

Occupational Therapy and Mental Health

This chart aims to address whether or not occupational therapy is listed under a state’s statute or regulations defining a qualified mental health professional (QMHP). In some cases, the state uses a term other than QMHP, such as, mental health professional, or mental health practitioner. In addition, some states do not have a definition within statute or regulation, but within the Medicaid manual of the state. As well, this chart does not aim to interpret statute or regulations that list in general, “other qualified persons” under the definition of a QMHP; however, in some cases, AOTA feels that the OT is most likely included.

State	Citation	Legislative/Regulatory Information
Alabama	No actual definition	OTs not listed
Alaska	No actual definition	OTs not listed
Arizona	AAC R9-10-101 (28)	OTs not listed
Arkansas	See Medicaid Manual Section 213.000	OTs not listed
California	9 CCR § 1810.223	OTs not listed
Colorado	No actual definition	OTs not listed
Connecticut	No actual definition	OTs not listed
Delaware	No actual definition	OTs not listed
District of Columbia	No actual definition	OTs not listed
Florida	FAC 64B4-2.006	OTs not listed
Georgia	No actual definition	OTs not listed
Hawaii	No actual definition	OTs not listed
Idaho	IAC 16.03.15.003 (11)	OTs not listed
Illinois	59 Ill. Admin Code 132.25 DEFINITIONS	Licensed Clinician – An individual who is either a licensed practitioner of the healing arts (LPHA); a licensed social worker (LSW) possessing at least a master's degree in social work and licensed under the Clinical Social Work and Social Work Practice Act [225 ILCS 20] with specialized training in mental health services or with at least two years experience in

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		mental health services; a licensed professional counselor (LPC) possessing at least a master's degree and licensed under the Professional Counselor and Clinical Professional Counselor Licensing Act [225 ILCS 107] with specialized training in mental health services or with at least two years experience in mental health services; a registered nurse (RN) licensed under the Nurse Practice Act [225 ILCS 65] with at least one year of clinical experience in a mental health setting or who possesses a master's degree in psychiatric nursing; or an occupational therapist (OT) licensed under the Illinois Occupational Therapy Practice Act [225 ILCS 75] with at least one year of clinical experience in a mental health setting.
Indiana	No actual definition	OTs not listed
Iowa	Iowa Code 228.1	OTs not listed
Kansas	KSA 2016 Supp. 59-2946	OTs not listed
Kentucky	KRS 202A.011	OTs not listed
Louisiana	RS 37:3386.1	OTs not listed
Maine	10-144 Mainecare Chapter 101 Section 17.07	17.07-1 Mental Health Professionals: All professional staff must provide services only to the extent permitted by licensure and approval to practice conditions. As used in this Section, "Mental Health Professionals" means the following professionals: ... L. An Occupational Therapist registered who is licensed as an occupational therapist by the Maine Board of Occupational Therapy Practice, as documented by written evidence from such Board or who is licensed in accordance with the laws of the state or province in which services are provided.
Maryland	No actual definition	OTs not listed
Massachusetts	130 CMR 429.424	Professional Staff Member Authorized to Render Billable Mental Health Center Services — a person trained in the discipline of psychiatry, clinical or counseling psychology, psychiatric social work, psychiatric nursing (includes a psychiatric clinical nurse specialist), counseling, or occupational therapy as described in 130 CMR 429.424.
Michigan	Mental Health Code, Section 330.1100b(15)	OTs not listed
Minnesota	MN Statutes 245.462	OTs not listed
Mississippi	MS Code § 41-7-173	OTs not listed
Missouri	9 CSR 30-4.030	(JJ) Mental health professional—any of the following: 1. A physician licensed under Missouri law to practice medicine or osteopathy and with training in mental health services or one (1) year of experience, under supervision, in

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		<p>treating problems related to mental illness or specialized training;</p> <p>2. A psychiatrist, a physician licensed under Missouri law who has successfully completed a training program in psychiatry approved by the American Medical Association, the American Osteopathic Association, or other training program identified as equivalent by the department;</p> <p>3. A psychologist licensed under Missouri law to practice psychology with specialized training in mental health services;</p> <p>4. A professional counselor licensed under Missouri law to practice counseling and with specialized training in mental health services;</p> <p>5. A clinical social worker licensed under Missouri law with a master’s degree in social work from an accredited program and with specialized training in mental health services;</p> <p>6. A psychiatric nurse, a registered professional nurse licensed under Chapter 335, RSMo, with at least two (2) years of experience in a psychiatric or substance abuse treatment setting or a master’s degree in psychiatric nursing;</p> <p>7. An individual possessing a master’s or doctorate degree in counseling and guidance, rehabilitation counseling and guidance, rehabilitation counseling, vocational counseling, psychology, pastoral counseling or family therapy, or related field who has successfully completed a practicum or has one (1) year of experience under the supervision of a mental health professional;</p> <p>8. An occupational therapist certified by the National Board for Certification in Occupational Therapy, registered in Missouri, has a bachelor’s degree and has completed a practicum in a psychiatric setting or has one (1) year of experience in a psychiatric setting, or has a master’s degree and has completed either a practicum in a psychiatric setting or has one (1) year of experience in a psychiatric setting;</p> <p>9. An advanced practice nurse—as set forth in section 335.016, RSMo, a nurse who has had education beyond the basic nursing education and is certified by a nationally-recognized professional organization as having a nursing specialty, or who meets criteria for advanced practice nurses established by the board of nursing; and</p> <p>10. A psychiatric pharmacist as defined in 9 CSR 30-4.030;</p>
Montana	ARM 37.106.1902	<p>(18) "Licensed mental health professional" means:</p> <p>(a) a physician, clinical psychologist, social worker, or professional counselor licensed to practice in Montana;</p> <p>(b) an occupational therapist licensed to practice in Montana who has had at least three years' experience dedicated substantially to serving persons with serious mental illnesses and is working in a youth day treatment program or adult day treatment program; or</p> <p>(c) a registered nurse who has had at least three years experience dedicated substantially to serving persons with serious mental illnesses and is licensed to practice in Montana.</p>
Nebraska	NRS 38-2116	OTs not listed
Nevada	NRS 458A.057	OTs not listed
New Hampshire	NHRS Title 30 Section 330-A:2	OTs not listed
New Jersey	NJPS 45:1-44	OTs not listed
New Mexico	NMAC 7.20.2.7	OTs not listed

