



Occupational Therapy
Board of New Zealand

TE POARI WHAKAORA NGANGAHAU O AOTEAROA

FOSTERING FAITH AND CONFIDENCE IN THE PROFESSION

Policy: HPCAA requirements for registration as an occupational therapist

This document shows the policy for when registration and a practising certificate are required under the Health Practitioners Competence Assurance Act, and the use of occupational therapy titles.

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Policy for when registration and a practising certificate are required and the use of occupational therapy titles

Background

Current law covering the practice of occupational therapy in New Zealand is the [Health Practitioners Competence Assurance Act 2003 \(HPCAA\)](#).

The principal purpose of the HPCAA is to protect the health and safety of members of the public by providing for mechanisms to ensure that health practitioners are competent and fit to practise their professions. In order to use the title and work as an occupational therapist in New Zealand individuals must be registered with the Te Poari Whakaora Ngangahau o Aotearoa/ The Occupational Therapy Board of New Zealand (OTBNZ), and hold a current practising certificate.

Scope

The purpose of this policy is to provide guidance for unregistered persons, and registered occupational therapists in relation to:

- when an individual needs to be registered with the OTBNZ and hold a current practising certificate
- when an individual registered with the OTBNZ must hold a practising certificate
- when an individual can use the title occupational therapist
- determining whether an individual is practising as an occupational therapist (regardless of their title).
- Further clarification and information may be found in the frequently asked question section of this document.

Registration criteria

The criteria for registration with the OTBNZ ensures that occupational therapists in New Zealand:

- have an appropriate occupational therapy qualification
- are competent to practice
- are of good character and are a 'fit' person to work as an occupational therapist.

Holding a practising certificate assures the public that the occupational therapist continues to meet the criteria for registration and is engaged in the ongoing development of their professional skills.

The OTBNZ's policy is that a person must be registered and hold a current practising certificate if any of the following criteria apply:

- if the person's position title is 'occupational therapist'
- if the person uses (or intends to use) names, words, titles, initials, abbreviations, or descriptions that state or imply that he or she is an occupational therapist
- if the person is otherwise perceived by others to be an occupational therapist, even if the position title is not 'occupational therapist'
- if the person does anything intended to suggest that they practise or are willing to practise occupational therapy; such as advertising, holding out to the public, or representing in any manner that they are authorised to practise as an occupational therapist in New Zealand.

Individuals who do not hold an occupational therapy qualification

The title of occupational therapist is protected by the HPCAA. Only practitioners who are registered with the OTBNZ and hold a practising certificate can claim to be an occupational therapist and provide occupational therapy services in New Zealand.

Unqualified individuals who claim to be an occupational therapist are committing an offence under section 7 of the HPCAA. This includes using names, words, titles, initials, abbreviations or descriptions stating or implying that the individual is an occupational therapist.

People who hold an occupational therapy qualification but are not registered with the OTBNZ

This section applies to individuals who have completed an occupational therapy qualification in New Zealand or overseas but are not registered as an occupational therapist with the OTBNZ.

Unregistered individuals must not claim to be an occupational therapist, or practice occupational therapy in New Zealand even if they have completed an occupational therapy qualification. Individuals offering services to clients in New Zealand via telehealth (phone, videoconference etc.) are deemed to be practising in Aotearoa New Zealand and are required to be registered with the OTBNZ regardless of their country of residence.

People in this category are permitted to state their qualification (e.g. Bachelor of Occupational Therapy), but must not suggest through the use of their qualification that they are registered or practising as an occupational therapist or providing occupational therapy services in New Zealand.

Managing situations where an occupational therapist is practising without registration

It is a statutory offence to practise as an occupational therapist without registration and a current practising certificate. When considering notifications or complaints of this nature the OTBNZ takes into account a number of factors in determining whether an individual may be in breach of section 7 of the HPCAA. This includes:

- the context in which the qualification or title is used
- whether a member of the public seeking occupational therapy services would reasonably understand that person to be a registered occupational therapist.

Individuals claiming to be an occupational therapist are referred to the Ministry of Health for investigation which may result in prosecution and a fine not exceeding \$10,000.

Applications for employment

Individuals who are seeking employment but not yet registered as an occupational therapist may use their qualification for this purpose, provided that the individual will be registered and hold a current practising certificate when

employed (s7(4)).

Those who are registered but not currently hold a practising certificate

Practitioners who are on the OTBNZ register must hold a practising certificate when they are performing any of the tasks/skills within the scope of practice of occupational therapy. This is the case even when the practitioner is employed under a different job title, the position is voluntary or the practitioner is not in direct contact with the public.

