

Before the
NEW HAMPSHIRE BOARD OF MEDICINE
Concord, NH 03301

In the Matter of:

Wendy M. Mathieu, COTA
(Misconduct Allegations)

DECISION & ORDER

On August 6, 1997 the Board of Medicine ("Board") commenced a hearing in the matter of Wendy M. Mathieu, COTA ("the Licensee") pursuant to the Board's "Order to Show Cause" dated July 7, 1997. The "Order to Show Cause" was mailed via certified mail - return receipt requested, to the home and business addresses provided to the Board by the Licensee. The "Order" was returned undelivered from the Licensee's home address but was signed for at the Licensee's business address on July 31, 1997. No communication of any type was received from the Licensee and the Licensee failed to appear for the scheduled hearing as ordered by the Board. The hearing was held as scheduled in the Licensee's absence.

The Board accepted into evidence letters from Karen Lamoureux on behalf of the Occupational Therapy Advisory Committee which document that the Licensee failed to provide proof of completion of 10 hours of continuing education hours accumulated between October 1, 1995 and October 1, 1996 as required by Med 708.02 (a) despite repeated requests for such documentation. The licensee was allowed to renew her license on January 30, 1997 pending the

verification of her continuing education documentation and has continued to practice under that license since that time.

The Board finds that the Licensee has committed unprofessional conduct pursuant to RSA 326-C:7 II (b) and (c) which includes "the acquisition of a license by means of fraud, misrepresentation or concealment of material facts" and "violation of any rules adopted by the board..." in that the Licensee represented that she had completed the required 10 hours of continuing education when she requested renewal of her license and then failed to comply with the repeated requests of the Occupational Therapy Advisory Committee to provide the documentation required by Med 708.02.

Pursuant to RSA 326-C:7, I, the Board "may revoke, suspend, caution or impose probationary conditions upon a licensee under this chapter, after notice and the opportunity for a hearing, when the licensee is found by the board to have engaged in unprofessional conduct." The Board finds that the Licensee's complete disregard for the rules of the Board and for the efforts of the Occupational Therapy Advisory Committee to rectify the situation are sufficiently grave to warrant the suspension of the license of Wendy M. Mathieu until such time as she is able to prove to the satisfaction of the Board, with the advice of the Occupational Therapy Advisory Committee, that she had completed 10 hours of continuing education which met the requirements of Med 708.02 between the dates of October 1, 1995 and October 1, 1996. Absent such proof, the license shall be suspended until December 31, 1997. The Licensee shall be permitted to renew the license prior to January 1, 1998 only if the Licensee has completed all

renewal requirements and provided documentation of completion of all continuing education requirements accumulated between October 1, 1996 and October 1, 1997 which is approved by the Occupational Therapy Advisory Committee.

THEREFORE IT IS ORDERED, That the license of Wendy M. (DeRoche) Mathieu, COTA, #231 is suspended until December 31, 1997 or until she has provided documentation of completion of 10 hours of continuing education accumulated from October 1, 1995 to October 1, 1996 which is approved by the Occupational Therapy Advisory Committee, whichever is sooner.

IT IS FURTHER ORDERED, That the Licensee may renew her license prior to January 1, 1998, if and only if, she complies with all renewal requirements in force on that date, including all continuing education requirements.

IT IS FURTHER ORDERED, That a copy of this order shall be mailed to the last home and business address provided by the Licensee to the Board, via certified mail - return receipt requested, and that the Board shall also separately mail a copy of this order to the Licensee's employer and any other state in which she holds a license.

BY ORDER OF BOARD

Date: _____

8/12/97



Karen W. Lamoureux
Administrator