

Change the chapter heading for Ch 200 to read as follows:

CHAPTER Ch 200 RULES OF PRACTICE AND PROCEDURES

Repeal 201 through Ch 210, effective 9/8/04 (Document #8159), as follows:

~~[PART Ch 201 DEFINITIONS~~

~~— Ch 201.01 Definitions. Except where the context makes another meaning manifest, the following words have the meanings indicated:~~

~~— (a) "Adjudicative proceeding" means "adjudicative proceeding" as defined in RSA 541-A:1, I, namely, "the procedure to be followed in contested cases, as set forth in RSA 541-A:31 through RSA 541-A:36."~~

~~— (b) "Appearance" means a written notification to the board that a party, an intervenor or the representative of a party or intervenor intends to actively participate in a hearing.~~

~~— (c) "Complaint" means a complaint against a licensee pursuant to RSA 316-A:22, I(b).~~

~~— (d) "Contested case" means "contested case" as defined in RSA 541-A:1, IV, namely, "a proceeding in which the legal rights, duties, or privileges of a party are required by law to be determined by an agency after notice and an opportunity for hearing."~~

~~— (e) "Declaratory ruling" means "declaratory ruling" as defined in RSA 541-A:1, V, namely, "an agency ruling as to the specific applicability of any statutory provision or of any rule or order of the agency."~~

~~— (f) "Hearing" means "adjudicative proceeding" as defined by RSA 541-A:1, I.~~

~~— (g) "Intervenor" means a person without the status of a party but participating in a hearing to the extent permitted by the presiding officer acting pursuant to RSA 541-A:32.~~

~~— (h) "Motion" means a request to the presiding officer for an order or ruling directing some act to be done in favor of the proponent of the motion, including a statement of justification or reasons for the request.~~

~~— (i) "Order" means "order" as defined in RSA 541-A:1, XI, namely, "the whole or part of an agency's final disposition of a matter, other than a rule, but does not include an agency's decision to initiate, postpone, investigate or process any matter, or to issue a complaint or citation."~~

~~— (j) "Party" means "party" as defined by RSA 541-A:1, XII, namely, "each person or agency named or admitted as a party, or properly seeking and entitled as a right to be admitted as a party."~~

~~— (k) "Person" means any individual, partnership, corporation, association, governmental subdivision or public or private organization of any character other than the board.~~

~~— (l) "Petition" means any request to the board, including complaints about licensee misconduct, seeking an order or any other action or relief, other than an application for the issuance or renewal of a license or a motion.~~

~~— (m) "Presiding officer" means presiding officer as defined in RSA 541-A:1, XIV, namely, "that individual to whom the board has delegated the authority to preside over a proceeding, if any; otherwise it shall mean the chairperson of the board."~~

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~~— (n) "Proof by a preponderance of the evidence" means a demonstration by admissible evidence that a fact is more probable than not to be true.~~

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~~— (o) "Public comment hearing" means a hearing held pursuant to RSA 541-A:11.~~

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~~— (p) "Record" means, in a contested case, the materials set forth in RSA 541-A:31, VI.~~

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~~— (q) "Rulemaking petition" means a petition made pursuant to RSA 541-A:4, I.~~

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~~PART Ch 202 CONSTRUCTION OF RULES; RIGHT TO A HEARING; WAIVER OF RULES~~

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~~— Ch 202.01 Principles of Construction.~~

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~~— (a) The board shall resolve all disputes about matters within its statutory jurisdiction.~~

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~~— (b) Ch 203 through Ch 211 shall be construed to achieve:~~

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~~(1) The acquisition of sufficient information to make fair and reasoned decisions, including decisions on contested denials of licensure and about complaints filed against licensees; and~~

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~~(2) The just, efficient and accurate resolution of all board investigations and proceedings.~~

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~~— Ch 202.02 Right to a Hearing. Any person having a dispute with the board shall be entitled to a hearing of the dispute if:~~

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~~— (a) The legal rights, duties or privileges of that person will be determined in the course of deciding the outcome of the dispute; and~~

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~~— (b) Constitutional, statutory or case law requires the board to hold a hearing before determination of those rights, duties or privileges.~~

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~~— Ch 202.03 Waiver of Rules. The presiding officer, upon the motion of any party or intervenor, or on his or her own initiative, shall waive any requirement or limitation imposed by Ch 203 through Ch 211 when the waiver:~~

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~~— (a) Appears to be lawful; and~~

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~~— (b) Is more likely to promote the just and efficient resolution of the pending dispute than would adherence to a particular rule or limitation.~~

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~~PART Ch 203 APPEARANCES AND REPRESENTATION~~

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~~— Ch 203.01 Filing Appearances. A party or intervenor or the representative of the party or intervenor shall file an appearance that includes the following information:~~

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~~— (a) The docket number assigned by the board or a brief identification of the case;~~

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~~— (b) A statement identifying the person filing the appearance as a party, an intervenor or a representative of a party or intervenor;~~

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~~— (c) Whether any representative is an attorney; and~~

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~~— (d) The daytime address and telephone number of the party, intervenor or representative.~~

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~~— Ch 203.02 Representation.~~

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~~— (a) Corporations, partnerships and other legal entities which are not natural persons shall be represented only by an attorney or an officer, director, or managing partner with express and unqualified written authority to act on behalf of the entity concerning the matter in question.~~

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~~— (b) Any party or intervenor shall be permitted to be represented by counsel, but the board shall not appoint or pay for counsel.~~

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~~PART Ch 204 TIME PERIODS~~

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~~— Ch 204.01 Computation of Time. Any time period specified in this chapter shall begin with the day following the act, event, or default, and shall include the last day of the period, unless it is Saturday, Sunday, or a state legal holiday, in which event the period shall run until the end of the next day which is not a Saturday, Sunday, or a state legal holiday. When the period prescribed or allowed is less than 7 days, intermediate Saturdays, Sundays, and state legal holidays shall be excluded from the computation.~~

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~~— Ch 204.02 Changes in Allowed Times.~~

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~~— (a) Except where a time period is fixed by statute, the board shall use the standard in (b) below to:~~

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~~(1) Extend or shorten the time provided for the filing of any document; or~~

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~~(2) Advance or postpone the time set for any oral hearing, pre-hearing conference or other part of an adjudicative proceeding.~~

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~~— (b) A motion for a change of time shall be granted upon the board's finding of:~~

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~~(1) Due diligence by the moving party; and~~

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~~(2) Probable injury to the moving party if the motion is not granted outweighing any detriment likely to be suffered by any other party, intervenor or the public if the motion is granted.~~

