

TABLES & GRAPHICS

Graphic images included in rules are published separately in this tables and graphics section. Graphic images are arranged in this section in the following order: Title Number, Part Number, Chapter Number and Section Number.

Graphic images are indicated in the text of the emergency, proposed, and adopted rules by the following tag: the word “Figure” followed by the TAC citation, rule number, and the appropriate subsection, paragraph, subparagraph, and so on.

Figure: 26 TAC §271.57(7) [~~40 TAC §48.2904(7)~~]

Expense	Excludability
Money paid to or for employees not living in the home	Excludable
Money paid to or for employees living in the home	Excludable
Federal, state, or local income taxes	Excludable
Sales tax	Excludable
Property tax	Excludable
Rental of business property	Excludable
Utilities for business property	Excludable
Stock, inventory and [Stock/inventory,] raw materials	Excludable
Supplies	Excludable
Fuel expenses for the business	Excludable
Insurance premiums	Excludable
Linen service	Excludable
Interest for business loans or property	Excludable
Lodging when traveling [{]when not counted as shelter[}]	Excludable
Own meals when traveling for business	Excludable
Net loss for same determination period	Excludable
Additional expenses related to self-employment. <u>Examples: advertising, co-op, license fees and journals.</u> [{advertising, co-op, license fees, journals, etc.}]	Excludable
Additional farming-related expenses. <u>Examples: feed, seed, plants, seedlings, farm supplies, breeding fees, fertilizer and lime, crop insurance, crop storage</u>	Excludable for self-employment farming Excludable for unearned income farming only if part of the lease agreement

and fees for livestock testing. [(feed, seed, plants, seedlings, farm supplies, breeding fees, fertilizer and lime, crop insurance, crop storage, fees for livestock testing, etc.)]	
Depreciation related to self-employment	Excludable
Cost of doing business in the home, [(]separately identifiable from home expenses[)], including utilities. For rooms designated for business purposes in a single residence, expenses are compared to the total number of rooms in the house. Bathrooms are not counted as rooms. <u>Basements</u> [;- basements] and attics are counted only if they have been converted into living spaces.	Excludable
Purchase and cleaning of uniforms	Not excludable
Capital asset purchases	Not excludable
Capital asset improvements	Not excludable
Payment on principal of loan for income-producing property	Not excludable
Travel to <u>and from</u> [/from] place of business	Not excludable
Net loss from previous determination period	Not excludable
Depreciation related to unearned income. <u>Example: rental income.</u> [(e.g., rental income)]	Not excludable

Figure: 26 TAC §271.65(b)(4)(B) [~~40 TAC §48.2908(b)(4)(B)~~]

<u>Indian Group</u>	<u>Conveyance Statute</u>	<u>State</u>
Seminole Indians	P.L. 84-736	Florida [§]70 Stat 581[§] [§]July 20, 1956[§]
Pueblos of Zia and Jemez	P.L. 84-926	New Mexico [§]70 Stat 941[§] [§]August 2, 1956[§]
Stockbridge Munsee Indian Community	P.L. 92-480	Wisconsin [§]86 Stat 795[§] [§]October 9, 1972[§]
Burns Indian Colony	P.L. 92-488	Oregon [§]86 Stat 806[§] [§]October 13, 1972[§]

<u>Indian Group</u>	<u>Reservation</u> <u>By P.L. 94-114</u>	<u>Lands Conveyed</u>	<u>State</u>
Assiniboine and Sioux Tribe	Fort Peck	LI-MT 6 Fort Peck	Montana
Bad River Band of the Lake Superior Tribe of Chippewa Indians	Bad River	LI-WI 8 Bad River	Wisconsin
Blackfeet Tribe of Montana	Blackfeet	LI-MT 9 Blackfeet	Montana
Cherokee Nation of Oklahoma	None	LI-OK 4 Delaware LI-OK 5 Adair	Oklahoma
Cheyenne River	Cheyenne River	LI-SD 13	South Dakota

