

APPENDIX II-C

RULEMAKING NOTICE FORM

Notice Number _____

Rule Number _____

Den 200

<p>1. Agency Name & Address:</p> <p>Board of Dental Examiners c/o Office of Professional Licensure & Certification 7 Eagle Square Concord, NH 03301</p>	<p>2. RSA Authority: RSA 317-A:12, XIV, RSA 541-A:16, I(b)-(d)</p> <p>3. Federal Authority: n/a</p> <p>4. Type of Action:</p> <p>Adoption <u>X</u></p> <p>Repeal <u>X</u></p> <p>Readoption _____</p> <p>Readoption w/amendment _____</p>
--	---

5. Short Title: **Rule of Practice and Procedure**

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 Board of Dental Examiners is proposing to:

(1) Repeal the existing rules in Den 201 through Den216; and

(2) Adopt Den 201.01 to utilize Plc 200 rules, as directed by RSA 310-6 that provides for the OPC to establish procedural rules governing the administration of complaints and investigations, hearings, and disciplinary proceedings; and

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

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

The groups affected are those licensed by the Board of Dental Examiners and members of the general public.

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

RULE	STATUTE
Den 201.01 – Den 201.02 (repeal)	RSA 317-A:1; RSA 317-A:12
Den 202.01 (repeal)	RSA 317-A:12
Den 203.01 – Den 203.02 (repeal)	RSA 541-A:16, I(b)
Den 204.01 (repeal)	RSA 541-A:16, I(b)
Den 205.01 – Den 205.03 (repeal)	RSA 541-A:16, I(b)
Den 206.01 – Den 206.02 (repeal)	RSA 541-A:16, I(b)
Den 206.03 (repeal)	RSA 541-A:16, I(b)

Den 207.01 (repeal)	RSA 541-A:16, I(b)
Den 207.02 (repeal)	RSA 317-A:17; RSA 541-A:16, I(a)
Den 207.02(i) (repeal)	RSA 317-A:12, XIII
Den 207.03 (repeal)	RSA 541-A:16, I(b)
Den 207.04 (repeal)	RSA 541-A:16, I(b)
Den 207.05 (repeal)	RSA 541-A:16, I(b)
Den 207.06 (repeal)	RSA 541-A:16, I(b)
Den 208.01 – Den 208.02 (repeal)	RSA 541-A:16, I(b)
Den 208.03 (repeal)	RSA 541-A:16, I(b)
Den 208.04 – Den 208.15 (repeal)	RSA 541-A:16, I(b)
Den 208.15(c) (repeal)	RSA 541-A:16, I(b)
Den 208.16 (repeal)	RSA 541-A:16, I(b)
Den 209.01 (repeal)	RSA 541-A:16, I(b)
Den 209.02(b), (c) (repeal)	RSA 541-A:16, I(b)
Den 209.03 (repeal)	RSA 541-A:16, I(b)
Den 209.03(b) (repeal)	RSA 541-A:16, I(b)
Den 209.04 – Den 209.05 (repeal)	RSA 541-A:16, I(b)
Den 210.01 (repeal)	RSA 541-A:16, I(b)
Den 210.01(a) (repeal)	RSA 541-A:16, I(b)
Den 210.02 – Den 210.03 (repeal)	RSA 541-A:16, I(b)
Den 210.04 (repeal)	RSA 541-A:16, I(b)
Den 211.01 - 211.02 (repeal)	RSA 541-A:16, I(b)
Den 212.01 - 212.02 (repeal)	RSA 541-A:16, I(b)
Den 212.03 (repeal)	RSA 541-A:16, I(b)
Den 212.04 (repeal)	RSA 541-A:16, I(b)
Den 212.05 (repeal)	RSA 541-A:16, I(b)
Den 213.01 - 213.03 (repeal)	RSA 541-A:16, I(b)
Den 213.04 (repeal)	RSA 541-A:16, I(b)
Den 213.04 (b) (repeal)	RSA 541-A:16, I(b)
Den 214.01 - 214.02 (repeal)	RSA 541-A:16, I(b)
Den 214.01 (a) (repeal)	RSA 541-A:16, I(b)
Den 214.02 (a) intro (repeal)	RSA 541-A:16, I(b)
Den 215.01 (repeal)	RSA 541-A:16, I(b)
Den 215.01 (c) (repeal)	RSA 541-A:16, I(b)
Den 216.01 - 216.02 (repeal)	RSA 541-A:16, I(b)
Den 201.01	RSA 317-A:12, IX, XIV
Den 201.02	RSA 541-A:16, I (b)

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

Name: **Tina M. Kelley**

Title: **Program Specialist IV**

Mailing Address: **Office of Professional
Licensure and Certification
7 Eagle Square**

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

Fax#: **None**

E-mail: **OPLC-Rules@oplc.nh.gov**

Concord, NH 03301

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, January 18, 2024 at 4:00 pm.**

☐ Fax

☒ E-mail

☐ Other format (specify):

9. Public hearing scheduled for:

Date and Time: **Monday, January 8, 2024 at 8:45 a.m.**

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

Electronic
Access (if
applicable):

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

FIS # 23-251, dated 11/15/2023

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

Not applicable as Den 201 through Den 216.02 are being repealed and new Den 201.01 and Den 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 Den 201 through Den 216.02. The proposed rules adopt a new Den 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 Den 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

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.