

Change the heading of Plc 301 to read as follows:

PART Plc 301 PURPOSE; APPLICABILITY; SENDING NOTICES AND LICENSES; AVAILABILITY OF CONTACT INFORMATION; COMPUTATION OF TIME; *INCORPORATED DEFINITIONS*

Adopt Plc 301.06 to read as follows:

Plc 301.06 Incorporated Definitions. The definitions in Plc 102 are hereby incorporated by reference.

Readopt with amendments Plc 302, eff. 5-3-24 (doc. #13955), to read as follows:

PART Plc 302 *CHAPTER-SPECIFIC* DEFINITIONS

Plc 302.01 “Applicable board” means the board that regulates the profession for which an application for initial or renewal licensure, reinstatement of licensure, or temporary licensure is made, or in which a disciplinary or non-disciplinary remedial proceeding is initiated, provided that for those professions for which the applicable board is advisory, the term means the executive director in consultation with the advisory board, and for any profession for which no board exists, the term means the executive director.

Plc 302.02 “Applicable law” means the state and federal statute(s), rules, standing orders, and case law, if any, that apply to regulate a profession in New Hampshire.

Plc 302.0301 “Application-related fees” means:

(a) For applications for initial licensure, the application processing and licensing fee specified in Plc 1002, any examination fee specified in Plc 1002, and any inspection fee specified in Plc 1002 for the license being applied for;

(b) For applications for renewal licensure, the application processing and licensing fee specified in Plc 1002 *and any inspection fee specified in Plc 1002* for the license being applied for; and

(c) For applications for reinstatement, the application processing and licensing fee specified in Plc 1002, and if applicable law requires an examination or inspection, or both, for reinstatement, the examination or inspection fee specified in Plc 1002, or both, as applicable, for the license being applied for.

Plc 302.0402 “Authorized signer” means the individual who has been duly authorized by an entity to sign applications and related documents that are submitted to the OPLC.

Plc 302.05 “Board” means “board” as defined in RSA 310:2, I(a), namely “a board, council, commission, committee, or other regulatory body with jurisdiction over professions listed in paragraph II.” ~~The term includes the executive director for any board that is advisory and for any profession for which the practice act does not establish a board.~~

Plc 302.0603 “Contact individual” means the individual who has been duly authorized by an entity to interact with the OPLC regarding licensing issues. The authorized signer and the contact individual may be, but are not required to be, the same individual.

Plc 302.07 “Contact information” means:

~~(a) For an individual, the individual’s designated email address, home or other personal telephone number, home physical address, and home mailing address if not the same as the physical address; and~~

~~(b) For a legal entity, the legal entity’s designated email address, telephone number, physical address, and mailing address if not the same as the physical address.~~

Plc 302.08 “Continuing competence” means the requirements established in applicable law for activities or education, or both, that are intended to strengthen a licensee’s knowledge and skills in the regulated profession. The term includes “continuing education”, “continuing professional education”, and any other terms used in applicable law to mean the same thing.

~~Plc 302.09 “Criminal records check” means the process undertaken by the NH department of safety (NHDOS) that requires live-scanned prints to be taken digitally and submitted electronically to the NH criminal records unit and the FBI. The term includes a “criminal history record” and “criminal history records check” but does not include an “online NH criminal conviction check”.~~

Plc 302.4004 “DEA registration number” means a number assigned by the U.S. Drug Enforcement Administration to an individual or an entity that allows the recipient to prescribe, handle, order, store, or dispense controlled substances.

~~Plc 302.11 “Designated email address” means the email address identified by an applicant or licensee as the address for the OPLC to use when sending notifications and licenses.~~

Plc 302.4205 “Endorsement” means the acceptance of another jurisdiction’s licensure as proof of qualifying for licensure in New Hampshire. The term includes “portability”, “license recognition”, “reciprocity”, and any other term used in applicable law to mean the same thing.

~~Plc 302.13 “Executive director” means the executive director of the OPLC or designee.~~

~~Plc 302.14 “Expired” as applied to a license means the expiration date identified in applicable law has passed and either no application for renewal was filed, or an incomplete application for renewal was filed but was not completed by the expiration date of the license. The term includes “lapsed”.~~

~~Plc 302.15 “In good standing” as applied to a license means the license is not temporary and is not encumbered by any conditions, limitations, or restrictions, and has not been suspended, revoked, or surrendered.~~

~~Plc 302.16 “Inspection assignment coordinator” means any individual designated by the executive director to assign inspectors to conduct inspections.~~

~~Plc 302.17 “License” means “license” as defined in RSA 541-A:1, VIII, namely “the whole or part of any agency permit, certificate, approval, registration, charter or similar form of permission required by law.” The term includes, but is not limited to, temporary licenses, apprentice registrations, and any similar form of approval required to practice a regulated profession in any jurisdiction.~~

~~Plc 302.18 “Licensing bureau” means the organizational unit within the OPLC’s division of licensing and board administration that is responsible for, among other duties, accepting and processing applications and issuing licenses on behalf of the executive director and the boards.~~

~~Plc 302.19 “Military spouse” means an individual who is legally married to an individual who is on active military duty.~~

Plc 302.06 “National provider identifier (NPI)” means the unique identification number for covered health care providers, created under the Health Insurance Portability and Accountability Act (HIPAA) to help send health information electronically more quickly and effectively.

~~Plc 302.20 “Office or other place of business” means:~~

~~(a) The primary location where a licensee practices or otherwise engages in the occupation or profession; or~~

~~(b) For those occupations and professions for which the licensee goes to the client’s premises or otherwise has a mobile operation, the location that serves as a licensee’s base of operations.~~

~~Plc 302.21 “On active military duty” means on active duty in the U.S. armed forces. The term includes “active military”.~~

~~Plc 302.22 “Person” means:~~

~~(a) An individual, for all regulated professions; and~~

~~(b) A legal entity, for those regulated professions for which applicable law authorizes a legal entity, such as a corporation or professional association, to obtain a license.~~

Plc 302.2307 “Practice” as a verb means to engage in a regulated profession.

~~Plc 302.24 “Practice act” means the statute(s) that confer(s) authority on the applicable board to regulate a specific profession.~~

~~Plc 302.25 “Regulated profession” means an occupation or profession for which a license is required to be obtained from the OPLC based on criteria established in applicable law, including rules adopted by the applicable board, prior to engaging in the occupation or profession in New Hampshire.~~

Plc 302.26 “Reinstatement” means:

- ~~(a) The issuance of a license to a person whose license has been expired for not more than one year; or~~
- ~~(b) The reactivation, prior to expiration or not more than one year after expiration, of a license that was suspended.~~

Plc 302.2708 “Special use temporary license” means a license issued by the OPLC on behalf of a board that allows the person licensed to engage in a specific aspect of a regulated profession for a specified, limited period of time in New Hampshire, in lieu of needing to obtain a regular license. The term includes, but is not limited to, temporary licenses from the board of professional engineers or board of professional geologists that allow work on a specific project or from the NH real estate appraisers board to allow work on a single assignment.

Plc 302.2809 “Substantially similar requirements”, for purposes of licensure by endorsement, means requirements that meet the criteria specified in Plc 313.13 et seq.

Plc 302.2910 “Third party testing organization” means any regional or national accrediting or testing organization that administers an examination that is required by applicable law for licensure in New Hampshire.

~~Plc 302.30 “Working day” means any Monday through Friday, excluding days on which state offices are closed in observance of holidays.~~

APPENDIX A: STATE STATUTES IMPLEMENTED

Rule(s)	State Statute(s) Implemented
Plc 301.06; Plc 302	RSA 310