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~~— Ch 204.03 Limitations. A motion to for a change of time shall not be filed within 3 business days of the event sought to be advanced or postponed.~~

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~~PART Ch 205 FILING, FORMAT AND SERVICE OF DOCUMENTS~~

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~~— Ch 205.01 Filing of Documents with the Board.~~

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~~— (a) A document shall be considered filed when it has been received at the board's office and conforms to the requirements of this chapter.~~

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~~— (b) Correspondence to the board shall be addressed to the board in care of its administrative assistant at the address in Ch 104.01(e).~~

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~~— (c) With the exception of routine correspondence, license applications and renewals and complaints against licensees, documents shall be filed with an original and 6 copies.~~

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~~— (d) Documents shall be rebuttably presumed to have been issued by the board or the presiding officer on the date noted on the document.~~

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~~— (e) Documents shall be rebuttably presumed to have been filed with the board on the date of receipt, as evidenced by a date stamp placed on the document by the board or its staff in the normal course of business.~~

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~~— Ch 205.02 Format of Documents.~~

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~~— (a) All correspondence, petitions, motions, replies and other documents to be filed shall:~~

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~~(1) If related to an adjudicative proceeding, include the title and, if known, the docket number of the proceeding;~~

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~~(2) Be typewritten or clearly printed on durable paper 8 1/2 by 11 inches in size;~~

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~~(3) Be signed by the proponent of the document, or, if the proponent appears by a representative, by the representative; and~~

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~~(4) If related to an adjudicative proceeding, include a statement certifying that a copy of the document has been delivered to all parties and intervenors.~~

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~~— Ch 205.03 Signing and Veracity of Documents.~~

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~~— (a) All complaints, petitions, motions and replies shall be signed by the proponent of the document or, if proponent appears by a representative, by the representative.~~

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~~— (b) The signature on a document filed with the board shall constitute a certification that:~~

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~~(1) The signer has read the document;~~

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~~(2) The signer is authorized to file it;~~

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~~(3) To the best of the signer's knowledge, information and belief, there are good grounds to support it; and~~

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~~(4) The document is not filed for purposes of delay or harassment.~~

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~~— (c) A breach of the certification described in (b) above by an individual who is not a licensee or the representative of a licensee shall, to the extent consistent with justice and applicable law, be a basis for entering an order adverse to the individual committing the breach.~~

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~~— (d) A breach of the certification described in (b) above by an individual who is a licensee or the representative of a licensee shall constitute licensee misconduct pursuant to RSA 316-A:22, II(c) subjecting the licensee to disciplinary action.~~

~~— Ch 205.04 Service of Documents.~~

~~— (a) Complaints against licensees shall be in writing and filed with the board without service upon the licensees.~~

~~— (b) Petitions for rulemaking and petitions for declaratory rulings shall be filed with the board without service upon other persons.~~

~~— (c) Copies of all petitions, motions, exhibits, memoranda and other documents filed by any party or intervenor in the course of an adjudicative proceeding shall be served by mail by that party or intervenor on all other parties and intervenors.~~

~~— (d) All notices, orders, decisions or other documents issued by the presiding officer or the board shall be served on all parties and intervenors in hand or by certified mail.~~

~~— (e) Mail service of a document relating to a proceeding shall be made by depositing into the United States mail a copy of the document in an envelope bearing:~~

~~(1) The name of the person intended to receive the document;~~

~~(2) The full address, including zip code, last provided to the board by such person;~~

~~(3) Prepaid first class postage; and~~

~~(4) In the case of a document issued by the presiding officer or the board, the prepaid return receipt for certified mail.~~

~~— (f) When a party or intervenor has appeared by a representative, service shall be upon the representative unless otherwise ordered by the board, provided, however, that timely service which is actually received by a party or intervenor shall be sufficient regardless of whether the representative was also served.~~

~~— (g) Except for documents distributed at a pre hearing conference or hearing, every document required to be served upon parties and intervenors in an adjudicative proceeding shall be accompanied by a certificate of service signed by the person making service, stating the method and date of service and the persons served.~~

~~PART Ch 206 PLEADINGS, PETITIONS AND MOTIONS~~

~~— Ch 206.01 Petitions and Replies to Petitions.~~

~~— (a) The only pleadings permitted shall be petitions and replies to petitions. There shall be no response by a petitioner to a reply by a respondent.~~

~~— (b) Petitions shall contain:~~

~~(1) The name and address of the petitioner;~~

~~(2) The name and address of the petitioner's representative, if any;~~

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- ~~(3) A concise statement of the facts which caused the petitioner to request the board to act;~~
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- ~~(4) If the petition is a complaint of licensee misconduct as set forth in RSA 316-A:22, II, the specific facts and circumstances believed to constitute misconduct;~~
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- ~~(5) The identification of any statutes, rules, orders or other legal authority which entitles the petitioner to have the board act as requested;~~
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- ~~(6) The action which the petitioner requests the board to take; and~~
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- ~~(7) The name and address of the person, if any, against whom the petitioner complains, or against whom the petitioner wishes the board to take action.~~
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- ~~—— (c) Replies to petitions shall contain:~~
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- ~~(1) The name and address of the respondent;~~
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- ~~(2) The name and address of the representative of the respondent, if any;~~
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- ~~(3) A statement admitting or denying each fact alleged in the petition pursuant to (c)(3) or (c)(4) above;~~
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- ~~(4) A statement admitting or denying the authority identified by the petitioner pursuant to (c)(5) above;~~
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- ~~(5) A concise statement of every additional fact which causes the respondent to request the board not to act, or to act differently from the way requested by the petitioner;~~
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- ~~(6) The identification of any statutes, rules, orders or other legal authority not identified in the petition which has a bearing upon the subject matter of the petition; and~~
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- ~~(7) The action which the respondent requests the board to take.~~
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- ~~—— (d) Replies to petitions shall be filed with the board within 30 days from the date of the petition.~~
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- ~~—— (3) Any fact stated in the petition which is not denied in the reply shall be deemed admitted or agreed to by the respondent.~~
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- ~~—— (f) A statement that the respondent lacks sufficient knowledge to admit or deny a fact stated in the petition shall be treated as a denial of that fact.~~
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- ~~—— Ch 206.02 Motions and Objections To Motions:~~
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- ~~—— (a) Unless presented during an oral session of an adjudicative proceeding, motions and objections to motions shall be in writing.~~
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- ~~—— (b) Motions shall state clearly and concisely:~~
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- ~~(1) The purpose of the motion;~~
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- ~~(2) The relief sought by the motion;~~
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- ~~(3) The statutes, rules, orders or other authority authorizing the relief sought by the motion;~~
- ~~and~~
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- ~~(4) The facts claimed to constitute grounds for the relief requested by the motion.~~
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- ~~(c) Except for objections to motions for rehearing, objections to written motions shall be filed within 15 days after the filing of the motion. If no objection is filed within that period, the board shall assume that there is agreement by all parties and intervenors.~~
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- ~~(d) Objections to motions shall state clearly and concisely:~~
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- ~~(1) The action which the party filing the reply wishes the board to take on the motion;~~
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- ~~(2) The statutes, rules, orders or other authority relief upon in defense of the motion;~~
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- ~~(3) Any facts which are additional to or different from the facts stated in the motion; and~~
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- ~~(4) A response to the facts stated in the motion.~~
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- ~~— (e) A motion shall be decided without a hearing unless the board determines that the efficiency of the adjudicative proceeding or justice requires one.~~

