## Bill as Introduced

### **HB 1139 - AS INTRODUCED**

### 2010 SESSION

10-2082 10/09

HOUSE BILL

1139

AN ACT

relative to the regulation of podiatrists by the board of podiatry.

SPONSORS:

Rep. DeJoie, Merr 11

COMMITTEE:

**Executive Departments and Administration** 

### **ANALYSIS**

This bill makes various changes to the regulation of podiatrists and the administration of the board of podiatry.

Explanation:

Matter added to current law appears in bold italics.

Matter removed from current law appears [in brackets and struckthrough.]

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

### STATE OF NEW HAMPSHIRE

### In the Year of Our Lord Two Thousand Ten

AN ACT

relative to the regulation of podiatrists by the board of podiatry.

Be it Enacted by the Senate and House of Representatives in General Court convened:

- 1 Podiatry; Examination Requirement. Amend RSA 315:2, I to read as follows:
- 2 I. Any person admitted to practice podiatry in this state shall be required to pass an
- 3 examination [before the board] given by the National Board of Podiatric Medical Examiners.
- 4 The person shall be of good professional character and at least 18 years of age. The person shall
- 5 have graduated from a college of podiatry or podiatry medicine which is accredited by the American
- 6 Podiatric Medical Association, and maintaining at that time a standard satisfactory to the board. No
- 7 person who is not licensed as a podiatrist as provided by RSA 315:8 shall practice or attempt to
- 8 practice podiatry in the state or call oneself or allow oneself to be called a "podiatrist" or a "podiatric
- 9 surgeon" or designate or describe the person's occupation by the use of any words or letters to lead
- 10 others to believe that the person is so licensed.
- 2 Compensation of Board. RSA 315:3 is repealed and reenacted to read as follows:
- 12 315:3 Compensation. The members of the board shall receive per diem compensation of \$50 for
- 13 meetings and other board activities requiring 2 or more hours in a 24-hour period, and shall be
- 14 reimbursed for travel expenses incurred in connection with the work of the board.
- 15 3 Examinations. Amend RSA 315:7 to read as follows:
- 16 315:7 Examinations. Successful passage of the National Board of Podiatric Medical Examiners
- 17 test parts [1 and 2 as well as PM Lexis] I, II, and III is required. The board shall keep a record of
- 18 examination results.

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- 4 License Renewal. RSA 315:11 is repealed and reenacted to read as follows:
- 20 315:11 License Renewal. Every person licensed to practice under this chapter shall apply to the
- 21 board on a biennial basis for renewal of license on forms provided by the board and shall pay a
- 22 renewal fee as established in rules of the board. If a person applies to the board for renewal of
- 23 license by June 30 of the year in which the licensee's renewal is set to occur, the license shall not
- expire until the board has taken final action on the application for renewal. At least 20 days prior to
- on piro with the board has bandle man devices on the approached for relieval. The leads 20 days prior to
- 25 the expiration of any license, the board shall cause a notice to be mailed to the licensee advising him
- or her of the expiration date and enclosing a blank renewal application form.
  - 5 Neglect to Renew; Reinstatement. RSA 315:12 is repealed and reenacted to read as follows:
- 28 315:12 Neglect to Renew. Any licensee who fails to renew his or her license by June 30 of the
- 29 year in which the licensee's renewal is set to occur, shall be required to pay double the renewal fee if
- 30 paid within 90 days of the expiration date. Any failure, neglect, or refusal on the part of any person
- 31 licensed by the board to renew the license as provided in RSA 315:11 or this section shall

### HB 1139 - AS INTRODUCED - Page 2 -

automatically result in the lapse of the license. Licenses lapsed under this section for nonpayment

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2 within 90 days shall not be reinstated except upon payment of a reinstatement fee as established in 3 rules adopted by the board, and a showing of such evidence of professional competence as the board 4 may reasonably require. 5 6 Notice of Expiration. Amend RSA 315:13 to read as follows: 6 315:13 Notice of Expiration. The secretary shall [also] mail a notice to each holder of a license 7 that has not been renewed within 90 days of the expiration date, advising him or her of the 8 expiration of [his] the license and the penalty of practicing podiatry without holding a license and 9 the condition and terms upon which his or her license may be [revived and renewed] reinstated. 7 New Section; Reinstatement. Amend RSA 315 by inserting after section 13 the following new 10 11 section: 12 315:13-a Reinstatement. Any person who has not renewed his or her license within 90 days of 13 the expiration date shall only have his or her license restored upon the filing of a reinstatement application, accompanied by the reinstatement fee as established by the board, proof of satisfaction 14 15 of continuing podiatric education requirements established by RSA 315:2, II, and such other evidence 16 of professional competence as the board may reasonably require. 17 8 Repeal. The following are repealed: 18 I. RSA 315:8, IV, relative to expiration and renewal of annual licenses.

