

Bill as Introduced

HB 1338 - AS INTRODUCED

2012 SESSION

12-2069
10/01

HOUSE BILL **1338**

AN ACT relative to failure to renew a professional or occupational license.

SPONSORS: Rep. Mirski, Graf 10; Rep. D. McGuire, Merr 8; Rep. C. McGuire, Merr 8; Rep. Manuse, Rock 5; Rep. Warden, Hills 7; Rep. Winter, Merr 3; Rep. Pratt, Hills 7; Rep. Itse, Rock 9; Rep. Comerford, Rock 9; Sen. Forsythe, Dist 4; Sen. De Blois, Dist 18

COMMITTEE: Executive Departments and Administration

ANALYSIS

This bill provides that the failure to complete a renewal of a professional or occupational license issued by a state board, commission, or agency shall not require re-licensure.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to failure to renew a professional or occupational license.

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

1 1 New Section; Reinstatement of Lapsed or Expired Licenses. Amend RSA 332-G by inserting
2 after section 7 the following new section:

3 332-G:8 Reinstatement of Lapsed or Expired Licenses.

4 I. Any lapse or expiration of a licensee's professional or occupational license under this title
5 for failure to reapply for renewal or to complete renewal requirements, or to pay a fee, shall not
6 result in the requirement that the licensee undergo re-licensure, or require that the person qualify
7 anew as an original licensee, including the passing of an examination or obtaining additional
8 training. A renewal for such lapse or expiration of licensure may include additional fees for late
9 renewal or reinstatement.

10 II. The provisions for reinstatement of a lapsed or expired license under paragraph I shall
11 not apply to a revocation or suspension related to disciplinary proceedings.

12 2 Repeals. The following are repealed:

13 I. RSA 310-B:13-a, II, relative to qualifying anew after a lapsed real estate appraiser license.

14 II. RSA 331-A:18, II, relative to qualifying anew after a lapsed real estate practice license.

15 3 Effective Date. This act shall take effect 60 days after its passage.

Speakers

Hearing Minutes

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

PUBLIC HEARING ON HB 1338

BILL TITLE: relative to failure to renew a professional or occupational license.

DATE: 01/19/12

LOB ROOM: 306 **Time Public Hearing Called to Order:** 2:35

Time Adjourned: 3:25

(please circle if present)

Committee Members: Reps. McGuire, Hawkins, P. Brown, Sytek, Day, Pratt, Vita, Perkins, Winter, Bowers, Hansen, Proulx, Whitehead, P. Schmidt, Pilotte, Jeudy and Sullivan.

Bill Sponsors: Rep. Mirski, Graf 10; Rep. D. McGuire, Merr 8; Rep. C. McGuire, Merr 8; Rep. Manuse, Rock 5; Rep. Warden, Hills 7; Rep. Winter, Merr 3; Rep. Pratt, Hills 7; Rep. Itse, Rock 9; Rep. Comerford, Rock 9; Sen. Forsythe, Dist 4; Sen. De Blois, Dist 18

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

① *Rep. Pau. Mirski - Introduction

Rep Hawkins - in most educations there is a continuing education.

Rep. Mirski - all persons need to reeducate themselves to be able to pick up license.

Rep. Hawkins - FHA to get loans, for continuing education

Rep. Day - Time frame?

Rep. Whitehead- What purpose does it service to renew license

Rep. Mirski - ?

Rep. Winters - would you object to renew license?

Rep. Mirski - Yes

② *John Raymond, State Farm Marshals office, Concord NH - current minimum of training

Rep. Day - 2nd time this wk- no signature.

John Raymond - will correct, needs to be licensed.

Rep. Schmidt – who

John Raymond – Asso. Comm. Sweeney

Rep Sytek – suppose someone who had decided “not his way to go”

John Raymond – will work with them.

③ *Leslie Melby, NH Hospital Assoc., Concord NH – supports licensure, renewal requires registration

Rep. Whitehead – what does 1 in that profession have to do to get re licensed?

④ *John Martin, DHHS, Concord NH – Concern – no time limit

Rep. Schmidt – ongoing supply of new people to replace those that leave.

John Martin – Yes, they do onsite inspection when licensees come back. This is done multiple times during the year.

Rep. Sytek – is it January that people come back?

John Martin – 1 year rules

Ray Jarvis, Dentist, Concord NH, Dental Board – had a problem with dental hygienists to relicense. They have 30 days

⑤ *Tina Kelly, Allied Hlth Board, Concord NH – relicensing – 10 days minimal. If they are out of practice for 6 years, take test.