Sioux Tribe		Cheyenne Indian	
Crow Creek Sioux Tribe	Crow Creek	LI-SD 10 Crow Creek	South Dakota
Devil's Lake Sioux Tribe	Fort Totten	LI-ND 11	North Dakota
Fort Belknap Indian Community	Fort Belknap	LI-MT 8 Fort Belknap	Montana
Keweenaw Bay Indian Community	L'Anse	LI-MI 8 L'Anse	Michigan
Lac Courte Oreilles Band of Lake Superior Chippewa Indians	Lac Courte Oreilles	LI-WI 9 Lac Courte	Wisconsin
Lower Brule Sioux Tribe	Lower Brule	LI-SD 10 Lower Brule	South Dakota
Minnesota Chippewa Tribe	White Earth	LI-MN 6 Twin Lakes LI-MN 15 Flat Lake	Minnesota
Navajo Tribe	Navajo	LI-NM 18 Gallup Two Wells	New Mexico
Oglala Sioux Tribe	Pine Ridge	LI-SD 7 Pine Ridge	South Dakota
Rosebud Sioux Tribe	Rosebud	LI-SD 8 Cutmeat LI-SD 9 Antelope	South Dakota
Shoshone-Bannock Tribe	Fort Hall	LI-ID 2 Fort Hall	Idaho
Standing Rock Sioux Tribe	Standing Rock	LI-ND 10 Standing Rock	North Dakota

		LI-SD 10	South Dakota
		Standing Rock	

Figure: 26 TAC §271.155(a) [~~40 TAC §48.3903(a)~~]

If	Then
Termination or reduction is because the client lost <u>their</u> [his] eligibility as an income-eligible, failed to qualify as an income-eligible after a verbal referral, failed to meet the client needs assessment score or medical criteria for the service, repeatedly [{]more than three times[}] directly or knowingly, and passively condoned the behavior of someone in <u>their</u> [his] home and [thus,] refused to follow service delivery provisions, experienced a change in <u>their</u> [his] need for the specific service, or failed to pay fees for services,	The action is effective 12 <u>calendar</u> days from the date of the notice unless the action is appealed. In the event of <u>an</u> appeal, services continue until the hearing officer gives a decision. The cost of providing services during this period is subject to recovery by <u>HHSC</u> [the department] from the client. Services to <u>a client</u> [clients] in residential care facilities are terminated five <u>calendar</u> days after the hearing officer gives <u>their</u> [his] decision.
[Termination is because the client lacks AFDC, SSI, Medicaid or food stamp eligibility,]	[Services continue only to the end of the month that the client is determined ineligible, even if the action is appealed.]
[Termination is because the client lacks physician's orders for the service,]	[Services continue only through the date the previous orders end, even if the action is appealed.]
[Termination or reduction is because of budgetary constraints or changes in federal law or state regulations, and services are reduced or terminated for an entire categorical client group,]	[Services continue only through the date of termination of a categorical client group, even if appealed.]
Termination is because the client or someone in <u>their</u> [his] home threatens the health or safety of others, or because the client threatens <u>their</u> [his] own health or safety.	Services may be terminated immediately under the following conditions: <u>A client receiving residential care, adult foster care, day activity and health services, or special services to persons with disabilities threatens their own health or safety or that of others; or</u>

	<u>Someone in the client's home or a client receiving emergency response services, home-delivered meals, community attendant services, family care, primary home care, or special services to persons with disabilities threatens HHSC staff or provider agency staff's health or safety.</u>
	[A client receiving residential care, adult foster care, day activity and health services, or special services to persons with disabilities threatens his own health or safety or that of others; or]
	[Someone in the client's home or a client receiving emergency response services, home-delivered meals, waiver services, family care, primary home care, or special services to persons with disabilities threatens the Texas Department of Human Services' (DHS's)] staff or provider's health or safety.]
<u>Termination is because the client lacks TANF, SSI, Medicaid or SNAP eligibility,</u>	<u>Services continue only to the end of the month that the client is determined ineligible, even if the action is appealed.</u>
<u>Termination or reduction is because of budgetary constraints or changes in federal law or state regulations, and services are reduced or terminated for an entire categorical client group,</u>	<u>Services continue only through the date of termination of a categorical client group, even if appealed.</u>
<u>Termination is because the client lacks a practitioner's statement of medical need for the service,</u>	<u>Services continue only through the date the previous practitioner's statement of medical need ends, even if the action is appealed.</u>

Figure: 30 TAC Chapter 101 - Preamble

$$\bar{x}_{lookback\ period} > \bar{x}_{2011-2022} + \sigma_{2011-2022}$$

Figure: 30 TAC §101.704(c)(1)

$$FeeBalance = AreaObligation - FeeEquivAcct$$

Definitions:

AreaObligation = The Area §185 Obligation calculated under subsection (c) of this section representing the sum of the Failure to Attain Fee from all major stationary sources or Section 185 Accounts in the severe or extreme 2008 eight-hour ozone standard nonattainment area for a fee assessment year.

