



STATUTORY INSTRUMENTS.

S.I. No. 295 of 2015



OCCUPATIONAL THERAPISTS REGISTRATION BOARD RETURN
TO PRACTICE BYE-LAW 2015

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The Occupational Therapists Registration Board, in exercise of the powers conferred on it by section 31 of the Health and Social Care Professionals Act 2005 (as amended), with the approval of the Health and Social Care Professionals Council, hereby makes the following bye-law:

1. (1) This bye-law may be cited as the Occupational Therapists Registration Board Return to Practice Bye-Law 2015.

(2) This bye-law comes into operation on 14 July 2015.

2. In this bye-law—

“Act” means the Health and Social Care Professionals Act 2005 (No. 27 of 2005), as amended from time to time;

“applicant” means a person who wishes to resume practice of the profession of occupational therapist after not having practised the profession for two years or more;

“attesting signatory” means a registered occupational therapist who has been in practice for a minimum period of three years; has not been subject to any disciplinary sanction under the Act and who satisfies such other conditions as the Board may determine from time to time;

“Board” means the Occupational Therapists Registration Board;

“contact hours” means hours spent by the applicant actively engaged in activities relevant to the profession for the purposes of the period of updating;

“learning plan” shall have the meaning specified in paragraph 5;

“period of updating” means the requisite period of time specified in paragraph 4 during which an applicant engages in activities to refresh, update and improve his or her skills, knowledge and performance as are relevant for practice;

“practice” means the practice of the profession;

“profession” means the profession of occupational therapist;

“register” means the register of the Occupational Therapists Registration Board established and maintained under section 36 of the Act;

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 17th July, 2015.*

“supervisor” means a registered occupational therapist who has been in practice for a minimum period of three years; has not been subject to any disciplinary sanction under the Act and who satisfies such other conditions as the Board may determine from time to time; and

“transitional period” has the meaning specified in the Act.

3. For the purposes of sections 31, 37 and 38 of the Act, the Board has determined that where a person wishes to resume practice after not having practised the profession for two years or more, the criteria and conditions set out in this bye-law must be satisfied and that person must provide satisfactory evidence of his or her compliance with this bye-law in his or her application for registration.

4. (1) An applicant who has not practised the profession for any period of between 2 and 5 years must complete a period of updating which must consist of not less than 210 contact hours.

(2) An applicant who has not practised the profession for any period greater than 5 years must complete a period of updating which must consist of not less than 420 contact hours.

(3) An applicant must have completed his or her period of updating within the two year period prior to the date of submission of his or her application, unless the Board permits otherwise.

(4) The period of updating shall consist of contact hours spent by the applicant engaging in supervised practice, formal study and private study and the period of updating shall meet the following minimum requirements:

(a) At least one third of the period shall consist of supervised practice; and

(b) At least 10% of the period shall consist of formal study; and

(c) No more than half the period shall consist of private study.

(5) The applicant shall keep an accurate record in reasonable detail of his or her period of updating and if requested to do so, shall provide such record to the Board.

5. (1) For the purposes of the period of updating, supervised practice shall, subject to paragraph 8, consist of the applicant practising the profession:

(a) under the guidance of a supervisor;

(b) in a structured manner in accordance with a learning plan which has been agreed between the applicant and his or her supervisor; and

(c) in accordance with such guidelines as the Board may publish from time to time.

(2) The learning plan shall:

- (a) be structured in a manner which is consistent with the standards of proficiency for occupational therapists published by the Board from time to time; and
- (b) provide for the applicant to develop, demonstrate and apply his or her knowledge and skills as an occupational therapist;

having regard to:

- (c) the applicant's experience in the profession;
- (d) the applicant's intended area of practice upon resumption of practice;
- (e) the length of time the applicant has not practised the profession;
- (f) any relevant developments in the profession during the period the applicant has not practised the profession; and
- (g) any relevant knowledge and/or skills acquired or developed by the applicant during the period the applicant has not practised the profession.