II. RSA 315:14, relative to list of licensees.

9 Effective Date. This act shall take effect 60 days after its passage.

### HB 1139 - AS AMENDED BY THE HOUSE

17Feb2010... 0491h

### 2010 SESSION

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HOUSE BILL

1139

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SPONSORS:

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### **ANALYSIS**

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AN ACT

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- 1 Podiatry; Examination Requirement. Amend RSA 315:2, I to read as follows:
- 2 I. Any person admitted to practice podiatry in this state shall be required to pass [an] a 3 proctored examination [before the board] given by the National Board of Podiatric Medical 4 Examiners. The person shall be of good professional character [and at least 18 years of age]. The 5 person shall have graduated from a college of podiatry or podiatry medicine which is accredited by 6 the American Podiatric Medical Association, and maintaining at that time a standard satisfactory to 7 the board. No person who is not licensed as a podiatrist as provided by RSA 315:8 shall practice or 8 attempt to practice podiatry in the state or call oneself or allow oneself to be called a "podiatrist" or a 9 "podiatric surgeon" or designate or describe the person's occupation by the use of any words or letters 10 to lead others to believe that the person is so licensed.
- 2 Compensation of Board. RSA 315:3 is repealed and reenacted to read as follows:
  - 315:3 Compensation. The members of the board shall receive per diem compensation of \$50 for meetings and other board activities requiring 2 or more hours in a 24-hour period, and shall be reimbursed for travel expenses incurred in connection with the work of the board.
    - 3 Examinations. Amend RSA 315:7 to read as follows:
  - 315:7 Examinations. Successful passage of [the] a proctored National Board of Podiatric Medical Examiners test, parts [1 and 2 as well as PM Lexis] I, II, and III is required. The board shall keep a record of examination results.
    - 4 License Renewal. RSA 315:11 is repealed and reenacted to read as follows:
- 20 315:11 License Renewal; Inactive Status.
  - I. Every person licensed to practice under this chapter shall apply to the board on a biennial basis for renewal of license on forms provided by the board and shall pay a renewal fee as established in rules of the board. As a condition of renewal of license, each licensee shall show proof of having completed the continuing education units as required in rules adopted by the board.
  - II. If a person applies to the board for renewal of license by June 30 of the year in which the licensee's renewal is set to occur, the license shall not expire until the board has taken final action on the application for renewal. At least 20 days prior to the expiration of any license, the board shall cause a notice to be mailed to the licensee advising him or her of the expiration date and enclosing a blank renewal application form.
    - III. Upon the request of a person licensed by the board who is a member of any reserve

### HB 1139 - AS AMENDED BY THE HOUSE - Page 2 -

- 1 component of the armed forces of the United States or the national guard and is called to active duty,
- 2 the board shall place such person's license on inactive status. The license may be reactivated, after
- 3 notification to the board, within one year of the person's release from active status by payment of the
- 4 renewal fee and with proof of completion of the most current continuing education requirement
- 5 unless still within the renewal period.
- 5 Neglect to Renew; Reinstatement. RSA 315:12 is repealed and reenacted to read as follows:
- 7 315:12 Neglect to Renew. Any licensee who fails to renew his or her license by June 30 of the
- 8 year in which the licensee's renewal is set to occur, shall be required to pay double the renewal fee if
- 9 paid within 90 days of the expiration date. Any failure, neglect, or refusal on the part of any person
- 10 licensed by the board to renew the license as provided in RSA 315:11 or this section shall
- automatically result in the lapse of the license. Licenses lapsed under this section for nonpayment
- 12 within 90 days shall not be reinstated except upon payment of a reinstatement fee as established in
- 13 rules adopted by the board, and a showing of such evidence of professional competence as the board
- 14 may reasonably require.
- 15 6 Notice of Expiration. Amend RSA 315:13 to read as follows:
- 16 315:13 Notice of Expiration. The secretary shall [also] mail a notice to each holder of a license
- 17 that has not been renewed within 90 days of the expiration date, advising him or her of the
- 18 expiration of [his] the license and the penalty of practicing podiatry without holding a license and
- 19 the condition and terms upon which his or her license may be [revived and renewed] reinstated.
- 7 New Section; Reinstatement. Amend RSA 315 by inserting after section 13 the following new
- 21 section:
- 22 315:13-a Reinstatement. Any person who has not renewed his or her license within 90 days of
- 23 the expiration date shall only have his or her license restored upon the filing of a reinstatement
- 24 application, accompanied by the reinstatement fee as established by the board, proof of satisfaction
- 25 of continuing podiatric education requirements established by RSA 315:2, II, and such other evidence
- of professional competence as the board may reasonably require.
- 8 Rulemaking; Continuing Education Requirements. Amend RSA 315:4, V to read as follows:
- V. How a license shall be renewed, including the requirements for continuing education;
- 29 9 Repeal. The following are repealed:
  - RSA 315:8, IV, relative to expiration and renewal of annual licenses.
- 31 II. RSA 315:14, relative to list of licensees.
- 32 III. RSA 315:4, XI, relative to rulemaking regarding matters of proper administration of the
- 33 chapter.

