board.

History Note: Authority G.S. 90C-22(2)(i); 90C-22(7); 90C-22(8); 90C-24(a)(3); 90C-27(b); Temporary Adoption Eff. December 1, 2005; Eff. December 1, 2006; Amended Eff. March 1, 2016; October 1, 2007; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 21, 2018.

SECTION .0400 - APPLICATION

21 NCAC 65 .0401 APPLICATION PROCEDURES FOR LICENSED RECREATIONAL THERAPIST AND LICENSED RECREATIONAL THERAPY ASSISTANT

- (a) An applicant for licensure may request, in writing or on the Board's website, www.ncbrtl.org, an application package from the North Carolina Board of Recreational Therapy Licensure.
- (b) Applicants may submit an application form through the postal service or online at the Board website. All additional items required by this Rule shall be postmarked by the application deadline, the 15th of each month. Applicants making the deadline will be contacted for any missing items. Those received after the 15th shall be held for the next month's Board review.
- (c) All items shall be provided to constitute a full application package, including:
 - (1) A head and shoulders color photograph of the applicant;
 - (2) The initial application for licensure fee as stated in Rule .0501 of this Chapter;
 - (3) Official transcripts from each college or university attended;
 - (4) Clinical Performance Appraisal and Summary Reference Form rating the applicant's internship signed by the agency supervisor as defined in Rule .0301 of this Chapter;
 - (5) A completed NCBRTL application including applicant contact information, and educational requirements as set forth in Rule .0301 and .0302 of this Chapter; and
 - (6) Proof of successful exam passage as defined in Rule.0301 of this Chapter.
- (d) The Board or staff designee shall review each application to determine an applicant's eligibility for licensure as a Recreational Therapist or a Recreational Therapy Assistant. The Board shall notify the applicant in writing if the applicant is ineligible for licensure.
- (e) The Board shall issue all licensees a licensure card and certificate bearing the current name of the licensee, and licensee number.
- (f) The Board shall send any notices to a licensee to the last known contact information.

History Note: Authority G.S. 90C-24(a)(3); 90C-27(a)(2), 90C-27(b)(2); 90C-32; Temporary Adoption Eff. December 1, 2005; Eff. January 1, 2007; Amended Eff. March 1, 2016; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 21, 2018.

SECTION .0500 – LICENSURE FEES

21 NCAC 65 .0501 LICENSURE FEES

(a) A cashier's check, money order, certified check, an employer's check, or online payment is acceptable for the 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.

(c) The Board shall collect the following fees:

(1)	Initial Application for Licensure Fee	
	(A) Licensed Recreational Therapist	\$100.00
	(B) Licensed Recreational Therapy Assistant	\$50.00
(2)	Licensure renewal fees (due every two years)	
	(A) Licensed Recreational Therapist	\$75.00
	(B) Licensed Recreational Therapy Assistant	\$35.00
(3)	Inactive status	\$35.00
(4)	Record Maintenance fee (due non- renewal year)	
	(A) Licensed Recreational Therapist	\$75.00
	(B) Licensed Recreational Therapy Assistant	\$35.00

History Note: Authority G.S. 90C-24(a)(3); 90C-24(a)(10); 90C-28; Temporary Adoption Eff. December 6, 2005; Eff. December 1, 2006; Amended Eff. March 1, 2016; September 1, 2009; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 21, 2018.

SECTION 0600 - CONTINUING EDUCATION REQUIREMENTS

21 NCAC 65 .0601 CONTINUING EDUCATION REQUIREMENTS FOR LICENSED RECREATIONAL THERAPIST AND LICENSED RECREATIONAL THERAPY ASSISTANT

(a) During the two-year licensing period, a recreational therapist or recreational therapy assistant who is licensed by the North Carolina Board of Recreation Therapy Licensure shall complete continuing education as outlined below. Candidates for license renewal must complete a minimum of 20 hours of continuing education to renew the license. The renewal cycle is two years prior to licensee's expiration date, 20 hours or 2.0 CEUs must be earned within these two years.

