

Committee Report

CONSENT CALENDAR

February 8, 2021

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Committee on Executive Departments and
Administration to which was referred HB 94-FN,**

**AN ACT relative to licensure renewal dates for certain
governing boards under the office of professional
licensure and certification. Having considered the
same, report the same with the recommendation that
the bill OUGHT TO PASS.**

Rep. Tony Lekas

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	Executive Departments and Administration
Bill Number:	HB 94-FN
Title:	relative to licensure renewal dates for certain governing boards under the office of professional licensure and certification.
Date:	February 8, 2021
Consent Calendar:	CONSENT
Recommendation:	OUGHT TO PASS

STATEMENT OF INTENT

This bill would make most occupational licenses expire at the end of the month the license was issued rather than all at one time and sets the term of the licenses to two years. The bill also handles the transition from the current renewal schedule to the new one. This will spread the workload for the Office of Professional Licensing and Certification out over the year resulting in an increase in efficiency. The requirements for the licenses and the process for approval are unchanged other than the renewal date.

Vote 19-0.

Rep. Tony Lekas
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Executive Departments and Administration

HB 94-FN, relative to licensure renewal dates for certain governing boards under the office of professional licensure and certification. **OUGHT TO PASS.**

Rep. Tony Lekas for Executive Departments and Administration. This bill would make most occupational licenses expire at the end of the month the license was issued rather than all at one time and sets the term of the licenses to two years. The bill also handles the transition from the current renewal schedule to the new one. This will spread the workload for the Office of Professional Licensing and Certification out over the year resulting in an increase in efficiency. The requirements for the licenses and the process for approval are unchanged other than the renewal date. **Vote 19-0.**

Original: House Clerk

Cc: Committee Bill File

Archived: Tuesday, April 20, 2021 9:30:58 AM
From: Carol McGuire
Sent: Tuesday, February 9, 2021 3:05:51 PM
To: Pam Smarling; Miriam Simmons
Subject: Fwd: Majority Report for HB 94
Response requested: Yes
Importance: Normal

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

From: **Tony Lekas** <rep.tony.lekas@gmail.com>
Date: Tue, Feb 9, 2021 at 12:22 PM
Subject: Majority Report for HB 94
To: Carol McGuire <mcguire4house@gmail.com>

HB94 relative to licensure renewal dates for certain governing boards under the office of professional licensure and certification

Majority Report
Motion: OTP

This bill would make most occupational licenses expire at the end of the month the license was issued rather than all at one time and sets the length of the licenses to two years. The bill also handles the transition from the current renewal schedule to the new one. This will spread the workload for the Office of Professional Licensing (OPLC) out over the year resulting in an increase in efficiency. The requirements for the licenses and the process for approval are unchanged other than the renewal date.

--

Representative Tony Lekas
Hillsborough 37 (Hudson and Pelham)
Committee: Executive Departments and Administration
30 Barretts Hill Rd
Hudson, NH 03051
603-305-5726

Voting Sheets

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

EXECUTIVE SESSION on HB 94-FN

BILL TITLE: relative to licensure renewal dates for certain governing boards under the office of professional licensure and certification.

DATE: February 8, 2021

LOB ROOM: Remote / Hybrid

MOTIONS: **OUGHT TO PASS**

Moved by Rep. T. Lekas

Seconded by Rep. McGuire

Vote: 19-0

CONSENT CALENDAR: YES

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep John Sytek, Clerk

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS & ADMINISTRATION

EXECUTIVE SESSION on Bill # 12B 94

BILL TITLE: RELATIVE TO LICENSURE RENEWAL DATES FOR CERTAIN GOVERNING
BOARDS UNDER OFFICE OF PROFESSIONAL LICENSURE AND
CERTIFICATION

DATE: 2-8-21

LOB ROOM: 206-208

MOTION: (Please check one box)

☒ OTP ☐ ITL ☐ Retain (1st year) ☐ Adoption of
Amendment # _____
☐ Interim Study (2nd year) (if offered)

Moved by Rep. LEKAS Seconded by Rep. McGUIRE Vote: 18-0

MOTION: (Please check one box)

☐ OTP ☐ OTP/A ☐ ITL ☐ Retain (1st year) ☐ Adoption of
Amendment # _____
☐ Interim Study (2nd year) (if offered)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

MOTION: (Please check one box)

☐ OTP ☐ OTP/A ☐ ITL ☐ Retain (1st year) ☐ Adoption of
Amendment # _____
☐ Interim Study (2nd year) (if offered)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

MOTION: (Please check one box)

☐ OTP ☐ OTP/A ☐ ITL ☐ Retain (1st year) ☐ Adoption of
Amendment # _____
☐ Interim Study (2nd year) (if offered)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

