

APPENDIX II-C

RULEMAKING NOTICE FORM

Notice Number _____

Rule Number Nuh 305

1. Agency Name & Address:

**Board of Nursing Home Administrators
c/o Office of Professional Licensure &
Certification
7 Eagle Square
Concord, NH 03301**

2. RSA Authority: RSA 151-A:4-a

3. Federal Authority: n/a

4. Type of Action:

Adoption _____

Repeal _____

Readoption _____

Readoption w/amendment X

5. Short Title: **Emergency Permit, Petitions, and Supervision**

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:

- **Nuh 305.02 describes emergency permits for acting administrators and is being readopted with amendment to add that these permits are non-transferable;**
- **Nuh 305.03 describes the petition required to be submitted to be considered for a temporary permit of a nursing home administrator and is being readopted with to require the applicant to have the appropriate education, require one year of experience in a nursing home, and remove language of when the permit will be issued; and**
- **Nuh 305.05 describing supervision is being readopted with amendment to add the requirement that they meet the requirements for preceptors.**

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

Those affected by these rules are those seeking a emergency permit for an acting administrators in a nursing home 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 305.02	RSA 151-A:7, II
Nuh 305.03	RSA 151-A:4-a, II and V; RSA 151-A:7, II
Nuh 305.05	RSA 151-A:4-a, II and V; RSA 151-A:7, II

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): **The electronic link will be available on the Board's web site,**
<https://www.oplc.nh.gov/board-nursing-home-administrators-laws-and-rules>,
within a week of the scheduled hearing.

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

FIS # 23:257 , dated 10/20/2023

1. **Comparison of the costs of the proposed rule(s) to the existing rule(s):**
There is no difference in costs when comparing the proposed rules to the existing 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):**
 - 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.