

POSTPONEMENT AND RESCHEDULING OF A RULEMAKING HEARING

Notice Number 2024-26

Rule Number Nat 100 various

<p>1. Agency Name & Address:</p> <p>Naturopathic Board of Examiners c/o Office of Professional Licensure & Certification 7 Eagle Square Concord, NH 03301</p>	<p>2. RSA Authority: <u>RSA 541-A:16, I(a)</u></p> <p>3. Federal Authority: <u>N/A</u></p> <p>4. Type of Action:</p> <p>Adoption _____</p> <p>Repeal <u>X</u></p> <p>Readoption _____</p> <p>Readoption w/amendment <u>X</u></p>
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5. Short Title: **Organization, Definitions, and Public Information**

6. In accordance with RSA 541-A:11, IV, a rulemaking hearing has been postponed for this proposed rule for which notice appeared in the Rulemaking Register on February 6, 2025 under Notice Number 2025-26. The public hearing has therefore been rescheduled for:

Date and Time: **Monday, March 10, 2025, at 9:45 a.m. The hearing start time has changed from 2:00 p.m.**

Physical Location: **OPLC offices at 7 Eagle Square, Concord, NH 03301**

Electronic Access, if applicable: **N/A**

7. New deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **Friday, March 21, 2025, at 4:00 p.m.**

Please submit comments to OPLC-Rules@oplcnh.gov

Fax E-mail Other format (specify):

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

Name:	Chantell B. Wheeler	Title:	Rules Administrator
Address:	OPLC, 7 Eagle Square, Concord, NH 03301	Phone #:	603-271-8311
		Fax#:	N/A
		E-mail:	Chantell.b.wheeler@oplcnh.gov

TTY/TDD Access: Relay NH 1-800-735-2964 or dial 711 (in NH)

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5. Short Title: **Organization, Definitions, and Public Information**

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:

Chapter Nat 100 provides a description of the Naturopathic Board of Examiners (Board) and states the general course and method of its operations, and the methods by which the public may obtain information and make submissions or requests. The Board proposes to:

- **Readopt with amendment Nat 101.01 to update the purpose of the Board to align with current statute and more recently adopted rules. RSA 310:4, II grants the Executive Director of the Office of Professional Licensure and Certification (OPLC) responsibility for the examination, processing and approval or denial of applications for licensure based on objective standards developed by the Board, pursuant to 2023, 235:8, effective July 15, 2023. OPLC was granted rulemaking authority in RSA 310:6, II to adopt rules governing the administration of complaints and investigations, hearings, and disciplinary and non-disciplinary proceedings, pursuant to 2023, 236:8, effective July 15, 2023;**
- **Readopt with amendment Nat 102.01 on terms used to remove the definition of “administrative assistant”. RSA 310:4, II(b) grants the OPLC responsibility for employment of personnel needed to carry out the functions of the boards, pursuant to 2023, 235:8, effective July 15, 2023;**
- **Readopt with amendment Nat 103.02 on duties of the Board to align with RSA 310:4, II(d), which grants the OPLC responsibility for the investigation of all complaints of professional misconduct. RSA 310:6, II grants the OPLC rulemaking authority including rules governing the administration of complaints and investigations;**
- **Readopt with amendment Nat 103.06 on quorum and decision making to remove the reference to an administrative assistant;**
- **Repeal Nat 103.08 on committees. The Board’s authority in RSA 328-E:14-a related to hearings and investigations was repealed pursuant to 2023, 212:24, II, effective October 3, 2023;**
- **Readopt with amendment Nat 103.09 on officers to remove the reference to a secretary;**
- **Readopt with amendment Nat 104.01 to update the Board’s office location and contact information; and**
- **Readopt with amendment Nat 104.02 on Board records to incorporate by reference Plc 103.01 and Plc 103.02 rules on requests for information and access to records. The OPLC was granted responsibility for the maintenance of the official records pursuant to RSA 310:4, II(e).**

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

These rules affect the general public and doctors of naturopathic medicine in New Hampshire.

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

Rule	Specific State Statute the Rule Implements
Nat 101	RSA 541-A:7
Nat 102	RSA 541-A:7
Nat 102.01	RSA 541-A:16, I(a)
Nat 103.01	RSA 328-E:7, I
Nat 103.02(a) and (b)	RSA 328-E:16, III
Nat 103.02(c) (new)	RSA 328-E:10, I(d)
Nat 103.02(c), (e), and (f) (repeal)	2023, 212:24, I, eff. Oct. 3, 2023
Nat 103.03	RSA 328-E:16
Nat 103.04	RSA 328-E:15
Nat 103.05	RSA 328-E:7, IV
Nat 103.06(a)	RSA 328-E:7, V
Nat 103.06(b) and (c)	RSA 541-A:16, I(b)
Nat 103.07	RSA 91-A:2, II
Nat 103.08 (repeal)	2023, 212:24, II, effective October 3, 2023
Nat 103.09	RSA 541-A:16, I(b)
Nat 104.01	RSA 541-A:16, I(a)
Nat 104.02(a)	RSA 91-A:4, IV
Nat 104.02(b)	RSA 310:4, II(e)
Nat 104.02(c)	RSA 91-A:2, II
Nat 104.02(d)	RSA 91-A:3, III
Nat 104.02(e)	RSA 91-A:4, IV
Nat 104.02(f)	RSA 541-A:16, I(a)

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

Name: **Chantell B. Wheeler** Title: **Rules Administrator**
Mailing Address: **OPLC** Phone #: **(603) 271-8311**
7 Eagle Square Fax#: **None**
Concord, NH 03301 E-mail: **chantell.b.wheeler@oplc.nh.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, March 21, 2025, at 4:00 p.m.**

Fax E-mail Other format (specify):

Please submit comments to OPLC-Rules@oplc.nh.gov

9. Public hearing scheduled for:

Date and Time: **Monday, March 10, 2025, at 2:00 p.m.**

Physical

Location: **OPLC offices at 7 Eagle Square, Concord, NH 03301**

Electronic

Access (if applicable): **n/a**

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

FIS # 25:014, dated January 22, 2025

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

There is no difference in cost 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):

There are no costs or benefits applicable to the proposed rules. The proposed rules do eliminate the \$0.25 copy fee in Nat 104.02(e), however, the \$0.25 copy fee under Plc 1001.05 would still apply.

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 these rules, and these rules does not apply to political subdivisions. These rules 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, and so does not violate Part I, Article 28-a of the N.H. Constitution.