

# Committee Report

# CONSENT CALENDAR

May 18, 2021

## HOUSE OF REPRESENTATIVES

### REPORT OF COMMITTEE

**The Committee on Executive Departments and Administration to which was referred SB 58,**

**AN ACT relative to the administration of occupational regulation by the office of professional licensure and certification. Having considered the same, report the same with the following amendment, and the recommendation that the bill OUGHT TO PASS WITH AMENDMENT.**

**Rep. Stephen Pearson**

**FOR THE COMMITTEE**

## **COMMITTEE REPORT**

Committee:	<b>Executive Departments and Administration</b>
Bill Number:	<b>SB 58</b>
Title:	<b>relative to the administration of occupational regulation by the office of professional licensure and certification.</b>
Date:	<b>May 18, 2021</b>
Consent Calendar:	<b>CONSENT</b>
Recommendation:	<b>OUGHT TO PASS WITH AMENDMENT 2021-1531h</b>

### **STATEMENT OF INTENT**

The purpose of this lengthy bill is to streamline the administrative work of the Office of Professional Licensure and Certification (OPLC). The bill primarily makes the application process the same for all 54 boards within the OPLC. It moves the authority of the various boards to set their per-diem rates to the OPLC. The bill makes the requirement for a quorum uniform across the boards. It also centralizes the authority of the OPLC to set procedures and fees. The amendment added sections changing the requirement for physical signatures to electronic signatures and it streamlines the procedure for contracting services for investigators, hearing officers, legal counsel, and experts. The OPLC was created to allow for the centralized administration of certain functions and this language moves the agency forward toward this mandate.

Vote 18-0.

Rep. Stephen Pearson  
FOR THE COMMITTEE

Original: House Clerk  
Cc: Committee Bill File

## CONSENT CALENDAR

Executive Departments and Administration

**SB 58**, relative to the administration of occupational regulation by the office of professional licensure and certification. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Stephen Pearson for Executive Departments and Administration. The purpose of this lengthy bill is to streamline the administrative work of the Office of Professional Licensure and Certification (OPLC). The bill primarily makes the application process the same for all 54 boards within the OPLC. It moves the authority of the various boards to set their per-diem rates to the OPLC. The bill makes the requirement for a quorum uniform across the boards. It also centralizes the authority of the OPLC to set procedures and fees. The amendment added sections changing the requirement for physical signatures to electronic signatures and it streamlines the procedure for contracting services for investigators, hearing officers, legal counsel, and experts. The OPLC was created to allow for the centralized administration of certain functions and this language moves the agency forward toward this mandate. **Vote 18-0.**

Original: House Clerk

Cc: Committee Bill File

Amendment to SB 58

1 Amend the bill by replacing all after the enacting clause with the following:

2

3 1 Administration of the Office. Amend RSA 310-A:1-d to read as follows:

4 310-A:1-d Administration of the Office of Professional Licensure and Certification.

5 I. The office of professional licensure and certification shall operate under the supervision of  
6 the executive director appointed under RSA 310-A:1-b. The office may employ such clerical or other  
7 assistants as are necessary for the proper performance of its work, and may make expenditures for  
8 any purpose which are reasonably necessary, according to the executive director, for the proper  
9 performance of its duties under this chapter. ***The office may contract for the services of***  
10 ***investigators, hearing officers, legal counsel and experts as necessary and in consultation***  
11 ***with the appropriate board, council, or commission.***

12 II. The executive director of the office of professional licensure and certification shall be  
13 responsible for:

14 (a) Supervision of the division directors;

15 (b) The performance of the administrative, clerical, and business processing  
16 responsibilities of the boards, commissions, and councils;

17 (c) Employment of such personnel needed to carry out the functions of the boards;

18 (d) The issuance of a license or certification to any applicant who has met the  
19 requirements for licensure or certification and denying a license or certification to applicants who do  
20 not meet the minimum qualifications;

21 (e) Maintenance of the official record of all applicants and licensees ***in accordance***  
22 ***with the retention policy established by the office of professional licensure and***  
23 ***certification;***

24 (f) Supervision, coordination, and assistance to the boards, commissions, and councils in  
25 rulemaking, pursuant to RSA 541-A;

26 (g) Maintaining the confidentiality of information, documents, and files in accordance  
27 with RSA 91-A;

28 (h) Establishing by rule, pursuant to RSA 541-A:

29 (1) All fees authorized by statute for all boards, commissions, [~~and~~] councils, ***and***  
30 ***programs*** within the office of professional licensure and certification, in consultation with the  
31 affected boards, commissions, and councils on a biennial basis in conjunction with the preparation of  
32 the biennial budget; [~~and~~]

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1           (2) Such organizational and procedural rules necessary to administer the boards,  
2 commissions, ~~and~~ councils, **and programs** in the office of professional licensure and certification,  
3 including rules governing the administration of complaints and investigations, payment processing  
4 procedures, and application procedures. ***The boards shall retain the authority to determine the***  
5 ***criteria necessary for licensing applications;***

6           (3) ***The rate of per diem compensation and reimbursable expenses for all***  
7 ***boards, commissions, councils, and programs within the office of professional licensure***  
8 ***and certification; and***

9           (4) ***Rules governing the professionals' health program as set forth in RSA***  
10 ***310-A:1-e; and***

11           (i) Submitting, by November 1, to the speaker of the house of representatives, the  
12 president of the senate, the chairpersons of the house and senate executive departments and  
13 administration committees, and the governor, an annual report summarizing the transactions of the  
14 preceding fiscal year and a complete statement of the receipts and expenditures of the office of  
15 professional licensure and certification. Such report shall satisfy the requirements for any annual or  
16 biennial report imposed by statute on any board, commission, or council administered by the office of  
17 professional licensure and certification. The report shall be posted on the website of the office of  
18 professional licensure and certification immediately upon submission.

19           2 Acupuncture; Quorum. Amend RSA 328-G:6 to read as follows:

20           328-G:6 Organization and Meetings. The board shall hold regular meetings at least semi-  
21 annually and shall give notice to its members of the time and place for holding all regular and  
22 special meetings. A quorum of the board shall consist of ~~[not less than 3 members]~~ ***a majority of***  
23 ***the members of the board who have been approved by the governor and council.*** The board  
24 shall biennially elect a chairperson, a vice-chairperson, and a secretary from among its members.

25           3 Acupuncture; Rulemaking. Amend RSA 328-G:7, I-III to read as follows:

26           I. ~~[Procedures and forms for application]~~ ***Eligibility requirements*** for an acupuncture  
27 license.

28           II. Scope of practice ~~[and fees for applications]~~.

29           III. ~~[Procedures]~~ ***Eligibility requirements*** for license renewal, including continuing  
30 education requirements, testing, peer review, ~~[or other appropriate procedures,]~~ and methods to  
31 ensure compliance with such requirements.

32           4 Acupuncture; Rulemaking. Amend RSA 328-G:7, XIV to read as follows:

33           XIV.(a) ~~[Procedures and forms for application]~~ ***Eligibility requirements*** for certification as  
34 an acupuncture detoxification specialist.

35           (b) Renewal, revocation, or suspension of certification of an acupuncture detoxification  
36 specialist.

37           ~~[(c) Any fees required under subparagraphs (a) and (b)].~~

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~~(d) Maintaining a register of persons certified as acupuncture detoxification specialists.]~~

5 Acupuncture; Powers of the Board. Amend RSA 328-G:11, I to read as follows:

I. The board shall:

(a) ~~[Ensure]~~ **Ensure** that licensed acupuncturists serving the public meet minimum standards of proficiency and competency to protect the health, safety, and welfare of the public.

(b) Administer and enforce all provisions of this chapter, which pertain to licensees and applicants, and all rules adopted by the board under the authority granted in this chapter.

(c) Maintain an accurate account of all receipts, expenditures, and refunds granted under this chapter through the office of licensure and certification **and in accordance with the retention policy established by the office of professional licensure and certification.**

(d) Maintain a record of its acts and proceedings, including the issuance, refusal, suspension, or revocation of licenses **in accordance with the retention policy established by the office of professional licensure and certification.**

~~(e) [Maintain a roster of all acupuncturists licensed under this chapter which indicates:~~

~~(1) The name of the licensee.~~

~~(2) Current professional office address.~~

~~(3) The date of issuance and the number of the licensee's license.~~

~~(4) Whether the licensee is in good standing.~~

~~(f)]~~ **(f)** Keep all applications for licensure ~~[as a permanent record]~~ **in accordance with the retention policy established by the office of professional licensure and certification.**

~~(g)]~~ **(f)** Maintain a ~~[permanent]~~ record of the results of all examinations it gives **in accordance with the retention policy established by the office of professional licensure and certification.**

~~(h)]~~ **(g)** Keep all examination records including written examination records and tape recordings of the questions and answers in oral examinations **in accordance with the retention policy established by the office of professional licensure and certification.**

~~(i)]~~ **(h)** Keep the records of the board open to public inspection at all reasonable times.

~~(j)]~~ **(i)** Adopt and use a seal, the imprint of which, together with the signatures of the chairperson or vice-chairperson and the secretary-treasurer of the board, shall evidence its official acts.

~~(k) Annually compile and publish a directory.]~~

6 Repeals; Acupuncture. The following are repealed:

I. RSA 328-G:5, relative to mileage for the board of acupuncture licensing.

II. RSA 328-G:7, IV, relative to rulemaking on a register.

7 Alcohol and Other Drug Use Professionals; Board; Quorum. Amend RSA 330-C:3, IX to read as follows:

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1 IX. The board shall elect a chairperson annually from among its membership. [~~Four~~  
2 ~~members~~] **A majority of the members** of the board **who have been approved by the governor**  
3 **and council** shall constitute a quorum.

4 8 Alcohol and Other Drug Use Professionals; Board; Removal. Amend RSA 330-C:3, XIII to read  
5 as follows:

6 XIII. The governor may remove any member from the board for neglect of any duty under  
7 RSA 330-C:5 or for incompetence, or unprofessional or dishonorable conduct. Any person may file a  
8 complaint against a board member or board members with the executive director of the office of  
9 professional licensure and certification. Upon receipt of a complaint, the [~~commissioner~~] **executive**  
10 **director** shall conduct an investigation and take any appropriate action and report his or her  
11 findings to the complainant. The provisions of RSA 4:1 controlling the removal of public officials  
12 from office shall be followed in dismissing board members.

13 9 Alcohol and Other Drug Use Professionals; Board; Duties. Amend RSA 330-C:5, VIII to read  
14 as follows:

15 VIII. Maintain records of proceedings as required by the laws of New Hampshire **and as set**  
16 **forth by the retention policy established by the office of professional licensure and**  
17 **certification.**

18 10 Alcohol and Other Drug Use Professionals; Records. RSA 330-C:7 is repealed and reenacted  
19 to read as follows:

20 330-C:7 Records. A true record of all of the board's official acts shall be made and preserved by  
21 the board through the office of professional licensure and certification in accordance with the  
22 retention policy established by the office. The records shall be public and shall be open to inspection  
23 at all reasonable times, except for records compiled in connection with disciplinary investigations  
24 and records otherwise exempt from disclosure under RSA 91-A or other applicable statutes.

25 11 Alcohol and Other Drug Use Professionals; Rulemaking. Amend RSA 330-C:9, I - V-b to read  
26 as follows:

27 I. [~~Application procedures and~~] Eligibility requirements for the issuance of all initial and  
28 renewal licenses issued by the board, including without limitation:

29 (a) The **eligibility requirements for the** issuance of LADC licenses to applicants  
30 holding a currently valid license or other authorization to practice substance use counseling in  
31 another jurisdiction;

32 (b) The **eligibility requirements for the** issuance of MLADC licenses to applicants  
33 holding a currently valid license or other authorization to practice substance use counseling and co-  
34 occurring disorder counseling in another jurisdiction;

35 (c) The **eligibility requirements for the** issuance of such licenses to applicants holding  
36 a current license issued by the board of nursing or the board of medicine; and



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1 (d) The *eligibility requirements for the* issuance of a MLADC license under RSA 330-  
2 C:16.

3 II. [~~Application procedures and~~] Eligibility requirements for the reinstatement of licenses  
4 after lapse and after disciplinary action.

5 III. [~~Application procedures~~] *Eligibility requirements*, training requirements, and other  
6 criteria for the issuance of certification, renewal of certification, and reinstatement of certification  
7 for certified recovery support workers and certified recovery support worker supervisors.

8 IV. [~~The establishment of license and certificate application, late renewal, and~~  
9 ~~reinstatement fees required under this chapter.~~

10 ~~V.]~~ The process standards for approval of education programs for the continuing education  
11 requirements of this chapter and providers of such programs, and the process for approval of  
12 providers engaged in clinical supervision.

13 [~~V-a.]~~ V. The process standards for approval of individuals engaged in clinical supervision.

14 [~~V-b]~~ V-a. The requirements for clinical supervision and the documentation of clinical  
15 supervision hours.

16 12 Alcohol and Other Drug Use Professionals; Applications. Amend RSA 330-C:15, I(a) to read  
17 as follows:

18 (a) Submit a completed application and pay fees established by the [~~board~~] *office of*  
19 *professional licensure and certification*;

20 13 Alcohol and Other Drug Use Professionals; Applicants From Other States. Amend RSA 330-  
21 C:21, I-a to read as follows:

22 I-a. An applicant whose state licensure meets the requirements in paragraph I shall be  
23 deemed able to practice in this state not more than 60 days after the application is received by the  
24 board pending final approval or denial for other reason by the board. [~~The board shall adopt rules~~  
25 ~~under RSA 541-A to ensure the timely review and approval of applications under this section.]~~

26 14 Alcohol and Other Drug Use Professionals; Hearings. Amend RSA 330-C:29, I to read as  
27 follows:

28 I. The board may hold adjudicative hearings concerning allegations of misconduct or other  
29 matters within the scope of this chapter. Such hearings shall be public proceedings. Any member of  
30 the board [~~other than the public members~~], or any other qualified person appointed by the board,  
31 shall have authority to preside at such a hearing and to issue oaths or affirmations to witnesses.

32 15 Repeals; Alcohol and Other Drug Use Professionals. The following are repealed:

33 I. RSA 330-C:3, XI, relative to mileage for board members.

34 II. RSA 330-C:28, II, relative to retaining experts for investigations or hearings.

35 16 Allied Health Professionals; Legal Counsel. Amend RSA 328-F:3, II to read as follows:

36 II. The governing boards' chairpersons or their appointees shall make up the board of  
37 directors of the office of licensed allied health professionals. [~~The board of directors shall contract for~~

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1 ~~the services of investigators and legal counsel retained through the office of professional licensure~~  
2 ~~and certification].~~ The board of directors shall have the authority to delegate to the person in the  
3 supervisory position matters of administrative and personnel management.

4 17 Allied Health Professionals; Records. Amend RSA 328-F:9 to read as follows:

5 328-F:9 Records of the Boards. A true record of all of each board's official acts shall be made  
6 and preserved *in accordance with the retention policy established by the office of*  
7 *professional licensure and certification.* The records shall be public and shall be open to  
8 inspection at all reasonable times, except for records compiled in connection with disciplinary  
9 investigations and records otherwise exempt from disclosure under RSA 91-A or other applicable  
10 statutes.

11 18 Allied Health Professionals; Records. RSA 328-F:10 is repealed and reenacted to read as  
12 follows:

13 328-F:10 Records of Disciplinary History. Each governing board shall maintain a list of persons  
14 against whom the board has taken any disciplinary action in accordance with the retention policy  
15 established by the office of professional licensure and certification. This list shall include the name  
16 of the person, the reason for the disciplinary action, the date of the disciplinary action, and the  
17 nature of the disciplinary action.

18 19 Allied Health Professionals; Rulemaking. Amend RSA 328-F:11 to read as follows:

19 328-F:11 Rulemaking by the Governing Boards.

20 I. The governing boards shall adopt rules pursuant to RSA 541-A establishing:

21 (a) The eligibility requirements for initial licensure and for initial certification if  
22 certification of individuals is authorized by their practice acts.

23 (b) The eligibility requirements for license renewal, including any continuing  
24 competency requirements and any requirements for education, clinical experience, and training.

25 (c) The eligibility requirements for renewal of certification, including any continuing  
26 competency requirements and any requirements for education, clinical experience, and training.

27 (d) If the governing boards issue conditional licenses or certifications, conditional  
28 renewal of licenses or certifications, or conditional reinstatement after lapse or suspension of  
29 licenses or certifications, the circumstances under which these are issued and the standards for the  
30 imposition of the conditions.

31 (e) The ~~[application procedures and]~~ eligibility requirements, including any continuing  
32 competency requirements, for the reinstatement of licenses suspended for disciplinary reasons and  
33 for such reinstatement of certifications if authorized by their practice acts.

34 (f) The ~~[application procedures and]~~ eligibility requirements, including any continuing  
35 competency requirements, for the reinstatement of lapsed licenses and for such reinstatement of  
36 certifications if authorized by their practice acts.

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1           (g) ~~[The design and content of supplemental application forms requesting applicant~~  
2 ~~information specific to the profession for which the applicant is applying, which forms may require a~~  
3 ~~notarized affidavit that the information provided in the application is complete and accurate, and~~  
4 ~~which do not request information already provided on forms adopted under RSA 328-F:13, IV.~~

5           ~~(h) Application procedures.~~

6           ~~(i)] The allocation of disciplinary sanctions in cases of misconduct by licensees and by~~  
7 ~~certified individuals.~~

8           II. The governing boards may adopt rules pursuant to RSA 541-A that specify, for their  
9 respective professions:

10           (a) The scope of practice.

11           (b) The ethical standards.

12           (c) The eligibility requirements ~~[and procedures]~~ for the issuance of licenses to  
13 applicants currently licensed in foreign countries and territories and in the territories of the United  
14 States.

15           (d) What constitutes, for disciplinary purposes, sexual relations with and sexual  
16 harassment of, a client or patient.

17           20 Allied Health Professionals; Licenses. Amend RSA 328-F:18, I through IV to read as follows:

18           I. Each governing board shall issue initial licenses and license renewals to applicants who  
19 have completed the ~~[required]~~ application procedures ***established by the office of professional***  
20 ***licensure and certification*** and have met the eligibility requirements established by the practice  
21 act and the rules of the governing board. If a governing board is authorized by its practice act to  
22 issue provisional licenses, it shall issue such licenses to applicants who have completed the  
23 ~~[required]~~ application procedures ***established by the office of professional licensure and***  
24 ***certification*** and have met the eligibility requirements for provisional licensure established by the  
25 practice act and the rules of the governing board.

26           II. The governing boards shall take no action on an application for any type of license, or  
27 reinstate any lapsed or suspended license, until the applicant has completed the application  
28 procedures ~~[required by the practice acts and the rules of the governing boards]~~ ***established by the***  
29 ***office of professional licensure and certification.***

30           III. To ~~[insure]~~ ***ensure*** the competency of licensees, the governing boards are authorized to  
31 issue initial licenses, license renewals, and reinstatements of licensure after lapse or suspension for  
32 disciplinary reasons that are conditional in nature. Such conditional licenses may include the  
33 following conditions on the licensee's authorization to practice:

34           (a) A limit on the duration of the license.

35           (b) A requirement that specified education, clinical experience, or training is completed  
36 by the licensee before removal of the condition.

37           (c) A requirement that the conditional licensee be supervised in his or her practice.

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1 (d) A limitation on the scope of the practice of the conditional licensee.

2 IV. Initial licenses, including conditional licenses that are the first license issued to the  
3 individual, and provisional licenses shall be[:

4 ~~(a) Signed and dated by the chairperson of the governing board issuing them.~~

5 ~~(b)]~~ numbered consecutively and recorded.