~~PART Ch 207 PRESIDING OFFICER~~

~~— Ch 207.01 Presiding Officer.~~

- ~~— (a) Adjudicative proceedings shall be conducted by a presiding officer.~~
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- ~~— (b) The board chairman shall serve as presiding officer or shall designate another qualified person so to serve.~~
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- ~~— (c) The board shall remove the presiding officer at any time without notice or hearing when the presiding officer:~~
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- ~~(1) Is ill or unavoidably absent; or~~
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- ~~(2) Refuses to withdraw in accordance with Ch 207.02.~~
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- ~~— (d) The presiding officer shall possess all authority with respect to the procedural aspects of adjudicative proceedings possessed by the board itself.~~
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- ~~— (e) The presiding officer shall as necessary:~~
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- ~~(1) Regulate and control the course of the hearing, including the questioning of witnesses by board members;~~
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- ~~(2) Facilitate settlement of the dispute that is the subject of the hearing;~~
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- ~~(3) Administer oaths and affirmations;~~

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- ~~(4) Request that the board issue subpoenas to compel the attendance of witnesses or the production of documents;~~
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- ~~(5) Receive relevant evidence and exclude irrelevant, immaterial or unduly repetitious evidence;~~
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- ~~(6) Rule on procedural requests at the request of a party or intervenor or on the presiding officer's own motion;~~
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- ~~(7) Question anyone who testifies to the extent required to make a full and fair record;~~
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- ~~(8) Cause a complete recording of the hearing to be made, as specified in RSA 541-A:31, VII; and~~
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- ~~(9) Take any other action consistent with applicable statutes, rules and case law necessary to conduct the hearing and complete the record in a fair and timely manner.~~
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- ~~— (f) The presiding officer may receive offers of settlement and proposed consent decrees and present them to the board for consideration. When a written settlement offer or proposed consent decree has been signed by the licensee, the presiding officer shall refer it to the board for consideration.~~

~~Ch 207.02 Withdrawal of Presiding Officer.~~

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- ~~— (a) Upon his or her own initiative or upon the motion of any party or intervenor, the presiding officer shall withdraw from any hearing for good cause.~~
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- ~~— (b) Good cause shall exist if the presiding officer:~~
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- ~~(1) Has a direct interest in the outcome of the hearing, including but not limited to, a financial or family relationship with any party or intervenor;~~
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- ~~(2) Has made statements or engaged in behavior which objectively demonstrates that he or she has prejudged the facts of the case; or~~
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- ~~(3) Personally believes that he or she cannot fairly judge the facts of the case.~~
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- ~~(c) Mere knowledge of the issues or acquaintance with any party, intervenor or witness shall not constitute good cause for withdrawal.~~

~~PART Ch 208 ADJUDICATIVE PROCEEDINGS~~

~~Ch 208.01 Notice Commencing an Adjudicative Proceeding.~~

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- ~~— (a) The board shall commence an adjudicative proceeding not related to the board's emergency suspension of a license pursuant to Ch 208.02 by issuing to all parties and any complainant against the licensee a notice meeting the requirements of (d) below.~~
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- ~~— (b) In the case of an adjudicative proceeding not related to the board's emergency suspension of a license the notice required by (a) above shall be issued at least 30 days before the first scheduled pre-hearing conference or hearing day.~~

~~— (c) In the case of an adjudicative proceeding related to the board's emergency suspension of a license pursuant to Ch 208.02, the notice required by (a) above shall be:~~

~~(1) Accompanied by a copy of the board's suspension order issued pursuant to Ch 208.02(a); and~~

~~(2) Issued immediately upon ordering the license suspension.~~

~~— (d) The notice commencing an adjudicative proceeding shall:~~

~~(1) Identify the parties to the proceeding;~~

~~(2) Summarize the subject matter of the proceeding and identify the issues to be resolved;~~

~~(3) Specify the legal authority under which the hearing is to be held;~~

~~(4) Refer to the particular sections of the statutes and rules involved;~~

~~(5) State that each party has the right to have an attorney present to represent the party at the party's expense;~~

~~(6) In the case of a hearing not related to the board's emergency suspension of a license, state that:~~

~~a. The licensee has the right to have the board provide a certified shorthand court reporter at the licensee's expense; and~~

~~b. The licensee's request for a certified shorthand court reporter shall be submitted in writing at least 10 days before the beginning of the hearing;~~

~~(7) In the case of a hearing related to the board's emergency suspension of a license pursuant to Ch 208.02, state that the board shall provide a certified shorthand court reporter at the board's expense;~~

~~(8) Specify the date by which, and the address where, appearances are to be filed;~~

~~(9) Specify a deadline which is at least 3 days before the hearing for the submission of petitions to intervene;~~

~~(10) Specify the date, time and location of the pre-hearing conference or, if there is to be no pre-hearing conference, of the hearing;~~

~~(11) Identify the presiding officer; and~~

~~(12) Identify the information to be kept confidential, if any, and the legal basis for keeping the information confidential.~~

~~— Ch 208.02 Procedure for Emergency Suspension of Licenses.~~

~~— (a) Upon the unanimous vote of the board that public health, safety or welfare requires emergency action, the board shall immediately and without a hearing suspend a license by issuing a written order of suspension incorporating the finding.~~

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~~— (b) Pursuant to RSA 541-A:30, III, the board shall commence a hearing no later than 10 working days after the issuance of an order pursuant to (a).~~

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~~— (c) Unless the 10-day deadline in (b) is expressly waived by the licensee, the failure of the board to meet the deadline shall result in the automatic vacating of the order of license suspension.~~

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~~— (d) After the vacating of the order pursuant to (c) above, the board shall not again suspend the license on the basis of the same conduct which formed the basis for the vacated order without giving the licensee prior notice and the opportunity for a hearing.~~

