

RULEMAKING NOTICE FORM

Notice Number _____	Rule Number <u>Plc 1001 various</u>
1. Agency Name & Address: Office of Professional Licensure & Certification 7 Eagle Square Concord, NH 03301	2. RSA Authority: <u>RSA 310:6, I</u> 3. Federal Authority: <u>n/a</u> 4. Type of Action: Adoption <u>X</u> Repeal _____ Readoption _____ Readoption w/amendment <u>X</u>
5. Short Title: Purpose; Applicability; Definitions; Generally-Applicable Fees; <u>Inspection Fees; Administrative Fees Relating to Supervision Agreements and Continuing Compliance Approvals, Activities, and Records</u>	

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 Executive Director of the Office of Professional Licensure and Certification (OPLC) is proposing to readopt certain sections of Plc 1001, Purpose; Applicability; Definitions; Generally-Applicable Fees, with amendments, and to adopt new sections, in order to:

- **Add “Inspection Fees; Administrative Fees Relating to Supervision Agreements and Continuing Compliance Approvals, Activities, and Records” to the heading, to reflect that these additional types of fees are being included in Plc 1001;**
- **Readopt with amendments Plc 1001.01, Purpose, to include the fees being added;**
- **Readopt with amendments Plc 1001.02, Applicability, to make corrections to the language;**
- **Readopt with amendments Plc 1001.07, to increase the fee for a temporary license application filed in conjunction with an application for a regular license but using a separate application form;**
- **Readopt with amendments Plc 1001.13, No Additional Fee for Late Renewal, as “Reinstatement in Lieu of Late Renewal”, based on the changes to the definition of “expire” in RSA 310:2, I effected by Laws of 2024, 364, eff. Oct. 22, 2024;**
- **Readopt with amendments Plc 1001.14 to remove pocket cards and identification cards from the “no fee” section;**
- **Adopt a new Plc 1001.17 to establish a fee for issuing an original pocket card or identification card and a fee for replacement of a pocket card or identification card;**
- **Adopt a new Plc 1001.18 to establish fees for inspections related to licensure, as those fees are being removed from Plc 1002 in a separate rulemaking and to accommodate the potential for one or more boards to add a requirement for an inspection for initial or renewal licensure;**
- **Readopt with amendments Plc 1001.17, Fees for Site Visits and Inspections Not Related to Licensure, and renumber as Plc 1001.19, to adjust some of the fees and to remove fees for mechanical inspections;**
- **Adopt Plc 1001.20 to establish fees for board approval of candidate for licensure agreements, where such approval is required by applicable law;**

RULEMAKING NOTICE FORM - Page 2

- **Adopt Plc 1001.21 to establish fees for approval of continuing education courses, instructors, and providers where such approval is required by applicable law; and**
- **Adopt Plc 1001.22 to establish a fee for an audit of continuing education records, that is not charged if the licensee has been informed of the requirement to use an online tracking system and is in compliance with that requirement.**

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

The proposed rules may affect any person (individual or business) that owns, or wishes to own, a licensed facility that is subject to inspections or for which a licensure-related inspection is required; any person who wishes to obtain a temporary license when applying for regular licensure; any individual who wishes to have an original or replacement pocket/identification card; any individual who seeks approval of a candidate for licensure agreement; any person that wishes to be approved as a provider or instructor of continuing compliance activities or that seeks approval for a continuing compliance program; and any licensees who have been informed of the requirement to use an on-line tracking system in accordance with Plc 308.04(b) and are not in compliance with the requirement will pay a fee of \$100 if they are audited.

