

State of New Hampshire

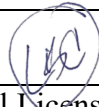
OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION

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OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION LICENSURE RESPONSE TO WORKFORCE NEEDS

Reference Number:	SFY 2022-02
Authorized by:	Lindsey B. Courtney, Executive Director 
Division/Board/Council/Commission:	Office of Professional Licensure and Certification
Issue/Effective Date:	September 16, 2021
Subject:	Emergency Licensure Guidance
Description:	Guidance concerning emergency licenses issued pursuant to SB 155 and other licensure efforts to promote workforce opportunities

I. OVERVIEW

The Office of Professional Licensure and Certification (OPLC) is the state agency charged with providing administrative support to over fifty (50) Boards, Councils, and Commissions within the agency. OPLC is also charged with issuing temporary licenses and emergency licenses to certain healthcare professionals. OPLC strives to promote efficiency in the licensing process to reduce barriers to workforce entry. OPLC issues this guidance pursuant to SB155 to clarify the OPLC temporary licensure process and provide information about additional measures that OPLC is undertaking to increase our healthcare workforce.

II. LICENSES FOR OUT-OF-STATE HEALTHCARE PROFESSIONALS

Healthcare professionals who have a license in good standing in another jurisdiction are eligible for an OPLC temporary license under RSA 310-A. Healthcare professionals are those individuals licensed, certified, or registered by the following boards:

- Acupuncture under RSA 328-G;
- Alcohol and Other Drug Use Professionals under RSA 330-C;
- Allied Health Professionals under RSA 328-F (includes Hearing Care Providers);
- Chiropractic Examiners under RSA 316-A;
- Dental Examiners under RSA 317-A;
- Dietitians under RSA 326-H;
- Funeral Directors and Embalmers under RSA 325;
- Medical Imaging and Radiation Therapists under RSA 328-J;
- Medical Technicians under RSA 328-I;
- Medicine under RSA 329;
- Mental Health Practice under RSA 330-A;
- Midwifery under RSA 326-D;
- Naturopathic Examiners under RSA 328-E;
- Nursing under RSA 326-B;
- Nursing Home Administrators under RSA 151-A;
- Ophthalmic Dispensers under RSA 327-A;
- Optometry under RSA 327;
- Pharmacy under RSA 318;
- Podiatry under RSA 315; and
- Psychologists under RSA 329-B.

Individuals may apply to the board for permanent licensure and to OPLC for temporary licensure. OPLC is generally issuing temporary licenses within 24 business hours. Such licenses are valid for 120 days.

III. LICENSES FOR RETIRED OR INACTIVE HEALTHCARE PROFESSIONALS

SB155 grants authority to the executive director to issue emergency licenses to medical providers previously licensed and in good standing in any United State jurisdiction in the last 3 years without completing additional continuing education requirements. Medical providers are deemed to be those individuals licensed, certified, or registered by the following boards:

- Acupuncture under RSA 328-G;
- Alcohol and Other Drug Use Professionals under RSA 330-C;
- Allied Health Professionals under RSA 328-F (includes Hearing Care Providers);
- Chiropractic Examiners under RSA 316-A;
- Dental Examiners under RSA 317-A;
- Dietitians under RSA 326-H;
- Funeral Directors and Embalmers under RSA 325;
- Medical Imaging and Radiation Therapists under RSA 328-J;
- Medical Technicians under RSA 328-I;
- Medicine under RSA 329;
- Mental Health Practice under RSA 330-A;

- Midwifery under RSA 326-D;
- Naturopathic Examiners under RSA 328-E;
- Nursing under RSA 326-B;
- Nursing Home Administrators under RSA 151-A;
- Ophthalmic Dispensers under RSA 327-A;
- Optometry under RSA 327;
- Pharmacy under RSA 318;
- Podiatry under RSA 315; and
- Psychologists under RSA 329-B.

OPLC is promulgating emergency rules to implement this provision of SB155, which will be posted to OPLC's website at www.oplc.nh.gov. OPLC anticipates accepting applications for licensure through its online portal starting September 20, 2021. These emergency licenses will expire January 31, 2022.

III. LICENSES FOR MEDICAL FELLOWS

Under SB155, the executive director may also issue emergency licenses to any fellow enrolled in a New Hampshire program accredited by the Accreditation Council for Graduate Medical Education to practice within the fellow's core specialty, provided the individual meets the following criteria:

- The individual is board certified or board-eligible;
- The individual is appointed to the medical staff at the sponsoring institution and will engage in practice consistent with the policies and procedures of the sponsoring institution and its participating sites; and
- The time spent in core specialty service is limited to 20 percent of the fellow's annual education time in any academic year.

See SB155 (2021). OPLC is promulgating emergency rules to implement this provision of SB155, which will be posted to OPLC's website at www.oplc.nh.gov. OPLC anticipates accepting applications for licensure through its online portal starting September 20, 2021. These emergency licenses will expire January 31, 2022.

IV. LICENSES FOR SENIOR NURSING STUDENTS

Finally, SB155 grants the executive director the authority to issue emergency licenses to nursing students scheduled to graduate from a board of nursing approved registered nursing or practical nursing program, provided:

- The individual is employed by or providing health care services at the direction of a licensed health care facility or a licensed health care provider;
- The individual is directly supervised while providing health care services; and
- The health care services are being provided in response to the COVID-19 pandemic.

See SB155 (2021). Given the current workforce shortages impacting New Hampshire as a result of COVID-19, this guidance is intended to clarify that any student nurse licensed under this subsection shall be deemed to be providing healthcare services in response to the COVID-19 pandemic.

OPLC is promulgating emergency rules to implement this provision of SB155, which will be posted to OPLC's website at www.oplc.nh.gov. OPLC anticipates accepting applications for licensure through its online portal starting the week of September 20, 2021. These emergency licenses will expire January 31, 2022.

V. TEMPORARY HEALTH PARTNERS

OPLC understands that any delay in processing licenses, especially for licensed nursing assistants (LNAs), can impact the ability of our healthcare facilities to provide services. For LNAs in particular, unless the LNA has a license or certification in another state, the LNA is not eligible for a temporary license. However, to address staffing shortages, the position of "temporary health partner" (THP) was created to alleviate staffing shortages for long-term care facilities.

Individuals who have completed a training of no less than 8 hours provided by a national association or a New Hampshire education program, and have demonstrated competency, as determined by the long-term care facility, shall be able to perform the following scope of work in a long-term care facility, under the supervision of an APRN, RN, or LPN:

- Nutrition and elimination assistance. Assist with elimination, including toileting and pericare, and assist with routine ostomy care.
- Comfort care and end-of-life care. Assist with promoting comfort and sleep, assist with end-of-life care, and assist with physical care of body after death.
- Activities of daily living. Assist with bathing, oral care, denture care, grooming, shaving, nail care, and dressing and undressing.
- Infection control practices. Assist with hand hygiene, standard and transmission-based precautions, cleaning and disinfection, utilization of personal protective equipment (PPE).
- Positioning, moving, and restorative care. Assist with ambulation or walking and occupied bedmaking.

SB155. Through this guidance, OPLC seeks to clarify that individuals who have completed a board of nursing approved licensed nursing assistant program and passed the requisite examination have completed sufficient training to work as a THP for up to 120 days, while their license application

is pending. In other words, individuals completing a licensed nursing assistant program who have passed the exam may immediately begin to work as a THP in a long-term care facility, provided the facility has determined the individual is competent.

For general questions regarding this notification, please contact:

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