FeeEquivAcct = Amount of Equivalency Credits in the Fee Equivalency Account as determined under §101.703 of this title (relating to Fee Equivalency Account).

FeeBalance = The balance (amount remaining) in the Fee Equivalency Account after the Equivalency Credits are applied to the Area §185 Obligation for a fee assessment year.

Figure: 30 TAC §101.704(c)(3)

$$ProratedFee = \left(\frac{FeeBalance}{AreaObligation} \right) \times (\$185Fee)$$

Definitions:

FeeBalance = The balance (amount remaining) in the Fee Equivalency Account after the Equivalency Credits are applied to the Area §185 Obligation for a fee assessment year.

AreaObligation = The Area §185 Obligation calculated under this subsection for the fee assessment year.

§185Fee = The Failure to Attain Fee for each individual major stationary source or Section 185 Account calculated by the executive director based on actual emissions recorded in the inventory under §101.10 of this title (relating to Emissions Inventory Requirements).

ProratedFee = The reduced Failure to Attain Fee each major stationary source or Section 185 Account to be assessed if insufficient equivalency credits are available in the Fee Equivalency Account.

Figure: 30 TAC §101.713(f)

$$\text{\$185Fee} = \$200 \left[\left(\frac{2}{3} \times \text{Part70x} \right) + \left(\frac{1}{3} \times \text{Part70y} \right) \right] \times [(\text{Actual} - (0.8 \times \text{BA}))]$$

Definitions:

Part70x = The Code of Federal Regulations (CFR) Part 70 fee published by the EPA for the 12 months that includes the fiscal year for the calendar year that a fee is being assessed. This value represents the base value for January through August portion of the annual fee.

Part70y = The CFR Part 70 fee published by the EPA for the 12 months that includes the fiscal year following the calendar year that a fee is being assessed. This value represents the base value for September through December portion of the annual fee.

Actual = All quantifiable emissions of VOC and/or NO_x from the major stationary source or Section 185 Account; as recorded in the annual emissions inventory for the fee assessment year. Actual emissions include all authorized and unauthorized emissions in units of tons per year. Pollutants and/or sites aggregated under §101.707 of this title will be combined for fee assessment in the same manner.

BA = Baseline amount in tons per year from a major stationary source or Section 185 Account as calculated under this subchapter.

§185Fee = The Failure to Attain Fee for each individual major stationary source or Section 185 Account calculated by the executive director based on actual emissions recorded in the inventory under §101.10 of this title (relating to Emissions Inventory Requirements).

Figure: 40 TAC §374.1(c)

