

Notice Number 2024-81

Rule Number Phy 200

1. Agency Name & Address:

**Governing Board of Physical Therapists
c/o Office of Professional Licensure and
Certification
7 Eagle Square
Concord, NH 03301**

2. RSA Authority: RSA 541-A:16, I(b)-(d)

3. Federal Authority: n/a

4. Type of Action:

Adoption _____

Repeal _____

Readoption _____

Readoption w/amendment X

5. Short Title: **Practice and Procedures**

6. (a) Summary of what the rule says and of any proposed amendments including whether the rule implements a state statute for the first time:

The Physical Therapy Governing Board (Board) intends to readopt with amendment Phy 200, Practice and Procedures Rules, to incorporate by reference Plc 200 as adopted by the Executive Director of the Office of Professional Licensure and Certification (OPLC) to replace the incorporation by reference of Ahp 200 of the Office of Allied Health Professionals. The Office of Allied Health Professionals was eliminated pursuant to 2023, 79:277, effective September 1, 2023. OPLC was granted rulemaking authority in RSA 310:6, II to adopt organizational and procedural rules necessary to administer the boards, pursuant to 2023, 235:8, effective July 15, 2023. The Board proposes to adopt rules to incorporate the Plc 200 rules under the authority of RSA 541-A:16, I(b)-(d) to include investigation of misconduct complaints and the conduct of adjudicative and non-adjudicative proceedings. The Board further proposes to change chapter 200 heading to comply with the standardized chapters for professional licensing boards as stated in the *New Hampshire Drafting and Procedural Manual*.

6. (b) Brief description of the groups affected:

The rule affects the general public, licensed physical therapists, and individuals seeing licensure as a physical therapist in New Hampshire.

6. (c) Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement:

Rule	State Statute(s) Implemented
Phy 200	RSA 541-A:16, I(b)-(d)

7. Contact person for copies and questions including requests to accommodate persons with disabilities:

Name: **Chantell B. Wheeler**

Title: **Rules and Legislative Liaison**

Mailing Address: **OPLC, 7 Eagle Square**

Phone #: **603-271-8311**

Address: **Concord, NH 03301**

Fax#: **n/a**

E-mail: **OPLC-Rules@oplcnh.gov**

TTY/TDD Access: Relay NH 1-800-735-2964
or dial 711 (in NH)

8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **June 18, 2024 at 4:00 p.m.**

Fax

E-mail

Other format (specify):

9. Public hearing scheduled for:

Date and Time: **Tuesday, June 18, 2024 at 8:30 a.m.**

Physical Location: **OPLC, 7 Eagle Square, Concord, NH**

Electronic Access (if applicable): **Not applicable**

10. Fiscal Impact Statement (Prepared by Legislative Budget Assistant):

FIS # 24:078, dated 4/19/2024

1. Comparison of the costs of the proposed rule(s) to the existing rule(s):

There is no difference in costs when comparing the proposed rules to the existing rules.

2. Cite the Federal mandate. Identify the impact on state funds:

No federal mandate, no impact on state funds.

3. Cost and benefits of the proposed rule(s):

A. To State general or State special funds:

None.

B. To State citizens and political subdivisions:

None.

C. To independently owned businesses:

None.

11. Statement Relative to Part I, Article 28-a of the N.H. Constitution:

There are no costs associated with the rule, and the rule does not apply to political subdivisions. The rule does not mandate or assign any new, expanded, or modified programs or responsibilities to any political subdivision in such a way as to necessitate additional local expenditures, and so does not violate Part I, Article 28-a of the N.H. Constitution.