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~~— Ch 208.03 Deadline for Disciplinary Hearing Based on Complaint. Except in the case of a proceeding related to the board's emergency suspension of a license pursuant to Ch 208.02, a hearing based on a complaint of licensee misconduct shall be held within 3 months of the date of the notice commencing the proceeding unless otherwise agreed by the board, the complainant and the licensee.~~

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~~— Ch 208.04 Docketing of the Case and Service of the Notice. The board shall:~~

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~~— (a) Assign each adjudicative proceeding a separate docket number;~~

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~~— (b) Provide a copy of the notice required by Ch 208.01 to the civil bureau of the department of justice;~~

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~~— (c) Serve the notice required by Ch 208.01 on all parties and any complainant against a licensee in the manner required by Ch 205.04; and~~

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~~— (d) Maintain in the board's office for public inspection those documents related to an adjudicative proceeding which are not made confidential by RSA 316-A:22, V or VI, or other provision of law.~~

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~~— Ch 208.05 Intervention Procedure.~~

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~~— (a) Petitions for intervention shall:~~

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~~(1) Describe in writing the petitioner's interest in the subject matter of the proceedings;~~

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~~(2) Be submitted to the presiding officer; and~~

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~~(3) Mailed in copy form to all parties identified in the notice commencing the hearing.~~

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~~— (b) A petition for intervention shall be granted by the presiding officer if the petitioner complied with (a) above at least 3 days before the hearing and the presiding officer determines that:~~

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~~(1) The petition states facts demonstrating that the petitioner's rights, duties, privileges, immunities or other substantial interests might be affected by the proceedings or the petitioner qualifies as an intervenor under law; and~~

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~~(2) The intervention sought would not impair the interests of justice and the orderly and prompt conduct of the proceedings.~~

~~— (c) The presiding officer shall grant a petition for intervention at any time if:~~

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~~(1) The petitioner complied with (a) above; and~~

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~~(2) The presiding officer determines that the intervention sought would be in the interests of justice and would not impair the orderly and prompt conduct of the proceedings.~~

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~~— Ch 208.06 Effect of Intervention.~~

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~~— (a) Approval of intervention by the presiding officer shall apply only to the proceeding in which the petition for intervention was granted.~~

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~~— (b) Notwithstanding the provisions of this chapter, an intervenor's right to participate in an adjudicative proceeding shall be subject to any limitations or conditions imposed by the presiding officer pursuant to RSA 541-A:32, III.~~

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~~— (c) An intervenor shall take the proceedings as he or she finds them and no portion of the proceeding shall be repeated because of the fact of intervention.~~

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~~— Ch 208.07 Pre Hearing Conferences.~~

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~~— (a) Pre hearing conferences shall address one or more of the following:~~

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~~(1) Opportunities and procedures for settlement;~~

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~~(2) Opportunities and procedures for simplification of the issues;~~

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~~(3) Amendments to the pleadings;~~

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~~(4) Admissions of fact and of documents;~~

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~~(5) Limitations on the number of witnesses;~~

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~~(6) Procedures to govern the proceedings;~~

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~~(7) The distribution to the parties and intervenors of written testimony and exhibits;~~

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~~(8) Consolidation of the examination of witnesses; and~~

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~~(9) Any other matters contributing to the prompt and orderly conduct of the proceeding.~~

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~~— (b) Pre hearing conferences, with the exception of settlement discussions, shall be recorded.~~

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~~— (c) The presiding officer shall issue an order summarizing the matters determined at the pre hearing conference.~~

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~~— Ch 208.08 Mandatory Pre Hearing Disclosure of Witnesses and Exhibits. At least 5 days before the hearing the parties and intervenors shall provide to the other parties and intervenors:~~

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~~— (a) A list of all witnesses to be called at the hearing together with a brief summary of their testimony;~~

~~— (b) A list of all documents and exhibits to be offered as evidence at the hearing;~~

~~— (c) A copy of each document intended to be offered as evidence at the hearing; and~~

~~— (d) An offer to inspect at times and places of convenience to the other parties and intervenors the non-documentary exhibits intended to be offered as evidence at the hearing.~~

~~— Ch 208.09 Disclosure and Discovery.~~

~~— (a) Upon the written request of a party or intervenor, the board shall disclose to the parties and intervenors any information which is in the possession of the board and which is reasonably related to the subject matter of the proceedings.~~

~~— (b) Neither the board nor any officer or employee thereof shall be subject to discovery additional to that set forth in (a) above.~~

~~— (c) Any party wishing discovery against another party, shall seek it by a motion identifying exactly the discovery requested and the method of discovery.~~

~~— (d) The motion for discovery shall be granted when:~~

~~(1) The parties and intervenors cannot adequately address the factual issues in the proceedings without it;~~

~~(2) The method of discovery is reasonable and will not cause material unfairness or unreasonable expenses to any party or intervenor; and~~

~~(3) The discovery will not unreasonably delay the proceedings.~~

~~— Ch 208.10 Subpoenas.~~

~~— (a) Subpoenas for the attendance of witnesses and the production of documents and things shall be issued upon the order of the board.~~

~~— (b) A party or intervenor requesting the board to issue a subpoena shall attach a copy of the proposed subpoena to his or her motion and pay the costs of service, if any.~~

~~— (c) A subpoena shall be served in any manner authorized by law. The date, time and method of service shall be written on the reverse of the original copy of the subpoena by the person making service before he or she files that copy with the board.~~

~~— (d) A person to whom a board subpoena is directed may file a motion to quash or modify the subpoena within the time period which is the longer of:~~

~~(1) Seven days after service of the subpoena; or~~

~~(2) Before the date specified in the subpoena for compliance.~~

~~— (e) If the board denies the motion to quash or to modify the subpoena, the person to whom the subpoena is directed shall comply with the subpoena or any modification thereof within the time period which is the longest of:~~

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~~(1) The balance of the time prescribed in the subpoena;~~

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~~(2) Three days from the date of the board's order; or~~

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~~(3) The time period specified in the board's order.~~

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~~— Ch 208.11 Ex Parte Communications. Once a notice commencing an adjudicative proceeding has been issued, no party or intervenor shall communicate, or cause another to communicate, with any member of the board, the presiding officer or any person advising the board in connection with the adjudicative proceeding, except in accordance with this chapter.~~

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~~— Ch 208.12 Evidence and Argument.~~

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~~— (a) Where there is no dispute as to the material facts, the proceedings shall be limited to the submission of memoranda wherein are argued the conclusions the parties and any intervenor wish the board to draw from the facts.~~

