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**FP 2023-52, Plc 1002 Application-Related Fees for Regulated Professions  
Summary of Comments on Initial Proposal with OPLC Responses**  
April 27, 2023

Background

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.

Two individuals from the public attended the public hearing held on April 12, 2023, and provided comments relative to the mechanical and electrical fees. Written comments were received from another stakeholder. Those comments and the OPLC's responses thereto follow the explanation of changes the OPLC made on its own initiative. Preliminary comments relating to using the statutorily-established names for the boards were received from OLS/Administrative Rules shortly the Initial Proposal (IP) was filed, and those changes have been made. No additional comments were received.

The OPLC made the following revisions on its own initiative:

Plc 1002.05 (new): inserted a section to be reserved for application-related fees for the Assessing Certification Board, which had been inadvertently omitted from the initial proposal; renumbered subsequent sections.

Plc 1002.0708, Table 1002.78: deleted the fees relating to body art facilities. As noted in the Rulemaking Notice, the initial proposal contained proposed fees for body art facility applications and initial permit-related inspection based on rules that had been proposed earlier in the year. However, after the FIS for these rules was received, the Executive Director withdrew the body art facility rules from rulemaking.

Public Comments

**Plc 1002.4213, Table 1002.4213 re: professions regulated by the Electricians' Board**

Comment 1: *Electrician apprentices do not get a license; they just register for one year at a time. The one-year time limit is important because apprentices must register for school before the end of the first year and must complete the classes by the end of the second year. If the registration is for two years, there won't be a way to enforce the education requirements.*

Response 1: The category has been revised to be "registration". However, the OPLC believes a 2-year term is dictated by RSA 310-A:1-h and so has not modified the term or fee. The OPLC can work with the Board to draft rules that address the concerns about ensuring the requisite education is obtained.

Comment 2: *Third party electrical inspectors do not get a license and are not charged a fee.*

Response 2: The entries for this category have been deleted.

**Plc 1002.2425, Table 1002.2425 re: professions regulated by the Mechanical Licensing Board**

Comment 1: *There are four levels of fuel gas fitter (not “fitting”). In order of increasing requirements for training and experience, the categories are trainee, piping, equipment installation, and service.*

Response 1: The table has been revised to reflect the correct terminology.

Comment 2: *Licensee can upgrade from piping to installation or from installation to service during a permit term; the fee is (should be) \$85.*

Response 2: There is no language in the statute or rules regarding “upgrades” of existing licenses. The OPLC believes the correct procedure for licensees desiring a higher-level license is for them to file an application.

Comment 3: *The fee of \$350 for reinstatement only applies more than 12 months after expiration.*

Response 3: The OPLC’s database is not able to distinguish differing time elements. The table has been revised so that the fees for initial and reinstatement licenses are the same.

Comment 4: *There is no reason for the fees for master plumbers to be so much higher than the fees for master electricians.*

Response 4: The OPLC recognizes that the fees are substantially different, and that there may not be a sound underlying reason for the discrepancy. However, the goal of this rulemaking was to get fees established that, to the extent possible, reflect the fees that are currently (or were recently) charged. The OPLC is planning to undertake a comprehensive review of costs and revenues and expects to initiate another rulemaking to adjust fees to better reflect costs.

**Plc 1002.4748, Table 1002.4748 re: Respiratory Care Practitioners**

Comment: *I am surprised that nursing and APRN licensing fees are lower than Respiratory Therapists, because they make substantially more per hour than a Respiratory therapist, therefore it should all be relative. Not sure why that is?*

Response: The OPLC believes that the fees for nursing licenses are too low. However, as noted above the goal of this rulemaking was to get fees established that reflect the fees that are, to the extent possible, currently (or recently) charged. The OPLC is planning to undertake a comprehensive review of costs and revenues and expects to initiate another rulemaking to adjust the fees to better reflect costs.