6 21 Allied Health Professionals; Reinstatement. Amend RSA 328-F:24, III to read as follows:

7 III. Governing boards are authorized to conduct disciplinary proceedings in accordance with  
8 procedural rules adopted by the ~~[board of directors]~~ **office of professional licensure and**  
9 **certification.**

10 22 Repeals; Allied Health. The following are repealed:

11 I. RSA 328-F:6, relative to compensation for governing board members.

12 II. RSA 328-F:12, I and IV, relative to a report of funds.

13 III. RSA 328-F:13, II-V, relative rulemaking by the allied health board of directors.

14 23 Repeals; Genetic Counselors. The following are repealed:

15 I. RSA 326-K:7, relative to compensation of the genetic counselors governing board.

16 II. RSA 326-K:9, II, relative to application procedures.

17 24 Physical Therapists; Powers of the Board. Amend RSA 328-A:3, IV to read as follows:

18 IV. Employ or contract with any entity for the purpose of administering examinations  
19 authorized by this chapter **through the office of professional licensure and certification.**

20 25 Repeals; Physical Therapists. The following are repealed:

21 I. RSA 328-A:3, VIII-XI, relative to duties of the board.

22 II. RSA 328-A:15, I, relative to licensee information.

23 26 Respiratory Care; Rulemaking. Amend RSA 326-E:2, III to read as follows:

24 III. Specifying the ~~[application procedures and]~~ eligibility requirements to be met by persons  
25 or entities seeking approval as providers of continuing education programs.

26 27 Respiratory Care; Rulemaking. Amend RSA 326-E:11, III to read as follows:

27 III. The board shall establish, through rules adopted pursuant to RSA 541-A, ~~[application~~  
28 ~~procedures and]~~ eligibility requirements for the approval of persons and entities as providers of  
29 continuing education programs.

30 28 Repeals; Respiratory Care. The following are repealed:

31 I. RSA 326-E:5, II(b) and (c), relative to duties of the governing board.

32 II. RSA 326-E:7, I, relative to licensee and governing board information.

33 29 Speech-language Pathology; Reinstatement. Amend RSA 326-F:7-a, III and IV to read as  
34 follows:

35 III. Complies with any reinstatement application procedures established by the ~~[board]~~  
36 **office of professional licensure and certification** in rules adopted pursuant to RSA 541-A.

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1 IV. Pays the reinstatement fee **established by the office of professional licensure and**  
2 **certification.**

3 30 Repeal; Speech-language Pathology. RSA 326-F:5, II, relative to rules for applications, is  
4 repealed.

5 31 Barbering, Cosmetology, Esthetics; Board; Quorum. Amend RSA 313-A:2, V to read as  
6 follows:

7 V. The board shall hold at least 6 regular meetings each year. Special meetings may be  
8 called at such times as the rules of the board may provide. A quorum of the board shall consist of ~~no~~  
9 ~~fewer than 4 members~~ **a majority of the members of the board who have been approved by**  
10 **the governor and council.** All meetings of the board shall be open to the public, except when the  
11 board conducts a nonpublic session under RSA 91-A.

12 32 Barbering, Cosmetology, Esthetics; Records. Amend RSA 313-A:4 to read as follows:

13 313-A:4 Maintenance of Records. The board shall maintain a record containing the names and  
14 addresses of all licensees and of all salons, barbershops and schools licensed pursuant to this chapter  
15 ~~and~~ **in accordance with the retention policy established by the office of professional**  
16 **licensure and certification. The board** shall issue all notices, license and registration  
17 certificates. The record shall include the date of issuance, renewal, suspension or revocation of all  
18 licenses. This record shall be open to public inspection at all reasonable times.

19 33 Barbering, Cosmetology, Esthetics; Board Duties. Amend RSA 313-A:7, I(a)-(d) to read as  
20 follows:

21 (a) Prescribe the duties of its officers ~~and employees~~;

22 (b) Establish an office, within the office of professional licensure and certification at  
23 which all records and files of the board shall be kept **in accordance with the retention policy**  
24 **established by the office of professional licensure and certification;**

25 (c) Maintain a telephone line or an electronic mail address for the purpose of accepting  
26 consumer complaints;

27 (d) Keep a record of its proceedings **in accordance with the retention policy**  
28 **established by the office of professional licensure and certification;**

29 34 Barbering, Cosmetology, Esthetics; Applications. Amend RSA 313-A:16 to read as follows:

30 313-A:16 Applications. Applicants shall make written application to the ~~secretary of the~~ board  
31 on a form prescribed and supplied by the ~~board~~ **office of professional licensure and**  
32 **certification** which shall contain satisfactory evidence of the qualifications required of the  
33 applicant; and the applicant shall also pay the examination fee.

34 35 Repeals; Barbering, Cosmetology, Esthetics. The following are repealed:

35 I. RSA 313-A:6, relative to compensation of board members.

36 II. RSA 313-A:7, I(f) and (g), relative to reports and fees.

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1       36 Body Art; Advisory Board; Compensation. Amend the introductory paragraph of RSA 314-  
2 A:14 to read as follows:

3       314-A:14 Advisory Board of Body Art Practitioners. The executive director shall establish the  
4 advisory board of body art practitioners. The board shall consist of 3 body art practitioners who are  
5 licensees in the state of New Hampshire. Each member shall be appointed to a term of 3 years. No  
6 member shall serve more than 2 consecutive full terms. ~~[Each member of the advisory board shall~~  
7 ~~receive as compensation the sum of \$45 for each day actually devoted to the work of the advisory~~  
8 ~~board and shall be reimbursed for necessary traveling expenses incurred in the discharge of such~~  
9 ~~duty.]~~ The advisory board shall:

10       37 Chiropractic; Rulemaking. Amend RSA 316-A:3, IV to read as follows:

11       IV. Procedures for oral examinations and interviews, if appropriate. Such rules shall  
12 include a listing of permissible areas of inquiry and a statement of the means by which the inquiry  
13 shall be recorded. Transcripts or recordings shall be maintained by the board or commission ~~[for a~~  
14 ~~period of not less than 90 days]~~ ***in accordance with the retention policy established by the***  
15 ***office of professional licensure and certification.***

16       38 Chiropractic; Board Meetings. Amend RSA 316-A:7 to read as follows:

17       316-A:7 Organization; Meetings. The board shall elect a chairperson ~~[and a secretary-~~  
18 ~~treasurer]~~. The board shall meet quarterly and at such other times as the business of the board  
19 shall require. ***A quorum shall consist of a majority of the members of the board who have***  
20 ***been approved by the governor and council.***

21       39 Repeals; Chiropractic. The following are repealed:

- 22       I. RSA 316-A:3, VIII, IX, and XVII, relative to rules on licensee information and fees.
- 23       II. RSA 316-A:6, relative to board member successors.
- 24       III. RSA 316-A:9, relative to compensation of board members.
- 25       IV. RSA 316-A:10, relative to a report.
- 26       V. RSA 316-A:16, relative to licensure without exam of certain persons.

27       40 Dentistry; Board Meetings. Amend RSA 317-A:4, II to read as follows:

28       II. The board shall choose one of its members as its president and one of its members as  
29 vice-president. ~~[Five members]~~ ***A majority of the members of the board who have been***  
30 ***approved by the governor and council*** shall constitute a quorum. No board action shall be taken  
31 without an affirmative vote of the majority of board members present and eligible to participate in  
32 the matter in question. Board members shall not be eligible to participate in a vote when the board  
33 member has recused himself or herself from participation due to a conflict of interest. The board  
34 shall meet once a year and at such other times and places as it may deem proper. A true record of  
35 all their official acts shall be made and preserved by the ~~[board's executive director]~~ ***office of***  
36 ***professional licensure and certification in accordance with the retention policy established***  
37 ***by the office.*** The records shall be public and shall be open to inspection at all reasonable times,

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1 except for records compiled in connection with disciplinary proceedings, which are subject to RSA  
2 317-A:18.

3 41 New Paragraph; Dentistry; Professional Health Program. Amend RSA 317-A:16-a by  
4 inserting after paragraph VI the following new paragraph:

5 VII. Rules governing the professional health program shall be implemented through the  
6 office of professional licensure and certification pursuant to RSA 310-A:1-d, II(h)(4).

7 42 Dentistry; Licensure of Hygienists. Amend RSA 317-A:21, II to read as follows:

8 II. Applications for licensure as a dental hygienist shall be made to the board in writing and  
9 shall be accompanied by a fee established by the ~~board~~ **office of professional licensure and**  
10 **certification** and by satisfactory proof that the applicant is a graduate of a school of dentistry or a  
11 school of dental hygiene with a minimum of a 2-year program in an institution of higher education,  
12 the program of which is accredited by a national accrediting agency recognized by the United States  
13 Department of Education and the Commission on Dental Accreditation.

14 43 Repeals; Dentistry. The following are repealed:

15 I. RSA 317-A:2, III, relative to compensation of board members.

16 II. RSA 317-A:2-a, I(d), relative to compensation of hygienists committee members.

17 III. RSA 317-A:4, I(d)-(f), relative to duties of the board.

18 IV. RSA 317-A:5, relative to reports and receipts.

19 V. RSA 317-A:10, relative to attested licenses.

20 VI. RSA 317-A:12, I, II, V, VII, VIII, and X, relative to rules on applications and fees.

21 VII. RSA 317-A:18, II, relative to retaining experts for investigations.

22 44 Dietitians; Board Records. Amend RSA 326-H:9, III to read as follows:

23 III. Maintain a true record of the board's official acts **through the office of professional**  
24 **licensure and certification and in accordance with the retention policy established by the**  
25 **office**, which shall be public and open to inspection at all reasonable times, except for records  
26 compiled in connection with disciplinary proceedings.

27 45 Dietitians; Rules. Amend RSA 326-H:10, I to read as follows:

28 I. The ~~[application—procedures]~~ **eligibility requirements** for licensure or temporary  
29 licensure to practice as a licensed dietitian in this state.

30 46 Dietitians; License Fees. Amend RSA 326-H:12, V to read as follows:

31 V. Pay the ~~[\$110]~~ license fee **established by the office of professional licensure and**  
32 **certification**.

33 47 Dietitians; License Renewals. Amend RSA 326-H:14, II to read as follows:

34 II. All licenses issued by the board shall be renewed biennially or reissued pursuant to rules  
35 adopted and upon payment of a ~~[\$110]~~ license renewal fee **established by the office of**  
36 **professional licensure and certification**. The board shall cause notification of impending license  
37 expiration to be sent to each licensed person at least 60 days prior to the expiration of the license.

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1 Licenses shall continue as valid until final action is exercised by the board on an application for  
2 renewal, provided that the application is filed before the expiration date of the license.

3 48 Repeal; Dieticians. The following are repealed:

4 I. RSA 326-H:7, IV, relative to travel expenses for board members.

5 II. RSA 326-H:10, III, V, and VIII, relative to rules on fees.

6 49 Repeal; Electrologists. RSA 314:2-a, IV, relative to compensation for the electrology advisory  
7 committee, is repealed.

8 50 Funeral Directors; Board. Amend RSA 325:2, I to read as follows:

9 I. There shall be a board of registration of funeral directors and embalmers consisting of 5  
10 members, including 4 funeral directors or embalmers and one public member, appointed by the  
11 governor, with the approval of the council, to serve terms of 5 years. No member of the board shall  
12 be appointed to more than 2 consecutive terms. ~~[The commissioner of the department of health and~~  
13 ~~human services, or his designee, shall serve as a non-voting secretary of the board.]~~

14 51 Funeral Directors; Quorum. Amend RSA 325:8 to read as follows:

15 325:8 Organization; Quorum. Within 30 days after appointment and qualification of a member,  
16 the board shall meet and elect from among its members a chairperson and such other officers as the  
17 board may provide for by rule. This organization shall continue until the appointment of a new  
18 member or upon the resignation of an existing board officer. The office of secretary and treasurer  
19 may be held by one member. ~~[Three members]~~ ***A majority of the members of the board who***  
20 ***have been approved by the governor and council*** shall constitute a quorum for the transaction  
21 of business.

22 52 Funeral Directors; Rules. Amend RSA 325:9, IV to read as follows:

23 IV. ~~[How a license to practice under this chapter shall be renewed]~~ ***Eligibility***  
24 ***requirements for renewal of license***, including the requirements for continuing education;

25 53 Funeral Directors; Licensure. Amend RSA 325:20 to read as follows:

26 325:20 Licensure. The board shall issue to each applicant successfully passing the examination,  
27 where an examination is required, and who otherwise satisfies the board of ***her or*** his qualifications,  
28 a license, ~~[signed by all the members of the board,]~~ entitling ***her or*** him to practice or engage in the  
29 business in this state as a funeral director, embalmer, or both, as the case may be.

30 54 Funeral Directors; Interstate Agreements. Amend RSA 325:22-a to read as follows:

31 325:22-a Interstate Agreements. The board may enter into an agreement with the corresponding  
32 licensing authority of any other state competent to enter into such agreement which shall permit a  
33 nonresident person duly registered and licensed as a funeral director or embalmer in any state  
34 signing the agreement with the board to go into the other state for the purpose of handling,  
35 embalming, transporting, and burying dead human bodies and directing funerals as though he ***or***  
36 ***she*** were licensed under the laws of New Hampshire, except that he ***or she*** shall not maintain an  
37 establishment, advertise, have any agent or agency, or otherwise hold himself ***or herself*** out as a



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1 funeral director or embalmer other than in his *or her* native state; provided that the agreement will  
2 set forth that the licensing authority of the state in which the funeral director or embalmer is  
3 licensed will assume the responsibility for instituting disciplinary action against any licensed  
4 funeral directors or embalmers who may be guilty of unprofessional conduct in the practice of their  
5 business in New Hampshire when such is reported by this board and the same to apply to New  
6 Hampshire *individuals* licensed ~~[men]~~ ***under this chapter.***

7 55 Funeral Directors; Notification. Amend RSA 325:24 to read as follows:

8 325:24 Notices of Expiration. On or before May 15 of each odd-numbered year, the board shall  
9 ~~[mail to]~~ ***notify*** each holder of a license ~~[a notice]~~ of the expiration of *her or* his license and an  
10 application for the renewal thereof.

11 56 Repeal; Funeral Directors. The following are repealed:

- 12 I. RSA 325:6, relative compensation of board members.
- 13 II. RSA 325:9, I and V, relative to rules on applications and fees.
- 14 III. RSA 325:11, relative to a register of licensees.
- 15 IV. RSA 325:12, relative to a board treasurer.
- 16 V. RSA 325:33, II, relative to investigations.
- 17 VI. RSA 325:39, relative to an account.
- 18 VII. RSA 325:42, relative to a special fund.

19 57 Hearing Care Providers; Board of Hearing Care Providers. Amend RSA 137-F:3, VII to read  
20 as follows:

21 VII. A quorum of the board shall be ~~[4 members]~~ ***a majority of the members of the board***  
22 ***who have been approved by the governor and council.***

23 58 Hearing Care Providers; Rulemaking. Amend RSA 137-F:6, I and II to read as follows:

- 24 I. The ~~[form and]~~ content of audiologist license applications and examinations.
- 25 II. The ~~[form and]~~ content of hearing aid dealer registration applications and examinations.

26 59 Hearing Care Providers; Application for Registration; Fees. RSA 137-F:9 is repealed and  
27 reenacted to read as follows:

28 137-F:9 Application for Registration. An application for a certificate of registration under this  
29 chapter shall be filed with the board in such form and detail as required in accordance with rules  
30 adopted under RSA 541-A.

31 60 Hearing Care Providers; Record. RSA 137-F:29 is repealed and reenacted to read as follows:

32 137-F:29 Record. The board shall maintain a record of its proceedings in accordance with the  
33 retention policy established by the office of professional licensure and certification.

34 61 Repeal; Hearing Care Providers. The following are repealed:

- 35 I. RSA 137-F:3, V, relative to mileage for members of board of hearing care providers.
- 36 II. RSA 137-F:4, relative to board subcommittees.
- 37 III. RSA 137-F:5, VIII and IX, relative to certain powers and duties of the board.

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1 IV. RSA 137-F:6, V, relative to the board's rulemaking authority.

2 V. RSA 137-F:21, III, relative to the board's authority to appoint legal counsel and  
3 investigatory experts.

4 62 Medical Imaging and Radiation Therapy; Board Responsibilities. Amend RSA 328-J:7 to  
5 read as follows:

6 328-J:7 Board Responsibilities; Rulemaking Authority. The board shall adopt rules, pursuant to  
7 RSA 541-A, relative to:

8 I. ~~[The application procedure for any license issued under this chapter.~~

9 ~~II.]~~ The qualifications of applicants in addition to those required by statute.

10 ~~III.]~~ II. The ~~[design and]~~ content of all forms required under this chapter.

11 ~~IV.]~~ ~~The establishment of all fees required under this chapter.~~

12 ~~V.]~~ III. How an applicant shall be examined, including:

13 (a) Time and place of examination.

14 (b) The subjects to be tested.

15 (c) Passing grade.

16 (d) Disposition of examination papers.

17 ~~VI.]~~ ~~How a license shall be renewed, reinstated, or placed on inactive status.~~

18 ~~VII.]~~ IV. Ethical standards, required to be met by each limited x-ray machine operator,  
19 medical imaging professional, and radiation therapist licensed under this chapter, and how a license  
20 may be revoked for violation of these standards.

21 ~~VIII.]~~ V. Establishment of the scope of practice for limited x-ray machine operators, medical  
22 imaging professionals, and radiation therapists.

23 ~~IX.]~~ VI. Procedures for assuring the continuing competence of limited x-ray machine  
24 operators, medical imaging professionals, and radiation therapists licensed under this chapter  
25 including, but not limited to, continuing education requirements and the professional's health  
26 program.

27 ~~X.]~~ VII. How licensees shall provide evidence of good professional character and reliability  
28 to satisfy the board that they shall faithfully and conscientiously avoid professional misconduct and  
29 otherwise adhere to the requirements of this chapter.

30 ~~XI.]~~ VIII. Procedures for accepting and responding to written complaints, publicizing the  
31 complaint procedure, standards of and procedures for conducting investigations, investigator  
32 training requirements, and procedures for conducting disciplinary hearings and alternative dispute  
33 resolution under this chapter.

34 ~~XII.]~~ IX. Procedures relative to the disclosure to the public of final disciplinary actions by  
35 the board, including those actions that occur without holding a public hearing. Dismissed  
36 complaints shall not be made public.

37 ~~XIII.]~~ X. Standards of care for the practice of telemedicine or telehealth.

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1           ~~[XIV.]~~ **XI.** Interstate licensure and temporary permits under RSA 328-J:20.

2           ~~[XV.]~~ **XII.** ~~[Procedures for an educational program review and approval to follow in making~~  
3 ~~application for]~~ **Standards for educational program** approval by the board.

4           ~~[XVI.]~~ **XIII.** A process for reviewing the accreditation status of an educational program  
5 which is currently accredited by a recognized national educational accreditation organization.

6           63 Medical Imaging and Radiation Therapy; Hearings. Amend RSA 328-J:18, V to read as  
7 follows:

8           V. Any disciplinary action by the board shall be ~~[published in the report of the board and~~  
9 ~~shall be]~~ a public record in accordance with RSA 91-A.

10           64 Repeal; Medical Imaging and Radiation Therapy. RSA 328-J:3, IV, relative to compensation  
11 for members of the board of medical imaging and radiation therapy, is repealed.

12           65 Board of Registration of Medical Technicians; Rulemaking. RSA 328-I:4 is repealed and  
13 reenacted to read as follows:

14           328-I:4 Rulemaking. The board shall adopt rules, pursuant to RSA 541-A, relative to:

15           I. Registration eligibility requirements.

16           II. Eligibility requirements for renewal or reinstatement of a registration to work as a  
17 medical technician.

18           III. The conduct of investigations and hearings, in accordance with RSA 328-I:11.

19           IV. Procedures for notice and hearing prior to denial, suspension, or revocation of a  
20 registration and the imposition of administrative fines.