Schedule of Sanctions

Disciplinary Violations	OT Act/Rule	Minimum Discipline	Intermediate Discipline	Maximum Discipline	Remarks
Failing to document occupational therapy services or inaccurately recording, falsifying, or altering client records	Sec. 454.301(a)(6) §374.2(1)	30-45 day license suspension +up to \$150 per violation per day	60-90 day license suspension +up to \$200 per violation per day	Revocation or Surrender of license +up to \$200 per violation per day	Alternative disciplinary decisions or pursuing other courses of action may depend on the nature of the situation, repeat of violation, or development.
Making or filing a false or misleading report, or failing to file a report when it is required by law or third person or obstructing or attempting to obstruct another person from filing such a report	Sec. 454.301(a)(6) §374.2(2)	30-45 day license suspension +up to \$150 per violation per day	60-90 day license suspension +up to \$200 per violation per day	Revocation or Surrender of license +up to \$200 per violation per day	Alternative disciplinary decisions or pursuing other courses of action may depend on the nature of the situation, repeat of violation, or development.
Failing to report or otherwise concealing any conduct by self or another licensee likely to be a violation of the Act or Rules	Sec. 454.301(a)(6) §374.2(3)	30-45 day license suspension +up to \$150 per violation per day	60-90 day license suspension +up to \$200 per violation per day	Revocation or Surrender of license +up to \$200 per violation per day	Alternative disciplinary decisions or pursuing other courses of action may depend on the nature of the situation, repeat of violation, or development.
Drug diversion. In this paragraph, "drug diversion" refers to when a medication is diverted from the person to whom it was prescribed	Sec. 454.301(a)(6) §374.2(4)	30-45 day license suspension with restricted practice +up to \$150 per violation per day	60-90 day license suspension with restricted practice +up to \$200 per violation per day	Revocation or Surrender of license +up to \$200 per violation per day	Alternative disciplinary decisions or pursuing other courses of action may depend on the nature of the situation, repeat of violation, or development.
Not providing the supervision required by the Act or Rules for those individuals to whom occupational therapy services are delegated	Sec. 454.301(a)(6) §374.2(5)	30-45 day license suspension +up to \$150 per violation per day	60-90 day license suspension +up to \$200 per violation per day	Revocation or Surrender of license +up to \$200 per violation per day	Alternative disciplinary decisions or pursuing other courses of action may depend on the nature of the situation, repeat of violation, or development.
Practicing occupational therapy without	Sec. 454.301(a)(6) §374.2(6)	30-60 hours community service +up to	30-60 day license suspension	Revocation or Surrender of license	Alternative disciplinary decisions or

Schedule of Sanctions

Disciplinary Violations	OT Act/Rule	Minimum Discipline	Intermediate Discipline	Maximum Discipline	Remarks
receiving the supervision required by the Act or Rules		\$150 per violation per day	+up to \$200 per violation per day	+up to \$200 per violation per day	pursuing other courses of action may depend on the nature of the situation, repeat of violation, or development.
Impersonating another person holding a license; aiding, abetting, authorizing, condoning, or allowing the practice of occupational therapy or the representation of oneself as an occupational therapy practitioner by a person without a license; or aiding, abetting, authorizing, condoning, or allowing the use of a license by a person other than the holder of the license	Sec. 454.301(a)(6) §374.2(7)	30-45 day license suspension +up to \$150 per violation per day	60-90 day license suspension +up to \$200 per violation per day	Revocation or Surrender of license +up to \$200 per violation per day	Alternative disciplinary decisions or pursuing other courses of action may depend on the nature of the situation, repeat of violation, or development.
Practicing occupational therapy or representing oneself in a manner not authorized by the license	Sec. 454.301(a)(6) §374.2(8)	30-60 hours community service +up to \$150 per violation per day	30-60 day license suspension +up to \$200 per violation per day	Revocation or Surrender of license +up to \$200 per violation per day	Alternative disciplinary decisions or pursuing other courses of action may depend on the nature of the situation, repeat of violation, or development.
Failing to cooperate with the agency by not responding to agency correspondence addressed to the individual's designated address(es) or by not furnishing papers or documents	Sec. 454.301(a)(6) §374.2(9)	15-30 day license suspension +up to \$150 per violation per day	45-90 day license suspension +up to \$200 per violation per day	Revocation or Surrender of license +up to \$200 per violation per day	Alternative disciplinary decisions or pursuing other courses of action may depend on the nature of the situation, repeat of violation, or development.

Schedule of Sanctions

Disciplinary Violations	OT Act/Rule	Minimum Discipline	Intermediate Discipline	Maximum Discipline	Remarks
requested or not responding to subpoenas issued by the agency within 90 days					
Failing to complete the requirements of an agreed order	Sec. 454.301(a)(6) §374.2(10)	30-45 day license suspension +up to \$150 per violation per day in addition to the incomplete requirements from previous agreed order(s) and previous fines	60-90 day license suspension +up to \$200 per violation per day in addition to the incomplete requirements from previous agreed order(s) and previous fines	Revocation or Surrender of license +up to \$200 per violation per day	Alternative disciplinary decisions or pursuing other courses of action may depend on the nature of the situation, repeat of violation, or development.
Interfering with an investigation or disciplinary proceeding by willful misrepresentation of facts before the agency or Board or by the use of threats, intimidation, or harassment against any clients or witnesses with the potential of preventing them from providing evidence in a disciplinary proceeding or any other legal action	Sec. 454.301(a)(6) §374.2(11)	30-45 day license suspension +up to \$150 per violation per day	60-90 day license suspension +up to \$200 per violation per day	Revocation or Surrender of license +up to \$200 per violation per day	Alternative disciplinary decisions or pursuing other courses of action may depend on the nature of the situation, repeat of violation, or development.
Practicing occupational therapy without a valid license, including after the expiration, surrender, or revocation of the license, during the suspension of the license, or after the license is void	Sec. 454.301(a)(6) §374.2(12)	30-60 hours community service or 15-45 day suspension +up to \$150 per violation per day	60-90 day license suspension +up to \$200 per violation per day	Revocation or Surrender of license +up to \$200 per violation per day	Alternative disciplinary decisions or pursuing other courses of action may depend on the nature of the situation, repeat of violation, or development.
Failing to conform to the minimal standards of acceptable	Sec. 454.301(a)(6) §374.2(13)(A)	15-30 day license suspension +up to \$150	45-90 day license suspension +up to \$200	Revocation or Surrender of license +up to \$200	Alternative disciplinary decisions or pursuing other