CONSENT CALENDAR: X YES _____ NO

Minority Report? _____ Yes _____ No If yes, author, Rep: _____ Motion _____

Respectfully submitted: John Sytek
Rep. John Sytek, Clerk



1/22/2021 9:57:48 AM
Roll Call Committee Registers
Report

2021 SESSION

Executive Departments and Administration

Bill #: HB 94 Motion: OTF AM #: _____ Exec Session Date: 2-8-21

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
McGuire, Carol M. Chairman	X		
Roy, Terry Vice Chairman	X		
Sytek, John Clerk	X		
Pearson, Stephen C.	X		
Yakubovich, Michael	X		
Lekas, Tony	X		
Alliegro, Mark C.	X		
Bailey, Glenn	X		
Lanzara, Tom E.	X		
Santonastaso, Matthew	X		
Goley, Jeffrey P.	X		
Schuett, Dianne E.	X		
Jeudy, Jean L.	X		
Schmidt, Peter B.	X		
Schultz, Kristina M.	X		
Fellows, Sallie D.	X		
Fontneau, Timothy J.	X		
Grote, Jaci L.	X		
O'Brien, Michael B.	X		
TOTAL VOTE:			

19-0

Hearing Minutes

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

PUBLIC HEARING ON HB 94-FN

BILL TITLE: relative to licensure renewal dates for certain governing boards under the office of professional licensure and certification.

DATE: March 15, 2021

LOB ROOM: LOB Hybrid **Time Public Hearing Called to Order:** 11:00 a.m.

Time Adjourned: 11:10 a.m.

(please circle if present)

Committee Members: Reps. *all* McGuire, Roy, Sytek, S. Pearson, Yakubovich, Lekas, Alliegro, Bailey, Lanzara, Santonastaso, P. Schmidt, Schultz, Goley, Jevdy, Schuett, Fellows, Fontneau, Grote, M. O'Brien

Bill Sponsors:

Rep. McGuire

Rep. T. Lekas

TESTIMONY

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

HB 94 relative to licensure renewal dates for certain governing boards under the office of professional licensure and certification. (11:00/11:10)

1. Rep. McGuire, sponsor, introduced the bill and said it was a request of OPLC.

This bill would make license terms 2 years instead of one; would have licenses expire in the birth month; and give the Director the authority to set fees for the various boards. The boards would retain their authority in their technical areas. She said this was a matter of efficiency.

2. Tina Kelley, representing OPLC,

Ms. Kelley said that this bill would standardize renewal dates and she discussed some mechanical aspects of the bill such as the prorating of hours required for continuing professional development.

Question - There was a question as to whether the boards agreed with the provisions of this bill.

Ms. Kelley answered, Yes regarding the allied health professions. She did not know about the other boards, but said that no authority was being taken from any of them.

Public hearing adjourned at 11:10 a.m.

Respectfully submitted by,

Rep. John Sytek
Committee Clerk

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS & ADMINISTRATION

PUBLIC HEARING on Bill # HB 94 -FN

BILL TITLE: RELATIVE TO LICENSURE RENEWAL DATES FOR CERTAIN GOVERNING BOARDS
UNDER OFFICE OF PROFESSIONAL LICENSURE + CERTIFICATION

DATE: 2-1-21

ROOM: 206 LOB
208

Time Public Hearing Called to Order: 11:00

Time Adjourned: 11:10

(please circle if present)

all
Committee Members: Reps. McGuire, Roy, Sytek, S. Pearson, Yakubovich, Lekas, Alliegro,
Bailey, Lanzara, Santonastaso, P. Schmidt, Schultz, Goley, Jevdy, Schuett, Fellows,
Fontneau, Grote, M. O'Brien

TESTIMONY

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

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Respectfully submitted by,
Rep. John Sytek
Committee Clerk

House Remote Testify

Executive Departments and Administration Committee Testify List for Bill HB94 on 20

Support: 3 Oppose: 0 Neutral: 0 Total to Testify: 1

<u>Name</u>	<u>Email Address</u>	<u>Phone</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>\$</u>
Kelley, Tina	tina.m.kelley@oplc.nh.gov	603.387.4524	State Agency Staff	Office of Professional Licensure and Certification	Support	Yes (10m)	2
Rathbun, Eric	ericsrathbun@gmail.com	860.912.3751	A Member of the Public	Myself	Support	No	1
Ploszaj, Tom	tom.ploszaj@leg.state.nh.us	603.279.9965	An Elected Official	Myself	Support	No	1

Testimony

Bill as Introduced

HB 94-FN - AS INTRODUCED

2021 SESSION

21-0139

10/11

HOUSE BILL

94-FN

AN ACT relative to licensure renewal dates for certain governing boards under the office of professional licensure and certification.