Doug Hall – Chg. Of respiratory care, Weare NH

Rep. Manuse – If removes red tape, not to worry about gov't shutting them done.

Respectfully submitted,

Rep Carol Vita

Rep. Carol Vita, Clerk

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

PUBLIC HEARING ON HB 1338

BILL TITLE: relative to failure to renew a professional or occupational license.

DATE:

LOB ROOM: 306

Time Public Hearing Called to Order:

2:35
3:25

Time Adjourned:

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Committee Members: Reps. McGuire, Hawkins, P. Brown, Sytek, Day, Pratt, Vita, Perkins, Winter, Bowers, Hansen, Proulx, Whitehead, P. Schmidt, Pilotte, Judy and Sullivan.

Bill Sponsors: Rep. Mirski, Graf 10; Rep. D. McGuire, Merr 8; Rep. C. McGuire, Merr 8; Rep. Manuse, Rock 5; Rep. Warden, Hills 7; Rep. Winter, Merr 3; Rep. Pratt, Hills 7; Rep. Itse, Rock 9; Rep. Comerford, Rock 9; Sen. Forsythe, Dist 4; Sen. De Blois, Dist 18

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

- * REP PAUL MIRSKI - INTRODUCTION
- REP HAWKINS - IN MOST EDUCATIONS THERE IS A CONTINUING ED -
- REP MIRSKI - ALL PERSONS NEED TO REEDUCATE THEMSELVES TO BE ABLE TO PICK UP LICENSE
- REP HAWKINS - FHA TO GET LOANS - FOR CONTINUING EDUCATION
- REP DAY - TIME FRAMES ?
- REP MIRSKI - ~~SPECIFICALLY WHO~~
- REP DAY - YES
- REP MIRSKI -
- REP WHITEHEAD - WHAT PURPOSE DOES IT SERVE TO RENEW LIC.
- REP MIRSKI - ? WOULD YOU OBJECT TO RENEW LIC.
- REP WINTERS - YES
- REP MIRSKI - CURRENT MINIMUM OF TRAINING
- * JOHN RAYMOND - 2ND TIME THIS WK. NO SIGNATURE
- REP DAY - WILL CORRECT - NEEDS TO BE RELICENSED
- JOHN RAYMOND -

- REP SCHMIDT - WHO
 JOHN RAYMOND - ASST Com, SWEENEY
 REP SYTEK - SUPPOSE SOMEONE WHO HAD DECIDED "NOT
 HIS WAY TO GO"
 JOHN RAYMOND - WILL WORK W/THEM -
 *JES LIE MELBY - SUPPORTS LICENSURE -
 RENEWAL REQUIRES REGISTRATION
 REP WHITEHEAD - WHAT DOES 1 IN THAT PROFESSION HAVE TO
 DO TO GET RELICENSED.
 *JOHN MARTIN - CONCERN - NO TIME LIMIT -
 REP SCHMIDT - ONGOING SUPPLY OF NEW PEOPLE TO REPLACE
 THOSE THAT LEAVE
 JOHN MARTIN - YES - THEY DO ON SIGHT INSPECTION WHEN
 PEOPLE LICENSEES COME BACK.
 THIS IS DONE MULTIPLE TIMES DURING THE
 YEAR
 REP SYTEK - ~~WHAT IS STA~~ IS IT STATUTORY THAT PEOPLE
 COME BACK
 JOHN MARTIN - 1 YEAR - RULES
 RAY JARVIS - HAD A PROBLEM W/DENTAL HYGIENISTS
 DENTIST TO RELICENSE
 A ~~COUPLE~~ THEY HAVE 30 days to LICENSE
 *TINA KELLY - RELICENSING - 30 DAYS - MINIMAL
 IF THEY ARE OUT OF PRACTICE FOR 6 YRS - TAKE TEST
 DOUG HALL - CHG OF RESPIRATORY CARE AT
 REP MANUSE - ~~IF PEOPLE WANT TO BE RELICENSED -~~
 IT REMOVES RED TAPE - NOT TO WORRY ABOUT
 GOVT SHUTTING THEM DOWN

Sub-Committee Actions

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SUBCOMMITTEE WORK SESSION ON HB 1338

BILL TITLE: relative to failure to renew a professional or occupational license.

