

RULEMAKING NOTICE FORM

Notice Number _____ Rule Number Plc 200 various sections

<p>1. Agency Name & Address:</p> <p>Office of Professional Licensure & Certification 7 Eagle Square Concord, NH 03301</p>	<p>2. RSA Authority: <u>RSA 310:6, II; RSA 541 A:16, I(b); RSA 21-G:37, V</u></p> <p>3. Federal Authority: <u>n/a</u></p> <p>4. Type of Action:</p> <p>Adoption <u> X </u></p> <p>Repeal <u> </u></p> <p>Readoption <u> </u></p> <p>Readoption w/amendment <u> X </u></p>
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5. Short Title: **Revisions to Practice and Procedure Rules**

6. (a) Summary of what the rule says and of any proposed amendments:
- The Executive Director of the Office of Professional Licensure and Certification (OPLC) is proposing to amend various sections of Plc 200 to update citations and language to reflect the recodification of the OPLC statutes as RSA 310. In addition, the amendments will clarify and correct some existing language, and will:**
- add definitions of “board”, “advisory board”, “complainant”, “licensing proceeding”, “non-disciplinary remedial proceeding”, “person”, and “policy-autonomous board”;
 - provide a dedicated email address for electronic filing of documents related to appeals;
 - add a requirement for persons against whom a complaint is filed to respond to the complaint;
 - add provisions to Plc 206 regarding reciprocal discipline hearings, closing the record, and reopening the record;
 - add provisions relative to the timing of a full evidentiary hearing if the respondent signs a preliminary agreement not to practice (PANP);
 - expand and clarify the provisions relative to petitions for rehearing;
 - substantially revise Plc 211 re: waivers to be more useful for boards; and
 - correct the definition of “emergency situation” for purposes of RSA 21-G:37.
6. (b) Brief description of the groups affected:
- These rules affect any persons who interact with the OPLC or with any of the boards or professions covered by RSA 310.**

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

Rule(s)	State Statute(s) Implemented
Plc 201	RSA 541-A:16, I(b); RSA 310
Plc 202	RSA 541-A:16, I(b); RSA 310
Plc 203.02 - 203.04	RSA 541-A:16, I(b); RSA 310
Plc 204.01, 204.02, 204.04 [new], 204.0405-204.0607	RSA 541-A:16, I(b); RSA 310:9
Plc 205.01 - 205.04, 205.06	RSA 541-A:16, I(b); RSA 310:10
Plc 206.01 - 206.03, 206.05 - 206.09, 206.11 - 206.13, 206.17-206.22, 206.24, 206.25, 206.28 [new], 206.29 [new], 206.2830 - 206.3134	RSA 541-A:16, I(b)(2); RSA 541-A:30-a; RSA 541-A:33; RSA 310:10, RSA 310:11, RSA 310:14
Plc 207.01 - 207.04, 207.07	RSA 541-A:16, I(b)
Plc 208	RSA 541-A:16, I(b); RSA 541-A:4
Plc 209	RSA 541-A:16, I(b); RSA 541-A:4
Plc 210	RSA 541-A:16, I(b); RSA 310
Plc 211	RSA 541-A:16, I(b); RSA 310
Plc 212	RSA 21-G:37

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@oplc.nh.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 Wednesday, September 27, 2023**

Please submit comments to OPLC-Rules@oplc.nh.gov

Fax E-mail Other format (specify):

9. Public hearing scheduled for:

Date and Time: **Wednesday, September 20, 2023 at 1:30 PM**

Place: **Board Room (2nd floor), Office of Professional Licensure & Certification, 7 Eagle Square, Concord, NH 03301**

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

FIS # 23:190, dated 08/15/2023

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.
 Not applicable to Plc 204.04, Plc 206.28 and Plc 206.29 as these 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):

There is no additional cost or benefit attributable to the new rules.

A. To State general or State special funds:

None.

B. To State citizens and political subdivisions:

See #3 above.

C. To independently owned businesses:

None.

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

There are no costs associated with the rules. 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.