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34 10 Effective Date. This act shall take effect 60 days after its passage.

### CHAPTER 68 HB 1139 – FINAL VERSION

17Feb2010... 0491h 14Apr2010... 1414eba

### 2010 SESSION

10-2082 10/09

HOUSE BILL

1139

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relative to the regulation of podiatrists by the board of podiatry.

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### **ANALYSIS**

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> 10-2082 10/09

### STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Ten

AN ACT

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relative to the regulation of podiatrists by the board of podiatry.

Be it Enacted by the Senate and House of Representatives in General Court convened:

68:1 Podiatry; Examination Requirement. Amend RSA 315:2, I to read as follows:

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- 68:2 Compensation of Board. RSA 315:3 is repealed and reenacted to read as follows:
- 315:3 Compensation. The members of the board shall receive per diem compensation of \$50 for meetings and other board activities requiring 2 or more hours in a 24-hour period, and shall be reimbursed for travel expenses incurred in connection with the work of the board.
- 68:3 Examinations. Amend RSA 315:7 to read as follows:
- 315:7 Examinations. Successful passage of [the] a proctored National Board of Podiatric Medical Examiners test, parts [1 and 2 as well as PM Lexis] I, II, and III is required. The board shall keep a record of examination results.
  - 68:4 License Renewal. RSA 315:11 is repealed and reenacted to read as follows:
- 20 315:11 License Renewal: Inactive Status.
  - I. Every person licensed to practice under this chapter shall apply to the board on a biennial basis for renewal of license on forms provided by the board and shall pay a renewal fee as established in rules of the board. As a condition of renewal of license, each licensee shall show proof of having completed the continuing education units as required in rules adopted by the board.
  - II. If a person applies to the board for renewal of license by June 30 of the year in which the licensee's renewal is set to occur, the license shall not expire until the board has taken final action on the application for renewal. At least 20 days prior to the expiration of any license, the board shall cause a notice to be mailed to the licensee advising him or her of the expiration date and enclosing a

### CHAPTER 68 HB 1139 - FINAL VERSION - Page 2 -

1 blank renewal application form.

III. Upon the request of a person licensed by the board who is a member of any reserve component of the armed forces of the United States or the national guard and is called to active duty, the board shall place such person's license on inactive status. The license may be reactivated, after notification to the board, within one year of the person's release from active status by payment of the renewal fee and with proof of completion of the most current continuing education requirement unless still within the renewal period.

68:5 Neglect to Renew; Reinstatement. RSA 315:12 is repealed and reenacted to read as follows:

315:12 Neglect to Renew. Any licensee who fails to renew his or her license by June 30 of the year in which the licensee's renewal is set to occur, shall be required to pay double the renewal fee if paid within 90 days of the expiration date. Any failure, neglect, or refusal on the part of any person licensed by the board to renew the license as provided in RSA 315:11 or this section shall automatically result in the lapse of the license. Licenses lapsed under this section for nonpayment within 90 days shall not be reinstated except upon payment of a reinstatement fee as established in rules adopted by the board, and a showing of such evidence of professional competence as the board may reasonably require.

68:6 Notice of Expiration. Amend RSA 315:13 to read as follows:

315:13 Notice of Expiration. The secretary shall [also] mail a notice to each holder of a license that has not been renewed within 90 days of the expiration date, advising him or her of the expiration of [his] the license and the penalty of practicing podiatry without holding a license and the condition and terms upon which his or her license may be [revived and renewed] reinstated.

68:7 New Section; Reinstatement. Amend RSA 315 by inserting after section 13 the following new section:

315:13-a Reinstatement. Any person who has not renewed his or her license within 90 days of the expiration date shall only have his or her license restored upon the filing of a reinstatement application, accompanied by the reinstatement fee as established by the board, proof of satisfaction of continuing podiatric education requirements established by RSA 315:4, V, and such other evidence of professional competence as the board may reasonably require.

68:8 Rulemaking; Continuing Education Requirements. Amend RSA 315:4, V to read as follows:

V. How a license shall be renewed, including the requirements for continuing education;

68:9 Repeal. The following are repealed:

- I. RSA 315:8, IV, relative to expiration and renewal of annual licenses.
- II. RSA 315:14, relative to list of licensees.
- 35 III. RSA 315:4, XI, relative to rulemaking regarding matters of proper administration of the chapter.