“If you are on the OTBNZ register and employed based on your occupational therapy qualification and the occupational therapy skills that come with the qualification then you should be holding a practising certificate, regardless of the title of the role”

A practitioner may be considered to be practising occupational therapy where:

- the individual is using the knowledge, skills and competence initially attained for the occupational therapy qualification and built upon in postgraduate and continuing occupational education, wherever there could be an issue of public safety
- the individual provides services using processes of enabling occupation intended to shape, promote, or modify a person or a group of people’s capacity to engage in occupations/s whose role could impact on public safety
- the provision of any services falls within the scope of practice for occupational therapy
- the provision of any services falls within the definition of occupational therapy
- they are in a role that impacts on safe, effective delivery of services to the public, irrespective if they provide the services themselves; and,
- they are providing education and/or training in occupational therapy.

Examples of people who typically need a practising certificate are registered occupational therapists who are:

- an occupational therapy service manager/advisor or leader
- an occupational therapy educator
- working as needs assessor or case manager
- working as an advisor

- working on a voluntary basis
- working part-time
- supervising practitioners for the recertification programme or a condition on practice
- working in any role as a registered health professional
- providing occupational therapy services in New Zealand via telehealth.

Holding a practising certificate provides the public with assurance that the occupational therapist is fit and competent to practice. It is a disciplinary offence under section 100 (1) (d) of the HPCAA to practise without a current practising certificate.

The OTBNZ will take very seriously any registered occupational therapist suspected of practising occupational therapy without a current practising certificate, and/or practising outside of their scope of practice (including beyond the limitations of any conditions on their practising certificate). Subject to the particular facts of the case, it is likely that the OTBNZ will refer such practitioners to a Professional Conduct Committee for investigation which may lead to a referral to the [Health Practitioners Disciplinary Tribunal](#).

Virtual or telemedicine

The HPCAA requires the OTBNZ to protect the health and safety of the public irrespective of the method of service delivery. Practitioners who wish to provide occupational therapy services to the public in New Zealand are required to be registered with the OTBNZ and hold a current practising certificate.

New Zealand registered practitioners who are providing occupational therapy to overseas clients should ensure that they are following the legislation of the country they are practising in. This includes registration with the relevant authorities.

For further information about providing telehealth refer to the NZ Telehealth Forum and Resource Centre (<https://www.telehealth.org.nz/>)

Use of the term NZROT

A number of occupational therapists use the acronym 'NZROT' (New Zealand Registered Occupational Therapist), alongside their name to signify registration. As such, using

'NZROT' is in effect the same as using the title 'occupational therapist'. An individual who uses 'NZROT' or any other term suggesting that they are registered, must ensure that in doing so they do not breach section 7(1) of the HPCAA. Guidance for use of the OTBNZ registered logo are available here.

Further information

- General Scope of Practice: Occupational Therapist
- Code of Ethics
- Practice boundaries for occupational therapists: A Guide for Practitioners
- Health Practitioners Competence Assurance Act 2003

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Frequently asked questions

How do I know if I am on the register?

You can check your registration status on the online register.

I am on the register, do I need a practising certificate?

You must hold a practising certificate when you are providing services as an occupational therapist. This includes any activity in the scope of practice that uses your occupational therapy skills and qualifications.

My role title is not occupational therapist. Do I still need a practising certificate?

If you are working in a generic titled role and are a registered occupational therapist you will need to hold a practising certificate if you are using your occupational therapy knowledge and skills. You will also need to hold one if your role requires you to be a registered health practitioner.

I am no longer seeing clients, but am in a management/teaching/research role. Do I still need a practising certificate?

The OTBNZ policy states that those on the register who are in a position to influence the delivery of occupational therapy to the public are still required to hold a practising certificate.

I am not calling myself an occupational therapist but am still on the register. Is this ok?

If you are performing any tasks that fall within the scope of practice of occupational therapy then you may be practising without a practising certificate. The scope is wide and covers many tasks and activities. In order to avoid being in breach of the law you should either apply for a practising certificate or request removal from the register.

What if I am in working as a volunteer or in an unpaid role?

You are still required to hold a practising certificate if you are carrying out activities as an occupational therapist in an unpaid or voluntary capacity.

Do I need to hold a practising certificate if I am supervising other occupational therapists?

You are required to hold a practising certificate if you are supervising occupational therapists with conditions on their scope of practice, or those on the recertification programme. You should also hold a practising certificate if you are providing supervision as an occupational therapist. If you wish to provide supervision when you do not have a practising certificate then you should ask to be removed from the register and become an external supervisor.

How do I get removed from the register?

You can request to be removed from the register of occupational therapists at any time by emailing enquiries@otboard.org.nz. There is no charge to be removed.

What happens if I am removed from the register?

After you are removed from the register you cannot use the title occupational therapist. You may apply to be restored to the register at any stage by meeting the current restoration requirements and payment of the appropriate fee.