

**RULEMAKING NOTICE FORM**

Notice Number \_\_\_\_\_ Rule Number Plc 200 various

<p>1. Agency Name &amp; Address:</p> <p><b>Office of Professional Licensure &amp; Certification</b>  <b>7 Eagle Square</b>  <b>Concord, NH 03301</b></p>	<p>2. RSA Authority: <u>RSA 310:6, II</u></p> <p>3. Federal Authority: <u>n/a</u></p> <p>4. Type of Action:</p> <p>Adoption _____</p> <p>Repeal _____</p> <p>Readoption <u>X</u></p> <p>Readoption w/amendment <u>X</u></p>
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5. Short Title: **Revisions to OPLC Practice and Procedure**

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 is proposing to adopt the recently-adopted Interim rules as regular rules to establish the revised provisions as regular rules and is proposing changes to some of the Interim rules and to other rules in Plc 200, as described below:**

- **Readopt with amendment Plc 203.02 to update the cross-reference to Plc 100;**
- **Readopt with amendments Plc 203.05 Interim to establish the criteria and procedures for exercising the authority established by RSA 310:10, XIV-XV and RSA 310:11, VII-VIII as regular rules and to clarify the scope of coordination that can be required by a board, and to clarify that paragraph (d) applies within Plc 200 only;**
- **Readopt with amendment Plc 204.02, Plc 206.10, and Plc 210.03 to replace “contemplated” with “anticipated” to be clearer that the signer is not necessarily who would be initiating the proceeding;**
- **Readopt with amendments Plc 204.05 to clarify that any inspections done as part of an investigation are not subject to Plc 400 and that the initiation of an investigation does constitute an allegation of misconduct;**
- **Readopt with amendments Plc 204.07 to require recommendations to proceed with a disciplinary proceeding to include citations of the statutes and rules alleged to have been violated, to accommodate the ability of a hearing officer to limit the scope of an intervenor’s participation, and clarify who confidential information will be provided to;**
- **Readopt with amendments Plc 205.04 Interim to revise the complainant consultation process and to require boards to provide an explanation if they do not approve a settlement agreement;**
- **Readopt Plc 205.06 Interim to establish the revised provisions as regular rules;**
- **Readopt with amendments Plc 206.02 to establish when notices will be presumed to be received, because statutory filing deadlines run from the date of receipt, not the date of issuance;**
- **Readopt Plc 206.03 Interim to establish the revised provisions as regular rules;**
- **Readopt with amendments Plc 206.06 Interim and Plc 206.07 Interim to establish the revised provisions as regular rules with clarifications;**

- **Readopt Plc 206.08 Interim to establish the revised provisions as regular rules;**
- **Readopt with amendments Plc 206.09 to require representatives who are attorneys not licensed in New Hampshire to file an attestation regarding the unauthorized practice of law;**
- **Readopt Plc 206.30 Interim to establish the revised provisions as regular rules;**
- **Readopt with amendments Plc 206.31 Interim and Plc 206.32 Interim to establish the revised provisions as regular rules and to include rehearings of RSA 332-G:10 decisions; and**
- **Readopt with amendments Plc 206.33 to limit the section to appeals as clarified in RSA 310.**

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:

<b>Rule</b>	<b>State Statute(s) Implemented</b>
Plc 203.02	RSA 541-A:16, I(b); RSA 310
Plc 203.05	RSA 541-A:16, I(b); RSA 310:10, XIV-XV; RSA 310:11, VII-VIII
Plc 204.02, Plc 204.05, Plc 204.07	RSA 541-A:16, I(b); RSA 310:9
Plc 205.04, Plc 205.06	RSA 541-A:16, I(b); RSA 310:10
Plc 206.02, Plc 206.03, Plc 206.06, Plc 206.08, Plc 206.09, Plc 206.10, Plc 206.30 - Plc 206.33	RSA 541-A:16, I(b)(2); RSA 541-A:30-a; RSA 541-A:33
Plc 206.07	RSA 541-A:30, III
Plc 210.03	RSA 541-A:16, I(b); RSA 310

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@oplc.nh.gov](mailto: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 Thursday, March 6, 2025**

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

Fax

E-mail

Other format (specify):

9. Public hearing scheduled for:

Date and Time: **Thursday, February 20, 2025 at 1:30 PM**

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

Electronic Access N/A  
(if applicable):

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

FIS # 25:009, dated 01/15/2025

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

There is no difference in cost when comparing the proposed rule(s) to the existing rule(s).

**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:

**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.**