SPONSORS: Rep. McGuire, Merr. 29; Rep. T. Lekas, Hills. 37

COMMITTEE: Executive Departments and Administration

ANALYSIS

This bill revises the procedure and timeframe for license renewals of allied health professionals, body art practitioners, podiatrists, chiropractors, acupuncturists, and veterinarians.

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 Twenty One

AN ACT relative to licensure renewal dates for certain governing boards under the office of professional licensure and certification.

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

1 1 New Section; Office of Professional Licensure and Registration; Renewals. Amend RSA 310-A
2 by inserting after section 1-g the following new section:

3 310-A:1-h License Renewals; Lapse.

4 I. This section shall apply to the following professions administered by the office of
5 professional licensure and certification:

6 (a) Body art establishments and booths regulated under RSA 314-A.

7 (b) Podiatrists regulated under RSA 315.

8 (c) Chiropractors regulated under RSA 316-A.

9 (d) Occupational therapist and occupational therapy assistants regulated under RSA
10 326-C.

11 (e) Respiratory care practitioners regulated under RSA 326-E.

12 (f) Speech-language pathologists and speech-language assistants regulated under RSA
13 326-F.

14 (g) Athletic trainers regulated under RSA 326-G.

15 (h) Recreational therapists regulated under RSA 326-J.

16 (i) Genetic counselors regulated under RSA 326-K.

17 (j) Physical therapists and physical therapist assistants regulated under RSA 328-A.

18 (k) Acupuncturists regulated under RSA 328-G.

19 (l) Veterinarians regulated under RSA 332-B.

20 II. The executive director of the office of professional licensure and certification shall issue
21 initial licenses meeting the eligibility requirements as defined in statute and rules adopted by each
22 individual board to applicants who have completed the application procedure.

23 III. Initial licenses and renewals shall be valid for 2 years, except that timely and complete
24 application for license renewal by eligible applicants shall continue the validity of the licenses being
25 renewed until the board has acted on the renewal application. Licenses issued shall expire on the
26 last day of the month in the month the license was issued.

27 IV. Applicants shall submit completed applications for renewal, the renewal fee, and any
28 supporting documents required for that renewal on or before the last day in the month of renewal.
29 Licenses shall lapse when completed renewal applications, renewal fee, and supporting documents

HB 94-FN - AS INTRODUCED
- Page 2 -

1 have not been filed by the last day in the month of renewal, and the holders of a lapsed license are
2 not authorized to practice until the licenses have been reinstated.

3 V. The office of professional licensure and certification shall provide licensees, at least 2
4 months before the date of expiration of their license, with notice of the need to complete their
5 renewal applications. Failure to receive notice shall not relieve any licensee of the obligation to
6 renew their license, comply with the rules of the boards, or comply with this section. Timeliness of
7 submission of renewal applications shall be evidenced by postmark, for applications delivered by
8 hand the by date stamp or other record made at the time of delivery, or for applications submitted
9 electronically the electronic time stamp of submission.

10 VI. During the transition of renewing licenses from their original date of renewal to the date
11 of the licensee's month of licensure pursuant to this section the board will prorate the fees. Prorated
12 fees shall not exceed 11 months.

13 VII. Upon the request of a licensee who is a member of any reserve component of the armed
14 forces of the United States or the national guard and is called to active duty, the office of
15 professional licensure and certification shall place the person's license on inactive status. The
16 license may be reactivated within one year of the licensee's release from active status by payment of
17 the renewal fee and with proof of completion of the most current continuing education requirement
18 unless still within the renewal period.

19 2 Allied Health Professionals; License Renewals. RSA 328-F:19 is repealed and reenacted to
20 read as follows:

21 328-F:19 Renewal. The procedure and timeframe for license renewals for persons licensed by a
22 governing board established in RSA 328-F:4 shall be as described in RSA 310-A:1-h.

23 3 Chiropractic; Renewal Reference Removed. Amend RSA 316-A:14-a to read as follows:

24 316-A:14-a Licenses and Certificates. Each applicant who qualifies under this chapter and who
25 attains a minimum grade of 70 percent upon the examination given under RSA 316-A:13, I shall
26 receive a license from the board as a chiropractor permitted to practice in New Hampshire. The fee
27 for an initial license and for a license renewal shall be \$300. ~~[The initial license and renewal~~
28 ~~licenses shall be valid for the terms established under RSA 316-A:19.]~~

29 4 Chiropractic; License Renewals. RSA 316-A:20 is repealed and reenacted to read as follows:

30 316-A:20 Renewal.