(b) Values shall be awarded as the follows:

- 0.1 CEU (Continuing Education Unit) = one contact hour
- 1.0 CEU (Continuing Education Unit) = ten hours
- 2.0 CEUs = 20 Hours of Continuing Education every two years
- Renewal Cycle is two years back from renewal due date

(c) Content of continuing education must be consistent with the current standards listed in the National Council for Therapeutic Recreation Council Job Analysis and any subsequent amendments or changes. A licensee shall acquire credit through professional service, continuing education courses, academic courses, and professional publications and presentations.

(d) A licensee seeking renewal earning continuing education credit approved by the International Council on Continuing Education (IACET) shall include documentation in licensees' renewal application showing credit earned, content, the licensee's name and attendance dates. A licensee seeking renewal credit for sessions not approved by IACET, must send documentation to show name, content, attendance and amount of credit earned. Documentation to support renewal credit earned for attending professional sessions shall be a transcript, certificate, letter from continuing education's provider's letter head or the licensee's employer's training log including the content, attendance dates, licensee's name and credit earned.

(e) A licensee seeking renewal credits for academic courses: shall submit official transcript with course(s) and credit earned. One semester hour = 15 hours.

(f) A licensee seeking renewal credits from professional publications and presentations shall earn no more than 10 hours in the area of professional publications and presentations. Credit shall not be given for repeat or multiple presentations of same seminar, publication, in-service, original paper or poster presentation during a renewal cycle. Credit shall be split equally between presenters. Documentation for publications shall be a copy of the title page, table of contents and publication date. Documentation for presentations shall be in the form of letter from sponsoring body stating the licensee's name, date, content and the length of presentation.

(g) Values for publications and presentations are as follows:

(1)	Authoring and publishing printed editorials	one hour
(2)	Authoring and publishing peer reviewed articles on original research	six hours
(3)	Authoring and publishing professional newsletter article	one hour
(4)	Editing a textbook of original work	four hours
(5)	Authoring and publishing a textbook chapter of original work	six hours
(6)	Authoring and publishing a peer reviewed journal article of professional practice	four hours
(7)	Authoring and publishing a journal reviews or book review	one hour
(8)	Presenting peer reviewed poster session	one hour
(9)	Authoring and publishing a research abstract	one hour
(10)	Authoring and publishing a textbook of original work	ten hours
(11)	Authoring unpublished masters or doctoral thesis	eight hours
(12)	Presenting one hour at professional meetings	two hours

(h) Licensees seeking renewal credit for field-placement intern supervision shall be granted credit for no more than two field placement students during a renewal cycle for three hours credit per intern. Submission of the NCBRTL Clinical Appraisal and Reference Summary Form is accepted documentation. The NCBRTL Clinical Appraisal and Reference Summary Form can be found on the Board website, www.ncbrtl.org

(g) Licensees shall attend the Board's Compliance and Ethics Training for four hours credit during their first year of licensure. Existing licensees may attend the Board's Compliance and Ethics training for four hours renewal credit.

(h) Licensees seeking renewal credit submission for on-line training shall submit as proof of completion a certificate, letter or transcript as follows:

- (1) documentation to show content of the session(s);
- (2) documentation to show licensees' date of completion of the session;
- (3) documentation to support amount of credit awarded; and
- (4) the website address of the sponsoring body.

(i) Licensee seeking renewal credit for professional Recreational Therapy board member service shall be documented by letter of service from the professional board stating the dates served. One hour credit shall be given for one year's service. If the year's service crosses over the licensee's renewal cycle, credit can be used for next renewal cycle.

*History Note: Authority G.S. 90C-2; 90C-24(a)(3);
Temporary Adoption Eff. December 1, 2005;
Eff. January 1, 2007;
Amended Eff. May 1, 2013;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 21, 2018.*

21 NCAC 65 .0602 RENEWAL REQUIREMENTS FOR LICENSED RECREATIONAL THERAPIST AND LICENSED RECREATIONAL THERAPY ASSISTANT

(a) Board staff shall send a renewal and fee notice to a licensee 60 days prior to the expiration date at the licensees' last known contact address listed on licensee's online profile unless a person has advised the Board that he or she does not intend to renew the license. Pursuant to Rule .0603 of this Section, it is the responsibility of the licensee to keep his or her address current on the his or her online profile on Board website, www.ncbrtl.org.

