

# APPENDIX II-C

## RULEMAKING NOTICE FORM

Notice Number	Rule Number	Med 100 various, Med 408.01, and Med 408.02
1. Agency Name & Address: <b>Board of Medicine</b> <b>c/o Office of Professional</b> <b>Licensure &amp; Certification</b> <b>7 Eagle Square</b> <b>Concord, NH 03301</b>	2. RSA Authority: <b>RSA 541-A:16, I(a); RSA 329:9, XV and XVII</b> 3. Federal Authority: <b>n/a</b> 4. Type of Action: Adoption <b>X</b> Repeal Readoption Readoption w/amendment	
5. Short Title: <b>Organization, Definitions, Public Information, and Disciplinary Matters</b>		

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 Medicine is proposing to adopt, repeal, or readopt with amendment various sections of Med 100 and repeal 408 as follows:**

**Med 101.01 describes purpose and scope of the Board of Medicine and is being readopted with amendment to remove processes of investigating allegations of misconduct and added presiding over hearings of alleged misconduct;**

**Med 102.01 which defines “administrator” is being repealed;**

**Med 102.02 providing the definition of “clinician licensee panel” is being adopted;**

**Med 102.03 defines licensee and is being readopted with amendment to change who issues licenses or certification from the Board to OPLC;**

**Med 102.07 which defines “tentative decision” and Med 102.08 which defines “medical review subcommittee” are being repealed;**

**Med 103.02 describes the officers of the Board of Medicine and is being readopted to remove all references to the MRSC;**

**Med 103.03 which describing staff of the Board of Medicine is being repealed;**

**Med 104 describes access to public information and is being readopted with amendment to point to the Plc 103 rules of the Office of Professional Licensure and Certification (OPLC) for instructions on how to access records of the Board and indicate that OPLC is the holder of the Board’s meeting minutes and when they will be available to the public;**

**Med 105.03 which describes board decisions is being repealed;**

**Med 107 which provides a description of the clinician licensee panel and its organizational requirements is being adopted;**

**Med 408.01 which describes initial actions by the Board when utilizing the MRSC subcommittee is being repealed; and**

**Med 408.01 which describes the Board's action on complaints when utilizing the MRSC subcommittee is being repealed.**

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

**This affects the Board and how it operates. This may also indirectly affect those licensees who have investigations or disciplinary matters going before the Board.**

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

<b>RULE</b>	<b>STATUTE</b>
Med 101.01	RSA 329:2; RSA 541-A:16, I(a)
Med 102.01 (repealed)	RSA 541-A:16, I(a)
Med 102.02	RSA 541-A:16, I(a)
Med 102.03	RSA 541-A:16, I(a)
Med 102.04 - Med 102.06	RSA 541-A:16, I(a)
Med 102.07 (repealed)	RSA 541-A:16, I(a)
Med 102.08 (repealed)	RSA 329:17, V-a; RSA 541-A:16, I(a)
Med 103.02	RSA 329:2; RSA 329:3; RSA 329:7
Med 103.03	RSA 329:2, IV
Med 104	RSA 541-A:16, I(a)
Med 105.03 (repealed)	RSA 541-A:16, I(a)
Med 107	RSA 329:9, XVII
Med 408 (repealed)	RSA 329:9, XV, XVII; RSA 329:17

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 & Certification  
7 Eagle Square  
Concord, NH 03301**

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

Fax#: **None**

E-mail: **OPLC-Rules@oplcnh.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: **Monday, March 18, 2024 at 4:00 p.m.**

☐ Fax

☒ E-mail

☐ Other format (specify):

9. Public hearing scheduled for:

Date and Time: **Wednesday, March 6, 2024 at 8:30 a.m.**

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

Electronic Access (if applicable): **N/A**

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

FIS # 23:298 , dated 12/22/2023

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. Not applicable to Med 103.02 and Med 103.03 as they expired on May 9, 2022. Not applicable to Med102.01, Med 102.07, Med 102.08, Med 103.03 Med 105.03, Med 408 as they have been repealed and not applicable to Med 102.02 and Med 107 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):**

There are no costs or benefits attributable to the expired rules or 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.**