CONSENT CALENDAR

February 15, 2023

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on Health, Human Services and Elderly Affairs to which was referred HB 188,

AN ACT relative to the duration of physical therapy.

Having considered the same, report the same with the recommendation that the bill OUGHT TO PASS.

Rep. David Nagel

FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

COMMITTEE REPORT

Committee:	**Health, Human Services and Elderly Affairs**
Bill Number:	**HB 188**
Title:	**relative to the duration of physical therapy.**
Date:	**February 15, 2023**
Consent Calendar:	**CONSENT**
Recommendation:	**OUGHT TO PASS**

STATEMENT OF INTENT

It is the belief of the committee, based on review of testimony and review of current educational requirements, that physical therapists have the knowledge base to understand at one point in time to refer a patient to an appropriate health care provider and a mandated statutory timeframe is no longer necessary.

Vote 20-0.

Rep. David Nagel
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Health, Human Services and Elderly Affairs
HB 188, relative to the duration of physical therapy. **OUGHT TO PASS.**
Rep. David Nagel for Health, Human Services and Elderly Affairs. It is the belief of the committee, based on review of testimony and review of current educational requirements, that physical therapists have the knowledge base to understand at one point in time to refer a patient to an appropriate health care provider and a mandated statutory timeframe is no longer necessary. **Vote 20-0.**

Original: House Clerk
Cc: Committee Bill File

HOUSE COMMITTEE ON HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

EXECUTIVE SESSION on HB 188

BILL TITLE: relative to the duration of physical therapy.

DATE: February 15, 2023

LOB ROOM: 201-203

MOTIONS: OUGHT TO PASS

Moved by Rep. Nagel Seconded by Rep. Weber Vote: 20-0

CONSENT CALENDAR: YES

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep Bill King, Clerk

HOUSE COMMITTEE ON HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

EXECUTIVE SESSION on Bill # 188

BILL TITLE: ...

DATE: 2/15/23

LOB ROOM: 201-203

MOTION: (Please check one box)

☑ OTP ☐ ITL ☐ Retain (1st year) ☐ Adoption of Amendment # _____ (if offered)

☐ Interim Study (2nd year)

Moved by Rep. NAGEL Seconded by Rep. WEBER Vote: 20-0

MOTION: (Please check one box)

☐ OTP ☐ OTP/A ☐ ITL ☐ Retain (1st year) ☐ Adoption of Amendment # _____ (if offered)

☐ Interim Study (2nd year)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

MOTION: (Please check one box)

☐ OTP ☐ OTP/A ☐ ITL ☐ Retain (1st year) ☐ Adoption of Amendment # _____ (if offered)

☐ Interim Study (2nd year)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

MOTION: (Please check one box)

☐ OTP ☐ OTP/A ☐ ITL ☐ Retain (1st year) ☐ Adoption of Amendment # _____ (if offered)

☐ Interim Study (2nd year)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

CONSENT CALENDAR: ✓ YES ____ NO

Minority Report? _____ Yes _____ No If yes, author, Rep: _____ Motion _____

Respectfully submitted: _____

Rep. _____, Clerk

STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

1/6/2023 12:36:33 PM
Roll Call Committee Registers Report

2023 SESSION

Health, Human Services and Elderly Affairs

Bill #: 188 Motion: OTP AM #: _____ Exec Session Date: 2/15/23

Members	YEAS	Nays	NV
MacDonald, Wayne D. Chairman	20		
Layon, Erica J. Vice Chairman	1		
Cushman, Leah P.	2		
King, Bill C. Clerk	3		
Kofalt, Jim	4		
McLean, Mark	5		
King, Seth	6		
Mazur, Lisa R	7		
Nagel, David J	8		
~~Polozov, Yury~~	9		
Weber, Lucy M.	10		
MacKay, James R.	11		
Freitas, Mary C.	12		
Cannon, Gerri D.	13		
Nutter-Upham, Frances E.	14		
Schapiro, Joe	15		
Merchant, Gary	16		
Murphy, James Michael	17		
Palmer, William S	18		
~~Tellez, Trinidad~~ LONG	19		
TOTAL VOTE:	20	0	

HOUSE COMMITTEE ON HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

PUBLIC HEARING ON HB 188

BILL TITLE: **relative to the duration of physical therapy.**

DATE: **February 9, 2023**

LOB ROOM: **201-203** **Time Public Hearing Called to Order:** **9:02 AM**

Time Adjourned: **9:30 AM**

Committee Members: Reps. W. MacDonald, Layon, B. King, Cushman, Kofalt, McLean, S. King, Mazur, Nagel, Polozov, Weber, Freitas, Cannon, Nutter-Upham, Schapiro, Merchant, J. Murphy and Palmer