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~~— (b) Oral argument, other than a brief opening and closing statement, shall be permitted only when requested in a written motion granted by the presiding officer or the board on a finding that such argument is required for clarification of the issues.~~

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~~— (c) Proceedings shall not be conducted under the rules of evidence, but the evidentiary privileges recognized by the law of New Hampshire shall apply.~~

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~~— (d) Exhibits and testimony which will assist the board to arrive at the truth shall be admissible.~~

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~~— (e) The following data shall be inadmissible as evidence:~~

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~~(1) Irrelevant or immaterial data; and~~

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~~(2) Unduly repetitious or cumulative data.~~

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~~— (f) If the board officially notices a fact, it shall so state, and permit any party or intervenor, upon timely request, the opportunity to show the contrary.~~

~~-~~

~~— (g) Witnesses appearing before the board shall testify under oath or affirmation.~~

~~-~~

~~— (h) The testimony of witnesses, including intervenors, shall be offered in the order directed by the presiding officer.~~

~~-~~

~~— (i) Unless called as witnesses, board staff shall have no role in any hearing.~~

~~-~~

~~— (j) Board members present during adjudicative proceedings may make inquiry of witnesses, parties and intervenors.~~

~~-~~

~~— (k) Post hearing legal memoranda shall be permitted subject to such filing deadlines as the presiding officer or the board require.~~

~~-~~

~~— Ch 208.13 Burden and Standard of Proof.~~

~~-~~

~~— (a) The party asserting the affirmative of a proposition shall have the burden of proving the truth of that proposition by a preponderance of the evidence.~~

~~-~~

~~— (b) Without limiting the generality of (a) above, the proponents of motions and petitions shall have the burden of persuading the board that their motion or petition should be granted.~~

~~-~~

~~— Ch 208.14 Recording the Hearing; Transcripts.~~

~~-~~

~~— (a) Except in the circumstances described in (b) below, the presiding officer shall record the hearing by tape recording or any other method that will provide a verbatim record.~~

~~-~~

~~— (b) A hearing on an emergency suspension of a license pursuant to RSA 541 A:30, III shall be recorded by a certified shorthand court reporter provided and paid for by the board.~~

~~-~~

~~— (c) Any individual may request a transcript of a recording of a hearing by a written request which:~~

~~-~~

~~(1) Is made no sooner than the last day of the hearing; and~~

~~-~~

~~(2) Includes the promise to pay the cost of transcription.~~

~~-~~

~~— (d) The board shall:~~

~~-~~

~~(1) Provide the transcript if the request complies with (a) above; and~~

~~-~~

~~(2) Provide it within 60 days of receipt of the request if the individual requesting it is the respondent in a disciplinary proceeding or the representative of the respondent.~~

~~-~~

~~— (e) Upon the written request of any individual wishing an estimate of the cost of transcription the board shall:~~

~~-~~

~~(1) Furnish the estimate; and~~

~~-~~

~~(2) Furnish the transcript if the individual requests it in a letter promising to pay the estimated cost of transcription.~~

~~-~~

~~— (f) A requested transcript shall be:~~

~~-~~

~~(1) Available at the office of the board; or~~

~~-~~

~~(2) Mailed upon the written agreement of the individual requesting the transcript that the date of mailing shall constitute compliance with the 60 day requirement of (d)(2) or (e)(2) above, as applicable.~~

~~-~~

~~— (g) Pursuant to RSA 541 A:31, VII, the failure of the board timely to provide a transcript of a hearing when requested by the respondent in a disciplinary proceeding, or the representative of the respondent, shall result in dismissal with prejudice of the disciplinary proceeding.~~

~~PART Ch 209 CONTINUANCES AND FAILURE TO ATTEND HEARING~~

~~Ch 209.01 Continuances.~~

~~(a) Any party or intervenor may make an oral or written motion that a hearing be delayed or continued to a later date or time.~~

~~(b) A motion for a delay or a continuance shall be granted if the presiding officer determines that there is good cause to do so.~~

~~(c) Good cause shall include:~~

~~(1) The unavailability of parties, intervenors, witnesses or attorneys necessary to conduct the hearing;~~

~~(2) The likelihood that a settlement will make the hearing or its continuation unnecessary;~~
~~or~~

~~(3) Any other circumstances that demonstrate that a delay or continuance would assist in resolving the case fairly.~~

~~(d) If the later date, time and place are known when the hearing is being delayed or continued, the information shall be stated on the record. If the later date, time and place are not known at that time, the presiding officer shall as soon as practicable issue a written scheduling order stating the date, time and place of the delayed or continued hearing.~~

~~Ch 209.02 Failure of a Party to Attend or Participate in the Hearing.~~

~~(a) A party shall be in default if the party:~~

~~(1) Has the overall burden of proof;~~

~~(2) Has been given notice in accordance with Ch 208.02; and~~

~~(3) Fails to attend the hearing.~~

~~(b) If a party is in default under (a) above, the case shall be dismissed.~~

~~(c) If a party who does not have the overall burden of proof fails to attend a hearing after having been given notice in accordance with Ch 208.02, the testimony and evidence of any other parties or intervenors shall be received and evaluated.~~

~~(d) If a party who has the overall burden of proof attends a hearing but fails to participate by presenting evidence or argument, a decision shall be entered against that party.~~

~~PART Ch 210 PROPOSED FINDINGS AND RULINGS; DISPOSITION; CLOSING AND REOPENING THE RECORD~~

~~Ch 210.01 Proposed Findings of Fact and Rulings of Law.~~

~~— (a) Each party other than the board shall submit proposed findings of fact and rulings of law at least 3 days before the beginning of the hearing.~~

~~-~~

~~— (b) Upon request the board shall permit the submission, on a schedule ordered by the presiding officer, of supplemental or amended proposed findings of fact and rulings of law.~~

~~-~~

~~— (c) In any case where proposed findings of fact and rulings of law are submitted, the decision shall include rulings on the proposals.~~

~~-~~

~~— Ch 210.02 Disposition.~~

~~-~~

~~— (a) The board shall issue a decision or order, whether or not the record has been reopened pursuant to Ch 210.04, based on:~~

~~-~~

~~(1) A hearing attended by a quorum of the board;~~

~~-~~

~~(2) A written proposal for disposition meeting the requirements of paragraph (c) below; or~~

~~-~~

~~(3) A hearing held pursuant to paragraph (d) (2).~~

~~-~~

~~— (b) A board member shall not participate in the board's decision or order if he or she has not personally heard all of the testimony in the case, unless the decision or order does not depend on the credibility of any witness and the record provides a reasonable basis for evaluating the testimony.~~

