

# JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES

## REGULAR MEETING

### TENTATIVE AGENDA

JUNE 16, 2023 - 9:00 a.m.

ROOMS 306/308 LEGISLATIVE OFFICE BUILDING

[LIVE LINK: https://youtube.com/live/iITY7wqWp4M?feature=share](https://youtube.com/live/iITY7wqWp4M?feature=share)

#### JLCAR MEMBERS

SENATE MEMBERS	HOUSE MEMBERS
<b>Sen. Timothy Lang, Vice-Chair</b> <b>Sen. Shannon Chandley</b> <b>Sen. Dan Innis</b> <b>Sen. Ruth Ward</b> <b>Sen. Rebecca Whitley</b>  <b>Alternates:</b> <b>Sen. Kevin Avard</b> <b>Sen. Sharon Carson</b> <b>Sen. James Gray</b> <b>Sen. Rebecca Perkins Kwoka</b> <b>Sen. Suzanne Prentiss</b>	<b>Rep. Carol M. McGuire, Chair</b> <b>Rep. William Hatch</b> <b>Rep. Erica Layon</b> <b>Rep. Robert Lynn</b> <b>Rep. Peter B. Schmidt</b>  <b>Alternates:</b> <b>Rep. Fred Doucette</b> <b>Rep. Sallie Fellows</b> <b>Rep. Jaci Grote</b> <b>Rep. Mary Hakken-Phillips</b> <b>Rep. Wayne MacDonald</b>

The order specified for agenda items listed below are only tentative. The Committee may change the order.

TO ACCESS MEETING PACKETS, PLEASE CLICK ON THIS LINK:

[JLCAR PACKETS](#)

#### 1 CONVENE, SEATING OF ALTERNATES, AND REVIEW MINUTES

#### 2 CONSENT AGENDA

##### Board of Tax and Land Appeals

- (a) FP 2022-195 Organizational Rules for the Board of Tax and Land Appeals  
**APPROVED** Tax 100  
(Was Postponed, JLCAR Deadline June 16, 2023)

##### Governing Board of Occupational Therapists

- (b) FP 2023-5 Administrative Obligations and Ethical Standards  
**APPROVED** Occ 408.13, Occ 501.01, and Occ 502.02  
(JLCAR Deadline July 24, 2023)

##### NH Pharmacy Board

- (c) FP 2023-14 Retail Drug Facility Security  
**APPROVED** Ph 601.10  
(JLCAR Deadline July 21, 2023)

##### Department of Health and Human Services

##### Former Division of Human Services

- (d) FP 2023-34 Medicaid Care Management  
**APPROVED** He-W 506  
(JLCAR Deadline July 24, 2023)
- (e) FP 2023-39 Child and Dependent Care Disregard  
**APPROVED** He-W 654.14  
(JLCAR Deadline July 17, 2023)
- (f) FP 2023-62 Social Security Enumeration  
**APPROVED** He-W 732  
(JLCAR Deadline July 24, 2023)
- (g) FP 2023-64 Financial Assistance to Needy Families  
**APPROVED** He-W 636.02, He-W 636.03, and He-W 636.09  
(JLCAR Deadline July 24, 2023)
- (h) FP 2023-65 Protective and Vendor Payments  
**APPROVED** He-W 686.01  
(JLCAR Deadline July 24, 2023)

**Board of Nursing**

- (i) FP 2023-45 Active in Practice  
**APPROVED** Nur 101.01  
 (JLCAR Deadline July 24, 2023)
- (j) FP 2023-53 Ethical Standards  
**APPROVED** Nur 501.01, Nur 501.02, and Nur 501.03  
 (JLCAR Deadline July 24, 2023)

**Mechanical Licensing Board**

- (l) FP 2023-63 Limitation on Number of Apprentice Plumbers  
**APPROVED** Mec 605.02  
 (JLCAR Deadline July 10, 2023)

**Department of Safety, Commissioner**

- (m) FP 2023-68 Various Carnival-Amusement Rules  
**APPROVED** Saf-C 1400 various  
 (JLCAR Deadline July 24, 2023)

**Department of Administrative Services, Division of Personnel**

- (n) FP 2023-70 Definitions Related to Classification  
**APPROVED** Per 102 various  
 (JLCAR Deadline July 24, 2023)
- (o) FP 2023-71 Classification  
**APPROVED** Per 300  
 (JLCAR Deadline July 24, 2023)

**Department of Revenue Administration**

- (p) FP 2023-73 Nursing Facility Quality Assessment  
**APPROVED** Rev 2700  
 (JLCAR Deadline July 24, 2023)
- (q) FP 2023-77 General Provisions Relating to Administration, Returns, and Taxpayer Records  
**APPROVED** Rev 2900  
 (JLCAR Deadline July 24, 2023)

**Department of Health and Human Services, Commissioner**

- (r) FP 2023-81 Therapeutic Cannabis Program-Alternative Treatment Center Rules  
**APPROVED** He-C 401.16 and He-C 402 various  
 (JLCAR Deadline July 24, 2023)

**Conditional Approval Requests****Board of Tax and Land Appeals**

- (s) FP 2022-196 Rules of Practice and Procedure for the Board of Tax and Land Appeals  
**CONDITIONAL** Tax 201  
**APPROVAL** (Was Postponed, JLCAR Deadline June 16, 2023)
- (t) FP 2022-198 Notice of Tax Date, Exemptions from Property Tax and Filing Fees  
**CONDITIONAL** Tax 300 - Tax 500  
**APPROVAL** (Was Postponed, JLCAR Deadline June 16, 2023)