DATE: 2/09/2012

Subcommittee Members: Reps. Bowers, Day, Schmidt, Sytek, Vita

Comments and Recommendations:

Amendments:

Sponsor: Rep.	OLS Document #:
Sponsor: Rep.	OLS Document #:
Sponsor: Rep.	OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Vita

Seconded by Rep. Day

Vote: 5--0

Respectfully submitted,

Rep. John Sytek
Subcommittee Chairman/Clerk

Subcommittee had heard testimony that boards already had procedures in place for, lapses due to oversight. The scope of bill, which was to permit short anyone to come back and be relicensed after an absence of indefinite duration was considered to be overboard.

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SUBCOMMITTEE WORK SESSION ON HB 1338

BILL TITLE: relative to failure to renew a professional or occupational license.

DATE: 2-9-12

Subcommittee Members: Reps. BOWERS DAY SCHMIOT SYTEK VITA

Comments and Recommendations:

Amendments:

Sponsor: Rep.	OLS Document #:
Sponsor: Rep.	OLS Document #:
Sponsor: Rep.	OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:


Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. VITA

Seconded by Rep. DAY

Vote: 5-0

Respectfully submitted,

Rep. SYTEK 
Subcommittee Chairman/Clerk

Subcommittee had heard testimony that boards already had procedures in place for lapses due to oversight. The scope of bill, which was to permit short anyone to come back & be relicensed after an absence of indefinite duration was considered to be overbroad.

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SUBCOMMITTEE WORK SESSION ON HB 1338

BILL TITLE: relative to failure to renew a professional or occupational license.

DATE: October 4, 2012

Subcommittee Members: Reps. Bowers, Pilotta, Vita, and Proulx

Comments and Recommendations: Formally agreed to not recommend legislation per previous discussion.

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: Recommended or Not Recommended for Future Legislation (Please circle one.)

Moved by Rep. Bowers

Seconded by Rep. Vita

Vote: 2-0

Motions: Recommended or Not Recommended for Future Legislation (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Rep. Spec Bowers
Subcommittee Chairman/Clerk

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SUBCOMMITTEE WORK SESSION ON HB 1338

BILL TITLE: relative to failure to renew a professional or occupational license.

DATE: October 4, 2012

Subcommittee Members: Reps. Bowers, Pilotte, and Proulx, Vita

Comments and Recommendations:

Amendments:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Motions: Recommended or Not Recommended for Future Legislation (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Motions: Recommended or Not Recommended for Future Legislation (Please circle one.)

Moved by Rep. *Bowers*

Seconded by Rep. *Vita*

Vote: *2-0*

Respectfully submitted,

Rep. *Bowers*

Subcommittee Chairman/Clerk

formally agreed to not recommend legislation per previous discussion

Sub-Committee Minutes

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SUBCOMMITTEE WORK SESSION ON HB 1338

BILL TITLE: relative to failure to renew a professional or occupational license.

DATE: 1/25/12

Subcommittee Members: Reps. Bowers, Day, Schmidt, Sytek, Vita

Comments and Recommendations:

Amendments:

Sponsor: Rep.	OLS Document #:
Sponsor: Rep.	OLS Document #:
Sponsor: Rep.	OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. We discussed issue. Consensus was that a more tightly drawn amendment would be necessary. There were too many problems with bill as submitted. E.G. should all professionals be treated the same? time limits? some evidence of competence to be shown?

Seconded by Rep.

Vote:

Respectfully submitted,

Rep. Sytek
Subcommittee Chairman/Clerk

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SUBCOMMITTEE WORK SESSION ON HB 1338

BILL TITLE: relative to failure to renew a professional or occupational license.

DATE: 1-25-12

Subcommittee Members: Reps. Bowers, Day, Schmeltz, Sytek Vita

Comments and Recommendations:

Amendments:

Sponsor: Rep.	OLS Document #:
Sponsor: Rep.	OLS Document #:
Sponsor: Rep.	OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep. *None*

Vote:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep. *None*

Vote:

Respectfully submitted,

Rep. *SYTEK*
Subcommittee Chairman/Clerk

We discussed issue. Concern was that a more tightly drawn amendment would be necessary. There were too many problems with bill as submitted. E.G. Should all professions be treated the same? time limits? Some evidence of competence to be shown?

- HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION
SUBCOMMITTEE WORK SESSION ON HB 1338

BILL TITLE: relative to failure to renew a professional or occupational license.

DATE: 2/02/12

Subcommittee Members: Reps. Sytek-Chair, Bowers, Day, Schmidt, Vita

Comments and Recommendations:

Amendments:

Sponsor: Rep.	OLS Document #:
Sponsor: Rep.	OLS Document #:
Sponsor: Rep.	OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Rep. Sytek
Subcommittee Chairman/Clerk

PASSED OVER

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION
SUBCOMMITTEE WORK SESSION ON HB 1338

BILL TITLE: relative to failure to renew a professional or occupational license.