~~-~~

~~— (c) If a presiding officer has been delegated the authority to conduct the hearing in the absence of a quorum of the board, the presiding officer shall submit to the board a written proposal for disposition containing:~~

~~-~~

~~(1) The disposition proposed by the presiding officer;~~

~~-~~

~~(2) A statement of the reasons for the proposed disposition; and~~

~~-~~

~~(3) Findings of fact and rulings of law necessary to the proposed disposition.~~

~~-~~

~~— (d) If a proposed disposition submitted pursuant to paragraph (c) is adverse to a party or an intervenor, the board shall:~~

~~-~~

~~(1) Serve a copy of it on each party and intervenor; and~~

~~-~~

~~(2) Provide an opportunity to file objections and present briefs and oral arguments to the board.~~

~~-~~

~~— (e) The board shall keep final decisions and orders in its records for at least 5 years following their dates of issuance, unless the director of the division of records management and archives of the department of state sets a different retention period pursuant to rules adopted under RSA 5:40.~~

~~-~~

~~— Ch 210.03 Closing the Record. After the conclusion of the hearing, the record shall be closed and no additional evidence shall be received into the record except as allowed by Ch 210.04.~~

~~-~~

~~— Ch 210.04 Reopening the Record.~~

~~-~~

~~— (a) If no written proposal for disposition pursuant to Ch 210.02 (c) or decision or order pursuant to Ch 210.02 (a) has been issued, any party or intervenor may move to reopen the record for the inclusion in the record of specified evidence.~~

~~-~~

~~— (b) A motion pursuant to (a) above shall be granted if:~~

~~-~~

~~(1) There is no objection from any other party or intervenor;~~

~~-~~

~~(2) The evidence sought to be included in the record was not available at the time of the hearing; and~~

~~-~~

~~(3) The presiding officer determines that the evidence is relevant, material and non-duplicative and its inclusion in the record is necessary to a full and fair consideration of the issues to be decided.~~

~~-~~

~~— (c) If there is an objection from a party or intervenor to a motion made pursuant to (a) above, the hearing shall be reopened for the purpose of receiving evidence, permitting cross examination and permitting argument on the issue of reopening the record for the admission of the specified evidence.~~

~~-~~

~~— (d) The presiding officer shall grant a motion to reopen the record if, after the reopened hearing described in (c) above, the hearing officer determines that the evidence:~~

~~-~~

~~(1) Was not available at the time of the hearing;~~

~~-~~

~~(2) Is relevant, material and non-duplicative; and~~

~~-~~

~~(3) Is necessary to a full and fair consideration of the issues to be decided.~~

~~-~~

~~— (e) If the presiding officer permits the reopening of the record for the admission of the specified evidence, the hearing officer shall extend the hearing reopened pursuant to (c) for the purpose of receiving evidence, permitting cross examination and permitting argument on the substance of the evidence.~~

~~-~~

~~— Ch 210.05 Rehearings. There shall be no rehearings.]~~

Repeal Ch 211, effective 10/5/13 (Document #10430), as follows:

[PART Ch 211 INVESTIGATIONS

~~-~~

~~— Ch 211.01 Investigations.~~

~~-~~

~~— (a) The board shall initiate an investigation without receiving a written complaint and on its own initiative if:~~

~~-~~

~~(1) An investigation is required to enable it to determine with certainty the eligibility of an applicant for initial or renewed licensure; or~~

~~-~~

~~(2) It has or receives information giving it reasonable grounds to suspect that the following might be occurring or have occurred:~~

~~-~~

~~a. A violation of RSA 316-A;~~

-
- ~~b. A violation of the rules of the board; or~~
-
- ~~e. Misconduct by a licensee.~~
-
- ~~— (b) To the extent required to reach a conclusion about the matter under investigation, investigative procedures shall include, but not be limited to:~~
-
- ~~(1) Requests for additional information from complainants against licensees, including requests for a release of relevant medical records; and~~
-
- ~~(2) Face to face meetings with persons having relevant information.~~
-
- ~~— (c) To conduct an investigation the board shall appoint:~~
-
- ~~(1) A qualified attorney or other qualified individual;~~
-
- ~~(2) A committee of qualified individuals;~~
-
- ~~(3) A member of its staff; or~~
-
- ~~(4) One or more members of the board.~~
-
- ~~— (d) The board shall issue subpoenas for persons and documents pursuant to RSA 316-A:23-a.~~
-
- ~~— (e) An investigation shall not commence a disciplinary hearing and shall not constitute an allegation of misconduct by a licensee.]~~

Repeal Ch 212 through Ch 214.01, effective 9/8/04 (Document #8159), as follows:

~~[PART Ch 212 RULEMAKING~~

~~— Ch 212.01 Petitions for Rulemaking.~~

~~— (a) Any person may seek the adoption, amendment or repeal of a rule by submitting to the board a petition pursuant to RSA 541-A:4.~~

~~— (b) Each petition for rulemaking shall contain:~~

- ~~(1) The name and address of the individual petitioner or, if the request is that of an organization or other entity, the identity of such organization or entity and the name and address of the representative authorized by the entity to file the petition;~~
-
- ~~(2) A statement of the purpose of the petition, whether the adoption, amendment or repeal of a rule;~~
-
- ~~(3) If amendment or adoption of a rule is sought, the text proposed;~~
-

- ~~(4) If amendment or repeal of a rule is sought, identification of the current rule sought to be amended or repealed;~~
- ~~-~~
- ~~(5) Reference to the statutory provision that authorizes or supports the rulemaking petition;~~
- ~~and~~
- ~~-~~
- ~~(6) Information or argument useful to the board when deciding whether to begin the rulemaking process.~~
- ~~-~~
- ~~Ch 212.02 Disposition of Petitions for Rulemaking.~~
- ~~-~~
- ~~(a) The board shall request additional information or argument from petitioner for rulemaking or from others if such additional information or argument is required to reach a decision.~~
- ~~-~~
- ~~(b) The board shall grant the petition for rulemaking if the adoption, amendment or repeal sought would not result in:~~
- ~~-~~
- ~~(1) A rule that is not within the rulemaking authority of the board;~~
- ~~-~~
- ~~(2) Duplication of a rule or of a statutory provision;~~
- ~~-~~
- ~~(3) Inconsistency between the existing rules and the statutory mandate of the board;~~
- ~~-~~
- ~~(4) Inconsistency of administrative rules one with another; or~~
- ~~-~~
- ~~(5) Excessive burden upon the board in terms of cost or a reduction in efficiency or effectiveness.~~
- ~~-~~
- ~~(c) Within 30 days of receipt of a sufficient petition the board shall dispose of it in the following manner:~~
- ~~-~~
- ~~(1) By notifying the petitioner that the petition is granted and beginning rulemaking proceedings as required by RSA 541-A:4; or~~
- ~~-~~
- ~~(2) By notifying the petitioner in writing that the petition is denied and the reasons for its denial.~~
- ~~-~~
- ~~(d) The denial of a petition for rulemaking shall not entitle the petitioner to a hearing.~~
- ~~-~~

