

**RULEMAKING NOTICE FORM**

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

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

**Plc 1300**

1. Agency Name & Address:

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

2. RSA Authority: \_\_\_\_\_

**RSA 328-J:7**

3. Federal Authority: \_\_\_\_\_

**n/a**

4. Type of Action:

Adoption \_\_\_\_\_

Repeal \_\_\_\_\_

Readoption \_\_\_\_\_

Readoption w/amendment   **X**  

5. Short Title: **Medical Imaging and Radiation Therapy**

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

**Laws of 2022, 104, eff. 7-26-22, amended RSA 328-J to convert the previous Board of Medical Imaging and Radiation Therapy to an advisory board and transfer the Board’s authority to the Executive Director of the Office of Professional Licensing and Certification (OPLC), in consultation with the advisory board. The Executive Director adopted interim rules to implement RSA 328-J effective February 1, 2023, and is now proposing to readopt the interim rules with amendments as regular (10-year) rules.**

**The amendments are intended to (1) address comments received from OLS on the proposed interim rules that were not addressed in the adopted rules; (2) revise language in, or add language to, the rules to align with updated language in other OPLC rules; (3) replace provisions that duplicate what is now in Plc 300 with incorporations of the applicable sections of Plc 300; (4) clarify the procedures for license reinstatement after suspension; and (5) respond to comments relative to continuing education, limited x-ray machine operators, and the scope of practice for licensed nuclear medicine technologists who are certified by the American Registry of Radiologic Technologists (ARRT) that were received in response to the OPLC’s request for advance public comment.**

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

**The proposed rules will affect any individual who is a licensed MIRT professional or who wishes to become a licensed MIRT professional in New Hampshire.**

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(s) Implemented</b>
Plc 1300 (see below for more specific and additional statutes)	RSA 328-J
Plc 1303	RSA 328-J:3
Plc 1304	RSA 328-J:11
Plc 1305	RSA 328-J:7-a; RSA 328-J:10; RSA 328-J:13
Plc 1306	RSA 328-J:13, II
Plc 1307	RSA 328-J:12
Plc 1308	RSA 328-J:17; RSA 328-J:15
Plc 1309	RSA 328-J:15
Plc 1310	RSA 328-J:7, IV
Plc 1311	RSA 328-J:19; RSA 328-J:20

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

Name: **Gretchen Hamel** Title: **Program Specialist IV**  
Address: **OPLC** Phone #: **Please contact via email**  
**7 Eagle Square** Fax #: **[discontinued]**  
**Concord, NH 03301** 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>**

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, June 9, 2023**

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

Fax  E-mail  Other format (specify):

9. Public hearing scheduled for:

Date and Time: **Thursday, June 1, 2023 at 10:00 AM**

Place: **3<sup>rd</sup> floor Hearing Room, Office of Professional Licensure & Certification,  
7 Eagle Square, Concord, NH 03301**

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

FIS # 23:093, dated 04/14/2023

**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 interim 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:

**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.**