(b) Licenses issued shall be subject to renewal every two years and shall include documentation as referenced in Rule .0601 in this Section to support completion of continuing education requirements.

(c) Each licensee shall complete and submit a renewal application, continuing education documentation and color photo of the licensee. All materials shall be postmarked or submitted on his or her online profile on the Board website by the 15th of the licensee's birth month. If the renewal application and fee is not received or postmarked by the 30th of the licensee's birth month, the license shall expire.

History Note: Authority G.S. 90C-24(a)(3); 90-29;
Eff. January 1, 2007;
Amended Eff. March 1, 2016; May 1, 2013; October 1, 2009;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 21, 2018.

21 NCAC 65 .0603 CHANGE OF ADDRESS OR NAME REQUIREMENTS FOR LICENSED RECREATIONAL THERAPIST AND LICENSED RECREATIONAL THERAPY ASSISTANT

- (a) Each licensee shall notify the Board and make changes to his or her online profile within 30 days of a change of name, work, or home address. The Board shall issue each licensee a username and password to log onto the Board website (www.ncbrtl.org) to update contact information.
- (b) The licensee requesting a name change shall provide to the Board a copy of a government issued identification, or a copy of a marriage certificate, marriage license, divorce decree, or evidence of legal change of name.

History Note: Authority G.S. 90C-24(a)(3); 90C-29;
Eff. January 1, 2007;
Amended Eff. March 1, 2016;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 21, 2018.

21 NCAC 65 .0604 LRTA RENEWAL SUPERVISION REQUIREMENT

Each Licensed Recreational Therapy Assistant shall submit proof of supervision by submitting the LRTA Supervision Verification Form with the renewal application every two years. This form documents the duties and functions set forth in Rule .0205 of this Chapter. This form may be obtained through NCBRTL office or Board website, www.ncbrtl.org.

History Note: Authority G.S. 90C-22(3); 90C-29;
Eff. March 1, 2016.

SECTION .0700 - REINSTATEMENT

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 must:

- (1) Complete a reinstatement licensure form provided by the Board;
- (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 licensure fees.

(b) Persons whose license is suspended for failure to renew, pursuant to G.S. 90C, 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 successfully meet.

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

SECTION .0800 – INACTIVE STATUS

21 NCAC 65 .0801 INACTIVE STATUS

- (a) A licensee shall request inactive status by completing the Inactive Status Request Form, that includes the licensee's contact information and the reason for request and paying the fee set forth in Rule .0501 of this Chapter. The form is available through the Board or Board's website, www.ncbrtl.org.
- (b) While on inactive status, an individual shall not practice recreational therapy in North Carolina.
- (c) A Licensed Recreational Therapist or Licensed Recreational Therapy Assistant who has been on inactive status for a period of one year or less may convert to active status by:
- (1) Submission of a reinstatement application as set forth in Rule .0701 in this Chapter to the Board;
 - (2) Completion of 10 continuing education hours, or the amount of hours as set forth in Rule .0601 in this Chapter for license renewal for a Licensed Recreational Therapist or Licensed Recreational Therapy Assistant; and
 - (3) Payment of the license renewal fee.
- (d) A Licensed Recreational Therapist or Licensed Recreational Therapy Assistant who has been on inactive status for a period greater than one year may convert to active status by:
- (1) Submission of a reinstatement application as set forth in Rule .0701 in this Chapter to the Board;
 - (2) Completion of 10 continuing education hours per year of inactive status, or the amount of hours, as set forth in Rule .0601 in this Chapter for license renewal; and
 - (3) Payment of the current license renewal fee.
- (e) A Licensed Recreational Therapist who has been on inactive status for a period greater than five years may convert to active status by:
- (1) Submission of a reinstatement application as set forth in Rule .0701 in this Chapter to the Board; and
 - (2) Submission of proof of passage of the examination as set forth in Rule .0301 in this Chapter.

History Note: Authority G.S. 90C-24(a)(3); 90C-31;
Temporary Adoption Eff. December 1, 2005;
Eff. December 1, 2006;
Amended Eff. March 1, 2016;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 21, 2018.