~~PART Ch 213 DECLARATORY RULINGS~~

- ~~Ch 213.01 Petitions. Any person may request a declaratory ruling from the board on matters within its jurisdiction by filing an original and 6 copies of a petition setting forth the following information:~~
- ~~-~~
- ~~(a) The exact ruling being requested;~~
- ~~-~~
- ~~(b) The statutory basis for the ruling, supported by a memorandum of law;~~
- ~~-~~
- ~~(c) The factual basis for the ruling, supported by affidavits;~~
- ~~-~~
- ~~(d) The reason why the issuance of a ruling on this subject would benefit the petitioner; and~~

~~— (e) The name and address of the petitioner.~~

~~— Ch 213.02 Board Action on Petitions.~~

~~— (a) If examination of a petition for declaratory ruling reveals that persons other than the petitioner would be substantially affected by the requested ruling, the board shall serve the petition on such persons and advise them that they may file a reply pursuant to Ch 206.01(d).~~

~~— (b) The petitioner and any persons served with the petition shall provide such further information or participate in such evidentiary or other proceedings as the board directs after reviewing the petition and any replies received.~~

~~— (c) The board shall deny a petition when:~~

~~(1) Other procedural options are available to the petitioner; or~~

~~(2) The requested ruling would address the issues and the facts presented in a pending administrative or judicial proceeding.~~

~~PART Ch 214 PUBLIC COMMENT HEARINGS~~

~~— Ch 214.01 Purpose. The purpose of this part is to provide uniform procedures for the conduct of public comment hearings held pursuant to RSA 541-A:11.]~~

Repeal Ch 214.02, effective 4/6/21 (Document #13185), as follows:

~~[— Ch 214.02 Public Access and Participation.~~

~~— (a) Public comment hearings shall be open to the public, and members of the public shall be entitled to testify, subject to the limitations of Ch 214.03.~~

~~— (b) People who wish to testify shall be asked to write on the speaker's list:~~

~~(1) Their full names and addresses; and~~

~~(2) The names and addresses of organizations, entities or other persons whom they represent, if any.]~~

~~— (c) Written comments, which may be submitted in lieu of or in addition to oral testimony, shall be accepted for the time period specified in the notice published in the state's rulemaking register.]~~

Repeal Ch 214.03 through Ch 214.05, effective 9/8/04 (Document #8159), as follows:

~~[— Ch 214.03 Limitations on Public Participation. The board's chair or other person designated by the board to preside over a hearing shall:~~

~~— (a) Refuse to recognize for speaking or revoke the recognition of any person who:~~

~~(1) Speaks or acts in an abusive or disruptive manner;~~

- ~~(2) Fails to keep comments relevant to the proposed rules that are the subject matter of the hearing; or~~
 - ~~-~~
- ~~(3) Restates more than once what he or she has already stated;~~
 - ~~-~~
- ~~— (b) Limit presentations on behalf of the same organization or entity to no more than 3, provided that all those representing such organization or entity may enter their names and addresses into the record as supporting the position of the organization or entity.~~
 - ~~-~~
- ~~— Ch 214.04 Media Access. Public comment hearings shall be open to print and electronic media, subject to the following limitations when such limitations are necessary to allow a hearing to go forward:~~
 - ~~-~~
 - ~~— (a) Limitation of the number of media representatives when their number together with the number of members of the public present exceeds the capacity of the hearing room;~~
 - ~~-~~
 - ~~— (b) Limitation on the placement of cameras to specific locations within the hearing room; or~~
 - ~~-~~
 - ~~— (c) Prohibition of interviews conducted within the hearing room before or during the hearing.~~
 - ~~-~~
- ~~— Ch 214.05 Conduct of Public Comment Hearings.~~
 - ~~-~~
 - ~~— (a) Public comment hearings shall be attended by a quorum of the board.~~
 - ~~-~~
 - ~~— (b) Public comment hearings shall be presided over by the board chair or a board member knowledgeable in the subject area of the proposed rules who has been designated by the board to preside over the hearing.~~
 - ~~-~~
 - ~~— (c) The person presiding over a hearing shall:~~
 - ~~-~~
 - ~~(1) Call the hearing to order;~~
 - ~~-~~
 - ~~(2) Identify the proposed rules that are the subject matter of the hearing and provide copies of them upon request;~~
 - ~~-~~
 - ~~(3) Cause a recording of the hearing to be made;~~
 - ~~-~~
 - ~~(4) Recognize those who wish to be heard;~~
 - ~~-~~
 - ~~(5) If necessary, establish limits pursuant to Ch 214.03 and Ch 214.04;~~
 - ~~-~~
 - ~~(6) If necessary to permit the hearing to go forward in an orderly manner, effect the removal of a person who speaks or acts in a manner that is personally abusive or otherwise disrupts the hearing;~~
 - ~~-~~
 - ~~(7) If necessary, postpone or move the hearing; and~~
 - ~~-~~
 - ~~(8) Adjourn or continue the hearing.~~
 - ~~-~~
 - ~~— (d) A hearing shall be postponed in accordance with RSA 541-A:11, IV when:~~
 - ~~-~~

- ~~(1) The weather is so inclement that it is reasonable to conclude that people wishing to attend the hearing will be unable to do so;~~
 -
 - ~~(2) The person designated by the board to preside over the hearing is ill or unavoidably absent;~~
 - or
 -
 - ~~(3) Postponement will facilitate greater participation by the public.~~
 -
- ~~— (e) A hearing shall be moved to another location in accordance with RSA 541 A:11, V when the original location is not able to accommodate the number of people who wish to attend the hearing.~~
 -
- ~~— (f) A hearing shall be continued past the scheduled time or to another date in accordance with RSA 541 A:11, III when:~~
 -
- ~~(1) The time available is not sufficient to give each person who wishes to speak a reasonable opportunity to do so; or~~
 -
 - ~~(2) The capacity of the room in which the hearing is to be held does not accommodate the number of people who wish to attend and it is not possible to move the hearing to another location.]~~