21           V. Procedures for the approval or denial of an application.

22           VI. Procedures for sharing information with other in-state boards, the office of inspector  
23 general, department of health and human services, out-of-state boards, and law enforcement  
24 entities.

25           66 Repeals; Board of Registration of Medical Technicians. The following are repealed:

26           I. RSA 328-I:2, III, relative to compensation for members of the board of registration of  
27 medical technicians.

28           II. RSA 328-I:3, V, VII, VIII, IX, and X, relative to certain duties of the board.

29           III. RSA 328-I:10, XI, relative to notice of disciplinary actions by the board.

30           IV. RSA 328-I:15, relative to the board's annual report.

31           67 Physician Assistants; Conditions for Licensure. Amend the introductory paragraph of RSA  
32 328-D:3, I to read as follows:

33           I. To apply for licensure by the board as a physician assistant, an applicant shall file a  
34 written application on forms provided by the ~~[board]~~ **office of professional licensure and**  
35 **certification** and pay an application fee. The applicant to be licensed shall:

36           68 Physician Assistants; Rulemaking. Amend RSA 328-D:10, I,(b) to read as follows:

37           (b) ~~[Form and]~~ Content of the application for licensure.

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1       69 Physician Assistants; Recordkeeping. RSA 328-D:11 is repealed and reenacted to read as  
2 follows:

3       328-D:11 Recordkeeping. The board shall keep a record of its proceedings under this chapter in  
4 accordance with the retention policy established by the office of professional licensure and  
5 certification.

6       70 Repeal; Physician Assistants. RSA 328-D:10, I(c) relative to the board of medicine's  
7 rulemaking authority regarding application procedures, is repealed.

8       71 Physicians and Surgeons; Records. Amend RSA 329:8 to read as follows:

9       329:8 Records. A true record of all of the board's official acts shall be made and preserved ~~by~~  
10 ~~the administrator]~~ ***in accordance with the retention policy established by the office of***  
11 ***professional licensure and certification.*** The records shall be public and shall be open to  
12 inspection at all reasonable times, except for records compiled in connection with disciplinary  
13 investigations and records otherwise exempt from disclosure under RSA 91-A, RSA 329:18, or other  
14 applicable statutes.

15       72 Physicians and Surgeons; Professionals' Health Program. Amend RSA 329:13-b, V(a) to read  
16 as follows:

17       V.(a) The ~~board]~~ ***office of professional licensure and certification*** may contract with  
18 other organizations to operate the professionals' health program for physicians and physician  
19 assistants who are impaired or potentially impaired because of mental or physical illness including  
20 substance abuse or disruptive behavior. This program shall be available to all physicians and  
21 physician assistants licensed in this state, all physicians and physician assistants seeking licensure  
22 in this state, and all resident physicians in training, and shall include, but shall not be limited to,  
23 education, intervention, ongoing care or treatment, and post-treatment monitoring.

24       73 New Paragraph; Physicians and Surgeons; Professionals' Health Program. Amend RSA  
25 329:13-b by inserting after paragraph VI the following new paragraph:

26       VII. Rules governing the program shall be implemented through the office of professional  
27 licensure and certification pursuant to RSA 310-A:1-d, II(h)(4).

28       74 Physicians and Surgeons; Notice of Renewal. Amend RSA 329:16-d to read as follows:

29       329:16-d Notice of Renewal. On or before March 1 of each licensee's renewal year, the board  
30 shall ~~mail]~~ ***notify*** each licensee, except those on the inactive list, an application for renewal of  
31 license.

32       75 Physicians and Surgeons; Disciplinary Action. Amend RSA 329:17, V-a to read as follows:

33       V-a. A medical review subcommittee of 13 members shall be nominated by the board of  
34 medicine and appointed by the governor and council. The subcommittee shall consist of 13 persons,  
35 9 of whom shall be physicians, one of whom shall be a physician assistant, and 3 of whom shall be  
36 public members. One of the physician members shall practice in the area of pain medicine and  
37 anesthesiology. No public member of the subcommittee shall be or ever have been a member of the

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1 medical profession or the spouse of a member of the medical profession. No public member shall  
2 have or ever have had a material financial interest in either the provision of medical services or an  
3 activity directly related to medicine, including the representation of the board or profession for a fee.  
4 The terms of the public members shall be staggered so that no 2 public members' terms expire in the  
5 same year. The subcommittee members shall be appointed for 3-year terms, and shall serve no more  
6 than 2 terms. Upon referral by the board, the subcommittee shall review disciplinary actions  
7 reported to the board under paragraphs II-V of this section, except that matters concerning a  
8 medical director involved in a current internal or external grievance pursuant to RSA 420-J shall not  
9 be reviewed until the grievance process has been completed. Following review of each case, the  
10 subcommittee shall make recommendations to the board. ~~[Funds shall be appropriated from the~~  
11 ~~general fund for use by the subcommittee to investigate allegations under paragraphs I-V of this~~  
12 ~~section.]~~ The state of New Hampshire, by the board and the office of professional licensure and  
13 certification, and with the approval of governor and council, shall contract with a qualified physician  
14 to serve as a medical review subcommittee investigator.

15 76 Physicians and Surgeons; Disciplinary Action. Amend RSA 329:17, XIII to read as follows:

16 XIII. When an investigation of a complaint against a licensee is determined to be unfounded,  
17 the board shall dismiss the complaint and explain in writing to the complainant its reason for  
18 dismissing the complaint. The board may destroy all information collected during the course of the  
19 investigation ~~[after 3 years]~~ ***in accordance with the retention policy established by the office***  
20 ***of professional licensure and certification.*** The board shall retain a record only noting that an  
21 investigation was conducted and that the board determined the complaint to be unfounded. For the  
22 purpose of this paragraph, a complaint shall be deemed to be unfounded if it does not fall within the  
23 jurisdiction of the board, does not relate to the actions of the licensee, or is determined by the board  
24 to be frivolous.

25 77 Physicians and Surgeons; Denial or Revocation of License. Amend RSA 329:18, II to read as  
26 follows:

27 II. The board through the office of professional licensure and certification may retain expert  
28 witnesses or other qualified persons to assist with any investigation or adjudicatory proceeding.  
29 Members of the board are not eligible for retainment. ~~[The board may also retain special legal~~  
30 ~~counsel in instances when recommended by the attorney general. To the extent the board's existing~~  
31 ~~appropriation does not include funds covering such expenditures, the board through the office of~~  
32 ~~professional licensure and certification may request the governor and council to expend funds not~~  
33 ~~otherwise appropriated on the condition that such funds be recovered in the board's next budget at~~  
34 ~~the rate of 125 percent.]~~

35 78 Repeal; Physicians and Surgeons. The following are repealed:

36 I. RSA 329:2, II(e), III, and IV, relative to duties of the board of medicine regarding  
37 physicians and surgeons.

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1 II. RSA 329:5, relative to compensation for members of the board and the medical review  
2 subcommittee.

3 III. RSA 329:9, I and VII, relative to rulemaking authority regarding applications, and fees.

4 IV. RSA 329:14, IV, relative to license format.

5 V. RSA 329:19, relative to record of accounts.

6 79 Mental Health Practice; Committees Established; Duties. Amend RSA 330-A:4, I and I-a to  
7 read as follows:

8 I. The board ~~shall~~ **may** create an advisory committee for each mental health discipline it  
9 licenses for the purpose of assisting the board in its responsibilities under RSA 330-A:10, II, and  
10 RSA 330-A:10, VII-XV. The board member of each mental health discipline shall serve as the chair  
11 of that advisory committee. The balance of the membership of each of the advisory committees shall  
12 be composed of at least 2 persons and no more than 4 persons licensed in the mental health  
13 discipline of that committee.

14 I-a. The board ~~shall~~ **may** create a professional conduct investigation committee for the  
15 purpose of assisting the board in its responsibilities under RSA 330-A:28 and RSA 330-A:29. A  
16 board investigator, appointed by the chairperson of the board with the advice of the board, shall  
17 serve as the chair of the professional conduct investigation committee. The balance of the  
18 membership of the professional conduct investigation committee shall be composed of one licensed  
19 clinical social worker, one licensed clinical mental health counselor, and additional members from  
20 the professions licensed by the board to a maximum of 12 members.

21 80 Mental Health Practice; Organization and Meetings. Amend RSA 330-A:9, I to read as  
22 follows:

23 I. The board shall hold regular annual meetings. Other meetings of the board shall be held  
24 at such times and upon such notice as the rules of the board provide. ~~[Five members]~~ ***A majority of***  
25 ***the members of the board who have been approved by the governor and council*** shall  
26 constitute a quorum.

27 81 Mental Health Practice; Board; Responsibilities and Rulemaking Authority. RSA 330-A:10 is  
28 repealed and reenacted to read as follows:

29 330-A:10 Board; Responsibilities and Rulemaking Authority. The board shall adopt rules,  
30 pursuant to RSA 541-A, relative to:

31 I. Procedures for expedited licensure for applicants from other states who qualify under RSA  
32 330-A:26.

33 II. The qualifications of applicants in addition to those requirements set by statute.

34 III. How an applicant shall be examined, including:

35 (a) Time and place of examination.

36 (b) The subjects to be tested.

37 (c) Passing grade.

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1 (d) Disposition of examination papers.

2 IV. Ethical standards, as promulgated by the American Association of Pastoral Counselors,  
3 required to be met by each pastoral psychotherapist licensed under this chapter, and how a license  
4 may be revoked for violation of these standards.

5 V. Ethical standards, as promulgated by the National Association of Social Workers,  
6 required to be met by each licensed clinical social worker, and how a license may be revoked for  
7 violation of these standards.

8 VI. Ethical standards, including those promulgated by the American Clinical Mental Health  
9 Counselors Association, required to be met by each licensed clinical mental health counselor, and  
10 how a license may be revoked for violations of these standards.

11 VII. Ethical standards, including those promulgated by the American Association of  
12 Marriage and Family Therapy, required to be met by each licensed marriage and family therapist,  
13 and how a license may be revoked for violations of these standards.

14 VIII. Compliance with the mental health client bill of rights as authorized under RSA 330-  
15 A:15.

16 IX. Procedures, standards, and supervision requirements for candidates for licensure as a  
17 member of one of the licensed mental health disciplines, consistent with the standards established  
18 by the advisory committee for each of the licensed mental health disciplines. All candidates for  
19 licensure shall be documented with the board. The supervision shall be at a location mutually  
20 convenient to both the supervisor and the candidate for licensure.

21 X. Establishment of the scope of practice for each mental health discipline licensed under  
22 this chapter, consistent with the standards established by the advisory committee for each of the  
23 licensed mental health disciplines.

24 XI. Procedures for assuring the continuing competence of persons licensed under this  
25 chapter including, but not limited to, continuing education requirements, provided that at least 3  
26 hours of the required continuing education units for biennial renewal shall be from a nationally  
27 recognized, evidence-based or best practices training organization in the area of suicide prevention,  
28 intervention, or post-vention and how mental illness, substance use disorders, trauma, or  
29 interpersonal violence directly impacts risk for suicide.

30 XII. How licensees shall provide evidence of good professional character and reliability to  
31 satisfy the board that they shall faithfully and conscientiously avoid professional misconduct and  
32 otherwise adhere to the requirements of this chapter.

33 XIII. Procedures for accepting and responding to written complaints, publicizing the  
34 complaint procedure, standards of and procedures for conducting investigations, investigator  
35 training requirements, and procedures for conducting disciplinary hearings under this chapter.

36 XIV. The content of the materials and information to be distributed under RSA 330-A:14.

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1           XV. Procedures for receiving and addressing complaints against licensees who have had a  
2 personal or professional relationship with a board member.

3           XVI. Requirements to be met by licensees relative to the disclosure of information to  
4 patients and the general public concerning the nature of mental health care and the responsibilities  
5 of mental health practitioners to clients in RSA 330-A:15, XV. Procedures and mechanisms for  
6 providing interdisciplinary collaboration among the mental health disciplines.

7           82 Mental Health Practice; Applicants From Other States. Amend RSA 330-A:26, II to read as  
8 follows:

9           II. An applicant whose state licensure meets the requirements in paragraph I shall be  
10 allowed to practice in this state not more than 30 days after the application is received by the board,  
11 pending final approval or denial of the license for other reason by the board. The board shall adopt  
12 rules under RSA 330-A:10, I [~~and I-a~~] **relative** to [~~ensure the timely review and approval of~~  
13 ~~applications under this section~~] **procedures for expedited licensure for applicants from other**  
14 **states.**

15           83 Mental Health Practice; Hearings. Amend RSA 330-A:29, IV to read as follows:

16           IV. The respondent shall be heard in his or her defense either in person or by counsel and  
17 may produce witnesses and testify in his or her behalf. A [~~stenographic~~] record of the hearing shall  
18 be taken and preserved. The hearing may be adjourned from time to time.

19           84 Repeal; Mental Health Practice. The following are repealed:

20           I. RSA 330-A:7, relative to compensation and expenses.

21           II. RSA 330-A:13, relative to records and reports.

22           85 Midwifery; Powers and Duties of the Council. Amend RSA 326-D:4, I to read as follows:

23           I. The powers and duties of the council shall include:

24           (a) Certifying eligible applicants for certification under this chapter.

25           (b) [~~Establishing fees for examination of applicants.~~

26           ~~(e)]~~ (e) Investigating complaints against persons certified under this chapter.

27           ~~[(d)]~~ (c) Undertaking, when appropriate, disciplinary proceedings and disciplinary  
28 action against persons certified under this chapter.

29           ~~[(e) Reporting to the commissioner immediately on all complaints received and~~  
30 ~~disciplinary action taken.]~~

31           86 Midwifery; Rulemaking. Amend RSA 326-D:5 to read as follows:

32           326-D:5 Rulemaking.

33           I. The council shall adopt rules, pursuant to RSA 541-A, relative to:

34           (a) Qualifications for the practice of midwifery.

35           (b) The teaching of midwifery.

36           (c) The scope of practice and procedures in the practice of midwifery, including policies  
37 for professional direction and supervision.



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1 (d) ~~[Procedures]~~ **Eligibility requirements** for the certification of midwives and the  
2 issuance of certificates of midwifery, including procedures for provisional certification and  
3 recertification after certification has lapsed.

4 (e) Renewal ~~[procedures]~~ **eligibility requirements**, including requirements for  
5 continuing education and peer review.

6 (f) Diagnostic and laboratory tests midwives may administer and perform and the  
7 proper administration of RSA 326-D:12.

8 (g) Standards for reciprocity.

9 (h) ~~[Establishing examination fees authorized under RSA 326-D:4, I(b)].~~

10 ~~(i)]~~ Establishing all administrative fines authorized under RSA 326-D:8, III(a)(4).

11 ~~(j)]~~ (i) Reporting requirements relative to client information and notification of  
12 transfers.

13 II. No rule relative to the scope of midwifery practice shall exceed the parameters of the  
14 definition of "midwifery" under RSA 326-D:2, V.

15 III. Notwithstanding RSA 541-A:16, I(b)(2), the council shall adopt the model rules for  
16 adjudicative hearings adopted by the attorney general under RSA 541-A:30-a. The council may  
17 adopt supplements or modifications to the model rules pursuant to RSA 541-A:30-a, IV. Rehearings  
18 and appeals to the council shall be conducted pursuant to the provisions of RSA 541.

19 87 Midwifery; Council Established. Amend RSA 326-D:3, IV to read as follows:

20 IV. Members of the council shall elect a chairperson annually from among their members.  
21 The council shall meet at least quarterly and may hold additional meetings at such times as it may  
22 deem necessary. A quorum of the council shall consist of ~~[no fewer than 4 members]~~ **a majority of**  
23 **the members of the council who have been approved by the governor and council.**

24 88 Midwifery; Certificate of Renewal; Continuing Education. Amend RSA 326-D:11 to read as  
25 follows:

26 326-D:11 Certificate Renewal; Continuing Education. Every person certified under this chapter  
27 shall apply to the council for certificate renewal every 2 years. Renewals of certificates shall be  
28 contingent upon presentation of satisfactory evidence to the council of having met the continuing  
29 education requirements established by the council pursuant to RSA 326-D:5, I(e) and shall be  
30 accompanied by the renewal fee established ~~[pursuant to RSA 326-D:4, I(b)]~~ **by the office of**  
31 **professional licensure and certification.** All certificates shall automatically lapse 2 years after  
32 the date of issuance unless a timely and complete renewal application has been filed with the  
33 council. In no event shall a certificate, for which a timely and complete application for renewal has  
34 been submitted, expire before the council has taken final action upon the application.

35 89 Repeals; Midwifery. The following are repealed:

36 I. RSA 326-D:2, III relative to a definition of commissioner.

37 II. RSA 326-D:9, relative to a report.

1 III. RSA 326-D:10, relative to powers and duties of commissioner.

2 90 Naturopathic Health Care Practice; Naturopathic Board of Examiners. Amend RSA 328-E:7,  
3 V to read as follows:

4 V. Members of the board shall elect a chairperson annually from among the members.  
5 [~~Three~~] **A majority of the** members of the board **who have been approved by the governor and**  
6 **council** constitute a quorum for the transaction of business.

7 91 Naturopathic Health Care Practice; Powers and Duties of the Board. RSA 328-E:8 is  
8 repealed and reenacted to read as follows:

9 328-E:8 Powers and Duties of the Board.

10 I. The board shall:

11 (a) Insure that doctors of naturopathic medicine serving the public meet minimum  
12 standards of proficiency and competency to protect the health, safety and welfare of the public.

13 (b) Administer and enforce all provisions of this chapter, which pertain to licensees and  
14 applicants, and all rules adopted by the board under the authority granted in this chapter.

15 (c) Maintain a record of its acts and proceedings, including the issuance, refusal,  
16 renewal, suspension or revocation of licenses in accordance with the retention schedule established  
17 by the office of professional licensure and certification.

18 (d) Keep all applications for licensure in accordance with the retention policy established  
19 by the office of professional licensure and certification.

20 (e) Maintain a record of the results of all examinations it gives in accordance with the  
21 office of professional licensure and certification.

22 (f) Keep all examination records including written examination records and tape  
23 recordings of the questions and answers in oral examinations in accordance with the retention policy  
24 established by the office of professional licensure and certification.

25 (g) Keep the records of the board open to public inspection at all reasonable times.

26 (h) Adopt and use a seal, the imprint of which, together with the signatures of the  
27 chairman or vice-chairman and the secretary-treasurer of the board, shall evidence its official acts.

28 (i) Annually compile and publish a directory.

29 II. The board shall have the power to subpoena witnesses and administer oaths in any  
30 hearing or disciplinary proceedings, and to compel, by subpoena duces tecum, the production of  
31 papers and records.

32 III. Witnesses summoned before the board shall be paid the same fees as witnesses  
33 summoned to appear before the superior court, and such summons shall have the same effect as  
34 though issued for appearance before such court.

35 IV. The board shall accept written complaints from the public against licensees and conduct  
36 necessary investigations of such complaints.

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1 92 Repeal; Naturopathic Health Care. RSA 328-E:7, VI, relative to the board serving without  
2 pay, is repealed.

3 93 Nurse Practice Act; Rulemaking Authority. Amend RSA 326-B:9, I and II to read as follows:

4 I. ~~[Application procedures and]~~ Eligibility requirements for the issuance of all initial,  
5 temporary, and renewal licenses, specialty licenses, and certificates issued by the board, including  
6 the issuance of such licenses to applicants holding a currently valid license or other authorization to  
7 practice in another jurisdiction.

8 II. ~~[Application procedures and]~~ Eligibility requirements for the reinstatement of licenses  
9 after lapse and after disciplinary action.