Bill Sponsors:

Rep. Popovici-Muller	**Rep. Layon**	**Rep. Rochefort**
Rep. McMahon	**Rep. Read**	**Rep. Kuttab**
Rep. Nagel	**Rep. Wheeler**	

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Rep. Daniel Popovic-Muller – Rockingham 17 – Prime Sponsor

Q: Rep. Nagel – Does this bill address how physical therapy is sometimes being stifled?
A: Yes
Q: Rep. Schapiro – Would you consider extending the time?
A: Yes
Q: Rep. Nagel – Do physical therapist get the credibility from soccer?
A: Sometimes doctors know and they have to be cautious in their diagnosis
Q: Rep. Murphy – Why not extend the time?
A: Insurance companies give adequate enough time
Q: Rep. Murphy – What are the protect the patients if not enough time is given to recover?
A: Licensing board and patients intuition

Rep. Ellen Read – Rockingham 10 – Supports

Maggie Donohue – NHAPTA – Supports

- The reason the number (25) doesn't work is because the number is arbitrary

Q: Rep. Palmer – Are you concerned when a pt doesn't refer a patient back?
A: No – all practicality
Q: Rep. Nagel – Do you believe you have the skill and experience to know the patient needs to be referred?
A: Yes
Q: Rep. Weber – Do you believe a new PT needs to work with a superior and continue Ed?
A: True – we are required to have continuing Ed

Respectfully submitted,

Rep. Bill King, Clerk

SIGN UP SHEET

To Register Opinion If Not Speaking

Bill #: HB188 Date: 2/9/23

Committee: HHS & EA

**** Please Print All Information ****

Name	Address	Phone	Representing	Pro	Con
MAGGIE DONAHUE	96 Rockingham St Concord		NHAPPA	X	
Rep SANDY ROJEVICI - MILLER		603 267 4142	ROCK 17	X	
Rep Ellen Read			Rock 10	X	

House Remote Testify

Health, Human Services and Elderly Affairs Committee Testify List for Bill HB188 on 2023-02-09

Support: 6 Oppose: 0 Neutral: 0 Total to Testify: 0

Export to Excel

Name	City, State Email Address	Title	Representing	Position	Testifying	Non-Germane	Signed Up
Howland, Curtis	Manchester, NH howland@priss.com	A Member of the Public	Myself	Support	No	No	2/6/2023 11:09 AM
Peternel, Katy	Wolfeboro, NH katy.peternel@leg.state.nh.us	An Elected Official	Myself	Support	No	No	2/6/2023 9:37 PM
Medeiros, Jesse	Plainfield, NH bgtrck458@gmail.com	A Member of the Public	Myself	Support	No	No	2/7/2023 9:07 AM
Wikstrom, Kathleen	Exeter, NH kjwikstrom@gmail.com	A Member of the Public	Myself	Support	No	No	2/7/2023 12:14 PM
Karney, Stephen	Amherst, NH stephenakarney@gmail.com	A Member of the Public	Myself	Support	No	No	2/7/2023 12:30 PM
Anastasia, Patricia	Londonderry, NH patti.anastasia@gmail.com	A Member of the Public	Myself	Support	No	No	2/8/2023 3:43 PM

2023 SESSION

23-0414
05/10

HOUSE BILL ***188***

AN ACT relative to the duration of physical therapy.

SPONSORS: Rep. Popovici-Muller, Rock. 17; Rep. Layon, Rock. 13; Rep. Rochefort, Graf. 1; Rep. McMahon, Rock. 17; Rep. Read, Rock. 10; Rep. Kuttab, Rock. 17; Rep. Nagel, Belk. 6; Rep. Wheeler, Hills. 33

COMMITTEE: Health, Human Services and Elderly Affairs

ANALYSIS

This bill removes the requirement that a physical therapist refer a patient to a health care provider if there is no documented improvement after 25 days of treatment.

- -

Explanation: Matter added to current law appears in ***bold italics.***
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

23-0414
05/10

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to the duration of physical therapy.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 Physical Therapy Practice Act; Referral to Health Care Professional. Amend RSA 328-A:9, II to read as follows:

II. A physical therapist shall refer a patient or client to appropriate health care practitioners when:

(a) The physical therapist has reasonable cause to believe symptoms or conditions are present that require services beyond the scope of practice; or

(b) Physical therapy is contraindicated[~~; or~~

~~(c) There is no documented improvement within 25 calendar days of the initiation of treatment~~].

2 Effective Date. This act shall take effect 60 days after its passage.