Schedule of Sanctions

Disciplinary Violations	OT Act/Rule	Minimum Discipline	Intermediate Discipline	Maximum Discipline	Remarks
prevailing practice, including, but not limited to, using occupational therapy techniques or modalities for purposes not consistent with the development of occupational therapy as a profession or science or as a means of promoting the public health and welfare		per violation per day	per violation per day	per violation per day	courses of action may depend on the nature of the situation, repeat of violation, or development.
Failing to conform to the minimal standards of acceptable prevailing practice, including, but not limited to, delegating, performing, or attempting to perform techniques or procedures in which one is untrained by education or experience	Sec. 454.301(a)(6) §374.2(13)(B)	15-30 day license suspension +up to \$150 per violation per day	45-90 day license suspension +up to \$200 per violation per day	Revocation or Surrender of license +up to \$200 per violation per day	Alternative disciplinary decisions or pursuing other courses of action may depend on the nature of the situation, repeat of violation, or development.
Failing to conform to the minimal standards of acceptable prevailing practice, including, but not limited to, delegating occupational therapy functions or responsibilities to an individual lacking the competency to perform such	Sec. 454.301(a)(6) §374.2(13)(C)	15-30 day license suspension +up to \$150 per violation per day	45-90 day license suspension +up to \$200 per violation per day	Revocation or Surrender of license +up to \$200 per violation per day	Alternative disciplinary decisions or pursuing other courses of action may depend on the nature of the situation, repeat of violation, or development.
Failing to conform to the minimal standards of acceptable prevailing practice, including, but not	Sec. 454.301(a)(6) §374.2(13)(D)	15-30 day license suspension with restricted practice +up to \$150 per	45-90 day license suspension with restricted practice +up to \$200 per	Revocation or Surrender of license +up to \$200 per violation per day	Alternative disciplinary decisions or pursuing other courses of action may depend on

Schedule of Sanctions

Disciplinary Violations	OT Act/Rule	Minimum Discipline	Intermediate Discipline	Maximum Discipline	Remarks
limited to, harassing, abusing, or intimidating a client either physically or verbally		violation per day	violation per day		the nature of the situation, repeat of violation, or development.
Failing to conform to the minimal standards of acceptable prevailing practice, including, but not limited to, causing or enabling physical or emotional injury to or the impairment of the dignity or safety of the client	Sec. 454.301(a)(6) §374.2(13)(E)	15-30 day license suspension with restricted practice +up to \$150 per violation per day	45-90 day license suspension with restricted practice +up to \$200 per violation per day	Revocation or Surrender of license +up to \$200 per violation per day	Alternative disciplinary decisions or pursuing other courses of action may depend on the nature of the situation, repeat of violation, or development.
Failing to conform to the minimal standards of acceptable prevailing practice, including, but not limited to, violating the principles or related standards of conduct of §374.4 of this title (relating to Code of Ethics)	Sec. 454.301(a)(6) §374.2(13)(F) §374.4	15-30 day license suspension +up to \$150 per violation per day	45-90 day license suspension with restricted practice +up to \$200 per violation per day	Revocation or Surrender of license +up to \$200 per violation per day	Alternative disciplinary decisions or pursuing other courses of action may depend on the nature of the situation, repeat of violation, or development.
Engaging in sexual contact or an inappropriate relationship with a client, including, but not limited to, engaging in inappropriate behavior with or comments directed toward a client	Sec. 454.301(a)(6) §374.2(14)(A)	30-45 day license suspension with restricted practice +up to \$150 per violation per day	60-90 day license suspension with restricted practice +up to \$200 per violation per day	Revocation or Surrender of license +up to \$200 per violation per day	Alternative disciplinary decisions or pursuing other courses of action may depend on the nature of the situation, repeat of violation, or development.
Engaging in sexual contact or an inappropriate relationship with a client, including, but not limited to, becoming financially or personally involved in an inappropriate	Sec. 454.301(a)(6) §374.2(14)(B)	30-45 day license suspension with restricted practice +up to \$150 per violation per day	60-90 day license suspension with restricted practice +up to \$200 per violation per day	Revocation or Surrender of license +up to \$200 per violation per day	Alternative disciplinary decisions or pursuing other courses of action may depend on the nature of the situation, repeat of violation, or development.