SECTION .0900 - RECIPROCITY

21 NCAC 65 .0901 ENDORSEMENT

- (a) The applicant for licensure by endorsement must make application to and be evaluated by the Board in accordance to the procedures outlined in the requirements for licensure.
- (b) The application package shall be accompanied by:
- (1) One current head and shoulders color photograph of the applicant identification;
 - (2) Official college transcripts;
 - (3) Verification of current state licensure;
 - (4) Verification of successful passage of the National Council for Therapeutic Recreation Certification Therapeutic Recreation Exam; and
 - (5) Licensure Fees stated in Rule .0500.
- (c) The Board shall issue a license to practice as a licensed recreational therapist or a licensed recreational therapy assistant to any applicant who:
- (1) Meets all licensure requirements, and
 - (2) Is currently licensed as a recreational therapist by a state with requirements substantially equivalent to the North Carolina Board of Recreational Therapy Licensure requirements at the time of application.

History Note: Authority G.S. 90C-24(a)(3); 90C-33;
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.

21 NCAC 65 .0902 MILITARY ENDORSEMENT

(a) The military trained applicant for licensure by endorsement shall make application to the Board by showing his or her credentials are substantially equivalent or exceed the requirements for licensure, as set forth in Section .0300 of this Chapter.

(b) The application in Paragraph (a) of this Rule shall be accompanied by:

- (1) A color photograph;
- (2) Official college transcripts from all colleges attended;
- (3) Verification of passage of the Exam given by National Council for Therapeutic Recreation Certification;
- (4) The licensure fee as set forth in Rule .0501 in this Chapter;
- (5) Verification of military training as a MOS Recreational Therapist or MOS Recreational Therapy Assistant;
- (6) Verification of two years of active practice within the five years preceding the date of application as a MOS Recreational Therapist or MOS Recreational Therapy Assistant; and
- (7) A statement that the applicant has not committed any act in any jurisdiction that would have constituted grounds for refusal, suspension, or revocation of a license to practice that occupation in this State at the time the act was committed.

(c) Applicants pursuant to G.S. 93B-15.1(a2) shall pass the Military Exemption MOS Recreational Therapy Examination given by the North Carolina Board of Recreational Therapy Licensure.

(d) A military spouse applicant for licensure by endorsement, who possesses a current license whose licensure requirements are substantially equivalent or exceed the requirements for licensure in North Carolina shall make application with and be evaluated by the Board as set forth in Section .0300 of this Chapter.

(e) The application in Paragraph d) shall be accompanied by:

- (1) A color photograph;
- (2) Official college transcripts from all colleges attended;
- (3) Verification of current state license;
- (4) Verification of passage of the Exam given by National Council for Therapeutic Recreation Certification;
- (5) The licensure fee as set forth in Rule .0501 of this Chapter; and
- (6) A statement that the applicant has not committed any act in any jurisdiction that would have constituted grounds for refusal, suspension, or revocation of a license to practice that occupation in this State at the time the act was committed.

History Note: *Authority G.S. 90C-27; 90C-33; 93B-15.1;*
 Eff. March 1, 2016.

SECTION .1000 - REVOCATION, SUSPENSION OR DENIAL OF LICENSURE

21 NCAC 65 .1001 COMPLAINTS AND REPORTS

(a) The Board shall accept from the licensee as a self-report, an employer agency, or the public reports and complaints of suspected malpractice, violations of Chapter 90C, complaints, or incident reports of disciplinary issues, including misconduct in the workplace or the community by any licensee.

(b) The complainant shall submit a signed Board approved form that includes the information required in Paragraph (c) of this Rule. The form shall be filed electronically on the Board website at www.ncbrtl.org or by contacting the Board office by phone, email, or mail for a form. The complainant shall state he or she believes the facts stated in the complaint or report to be true.

