



## #1 - May 16, 2023, PTGB Public Meeting

### Minutes

Physical Therapy Governing Board

May 16, 2023 at 8:30 AM EDT

@ OPLC - 7 Eagle Square, Concord, NH 03301

#### Attendance

##### Present:

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

Guests: Jessica Whelehan - Board Administrator, Tom Pappas, Jr - Clerk (remote), Liz Eaton - Board Counsel, Nik Frye - Hearings Examiner, LeeWhay Pasek (remote)

##### I. Call To Order

Jennifer Carrier, Chair, called the meeting to order at 8:32 am.

##### II. Approval of Public Minutes

###### Motion:

Approve the minutes from the April 18, 2023, public session, as amended.

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

##### III. Licensure Approval

###### A. Fast-Track Approvals

 [FT 4.8.23 through 5.8.23.pdf](#)

###### Motion:

Ratify the list of Fast-Track approved licenses from April 8, 2023, through May 8, 2023.

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

###### B. LeeWhay Pasek, PT, initial application for licensure

###### Motion:

Approve the initial application for licensure.

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

IV. Rules Review and Other Legislative Topics

A. Legislative Update

Liz Eaton, Board Counsel, provided the following legislative update:

HB655 was currently in finance, and did not appear to face any major hurdles.

HB532, presented initially as a music therapy bill, was turning into a sort of omnibus bill that would potentially address some of the gaps in HB655, such as the definition of misconduct. Liz mentioned that telehealth may be in this bill; the Board discussed the fact that this was already something they were seeing in job listings, and acknowledged that it may require more discussion and rule-making moving forward.

V. 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 Lea Bruch. Motion passed unanimously by roll call vote at 9:00 am.

VI. Resume Public Session

Public session resumed at 9:05 am.

VII. 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 Robert Worden. Motion passed unanimously.

VIII. Public Appearances

A. 9:00 am - Show Cause Hearing, Frank Carson, PTA, Lic #0553

Frank Carson, PTA, Lic #0553, did not show up for the hearing. The Notice of Hearing was emailed to the email address on file, which was also used by licensing for 2-way communications with the licensee, and the Notice of Hearing was mailed First Class and Certified to the address on file, with tracking showing that the letter was received on April 17, 2023. Jessica Whelehan, Board Administrator, confirmed that she had not received any emails, letters, or calls from, or on behalf of, Frank Carson. Nicole Lavioe recused herself from the deliberations on this matter.

A Show Cause Adjudicatory Hearing for Frank Carson, PTA, Lic #0553, was held in abstentia. The Board kept the record open until 9:15 am.

IX. 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 Lea Bruch. Motion passed unanimously by roll call vote at 9:16 am.

X. Resume Public Session

Public session resumed at 10:27 am.

XI. 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 Robert Worden. Motion passed unanimously.

XII. Rules Review and Other Legislative Topics - continued

The Board, and Liz Eaton, discussed animal physical therapy. The members, having spent time between meetings researching the topic, discussed the manner in which it

was handled in other states, as well as the current language in the FSBPT Model Practice Act. It was noted that NH was at the forefront of this discussion. Liz remarked that no changes to the Veterinary Medicine statute had yet been made, so there may not be a need to pursue any of this, but it was a good discussion, nonetheless.

XIII. Adjourn

The meeting adjourned at 10:28 am.