Repeal Ch 215, effective 10/5/13 (Document #10431), as follows:

~~[PART 215 EXPLANATION OF ADOPTED RULES~~

~~— Ch 215.01 Requests for Explanation of Adopted Rules. Any interested person may, within 30 days of the final adoption of a rule, request a written explanation of that rule by making a written request including:~~

- ~~— (a) The name and address of the person making the request; or~~
 -
- ~~— (b) If the request is that of an organization or other entity, the name and address of such organization or entity and the name and address of the representative authorized by the organization or entity to make the request.]~~

~~[Ch 215.02 Contents of Explanation. The board shall, within 90 days of receiving a request in accordance with Ch 215.01, provide a written response which:~~

- ~~— (a) Concisely states the meaning of the rule adopted;~~
 -
- ~~— (b) Concisely states the principal reasons for and against the adoption of the rule in its final form; and~~
 -
- ~~— (c) States, if the board did so, why the board overruled any arguments and considerations presented against the rule.]~~

Adopt Ch 201 to read as follows:

PART Ch 201 APPLICABILITY AND WAIVER OF SUBSTANTIVE RULES

Ch 201.01 Rules of Practice and Procedure. The Plc 200 rules shall govern with regards to all procedures for:

- (a) Adjudicatory proceedings;
- (b) Rulemaking submissions, considerations, and dispositions of rulemaking petitions;
- (c) Public comment hearings;
- (d) Declaratory rulings;
- (e) All statements of policy and interpretation;
- (f) Explanation of adopted rules; and
- (g) Voluntary surrender of licenses.

Ch 201.02 Waiver of Administrative Rules.

(a) The board shall initiate a waiver of a substantive rule upon its own motion by providing affected parties with notice and opportunity to be heard, and issuing an order which finds that waiver would be necessary to advance the purpose of the rules of the board.

(b) Individuals who wish to request a waiver of a rule shall submit a written request to the board, which includes:

- (1) The rule for which a waiver is requested;
 - (2) The anticipated length of time the requested waiver will be needed;
 - (3) The reason for requesting the waiver;
 - (4) Evidence of how the waiver will provide for the health and safety of the consumer or licensee;
 - (5) A time-limited written compliance plan which sets forth plans to achieve compliance including an estimated date of compliance; and
 - (6) The signature of the applicant.
- (c) The board shall consider the following when determining whether to approve or deny a waiver:
- (1) If adherence to the rule would cause the petitioner unnecessary or undue hardship;
 - (2) If the requested waiver is necessary because of any neglect or misfeasance on the part of the practitioner;
 - (3) If enforcement of the rule would injure a third person(s); and
 - (4) If waiver of the rule would injure a third person(s).

(d) The board shall approve a waiver of an administrative rule request only if:

- (1) Granting a waiver does not have the effect of waiving or modifying a provision of RSA 316-A;
- (2) The petitioner has shown good cause exists pursuant to (c) above to waive the rule; and
- (3) The board determines that the individual's plans for compliance with the rule includes an estimated date of compliance and eventual compliance.

(e) If the board, after receiving and reviewing a request for a waiver, requires further information or documentation to grant or deny the waiver, the board shall:

- (1) Notify the applicant in writing within 30 days; and
- (2) Specify the information or documentation the board requires.

(f) The board shall issue a written approval or denial of the waiver within 60 days of the date the request is received, unless additional information or documentation is required. If additional information and documentation is required, then the board shall issue a written approval or denial within 60 days of receiving the requested information or documentation.

Rule	Statute
Ch 201.01 (repeal)	RSA 541-A:7
Ch 202.01 (repeal)	RSA 541-A:7
Ch 202.02 (repeal)	RSA 541-A:30-a, III(j)
Ch 203 (repeal)	RSA 541-A:30-a, III(b)
Ch 204 (repeal)	RSA 541-A:30-a, III(f)
Ch 205 (repeal)	RSA 541-A:30-a, III(a); RSA 541-A:30-a, I
Ch 206 (repeal)	RSA 541-A:30-a, I
Ch 207.01 (repeal)	RSA 541-A:30-a, I
Ch 207.02 (repeal)	RSA 541-A:30-a, III(k)
Ch 208.01(a)(b) and (c) (repeal)	RSA 541-A:30-a, I
Ch 208.01(d) (repeal)	RSA 541-A:31, III; RSA 541-A:30-a, I
Ch 208.02 (repeal)	RSA 541-A:30, III
Ch 208.03 and Ch 208.04 (repeal)	RSA 541-A:30-a, I
Ch 208.05 and Ch 208.06 (repeal)	RSA 541-A:30-a, III(g); RSA 541-A:30-a, I; RSA 541-A:32
Ch 208.07 (repeal)	RSA 541-A:30-a, I; RSA 541-A:31, V(b) and (c)
Ch 208.08 and Ch 208.09 (repeal)	RSA 541-A:30-a, III(c)
Ch 208.10 and Ch 208.11 (repeal)	RSA 541-A:30-a, I
Ch 208.12(a) through (h) (repeal)	RSA 541-A:30-a, I
Ch 208.12(i) (repeal)	RSA 541-A:30-a, III(g)
Ch 208.12(j) and (k) (repeal)	RSA 541-A:30-a, I
Ch 208.13 (repeal)	RSA 541-A:30-a, III(d) and (e)
Ch 208.14(a) (repeal)	RSA 541-A:31, VII
Ch 208.14(b) (repeal)	RSA 541-A:31, VII-a
Ch 208.14(c), (d), (e), (f) and (g) (repeal)	RSA 541-A:31, VII
Ch 209.01 (repeal)	RSA 541-A:30-a, III(h)

Ch 209.02 (repeal)	RSA 541-A:30-a, I
Ch 210.01 and Ch 210.02(a) -(d) (repeal)	RSA 541-A:30-a, I
Ch 210.01 (e) (repeal)	RSA 541-A:30-a, III(l)
Ch 210.03 (repeal)	RSA 541-A:30-a, I
Ch 210.04 (repeal)	RSA 541-A:30-a, III(i); RSA 541-A:30-a, I
Ch 210.05 (repeal)	RSA 541-A:30-a, I
Ch 211 (repeal)	RSA 316-A:23-a, I
Ch 212 (repeal)	RSA 541-A:16, I(c)
Ch 213 (repeal)	RSA 541-A:16, I(d)
Ch 214 (repeal)	RSA 541-A:16, I(b)(3)
Ch 215 (repeal)	RSA 541-A:11, VII
Ch 201.01	RSA 310:6, II
Ch 201.02	RSA 541-A:16, I (b)