(c) A complaint regarding a violation of the G.S. 90C or Rules shall be submitted in writing within 24-72 hours of occurrence or upon receipt of knowledge regarding a suspected occurrence and document the following facts pertaining to the complaint or report:

- (1) the complainant first and last name;
- (2) the complainant address;
- (3) the complainant phone number;
- (4) the licensee first and last name;
- (5) the nature of the complaint and description of the alleged behavior or incident;

- (6) if known, the name, mailing address, email address, and phone number of the individual(s)(including co-workers and members of the public) involved in the complaint;
 - (7) if known, the name, work address, and phone number of the supervisor of the individual being reported; and
 - (8) the signature of complainant and statement of the truthfulness of the information.
- (d) The Board staff shall return any incomplete forms to the complainant. The complainant may correct the incomplete complaint and resubmit it to the Board.
- (e) Upon receipt of the completed complaint, Board staff shall notify the complainant of receipt and open a file.
- (f) The Board shall not accept any anonymous complaints.
- (g) Complaints and reports shall be reviewed by the Executive Director and Board Chair, who shall determine whether further investigation is needed, based upon the facts in the complaint.

History Note: Authority G.S. 90C-24(a)(3); 90-24(8); 90C-24(a)(8); 90C-32; Temporary Adoption Eff. December 1, 2005; Eff. January 1, 2007; Amended Eff. October 1, 2017; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 21, 2018.

21 NCAC 65 .1002 INVESTIGATIONS

- (a) After accepting a report or complaint as referenced in Rule .1001 of this Section, the Board shall require information from the licensee regarding any disciplinary action taken by an employer or any sanctions issued to the licensee by a credentialing board or by a professional association.
- (b) The individual being reported shall submit the Board's form located on the Board's website www.ncbrtl.org, located under the headings of Documents or Complaints. The form requires:
- (1) the name of individuals (client names and identifying information to be de-identified or blacked out) present at the time of the incident;
 - (2) a description of the alleged behavior or incident;
 - (3) the individual's supervisor's name, mailing address, email address and phone number;
 - (4) the copies of any written notes, or de-identified client records involved;
 - (5) the date and time of the incident; and
 - (6) if taken, a summary of employing agency's action in response to the incident.
- (c) The individual shall send the form by mail to the Board's mailing address or via email to the Board's email address. The Board staff shall open a file and assign a case number.
- (d) The Board staff shall request information from professional associations, professional review organizations, or facilities where a licensee performs professional services concerning the case.
- (e) The Executive Director shall prepare a report of each investigation for the Board's review.

History Note: Authority G.S. 90C-24(a)(3); 90C-24(a)(8); 90C-32; Eff. October 1, 2017.

21 NCAC 65 .1003 LETTER OF NOTIFICATION

If the Board receives information that an individual may be practicing recreational therapy without a license, the Board shall issue a Letter of Notification. The Board shall inform the individual in writing that his or her practice may be considered within the recreational therapy scope of practice and he or she could be found in violation if he or she continues to practice recreational therapy without a license. The Board shall refer the individual to Chapter 90C, the rules of this Chapter, and the NCBRTL Employment Form, which sets forth the Standards of Practice for Recreational Therapy in G.S. 90C-22(2).

History Note: Authority G.S. 90C-22(2); 90C-32(6); Eff. October 1, 2017.

21 NCAC 65 .1004 UNAUTHORIZED PRACTICE

- (a) Except as otherwise authorized in G.S. 90C-34, non-licensed individuals shall not:

- (1) Practice, attempt to practice, supervise recreational therapy, or hold out any individual as being able to do any of these things in this State, without first having obtained a license from the Board for the individual performing services or being so held out;
- (2) Use in connection with any individual's name any letters, words, codes, or insignia indicating or implying that the individual is a recreational therapist or recreational therapy assistant, unless the individual is licensed in accordance with this Chapter;
- (3) Practice or attempt to practice recreational therapy as defined in G.S. 90C-22(2) and referenced in the ATRA Standards of Practice with a revoked, lapsed, or suspended license; or
- (4) Aid, abet, or assist any unlicensed individual to practice recreational therapy in violation of this Article.

(b) To determine whether an individual has engaged in the unauthorized practice of recreational therapy, the Board shall request the individual complete a NCBRTL Employment Form listing the duties performed by the individual being investigated.

(c) To the extent permitted by law, any individual found by the Board to be engaged in the unauthorized practice of recreational therapy shall be subject to the sanctions set forth in Rule .1006 of this Chapter.

History Note: Authority G.S. 90C-22(2); 90C-24(a)(8); 90C-32; 90C-36; 90C-37;
Eff. October 1, 2017.