Schedule of Sanctions

Disciplinary Violations	OT Act/Rule	Minimum Discipline	Intermediate Discipline	Maximum Discipline	Remarks
manner with a client					
Intentionally or knowingly offering to pay or agreeing to accept any remuneration directly or indirectly, overtly or covertly, in cash or in kind, to or from any person, firm, association of persons, partnership, or corporation for receiving or soliciting clients or patronage, regardless of source of reimbursement, unless said business arrangement or payments practice is acceptable under 42 United States Code §1320a-7b(b) or its regulations	Sec. 454.301(a)(6) §374.2(15)	30-45 day license suspension with restricted practice +up to \$150 per violation per day	60-90 day license suspension with restricted practice +up to \$200 per violation per day	Revocation or Surrender of license +up to \$200 per violation per day	Alternative disciplinary decisions or pursuing other courses of action may depend on the nature of the situation, repeat of violation, or development.
Recommending therapeutic devices or modalities sold by a third person for the purpose or with the result of receiving a fee or other consideration from a third person	Sec. 454.301(a)(6) §374.2(16)	30-45 day license suspension +up to \$150 per violation per day	60-90 day license suspension +up to \$200 per violation per day	Revocation or Surrender of license +up to \$200 per violation per day	Alternative disciplinary decisions or pursuing other courses of action may depend on the nature of the situation, repeat of violation, or development.
Failing to maintain the confidentiality of all verbal, written, electronic, augmentative, and nonverbal communication, including compliance with Health Insurance Portability and Accountability Act	Sec. 454.301(a)(6) §374.2(17)	30-45 day license suspension +up to \$150 per violation per day	60-90 day license suspension +up to \$200 per violation per day	Revocation or Surrender of license +up to \$200 per violation per day	Alternative disciplinary decisions or pursuing other courses of action may depend on the nature of the situation, repeat of violation, or development.

Schedule of Sanctions

Disciplinary Violations	OT Act/Rule	Minimum Discipline	Intermediate Discipline	Maximum Discipline	Remarks
(HIPAA) regulations					
Failing to provide sufficient prior written notice of resignation of employment or termination of contract, or if self-employed, sufficient prior written notice to existing clients or any licensees under the individual's supervision, resulting in the loss or delay of occupational therapy services. In this paragraph, "sufficient" means at least 14 days; however, should an employment contract, or if self-employed, a comparable written agreement with clients, specify a different period of time, "sufficient" means the term dictated by such, up to and including 30 days	Sec. 454.301(a)(6) §374.2(18)	30-45 day license suspension +up to \$150 per violation per day	60-90 day license suspension +up to \$200 per violation per day	Revocation or Surrender of license +up to \$200 per violation per day	Alternative disciplinary decisions or pursuing other courses of action may depend on the nature of the situation, repeat of violation, or development.
Failed CE Audit	§367.3	30-60 hours community service and completion of CE hours +up to \$150 per violation per day	30-60 day license suspension and completion of CE hours +up to \$200 per violation per day	Revocation or Surrender of license +up to \$200 per violation per day	Alternative disciplinary decisions or pursuing other courses of action may depend on the nature of the situation, repeat of violation, or development.
Failed to properly renew license	Sec. 454.252 Sec. 454.255 §367.1 §370.1	30-60 hours community service and completion of CE hours +up to \$150 per violation per day	30-60 day license suspension and completion of CE hours +up to \$200 per violation per day	Revocation or Surrender of license +up to \$200 per violation per day	Alternative disciplinary decisions or pursuing other courses of action may depend on the nature of the situation, repeat