10 94 Nurse Practice Act; Alternative Recovery Monitoring Program. Amend RSA 326-B:36-a, VI  
11 to read as follows:

12 VI.(a) The ~~[board]~~ **office of professional licensure and certification** shall contract with  
13 other organizations to operate the alternative recovery monitoring program for licensees who are  
14 impaired by substance use disorder or mental or physical illness. This program may include, but  
15 shall not be limited to, assessment, education, intervention, drug and alcohol testing, temporary  
16 suspension or limitation of clinical privileges, drug addiction counseling, participation in peer  
17 support groups, record keeping with respect to success and failure rates, post-treatment assessment  
18 and monitoring, and other alternatives approved by the board.

19 (b) The ~~[board]~~ **office of professional licensure and certification** may allocate  
20 amounts determined by the board from the annual license renewal fees it collects from licensees in  
21 each class of nurses licensed by the board, to provide funding for the alternative recovery monitoring  
22 program as set forth in subparagraph (a).

23 (c) ~~[No later than July 1, 2019, the board shall adopt rules under RSA 541-A for the~~  
24 ~~procedures and other matters required to implement this section]~~ **Rules governing this program**  
25 **shall be implemented through the office of professional licensure and certification**  
26 **pursuant to RSA 310-A:1-d, II(h)(4).**

27 95 Repeal; Nurse Practice Act. RSA 326-B:3, VII, relative to compensation of members of the  
28 board of nursing, is repealed.

29 96 Nursing Home Administrators; Licenses. Amend RSA 151-A:7, III and IV to read as follows:

30 III. ~~[Any license issued by the board under or pursuant to the provisions of this section shall~~  
31 ~~be under the hand and seal of the secretary of the board.~~

32 ~~IV.]~~ If the board finds that programs of training and instruction conducted within the state  
33 are not sufficient in number or content to enable nursing home administrators to meet requirements  
34 established pursuant to this chapter, the board may request the department of health and human  
35 services to institute and conduct or arrange with others to conduct one or more such programs, and  
36 shall make provision for their accessibility to residents of this state. The department of health and  
37 human services may approve programs conducted within and without this state as sufficient to meet

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1 education and training requirements established pursuant to this chapter. For purposes of this  
2 paragraph, the department of health and human services shall have the authority to receive and  
3 disburse state funds allocated for this purpose and federal funds received pursuant to section  
4 1908(e)(1) of the Social Security Act.

5 97 Nursing Home Administrators; Registration. Amend RSA 151-A:8, II-IV to read as follows:

6 II. Upon making an application for a new certificate of registration such individual shall pay  
7 a [\$300] biennial registration renewal fee **established by the office of professional licensure and**  
8 **certification.**

9 III. Upon receipt of such application for registration, the registration fee and the evidence  
10 required with respect to the rules and regulations of the board, the board shall issue a certificate of  
11 registration to such nursing home administrator.

12 IV. Upon complaint or other knowledge of a nursing home administrator's violation of any  
13 provision of this chapter and for the health, safety, and protection of the public, the board is granted  
14 emergency license suspension authority. The ~~[secretary of the]~~ board may ~~[upon recommendation of~~  
15 ~~the board,]~~ immediately suspend an administrator's license to practice, pending notice and hearing  
16 as provided under RSA 541-A. For any license so suspended, the ~~[secretary]~~ **board** shall also notify  
17 the bureau of health facilities administration.

18 98 Repeal; Nursing Home Administrators. The following are repealed:

19 I. RSA 151-A:3, III(d), relative to compensation for members of the board of examiners of  
20 nursing home administrators.

21 II. RSA 151-A:3, V and VI, relative to the secretary of the board and administrative  
22 attachment.

23 III. RSA 151-A:8, VII, relative to maintaining a register of applications for licensing and  
24 registration of nursing home administrators.

25 99 Ophthalmic Dispensing; Rulemaking. Amend RSA 327-A:12, I and II to read as follows:

26 I. ~~[The]~~ **Eligibility requirements for** registration ~~[application form and content, and the~~  
27 ~~license application procedures].~~

28 II. ~~[The application form, content, and procedure]~~ **Eligibility requirements** for a renewal  
29 or reinstatement of a registration to practice ophthalmic dispensing, in accordance with RSA 327-  
30 A:3.

31 100 Optometry; Rulemaking Authority. RSA 327:31, I-X are repealed and reenacted to read as  
32 follows:

33 I. The qualifications of applicants in addition to those requirements set by RSA 327:6 and  
34 RSA 327:6-a;

35 II. How an applicant shall be examined including:

36 (a) Time and place of examination, and

37 (b) Passing grade;

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1 III. How a license to practice optometry shall be renewed or reinstated;

2 IV. Ethical and professional standards, in addition to those specified by RSA 327:20,  
3 required to be met by each holder of a license to practice optometry and how disciplinary actions by  
4 the board shall be implemented pursuant to RSA 327:21, RSA 327:22, and RSA 327:27 for violations  
5 of these standards;

6 V. Requirements for continuing education in addition to those requirements set by RSA  
7 327:33 and RSA 327:33-a;

8 VI. Additions or alterations to the defined pharmaceutical agents for diagnostic purposes as  
9 set forth in RSA 327:1, III;

10 VII. Procedural and substantive requirements for assessing, compromising, and collecting  
11 administrative fines as authorized by RSA 327:20, III(e); and

12 VIII. Prescribing controlled drugs pursuant to RSA 318-B:41.

13 101 Repeal; Optometry. The following are repealed.

14 I. RSA 327:4, relative to organization and reports.

15 II. RSA 327:5, relative to compensation.

16 III. RSA 327:33-b, relative to consumer publication.

17 102 Pharmacy Board; Inspectional Services. Amend RSA 318:9-a to read as follows:

18 318:9-a Inspectional Services. The pharmacy board *through the office of professional*  
19 *licensure and certification* shall provide inspectional services under this chapter and RSA 318-  
20 B:25 to the board of medicine, the board of veterinary medicine, the board of podiatry, the board of  
21 registration in optometry, the board of dental examiners, the board of nursing, and the naturopathic  
22 board of examiners. *Pharmacy board inspections shall be provided by pharmacists or*  
23 *pharmacy technicians licensed by the New Hampshire board of pharmacy who have*  
24 *training and experience regarding pharmacy statutes and rules.*

25 103 Pharmacy Board; Required; Compliance. Amend RSA 318:37, II(b)(2) to read as follows:

26 (2) Submit to the New Hampshire pharmacy board an application for registration as  
27 provided by the [~~New Hampshire pharmacy board~~] *office of professional licensure and*  
28 *certification*;

29 104 Pharmacy Board; Penalties. Amend RSA 318:55, III to read as follows:

30 III. For any order issued in resolution of a disciplinary proceeding before the board, the  
31 board may require that any licensee, permittee, registrant, or certificate holder found guilty of a  
32 charge involving any drug law or rule to pay to the board a sum not to exceed the reasonable cost of  
33 investigation and prosecution of the proceeding. The sum shall not exceed \$5,000. The costs to be  
34 assessed shall be fixed by the board and any sums recovered shall be paid to the state treasurer for  
35 deposit in the [~~general fund~~] *office of professional licensure and certification fund.*

36 105 Repeal; Pharmacy Board. The following are repealed:

37 I. RSA 318:4, relative to the compensation of pharmacy board members.

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1           II. RSA 318:5-a, I, III, V, VII, XI, and XI-b, relative to rulemaking on applications, forms and  
2 fees.

3           III. RSA 318:6, relative to the pharmacy board secretary.

4           IV. RSA 318:11, relative to pharmacy board reports.

5           V. RSA 318:51-e, I and IV, relative to rules for outsourcing facilities.

6           106 Podiatry; Requirements; Cross Reference Change. Amend RSA 315:2, II to read as follows:

7           II. Any person applying for licensure under this chapter, including any person seeking to  
8 restore or renew, shall provide the board with information relating to podiatric competence and  
9 professional conduct, in accordance with rules adopted under ~~[RSA 315:4, X]~~ **RSA 315:4, V.**

10          107 Podiatry; Peer Review Committee. Amend RSA 315:2-a to read as follows:

11          315:2-a Peer Review Committee. The board ~~[shall]~~ **may** establish a peer review committee  
12 consisting of 2 podiatrists appointed by the board and one medical practitioner, appointed by the  
13 board subject to the approval of the board of medicine. Each appointee shall serve for a 2-year term.

14          108 Podiatry; Rulemaking Authority. RSA 315:4 is repealed and reenacted to read as follows:

15          315:4 Rulemaking Authority. The board shall adopt rules, pursuant to RSA 541-A, relative to:

- 16           I. The qualifications of applicants in addition to those requirements set by statute.  
17           II. Eligibility requirements for renewal of licensure, including the requirements for  
18 continuing education.  
19           III. Ethical standards required to be met by each holder of any license issued under this  
20 chapter and how such license may be revoked for violation of these standards.  
21           IV. Procedures for the conduct of hearings.  
22           V. The imposition of administrative fines authorized under RSA 315:9, III(f).  
23           VI. Information required by the board in its application relative to the applicant's podiatric  
24 competence and professional conduct.  
25           VII. Prescribing controlled drugs pursuant to RSA 318-B:41.

26          109 Podiatry; Records and Reports. Amend RSA 315:5 to read as follows:

27          315:5 Records and Reports.

28          ~~[H.]~~ The board shall keep a true record of its official acts ***in accordance with the retention***  
29 ***policy established by the office of professional licensure and certification.*** With the  
30 exception of records compiled in connection with investigatory and deliberative aspects of  
31 disciplinary investigations and material otherwise exempt from disclosure under RSA 91-A or other  
32 applicable statutes, the board's records shall be subject to inspection at the board's office upon  
33 reasonable notice during ordinary business hours.

34          ~~[H.]~~ The board shall keep a record of the names and residences of all persons holding licenses  
35 or privileges under this chapter and a record of all money received and disbursed by the board.

36          ~~III.~~ The board shall report to the governor and council biennially in September. This report  
37 shall contain a full and complete account of all official actions taken during the preceding 2-year

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1 ~~period, together with a statement of the receipts and disbursements of the board and such comments~~  
2 ~~as the board in its discretion deems necessary.]~~

3 110 Podiatry; Notice of Expiration. Amend RSA 315:13 to read as follows:

4 315:13 Notice of Expiration. The secretary shall ~~mail a~~ **provide** notice to each holder of a  
5 license that has not been renewed within 90 days of the expiration date, advising him or her of the  
6 expiration of the license and the penalty of practicing podiatry without holding a license and the  
7 condition and terms upon which his or her license may be reinstated.

8 111 Repeal; Podiatry. RSA 315:3, relative to compensation of members of the board of podiatry,  
9 is repealed.

10 112 Controlled Drug Prescription Health and Safety Program; Operation. Amend RSA 318-  
11 B:33, VI-VII to read as follows:

12 VI. The ~~program administrator~~ **executive director** may issue a waiver to a dispenser that  
13 is unable to submit prescription information by electronic means. Such waiver may permit the  
14 dispenser to submit prescription information by paper form or other means, provided all information  
15 required by paragraph IV is submitted in this alternative format and within the established time  
16 limit.

17 VII. The ~~program administrator~~ **executive director** may grant a reasonable extension to a  
18 dispenser that is unable, for good cause, to submit all the information required by paragraph IV  
19 within the established time limits.

20 113 Controlled Drug Prescription Health and Safety Program; Information. Amend RSA 318-  
21 B:35 to read as follows:

22 318-B:35 Providing Controlled Drug Prescription Health and Safety Information.

23 I. The ~~program administrator~~ **executive director** may provide information in the  
24 prescription health and safety program upon request only to the following persons:

25 (a) By electronic or written request to prescribers, dispensers, and the chief medical  
26 examiner and delegates within the state who are registered with the program:

27 (1) For the purpose of providing medical or pharmaceutical care to a specific patient;

28 (2) For reviewing information regarding prescriptions issued or dispensed by the  
29 requester; or

30 (3) For the purpose of investigating the death of an individual.

31 (b) By written request, to:

32 (1) A patient who requests his or her own prescription monitoring information.

33 (2) The board of dentistry, the board of medicine, the board of nursing, the board of  
34 registration in optometry, the board of podiatry, the board of veterinary medicine, and the pharmacy  
35 board; provided, however, that the request is pursuant to the boards' official duties and  
36 responsibilities and the disclosures to each board relate only to its licensees and only with respect to  
37 those licensees whose prescribing or dispensing activities indicate possible fraudulent conduct.

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1           (3) Authorized law enforcement officials on a case-by-case basis for the purpose of  
2 investigation and prosecution of a criminal offense when presented with a court order based on  
3 probable cause. No law enforcement agency or official shall have direct access to query program  
4 information.

5           (4) [Repealed.]

6           (5) A practitioner or consultant retained by the office to review the system  
7 information of an impaired practitioner program participant or a referral who has agreed to be  
8 evaluated or monitored through the program and who has separately agreed in writing to the  
9 consultant's access to and review of such information.

10           (c) By electronic or written request on a case-by-case basis to:

11           (1) A controlled prescription drug health and safety program from another state;  
12 provided, that there is an agreement in place with the other state to ensure that the information is  
13 used or disseminated pursuant to the requirements of this state.

14           (2) An entity that operates a secure interstate prescription drug data exchange  
15 system for the purpose of interoperability and the mutual secure exchange of information among  
16 prescription drug monitoring programs, provided that there is an agreement in place with the entity  
17 to ensure that the information is used or disseminated pursuant to the requirements of this state.

18           (3) [Repealed.]

19           II. The ~~[program administrator]~~ **executive director** shall notify the appropriate regulatory  
20 board listed in subparagraph I(b)(2) and the prescriber or dispenser at such regular intervals as may  
21 be established by the office if there is reasonable cause to believe a violation of law or breach of  
22 professional standards may have occurred. The program administrator shall provide prescription  
23 information required or necessary for an investigation.

24           III. The ~~[program administrator]~~ **executive director** shall review the information to  
25 identify information that appears to indicate whether a person may be obtaining prescriptions in a  
26 manner that may represent misuse or abuse of schedule II-IV controlled substances. When such  
27 information is identified, the program administrator shall notify the practitioner who prescribed the  
28 prescription.

29           IV. The ~~[program administrator]~~ **executive director** shall make a report, at least annually,  
30 commencing on November 1, 2019, to the senate president, the speaker of the house of  
31 representatives, the oversight committee on health and human services, established in RSA 126-  
32 A:13, the advisory council established in RSA 318-B:38 and the licensing boards of all professions  
33 required to use the program relative to the effectiveness of the program.

34           114 Psychologists; Organization and Meetings. Amend RSA 329-B:9, I to read as follows:

35           I. The board shall hold regular annual meetings. Other meetings of the board shall be held  
36 at such times and upon such notice as the rules of the board provide. ~~[Five members]~~ **A majority of**



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1 *the members of the board who have been approved by the governor and council* shall  
2 constitute a quorum.

3 115 Psychologists; Records. Amend RSA 329-B:13 to read as follows:

4 329-B:13 Records and Reports.

5 [~~I.~~] The board shall keep records of its proceedings and separate registers of all applications  
6 for licensure and all complaints filed against licensees *in accordance with the retention policy*  
7 *established by the office of professional licensure and certification*. Such records shall show  
8 information relative to the application or complaint and the board's response to the application or  
9 complaint, without disclosing the identity of those involved, as the rules of the board may prescribe.  
10 The records shall be public and shall be open to inspection at all reasonable times, except for records  
11 compiled in connection with disciplinary investigations and records otherwise exempt from  
12 disclosure under RSA 91-A or other applicable statutes.

13 [~~II. Biennially, as of October 1, the board shall submit to the governor a report of the~~  
14 ~~applications, licensure, and other activity of the preceding biennium, and shall also transmit a~~  
15 ~~complete statement of the expenditures of the board.]~~

16 116 Psychologists; Hearings. Amend RSA 329-B:23, IV to read as follows:

17 IV. The respondent shall be heard in his or her defense either in person or by counsel and  
18 may produce witnesses and testify in his or her behalf. A [~~stenographic record~~] **recording** of the  
19 hearing shall be taken and preserved. The hearing may be adjourned from time to time.

20 117 Psychologists; Notice. Amend RSA 329-B:24, I to read as follows:

21 I. Licenses shall be valid for a period of 2 years and shall become invalid on the expiration  
22 date unless renewed or reinstated. It shall be the duty of the board to notify every person licensed  
23 by the board under this chapter of the date of expiration of the license and the amount of the fee that  
24 shall be required for its renewal for 2 years. Such notice shall be ~~mailed~~ **provided** at least 2 months  
25 in advance of the date of expiration of such license. Renewal shall be conditional upon filing a timely  
26 and complete renewal application and payment of the renewal fee.

27 118 Repeals; Psychologists. The following are repealed:

28 I. RSA 329-B:4, relative to advisory committees to the board.

29 II. RSA 329-B:7, relative to compensation of members of the board of psychology and related  
30 committees.

31 III. RSA 329-B:10, I, IV, VI, and XVI, relative to rulemaking authority.

32 IV. RSA 329-B:27, IV, relative to certain administrative rules relative to psychologists.

33 119 Repeal; Reflexologists, Structural Integrators, and Asian Bodywork Therapists. RSA 328-  
34 H:6, II, relative to the compensation of members of the advisory board, is repealed.

35 120 New Hampshire Veterinary Practice Act; Meetings and Duties. Amend RSA 332-B:5 to read  
36 as follows:

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1           332-B:5 Meetings and Duties. The board shall meet at least 6 times a year at the time and place  
2 fixed by rule of the board. Other necessary meetings may be called by the president of the board by  
3 giving notice as may be required by rule. The quorum and the actions of the board shall be in  
4 accordance with RSA 91-A. At its annual meeting, the board shall organize by electing a president  
5 and such other officers as may be prescribed by rule. Officers of the board serve for terms of one  
6 year and until a successor is elected, without limitation on the number of terms an officer may serve.  
7 The president shall preside at board meetings and serve as administrative head of the board. ~~[The~~  
8 ~~board shall submit annually to the governor a report on the transactions of the board, including an~~  
9 ~~account of monies received and disbursed as shall be required by the state auditors.]~~ Records shall  
10 be kept ~~[by the administrative assistant]~~ pursuant to RSA 91-A:3 **and in accordance with the**  
11 **retention policy established by the office of professional licensure and certification.**

12           121 New Hampshire Veterinary Practice Act; Hearing, Decisions, and Appeals. Amend RSA  
13 332-B:16, I to read as follows:

14           I. Adjudicatory proceedings shall be open to the public. The board's public docket file for  
15 each such proceeding shall include a taped or written account of all oral hearings and shall be  
16 retained by the board ~~[for 6 years from the issuance of the final decision]~~ **in accordance with the**  
17 **retention policy established by the office of professional licensure and certification.**

18           122 Repeal; Veterinary Practice Act. The following are repealed:

19           I. RSA 332-B:3, III, relative to compensation of members of the veterinary medicine board.

20           II. RSA 332-B:7, III, relative to the power of the board of veterinary medicine to set certain  
21 fees.

22           III. RSA 332-B:7, V-a, relative to the power of the board of veterinary medicine to  
23 compensate board counsel, assistants, and investigators.

24           IV. RSA 332-B:7-a, I, III, and VII, relative to certain rulemaking authority of the board of  
25 veterinary medicine.

