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HOUSE MEMORIAL 28

51ST LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2014

INTRODUCED BY

Rodolpho "Rudy" S. Martinez

A MEMORIAL

REQUESTING THE SUPERINTENDENT OF REGULATION AND LICENSING TO
CONVENE A TASK FORCE TO EXAMINE THE NEED FOR RECREATIONAL
THERAPY LICENSURE AND TO MAKE RECOMMENDATIONS FOR LEGISLATION
TO PROVIDE FOR THE SAFE AND ACCOUNTABLE PRACTICE OF
RECREATIONAL THERAPY IN THE STATE.

WHEREAS, recreational therapists are currently employed
statewide in a wide variety of contexts to help individuals who
have experienced an illness or disability return to greater
participation in life activities through treatment service
designed to restore, remediate and rehabilitate those
individuals' level of functioning and independence; and

WHEREAS, recreational therapists work with individuals of
all ages in a wide range of settings, including rehabilitation
hospitals, psychiatric hospitals, schools, veteran's hospitals,

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1 long-term care facilities, home-care settings, substance-abuse
2 facilities and parks and recreation departments; and

3 WHEREAS, recreational therapists employ an individualized
4 recreational therapy treatment plan that identifies an
5 individual's goals, objectives and treatment intervention
6 strategies; and

7 WHEREAS, recreational therapists help individuals in their
8 care to reduce or alleviate pain or manage pain to minimize its
9 impact; and

10 WHEREAS, recreational therapists assist individuals in
11 identifying, designing, caring for and using adaptive
12 recreational equipment; and

13 WHEREAS, the practice of recreational therapy shares
14 similarities with the practice of physical therapy and
15 occupational therapy, where the physical therapist assists
16 individuals in preventing and alleviating impairments and
17 functional limitations and occupational therapists assist
18 individuals in preventing or alleviating limitations on
19 participating in everyday life activities; and

20 WHEREAS, recreational therapy focuses on helping
21 individuals to enjoy their lives through recreation and leisure
22 development; and

23 WHEREAS, individuals who practice recreational therapy and
24 who are certified as recreational therapist specialists through
25 the national council for therapeutic recreation certification

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1 must meet established standards for certification, including
2 standards for minimum education, experience and continuing
3 professional development as well as adhere in their practices
4 to standards of conduct and be subject to a disciplinary
5 process; and

6 WHEREAS, currently in New Mexico, an individual may
7 practice recreational therapy without any licensure,
8 certification, scope of practice, practice standards or
9 disciplinary process applying to that individual's practice;
10 and

11 WHEREAS, individuals treated by recreational therapists
12 who are not subject to professional licensure, certification,
13 scope of practice, practice standards or disciplinary process
14 may be at risk for substandard care without accountability; and

15 WHEREAS, in the interest of public health, safety and
16 welfare, it is important to protect the public from the
17 unprofessional, improper, incompetent and unlawful practice of
18 recreational therapy; and

19 WHEREAS, a scope of practice, training and continuing
20 education standards at the state level would provide the public
21 with protection from the unprofessional, improper, incompetent
22 and unlawful practice of recreational therapy; and

23 WHEREAS, advocates for the safe and accountable practice
24 of recreational therapy hope that legislation may be passed to
25 create a system for offering licensure to those individuals who

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1 receive certification through the national council for
2 therapeutic recreation certification; and

3 WHEREAS, in order to avoid the expense of establishing
4 another licensing board, advocates propose combining into one
5 licensing board the licensing and oversight authorities for
6 recreational therapy, physical therapy and occupational therapy
7 as related allied health fields;

8 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF
9 REPRESENTATIVES OF THE STATE OF NEW MEXICO that the
10 superintendent of regulation and licensing be requested to
11 convene a task force to examine the need for recreational
12 therapy licensure in the state and make recommendations for
13 legislation to provide for the safe and accountable practice of
14 recreational therapy in the state; and

15 BE IT FURTHER RESOLVED that the task force be requested to
16 examine the possibility of combining licensing and oversight
17 authorities for recreational therapists, physical therapists
18 and occupational therapists; and

19 BE IT FURTHER RESOLVED that the task force include
20 representatives from the office of the governor; recreational
21 therapists who practice in the state; the board of examiners
22 for occupational therapy; the physical therapy board;
23 legislative finance committee staff; legislative council
24 service staff; and the chair of the department of allied health
25 at western New Mexico university; and

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1 BE IT FURTHER RESOLVED that the task force identify
2 opportunities for the board of examiners for occupational
3 therapy, the physical therapy board and representatives from
4 the recreational therapy community to work together and pursue
5 legislation to establish a joint allied health board made up of
6 representatives from each of these three professions to
7 regulate the practice of recreational therapy, physical therapy
8 and occupational therapy; and

9 BE IT FURTHER RESOLVED that copies of this memorial be
10 transmitted to the governor, the superintendent of regulation
11 and licensing, the chair of the board of examiners for
12 occupational therapy, the chair of the physical therapy board,
13 the president of western New Mexico university, the chair of
14 the department of allied health at western New Mexico
15 university, the director of the legislative finance committee
16 and the director of the legislative council service.