DATE: 2/02/12

Subcommittee Members: Reps. Sytek-Chair, Bowers, Day, Schmidt, Vita

Comments and Recommendations:

Amendments:

Sponsor: Rep.	OLS Document #:
Sponsor: Rep.	OLS Document #:
Sponsor: Rep.	OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

PASSED OVER

Respectfully submitted,
Rep. SYTEK
Subcommittee Chairman/~~Clerk~~

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SUBCOMMITTEE WORK SESSION ON HB 1338

BILL TITLE: relative to failure to renew a professional or occupational license.

DATE: June 15, 2012

Subcommittee Members: Reps. Bowers, Pilotte and Proulx

Comments and Recommendations: Organizational – Discussed how to proceed. Is there a need? Which occupations?

Amendments:

Sponsor: Rep.	OLS Document #:
Sponsor: Rep.	OLS Document #:
Sponsor: Rep.	OLS Document #:

Motions: Recommended or Not Recommended for Future Legislation (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Motions: Recommended or Not Recommended for Future Legislation (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Rep. Bowers
Subcommittee Chairman/Clerk

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SUBCOMMITTEE WORK SESSION ON HB 1338

BILL TITLE: relative to failure to renew a professional or occupational license.

DATE: June 15, 2012

Subcommittee Members: Reps. Bowers, Pilôtte, and Proulx

Comments and Recommendations:

organizational - discussed how to proceed. Is there a need? Which occupations?

Amendments:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Motions: Recommended or Not Recommended for Future Legislation (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Motions: Recommended or Not Recommended for Future Legislation (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Rep. *Bowers*
Subcommittee Chairman/Clerk

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SUBCOMMITTEE WORK SESSION ON HB 1338

BILL TITLE: relative to failure to renew a professional or occupational license.

DATE: June 22, 2012

Subcommittee Members: Reps. Bowers, Pilotte, and Proulx

Comments and Recommendations: Discussed criteria for deciding when late renewal might not impair a person's qualifications. Concluded that occupations without CEU requirements would be good candidates for allowing late renewal. Examined list of professions for CELL requirements. Decided to defer further work until sponsor prepares evidence.

Amendments:

Sponsor: Rep.	OLS Document #:
Sponsor: Rep.	OLS Document #:
Sponsor: Rep.	OLS Document #:

Motions: Recommended or Not Recommended for Future Legislation (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Motions: Recommended or Not Recommended for Future Legislation (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Rep. Spec Bowers
Subcommittee Chairman/Clerk

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SUBCOMMITTEE WORK SESSION ON HB 1338

BILL TITLE: relative to failure to renew a professional or occupational license.

DATE: June 22, 2012

Subcommittee Members: Reps. Bowers, Pilotte, and ~~Proulx~~

Comments and Recommendations:

Amendments:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Motions: Recommended or Not Recommended for Future Legislation (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Motions: Recommended or Not Recommended for Future Legislation (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Rep. Bowers

Subcommittee Chairman/Clerk

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HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SUBCOMMITTEE WORK SESSION ON HB 1338

BILL TITLE: relative to failure to renew a professional or occupational license.

DATE: September 18, 2012

Subcommittee Members: Reps. Bowers, Pilotte, and Proulx

Comments and Recommendations: Not enough members to have a meeting.

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: Recommended or Not Recommended for Future Legislation (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Motions: Recommended or Not Recommended for Future Legislation (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Rep. Spec Bowers
Subcommittee Chairman Clerk

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SUBCOMMITTEE WORK SESSION ON HB 1338

BILL TITLE: relative to failure to renew a professional or occupational license.q

DATE: September 18, 2012

Subcommittee Members: Reps. ~~Bowers~~, Pilotte, and Proulx

Comments and Recommendations:

Amendments:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Motions: Recommended or Not Recommended for Future Legislation (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Motions: Recommended or Not Recommended for Future Legislation (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Rep. *Bowers*

Subcommittee Chairman/Clerk

not enough members to have a meeting

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SUBCOMMITTEE WORK SESSION ON HB 1338

BILL TITLE: relative to failure to renew a professional or occupational license.

DATE: September 20, 2012

Subcommittee Members: Reps. Bowers, Pilotte, and Proulx

Comments and Recommendations: Informally agreed to not recommend future legislation. Formal vote will be at future date. (Probably 10/4) to approve specific wording.