26           123 General Administration of Regulatory Boards and Commissions; Reciprocity Information.  
27 Amend the introductory paragraph of RSA 332-G:12, I to read as follows:

28           I. All boards or commissions, including the board of hearing care providers established in  
29 RSA 137-F:3, **shall grant a license to an individual certified or licensed in another state if it**  
30 **determines that the requirements or standards for certification or licensure in that state**  
31 **are equivalent to, or greater than, those established in New Hampshire. All boards and**  
32 **commissions** shall post information on their website relative to reciprocal licensure or certification  
33 for persons holding a current and valid license or certification for the practice of the regulated  
34 profession in another state. Such information shall include a list of the states which the board or  
35 commission has determined to have license or certification requirements equal to, or greater than,  
36 the requirements of this state. The posting shall also list states with which the board or commission  
37 has:

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1           124 Board of Engineers; Establishment. Amend RSA 310-A:3, V and VI to read as follows:

2           V. The board shall hold at least 3 regular meetings each year and special meetings at such  
3 times as it may deem necessary. Notice of all meetings shall be given in such a manner as rules  
4 adopted by the board may provide. The board shall biennially elect a chairperson, vice-chairperson,  
5 and secretary. ~~[Three members]~~ ***A majority of the members of the board who have been***  
6 ***approved by the governor and council*** shall constitute a quorum.

7           VI.(a) The board shall keep a record of its proceedings ~~[and a register of all applications for~~  
8 ~~licensure, which shall show:]~~ ***in accordance with the retention policy established by the office***  
9 ***of professional licensure and certification.***

10                     ~~(1) The name, age, and residence of each applicant.~~

11                     ~~(2) The date of application.~~

12                     ~~(3) The place of business of such applicant.~~

13                     ~~(4) The applicant's educational and other qualifications.~~

14                     ~~(5) Whether or not an examination was required.~~

15                     ~~(6) Whether the applicant was rejected and the reasons for such rejection.~~

16                     ~~(7) Whether a license was granted.~~

17                     ~~(8) The date of the action of the board.~~

18                     ~~(9) Such other information as may be deemed necessary by the board.]~~

19           (b) The records of the board shall be prima facie evidence of the proceedings of the board,  
20 and a transcript of such records certified by the secretary of the board under seal shall be admissible  
21 in evidence with the same force and effect as if the original were produced. ~~[Biennially, as of~~  
22 ~~December 31, the board shall submit to the governor a report of the transactions of the preceding~~  
23 ~~biennium, and a complete statement of the receipts and expenditures of the board.]~~

24           125 Board of Engineers; Rulemaking Authority. Amend RSA 310-A:6, I(d) to read as follows:

25                     (d) ~~[How a license to practice under this subdivision shall be renewed]~~ ***The***  
26 ***requirements for renewal of a license***, including the requirements for continuing education;

27           126 Repeal; Professional Engineers. The following are repealed:

28           I. RSA 310-A:3, IV, relative to compensation for members of the board of engineers.

29           II. RSA 310-A:3, VII, relative to the roster of professional engineers published by the  
30 secretary of state.

31           III. RSA 310-A:6, I(a), (e), (j), and (k), relative to certain rulemaking authority of the board  
32 of engineers.

33           127 Board of Architects; Establishment. Amend RSA 310-A:29, V and VI to read as follows:

34           V. The board shall hold at least 3 regular meetings each year and special meetings at such  
35 times as it may deem necessary. Notice of all meetings shall be given in such a manner as rules  
36 adopted by the board may provide. The board shall biennially elect or appoint a chairperson, vice-

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1 chairperson, and secretary. ~~[Three members]~~ ***A majority of the members of the board who have***  
2 ***been approved by the governor and council*** shall constitute a quorum.

3 VI.(a) The board shall keep a record of its proceedings ~~[and a register of all applications for~~  
4 ~~licensure, which shall show:]~~ ***in accordance with the retention policy established by the office***  
5 ***of professional licensure and certification.***

6 ~~(1) The name, age, and residence of each applicant.~~

7 ~~(2) The date of application.~~

8 ~~(3) The place of business of such applicant.~~

9 ~~(4) The applicant's educational and other qualifications.~~

10 ~~(5) Whether or not an examination was required.~~

11 ~~(6) Whether the applicant was rejected and the reasons for such rejection.~~

12 ~~(7) Whether a license was granted.~~

13 ~~(8) The date of the action of the board.~~

14 ~~(9) Such other information as may be deemed necessary by the board.]~~

15 (b) The records of the board shall be prima facie evidence of the proceedings of the board,  
16 and a transcript of such records certified by the secretary of the board under seal shall be admissible  
17 in evidence with the same force and effect as if the original were produced. ~~[Biennially, as of~~  
18 ~~December 31, the board shall submit to the governor a report of the transactions of the preceding~~  
19 ~~biennium, and a complete statement of the receipts and expenditures of the board.]~~

20 128 Board of Architects; Rulemaking Authority. Amend RSA 310-A:32, I(d) to read as follows:

21 (d) ~~[How a license to practice under this subdivision shall]~~ ***The criteria for a license to***  
22 ***be renewed or reinstated, including [late fees and] any requirements for continuing education;***

23 129 Board of Architects; Expiration and Renewals. Amend RSA 310-A:46 to read as follows:

24 310-A:46 Expiration and Renewals. All licenses issued by the board shall expire on the last day  
25 of the month of the licensee's birth in the year 2 years following the year of issuance. The board  
26 shall cause notification of the impending license expiration to be sent to each licensee at least one  
27 month prior to the expiration date of the license. If the renewal fee is not submitted within 12  
28 months after the expiration date of the license, the licensee's name shall be removed from the  
29 mailing list ~~[and roster]~~. An application for reinstatement shall be required to return to active  
30 status. The ~~[board, pursuant to rules adopted under RSA 310-A:32,]~~ ***office of professional***  
31 ***licensure and certification*** shall charge up to a 20 percent late fee for each month or fraction of a  
32 month the renewal is late, up to 12 months, in addition to the renewal fee.

33 130 Repeal; Board of Architects. The following are repealed:

34 I. RSA 310-A:29, IV, relative to compensation for members of the board of architects.

35 II. RSA 310-A:29, VII, relative to the roster of architects published by the secretary of state.

36 III. RSA 310-A:32, I(a), (e), (j), and (k), relative to certain rulemaking authority of the board  
37 of architects.

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1 131 Board of Land Surveyors; Establishment. Amend RSA 310-A:55, V and VI to read as  
2 follows:

3 V. The board shall hold at least 4 regular meetings each year and special meetings at such  
4 times as it may deem necessary. Notice of all meetings shall be given in such a manner as rules  
5 adopted by the board may provide. The board shall elect or appoint a chairperson, vice-chairperson,  
6 and secretary. The secretary may or may not be a member of the board. ~~[Three members]~~ **A**  
7 **majority of the members of the board who have been approved by the governor and council**  
8 shall constitute a quorum.

9 VI.(a) The board shall keep a record of its proceedings and a register of all applications for  
10 licensure~~[- which shall show:]~~ **in accordance with the retention policy established by the office**  
11 **of professional licensure and certification.**

12 ~~(1) The name, age, and residence of each applicant.~~

13 ~~(2) The date of application.~~

14 ~~(3) The place of business of such applicant.~~

15 ~~(4) The applicant's educational and other qualifications.~~

16 ~~(5) Whether or not an examination was required.~~

17 ~~(6) Whether the applicant was rejected and the reasons for such rejection.~~

18 ~~(7) Whether a license was granted.~~

19 ~~(8) The date of the action of the board.~~

20 ~~(9) Such other information as may be deemed necessary by the board.]~~

21 (b) The records of the board shall be prima facie evidence of the proceedings of the board,  
22 and a transcript of such records certified by the secretary of the board under seal shall be admissible  
23 in evidence with the same force and effect as if the original were produced. ~~[Biennially, as of July 31~~  
24 ~~of each even-numbered year, the board shall submit to the governor a report of the transactions of~~  
25 ~~the preceding biennium, and a complete statement of the receipts and expenditures of the board.]~~

26 132 Land Surveyors; Rulemaking Authority. Amend RSA 310-A:58, IV to read as follows:

27 IV. ~~[How a license to practice under this subdivision shall]~~ **The requirements for a license**  
28 **to** be renewed, including the requirements for continuing education;

29 133 Land Surveyors; Rulemaking Authority. Amend RSA 310-A:58, VI-a to read as follows:

30 VI-a. ~~[Application procedures for and]~~ **The criteria for** issuance of land surveying  
31 certificates for proprietorships, corporations and partnerships, including the qualifications of  
32 applicants in addition to those requirements set forth under this subdivision, and for satisfactory  
33 evidence of good professional character;

34 134 Repeal; Land Surveyors. The following are repealed:

35 I. RSA 310-A:55, IV, relative to compensation of members of the board of land surveyors.

36 II. RSA 310-A:55, VII, relative to the roster of land surveyors published by the secretary of  
37 state.

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1           III. RSA 310-A:58, I and V, relative to certain rulemaking authority of the board of land  
2 surveyors.

3           135 Board of Natural Scientists; Establishment. Amend RSA 310-A:81, V and VI to read as  
4 follows:

5           V. The board shall hold at least 3 regular meetings each year and special meetings at such  
6 times as it may deem necessary. Notice of all meetings shall be given in such a manner as rules  
7 adopted by the board may provide. The board shall biennially elect or appoint a chairperson, vice-  
8 chairperson, and secretary. A quorum of the board shall consist of [~~at least 4 members~~] ***a majority***  
9 ***of the members of the board who have been approved by the governor and council.***

10           VI.(a) The board shall keep a record of its proceedings [~~and a register of all applications for~~  
11 ~~registration, which shall show:~~] ***in accordance with the retention policy established by the***  
12 ***office of professional licensure and certification.***

13                   ~~(1) The name and residence of each applicant.~~

14                   ~~(2) The date of application.~~

15                   ~~(3) The place of business of such applicant.~~

16                   ~~(4) The applicant's educational and other qualifications.~~

17                   ~~(5) Whether or not an examination was required.~~

18                   ~~(6) Whether the applicant was rejected and the reasons for such rejection.~~

19                   ~~(7) Whether a certificate of registration was granted.~~

20                   ~~(8) The date of the action of the board.~~

21                   ~~(9) Such other information as may be deemed necessary by the board.]~~

22           (b) The records of the board shall be prima facie evidence of the proceedings of the board,  
23 and a transcript of such records certified by the secretary of the board under seal shall be admissible  
24 in evidence with the same force and effect as if the original were produced. [~~Biennially, as of~~  
25 ~~December 31 of each even-numbered year, the board shall submit to the governor a report of the~~  
26 ~~transactions of the preceding biennium, and a complete statement of the receipts and expenditures~~  
27 ~~of the board.]~~

28           136 Board of Natural Scientists; Rulemaking Authority. Amend RSA 310-A:82, IV to read as  
29 follows:

30           IV. [~~How a certificate to practice under this subdivision shall~~] ***The criteria required for a***  
31 ***license to*** be renewed, including the requirement for continuing education.

32           137 Repeals; Natural Scientists. The following are repealed:

33           I. RSA 310-A:81, VII, relative to the roster of natural scientists published by the secretary of  
34 state.

35           II. RSA 310-A:82, I and V, relative to certain rulemaking authority of the board of natural  
36 scientists.

37           138 Board of Foresters; Establishment. Amend RSA 310-A:100, V and VI to read as follows:

1 V. The board shall hold at least 3 regular meetings each year and special meetings at such  
2 times as it may deem necessary. Notice of all meetings shall be given in such a manner as rules  
3 adopted by the board may provide. The board shall biennially elect or appoint a chairperson, vice-  
4 chairperson, and secretary. ~~[Four members]~~ ***A majority of the members of the board have been***  
5 ***approved by the governor and council*** shall constitute a quorum.

6 VI.(a) The board shall adopt an official seal.

7 (b) The board shall keep a true record of its proceedings ~~[and a register of all~~  
8 ~~applications for licensure, which shall show:]~~ ***in accordance with the retention policy***  
9 ***established by the office of professional licensure and certification.***

10 ~~(1) The name, age, and residence of each applicant.~~

11 ~~(2) The date of application.~~

12 ~~(3) The place of business of such applicant.~~

13 ~~(4) The applicant's educational and other qualifications.~~

14 ~~(5) Whether or not an examination was required.~~

15 ~~(6) Whether the applicant was rejected and the reasons for such rejection.~~

16 ~~(7) Whether a license was granted.~~

17 ~~(8) The date of the action of the board.~~

18 ~~(9) Such other information as may be deemed necessary by the board.]~~

19 (c) The records of the board shall be prima facie evidence of the proceedings of the board,  
20 and a transcript of such records certified by the secretary of the board under seal shall be admissible  
21 in evidence with the same force and effect as if the original were produced. ~~[Biennially, as of~~  
22 ~~December 31 of each even-numbered year, the board shall submit to the governor a report of the~~  
23 ~~transactions of the preceding biennium, and a complete statement of the receipts and expenditures~~  
24 ~~of the board.]~~

25 139 Board of Foresters; Rulemaking. Amend RSA 310-A:102, IV to read as follows:

26 IV. Renewal ~~[procedures]~~ ***criteria***, including requirements for continuing education.

27 140 Repeal; Board of Foresters. The following are repealed:

28 I. RSA 310-A:100, VII, relative to the roster of licensed foresters published by the secretary  
29 of state.

30 II. RSA 310-A:102, I and V, relative to certain rulemaking authority of the board of  
31 foresters.

32 141 Board of Professional Geologists. Amend RSA 310-A:120, V-VII to read as follows:

33 V. The board shall hold at least 3 regular meetings each year and special meetings at such  
34 times as it may deem necessary. Notice of all meetings shall be given in such a manner as rules  
35 adopted by the board may provide. The board shall biennially elect a chairperson, vice-chairperson,  
36 and secretary. ~~[Three members]~~ ***A majority of members of the board who have been approved***  
37 ***by the governor and council*** shall constitute a quorum.

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1 VI. The board shall keep a record of its proceedings [~~and a register of all applications for~~  
2 ~~licensure, which shall show:] **in accordance with the retention policy established by the office**  
3 **of professional licensure and certification.**~~

4 [~~(a) The name, age, and residence of each applicant.~~

5 [~~(b) The date of application.~~

6 [~~(c) The place of business of such applicant.~~

7 [~~(d) The applicant's educational and other qualifications.~~

8 [~~(e) Whether or not an examination was required.~~

9 [~~(f) Whether the applicant was rejected and the reasons for such rejection.~~

10 [~~(g) Whether a license or permit was granted.~~

11 [~~(h) The date of the action of the board.~~

12 [~~(i) Such other information as may be deemed necessary by the board.]~~

13 VII. The records of the board shall be prima facie evidence of the proceedings of the board,  
14 and a transcript of such records certified by the secretary of the board under seal shall be admissible  
15 in evidence with the same force and effect as if the original were produced. [~~Biennially, as of~~  
16 ~~December 31, the board shall submit to the governor a report of the transactions of the preceding~~  
17 ~~biennium, and a complete statement of the receipts and expenditures of the board.]~~

18 142 Board of Professional Geologists; Continuing Education. Amend RSA 310-A:127, I to read  
19 as follows:

20 I. Applications for licensure shall be [~~on forms prescribed and furnished by the board,] **made**  
21 **using the method prescribed and furnished by the office of professional licensure and**  
22 **certification. Applications** shall contain statements made under oath, showing the applicant's  
23 education and a detailed summary of the applicant's technical work, and shall contain not less than  
24 5 references, of whom at least 3 shall be professional geologists having personal knowledge of the  
25 applicant's professional experience.~~

26 143 Repeal; Board of Professional Geologists. The following are repealed:

27 I. RSA 310-A:120, VIII, relative to the roster of professional geologists published by the  
28 secretary of state.

29 II. RSA 310-A:121, I(a), II, and III, relative to certain rulemaking of the board of  
30 professional geologists.

31 III. RSA 310-A:123, relative to receipts and disbursements of the board of professional  
32 geologists.

33 144 Board of Landscape Architects; Establishment. Amend RSA 310-A:142, V and VI to read as  
34 follows:

35 V. The board shall hold at least 3 regular meetings each year and special meetings at such  
36 times as it may deem necessary. Notice of all meetings shall be given in such a manner as rules  
37 adopted by the board may provide. The board shall biennially elect or appoint a chairperson, vice-



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1 chairperson, and secretary. ~~[Three members]~~ ***A majority of the members of the board who have***  
2 ***been approved by the governor and council*** shall constitute a quorum.

3 VI.(a) The board shall keep a record of its proceedings ~~[and a register of all applications for~~  
4 ~~licensure, which shall show:]~~ ***in accordance with the retention policy established by the office***  
5 ***of professional licensure and certification.***

6 ~~(1) The name, age, and residence of each applicant.~~

7 ~~(2) The date of application.~~

8 ~~(3) The place of business of such applicant.~~

9 ~~(4) The applicant's educational and other qualifications.~~

10 ~~(5) Whether or not an examination was required.~~

11 ~~(6) Whether the applicant was rejected and the reasons for such rejection.~~

12 ~~(7) Whether a license was granted.~~

13 ~~(8) The date of the action of the board.~~

14 ~~(9) Such other information as may be deemed necessary by the board.]~~

15 (b) The records of the board shall be prima facie evidence of the proceedings of the board,  
16 and a transcript of such records certified by the secretary of the board under seal shall be admissible  
17 in evidence with the same force and effect as if the original were produced. ~~[Biennially, as of~~  
18 ~~December 31, the board shall submit to the governor a report of the transactions of the preceding~~  
19 ~~biennium, and a complete statement of the receipts and expenditures of the board.]~~

20 145 Board of Landscape Architects; Rulemaking Authority. Amend RSA 310-A:143, I(d) to read  
21 as follows:

22 (d) ~~[How a license to practice under this subdivision shall be]~~ ***The criteria for a***  
23 ***license to be*** renewed or reinstated, including late fees and any requirements for continuing  
24 education;

25 146 Board of Landscape Architects; Rulemaking. Amend RSA 310-A:143, I(j) to read as follows:

26 (j) ~~[Application procedures for and]~~ ***The*** issuance of corporate practice certificates.

27 147 Board of Landscape Architects; Expiration and Renewals. Amend RSA 310-A:154, II to read  
28 as follows:

29 II. If the renewal fee is not submitted within 12 months after the expiration date of the  
30 license, the licensee's name shall be removed from the mailing list ~~[and roster]~~. The board, pursuant  
31 to rules adopted under RSA 310-A:143, shall charge up to a 20 percent late fee for each month or  
32 fraction of a month the renewal is late, up to 12 months, in addition to the renewal fee.

33 148 Repeal; Landscape Architects. The following are repealed:

34 I. RSA 310-A:142, IV, relative to compensation of members of the board of landscape  
35 architects.

36 II. RSA 310-A:142, VII, relative to the roster of landscape architects published by the  
37 secretary of state.

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1           III. RSA 310-A:143, I(a) and (e), relative to certain rulemaking authority of the board of  
2 landscape architects.

3           149 Court Reporters; Board; Roster. Amend RSA 310-A:154, II to read as follows:

4           II. If the renewal fee is not submitted within 12 months after the expiration date of the  
5 license, the licensee's name shall be removed from the mailing list [~~and roster~~] The board, pursuant  
6 to rules adopted under RSA 310-A:143, shall charge up to a 20 percent late fee for each month or  
7 fraction of a month the renewal is late, up to 12 months, in addition to the renewal fee.

8           150 Court Reporters; Board; Rulemaking. Amend RSA 310-A:163 and 310-A:164 to read as  
9 follows:

10          310-A:163 Board.

