### INTERIM RULEMAKING NOTICE FORM

<table>
<thead>
<tr>
<th>Proposed Interim Rule Number</th>
<th>Rule Number</th>
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<tbody>
<tr>
<td>Plc 1002.26</td>
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1. **Agency Name & Address:** Office of Professional Licensure & Certification  
   7 Eagle Square  
   Concord, NH 03301

2. **RSA Authority:** RSA 310-A:1-d, II(h)(1)

3. **Federal Authority:**

4. **Type of Action:**  
   - Adoption: X
   - Amendment: ___
   - Repeal: ______
   - Readoption: ______
   - Readoption w/amendment: ______

5. **Filing Date:** October 19, 2021

6. **Short Title:** Renewal Fees for Physician Assistants

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 by email  
   - **Fax#:** (603) 271-0597 (main OPLC)  
   - **E-mail:** Gretchen.R.Hamel1@oplc.nh.gov

8. **Summary explaining the effect of the rule:**  
   The proposed interim rule, Plc 1002.26, establishes the renewal fee for physician assistants (PAs) licensed under RSA 328-D. The licensing period for PAs was changed in the 2020 legislative session from one year to two years, but the Board of Medicine did not undertake rulemaking to change the fee in its rules from an annual fee to a biennial fee, and the authority of the Office of Professional Licensure and Certification (OPLC) to adopt rules to establish fees was not clear. The OPLC’s rulemaking authority relative to fees was clarified by Laws of 2021, 91:81, effective July 1, 2021. While the OPLC is working to adopt all application-related fees as regular rules, the rules will not be in place prior to the renewal period for physician assistant licenses at the end of this year. The OPLC is thus proposing to adopt this Interim rule under RSA 541-A:19, I(a) to implement the new authority.

9. **Listing of people, enterprises, and government agencies affected by the rule:**  
   The proposed interim rule, Plc 1002.26, directly affects physician assistants who are required to file an application for renewal before the end of this year pursuant to RSA 328-D:5 and indirectly affects the State’s budget, which will have to absorb a significant loss if the Interim rule is not adopted.

The rule can be reviewed on-line at [https://www.oplc.nh.gov/oplc-laws-and-rules](https://www.oplc.nh.gov/oplc-laws-and-rules)  
TYY/TDD Access: Relay NH 1-800-735-2964 or dial 711 (in NH)
10. Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement:

<table>
<thead>
<tr>
<th>Rule</th>
<th>State Statute Implemented</th>
</tr>
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<tr>
<td>Plc 1002.26</td>
<td>RSA 310-A:1-e, I(a)</td>
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11. Summary of the effect upon the state if the rule were not adopted:

   If the proposed interim rule is not adopted, there may be uncertainty as to whether any fee must be paid; at best, applicants will pay the renewal fee established in the Board of Medicine’s rules, which is $65. If this happens, the revenue will be significantly less than the costs of processing the renewal applications.

12. Proposed date of review by the Joint Legislative Committee on Administrative Rules:

   November 18, 2021

13. The fiscal impact statement prepared by the Legislative Budget Assistant, if applicable.

   FIS # 21:112, dated 10/13/2021

   1. Comparison of the costs of the proposed rule(s) to the existing rule(s):
      Not applicable as these are new interim 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):
      The proposed rules establish a Physician Assistant license renewal fee in the amount of $175 for a two-year duration. This amount is $45 more than the $130 that would be paid over two years under the Board of Medicine’s rule, specifically Med 306.01. The proposed increased fee amounts are anticipated to generate an amount not to exceed 125% of actual cost for providing the service pursuant to RSA 310-A:1-e. There will be additional revenue to the State to the extent such fees are collected and deposited into the office of professional licensure and certification fund.

      A. To State general or State special funds:
         There will be no direct impact on the State general fund, however after paying all costs and salaries associated with the Office, any remaining balance in the fund lapses to the general fund at the close of each biennium. There will be additional revenue to the office of professional licensure and certification fund from the proposed certification and renewal fees.

      B. To State citizens and political subdivisions:
         None.

      C. To independently owned businesses:
         None.