### CHAPTER 68 HB 1139 - FINAL VERSION - Page 3 -

1	68:10 Rulemaking; Board of Podiatry. Amend RSA 315:4, IX-X to read as follows:
2	IX. The imposition of administrative fines authorized under RSA 315:9, III(f); and
3	X. Information required by the board in its application procedures relative to the applicant's
4	podiatric competence and professional conduct[ <del>; and</del> ].
5	68:11 Effective Date. This act shall take effect 60 days after its passage.
6	Approved: May 19, 2010
7	Effective Date: July 18, 2010

## Committee Minutes

Printed: 03/19/2010 at 10:42 am

### SENATE CALENDAR NOTICE EXECUTIVE DEPARTMENTS AND ADMINISTRATION

Senator Ma Senator Be Senator Mi	artha Fuller tsi DeVries chael Down aron Carson	ing		Bill State Docket Calendar Proof: Ca	
		HEARINGS			•
	7	<b>Tuesday</b>	3/30/20	10	_
EXECUTIVE	DEPARTME	NTS AND ADMINISTRATION	LOB	101	2:00 PM
(Name of Cor	nmittee)		(Place	)	(Time)
		EXECUTIVE SESSION	MAY FOL	LOW	
Comments:	*** HB 122	0 and HB 1416 were previously sch	eduled on 3/2	23/10 ***	
2:00 PM H	IB1220	relative to meals and rentals license	es.		
2:15 PM F	IB1416	making technical corrections to cert			
2:30 PM F	IB268	relative to transfers from the judicia	al branch to th	e executive or l	egislative branches of state
2:45 PM H	HB1139	government. relative to the regulation of podiatr	ists by the boa	rd of podiatry.	
Sponsors: HB1220 Rep. Norman I HB1416 Rep. Susan Al HB268 Rep. Stephen S HB1139 Rep. John DeJ	my Shurtleff	Rep. Susan Almy Rep. Norman Major Rep. David Bettencourt			

## Executive Departments & Administration Committee Hearing Report

**TO:** Members of the Senate

FROM: Patrick Murphy, Legislative Aide

**RE:** Hearing report on HB1139 relative to the regulation of podiatrists by the

board of podiatry.

**HEARING DATE:** March 30, 2010

### **MEMBERS OF THE COMMITTEE PRESENT:**

Senator Cilley (Dist 6), Senator Fuller Clark (Dist 24), Senator DeVries (Dist 18), Senator Carson (Dist 14)

### MEMBERS OF THE COMMITTEE ABSENT:

Senator Downing (Dist 22)

### **Sponsor(s):**

Rep. DeJoie, Merr 11

### What the bill does:

This bill makes various changes to the regulation of podiatrists and the administration of the board of podiatry.

### Supporters of the bill:

Representative Hawkins, House ED&A Committee; Representative Harding, House ED&A Committee; Penny Taylor, Board of Podiatry; Jean Barnes, DHHS/Boards

### Those in opposition to the bill:

None

### Speaking to the bill/Neutral:

None

### Summary of testimony received:

Representative Harding, House ED&A Committee

• This bill clarifies that the exam required to practice podiatry in NH will be a proctored exam given by the National Board of Podiatric Medical Examiners.

- This clarifies that a notice will be issued within 90 days of the expiration date of a license advising the license holder of the penalty of practicing podiatry without a license and the condition and terms upon which his or her license may be reinstated.
- This also allows the Board to address continuing education requirements. Penny Taylor, Board of Podiatry; Jean Barnes, DHHS/Boards
  - This changes the Board compensation from \$5 to \$50 which is consistent with other regulatory boards. About 75% of the regulatory boards are compensated. The money is in the budget (class 50) so the fees will not have to go up. This board meets quarterly.
  - There are currently no national continuing education standards, but the NH rules do have continuing education requirements based on what other states do. The standards were recently increased.

### Funding:

None

### Action:

Senator DeVries made a motion of ought to pass and was seconded by Senator Carson. The vote was 3-0; Senator DeVries will report this bill to the floor.



Date:

March 30, 2010

Time:

3:19 p.m.

Room:

LOB 101

The Senate Committee on Executive Departments and Administration held a hearing on the following:

HB 1139

relative to the regulation of podiatrists by the board of podiatry.

Members of Committee present:

Senator Cilley

Senator Fuller Clark Senator DeVries Senator Carson

The Chair, Senator Jacalyn L. Cilley, opened the hearing on HB 1139 and invited Representative Laurie Harding to introduce the legislation.