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New York	No actual definition	OTs not listed
North Carolina	10A NCAC 27G .0104	<p>OTs not listed, however:</p> <p>19 "Qualified professional" means, within the mh/dd/sas system of care:</p> <p>(a) an individual who holds a license, provisional license, certificate, registration or permit issued by the governing board regulating a human service profession, except a registered nurse who is licensed to practice in the State of North Carolina by the North Carolina Board of Nursing who also has four years of full-time accumulated experience in mh/dd/sa with the population served; or</p> <p>(b) a graduate of a college or university with a Masters degree in a human service field and has one year of full-time, post-graduate degree accumulated mh/dd/sa experience with the population served, or a substance abuse professional who has one year of full-time, post-graduate degree accumulated supervised experience in alcoholism and drug abuse counseling; or</p> <p>(c) a graduate of a college or university with a bachelor's degree in a human service field and has two years of full-time, post-bachelor's degree accumulated mh/dd/sa experience with the population served, or a substance abuse professional who has two years of full-time, post-bachelor's degree accumulated supervised experience in alcoholism and drug abuse counseling; or</p> <p>(d) a graduate of a college or university with a bachelor's degree in a field other than human services and has four years of full-time, post-bachelor's degree accumulated mh/dd/sa experience with the population served, or a substance abuse professional who has four years of full-time, post-bachelor's degree accumulated supervised experience in alcoholism and drug abuse counseling.</p>
North Dakota	No actual definition	OTs not listed
Ohio	OAC - 5122-24-01	OTs not listed
Oklahoma	See Medicaid Manual OP-140140	OTs not listed
Oregon	OAR 309-032-0311	<p>(15) "Qualified Mental Health Professional" (QMHP) means any person who meets one of the following minimum qualifications as authorized by the LMHA or designee:</p> <p>(a) A Licensed Medical Practitioner;</p> <p>(b) A graduate degree in psychology, social work, or recreational, art or music therapy;</p> <p>(c) A graduate degree in a behavioral science field;</p> <p>(d) A bachelor's degree in occupational therapy and licensed by the State or Oregon; or</p> <p>(e) A bachelor's degree in nursing and licensed by the State of Oregon.</p>
Pennsylvania	55 PA Code § 5100.2	<p>OTs not listed, however:</p> <p>Qualified mental health personnel—A person employed in the fields of mental health care, treatment or rehabilitation whose experience, training, and supervision is commensurate with his assigned tasks and who has not yet met the criteria of his own</p>

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		profession for recognition as a health professional. Such persons shall work in programs which are under the direction of mental health professionals.
Puerto Rico	4 LPRA § 6152b	OTs not listed, however: (tt) "Mental Health Professionals" – means those professionals in different disciplines and levels of mental health-related academic preparation who provide services and comply with the laws of Puerto Rico to practice their profession. OT Practice Act in Puerto Rico complies with the above definition
Rhode Island	No actual definition	OTs not listed
South Carolina	No actual definition	OTs not listed
South Dakota	SDCL 27A-1-3	OTs are not listed
Tennessee	TCA § 33-1-101	OTs not listed
Texas	25 TAC §412.303	OTs not listed
Utah	Utah Code §58-60-102	OTs not listed
Vermont	18 VSA § 7101	OTs not listed, however: (13) "Mental health professional" means a person with professional training, experience, and demonstrated competence in the treatment of mental illness, who shall be a physician, psychologist, social worker, mental health counselor, nurse, or other qualified person designated by the Commissioner. The DMH-QMHP Manual lists other qualified person, OT may be included.
Virginia	12VAC 35-105-20	Legislation signed by the Governor 2/21/17, language is pending
Washington	WAC 388-877-0200	OTs not listed
West Virginia	No actual definition	OTs not listed
Wisconsin	Wis. Stat. Ann § 51.01 (11m)	OTs not listed
Wyoming	No actual definition	OTs not listed