11          I. There is hereby established a board of court reporters. The board shall consist of 5  
12 members who shall be citizens of the United States and residents of this state appointed by the  
13 governor and council, 3 of whom shall be court reporters, one of whom shall be a public member and  
14 one of whom shall be admitted to practice law in the state of New Hampshire. The public member of  
15 the board shall be a person who is not, and never was, a member of the court reporting profession or  
16 the spouse of any such person, and who does not have and never has had, a material financial  
17 interest in either the provision of court reporting services or an activity directly related to court  
18 reporting, including the representation of the board or profession for a fee at any time during the 5  
19 years preceding appointment. Each court reporter member shall have actively practiced court  
20 reporting for the chief means of livelihood for at least 10 years prior to appointment and shall have  
21 held a responsible position in charge of such work for at least 5 years prior to appointment, which  
22 may include the teaching of court reporting. Members shall be appointed for 5-year terms, except  
23 that no more than one appointed member's term may expire in any one calendar year.  
24 Appointments for terms of less than 5 years may be made in order to comply with this limitation. No  
25 appointed member shall be eligible to serve more than 2 full consecutive terms, provided that, for  
26 this purpose only, a period actually served which exceeds 1/2 of the 5-year term shall be deemed a  
27 full term. Upon expiration of a member's term, the member shall serve until a successor is qualified  
28 and appointed. The successor's term shall be 5 years from the date of expiration of the predecessor's  
29 appointment, regardless of the date of the successor's appointment. Vacancies occurring prior to the  
30 expiration of a specific term shall be filled by appointment for the unexpired term. The governor and  
31 council may remove a board member for cause. [~~Members of the board shall receive \$25 for each day  
32 actually engaged in the duties of their office and shall be reimbursed for all actual travel, incidental,  
33 and clerical expenses necessarily incurred in carrying out the provisions of this subdivision.~~]

34          II. The board shall hold at least 3 regular meetings each year and special meetings at such  
35 times as it may deem necessary. Notice of all meetings shall be given in such a manner as rules  
36 adopted by the board may provide. The board shall biennially elect or appoint a chairperson, vice-

1 chairperson, and secretary. ~~[Three members]~~ ***A majority of the members of the board appointed***  
2 ***by the governor and council*** shall constitute a quorum.

3 III. The board shall keep a record of its proceedings ~~[and a register of all applications for~~  
4 ~~licensure, which shall show:~~

5 ~~(a) The name, age, and residence of each applicant.~~

6 ~~(b) The date of application.~~

7 ~~(c) The place of business of such applicant.~~

8 ~~(d) The applicant's educational and other qualifications.~~

9 ~~(e) Whether or not an examination was required.~~

10 ~~(f) Whether the applicant was rejected and the reasons for such rejection.~~

11 ~~(g) Whether a license was granted.~~

12 ~~(h) The date of the action of the board.~~

13 ~~(i) Such other information as may be deemed necessary by the board]~~ ***in accordance***  
14 ***with the retention policy established by the office of professional licensure and***  
15 ***certification.***

16 IV. The records of the board shall be prima facie evidence of the proceedings of the board,  
17 and a transcript of such records certified by the secretary of the board under seal shall be admissible  
18 in evidence with the same force and effect as if the original were produced.

19 ~~[V. Biennially, on or before December 31, the board shall submit to the governor a report of~~  
20 ~~the transactions of the preceding biennium, and a complete statement of the receipts and~~  
21 ~~expenditures of the board. The secretary of the board shall publish a roster listing the names and~~  
22 ~~places of business of all court reporters licensed under the board during February of each even-~~  
23 ~~numbered year. Copies of this roster shall be mailed to each person so licensed, placed on file with~~  
24 ~~the secretary of state, and furnished to the public upon request at a fee to be established by the~~  
25 ~~board. The board may include in such roster any other information it deems appropriate.]~~

26 310-A:164 Rulemaking. The board shall adopt rules, pursuant to RSA 541-A, relative to:

27 I. ~~[The application procedure for a license to practice under this subdivision.~~

28 ~~II.]~~ The qualifications of applicants in addition to those requirements set by statute,  
29 including the qualifications for satisfactory evidence of good professional character.

30 ~~III.]~~ ***II.*** How an applicant shall be examined.

31 ~~IV.]~~ ***III.*** ~~[How a license to practice under this subdivision shall]~~ ***The criteria for a license***  
32 ***to*** be renewed or reinstated, including ~~[late fees and]~~ any requirements for continuing education.

33 ~~V.]~~ ***IV.*** Ethical and professional standards required to be met by each holder of a license  
34 under this subdivision and how disciplinary actions by the board shall be implemented for violations  
35 of these standards.

36 ~~VI.]~~ Fees under RSA 310-A:171.

37 ~~VII.]~~ ***V.*** Matters related to the proper administration of this subdivision.

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1           ~~[VIII.]~~ **VI.** Procedures for the conduct of hearings consistent with the requirements of due  
2 process.

3           ~~[IX.]~~ **VII.** The design of an official seal.

4           151 Court Reporters; Qualifications. Amend RSA 310-A:170, II to read as follows:

5           II. Paid the fee required ~~[by this subdivision]~~; and

6           152 Home Inspectors; Board of Home Inspectors. Amend RSA 310-A:186, V-IX to read as  
7 follows:

8           V. ~~[Members of the board shall receive \$25 for each day actually engaged in the duties of~~  
9 ~~their office and shall be reimbursed for all actual travel, incidental, and clerical expenses necessarily~~  
10 ~~incurred in carrying out the provisions of this subdivision.~~

11           ~~VI.]~~ The board shall hold at least 3 regular meetings each year and special meetings at such  
12 times as it may deem necessary. Notice of all meetings shall be given in such a manner as rules  
13 adopted by the board may provide. The board shall biennially elect or appoint a chairperson, vice-  
14 chairperson, and secretary. ~~[Four members]~~ ***A majority of the members of the board appointed***  
15 ***by the governor and council*** shall constitute a quorum.

16           ~~[VII.(a)]~~ The board shall keep a record of its proceedings and a register of all applications for  
17 licensure, which shall show:

18                   (1) ~~The name, age, and residence of each applicant.~~

19                   (2) ~~The date of application.~~

20                   (3) ~~The place of business of such applicant.~~

21                   (4) ~~The applicant's educational and other qualifications.~~

22                   (5) ~~Proof of passing home inspection exam.~~

23                   (6) ~~Whether the applicant was rejected and the reasons for such rejection.~~

24                   (7) ~~Whether a license was granted.~~

25                   (8) ~~The date of the action of the board.~~

26                   (9) ~~Such other information as may be deemed necessary by the board.~~

27           ~~(b)]~~ **VI.** The records of the board shall be prima facie evidence of the proceedings of the  
28 board, and a transcript of such records certified by the secretary of the board under seal shall be  
29 admissible in evidence with the same force and effect as if the original were produced. ~~[Biennially,~~  
30 ~~as of December 31, the board shall submit to the governor a report of the transactions of the~~  
31 ~~preceding biennium, and a complete statement of the receipts and expenditures of the board~~

32           ~~VIII.~~ The secretary of the board shall publish a roster listing the names and addresses of all  
33 home inspectors licensed under this subdivision by the board during February of each even-  
34 numbered year. Copies of this roster shall be sent to each person so licensed, placed on file with the  
35 secretary of state, and furnished to the public upon request at a fee to be established by the board.  
36 The board may include in such roster any other information it deems appropriate.

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1 IX.] VII. The board, its members, and its agents shall be immune from personal liability for  
2 actions taken in good faith in the discharge of the board's responsibilities, and the state shall hold  
3 the board, its members, and its agents harmless from all costs, damages, and attorneys' fees arising  
4 from claims and suits against them with respect to matters to which such immunity applies.

5 153 Home Inspectors; Rulemaking Authority. Amend RSA 310-A:187, I to read as follows:

6 I. The board shall adopt rules, pursuant to RSA 541-A, relative to:

7 (a) ~~[The application procedure for a license to practice under this subdivision.~~

8 (b) The qualifications of applicants in addition to requirements of this subdivision, and  
9 including the qualifications for satisfactory evidence of good professional character.

10 (c) ~~Procedures for auditing applicants and licensees.~~

11 (d) ~~How a license to practice under this subdivision shall be]~~ (b) **The criteria for a**  
12 **license to be** renewed or reinstated, including ~~[late fees and]~~ any requirements for continuing  
13 education.

14 (e) ~~The establishment of all fees required under this subdivision.~~

15 (f) (c) Disciplinary actions by the board that shall be implemented for violations of the  
16 standards of practice, code of ethics, and rules adopted by the board.

17 (g)(d) Procedures for the conduct of hearings consistent with the requirements of due  
18 process.

19 (h) (e) Procedures for approving education courses for eligibility for licensure and for a  
20 continuing education program

21 (i) (f) How an applicant shall be examined, including the form of the examination.

22 (j) (g) The design of an official seal.

23 (k) (h) The establishment of administrative fines which may be levied in the  
24 administration of this subdivision.

25 154 Home Inspectors; License Applications. Amend RSA 310-A:191, I to read as follows:

26 I. Applications for licensure ~~[on forms prescribed and furnished by the board]~~ **made using**  
27 **the method prescribed and furnished by the office of professional licensure and**  
28 **certification.**

29 155 Septic System Evaluators; Board. Amend RSA 310-A:206, VII-X to read as follows:

30 VII. The board shall hold at least 3 regular meetings each year and special meetings at such  
31 times as it may deem necessary. Notice of all meetings shall be given in such a manner as rules  
32 adopted by the board may provide. The board shall biennially elect or appoint a chairperson, vice-  
33 chairperson, and secretary. ~~[Three members]~~ **A majority of the members appointed by the**  
34 **governor and council** shall constitute a quorum.

35 VIII.(a) The board shall keep a record of its proceedings ~~[and a register of all applications for~~  
36 ~~licensure, which shall show:~~

37 (1) ~~The name, age, and residence of each applicant.~~

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- 1                   ~~(2) The date of application.~~  
2                   ~~(3) The place of business of such applicant.~~  
3                   ~~(4) The applicant's educational and other qualifications.~~  
4                   ~~(5) Proof of passing the septic system evaluator exam.~~  
5                   ~~(6) Whether the applicant was rejected and the reasons for such rejection.~~  
6                   ~~(7) Whether a license was granted.~~  
7                   ~~(8) The date of the action of the board.~~  
8                   ~~(9) Such other information as may be deemed necessary by the board]~~ **in**  
9 **accordance with the retention policy established by the office of professional licensure and**  
10 **certification.**

11                   (b) The records of the board shall be prima facie evidence of the proceedings of the board,  
12 and a transcript of such records certified by the secretary of the board under seal shall be admissible  
13 in evidence with the same force and effect as if the original were produced. ~~[Biennially, as of~~  
14 ~~December 31, the board shall submit to the executive director of the office of professional licensing~~  
15 ~~and certification a report of the transactions of the preceding biennium, and a complete statement of~~  
16 ~~the receipts and expenditures of the board.~~

17                   ~~IX. The secretary of the board shall maintain and regularly update a roster listing the~~  
18 ~~names and addresses of all septic system evaluators certified under this subdivision by the board on~~  
19 ~~the board's website. The board may include in such roster any other information it deems~~  
20 ~~appropriate.~~

21                   ~~X.] IX.~~ The board, its members, and its agents shall be immune from personal liability for  
22 actions taken in good faith in the discharge of the board's responsibilities, and the state shall hold  
23 the board, its members, and its agents harmless from all costs, damages, and attorneys' fees arising  
24 from claims and suits against them with respect to matters to which such immunity applies.

25                   156 Septic System Evaluators; Rulemaking. Amend RSA 310-A:207, I to read as follows:

26                   I. The board shall adopt rules, pursuant to RSA 541-A, relative to:

27                   (a) ~~[The application procedure for a license to practice under this subdivision.~~

28                   ~~(b)]~~ The qualifications of applicants in addition to the requirements of this subdivision,  
29 including the qualifications for satisfactory evidence of good professional character.

30                   ~~(c)]~~ **(b)** Procedures for auditing applicants and license holders.

31                   ~~(d)]~~ **(c)** ~~[How a license to practice under this subdivision shall be]~~ **The criteria for a**  
32 **license to be** renewed or reinstated, including late fees and any requirements for continuing  
33 education.

34                   ~~(e) The establishment of all fees required under this subdivision.~~

35                   ~~(f)]~~ **(d)** Professional standards required to be met by each holder of a license under this  
36 subdivision and how disciplinary actions by the board shall be implemented for violations of these  
37 standards.

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1           ~~[(g)]~~ **(e)** Procedures for the conduct of hearings consistent with the requirements of due  
2 process.

3           ~~[(h)]~~ **(f)** Procedures for approving education courses for eligibility for licensure and for a  
4 continuing education program.

5           ~~[(i)]~~ **(g)** How an applicant shall be examined, including the time, place, type, and form of  
6 the examination.

7           ~~[(j)]~~ **(h)** The design of an official seal.

8           ~~[(k)]~~ **(i)** The establishment of administrative fines which may be levied in the  
9 administration of this subdivision.

10         157 Septic System Evaluators; License Applications. Amend RSA 310-A:211, I to read as  
11 follows:

12           I. Applications for licensure ~~[shall be on forms prescribed and furnished by the board]~~ **made**  
13 **using the method prescribed and furnished by the office of professional licensure and**  
14 **certification.**

15         158 Septic System Evaluators; Issuance of Licenses. Amend RSA 310-A:213 to read as follows:

16         310-A:213 Issuance of Licenses. The board shall issue a license upon payment of the license fee  
17 established by the ~~board~~ **office of professional licensure and certification**, to any applicant  
18 who, in the opinion of the board, has satisfactorily met all the requirements of this subdivision.  
19 Licenses shall show the full name of the license holder~~]~~ **and** have a serial number~~[, and be signed~~  
20 ~~by the chairperson or the secretary of the board]~~. The issuance of a license by the board shall be  
21 prima facie evidence that the person named in the license is entitled to all the rights and privileges  
22 of a certified septic system evaluator while the license remains valid. It shall be a class B  
23 misdemeanor for the license holder to perform septic system evaluations after the license of the  
24 evaluator has expired or has been revoked, unless such license shall have been renewed, reinstated,  
25 or reissued.

26         159 Board of Accountancy. Amend RSA 309-B:4, III-X to read as follows:

27           III. ~~[Each member of the board shall be paid \$100 for each day or portion of a day spent in~~  
28 ~~the discharge of official duties and shall be reimbursed for actual and necessary expenses incurred in~~  
29 ~~the discharge of official duties.~~

30           IV.] The ~~board~~ **office of professional licensure and certification** shall establish fees  
31 for examination of applicants, for licenses, for certificates of authorization, for reissuance of licenses,  
32 for renewal and reinstatement of licenses and certificates to practice under this chapter, for late  
33 renewals, for verification of licensure or examination, and for transcribing and transferring records  
34 and other services. All moneys collected by the ~~board~~ **office of professional licensure and**  
35 **certification** from fees authorized under this chapter shall be received and accounted for by the  
36 ~~board~~ **office of professional licensure and certification**, shall be deposited in the ~~state~~  
37 ~~treasury~~ **office of professional licensure and certification fund established in RSA 310-A:1-**

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1 **e.** Administration expenses shall be limited to the funds collected and may include, but shall not be  
2 limited to, the costs of conducting investigations and of taking testimony and procuring the  
3 attendance of witnesses before the board or its committees; all legal proceedings taken under this  
4 chapter for the enforcement of this chapter; and educational programs for the benefit of the public or  
5 licensees and their employees.

6 ~~[V. The board shall file an annual report of its activities with the governor, the president of~~  
7 ~~the senate, and the speaker of the house of representatives. The report shall include a statement of~~  
8 ~~all receipts and disbursements and a listing of all current licensees under this chapter. The board~~  
9 ~~shall mail a copy of the annual report to any person requesting it, upon payment of a reasonable~~  
10 ~~charge.~~

11 ~~VI.]~~ **IV.** The board may employ investigators and such other personnel as it deems necessary  
12 through the office of professional licensure and certification for enforcement under this chapter. It  
13 may appoint such committees or persons to advise or assist it in such enforcement, as it may see fit.  
14 It may retain its own counsel retained through the office of professional licensure and certification to  
15 advise and assist it, in addition to such advice and assistance as is provided by the department of  
16 justice.

17 ~~[VII.]~~ **V.** The board shall have the power to take any action necessary and proper to carry  
18 out the purposes of this chapter, including the power to sue and be sued in its official name as an  
19 agency of this state; to issue subpoenas to compel the attendance of witnesses and the production of  
20 documents; and to administer oaths, to take testimony, to cooperate with the appropriate authorities  
21 in other states in investigations and enforcement concerning violations of this chapter and  
22 comparable laws of other states, and to receive evidence concerning all matters within its  
23 jurisdiction. In case of disobedience of a subpoena, the board may invoke the aid of any court of this  
24 state in requiring the attendance and testimony of witnesses and the production of documentary  
25 evidence. The board, its members, and its agents shall be immune from personal liability for actions  
26 taken in good faith in the discharge of the board's responsibilities, and the state shall hold the board,  
27 its members, and its agents harmless from all costs, damages, and attorneys' fees arising from  
28 claims and suits against them with respect to matters to which such immunity applies.

29 ~~[VIII.]~~ **VI.** The board shall adopt rules, pursuant to RSA 541-A, governing its  
30 administration, the enforcement of this chapter and the conduct of licensees. Such rules shall  
31 include, but not be limited to:

32 (a) Rules governing the board's meetings and conduct of its business.

33 (b) Rules of procedure governing the conduct of investigations and hearings by the  
34 board.

35 (c) Rules specifying the educational and experience qualifications required for all  
36 licensees, and the continuing professional education required for renewal of certificates or  
37 registrations.



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1 (d) Rules of professional conduct directed to controlling the quality and integrity of the  
2 practice of public accountancy by licensees, including, but not limited to, matters relating to  
3 independence, integrity, objectivity, competence, technical standards, responsibilities to the public,  
4 and responsibilities to clients.

5 (e) Rules on substantial equivalency for implementation of RSA 309-B:6.

6 (f) Rules governing the manner and circumstances of use of the titles "certified public  
7 accountant", "CPA," "public accountant" and "PA."

8 (g) Rules regarding peer review as required under this chapter. Such rules shall include  
9 conduct and cost parameters to ensure that charges for the off-site peer review process are not  
10 excessive.

11 ~~(h) The establishment of all fees required under this chapter.~~

12 ~~(i)~~ (h) The establishment of administrative fines for violations of this chapter.

13 ~~(j)~~ (i) Rules on how an applicant for certificate demonstrates good character.

14 ~~(k)~~ (j) Rules for records retention, outsourcing disclosures, and the severance of  
15 connections.

16 ~~[IX.]~~ VII. In accordance with RSA 541-A, the board shall publish notice of such proposed  
17 action and shall, in addition, notify all licensees.

18 ~~[X.]~~ VIII. All administrative, clerical, and business processing functions of the board shall  
19 be transferred to the office of professional licensure and certification, established in RSA 310-A:1  
20 through RSA 310-A:1-e.

21 160 New Paragraph; Board of Accountancy; Issuance and Renewal of Certificates. Amend RSA  
22 309-B:7 by inserting after paragraph XIV the following new paragraph:

23 XV. The office of professional licensure and certification may contract with the NASBA  
24 Qualification Appraisal Service to assess any applications made under this section.

25 161 Electricians; Board. Amend RSA 319-C:4, III-IV to read as follows:

26 III. ~~[The members of the board, other than state employees, shall each be allowed the sum of~~  
27 ~~\$30 per day and their necessary traveling expenses incurred in carrying out their official duties.~~

28 ~~IV.]~~ All administrative, clerical, and business processing functions of the board shall be  
29 transferred to the office of professional licensure and certification established in RSA 310-A:1  
30 through RSA 310-A:1-e.

31 162 Electricians; Organizations and Meetings; Rulemaking. Amend RSA 319-C:6 and 6-a to  
32 read as follows:

33 319-C:6 Organization and Meetings. The board shall hold at least 4 regular meetings each year,  
34 and special meetings may be held at such times as the business of the board may require. Notice of  
35 all meetings shall be given in such manner as the rules of the board may provide. The board shall  
36 annually elect a chairman, a vice-chairman, and a secretary, who shall be one of the appointed  
37 members. A quorum of the board shall consist of ~~[not less than 3 members, not including the ex~~

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1 ~~office member, and at least]~~ **a majority of the members of the board appointed by the**  
2 **governor and council**, one of whom shall be a public member.

