

**RULEMAKING NOTICE FORM**

Notice Number \_\_\_\_\_

Rule Number \_\_\_\_\_

**Plc 1002**

1. Agency Name & Address:

**Office of Professional Licensure & Certification  
7 Eagle Square  
Concord, NH 03301**

2. RSA Authority: **RSA 310-A:1-d, II(h)(1)**

3. Federal Authority: **n/a**

4. Type of Action:

Adoption **X**

Repeal \_\_\_\_\_

Readoption \_\_\_\_\_

Readoption w/amendment **X**

5. Short Title: **Application-Related Fees for Regulated Professions**

6. (a) Summary of what the rule says and of any proposed amendments:

**The Office of Professional Licensure and Certification (OPLC) is proposing to establish application-related fees for the professions and facilities that were not covered in the rules that were effective on August 8, 2022, and to readopt with amendments the application-related fees that were covered in those rules. The amendments are intended to (1) align the language in the existing rules with the language previously requested by OLS; (2) include fees that were not previously included for the professions for which only partial fees were adopted; and (3) reflect the applicability of RSA 310-A:1-h, which establishes a 2-year license term for all licenses.**

**The Initial Proposal contains proposed fees for body art facility applications based on rules that had been proposed earlier this year. However, after the FIS for these rules was received, the Executive Director withdrew those rules from rulemaking. The fees will be deleted in the final proposal.**

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

**The rules affect individuals who are, or who wish to become, licensed in any of the professions and occupations regulated by a board, commission, or council listed in RSA 310-A:1-a, I or by the Executive Director of the OPLC with an advisory 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>State Statute Implemented</b>
Plc 1002	RSA 310-A:1-e, I

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

Name: **Gretchen Hamel**

Title: **Program Specialist IV**

Address: **OPLC  
7 Eagle Square  
Concord, NH 03301**

Phone #: **Please contact via email**

Fax #: **[discontinued]**

E-mail: [\*\*Gretchen.R.Hamel1@oplcnh.gov\*\*](mailto:Gretchen.R.Hamel1@oplcnh.gov)

**The rules can be reviewed on-line at**  
[\*\*https://www.oplc.nh.gov/oplc-laws-and-rules\*\*](https://www.oplc.nh.gov/oplc-laws-and-rules)

TTY/TDD Access: Relay NH 1-800-735-2964  
or dial 711 (in NH)

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8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **4:00 PM on Thursday, April 20, 2023**

Please submit comments to [OPLC-Rules@opl.nh.gov](mailto:OPLC-Rules@opl.nh.gov)

Fax  E-mail  Other format (specify):

9. Public hearing scheduled for:

Date and Time: **Wednesday, April 12, 2023 at 10:30 AM**

Place: **Board Room, Office of Professional Licensure & Certification,  
7 Eagle Square, Concord, NH 03301**

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

FIS # 23:034, dated 02/13/2023

**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 result in an indeterminable fiscal impact to State revenues, certain State citizens who are members of the regulated professions, and to independently owned business that pay licensing or inspection fees on behalf their licensed employees.

**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 proposed rules establish application-related fees for the professions and facilities that were not covered in the rules that were effective on August 8, 2022, and readopts with amendments the application-related fees that were covered in those rules. The amendments would:

- Align the language in the existing rules with the language previously requested by the Office of Legislative Services.
- Include fees that were not previously included for the professions for which only partial fees were adopted.
- Reflect the applicability of RSA 310-A:1-h, which establishes a 2-year license term for all licenses.

The Office of Professional Licensure and Certification (OPLC) states the licensing fees that were effective in August 2022 are either remaining the same or are being reduced. Inspection fees of \$100 are being added for licenses for which an inspection is required, such as shops and schools regulated under RSA 313-A, to better cover the costs of the inspections. The fees being added to Plc 1002 will replace fees that were previously established in statutes or in rules adopted by the boards, councils, and commissions listed in RSA 310-A:1-a. I. The OPLC states that majority of the fees are the same, and account as needed for a change in the license term from 3 or more years to 2 years as required by RSA 310-A:1-h. A few fees are lower, and a few are higher. The OPLC states any proposed increases are to better cover costs in professions for which the existing fees do not cover costs. The OPLC also states, based on RSA 310-A:1-e, that any costs or benefits associated with the proposed rules are attributable to the statute. The Office of the Legislative Budget Assistant does not agree with this statement and we believe, based on the same statute, that any such costs or benefits are attributable to the proposed rules.

**A. To State general or State special funds:**

The proposed rules will have indeterminable impact on revenue to the State general fund and to the OPLC Fund. After paying all costs and salaries associated with operating the OPLC, the

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remaining balance in the OPLC fund lapses to the general fund at the close of each biennium. The OPLC state it is possible that the amount that lapses to the general fund will change under the proposed rules, but due to the number and variability of factors, such as how many applications are received and potential increases in overhead costs, no estimate can be made of any change.

**B. To State citizens and political subdivisions:**

See #3 above. There will be no cost or benefit to political subdivisions.

**C. To independently owned businesses:**

See #3 above.

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.**