Schedule of Sanctions

Disciplinary Violations	OT Act/Rule	Minimum Discipline	Intermediate Discipline	Maximum Discipline	Remarks
			violation per day		of violation, or development.
Used drugs or intoxicating liquors to an extent that affects the applicant's or license holder's professional competence	Sec. 454.301(1)	30-60 day license suspension with restricted practice +up to \$150 per violation per day	90-120 day license suspension with restricted practice +up to \$200 per violation per day	Revocation or Surrender of license +up to \$200 per violation per day	Alternative disciplinary decisions or pursuing other courses of action may depend on the nature of the situation, repeat of violation, or development.
Been convicted of a crime, other than a minor offense defined as a "minor misdemeanor," "violation," or "offense," in any court if the act for which the applicant or license holder was convicted is determined by the Board to have a direct bearing on whether the applicant or license holder should be entrusted to serve the public in the capacity of an occupational therapist or occupational therapy assistant	Sec. 454.301(2)	30-45 day license suspension with restricted practice +up to \$150 per violation per day	60-90 day license suspension with restricted practice +up to \$200 per violation per day	Revocation or Surrender of license +up to \$200 per violation per day	Alternative disciplinary decisions or pursuing other courses of action may depend on the nature of the situation, repeat of violation, or development.
Obtained or attempted to obtain a license by fraud or deception	Sec. 454.301(3)	Letter of cease and desist for attempter; if licensed, 30-60 day license suspension +up to \$150 per violation per day	90-120 day license suspension with restricted practice +up to \$200 per violation per day	Revocation or Surrender of license +up to \$200 per violation per day	Alternative disciplinary decisions or pursuing other courses of action may depend on the nature of the situation, repeat of violation, or development.
Been grossly negligent in the practice of occupational therapy or in acting as an	Sec. 454.301(4)	30-45 day license suspension with restricted practice +up to \$150 per	60-90 day license suspension with restricted practice +up to \$200 per	Revocation or Surrender of license +up to \$200 per violation per day	Alternative disciplinary decisions or pursuing other courses of action may depend on

Schedule of Sanctions

Disciplinary Violations	OT Act/Rule	Minimum Discipline	Intermediate Discipline	Maximum Discipline	Remarks
occupational therapy assistant		violation per day	violation per day		the nature of the situation, repeat of violation, or development.
Been found mentally incompetent by a court	Sec. 454.301(5)	30-45 day license suspension with restricted practice +up to \$150 per violation per day	60-120 day license suspension with restricted practice and fitness to practice statement from physician +up to \$200 per violation per day	Revocation or Surrender of license +up to \$200 per violation per day	Alternative disciplinary decisions or pursuing other courses of action may depend on the nature of the situation, repeat of violation, or development.
Advertised in a manner that in any way tends to deceive or defraud the public	Sec. 454.301(7)	Letter of cease and desist if unlicensed; if licensed, 30-45 day license suspension +up to \$150 per violation	60-90 day license suspension +up to \$200 per violation	Revocation or Surrender of license +up to \$200 per violation per day	Alternative disciplinary decisions or pursuing other courses of action may depend on the nature of the situation, repeat of violation, or development.
Had a license to practice occupational therapy revoked or suspended or had other disciplinary action taken against the applicant or license holder by the proper licensing authority of another state, territory, or nation	Sec. 454.301(8)	30-60 hours community service +up to \$150 per violation per day	30-60 day license suspension with restricted practice or concurrent board order +up to \$200 per violation per day	Revocation or Surrender of license +up to \$200 per violation per day	Alternative disciplinary decisions or pursuing other courses of action may depend on the nature of the situation, repeat of violation, or development.
Failed to notify the Board of changes of name or contact information as per §369.2	§369.2	15-30 day license suspension +up to \$150 per violation per day	45-90 day license suspension +up to \$200 per violation per day	Revocation or Surrender of license +up to \$200 per violation per day	Alternative disciplinary decisions or pursuing other courses of action may depend on the nature of the situation, repeat of violation, or development.