3 319-C:6-a Rulemaking Authority. The board, with an affirmative vote of at least 3 of the 5  
4 appointed board members, shall adopt rules, pursuant to RSA 541-A, relative to:

5 ~~I. [The application procedure for a license to practice under this chapter;~~

6 ~~II.]~~ The qualifications of applicants in addition to those requirements established under this  
7 chapter, and including the qualifications for satisfactory evidence of:

8 (a) ~~[A high school education]~~ **Either completion of high school or a high school**  
9 **equivalent**, and

10 (b) Good professional character;

11 ~~III.]~~ **II.** How an applicant shall be examined, and procedures for computerized  
12 examinations;

13 ~~IV.]~~ **III.** ~~[How]~~ **The criteria for** a license to practice under this chapter ~~[shall]~~ **to be**  
14 renewed, including the requirements for continuing education;

15 ~~V. The establishment of all fees required under this chapter;~~

16 ~~V-a.]~~ **IV.** The applicable version of the National Electrical Code with any discretionary  
17 changes, provided that any such changes are no less stringent than provided in the state building  
18 code administered and approved by the state building code review board under RSA 155-A;

19 ~~VI.]~~ **V.** Ethical and professional standards required to be met by each holder of a license to  
20 practice under this chapter and how disciplinary actions by the board shall be implemented for  
21 violations of these standards; **and**

22 ~~VII.]~~ **VI.** Procedures and policy for the investigation of complaints against licensees or  
23 registrants;

24 ~~VIII.]~~ **VII.** Procedures for the conduct of hearings consistent with the requirements of due  
25 process; and

26 ~~IX.]~~ **VIII.** Matters related to the proper administration of this chapter.

27 163 Electricians; Records. Amend RSA 319-C:13 to read as follows:

28 319-C:13 Records. The board shall keep a record of the name and residence of all persons  
29 licensed under this chapter **in accordance with the retention policy established by the office of**  
30 **professional licensure and certification**, and said record or duplicate thereof shall be open for  
31 inspection during office hours.

32 164 Family Mediators; Board. Amend RSA 328-C:4, II(a) to read as follows:

33 II.(a) Appointments and reappointments to the board shall be for 3-year terms. Vacancies  
34 shall be filled by appointment for the unexpired term. **No member shall be appointed to more**  
35 **than 2 consecutive terms.**

36 165 Family Mediators; Rulemaking. Amend RSA 328-C:8 to read as follows:

37 328-C:8 Rulemaking Authority.

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1 I. The board shall adopt rules for family mediators and family mediator training programs  
2 pursuant to RSA 541-A, relative to the following:

3 (a) The eligibility requirements [~~and application procedures~~] for certification, renewal of  
4 certification, recertification, and reinstatement of certification.

5 (b) [~~The content of all application forms, which forms may require a notarized affidavit~~  
6 ~~stating that the information provided in the application is complete and accurate.~~

7 (c) Content of training programs and training equivalents allowed under RSA 328-C:5,  
8 III.

9 (d) Content of internships and duration and content of internship equivalents  
10 allowed under RSA 328-C:5, III.

11 (e) The ethical standards and standards of practice for family mediators certified in  
12 New Hampshire.

13 (f) Procedures for the reporting of activities conducted by certified family mediators  
14 and certified family mediator training programs.

15 (g) ~~Procedures for processing complaints.~~

16 (h) (f) Disciplinary [~~procedures,~~] penalties<sup>[7]</sup> and sanctions for certified family  
17 mediators and martial mediator training programs, as provided under RSA 328-C:7

18 (i) ~~Fees for applications, certification, renewal of certification, and reinstatement of~~  
19 ~~certification.~~

20 (j) (g) Reporting requirements for certified training programs.

21 II. The board may adopt rules for family mediators and family mediator training programs,  
22 pursuant to RSA 541-A, relative to the following:

23 (a) ~~the~~ application [~~process,~~] requirements<sup>[5]</sup> and criteria for temporary renewal of  
24 certification and conditional certification.

25 (b) ~~Fees for temporary renewal of certification and conditional certification and for the~~  
26 ~~filing of requests for information not governed by RSA 91-A, the filing of complaints and petitions,~~  
27 ~~and the processing of changes to information of record.~~

28 (c) ~~Procedures for informal resolution or referral of complaints.]~~

29 166 Repeal; Family Mediators. The following are repealed:

30 I. RSA 328-C:4-a, II, relative to application fees for certification of family mediators.

31 II. RSA 328-C:12, relative to expenses of the family mediator board.

32 167 Guardians ad Litem Board; Rulemaking. Amend RSA 490-C:5 to read as follows:

33 490-C:5 Rulemaking Authority.

34 I. The board shall adopt rules, pursuant to RSA 541-A, relative to the following:

35 (a) The application [~~process~~] **criteria** for certification, renewal of certification,  
36 recertification, and reinstatement of certification.

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1           (b) ~~[The content of all application forms, which forms may require a notarized affidavit~~  
2 ~~stating that the information provided in the application is complete and accurate and which may~~  
3 ~~gather, in addition to other information, information that will assist the court in making an informed~~  
4 ~~decision on whether or not to appoint an individual as a guardian ad litem in a particular case.~~

5           ~~(e)~~ (e) Eligibility requirements and criteria for certification, recertification, reinstatement,  
6 and renewal of certification.

7           ~~(d)~~ (c) Training requirements.

8           ~~(e)~~ (d) Educational and continuing educational requirements.

9           ~~(f) Fees for certification, recertification, reinstatement, and renewal of certification.~~

10          ~~(g)~~ (e) The ethical standards and standards of practice for guardians ad litem certified  
11 in New Hampshire.

12          ~~(h)~~ (f) Procedures for conducting investigations and hearings conducted by the board  
13 under this chapter.

14          ~~(i)~~ (g) Procedures for processing complaints and addressing disciplinary issues handled  
15 by the board under this chapter.

16          ~~(j)~~ (h) Disciplinary procedures, penalties, and sanctions for certified guardians ad litem,  
17 which penalties, sanctions, and procedures may include revocation of certification, suspension of  
18 certification, the imposition of supplemental training requirements or supervised training  
19 requirements, supplemental education, fines, written reprimand, and treatment and counseling,  
20 including but not limited to treatment or counseling for alcohol or substance abuse. Disciplinary  
21 procedures, penalties, and sanctions may be established for and applied to formerly certified  
22 guardians ad litem who engaged in acts or omissions prohibited when certified.

23          II. The board may adopt rules, pursuant to RSA 541-A, relative to the following:

24          (a) The application or certification ~~[process,]~~ requirements~~[-]~~ and criteria for temporary  
25 or conditional certification or both, including but not limited to procedures and requirements  
26 regarding the circumstances and manner in which individuals may be temporarily or conditionally  
27 certified or both, the term and duration of conditional or temporary certification or both, and the  
28 ethical standards and standards of practice applicable to persons so certified.

29          ~~(b) [Fees for temporary or conditional certification or both, and for the filing of requests~~  
30 ~~for information, the filing of complaints or petitions, the processing of changes to information of~~  
31 ~~record, the provision of training, and the provision of course material.~~

32          ~~(e)~~ (e) Procedures for the reporting of activities conducted by guardians ad litem appointed  
33 in New Hampshire.

34          ~~(d)~~ (c) The administration of oaths or affirmations, the preservation of testimony, and  
35 the issuance of subpoenas for witnesses and for documents, on the approval of the attorney general,  
36 relative to investigations, adjudicatory hearings, or other proceedings held by the board.

37          ~~(e)~~ (d) Procedures for informal resolution or referral of complaints.

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1           ~~(f)~~ **(e)** Procedures and requirements relating to the resignation or surrender of  
2 certification, including but not limited to the circumstances or conditions under which a certified  
3 guardian ad litem may resign or surrender his or her certification.

4           ~~(g)~~ **(f)** Disciplinary procedures, penalties, and sanctions for conditionally or temporarily  
5 certified guardians ad litem or both and persons formerly certified by the board, which penalties,  
6 sanctions, and procedures may include, but need not be limited to, those listed in RSA 490-C:4, I(f).

7           ~~(h)~~ **(g)** Procedures and requirements relative to maintenance or disclosure of  
8 confidential information received by, or used in investigations or in hearings, proceedings, or other  
9 activities or matters before the board.

10           168 Board of Manufactured Housing; Quorum. Amend RSA 205-A:26, I to read as follows:

11           I. A majority of the **members of the board who have been appointed by the governor**  
12 **and council** shall constitute a quorum ~~[to conduct hearings, and a vote of at least 4 members~~  
13 ~~present and voting in favor shall be required to adopt and approve any matter under consideration]~~.

14           169 Board of Manufactured Housing; Meetings and Records. Amend RSA 205-A:29 to read as  
15 follows:

16           205-A:29 Meetings and Records. The board shall hold meetings in Concord, New Hampshire or  
17 in any other location deemed appropriate by the board. The records of the board shall be maintained  
18 at the office of the board of manufactured housing **consistent with the retention policy**  
19 **established by the office of professional licensure and certification.**

20           170 Real Estate Appraisers; Registration of Appraisal Management Companies. Amend RSA  
21 310-B:12-b, I(a) to read as follows:

22           (a) An applicant for registration as an appraisal management company in this state  
23 shall submit to the board an application ~~[on a form or forms prescribed by the board]~~ **using the**  
24 **method prescribed and furnished by the office of professional licensure and certification.**

25           171 Real Estate Appraisers; License or Certificate. Amend RSA 310-B:16 to read as follows:

26           310-B:16 License or Certificate.

27           I. A license or certificate issued under authority of this chapter shall bear ~~[the signature of~~  
28 ~~the board chairperson or a designee who is a member of the board and]~~ a license or certificate  
29 number assigned by the board.

30           II. Each licensed or certified real estate appraiser shall place such appraiser's license or  
31 certificate number adjacent to or immediately below the appraiser's signature whenever the  
32 appraiser's signature is used in an appraisal report or in a contract or other instrument used by the  
33 license or certificate holder in conducting real estate appraisal activities.

34           172 Real Estate Appraisers; Rulemaking. Amend RSA 310-B:24 to read as follows:

35           310-B:24 Rulemaking Authority. The board shall adopt rules pursuant to RSA 541-A, relative  
36 to:

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1 I. The application [~~procedure and~~] eligibility requirements for the issuance of any initial  
2 license or certificate issued under this chapter, including the issuance of such licenses to applicants  
3 holding a currently valid license or other authorization to practice in another jurisdiction.

4 I-a. The application [~~procedure and~~] eligibility requirements for the issuance of any  
5 temporary practice permit issued under this chapter.

6 II. [~~Design and content of all forms required under this chapter.~~

7 ~~III.] How an applicant shall be examined.~~

8 [~~IV.] III. [How a] *The criteria for renewal of a* license or certificate [~~shall be renewed~~].~~

9 [~~V.] IV. Ethical standards required to be met by each holder of a license or certificate issued  
10 under this chapter and how such license or certificate may be revoked for violation of these  
11 standards.~~

12 [~~VI. Establishing all fees required under this chapter, subject to RSA 332-G.~~

13 ~~VII.] V. Standards for appraisal education programs and the issuance of evidence indicating  
14 satisfactory completion of such program.~~

15 [~~VII-a.] VI. The registration and supervision of appraisal management companies under  
16 RSA 310-B:16-a[, including the establishment of fees for annual registration and for renewal of  
17 registration].~~

18 [~~VIII.] VII. The conduct of investigations and procedures for the conduct of hearings  
19 consistent with the requirements of RSA 541-A.~~

20 ~~VIII-a.] VIII. Establishing continuing education and experience requirements which  
21 comport with criteria set forth by the board.~~

22 IX. The requirements for public requests for information.

23 X. The conditions and requirements for granting a waiver to any rule adopted by the board.

24 173 Repeal; Real Estate Appraisers. RSA 310-B:22, relative to a roster of licensed or certified  
25 real estate appraisers, is repealed.

26 174 Repeal; Distribution of Publications. RSA 332-H, relative to the distribution of publications  
27 by licensing commissions and boards, is repealed.

28 175 Engineers; Signed License. Amend RSA 310-A:18 to read as follows:

29 310-A:18 Certificates; Seals. The board shall issue a license, upon payment of the registration  
30 fee established by the board, to any applicant who, in the opinion of the board, has satisfactorily met  
31 all the requirements of this subdivision. Licenses shall show the full name of the licensee<sup>[5]</sup> **and**  
32 have a serial number<sup>[5]</sup>, ~~and be signed by the chairperson and the secretary of the board under seal of  
33 the board].~~ The issuance of a license by the board shall be prima facie evidence that the person  
34 named in the license is entitled to all the rights and privileges of a licensed professional engineer  
35 while the license remains valid. Each licensee shall upon licensure obtain a seal of the design  
36 authorized by the board, bearing the registrant's name and the legend, "Licensed Professional  
37 Engineer." All papers or documents involving the practice of engineering under this subdivision,

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1 when issued or filed for public record, shall be dated and bear the signature and seal of the licensed  
2 professional engineer who prepared or had responsibility for and approved them. It shall be a class  
3 B misdemeanor for the licensee to stamp or seal any documents with such seal after the license of  
4 the licensee has expired or has been revoked, unless such license shall have been renewed or  
5 reissued.

6 176 Architects; Signed License. Amend RSA 310-A:44 to read as follows:

7 310-A:44 Certificates; Seals. The board shall issue a license upon payment of the registration  
8 fee established by the board, to any applicant who, in the opinion of the board, has satisfactorily met  
9 all the requirements of this subdivision. Licenses shall show the full name of the licensee<sup>[;]</sup> **and**  
10 have a serial number<sup>[;]</sup> ~~and be signed by the chairperson and the secretary of the board under seal of~~  
11 ~~the board~~. The issuance of a license by the board shall be prima facie evidence that the person  
12 named in the license is entitled to all the rights and privileges of a licensed architect while the  
13 license remains valid. Each licensee shall upon licensure obtain a seal of the design authorized by  
14 the board, bearing the registrant's name and the legend, "Licensed Architect." All papers or  
15 documents involving the practice of a profession under this subdivision, when issued or filed for  
16 public record, shall be dated and bear the signature and seal of the licensed professional who  
17 prepared or had responsibility for and approved them. It shall be a class B misdemeanor for the  
18 licensee to stamp or seal any documents with such seal after the license of the licensee has expired  
19 or has been revoked, unless such license shall have been renewed, reinstated, or reissued.

20 177 Soil Scientists; Signed License. Amend RSA 310-A:87 to read as follows:

21 310-A:87 Certificates. Certificates shall show the full name of the certified soil scientist,  
22 apprentice soil scientist, certified wetland scientist, or apprentice wetland scientist<sup>[;]</sup> **and** have a  
23 serial number<sup>[;]</sup> ~~and be signed by the chairperson and the secretary of the board under seal of the~~  
24 ~~board~~. Each certified soil scientist or certified wetland scientist shall obtain a seal of the design  
25 authorized by the board bearing the name of the certified individual, the legend "Certified Soil  
26 Scientist" or "Certified Wetland Scientist," as appropriate, and a place for the certified individual's  
27 signature. Plans and reports prepared by a certified individual shall be stamped with the seal and  
28 signed by the certified individual during the life of the certificate.

29 178 Foresters; Signed License. Amend RSA 310-A:107 to read as follows:

30 310-A:107 Issuance of License; Endorsement of Documents. The board shall issue a license  
31 upon payment of the fee as provided in this subdivision to any applicant, who, in the opinion of the  
32 board, has satisfactorily met all the requirements of this subdivision. Licenses shall show the full  
33 name of the licensee<sup>[;]</sup> **and** shall have a serial number<sup>[;]</sup> ~~and shall be signed by the chairperson and~~  
34 ~~secretary under the seal of the board~~. The issuance of a license by the board shall be evidence that  
35 the person named in the license is entitled to all rights and privileges of a licensed forester while  
36 such license remains unrevoked or unexpired. Plans, maps, and reports issued by the licensee shall  
37 be endorsed with the licensee's name and license number during the life of the license. It shall be a

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1 class B misdemeanor for anyone to endorse any document with such name and license number after  
2 the license of the named licensee has expired or has been revoked, unless said license has been  
3 renewed or reissued. It shall be a class B misdemeanor for any licensed forester to endorse any plan,  
4 map or report unless the licensed forester shall have actually prepared such plan, map or report, or  
5 shall have been in the actual charge of the preparation of the same.

6 179 Geologists; Signed License. Amend RSA 310-A:130 to read as follows:

7 310-A:130 Certificates; Seals. The board shall issue a license, upon payment of the licensing fee  
8 established by the board, to any applicant who has satisfactorily met all the requirements of this  
9 subdivision. Licenses shall show the full name of the licensee[~~]~~ **and** have a serial number[~~]~~ ~~and be~~  
10 ~~signed by the chairperson and the secretary of the board under seal of the board~~]. The issuance of a  
11 license by the board shall be prima facie evidence that the person named in the license is entitled to  
12 all the rights and privileges of a licensed professional geologist while the license remains valid. Each  
13 licensee shall upon licensure obtain a seal of the design authorized by the board, bearing the  
14 registrant's name and the legend, "Licensed Professional Geologist." All papers or documents  
15 involving the practice of geology affecting public health, safety, and welfare, under this subdivision,  
16 when issued or filed for public record, shall be dated and bear the signature and seal of the licensed  
17 professional geologist who prepared or had responsibility for and approved them.

18 180 Landscape Architects; Signed License. Amend RSA 310-A:152 to read as follows:

19 310-A:152 Certificates; Seals. The board shall issue a license upon payment of the license fee  
20 established by the board, to any applicant who, in the opinion of the board, has satisfactorily met all  
21 the requirements of this subdivision. Licenses shall show the full name of the licensee[~~]~~ **and** have a  
22 serial number[~~]~~ ~~and be signed by the chairperson and the secretary of the board under seal of the~~  
23 ~~board~~]. The issuance of a license by the board shall be prima facie evidence that the person named  
24 in the license is entitled to all the rights and privileges of a licensed landscape architect while the  
25 license remains valid. Each licensee shall upon licensure obtain a seal of the design authorized by  
26 the board, bearing the registrant's name and the legend, "licensed landscape architect." All papers  
27 or documents involving the practice of landscape architecture under this subdivision, when issued or  
28 filed for public record, shall be dated and bear the signature and seal of the licensed professional  
29 who prepared or had responsibility for and approved them. It shall be a class B misdemeanor for the  
30 licensee to stamp or seal any documents with such seal after the license of the licensee has expired  
31 or has been revoked, unless such license shall have been renewed, reinstated, or reissued.

32 181 Home Inspectors; Signed License. Amend RSA 310-A:193 to read as follows:

33 310-A:193 Issuance of Licenses. The board shall issue a license upon payment of the license fee  
34 established by the board, to any applicant who, in the opinion of the board, has satisfactorily met all  
35 the requirements of this subdivision. Licenses shall show the full name of the licensee[~~]~~ **and** have a  
36 serial number[~~]~~ ~~and be signed by the chairperson or the secretary of the board~~]. The issuance of a  
37 license by the board shall be prima facie evidence that the person named in the license is entitled to



**Amendment to SB 58**

**- Page 53 -**

1 all the rights and privileges of a licensed home inspector while the license remains valid. It shall be  
2 a class B misdemeanor for the licensee to perform home inspections after the license of the licensee  
3 has expired or has been revoked, unless such license shall have been renewed, reinstated, or  
4 reissued.