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: Recommended or Not Recommended for Future Legislation (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Motions: Recommended or Not Recommended for Future Legislation (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Rep. Spec Bowers
Subcommittee Chairman/Clerk

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SUBCOMMITTEE WORK SESSION ON HB 1338

BILL TITLE: relative to failure to renew a professional or occupational license.

DATE: September 20, 2012

Subcommittee Members: Reps. Bowers, Pilotte, and Proulx

Comments and Recommendations:

informally agreed to not recommend future legislation. formal vote will be at future date (probably 10/4) to approve specific wording

Amendments:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Motions: Recommended or Not Recommended for Future Legislation (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Motions: Recommended or Not Recommended for Future Legislation (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Rep. *Bowers*
Subcommittee Chairman/Clerk

Testimony

HB 1338
BOARD OF DENTAL EXAMINERS

January 19, 2012

Position Paper

①
PAUL MIRSKY

REINSTATEMENT OF LICENSE

License registration forms are mailed out on February 1st and are due back before April 1st. We give licensees information in their registration instructions regarding late registration and lapsed licenses.

In the past, there was a problem with late registrations. It took at least 5 months for the Board's office to complete all registrations. We now have a 3 month procedure which has cut the number of late registrations from approximately 100 to 20 or less. The procedure is as follows:

After a 30 day late registration period, a license lapses. A letter is sent informing licensees of their status. Licensees must fill out the reinstatement application and get a letter of good standing from any state other than New Hampshire where they hold a license. Once this is received, they are scheduled to take a jurisprudence exam (true/false) on the dental rules and law. On the day the exam is taken, the dental or dental hygiene license is reinstated. The Board works with the licensees to complete the entire process within a couple of days.

The licensee is responsible to register each biennium and to be aware of the Dental Practice Act and rules.



JOHN J. BARTHELMES
COMMISSIONER

State of New Hampshire

DEPARTMENT OF SAFETY
OFFICE OF THE COMMISSIONER
33 HAZEN DR. CONCORD, NH 03305
603/271-2791

(2)
JOHN
RAYMOND

LEGISLATIVE POSITION NH DEPARTMENT OF SAFETY

**LSR 2069.0 Relative to Failure to Renew a Professional or Occupational License
HB 1338
POSITION: Opposed**

Dear Honorable Members of the Committee:

This bill provides that the failure to complete a renewal of a professional or occupational license issued by a State Board, Commission or Agency shall not require re-licensure.

This bill would permit any licensee to renew his/her license regardless of how long it had lapsed.

The Department of Safety is opposed to this bill on many fronts. This will create a situation whereby licensees will renew their licenses only when it is convenient for them to do so. Most of the licensees regulated by the Department require some sort of continuing education component, which ensures that the licensee maintains a current minimum level of training in the licensed trade. This bill would negate that system and result in under-educated licensees.

This bill would also negatively affect the steady revenue stream which the Department uses to fund the administrative portion of the system where the licenses are reissued and also the field portion of the system consisting of the inspection and consultation services.

This industry itself will suffer immeasurable set backs as unlicensed and under-educated tradesmen will perform work, affecting the particular profession or occupation negatively.

The re-licensure provision of the licensing program ensures that an incentive is in place to make sure that licensees get relicensed prior to their expiration date and that the licensee maintains the required education and training during the licensure period.

The NH Department of Safety opposes this bill for the reasons stated.

3



House Executive Departments and Administration Committee

HB 1338, relative to failure to renew a professional or occupational license

January 19, 2012

Good afternoon, Madam Chair and members of the committee. My name is Leslie Melby I am the Vice President for State Government Relations with the New Hampshire Hospital Association, representing the state's 32 community and specialty hospitals.

We oppose HB 1338 which would eliminate the requirement to renew professional and occupational licenses. The New Hampshire Hospital Association supports licensure and/or certification of health professionals where unregulated practice presents a clear and present public danger, where there is no reasonable alternative to licensure/certification, and proposed licensure/certification requirements identify required competencies and provide an effective method for assuring proficiency.

The state's licensing boards must be empowered to carry out their responsibility to safeguard the health and well-being of patients and protect patients from unqualified individuals. Licensing boards must be able to enforce standards of professional practice through education, regulatory and enforcement functions.

As a state, we have worked very hard to achieve the very high level of quality care our citizens have come to know and expect. Demonstrating proficiencies in the healthcare field is our highest priority for the delivery of quality patient care.

We urge you to find HB 1338 inexpedient to legislate. Thank you.

