

In the Matter of:
Casey BISHOP
(Application for License)

ORDER OF CONDITIONAL DENIAL

Now before the New Hampshire Athletic Trainers Governing Board ("Board") is the September 22, 2006 Application for License of Casey Bishop, ATC ("the applicant" or "Ms. Bishop").

At the October 26, 2006 regularly scheduled Board meeting, the Board voted to conditionally deny Ms. Bishop's application to practice athletic training in New Hampshire. The grounds for the conditional denial are based upon a determination, under RSA 326-G:4, I, that Ms. Bishop has not demonstrated "sufficient evidence of good professional character and reliability to satisfy the Board that the applicant shall faithfully and conscientiously avoid professional misconduct and adhere to this chapter, 328-F, and the board's rules." Additional grounds are based upon a determination that pursuant to RSA 328-F:23, II(i), that Ms. Bishop has allegedly committed certain acts that would constitute grounds for discipline. ("Misconduct sufficient to support disciplinary proceedings shall include: practice without a currently valid license.").

It is alleged that on September 9, 2006, Ms. Bishop called the Office of Licensed Allied Health Professionals requesting an Athletic Training licensing application to be sent to Casey Bishop, 21 Philbrook Road, Kittery ME 03904. An application was sent promptly to this address.

It is alleged that on or about July 2006, Ms. Bishop began engaging in the unauthorized practice of an allied health profession, contrary to RSA 328-F:27, and engaging in the unauthorized practice of athletic training, contrary to RSA 326-G:5, II.

It is alleged that on September 22, 2006, the Office of Licensed Allied Health Professionals received an incomplete application from Ms. Bishop. On September 28, 2006, the Office of Licensed Allied Health Professionals sent Ms. Bishop a letter acknowledging receipt of her Application for Initial License. This letter identified deficiencies in the application and requested that certain items be forwarded to the Board. This letter also contained the following language: "Candidates for licensure **must not** begin employment until you have received a license from the Office of Licensed Allied Health Professionals." (emphasis in original).

The conduct described above, if found to be true by the Athletic Trainers Governing Board, constitutes grounds for discipline pursuant to 328-F:23, II and RSA 328-F:5. In accordance with RSA 328-F:27, III, and/or RSA 326-G:5, II, this is a misdemeanor level offense.

Therefore, the present license application of Casey Bishop shall be denied at the next regularly scheduled Athletic Trainers Governing Board's meeting following sixty (60) days after the date of this order (specifically the Board's January 25, 2007 meeting) unless she meets the conditions set forth below or unless prior to 4:00 p.m. on December 6, 2006 (30 days from the date of this Order) the Board actually receives at the Office of Licensed Allied Health Professionals a written request for a hearing from the applicant. If a timely hearing request is received, the application shall not be denied unless, following the resulting hearing, the applicant fails to demonstrate that she is qualified for licensure. The burden of proof shall be on the applicant to demonstrate that she meets the professional character and competency requirements for licensure; and

Therefore, the applicant must abide by the following conditions for the Board to consider to remove the conditional denial and review the application:

1. The applicant will send a certified check in the amount of three hundred dollars (\$300) payable to "Treasurer, State of New Hampshire" to the Office of Licensed Allied Health Professionals. This check shall not be credited toward the processing of this application or any renewal applications;
2. The applicant will read the laws governing the Athletic Trainers Governing Board, RSA 326-G; the laws governing the Allied Health Professional, RSA 328-F; their respective rules; and the BOC Standards of Professional Practice, enclosed with this order. The applicant will, before a notary public, certify that she has read the above statutes, rules, and standards, and that she will abide by them; and the applicant will return the attached notarized certification to the Office of Licensed Allied Health Professionals; and
3. The applicant will provide a copy of this Order of Conditional Denial to her current employer. The employer must state in writing on a copy of the Order of Conditional Denial that he/she has read it. It is the Applicant's responsibility to return the signed copy of this Order to the Office of Licensed Allied Health Professionals; and

Therefore, if the applicant meets the above conditions and provides the Office of Licensed Allied Health Professionals with the documents set forth above on or before 4:00 p.m. on Wednesday, November 29, 2006, the Board will review the completed application at its next regularly scheduled board meeting (specifically November 30, 2006).

Therefore, if the applicant does not meet the above conditions and/or does not provide the Office of Licensed Allied Health Professionals with the documents set forth above on or before sixty (60) days from the effective date of this Order of Conditional Denial, the Board will deny Ms. Bishop's application for licensure. Such a denial will be reportable to HIP-DB and/or BOC; and


THEREFORE IT IS ORDERED, that the license application of Casey Bishop, ATC be denied effective 12:01 a.m., January 25, 2007 unless prior to 4:00 p.m. on December 6, 2006, the Board receives a written request for a hearing; and

IT IS FURTHER ORDERED, that receipt of a timely filed hearing request shall automatically void this Order and a further Order shall be issued in due course in which the Board establishes a date and time of the hearing, and specifies the issues to be heard; and

IT IS FURTHER ORDERED, any hearing held in response to this Order shall be conducted pursuant to RSA 328-F:23, RSA 326-G, and RSA 541-A. The applicant may request to be heard on any relevant matter of law or fact, but evidentiary proceedings shall be conducted only to the extent the applicant has identified disputed factual issues which require resolution.

BY ORDER OF THE BOARD

November 6, 2006


Maren McElwee Bicknell, ATC, NHLAT
Chair, Athletic Trainers Governing Board