

RULEMAKING NOTICE FORM

Notice Number _____	Rule Number <u>Ac 200</u>
1. Agency Name & Address: Board of Accountancy c/o Office of Professional Licensure & Certification 7 Eagle Square Concord, NH 03301	2. RSA Authority: <u>RSA 309-B:4, VI(b), RSA 541-A:16, I(b)-(d)</u> 3. Federal Authority: <u>n/a</u> 4. Type of Action: Adoption <u>X</u> Repeal <u>X</u> Readoption _____ Readoption w/amendment _____
5. Short Title: Rules of Practice and Procedure	

6. (a) Summary of what the rule says and of any proposed amendments:

The Board of Accountancy is proposing to:

(1) Repeal the existing rules in Ac 201 through Ac 215.01; and

(2) Adopt Ac 201.01 to utilize Plc 200 rules, as directed by RSA 310-A:1-d, II(h)(2) that provides for the OPC to establish procedural rules governing the administration of complaints and investigations, hearings, and disciplinary proceedings; and

(3) Adopt Ac 201.02 describing the Board's procedure for waiver of a substantive rule.

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

The groups affected by these rule changes are Acupuncturists, members of the public, and the Board of Acupuncture Licensing.

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 which the Rule Implements
Ac 201 – Ac 202 (repeal)	RSA 541-A:7 and RSA 541-A:8
Ac 203 (repeal)	RSA 541-A:16, I(b)
Ac 204.01 (repeal)	RSA 309-B:11, I, and RSA 309-B:12, I
Ac 204.02 (repeal)	RSA 309-B:11, I
Ac 204.03 (repeal)	RSA 309-B:11, II
Ac 204.04 (repeal)	RSA 309-B:, 11, IIRSA 309-B:10, I; RSA 541-A:31, V(a); and RSA 541-A:38
Ac 205 (repeal)	RSA 309-B:12, III, and RSA 541-A:16, I(b)
Ac 206 (repeal)	RSA 541-A:16, I(b)
Ac 207 (repeal)	RSA 541-A:30-a, III(f)

Rule	Specific State Statute which the Rule Implements
Ac 208 (repeal)	RSA 541-A:1, XIV; RSA 541-A:16, I(b); and RSA 541-A:30-a, III(k)
Ac 209.01 (repeal)	RSA 541-A:8
Ac 209.02 (repeal)	RSA 309-B:12, I, and RSA 541-A:31, III
Ac 209.03 (repeal)	RSA 541-A:16, I(b)(2)
Ac 209.04 (repeal)	RSA 541-A:32
Ac 209.05 (repeal)	RSA 309-B:12, III
Ac 209.06 (repeal)	RSA 309-B:12, II, and RSA 541-A:30-a, III(c)
Ac 209.07 (repeal)	RSA 309-B:11, I, and RSA 309-B:12, III
Ac 209.08 (repeal)	RSA 541-A:36
Ac 209.09 (repeal)	RSA 541-A:16, I(b)(2)
Ac 209.10 (repeal)	RSA 541-A:16, I(b)(2)
Ac 209.11 (repeal)	RSA 541-A:30-a, III(j)
Ac 210 (repeal)	RSA 541-A:16, I(b)(2)
Ac 210.01 (repeal)	RSA 541-A:31, V(b) – (d)
Ac 210.02 (repeal)	RSA 541-A:30-a, III(d) and (e)
Ac 210.04 (repeal)	RSA 541-A:33
Ac 210.05 (repeal)	RSA 541-A:30-a, III(h)
Ac 210.07 (repeal)	RSA 541-A:35
Ac 211.01 (repeal)	RSA 309-B:12, VIII, and RSA 541-A:35
Ac 212 (repeal)	RSA 309-B:10, I; RSA 541-A:31, V(a); and RSA 541-A:38
Ac 213 (repeal)	RSA 309-B:12, X, and RSA 541:4
Ac 214.01 214.03 (repeal)	RSA 541-A:16, I(c)
Ac 214.04, Ac 214.05 (repeal)	RSA 541-A:11, VII
Ac 215 (repeal)	RSA 541-A:16, I(d)
Ac 200	RSA 541-A:16, I(b)

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

Name: **Tina Kelley**

Title: **Program Specialist IV**

Address: **Office of Professional
Licensure and Certification
7 Eagle Square
Concord, NH 03301**

Phone #: **(603) 271-5247**

Fax#: **None**

E-mail: **OPLC-Rules@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: **Thursday, December 14, 2023 at 4:00 p.m.**

☐ Fax

☒ E-mail

☐ Other format (specify):

9. Public hearing scheduled for:

Date and Time: **Monday, December 4 at 9:30 a.m.**

Place: **Office of Professional Licensure and Certification
7 Eagle Square
Concord NH 03301**

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

FIS # 23:242 , dated 10-3-2023

1. **Comparison of the costs of the proposed rule(s) to the existing rule(s):**
Not applicable as Ac 201 through Ac 215.01 are being repealed and new Ac 201.01 and Ac 201.02 are being adopted.
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):**
This proposal repeals existing Ac 201 through Ac 215.01. The proposed rules adopt a new Ac 201.01 to utilize Plc 200 rules as directed by RSA 310:6, which provides for OPLC to establish organization and procedural rules governing the administration of complaints and investigations, hearings, disciplinary proceedings and adopt a new Ac 201.02 describing the Board's procedure for waiver of administrative rules. There is no cost or benefit attributable to the proposed rules.
 - 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:

These rules do not violate Part I, Article 28-a of the New Hampshire Constitution. These rules do not mandate or assign this program to any political subdivision in any way.