**Higher Education Commission**

- (u) FP 2023-4 Degree-Granting Higher Education Institutions with a Physical Presence in NH  
**CONDITIONAL** Hedc 400  
**APPROVAL** (JLCAR Deadline July 25, 2023)

**Real Estate Appraiser Board**

- (v) FP 2023-56 Applicability and Waiver of Substantive Rules  
**CONDITIONAL** Rab 200  
**APPROVAL** (JLCAR Deadline July 21, 2023)

**Board of Education**

- (w) INT 2023-2 Regional Career and Technical Education Agreements (RCTEA)  
**CONDITIONAL** Ed 1301.01 and Ed 1304.02  
**APPROVAL** (Was Postponed, JLCAR Deadline August 2, 2023)

**Objection Responses**

**3 REGULAR AGENDA**

**Department of Health and Human Services**

**Former Division of Mental Health and Developmental Services**

- (a) FP 2022-230 Rights of Persons Receiving Developmental Services or Acquired Brain Disorder Services  
in the Community  
**CONDITIONAL**  
**APPROVAL** He-M 310  
(Was Postponed, JLCAR Deadline June 16, 2023)

**Department of Safety, Commissioner**

- (b) FP 2022-159 Readoption of Driver Licensing Rules  
**CONDITIONAL** Saf-C 1000 various  
**APPROVAL** (Was Postponed, JLCAR Deadline June 26, 2023)
- (c) FP 2022-186 Motor Carrier Safety Rules  
**CONDITIONAL** Saf-C 900  
**APPROVAL** (Was Postponed, JLCAR Deadline June 20, 2023)

**Board of Directors, Office of Licensed Allied Health Professionals**

- (d) FP 2022-165 Fees  
**POSTPONED TO** Ahp 301.02  
**7-20-23 MEETING** (Was Postponed, JLCAR Deadline June 26, 2023)

**Board of Tax and Land Appeals**

- (e) FP 2022-197 Procedural Rules for Specific Types of Appeals  
**PRELIMINARY** Tax 202 - Tax 216  
**OBJECTION** (Was Postponed, JLCAR Deadline June 16, 2023)

**Board of Education**

- (f) FP 2022-237 Reading and Writing Teacher and Prep Program  
**APPROVED** Ed 507.52 and Ed 612.02  
(JLCAR Deadline July 21, 2023)

**Board of Medicine**

- (g) FP 2023-18 Definition of Medical Review Subcommittee, Access to Public Records, and Draft Decisions  
**CONDITIONAL** Med 102.08, Med 104.01, and Med 105.03  
**APPROVAL** (Was Postponed, JLCAR Deadline June 16, 2023)

**Assessing Standards Board**

- (h) FP 2023-21 Certification of Assessors  
**CONDITIONAL** Asb 300 various  
**APPROVAL** (Was Postponed, JLCAR Deadline June 16, 2023)

**Department of Environmental Services**

**Air Related Programs**

- (i) FP 2023-29 Prevention, Abatement, and Control of Mobile Source Air Pollution  
**CONDITIONAL** Env-A 1100  
**APPROVAL** (Was Postponed, JLCAR Deadline June 19, 2023)

**Department of Employment Security**

- (k) FP 2023-55 Employer Requirements/Quarterly Reports/Authorized Agents/Filing Requirements  
**CONDITIONAL** Emp 300 various  
**APPROVAL** (JLCAR Deadline July 10, 2023)

**Office of Professional Licensure and Certification**

- (j) FP 2023-96 Court Reporters  
**POSTPONED TO** Plc 1200  
**7-20-23 MEETING** (JLCAR Deadline June 24, 2023)
- (k) FP 2023-51 Fees for Site Visits and Inspections Not Related to Licensure  
**APPROVED** Plc 1001.17  
**WITH** (Was Postponed, JLCAR Deadline June 26, 2023)  
**RECOMMENDATION**
- (l) FP 2023-52 Application-Related Fees for Regulated Professionals  
**POSTPONED TO** Plc 1002  
**7-20-23 MEETING** (Was Postponed, JLCAR Deadline June 26, 2023)
- (m) FP 2023-67 Recreational Therapists  
**POSTPONED TO** Plc 1400  
**7-20-23 MEETING** (Was Postponed, JLCAR Deadline June 26, 2023)

**Board of Nursing**

- (n) FP 2023-69 Renewal, Re-Entry, and Reinstatement  
**CONDITIONAL** Nur 401 various  
**APPROVAL** (JLCAR Deadline July 24, 2023)

**Department of Health and Human Services, Commissioner**

- (o) FP 2023-89 Foster Family Care Licensing Requirements  
**PRELIMINARY** He-C 6446.06, He-C 6446.14, and He-C 6446.15  
**OBJECTION** (JLCAR Deadline July 24, 2023)

**Objection Responses**

**Department of Administrative Services**

- (p) FP 2022-164 Procurement Plant and Property Rules  
Adm 600 and Adm 800  
(Not Received)

**Department of Health and Human Services**

**Former Division of Public Health Services**

- (q) FP 2022-241 Case Management Agencies (CMA)  
He-P 819  
(Not Received)

**4 OTHER BUSINESS**

**NOTES:**

JLCAR Deadlines Noted in Agenda

For OR's and ROR's: Deadline is for sponsoring a joint resolution.

For FP's: Deadline is for approval, or preliminary objection. Otherwise, rule is automatically approved.

For INT's: Deadline is for approval or conditional approval. Otherwise, agency cannot adopt the interim rule.

**Definitions**

FP - Final Proposal	INT - Interim Rule
OR - Preliminary Objection Response	EXP - Expedited Rule
ROR - Revised Objection Response	EXRF - Expedited Revisions to Forms
ER - Emergency Rule	EXIR - Expedited Amendment to Incorporation by Reference