FP 2021-78, Plc 100  Organizational Rules
Summary of Comments on Initial Proposal with OPLC Responses
October 12, 2021

Background
Plc 100 contains the organizational rules for the Office of Professional Licensure and Certification (OPLC). The rules include definitions for title Plc, contact information, an explanation of the structure of the OPLC, and information needed to make requests for records. The OPLC’s offices moved subsequent to the rules being adopted in 2019, so the locational information and mailing address in the rules was no longer correct. Also, Laws of 2021, 91:76, effective July 1, 2021, made changes to the OPLC’s structure. The rules were thus proposed to be readopted with amendments to update the information in the rules and to clarify that the OPLC comprises two divisions and the Office of the Executive Director, not three divisions. In addition, a definition of “supported boards, commissions, and councils” was proposed to be adopted to reduce the number of times a reference to the statute has to be made and to emphasize that the OPLC supports those boards, commissions, and councils.

No one from the public attended the public hearing held on September 30, 2021. A written comment was received that was identified as pertaining to Plc 100, but it focused on the classification of one of the boards for purposes of per diem reimbursement and so was considered in the rulemaking for Plc 1003. Written comments were received from the Office of Legislative Services, Administrative Rules office (OLS); those comments and the OPLC’s responses are summarized below in numerical order.

Note that the OPLC is proposing to add a definition of “license” to Plc 101, as the term is used throughout title Plc, and to clarify the definition of “supported boards, commissions, and councils”. The OPLC also is proposing to add a reference to the appropriate subparagraph of RSA 310-A:1-d, II(h) to Plc 102.06(d)(2) and (4) and to clarify that the Division of Enforcement also supports the compliance efforts of the supported boards, commissions, and councils.

Plc 101.03 re: definition of “office of the executive director”
Comment: “Unclear. It is unclear what is meant. Authority for what? An office may have authority granted to it by statute, but it is not authority itself.” (Bold in original.)
Response: The OPLC has revised the definition to be clearer.
Plc 102.01 re: OPLC mission

*Comment:* “Unclear/Edit. This should probably be “purpose” rather than “mission” since the purpose is statutorily established in RSA 310-A:1, and the amended language was pulled from that statute.” (Bold in original.)

*Response:* The OPLC has replace “mission” with “purpose” in the section heading and text.

*Edits made:* Plc 101.04 (FP 101.05); 102.02(a), (b), & (c); 102.03(e); 103.01(a) & (b)