



#1 - February 21, 2023, PTGB Public Meeting

Minutes

Physical Therapy Governing Board

Feb 21, 2023 at 8:30 AM EST

@ OPLC - 7 Eagle Square, Concord, NH 03301

Attendance

Present:

Members: Lea Bruch, Jennifer Carrier, Nicole Lavoie, Robert Worden

Guests: Jessica Whelehan - Board Administrator, Jenna Wilson - Board Administrator, Liz Eaton - Board Counsel, Shane Goulet - Board Counsel

I. Call To Order

Jennifer Carrier, Chair, called the meeting to order at 8:39 am.

II. Approval of Public Minutes

Motion:

Approve the December 20, 2022, public minutes as amended.

Motion moved by Robert Worden and motion seconded by Lea Bruch. Motion passed unanimously.

III. OPLC and/or Board Administration Updates

A. Staffing change

Jessica Whelehan, Board Administrator, informed the Board that she had taken another position within OPLC, and would soon be transitioning from the Board Administrator role to the Rules and Legislative Liaison position. Jessica also informed the Board that Jenna Wilson, Board Administrator, had taken a position at another agency.

IV. New Business

A. PT/Vet discussion (Liz Eaton and Jes Whelehan to elaborate)

Liz Eaton, Board Counsel, discussed the topic of animal PTs, noting that the Vet Board did not want anything to do with the oversight of this. The Board noted that it made sense for any rules regarding this to come from the PTGB as they

would be the subject matter experts. They also acknowledged that any complaints regarding animal PTs should come to their Board for review, and not go to the Vet Board. The Board asked that Tina Kelley, OPLC Rules, be available at the next meeting, if possible, to begin writing rules that would address animal PTs.

B. 2023 NPTE Policies

The Board reviewed the 2023 NPTE policies.

C. HB188

Robert Worden brought up HB188, a bill that would repeal the 25 day referral requirement.

Motion:

Oppose HB188 and allow a Board Member or Board Counsel to speak in opposition of the Bill at the next available opportunity.

Motion moved by Lea Bruch and motion seconded by Jennifer Carrier. Motion passed unanimously.

D. Battlefield Acupuncture inquiry

Motion:

Respond and note that according to RSA 328-A:9, VII, naturopathic practices, to include battlefield acupuncture, are not a part of the Physical Therapy Practice Act.

Motion moved by Jennifer Carrier and motion seconded by Lea Bruch. Motion passed unanimously.

V. Licensure Approval

A. Fast-Track Approvals

 [FT through 2.13.23pdf.pdf](#)

Motion:

Ratify the licensees approved through fast-track licensing.

Motion moved by Robert Worden and motion seconded by Nicole Lavoie. Motion passed unanimously.

Nicole Lavoie noted that the Fast-Track program with Stacy handling the bulk of the work, was a real time saver for the Board. Nicole asked that this message be

related to the licensing group; Jessica stated she would make sure it was emailed to them, and that it would be noted in the minutes as well.

- B. Carrie Jose, PT, Lic #3895 - Renewal

Motion:

Approve the renewal.

Motion moved by Jennifer Carrier and motion seconded by Lea Bruch. Motion passed unanimously.

- C. Frank Carson, PTA, Lic #0553 - Renewal

Motion:

Schedule a show-cause adjudicatory hearing in May or June, citing a failure to meet the renewal requirements as set forth in rule Phy (a) (1) c. in that the applicant was not active in the profession as defined in rule.

Motion moved by Jennifer Carrier and motion seconded by Robert Worden. Motion passed unanimously.

- D. Monica Holm, PT, Lic #0856 - Renewal

Motion:

Schedule a show-cause adjudicatory hearing in May or June, citing a failure to meet the renewal requirements as set forth in rule Phy (a) (1) c. in that the applicant was not active in the profession as defined in rule.

Motion moved by Jennifer Carrier and motion seconded by Robert Worden. Motion passed unanimously.

- E. Lesley Powers, PT, Lic #3321 - Renewal

Motion:

Schedule a show-cause adjudicatory hearing in May or June, citing a failure to meet the renewal requirements as set forth in rule Phy (a) (1) c. in that the applicant was not active in the profession as defined in rule.

Motion moved by Nicole Lavoie and motion seconded by Jennifer Carrier. Motion passed unanimously.

- F. Patty Louise Healy-Osborne, PT, Lic #2271 - Renewal

Tabled to non-public.