21 NCAC 65 .1005 VIOLATIONS

(a) Following an investigation, the Board shall determine whether a Compliance Violation has occurred.

- (1) As used in this Section, a "Compliance Violation" shall mean:
 - (A) A licensee's failure to pay required fee in accordance with Rule .0501 of this Chapter by the due date for Maintenance and Renewal/Continuing Education;
 - (B) A licensee's failure to submit Renewal/Continuing Education requirements by the Renewal due date prescribed by the Board and in accordance with Rules .0601 and .0602 of this Chapter; or
 - (C) A licensee practicing with an expired license for one month or less.
- (2) The Board shall allow a licensee that it determines has committed a Compliance Violation to enter into a "Corrective Action Plan." The Corrective Action Plan shall require the licensee to submit missing documents, a Reinstatement Application, and fee. in accordance with Rule .0501 of this Chapter. Each violation shall require the licensee to attend a "NCBRTL Compliance and Ethics" training session by a date specified by the Board. The Board shall notify the individual of the date in a letter.

(b) Following an investigation, the Board shall determine whether a Practice Violation has occurred.

- (1) As used in this Section, a "Practice Violation" shall mean:
 - (A) Practicing Recreational Therapy without a license from the Board;
 - (B) Actions by a licensee that caused a client or patient actual or potential harm;
 - (C) A licensee practicing beyond the scope of practice for recreational therapy;
 - (D) A licensee's failure to follow the physician's orders as prescribed for a client or patient;
 - (E) A licensee's violation of the ATRA Code of Ethics in the Standards of Practice in accordance with Rules .0203 and .0204 of this Chapter; or
 - (F) A licensee continuing to practice with an expired license for a period exceeding one month.
- (2) In the event the Board determines that a licensee or other individual has committed a Practice Violation, the Board shall issue one or more of the disciplinary sanctions set forth in Rule .1005 of this Section.

History Note: Authority G.S. 90C-32; 90C-36; 90C-37;
Eff. October 1, 2017.

21 NCAC 65 .1006 SANCTIONS

(a) Upon the Board's determination that an applicant or licensee (if the licensee has not entered into a corrective action plan) has violated the rules set forth in this Chapter with a Compliance or Practice Violation or engaged in any conduct violating G.S. Chapter 90C, the Board may impose one or more of the following disciplinary sanctions:

- (1) Denial of Application;
- (2) Letter of Reprimand;

- (3) Required Remedial Education;
 - (4) Restriction by Probation;
 - (5) Suspension of License;
 - (6) Revocation of License; or
 - (7) Request for Injunction.
- (b) On a case-by-case basis, the Board may also impose restrictions and conditions on a licensee's practice including:
- (1) restriction on the licensee's scope of practice;
 - (2) direct supervision of the licensee's practice;
 - (3) requiring the licensee to submit quarterly reports for a designated amount of time to the Board; or
 - (4) requiring the licensee to complete additional educational coursework.
- (c) Information regarding disciplinary sanctions for any licensee shall be available on the Board's website, www.ncbrtl.org. The Board shall list the following:
- (1) the name of the licensee;
 - (2) the agency;
 - (3) the infraction(s);
 - (4) the sanction(s) imposed by the Board; and
 - (5) the date(s) of imposition.

*History Note: Authority G.S. 90C-24(a)(8); 90C-32; 90-36; 90C-37;
Eff: October 1, 2017.*

21 NCAC 65 .1007 HEARINGS

- (a) The individual may submit a request for a hearing in the Board's office. The request must be received by the Board within 30 days of the date such individual receives notice of the Board's action or proposed action.
- (b) The written request must include:
- (1) a statement of request for a hearing before the Board;
 - (2) the name and address of the petitioner;
 - (3) a statement of the action taken by the Board that is being challenged;
 - (4) a statement of reason(s) the petitioner has been aggrieved; and
 - (5) a statement of any new information that the petitioner thinks is relevant to the issue.
- (c) The Board shall schedule the hearing within 60 days of receipt of the request.
- (d) The Board shall serve one written copy of the decision to each party in the hearing.
- (e) Formal hearings shall be conducted in accordance with G.S. 150B-38.

*History Note: Authority G.S. 150B-38;
Eff: October 1, 2017.*