

New Hampshire Board of Physical Therapy

Order on Petition for Declaratory Ruling

Petitioner: Jessica Deshaies, PTA

Jessica Deshaies, PTA (“Petitioner”) filed a Petition for Declaratory Ruling requesting the Physical Therapy Governing Board (“Board”) find her role as Care Transition Liaison a consulting role under the New Hampshire Physical Therapy Practice Act, and thus find she has been active within the profession for purposes of license renewal.

The Board considered the requested ruling at its December 19, 2023 meeting. The Board hereby grants the Petitioner’s request.

I. Background

The Petitioner is currently licensed as a Physical Therapist Assistant and is scheduled for license renewal in 2024. Petitioner is currently employed as a Care Transition Liaison, working with members of interdisciplinary teams in various healthcare settings to facilitate appropriate discharge plans. Petitioner serves as an intermediary between physical therapists and other health care professionals, including hospital teams at rounds, to interpret discharge summaries and provide feedback between providers.

Petitioner seeks a ruling from the Board that her role as a Care Transition Liaison falls within the definition of active within the profession and submits that her employment is within the category of “consultant” for purposes of this finding.

II. Standard of Review

A declaratory ruling is “an agency ruling as to the specific applicability of any statutory provision or of any rule or order of the agency.” RSA 541-A:1, *See* N.H. Admin. R. Pt. Ph (“Ph”) 201.02(c). A declaratory ruling is a statement by the Board regarding whether a particular statute or rule applies to the specific situation presented in the petition. *Id.* Therefore, they do not have precedential value; nor do they apply to anyone other than the petitioner.

III. Analysis

RSA 328-A:15-a provides in relevant part that “[p]ersons licensed as physical therapist assistants are eligible for renewal of their licenses if they... Meet any continuing education and continuing competency requirements established by the board in rules adopted pursuant to RSA

541-A.” N.H. RSA 328-A:15-a, II. One such competency requirement is the engagement of a licensee as “active in the profession” to qualify for a full renewal of his or her license. See Phy 401.01, 402.10.

To complete her professional duties, Petitioner is utilizing her professional knowledge and experience as a Physical Therapist Assistant to liaise between members of interdisciplinary teams, including physical therapists, to facilitate appropriate discharge plans and promote communication between providers. The Board finds this employment falls within the scope of acting as a “physical therapy consultant” for purposes of being considered “active in the profession.” Phy 401.01.

IV. CONCLUSION

For the foregoing reasons, the Board concludes that Petitioner is employed and “active in the profession” for purposes of renewal of her license.

Date: 3-19-2024

A handwritten signature in blue ink that reads "Jennifer A. Casew PT, MS". The signature is written in a cursive style.

Board Chair or Board Administrator on
behalf of the Board of Physical Therapy