

HEALTH OCCUPATIONS

TITLE 10. OCCUPATIONAL THERAPISTS

SUBTITLE 2. STATE BOARD OF OCCUPATIONAL THERAPY PRACTICE

Md. HEALTH OCCUPATIONS Code Ann. § 10-202 (2014)

§ 10-202. Board membership

(a) Composition; appointment of members. --

(1) The Board consists of seven members.

(2) Of the seven Board members:

(i) Four shall be licensed occupational therapists;

(ii) One shall be a licensed occupational therapy assistant; and

(iii) Two shall be consumer members.

(3) The Governor shall appoint the occupational therapist members and the occupational therapy assistant member, with the advice of the Secretary, from a list of names submitted to the Secretary and the Governor by the Maryland Occupational Therapy Association.

(4) The Governor shall appoint the consumer members with the advice of the Secretary and the advice and consent of the Senate.

(b) Qualifications of occupational therapist members and occupational therapy assistant member. -- Each member who is an occupational therapist or an occupational therapy assistant shall:

(1) Be a resident of this State at the time of nomination and appointment and for the duration of the term of the member; and

(2) For at least 3 of the 5 years immediately before appointment have been engaged in:

(i) Practicing occupational therapy or limited occupational therapy;

(ii) Teaching occupational therapy; or

(iii) Performing research in occupational therapy.

(c) Qualifications of consumer member -- In general. -- Each consumer member of the Board:

(1) Shall be a member of the general public;

(2) May not be or ever have been an occupational therapist or occupational therapy assistant or in training to become an occupational therapist or occupational therapy assistant;

(3) May not have a household member who is an occupational therapist or occupational therapy assistant or in training to become an occupational therapist or occupational therapy assistant;

(4) May not participate or ever have participated in a commercial or professional field related to occupational therapy;

(5) May not have a household member who participates in a commercial or professional field related to occupational therapy; and

(6) May not have had within 2 years before appointment a substantial financial interest in a person regulated by the Board.

(d) Qualifications of consumer member -- Restriction. -- While a member of the Board, a consumer member may not have a substantial financial interest in a person regulated by the Board.

(e) Oath. -- Before taking office, each appointee to the Board shall take the oath required by Article I, § 9 of the Maryland Constitution.

(f) Tenure; vacancies. --

(1) The term of a member is 4 years.

(2) The terms of members are staggered as required by the terms provided for members of the Board on July 1, 1994.

(3) At the end of a term, a member continues to serve until a successor is appointed and qualifies.

(4) A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed and qualifies.

(5) A member may not serve more than two consecutive full terms.

(6) To the extent practicable, the Governor shall fill any vacancy on the Board within 60 days of the date of the vacancy.

(g) Removal. --

(1) The Governor may remove a member for incompetence or misconduct.

(2) Upon the recommendation of the Secretary, the Governor may remove a member whom the Secretary finds to have been absent from two successive Board meetings without adequate reason.

HISTORY: An. Code 1957, art. 43, § 914; 1981, ch. 8, § 2; 1990, ch. 6, § 11; 1992, chs. 433, 434; 1993, ch. 84; 1996, ch. 10, § 1; 2009, ch. 60, § 5.