

Notice Number 2024-227

Rule Number Phy 410.02

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 328-F:11, II(a)

3. Federal Authority: N/A

4. Type of Action:

Adoption _____

Repeal _____

Readoption _____

Readoption w/amendment X

5. Short Title: **Required Referrals**

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:

Phy 410.02 outlines the conditions under which a physical therapist must refer a patient or client to another licensed healthcare practitioner. RSA 328-A:9, II, as amended pursuant to 2023, 231:1, effective October 7, 2023, removed this requirement. Physical therapists are no longer obligated to refer a patient or client if there has been no documented improvement within 25 days of initiating treatment. The Governing Board of Physical Therapists proposes to readopt Phy 410.02 with amendment to eliminate this referral requirement.

This rule proposal will implement 2023, 231:2 for the first time.

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

The rule affects licensed physical therapists and clients seeking physical therapy.

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

Rule	Statute Implemented
Phy 410.02	2023, 231:1

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

Name: **Chantell B. Wheeler**

Title: **Rules Administrator**

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: **Friday, December 27, 2024, at 4:00 p.m.**

Fax

E-mail

Other format (specify):

9. Public hearing scheduled for:

Date and Time: **Tuesday, December 17, 2024, at 8:30 a.m.**

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

Electronic Access (if applicable): **N/A**

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

FIS # 24:230, dated 10/21/24

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 this proposed action, and this proposed action does not apply to political subdivisions. This proposed action 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.