Rep Manuse had
put in a card
earlier

New
Hampshire
Hospital
Association



JOHN
MARTIN

4

House Executive Departments and Administration Committee

HB 1338, relative to failure to renew a professional or occupational license

January 19, 2012

Good afternoon, Madam Chair and members of the committee. My name is Leslie Melby. I am the Vice President for State Government Relations with the New Hampshire Hospital Association, representing the state's 32 community and specialty hospitals.

We oppose HB 1338 which would eliminate the requirement to renew professional and occupational licenses. The New Hampshire Hospital Association supports licensure and/or certification of health professionals where unregulated practice presents a clear and present public danger, where there is no reasonable alternative to licensure/certification, and proposed licensure/certification requirements identify required competencies and provide an effective method for assuring proficiency.

The state's licensing boards must be empowered to carry out their responsibility to safeguard the health and well-being of patients and protect patients from unqualified individuals. Licensing boards must be able to enforce standards of professional practice through education, regulatory and enforcement functions.

As a state, we have worked very hard to achieve the very high level of quality care our citizens have come to know and expect. Demonstrating proficiencies in the healthcare field is our highest priority for the delivery of quality patient care.

We urge you to find HB 1338 inexpedient to legislate. Thank you.



State of New Hampshire

DEPARTMENT OF SAFETY
OFFICE OF THE COMMISSIONER
33 HAZEN DR. CONCORD, NH 03305
603/271-2791

5

JOHN J. BARTHELMES
COMMISSIONER

LEGISLATIVE POSITION NH DEPARTMENT OF SAFETY

LSR 2069.0 Relative to Failure to Renew a Professional or Occupational License
HB 1338
POSITION: Opposed

Dear Honorable Members of the Committee:

This bill provides that the failure to complete a renewal of a professional or occupational license issued by a State Board, Commission or Agency shall not require re-licensure.

This bill would permit any licensee to renew his/her license regardless of how long it had lapsed.

The Department of Safety is opposed to this bill on many fronts. This will create a situation whereby licensees will renew their licenses only when it is convenient for them to do so. Most of the licensees regulated by the Department require some sort of continuing education component, which ensures that the licensee maintains a current minimum level of training in the licensed trade. This bill would negate that system and result in under-educated licensees.

This bill would also negatively affect the steady revenue stream which the Department uses to fund the administrative portion of the system where the licenses are reissued and also the field portion of the system consisting of the inspection and consultation services.

This industry itself will suffer immeasurable set backs as unlicensed and under-educated tradesmen will perform work, affecting the particular profession or occupation negatively.

The re-licensure provision of the licensing program ensures that an incentive is in place to make sure that licensees get relicensed prior to their expiration date and that the licensee maintains the required education and training during the licensure period.

The NH Department of Safety opposes this bill for the reasons stated.

Voting Sheets

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

EXECUTIVE SESSION on HB 1338

BILL TITLE: relative to failure to renew a professional or occupational license.

DATE: 2/13/2012

LOB ROOM: 306

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Sytek

Seconded by Rep. Hawkins

Vote: 10-1 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: NO

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Carol Vita, Clerk

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

EXECUTIVE SESSION on HB 1338

BILL TITLE: relative to failure to renew a professional or occupational license.

DATE: 2/13/12

LOB ROOM: 306

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. SYTEK

Seconded by Rep. HAWKINS

Vote: 10-1 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE:

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Carol Vita, Clerk

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

Bill #: HB 1338 Title: relative to failure to renew a professional or occupational license.

PH Date: 1, 19, 12

Exec Session Date: 2, 13, 12

Motion: 1, S.

Amendment #: _____

MEMBER	YEAS	NAYS
McGuire, Carol M, Chairman	X	
Hawkins, Kenneth, V Chairman	X	
Sytek, John	X	
Day, Russell C		
Pratt, Calvin D		
Vita, Carol M, Clerk	X	
Perkins, Lawrence B <i>KAPPLER</i>	X	
Winter, Steven J	X	
Bowers, Spec <i>D. MCGUIRE</i>		X
Brown, Paul E		
Hansen, Peter T	X	
Proulx, Mark L		
Whitehead, Randall A		
Schmidt, Peter B		
Pilotte, Maurice L	X	
Jeudy, Jean L		
Sullivan, Daniel J	X	
TOTAL VOTE:	10	1

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

EXECUTIVE SESSION on HB 1338

BILL TITLE: relative to failure to renew a professional or occupational license.

DATE: October 18, 2012

LOB ROOM: 306

Amendments:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Motions: Recommended or Not Recommended for Future Legislation (Please circle one.)

