

APPENDIX II-C

RULEMAKING NOTICE FORM

Notice Number _____

Rule Number Nuh 200

<p>1. Agency Name & Address:</p> <p>Board of Nursing Home Administrators c/o Office of Professional Licensure & Certification 7 Eagle Square Concord, NH 03301</p>	<p>2. RSA Authority: <u>RSA 541-A:16, I(b)-(d)</u></p> <p>3. Federal Authority: <u>n/a</u></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: **Rules 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 Nursing Home Administrators is proposing to:

(1) Repeal the existing rules in Nuh 201 through Nuh 217; and

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

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

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

Those affected by these rules are those licensed by the Board of Nursing Home Administrators and 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
Nuh 201-213 (repeal)	RSA 151-A:11, RSA 541-A:16, I(b)(2), RSA 151-A:4-a, IV
Nuh 214 (repeal)	RSA 541-A:16, I(b)(3)
Nuh 215 (repeal)	RSA 541-A:16, I(c)
Nuh 216 (repeal)	RSA 541-A:16, I(d)
Nuh 217 (repeal)	RSA 541-A:11, VII
Nuh 201.01	RSA 541-A:16, I(b)-(d)
Nuh 201.02	RSA 541-A:16, I (b) intro., RSA 541-A:22, IV

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

Name: **Tina Kelley** Title: **Program Specialist IV**
Mailing Address: **Office of Professional Licensure and Certification** Phone #: **(603) 271-5247**
7 Eagle Square Fax#: **None**
Concord, NH 03301 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 21, 2023 at 4:00 pm.**

☐ Fax ☒ E-mail ☐ Other format (specify):

9. Public hearing scheduled for:

Date and Time: **Monday, December 11, 2023 at 1:45 p.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 # 23:255 , dated 10/20/2023

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

Not applicable as Nuh 201 through Nuh 217.01 are being repealed and new Nuh 201.01 and Nuh 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 Nuh 201 through Nuh 217.01. The proposed rules adopt a new Nuh 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 Nuh 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.