

**RULEMAKING NOTICE FORM**

Notice Number \_\_\_\_\_

Rule Number Plc 303

<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 328-B:4, VII</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 _____</p> <p>Readoption w/amendment <u>X</u></p>
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5. Short Title: **Massage Therapy License by Reciprocity**

6. (a) Summary of what the rule says and of any proposed amendments:

**The Office of Professional Licensure and Certification (OPLC) is proposing to readopt Plc 303, relative to massage therapists obtaining a license in New Hampshire by reciprocity, with amendments to better implement RSA 328-B:6, III relative to what constitutes licensing requirements that are “substantially equivalent to or not less than” New Hampshire’s requirements. The amendments (1) add a purpose section, a statement of the non-waivable statutory requirements that are referenced in the purpose section, and a definition of “substantially equivalent to or not less than”; (2) clarify that a “license” from another jurisdiction that qualifies under this section can be called a certificate or registration so long as the “substantially equivalent...” requirements are met; (3) establish a requirement, if the other jurisdiction’s criteria called for more than 500 hours but fewer than 750 hours of education, for the applicant to have worked one year for each 50 hours below 750, (4) update the information relative to obtaining an application form, and (5) clarify that application fees will not be refunded if the applicant withdraws an application.**

6. (b) Brief description of the groups affected:

**The proposed rules affect individuals who have a license, certification, or registration to practice massage therapy in another U.S. jurisdiction who wish to obtain a license by reciprocity to practice in New Hampshire.**

6. (c) Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement:

Rule(s)	State Statute(s) Implemented
Plc 303.01-303.04	RSA 328-B:6, III

7. Contact person for copies and questions including requests to accommodate persons with disabilities:

Name:	<b>Gretchen Hamel</b>	Title:	<b>Program Specialist IV</b>
Address:	<b>OPLC 7 Eagle Square Concord, NH 03301</b>	Phone #:	<b>Please contact via email</b>
		Fax #:	<b>[discontinued]</b>
		E-mail:	<b><a href="mailto:Gretchen.R.Hamel1@oplc.nh.gov">Gretchen.R.Hamel1@oplc.nh.gov</a></b>

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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 Friday, April 22, 2022**

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, April 14, 2022 at 1:30 PM**

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

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

FIS # 22:040, dated 03/11/2022

**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 rules to the existing 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):**

**A. To State general or State special funds:**

None.

**B. To State citizens and political subdivisions:**

There may be a benefit to State citizens who are licensed, registered, or certified as a massage therapist in another jurisdiction as the clarification in the rules may financially benefit them by being able to practice in NH if they meet the requirements of the proposed rule. There is no cost or benefit to political subdivisions.

**C. To independently owned businesses:**

None.

11. Statement Relative to Part I, Article 28-a of the N.H. Constitution:

**The rules do not apply to political subdivisions. 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.**