Senator Jacalyn L. Cilley, D. 6: I'll open up the hearing on House Bill 1139 and recognize the chair of the House ED&A Committee, Representative Harding, to introduce the bill.

Representative Laurie Harding: Thank you, Madam Chair. Good afternoon. For the record, my name's Laurie Harding and I represent Grafton 11, which is Lebanon.

And I think Ken Hawkins was down here earlier to do our bills, so I'm glad I walked in when I did, because I know he had a conflicting meeting.

Senator Jacalyn L. Cilley, D. 6: He did.

Representative Harding: So I'm pleased to be introducing House Bill 1139, relative to the regulation of podiatrists by the Board of Podiatry. This bill came out of our committee with a vote of 17-0. There was two separate fairly quick subcommittee work sessions on this bill, to really fine tune the language.

The bill primarily is housekeeping. It specifies the name of the exam that will be given for podiatric medicine. It adds the word proctored to the

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National Board Medical Examiner language in line 16. That's something we're trying to do with all of the licensing bills that come through. You'll see on page 2 that it speaks to an expiring license and speaks to renewal within 90 days.

And then lastly, it adds some language so that the Board can write language having to do with continuing education.

This Board is underneath... That's it. Do you have any questions? I believe there are some folks here ...

Senator Jacalyn L. Cilley, D. 6: I've got a couple. We've been trying to work together on these types of issues over the last couple of years. So I was just trying to double check those things that we're trying to be uniform about. For example, on line 30 of page 1, upon the request of a person licensed, if they have to go and serve ...

Representative Harding: Right.

Senator Jacalyn L. Cilley, D. 6: ... their license is placed on inactive status and may be reactivated after notification to the Board within one year of the person's release from active status by payment of the renewal fee and with proof of completion of the most current continuing education requirements, unless within the renewal period. So that's consistent. One of the things we said is, if there's an exam or there are continuing eds or whatever else, we can't just say somebody can be gone for a period of time and then not have to meet any of those requirements.

Representative Harding: Right.

Senator Jacalyn L. Cilley, D. 6: Because it sort of says something about our belief that those requirements are necessary, doesn't it?

Representative Harding: That's correct.

<u>Senator Jacalyn L. Cilley, D. 6</u>: So that's consistent with what we've done on the others.

Representative Laurie Harding: Yeah. And the language regarding proctoring and also making sure that there's ...

Senator Jacalyn L. Cilley, D. 6: And where is that again. Oh, this is ...

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Representative Harding: That's on page 1, line 16. And then also making sure that there is a provision for continuing education. And that's on page 2, on line 28.

Senator Jacalyn L. Cilley, D. 6: So you're not putting that in statute. You're going to allow that to go into rulemaking.

Representative Harding: Yes, and that's fairly common, for boards to be able to, they need to be able to clarify exactly what they're going to do for continuing education.

Senator Jacalyn L. Cilley, D. 6: But typically in the statute it would say, need, you know, either number of hours or the credits.

Representative Harding: Podiatric, I don't believe that podiatric medicine has those kinds of national requirements that organizations do. For example, nursing assistants have a national requirement that they have 12 units a year of continuing education.

Senator Jacalyn L. Cilley, D. 6: Right, and usually that's what I see in statute.

Representative Harding: Right.

Senator Jacalyn L. Cilley, D. 6: Either the continuing, the units or the time.

Representative Harding: Right, right. But in this case, because it's not driven by a national entity, I don't believe that they have said, other than putting it in rule that there's no need for it to be specific here.

Senator Jacalyn L. Cilley, D. 6: Okay. Are there other questions? Representative Harding, thank you very much. This looks, and I just read the House blurb, and it does indeed say that it's housekeeping. It looked more formidable than that, and I wasn't sure what had changed from the original statute, not having gotten back to it yet. So good.

Representative Harding: Good. I'll hang around for a few minutes just in case.

Senator Jacalyn L. Cilley, D. 6: Okay. And so, Penny Taylor.

Ms. Jean Barnes: And Jean Barnes.

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<u>Senator Jacalyn L. Cilley, D. 6</u>: Absolutely, that's great. Anytime you're ready, sorry.

Ms. Penny Taylor: Good afternoon, that's okay. For the record, I'm Penny Taylor, I'm the administrator for the Board of Podiatry. I'm just here to say the Board is in support of this bill and if you have any questions, I'd be happy to answer them.

Senator Jacalyn L. Cilley, D. 6: Okay. Any questions for Ms. Taylor? Senator Carson.

<u>Senator Sharon M. Carson, D. 14</u>: Thank you. I'm looking at page 1 under compensation, and I've also read the blurb from the House where it said that they're going, that they raised the per diem compensation. How much was it raised?

