

Successfully advocating for an occupational therapy law in Argentina

World Federation of Occupational Therapists
Innovation Change Agency Narrative

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Abstract

In Argentina, occupational therapy was seen as a medicine-dependent profession without autonomy. Achieving a law for the practice of occupational therapy professionals, almost 50 years following the previous one, involved the networking of various stakeholders, including students, many different colleagues, and politicians.

Location/Region of the World

Argentina (South America)

Purpose

To update the occupational therapy legal framework for practice.

Background

Occupational therapy services were covered by a general, rather than specific law enacted in 1967 (Law n° 17.132/67: Rules for the practice of medicine, dentistry, and the collaborative activity thereof). This law included medicine, dentistry, pharmacy, and biochemistry; other professions such as psychology, kinesiology, and occupational therapy were considered to be collaborators or auxiliaries of medicine.

Rationale

In the existing legal context, occupational therapy performance standards were subsumed under medical criteria. Furthermore, there was a significant discrepancy between the scope of the titles that were granted to the university programs in 2011 versus the 1967 law. In addition, there was a problem with illegal practice of the profession and misleading educational occupational therapy program offers.

Steps of the Process and Timeline for Change

Key steps of the process	Date and duration	Persons involved
The 1st draft law was presented to the member association (AATO) Board of Directors for its consideration.	1994	2 occupational therapists and AATO Board of Directors
The AATO professional practice chapter was founded to address the issues related to the labour rights and working conditions of colleagues. One of the first issues raised was the general national framework Law n° 17.132 / 67 of the art of healing and its collaborators.	1998-2008	The professional practice chapter (group of occupational therapists within AATO)
Several presentations of drafts were made; however, none of them received attention from the health commission, which is where the projects related to professional practice are submitted. In total, 4 drafts were submitted. Finally, and	2000-2008	The professional practice chapter

Key steps of the process	Date and duration	Persons involved
based on the study and analysis of the elaboration and implementation of public policies, the following strategies were established: 1- Identification of the topic 2- Identification of the problem Consequences for the professional collective		
50th Anniversary of AATO – Yearbooks were printed and distributed to stakeholders.	2012	The professional practice chapter and AATO Board
The draft law was submitted to the chamber of deputies, several of them having provided support, where it underwent 3 revisions by the following commissions: health, general legislation, and criminal legislation.	2012	The professional practice chapter
Interviewed the advisers of the deputies and representatives of the different jurisdictions (provinces) and political parties to obtain the majority support.	2012-2013	The professional practice chapter
We invited all the occupational therapy organizations around the country, CLATO (Latin-American Confederation of OT) and WFOT to give their support, and we carried out a social media campaign that included students across the country	2012-2013	AATO Board
Relationships were built with the National Chamber of Senators and the National Ministry of Health	2013-2014	The professional practice chapter
Participation in the sessions of advisors (e.g., politicians), where questions arose in relation to the discipline and profession in which it was possible to expand the scope of occupational therapy.	2014	The professional practice chapter

Critical Relationships, Voices, and Collaboration

The relationships that were initially formed were with the National Ministry of Health, which in the beginning were opposed to putting in place a national occupational therapy law. It was necessary to gain the agreement of the Ministry because once the law was approved by the National Congress, it was the Ministry of Health who had to regulate it; if they were not in agreement, it would not be

regulated. Justification was provided for the proposed law that would create parity for occupational therapists in the face of existing medical hegemony. The existing legal framework made it impossible to create a new framework of intervention for occupational therapists. The Ministry understood the need. Once this first positive response was achieved, negotiations commenced with advisers from the National Chamber of Deputies to obtain the support and endorsement of the largest number of deputies so that the law drawn up between an adviser on legislative work and occupational therapists, would enter as a draft law with a file number. Previously, occupational therapists had conducted a content analysis of the scope of each occupational therapy program to unify them, so that their professional concerns were defined in the law. Once the project was promoted by several deputies, each party bloc president and/or his/her advisers were contacted to brief them on the issue. We delivered an AATO 50th Anniversary Yearbook to each group and a copy of the notes was delivered in a folder to endorse the bill of all social actors related to AATO: occupational therapy organizations in our country from other jurisdictions; public and private universities throughout the country; and groups of university students especially through social media networks; CLATO; occupational therapy organizations from other countries from the same region; the WFOT; and well-known health institutions in the country. That is, from public policy strategies, to generate an opinion-forming group, which would become a pressure group and for the issue to enter public awareness. The same strategy was implemented in the Chamber of Senators to obtain the first level of approval.

Outcomes

- Having a national occupational therapy law that regulates practice, establishes guidelines for postgraduate courses, establishes parameters of the qualifications enabled, recognized, and validated at a national level.
- This law reduces the likelihood of misleading occupational therapy program offers and obliges those individuals who did not have valid degrees to upgrade their education to an occupational therapy education standard.
- This law currently applies to the following jurisdictions: Jujuy, Salta, Catamarca, Río Negro, Chubut and Santa Cruz. Other jurisdictions are in the process of approving the law: Santiago del Estero, San Juan, La Pampa and Tierra del Fuego Law. At the time of writing, these jurisdictions are still functioning under Law No. 17,132/67.
- The law granted autonomy in professional practice, therefore eliminating the requirement for a medical referral.
- It brought to a close a 47-year history by achieving equivalency between occupational therapy and the other health professions.

Lessons Learned and Recommendations

It was helpful to follow the following steps:

1. Carry out the identification of the issue, identify the problem (causal explanatory network or problem tree).
2. Define consequences for the occupational therapy profession.
3. Place the issue on the political public agenda.
4. Gather information from the deputies by the committees that they made up, provinces to which they belonged and political parties.

5. Gather information from AATO members who lived in other provinces so that they could contact the legislators of their provinces to speak with them in their cities and generate support for the law, in the same way it was done in the Senate.

If we were to do this again, we would carry out a different process for the final step in the enactment of a law, regulation by the executive power (President). Due to other tasks to which we had to attend, we had to delay our efforts in this process. Although we had the agreed regulations, a new national government was elected, with associated changes in the authorities of the Executive Power -Ministry of National Health. At the time of writing, this final step has not yet taken place.

It is essential to be familiar with the country's political system, including:

- the periods of national elections for renewal of authorities;
- identifying the interlocutors who have a mandate, term of office and renewal;
- the formation of the chambers of the Legislative Power to analyse the order of contact with the deputies / senators or advisers of the parties;
- who are the presidents of each party and authorities of both Chambers. Learn to find the chambers' information through the Internet to track the project's progress.

Resources & Multimedia Materials:

- Sending emails to all deputies and senators
- Sending Yearbooks afterwards to these politicians
- Announce invitation for students, professors, occupational therapy practitioners, families and friends to advocate:

AATO
 Asociación Argentina
 Terapistas Ocupacionales

Convocamos a los Estudiantes, Terapistas Ocupacionales, Docentes, Familiares, Amigos en la
 puerta del Senado de la Nación Hipólito Yrigoyen 1849, el día 10 de diciembre a las 19 hs.
 para Festejar la sanción de Nuestra

Ley Nacional de Ejercicio Profesional de la Terapia Ocupacional

Llevemos pancartas, papelitos, volantes y todo otro elemento de nuestra creatividad para hacernos
 presente!!

Los esperamos a TODA/OS!!!!
 Comisión Directiva AATO
 Gestión 2014/2016

Expression of Thanks for Project Support

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