Moved by Rep. Bowers

Seconded by Rep. Hawkins

Vote: 11-0 (Please attach record of roll call vote.)

Motions: Recommended or Not Recommended for Future Legislation (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE:

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Carol Vita, Clerk

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

EXECUTIVE SESSION on HB 1338

BILL TITLE: relative to failure to renew a professional or occupational license.

DATE: October 18, 2012

LOB ROOM: 306

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: Recommended or Not Recommended for Future Legislation (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: 11-0 (Please attach record of roll call vote.)

Motions: Recommended or Not Recommended for Future Legislation (Please circle one.)

Moved by Rep. *LOWERS, HAWKINS*

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE:

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Carol Vita
Rep. Carol Vita, Clerk

Committee Report

REGULAR CALENDAR

February 22, 2012

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Majority of the Committee on EXECUTIVE
DEPARTMENTS AND ADMINISTRATION to which was
referred HB1338,

AN ACT relative to failure to renew a professional or
occupational license. Having considered the same,
report the same with the recommendation that the bill
be REFERRED FOR INTERIM STUDY.

Rep. John Sytek

FOR THE MAJORITY OF THE COMMITTEE

**MAJORITY
COMMITTEE REPORT**

Committee: **EXECUTIVE DEPARTMENTS AND
ADMINISTRATION**
Bill Number: **HB1338**
Title: **relative to failure to renew a professional or
occupational license.**
Date: **February 13, 2012**
Consent Calendar: **NO**
Recommendation: **REFER TO COMMITTEE FOR INTERIM STUDY**

STATEMENT OF INTENT

This bill would permit members of licensed professions who let their licenses lapse, for any reason, to renew their licenses. They would be able to do so, regardless of how long it had been since their licenses lapsed, and without going through any relicensing procedure. The committee felt that this approach was too broad. The amount of lapse time might not be critical for some professions. However, for others (e.g. thoracic surgeons) even a short lapse could be problematic. The committee wished to see a profession-by-profession examination to include appropriate, tailored criteria to show current proficiency.

Vote 10-1

Rep. John Sytek
FOR THE MAJORITY

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB1338, relative to failure to renew a professional or occupational license. **REFER TO COMMITTEE FOR INTERIM STUDY.**

Rep. John Sytek for the **Majority** of EXECUTIVE DEPARTMENTS AND ADMINISTRATION.

This bill would permit members of licensed professions who let their licenses lapse, for any reason, to renew their licenses. They would be able to do so, regardless of how long it had been since their licenses lapsed, and without going through any relicensing procedure. The committee felt that this approach was too broad. The amount of lapse time might not be critical for some professions.

However, for others (e.g. thoracic surgeons) even a short lapse could be problematic. The committee wished to see a profession-by-profession examination to include appropriate, tailored criteria to show current proficiency. **Vote 10-1.**

Original: House Clerk
Cc: Committee Bill File

Karwocki, Karen

From: Carol McGuire [mcguire4house@gmail.com]
Sent: Wednesday, February 15, 2012 11:00 AM
To: Karwocki, Karen
Subject: Fwd: HB 1338 Blurb

Karen - use this one.

Carol

maj

----- Forwarded message -----

From: Sytek, John
Date: Tuesday, February 14, 2012
Subject: HB 1338 Blurb
To: "McGuire, Carol" <carol@mcguire4house.com>

This bill would permit members of licensed professions who let their licenses lapse, for any reason, to renew their licenses. They would be able to do so, regardless of how long it had been since their licenses lapsed, and without going through any relicensing procedure. The committee felt that this approach was too broad. The amount of lapse time might not be critical for some professions. However, for others (e.g. thoracic surgeons) even a short lapse could be problematic. The committee wished to see a profession-by-profession examination to include appropriate, tailored criteria to show current proficiency.

REGULAR CALENDAR

February 22, 2012

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Minority of the Committee on EXECUTIVE
DEPARTMENTS AND ADMINISTRATION to which was
referred HB1338,

AN ACT relative to failure to renew a professional or
occupational license. Having considered the same, and
being unable to agree with the Majority, report with the
recommendation that the bill OUGHT TO PASS.