Ms. Taylor: It was from \$5 to \$50.

Senator Sharon M. Carson, D. 14: \$5 to \$50, okay.

Ms. Taylor: Our board members, at the present time, as they come don't even want the check for \$5 so we don't even submit per diem. Because by the time they get it, it's \$2 and something. We're trying to make them consistent with the other boards.

Senator Sharon M. Carson, D. 14: Okay.

Senator Jacalyn L. Cilley, D. 6: And it's interesting that you say that, because I was going to ask Jean that question. So many committees and commissions that we see, you know, established don't receive any compensation for the time that they serve. So are you suggesting that most or all of the boards, these are regulatory boards that we're talking about. Okay, I thought I saw you going like this. So these are regulatory boards and do all board members receive compensation?

Ms. Barnes: I can say of the 21 boards that I have, well, I won't even go through them. But I would say 75 percent, yes.

<u>Senator Jacalyn L. Cilley, D. 6</u>: Wouldn't we want them all to be consistent?

Ms. Jean Barnes: Yes. And I think once, this board would be part of the consolidation if Senate Bill 499 passes. And once, if, I should say once the

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board consolidation, then we can look at all of those things and try to make, I would like to try to make everything as equal as I can.

Senator Jacalyn L. Cilley, D. 6: Okay.

Ms. Barnes: I mean, Allied Health right now has six or seven boards under them and I believe they have \$50. Is Dental \$50?

Ms. Taylor: I'm not sure.

Ms. Barnes: I have all that in my office if you want to see it. But there would be some consistency once these smaller boards were consolidated. This is one of them.

Ms. Taylor: I have three other boards besides the Board of Medicine. They all get \$50.

Senator Jacalyn L. Cilley, D. 6: Okay.

Ms. Taylor: And those will be part of the consolidation, if it passes.

<u>Senator Jacalyn L. Cilley, D. 6</u>: Well, takes you out for a nice lunch. Okay. Other questions?

Ms. Barnes: I should also tell you that the money is in the budget.

Senator Jacalyn L. Cilley, D. 6: Oh, thank you.

Ms. Barnes: And they will not have to raise their fees. They have money in Class 50 already for their \$5 and it's budgeted, so this \$45 is really not going to be that much, affected by it. Because it's also in there in case they need help or they have hearings. See written submission from Jean Barnes attached hereto and hereafter referred to as Attachment 1.

Ms. Taylor: And they meet quarterly, they don't meet monthly. There's five of them, so they meet four times a year.

Senator Jacalyn L. Cilley, D. 6: Oh, okay.

Ms. Barnes: So there's plenty of money in the budget. And there's also plenty of money...

Representative Laurie Harding: Don't say that too loudly.

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Ms. Taylor: I think they already took it for this year.

Ms. Barnes: They already took it for this year, but I don't think we took it

for next year.

Senator Jacalyn L. Cilley, D. 6: Senator DeVries.

Senator Betsi DeVries, D. 18: Thank you, Madam Chair. I'm sure that you heard the question that our chair offered in reference to continuing education. And I note that the examination is a National Board of Podiatric, am I saying that right? Medical Examiners. So there is a national association of some level for the test?

Ms.Taylor: Yes.

Senator Betsi DeVries, D. 18: But no standards for continuing education, is that what I understand.

<u>Ms.Taylor</u>: That correct. We do have it in our rules already, but we noticed when this went through the last hearing, that there was nothing in the law that mentioned continuing ed. But we have a whole section of continuing ed in our rules.

Senator Betsi DeVries, D. 18: Follow-up question if I might?

Senator Jacalyn L. Cilley, D. 6: Uhum.

<u>Senator Betsi DeVries, D. 18</u>: How have you, do you review your continuing ed requirements with that of other states to decide if we are less lenient or more lenient on our podiatrists?

Ms.Taylor: Yeah, the Boards actually go to meetings that meet with other boards around the states and compare what we require to what they require. We actually just upped the amount last year or the year before, of hours that they get every two years.

Senator Betsi DeVries, D. 18: Very well, thank you.

Senator Jacalyn L. Cilley, D. 6: Any further questions? Alright, with that I'll close the hearing on House Bill 1139.

Hearing concluded at 3:29 p.m.