(3) The supervisor shall take reasonable efforts to monitor and supervise the applicant's practice of the profession during the supervised practice and to provide input, assistance and guidance to the applicant as the supervisor deems fit, having regard to each of the factors specified in paragraph 5(2)(c) to (g).

6. (1) For the purposes of the period of updating, formal study shall, subject to paragraph 8, consist of the applicant undertaking and participating in educational courses, training or programmes of education and/or training (including structured educational courses or training delivered electronically and/or through distance learning) relevant to the practice of the profession.

(2) Formal study may include group learning whether undertaken by means of a lecture, workshop, seminar, tutorial, video-conferenced lecture or tutorial or in such other manner as may be acceptable to the Board from time to time.

7. For the purposes of the period of updating, private study may, subject to paragraph 8, consist of the applicant engaging in one or more of the following:

- (a) reading professional journals or publications relevant to his or her area of practice;
- (b) engaging in research relevant to the profession generally and/or his or her area of practice;
- (c) engaging in online study or e-learning consisting of education and/or training that is generated, communicated, processed, sent, received, recorded, stored and/or displayed by electronic means or in electronic form including that provided through the internet or other computer

network connections, sound and/or visual formats provided through an electronic file, and/or provided through digital or other electronic means;

- (d) publishing written materials in relation to the profession and/or his or her area of practice; and
- (e) such other activities as may be acceptable to the Board from time to time.

8. The Board may reserve the right to publish guidance materials from time to time for the purposes of providing additional guidance and/or specifying any restrictions or other limitations which apply for the purposes of this bye-law in relation to the period of updating, contact hours and/or the nature of any supervised practice, formal study or private study undertaken by an applicant.

9. (1) An applicant must complete, in writing or by electronic means, such Return to Practice form as is provided from time to time by or on behalf of the Board and submit same to the Board with his or her application for registration.

(2) The applicant must ensure that his or her supervisor signs the relevant section(s) of the Return to Practice form.

(3) An applicant must ensure that an attesting signatory verifies that the applicant has completed the period of updating, takes reasonable steps to satisfy himself or herself that the applicant has completed the requisite period of updating and signs the Return to Practice form to indicate same.

(4) An attesting signatory shall take reasonable steps to satisfy himself or herself that the applicant has completed the requisite period of updating.

(5) The applicant must provide such additional information or supporting materials to evidence his or her completion of the period of updating to the satisfaction of the Board as the Board may request.

10. The Board shall evaluate and verify the education and training undertaken by the applicant during the period of updating and such other information as it deems appropriate, for the purposes of satisfying itself that the applicant has met the requirements of this bye-law.

11. Without prejudice to any bye-laws which the Board may from time to time make pursuant to section 31(1)(e) of the Act, the Board reserves the right to require any person who:

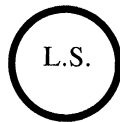
- (a) applies for registration; and
- (b) has been engaged in the practice of the profession outside of Ireland for two years or more,

to furnish detailed particulars of his or her practice, experience and evidence of registration with any regulatory body outside of Ireland for the purposes of

satisfying itself that the nature of the person's practice and experience outside of Ireland is equivalent or sufficiently similar to the practice of the designated profession of occupational therapist in Ireland. In the event that the Board is not so satisfied, the Board:

(c) may require such person to:

- (i) comply with the requirements of this bye-law; or
- (ii) undertake such activities, education and/or training as the Board may specify in order to refresh, update and/or improve his or her skills, knowledge and performance as are relevant for practice in the profession in which the applicant wishes to be registered in Ireland.



GIVEN under the seal of the Occupational Therapists Registration Board
14 July 2015.

CLODAGH NOLAN,
Chairperson, Occupational Therapists Registration Board.

and

GAYNOR BEYER,
Member, Occupational Therapists Registration Board.

EXPLANATORY NOTE

(This note is not part of the instrument and does not purport to be a legal interpretation.)

This bye-law details the criteria and conditions which must be satisfied by an applicant if he or she wishes to resume practice of the profession of occupational therapist after not having practised the profession for two years or more.

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