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

RULE	STATE STATUTE(S) IMPLEMENTED
Plc 1001.01, Plc 1001.02, Plc 1001.07, Plc 1001.13, Plc 1001.14, Plc 1001.17 [new], Plc 1001.18 [new], Plc 1001.19 [formerly Plc 1001.17]; Plc 1001.20 [new]; Plc 1001.21 [new]; Plc 1001.22 [new]	RSA 310:5, I

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

Name:	Gretchen Hamel	Title:	Program Specialist IV
Mailing Address:	OPLC 7 Eagle Square Concord, NH 03301	Phone #:	Please contact via email
		Fax #:	[discontinued]
		E-mail:	Gretchen.R.Hamel1@oplcnh.gov

The rules can be reviewed on-line at
<https://www.oplc.nh.gov/oplc-laws-and-rules>

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: **4:00 PM on Friday, May 2, 2025**

Please submit comments to OPLC-Rules@oplcnh.gov

Fax E-mail Other format (specify):

9. Public hearing scheduled for:

Date and Time:	Tuesday, April 22, 2025 at 2:00 PM
Physical Location:	Office of Professional Licensure & Certification, 7 Eagle Square, Concord, NH 03301
Electronic Access (if applicable):	Not applicable

RULEMAKING NOTICE FORM - Page 3

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

FIS # 25:036 , dated 03/14/2025

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

When compared to the existing rules the proposed rules will increase costs to certain State citizens and independently-owned businesses, and increase revenue to the OPLC fund. Not applicable to Plc 1001.17, Plc 1001.18, Plc 1001.20, Plc 1001.21, and Plc 1001.22 which 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):

- The amendment to Plc 1001.07 increases the fee for applying for a temporary license in conjunction with an application for a regular license from \$25 to \$40.
- The amendment to Plc 1001.13 requires a fee with an application for reinstatement. The OPLC states this change, and any associated cost, is attributable to the change to the definition of “expire” in RSA 310,I(b) made by Chapter 364, Laws of 2024.
- The amendment to Plc 1001.14, and adoption of Plc 1001.17, add \$10 fees for original and replacement pocket card or identification cards.
- The adoption of Plc 1001.18 adds fees for inspections related to licensure to replace such fees being removed from Plc 1002 in a separate rulemaking. Plc 1001.17 amended and renumbered to Plc 1001.19 amends fees for certain site visits and inspections not related to licensure. The OPLC indicates the fee for inspection required for an initial pharmacy license will be \$150 where there previously was no fee. (Estimated nine (9) applications or \$1,350 in fee revenue).
- Fees for inspections of fuel gas fitting and plumbing installations by the mechanical licensing board are removed from Plc 1001.19.
- Plc 1001.20 is being adopted to add fees for review of candidate supervision agreements when it is required by the board. Not all boards require this review. (\$25 for a one-year agreement and \$50 for a two-year).
- Plc 1001.21 are being adopted to add fees for approval of continuing education instructors (\$100), and providers (\$150) when it is required by the board. Not all boards require this approval. Both are valid for two years.
- Plc 1001.22 is being adopted to add fees for an audit of continuing competence activities and records. (\$100 provided that if the licensee was notified in accordance with Plc 308.04(b) to use an online system. No fee shall be charged if they are in compliance with that.)

A. To State general or State special funds:

There is no cost or benefit to the State general fund. Restricted revenue to the OPLC fund will increase based on the fee increases or new fees described above. Revenue to the OPLC fund will decrease with removal of the fees for inspections of fuel gas fitting and plumbing installations.

B. To State citizens and political subdivisions:

State citizens who are licensed in certain professions will pay the increased or new fees described in #3 above. Citizens who own fuel gas fitting and plumbing installations will benefit from removal of those fees. There is no cost or benefit to political subdivisions.

C. To independently owned businesses:

Independently owned businesses that hold, or wish to obtain, a licensed facility may see a cost increase, a decrease in the case of fuel gas fitting and plumbing installations, or no change.

11. Statement Relative to Part I, Article 28-a of the N.H. Constitution:

The rules do not apply to political subdivisions. The rules thus do not mandate or assign any new, expanded, or modified programs or responsibilities to any political subdivision in such a way as to necessitate additional local expenditures, and so do not violate Part I, Article 28-a of the N.H. Constitution.