Respectfully submitted,

Cather S. Muh

Catherine S. Mullen Senate Secretary

3/31/10

1 Attachment

Affacharanit I

### STATE OF NEW HAMPSHIRE OFFICE OF LEGISLATIVE BUDGET ASSISTANT **FISCAL NOTE WORKSHEET**

Date Sent to Agen	cy: 2/23/10		LSR #:	10		
Agency: DHHS/	Admin Attached Bo	ds	– Bill #:	Bill #: HB 1139		
Due to LBAO: 3/	/3/10		Amendment #(s):	0491h		
			Correction to prior response? (Y/N):			
State Fund(s) Affe	<u>cted:</u>					
General: 100%	F	ederal:	Of	ther: 		
	FIRST B	ENNIUM SECOND BI		SIENNIUM	7	
	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	
State Revenue	-0-	-0-	-0-	-0-	-0-	
State Expenditure	-0-	-0-	-0-	-0-	-0-	
Net State Impact	-0-	-0-	-0-	-0-	-0-	
County Revenue						
County Expenditure				<del></del>		
Net County Impact						
Local Revenue						
Local Expenditure						
Net Local Impact						

 List only the <u>amount of change</u> in the appropriate column.
 Place all negative numbers in parenthesis.
 You may replicate this worksheet.
 Refer to <u>Guidelines for Fiscal Note Worksheets</u> for further information. NOTE:

(A)	ASSUMPTIONS: Explain how estimate was derived. Describe costs that can be absorbed without additional funding. If no estimate can be prepared, explain why in detail. If no fiscal impact, explain why in detail.
	HB 1139, if adopted, would change the National Board of Podiatric Medical Examiners test and License Renewal; Inactive Status requirements. It is assumed that these new requirements will not result in an increase in costs. Funds are budgeted in FY 10/11 in Class 020 sufficient to cover these expenses.
(B)	METHOD: Show calculations used to determine fiscal impact. Calculations must agree with and explain totals on first page.  N/A
(C)	ESTIMATED FISCAL IMPACT (from A and B): Estimated Fiscal Impact must agree with the totals on first page.  N/A

(D)	ADDITIONAL COUNTY, LOCAL OR LONG-RANGE EFFECTS: N/A
(E)	TECHNICAL OR MECHANICAL DEFECTS: Note any conflicts with existing law. Do no comment on the merits of the legislation.  N/A
(F)	OTHER COMMENTS: Include tax variables, federal mandates, etc.  N/A
AGE	NCY REPRESENTATIVE PREPARING WORKSHEET:
	A. Barnes
Nam	ne/Signature
Final Title	ncial Manager 271-4335 , Agency and Phone Number
3/5/1	
Date	

### Speakers

### Senate Executive Departments and Administration Committee: Sign-In Sheet

Date: March 30, 2010	Time: 2:45 pm Public	Hearing on	HB 1139				
HB 1139 relative to the regulation of podiatrists by the board of podiatry							
Name PLEASE PRINT	Representing						
Ken Hawkins	House FD+A	Support	Oppose	Speaking?	Yes	No	
Esize Hoding	Howas SDAC	Support	Oppose	Speaking?	Yes	No	
Penny Taylor	Board of Podiatry	Support	Oppose	Speaking?	Yes Ž	No	
Sear Barres	DHH3/Boards	Support	Oppose	Speaking?	Yes X	No	
		Support	Oppose	Speaking?	Yes	No	
		Support	Oppose	Speaking?	Yes	No	
		Support	Oppose	Speaking?	Yes	No	
		Support	Oppose	Speaking?	Yes	No	
		Support	Oppose	Speaking?	Yes	No	
		Support	Oppose	Speaking?	Yes	No	
		Support	Oppose	Speaking?	Yes	No	
		Support	Oppose	Speaking?	Yes	No	
		Support	Oppose	Speaking?	Yes	No	
		Support	Oppose	Speaking?	Yes	No	
		Support	Oppose	Speaking?	Yes	No	
		Support	Oppose	Speaking?	Yes	No	
		Support	Oppose	Speaking?	Yes	No	
		Support	Oppose	Speaking?	Yes	No	

Support

Oppose

No

Yes

Speaking?

### Voting Sheets

### Senate ED&A Committee

### EXECUTIVE SESSION

	10			Bill # HB	1139
Hearing date: 3-30	10	-			
Hearing date: 3-30  Executive session date: 3	-30-10	_			
Motion of:				<b>VOTE</b> : 3-	-0
Made by  Senator:  Fuller Clark  DeVries  Downing  Carson	Seconded by Senator:	Cilley Fuller Clark DeVries Downing Carson		Reported by Senator:	Cilley  Fuller Clark  DeVries  Downing  Carson
Motion of:				VOTE:	
Made by Cilley Senator: Fuller Clark DeVries Downing Carson	Seconded by Senator:	Cilley Fuller Clark DeVries Downing Carson		Reported by Senator:	Cilley
Committee Member Senator Cilley, Chairman	<u>Present</u>	<u>Yes</u>		<u>No</u>	Reported out by
Senator Fuller Clark, Vice-Chair	<u> </u>		•/	H	
Senator DeVries					
Senator Downing					
Senator Carson	<b>-</b>				
*Amendments:					
Notes:					

# Committee Report

### STATE OF NEW HAMPSHIRE

### **SENATE**

### REPORT OF THE COMMITTEE

Date: March 30, 2010

THE COMMITTEE ON Executive Departments and Administration to which was referred House Bill 1139

AN ACT

relative to the regulation of podiatrists by the board of podiatry.

