

EXPEDITED REPEAL NOTICE FORM

Proposed Expedited Repeal Number _____ Rule Number Resp 100-500

<p>1. Agency Name & Address:</p> <p style="text-align: center;">Office of Professional Licensure & Certification 7 Eagle Square Concord, NH 03301</p>	<p>2. RSA Authority: <u>RSA 326-E:2 (Laws of 2022, 72:12-13, eff. 7-19-22)</u></p> <p>3. Federal Authority: _____</p>
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4. Short Title: **Repeal of rules of the former Governing Board of Respiratory Care Practitioners**

5. Explanation of the reason for the proposed repeal:

Laws of 2022, 72:10-20, eff. 7-19-22, amended RSA 326-E to convert the Governing Board of Respiratory Care Practitioners to an advisory board and transfer the Board’s authority for regulating the practice of respiratory care to the Executive Director of the Office of Professional Licensing and Certification (OPLC), in consultation with the advisory board. The OPLC has adopted Interim rules to govern the profession of respiratory care as Plc 1500, and expects to adopt regular rules prior to the expiration of the Interim rules.

As of July 19, 2022, the rules in Title Resp cannot be enforced. Allowing the rules to remain with no overt indication of their unenforceability is not helpful to practitioners or the public. The Executive Director of the OPLC is thus proposing to repeal all of the rules in title Resp, based on the opinion received by the OPLC from the NH Department of Justice, Office of the Attorney General, that the Executive Director has the legal authority to do so (see attached email).

6. 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#: [discontinued]
	E-mail: Gretchen.R.Hamel1@oplcnh.gov

TTY/TDD Access: Relay NH 1-800-735-2964 or dial 711 (in NH)

7. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **4:00 PM on Thursday, January 12, 2023**

Fax E-mail Other format (specify):

8. Public hearing scheduled for:

Date and Time: **Thursday, January 5, 2023 at 10:30 to 11:00 AM**
Place: **Hearing Room, OPLC Offices at 7 Eagle Square, Concord, NH**