

RULEMAKING NOTICE FORM

Notice Number _____ Rule Number Plc 500

<p>1. Agency Name & Address:</p> <p>Office of Professional Licensure & Certification 7 Eagle Square Concord, NH 03301</p>	<p>2. RSA Authority: <u>RSA 310:6, IV</u></p> <p>3. Federal Authority: <u>n/a</u></p> <p>4. Type of Action:</p> <p>Adoption <u>X</u></p> <p>Repeal _____</p> <p>Readoption _____</p> <p>Readoption w/amendment _____</p>
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5. Short Title: **Professionals' Health Program**

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:

The Executive Director of the Office of Professional Licensure and Certification (OPLC) is proposing to adopt rules to govern the Professionals' Health Program (PHP) authorized by RSA 310:5, III and RSA 310:6, IV. The proposed rules are designed to provide a uniform framework for the PHP, and are organized in the following parts:

PART Plc 501 PURPOSE AND APPLICABILITY

PART Plc 502 DEFINITIONS

PART Plc 503 APPROVAL OF PROVIDERS; APPLICABLE STANDARDS

PART Plc 504 IMPLEMENTATION OF PROFESSIONALS' HEALTH PROGRAM

The proposed rules establish criteria and procedures for approving providers of services under the PHP umbrella and standards for approved providers, program agreements, treatment and monitoring plans, and participation.

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

The rules will directly affect any organization that wishes to be approved as a provider under the PHP. The rules will indirectly affect any individual who is licensed in a profession that is covered by the PHP. Professions currently covered are those regulated by the Board of Licensing for Alcohol and Other Drug Use Professionals, the Board of Chiropractic Examiners, the Board of Dental Examiners, the Board of Licensed Dietitians, the Board of Medicine, the Board of Mental Health Practice, the Midwifery Council, the Board of Nursing, the Board of Registration in Optometry, the Pharmacy Board, the Board of Podiatry, the Board of Psychologists, and the Board of Veterinary Medicine.

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

Rules	State Statutes Implemented
Plc 500	RSA 310:5, III; RSA 329:13-b; RSA 326-B:36-a; RSA 318:29-a

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

Name: **Gretchen Hamel** Title: **Program Specialist IV**

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Address: **OPLC
7 Eagle Square
Concord, NH 03301**

Phone #: **Please contact via email**
Fax #: **[discontinued]**
E-mail: **Gretchen.R.Hamel1@oplcnh.gov**

**The rules can be reviewed on-line at
<https://www.oplc.nh.gov/oplc-laws-and-rules>**

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: **4:00 PM on Wednesday, March 20, 2024**

Please submit comments to OPLC-Rules@oplcnh.gov

Fax E-mail Other format (specify):

9. Public hearing scheduled for:

Date and Time: **Tuesday, March 12, 2024 at 2:00 PM**
Physical Location: **Board Room (2nd Floor), Office of Professional Licensure & Certification, 7 Eagle Square, Concord, NH 03301**
Electronic Access (if applicable): **Not applicable**

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

FIS # **24:009**, dated **01/31/2024**

- 1. Comparison of the costs of the proposed rule(s) to the existing rule(s):**

Not applicable as these are new 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):**

The proposed rules establish definitions, standards, purpose, and applicability as well as implementation of the Professional's Health Program (PHP). Independently owned businesses who wish to provide PHP services may incur expenses to comply with the standards within these rules. However, the cost is indeterminable as it is unknown what the cost would be to each organization who chooses to be a provider as each organization has different established operations which may meet certain standards required.

- A. To State general or State special funds:**

None.

- B. To State citizens and political subdivisions:**

None.

- C. To independently owned businesses:**

See # 3 above.

11. Statement Relative to Part I, Article 28-a of the N.H. Constitution:

The rules do not apply to political subdivisions, and so do 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. The rules thus do not violate Part I, Article 28-a of the N.H. Constitution.