Having considered the same, the committee recommends that the Bill:

**OUGHT TO PASS** 

BY A VOTE OF: 3-0

AMENDMENT# s

Senator Betsi DeVries For the Committee

Cathy Mullen 271-3067

New Hampshire General Court - Bill Status System

### **Docket of HB1139**

**Docket Abbreviations** 

Bill Title: relative to the regulation of podiatrists by the board of podiatry.

Official Docket of HB1139:

Date	Body	Description
12/10/2009	н	Introduced $1/6/2010$ and Referred to Executive Departments and Administration; HJ 6, PG.230
01/20/2010	H	Public Hearing: 1/27/2010 10:00 AM LOB 306
01/27/2010	н	Subcommittee Work Session: 2/2/2010 9:00 AM LOB 308
02/02/2010	н	Subcommittee Work Session: 2/9/2010 9:00 AM LOB 306
02/04/2010	Н	Executive Session: 2/9/2010 10:30 AM LOB 306
02/09/2010	Н	Committee Report: Ought to Pass with Amendment #0491h for Feb 17 CC (Vote 17-0); <b>HC</b> 14, PG.586
02/09/2010	Н	Proposed Committee Amendment #0491h; HC 14, PG.619-620
02/17/2010	Н	Amendment #0491h Adopted, VV; HJ 18, PG.952
02/17/2010	Н	Ought to Pass with Amendment #0491h: MA VV; H3 18, PG.952
03/03/2010	s	Introduced and Referred to Executive Departments and Administration
03/19/2010	5	Hearing: March 30, 2010, Room 101, LOB, 2:45 p.m.; SC12A
03/31/2010	s	Committee Report: Ought to Pass 4/7/10; SC14
04/07/2010	s	Ought to Pass, MA, VV; OT3rdg; SJ 13, Pg.276
04/07/2010	s	Passed by Third Reading Resolution; SJ 13, Pg.282
04/14/2010	н	Enrolled Bill Amendment #1414 Adopted; HJ 32, PG.1589
04/14/2010	s	Enrolled Bill Amendment #1414, Adopted; \$1 14, Pg.299
04/21/2010	S	Enrolled; SJ 15, Pg.331
04/21/2010	н	Enrolled; HJ 35, PG.1671
05/24/2010	н	Signed by the Governor 05/19/2010; Effective 07/18/2010; Chapter 0068

NH House		NH Senate		Contact Us	
	New Hampshire	General Court Information	on Systems		
	107 North Main Street -	State House Room 31,	Concord NH 03301		

### Other Referrals

### **COMMITTEE REPORT FILE INVENTORY**

HB 1139 ORIGINAL REFERRAL RE-REFERRAL

<ol> <li>This inventory is to be signed and dated by the Committee Secretary and placed inside the folder as the first item in the Committee File.</li> <li>Place all documents in the folder following the inventory in the order listed.</li> <li>The documents which have an "X" beside them are confirmed as being in the folder.</li> <li>The completed file is then delivered to the Calendar Clerk.</li> </ol>
<b>DOCKET</b> (Submit only the latest docket found in Bill Status)
COMMITTEE REPORT
CALENDAR NOTICE on which you have taken attendance
HEARING REPORT (written summary of hearing testimony)
HEARING TRANSCRIPT (verbatim transcript of hearing) List attachments (testimony and submissions which are part of the transcript) by number [1 thru 4 or 1, 2, 3, 4] here:
SIGN-UP SHEET
ALL AMENDMENTS (passed or not) CONSIDERED BY COMMITTEE:  - AMENDMENT #
ALL AVAILABLE VERSIONS OF THE BILL:  AS INTRODUCED  FINAL VERSION  AS AMENDED BY THE SENATE  AS AMENDED BY THE SENATE
PREPARED TESTIMONY AND OTHER SUBMISSIONS (Which are <u>not</u> part of the transcript) List by letter [ <u>a thru g</u> or <u>a, b, c, d</u> ] here:
EXECUTIVE SESSION REPORT
OTHER (Anything else deemed important but not listed above, such as amended fiscal notes):
IF YOU HAVE A RE-REFERRED BILL, YOU ARE GOING TO MAKE UP A DUPLICATE FILE FOLDER
Date delivered to Senate Clerk 9-14-10 Committee Secretary