Rep. Spec Bowers

FOR THE MINORITY OF THE COMMITTEE

**MINORITY
COMMITTEE REPORT**

Committee: **EXECUTIVE DEPARTMENTS AND
ADMINISTRATION**
Bill Number: **HB1338**
Title: **relative to failure to renew a professional or
occupational license.**
Date: **February 13, 2012**
Consent Calendar: **NO**
Recommendation: **OUGHT TO PASS**

STATEMENT OF INTENT

The requirements for renewing professional licenses are prejudicial to licensees who may wish to cease working in their profession for a period of time beyond the statutory limit for renewal and who may wish to return to their chosen field at a later date. It is absurd to require such licensees, individuals who may have a lifetime of experience in their particular trade or profession to have to begin the application process from scratch as a new applicant. Draconian re-licensing requirements in such circumstances speak more to licensed professions' interest in keeping out competition, than anything having to do with consumer protection. HB 1338 would allow those whose circumstances have changed and wish to return to work the opportunity to do so.

Rep. Spec Bowers
FOR THE MINORITY

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB1338, relative to failure to renew a professional or occupational license. **OUGHT TO PASS.**

Rep. Spec Bowers for the **Minority** of EXECUTIVE DEPARTMENTS AND ADMINISTRATION.

The requirements for renewing professional licenses are prejudicial to licensees who may wish to cease working in their profession for a period of time beyond the statutory limit for renewal and who may wish to return to their chosen field at a later date. It is absurd to require such licensees, individuals who may have a lifetime of experience in their particular trade or profession to have to begin the application process from scratch as a new applicant. Draconian re-licensing requirements in such circumstances speak more to licensed professions' interest in keeping out competition, than anything having to do with consumer protection. HB 1338 would allow those whose circumstances have changed and wish to return to work the opportunity to do so.

Original: House Clerk
Cc: Committee Bill File

Karwocki, Karen

From: Carol McGuire [mcguire4house@gmail.com]

Sent: Wednesday, February 22, 2012 2:00 PM

To: Karwocki, Karen

Subject: Re: HB 1338

Yes, Dan can't sign since he's not a member of the committee

On Wednesday, February 22, 2012, Karwocki, Karen wrote:

I never got a signature on the minority report from Rep. Dan McGuire. Rep. Bowers read and signed off on it ok?

Karen Karwocki
ED & A, Election Law
Committee Assistant
271-3319

2/22/2012

• **Karwocki, Karen**

From: Carol McGuire [mcguire4house@gmail.com]

Sent: Wednesday, February 15, 2012 9:49 AM

To: Karwocki, Karen

Subject: Re: HB 1338 minority report

Use this. It's Rep Dan McGuire for the minority

Carol

On Wednesday, February 15, 2012, Dan McGuire <danmcguire@gmail.com> wrote:

> The requirements for renewing professional licenses are prejudicial to licensees who may wish to cease working in their profession for a period of time beyond the statutory limit for renewal and who may wish to return to their chosen field at a later date. It is absurd to require such licensees, individuals who may have a lifetime of experience in their particular trade or profession to have to have to begin the application process from scratch as a new applicant. Draconian re-licensing requirements in such circumstances speak more to licensed professions' interest in keeping out competition, than anything having to do with consumer protection. HB 1338 would allow those whose circumstances have changed and wish to return to work the opportunity to do so.

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INTERIM STUDY COMMITTEE REPORT

COMMITTEE: EXECUTIVE DEPARTMENTS AND ADMINISTRATION
BILL NUMBER: HB 1338
TITLE: Relative to failure to renew a professional or occupational license.
DATE: October 18, 2012

RECOMMENDED FOR FUTURE LEGISLATION

NOT RECOMMENDED FOR FUTURE LEGISLATION

STATEMENT OF INTENT: (May be handwritten)

The bill would allow a licensee to reinstate a lapsed license without having to start from scratch or to take an examination or complete additional training. The E. D. & A. committee was unwilling to apply this principle to every profession. It felt that some professions might require an examination of an applicant's proficiency before renewal. It decided that there should be a profession-by-profession study to determine the appropriate renewal conditions. The subcommittee was unable to determine what criteria to use in evaluating the professions. Absent such criteria, the subcommittee could not usefully proceed.

COMMITTEE VOTE: 11-0 (Attach Committee Voting Sheet)

Rep. Spec Bowers

HB 1338, relative to failure to renew a professional or occupational license.
Not recommended for future legislation.

The bill would allow a licensee to reinstate a lapsed license without having to start from scratch or to take an examination or complete additional training. The ED&A committee was unwilling to apply this principle to every profession. It felt that some professions might require an examination of an applicant's proficiency before renewal. It decided that there should be a profession-by-profession study to determine the appropriate renewal conditions.

The subcommittee was unable to determine what criteria to use in evaluating the professions. Absent such criteria, the subcommittee could not usefully proceed.

Bowers

Carol M. Dennis