- G. Diane Dunham, PTA, Lic #0699 - Reinstatement

Motion:

Schedule a show-cause adjudicatory hearing in May or June, citing a failure to meet the renewal requirements as set forth in rule Phy (a) (1) c. in that the applicant was not active in the profession as defined in rule.

Motion moved by Nicole Lavoie and motion seconded by Jennifer Carrier. Motion passed unanimously.

- H. Kara Erwin, PTA - Initial Application

Motion:

Approve the initial application.

Motion moved by Jennifer Carrier and motion seconded by Lea Bruch. Motion passed unanimously.

- I. Theresa Merck, PT - Initial Application

Motion:

Approve the initial application.

Motion moved by Jennifer Carrier and motion seconded by Lea Bruch. Motion passed unanimously.

- J. Ericka Dufton, PTA, Lic #1071 – Reinstatement

Motion:

Approve a Conditional Reinstatement pursuant to rule Phy 403.06.

Motion moved by Jennifer Carrier and motion seconded by Nicole Lavoie. Motion passed unanimously.

Motion:

Approve the initial application for licensure.

Motion moved by Jennifer Carrier and motion seconded by Nicole Lavoie. Motion passed unanimously.

Motion:

Approve a Conditional Reinstatement pursuant to rule Phy 403.06.

Motion moved by Jennifer Carrier and motion seconded by Nicole Lavoie. Motion passed unanimously.

- K. Gary Faucette, PTA, Lic #1219 - Renewal

Motion:

Approve the renewal.

Motion moved by Jennifer Carrier and motion seconded by Lea Bruch. Motion passed unanimously.

- L. Joyce Pelleiter, PT, Lic #0453 - Renewal

Motion:

Approve the renewal.

Motion moved by Jennifer Carrier and motion seconded by Lea Bruch. Motion passed unanimously.

- M. Kathleen Beede, PT, Lic #2952 - Renewal

Motion:

Approve the renewal.

Motion moved by Nicole Lavoie and motion seconded by Bob Worden. Motion passed unanimously.

- N. Laura Shukla, PT, Lic #4238 - Renewal

Motion:

Approve the renewal.

Motion moved by Jennifer Carrier and motion seconded by Lea Bruch. Motion passed unanimously.

- O. Marissa St. Germain, PT, Lic #3953 - Renewal

Motion:

Approve the renewal.

Motion moved by Lea Bruch and motion seconded by Nicole Lavoie. Motion passed unanimously.

VI. Rules Review and Other Legislative Topics

- A. 400s draft (updated by Tina Kelley following 12/20/2022 meeting) - Initial Proposal (vote needed)

Motion:

Approve the Initial Proposal and initiate the rule making process.

Motion moved by Jennifer Carrier and motion seconded by Robert Worden. Motion passed unanimously.

- B. Legislative Update

Liz Eaton outlined HB507, which proposed sweeping changes to unlicensed practice, and would allow anyone to practice any profession as long as they stated they were not licensed.

Motion:

Have Board Counsel provide written testimony, on behalf of the Board, in opposition to HB507.

Motion moved by Jennifer Carrier and motion seconded by Lea Bruch. Motion passed unanimously.

Liz Eaton also discussed HB655, which came about as a result of a Committee study on OPLC; she specifically referenced potential changes to reciprocity.

VII. Non-Public Session

Motion:

Conduct a Non-Public session for the purpose of discussing investigations of alleged licensee misconduct and other confidential Board business. Such a non-public session is authorized by RSA 91-A:3, II (c), RSA 91-A:3 II (e), RSA 91-A:5, IV, *Lodge v. Knowlton*, 119 N.H. 574 (1978), and the Board's executive and deliberative privileges.

Motion moved by Jennifer Carrier and motion seconded by Nicole Lavoie. Motion passed unanimously by roll call vote at 10:56 am; Lea Bruch left the meeting.

VIII. Resume Public Session

Public session resumed at 11:14 am.

IX. Seal the Minutes of the Non-Public Session

Motion:

Seal the minutes of the non-public session to maintain the privacy of the items discussed in non-public session pursuant to RSA 91-A:3, II (c), on the grounds that public disclosure may adversely affect the reputation of a person other than a Board member or render the proposed action ineffective.

Motion moved by Jennifer Carrier and motion seconded by Nicole Lavoie. Motion passed unanimously.

X. Adjourn

Jennifer Carrier adjourned the meeting at 11:16 am.