31 I. The procedure and timeframe for license renewals shall be as described in RSA 310-A:1-h.

32 II. Each applicant for renewal shall submit satisfactory evidence that the applicant has
33 completed at least 20 hours of continuing education approved by or conducted by the International
34 Chiropractors Association, or the American Chiropractic Association, or the New Hampshire board of
35 chiropractic examiners, or any state-chartered chiropractic school or college, within one year prior to
36 the date of renewal.

37 5 Repeals; Chiropractic. The following are repealed:

HB 94-FN - AS INTRODUCED
- Page 3 -

1 I. RSA 316-A:14-b, relative to chiropractor license fees.

2 II. RSA 316-A:19, relative to chiropractor license renewal fees.

3 6 Acupuncture; License Renewal. RSA 328-G:9, IX is repealed and reenacted to read as follows:

4 IX. The procedure and timeframe for license renewals shall be as described in RSA 310-A:1-
5 h.

6 7 Podiatry; License Renewal. RSA 315:11 is repealed and reenacted to read as follows:

7 315:11 License Renewal. The procedure and timeframe for renewals shall be as described in
8 RSA 310-A:1-h. As a condition of renewal of license, each licensee shall show proof of having
9 completed the continuing education units as required in rules adopted by the board.

10 8 Podiatry; License Renewals. Amend RSA 315:12 to read as follows:

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

20 9 Podiatry; Reinstatement. Amend RSA 315:13-a to read as follows:

21 315:13-a Reinstatement. Any person who has not renewed his or her license ~~[within 90 days of~~
22 ~~the expiration date]~~ shall only have his or her license restored upon the filing of a reinstatement
23 application, accompanied by the reinstatement fee as established by the ~~[board]~~ **office of**
24 **professional licensure and certification**, proof of satisfaction of continuing podiatric education
25 requirements established by RSA 315:4, V, and such other evidence of professional competence as
26 the board may reasonably require.

27 10 Repeal; Podiatry. RSA 315:13, relative to notice of expiration of a license, is repealed.

28 11 Body Art Practitioners; Licensed Renewals. RSA 314-A:2, II is repealed and reenacted to
29 read as follows:

30 II. The procedure and timeframe for license renewals shall be as described in RSA 310-A:1-
31 h.

32 12 Veterinarians; Rulemaking; License Renewal. Amend RSA 332-B:7-a, V to read as follows:

33 V. ~~[Dates and]~~ Conditions for license renewal;

34 13 Veterinarians; License Renewal. The section heading of RSA 332-B:13 and RSA 332-B:13, I
35 are repealed and reenacted to read as follows:

36 332-B:13 License Renewal and Lapse.

HB 94-FN - AS INTRODUCED

- Page 4 -

1 I. The procedure and timeframe for license renewals shall be as described in RSA 310-A:1-h.
2 Persons previously licensed who allow their license to lapse shall be required to file a reinstatement
3 application containing such information as required by the board. Persons who have allowed their
4 license to lapse more than 5 years shall apply for reinstatement of licensure in accordance with RSA
5 332-B:17.

6 14 Effective Date. This act shall take effect 60 days after its passage.

Fiscal Note

**HB 94-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT relative to licensure renewal dates for certain governing boards under the office of professional licensure and certification.

FISCAL IMPACT: ☒ State ☐ County ☐ Local ☐ None

STATE:	Estimated Increase / (Decrease)			
	FY 2021	FY 2022	FY 2023	FY 2024
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	Indeterminable	Indeterminable	Indeterminable
Expenditures	\$0	\$0	\$0	\$0
Funding Source:	<input checked="" type="checkbox"/> General <input type="checkbox"/> Education <input type="checkbox"/> Highway <input checked="" type="checkbox"/> Other - Office of Professional Licensure and Certification Fund (RSA 310-A:1-e,(l(b)))			

METHODOLOGY:

This bill would change the license renewal cycle for certain professions regulated by the Office of Professional Licensure from an every other year (odd or even) basis to 2 years from date of license issuance. This change will not affect the total amount collected but will redistribute the funds throughout each year. Partial license periods under current law allow for between 5 and 20 months. The bill allows for proration of licenses issued for more than 2 years during the transition period, which will not affect revenue from these transitioned licenses. However, some individuals would be required to renew their license and pay the \$110 renewal fee even without having a full 2 years of licensure. Late fees would be eliminated but early reinstatement fee s would continue. The OPLC is unable to determine how licensing revenue and late fees would be impacted on an annual basis as licensing applications and late fees vary from year to year but total fees collected as a result of these proposed changes should not vary by any significant amount.

It is assumed this bill will not take effect until FY 2022.

AGENCIES CONTACTED:

Office of Professional Licensure and Certification