5 182 Electricians; Signed License. Amend RSA 319-C:7, III to read as follows:

6 III. All persons licensed by the board shall receive a certificate [~~under the seal of the board~~  
7 ~~and with the signature of the board chairman,~~] which must be publicly displayed at the principal  
8 place of business of said electrician, or, if no such place of business, must be carried on his or her  
9 person and displayed at any time upon request to any electrical inspector appointed by the board  
10 under this chapter, as long as said person continues in the business as herein defined. The  
11 certificate shall specify the name of the person licensed who, in the case of a firm, shall be one of its  
12 members or employees and, in the case of a corporation, one of its officers or employees passing the  
13 examination. In the case of a firm or corporation, the license shall be void upon the death of or the  
14 severance from the company of said person.

15 183 Effective Date. This act shall take effect July 1, 2021.

**Archived:** Tuesday, May 25, 2021 11:46:27 AM  
**From:** [Miriam Simmons](#)  
**Sent:** Tuesday, May 25, 2021 11:11:12 AM  
**To:** [Miriam Simmons](#)  
**Subject:** SB 58 Committee Report RepPearson  
**Response requested:** No  
**Importance:** Normal

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**From:** Carol McGuire <[mcguire4house@gmail.com](mailto:mcguire4house@gmail.com)>  
**Sent:** Friday, May 21, 2021 9:56 AM  
**To:** [Miriam Simmons](mailto:miriam.simmons@leg.state.nh.us) <[miriam.simmons@leg.state.nh.us](mailto:miriam.simmons@leg.state.nh.us)>; [Pam Smarling](mailto:Pam.Smarling@leg.state.nh.us) <[Pam.Smarling@leg.state.nh.us](mailto:Pam.Smarling@leg.state.nh.us)>  
**Subject:** Fwd: Tuesday

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

From: **Carol McGuire** <[mcguire4house@gmail.com](mailto:mcguire4house@gmail.com)>  
Date: Wed, May 19, 2021 at 12:56 PM  
Subject: Re: Tuesday  
To: Stephen Pearson <[pearsonforderry@gmail.com](mailto:pearsonforderry@gmail.com)>

SB 58 Blurb.

I added "as amended" to each - since you've got a 50 page amendment, you need to acknowledge it!

Carol

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SB 58 is an omnibus bill containing 182 sections. The purpose of this Bill is to streamline the Office of Professional Licensure and Certification (OPLC). The bill, as amended, primarily makes the application process the same for all 54 boards within the OPLC. It moves the requirement for physical signatures to electronic signatures. It streamlines the procedure for contracting services for investigators, hearing officers, legal counsel, and experts. It moves the authority of the various boards to set their per-diem rates to the OPLC. The bill makes the requirement for a quorum uniform across the boards. Finally SB 58 centralizes the authority of the OPLC to set procedures and fees. This was the intent when OPLC was created and this language moves the agency forward toward its mandate when it was established. The committee voted 18-0 to adopt this legislation.

On Wed, May 19, 2021 at 10:34 AM Stephen Pearson <[pearsonforderry@gmail.com](mailto:pearsonforderry@gmail.com)> wrote:

Here is what I put together for SB 58 and 104.

Representative Steve Pearson  
Assistant Majority Leader  
Rockingham District 6  
Derry, 603-548-8523  
[Pearsonforderry@gmail.com](mailto:Pearsonforderry@gmail.com)

# Voting Sheets

**HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION**

**EXECUTIVE SESSION on SB 58**

**BILL TITLE:** relative to the administration of occupational regulation by the office of professional licensure and certification.

**DATE:** May 18, 2021

**LOB ROOM:** Remote / Hybrid

**MOTIONS: OUGHT TO PASS WITH AMENDMENT**

Moved by Rep. S. Pearson                      Seconded by Rep. Schuett                      AM Vote: 18-0

Amendment # 2021-1531h

Moved by Rep. S. Pearson                      Seconded by Rep. Schuett                      Vote: 18-0

**CONSENT CALENDAR: YES**

**Statement of Intent:**                      Refer to Committee Report

Respectfully submitted,

Rep John Sytek, Clerk

HOUSE COMMITTEE ON ED+A

EXECUTIVE SESSION ON HB SB-58

BILL TITLE: RELATIVE TO THE ADMINISTRATION OF OCCUPATIONAL REGULATION BY OPLC,

DATE: 5-18-21

LOB ROOM: 306-308

MOTION: (Please check one box)

- OTP       ITL       Retain (1<sup>st</sup> year)       Adoption of Amendment # 1531H  
(if offered)
- Interim Study (2<sup>nd</sup> year)

Moved by Rep. PEARSON      Seconded by Rep. SCHUETT      Vote: 18-0

MOTION: (Please check one box)

- OTP       OTP/A       ITL       Retain (1<sup>st</sup> year)       Adoption of Amendment # \_\_\_\_\_  
(if offered)
- Interim Study (2<sup>nd</sup> year)

Moved by Rep. PEARSON      Seconded by Rep. SCHUETT      Vote: 18-0

MOTION: (Please check one box)

- OTP       OTP/A       ITL       Retain (1<sup>st</sup> year)       Adoption of Amendment # \_\_\_\_\_  
(if offered)
- Interim Study (2<sup>nd</sup> year)

Moved by Rep. \_\_\_\_\_      Seconded by Rep. \_\_\_\_\_      Vote: \_\_\_\_\_

MOTION: (Please check one box)

- OTP       OTP/A       ITL       Retain (1<sup>st</sup> year)       Adoption of Amendment # \_\_\_\_\_  
(if offered)
- Interim Study (2<sup>nd</sup> year)

Moved by Rep. \_\_\_\_\_      Seconded by Rep. \_\_\_\_\_      Vote: \_\_\_\_\_

CONSENT CALENDAR?       Yes      \_\_\_\_\_ No

Minority Report?      \_\_\_\_\_ Yes      \_\_\_\_\_ No      If yes, author, Rep.: \_\_\_\_\_      Motion: \_\_\_\_\_

Respectfully submitted, Rep. [Signature], Clerk



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

2021 SESSION

Executive Departments and Administration

Bill #: SB 58 Motion: OTP/A AM #: 1531-A Exec Session Date: 5-18-21

<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.			
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		
<b>TOTAL VOTE:</b>			

STATE OF NEW HAMPSHIRE  
OFFICE OF THE HOUSE CLERK



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

PEAR SCHUETT  
2021 SESSION

Executive Departments and Administration

Bill #: SB 58 Motion: ON APOK AMEND AM #: 1531H Exec Session Date: 5-18-21

<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.			
Schmidt, Peter B.	X		
Schultz, Kristina M.	X		
Fellows, Sallie D.	X		
Fontneau, Timothy J. <u>PIMENTEL</u>	X		
Grote, Jaci L.	X		
O'Brien, Michael B.	X		
<b>TOTAL VOTE:</b>			

18-0

Amendment to SB 58

1 Amend the bill by replacing all after the enacting clause with the following:

2

3 1 Administration of the Office. Amend RSA 310-A:1-d to read as follows:

4 310-A:1-d Administration of the Office of Professional Licensure and Certification.

5 I. The office of professional licensure and certification shall operate under the supervision of  
6 the executive director appointed under RSA 310-A:1-b. The office may employ such clerical or other  
7 assistants as are necessary for the proper performance of its work, and may make expenditures for  
8 any purpose which are reasonably necessary, according to the executive director, for the proper  
9 performance of its duties under this chapter. ***The office may contract for the services of***  
10 ***investigators, hearing officers, legal counsel and experts as necessary and in consultation***  
11 ***with the appropriate board, council, or commission.***

12 II. The executive director of the office of professional licensure and certification shall be  
13 responsible for:

14 (a) Supervision of the division directors;

15 (b) The performance of the administrative, clerical, and business processing  
16 responsibilities of the boards, commissions, and councils;

17 (c) Employment of such personnel needed to carry out the functions of the boards;

18 (d) The issuance of a license or certification to any applicant who has met the  
19 requirements for licensure or certification and denying a license or certification to applicants who do  
20 not meet the minimum qualifications;

21 (e) Maintenance of the official record of all applicants and licensees ***in accordance***  
22 ***with the retention policy established by the office of professional licensure and***  
23 ***certification;***

24 (f) Supervision, coordination, and assistance to the boards, commissions, and councils in  
25 rulemaking, pursuant to RSA 541-A;

26 (g) Maintaining the confidentiality of information, documents, and files in accordance  
27 with RSA 91-A;

28 (h) Establishing by rule, pursuant to RSA 541-A:

29 (1) All fees authorized by statute for all boards, commissions, [~~and~~] councils, ***and***  
30 ***programs*** within the office of professional licensure and certification, in consultation with the  
31 affected boards, commissions, and councils on a biennial basis in conjunction with the preparation of  
32 the biennial budget; [~~and~~]



Amendment to SB 58

- Page 2 -

1 (2) Such organizational and procedural rules necessary to administer the boards,  
2 commissions, ~~and~~ councils, **and programs** in the office of professional licensure and certification,  
3 including rules governing the administration of complaints and investigations, payment processing  
4 procedures, and application procedures. **The boards shall retain the authority to determine the**  
5 **criteria necessary for licensing applications;**

6 (3) **The rate of per diem compensation and reimbursable expenses for all**  
7 **boards, commissions, councils, and programs within the office of professional licensure**  
8 **and certification; and**

9 (4) **Rules governing the professionals' health program as set forth in RSA**  
10 **310-A:1-e; and**

11 (i) Submitting, by November 1, to the speaker of the house of representatives, the  
12 president of the senate, the chairpersons of the house and senate executive departments and  
13 administration committees, and the governor, an annual report summarizing the transactions of the  
14 preceding fiscal year and a complete statement of the receipts and expenditures of the office of  
15 professional licensure and certification. Such report shall satisfy the requirements for any annual or  
16 biennial report imposed by statute on any board, commission, or council administered by the office of  
17 professional licensure and certification. The report shall be posted on the website of the office of  
18 professional licensure and certification immediately upon submission.

19 2 Acupuncture; Quorum. Amend RSA 328-G:6 to read as follows:

20 328-G:6 Organization and Meetings. The board shall hold regular meetings at least semi-  
21 annually and shall give notice to its members of the time and place for holding all regular and  
22 special meetings. A quorum of the board shall consist of ~~[not less than 3 members]~~ **a majority of**  
23 **the members of the board who have been approved by the governor and council.** The board  
24 shall biennially elect a chairperson, a vice-chairperson, and a secretary from among its members.

25 3 Acupuncture; Rulemaking. Amend RSA 328-G:7, I-III to read as follows:

26 I. ~~[Procedures and forms for application]~~ **Eligibility requirements** for an acupuncture  
27 license.

28 II. Scope of practice ~~[and fees for applications]~~.

29 III. ~~[Procedures]~~ **Eligibility requirements** for license renewal, including continuing  
30 education requirements, testing, peer review, ~~[or other appropriate procedures,]~~ and methods to  
31 ensure compliance with such requirements.

32 4 Acupuncture; Rulemaking. Amend RSA 328-G:7, XIV to read as follows:

33 XIV.(a) ~~[Procedures and forms for application]~~ **Eligibility requirements** for certification as  
34 an acupuncture detoxification specialist.

35 (b) Renewal, revocation, or suspension of certification of an acupuncture detoxification  
36 specialist.

37 ~~[(c) Any fees required under subparagraphs (a) and (b)].~~

Amendment to SB 58

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~~(d) Maintaining a register of persons certified as acupuncture detoxification specialists.]~~

5 Acupuncture; Powers of the Board. Amend RSA 328-G:11, I to read as follows:

I. The board shall:

(a) ~~[Ensure]~~ **Ensure** that licensed acupuncturists serving the public meet minimum standards of proficiency and competency to protect the health, safety, and welfare of the public.

(b) Administer and enforce all provisions of this chapter, which pertain to licensees and applicants, and all rules adopted by the board under the authority granted in this chapter.

(c) Maintain an accurate account of all receipts, expenditures, and refunds granted under this chapter through the office of licensure and certification **and in accordance with the retention policy established by the office of professional licensure and certification.**

(d) Maintain a record of its acts and proceedings, including the issuance, refusal, suspension, or revocation of licenses **in accordance with the retention policy established by the office of professional licensure and certification.**

~~(e) [Maintain a roster of all acupuncturists licensed under this chapter which indicates:~~

~~(1) The name of the licensee.~~

~~(2) Current professional office address.~~

~~(3) The date of issuance and the number of the licensee's license.~~

~~(4) Whether the licensee is in good standing.~~

~~(f)]~~ **(f)** Keep all applications for licensure ~~[as a permanent record]~~ **in accordance with the retention policy established by the office of professional licensure and certification.**

~~(g)]~~ **(f)** Maintain a ~~[permanent]~~ record of the results of all examinations it gives **in accordance with the retention policy established by the office of professional licensure and certification.**

~~(h)]~~ **(g)** Keep all examination records including written examination records and tape recordings of the questions and answers in oral examinations **in accordance with the retention policy established by the office of professional licensure and certification.**

~~(i)]~~ **(h)** Keep the records of the board open to public inspection at all reasonable times.

~~(j)]~~ **(i)** Adopt and use a seal, the imprint of which, together with the signatures of the chairperson or vice-chairperson and the secretary-treasurer of the board, shall evidence its official acts.

~~(k) Annually compile and publish a directory.]~~

6 Repeals; Acupuncture. The following are repealed:

I. RSA 328-G:5, relative to mileage for the board of acupuncture licensing.

II. RSA 328-G:7, IV, relative to rulemaking on a register.

7 Alcohol and Other Drug Use Professionals; Board; Quorum. Amend RSA 330-C:3, IX to read as follows:

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1 IX. The board shall elect a chairperson annually from among its membership. [~~Four~~  
2 ~~members~~] **A majority of the members** of the board **who have been approved by the governor**  
3 **and council** shall constitute a quorum.

4 8 Alcohol and Other Drug Use Professionals; Board; Removal. Amend RSA 330-C:3, XIII to read  
5 as follows:

6 XIII. The governor may remove any member from the board for neglect of any duty under  
7 RSA 330-C:5 or for incompetence, or unprofessional or dishonorable conduct. Any person may file a  
8 complaint against a board member or board members with the executive director of the office of  
9 professional licensure and certification. Upon receipt of a complaint, the [~~commissioner~~] **executive**  
10 **director** shall conduct an investigation and take any appropriate action and report his or her  
11 findings to the complainant. The provisions of RSA 4:1 controlling the removal of public officials  
12 from office shall be followed in dismissing board members.

13 9 Alcohol and Other Drug Use Professionals; Board; Duties. Amend RSA 330-C:5, VIII to read  
14 as follows:

15 VIII. Maintain records of proceedings as required by the laws of New Hampshire **and as set**  
16 **forth by the retention policy established by the office of professional licensure and**  
17 **certification.**

18 10 Alcohol and Other Drug Use Professionals; Records. RSA 330-C:7 is repealed and reenacted  
19 to read as follows:

20 330-C:7 Records. A true record of all of the board's official acts shall be made and preserved by  
21 the board through the office of professional licensure and certification in accordance with the  
22 retention policy established by the office. The records shall be public and shall be open to inspection  
23 at all reasonable times, except for records compiled in connection with disciplinary investigations  
24 and records otherwise exempt from disclosure under RSA 91-A or other applicable statutes.

25 11 Alcohol and Other Drug Use Professionals; Rulemaking. Amend RSA 330-C:9, I - V-b to read  
26 as follows:

27 I. [~~Application procedures and~~] Eligibility requirements for the issuance of all initial and  
28 renewal licenses issued by the board, including without limitation:

29 (a) The **eligibility requirements for the** issuance of LADC licenses to applicants  
30 holding a currently valid license or other authorization to practice substance use counseling in  
31 another jurisdiction;

32 (b) The **eligibility requirements for the** issuance of MLADC licenses to applicants  
33 holding a currently valid license or other authorization to practice substance use counseling and co-  
34 occurring disorder counseling in another jurisdiction;

35 (c) The **eligibility requirements for the** issuance of such licenses to applicants holding  
36 a current license issued by the board of nursing or the board of medicine; and

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1 (d) The *eligibility requirements for the* issuance of a MLADC license under RSA 330-  
2 C:16.

3 II. [~~Application procedures and~~] Eligibility requirements for the reinstatement of licenses  
4 after lapse and after disciplinary action.

5 III. [~~Application procedures~~] *Eligibility requirements*, training requirements, and other  
6 criteria for the issuance of certification, renewal of certification, and reinstatement of certification  
7 for certified recovery support workers and certified recovery support worker supervisors.

8 IV. [~~The establishment of license and certificate application, late renewal, and reinstatement~~  
9 ~~fees required under this chapter.~~

10  
11 ~~V.]~~ The process standards for approval of education programs for the continuing education  
12 requirements of this chapter and providers of such programs, and the process for approval of  
13 providers engaged in clinical supervision.

14 [~~V-a.]~~ V. The process standards for approval of individuals engaged in clinical supervision.

15 [~~V-b]~~ V-a. The requirements for clinical supervision and the documentation of clinical  
16 supervision hours.

17 12 Alcohol and Other Drug Use Professionals; Applications. Amend RSA 330-C:15, I(a) to read  
18 as follows:

19 (a) Submit a completed application and pay fees established by the [~~board~~] *office of*  
20 *professional licensure and certification*;

21 13 Alcohol and Other Drug Use Professionals; Applicants From Other States. Amend RSA 330-  
22 C:21, I-a to read as follows:

23 I-a. An applicant whose state licensure meets the requirements in paragraph I shall be  
24 deemed able to practice in this state not more than 60 days after the application is received by the  
25 board pending final approval or denial for other reason by the board. [~~The board shall adopt rules~~  
26 ~~under RSA 541-A to ensure the timely review and approval of applications under this section.]~~

27 14 Alcohol and Other Drug Use Professionals; Hearings. Amend RSA 330-C:29, I to read as  
28 follows:

29 I. The board may hold adjudicative hearings concerning allegations of misconduct or other  
30 matters within the scope of this chapter. Such hearings shall be public proceedings. Any member of  
31 the board [~~other than the public members~~], or any other qualified person appointed by the board,  
32 shall have authority to preside at such a hearing and to issue oaths or affirmations to witnesses.

33 15 Repeals; Alcohol and Other Drug Use Professionals. The following are repealed:

34 I. RSA 330-C:3, XI, relative to mileage for board members.

35 II. RSA 330-C:28, II, relative to retaining experts for investigations or hearings.

36 16 Allied Health Professionals; Legal Counsel. Amend RSA 328-F:3, II to read as follows:

Amendment to SB 58

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1 II. The governing boards' chairpersons or their appointees shall make up the board of  
2 directors of the office of licensed allied health professionals. ~~[The board of directors shall contract for~~  
3 ~~the services of investigators and legal counsel retained through the office of professional licensure~~  
4 ~~and certification].~~ The board of directors shall have the authority to delegate to the person in the  
5 supervisory position matters of administrative and personnel management.

6 17 Allied Health Professionals; Records. Amend RSA 328-F:9 to read as follows:

7 328-F:9 Records of the Boards. A true record of all of each board's official acts shall be made  
8 and preserved *in accordance with the retention policy established by the office of*  
9 *professional licensure and certification.* The records shall be public and shall be open to  
10 inspection at all reasonable times, except for records compiled in connection with disciplinary  
11 investigations and records otherwise exempt from disclosure under RSA 91-A or other applicable  
12 statutes.

13 18 Allied Health Professionals; Records. RSA 328-F:10 is repealed and reenacted to read as  
14 follows:

15 328-F:10 Records of Disciplinary History. Each governing board shall maintain a list of persons  
16 against whom the board has taken any disciplinary action in accordance with the retention policy  
17 established by the office of professional licensure and certification. This list shall include the name  
18 of the person, the reason for the disciplinary action, the date of the disciplinary action, and the  
19 nature of the disciplinary action.

20 19 Allied Health Professionals; Rulemaking. Amend RSA 328-F:11 to read as follows:

21 328-F:11 Rulemaking by the Governing Boards.

22 I. The governing boards shall adopt rules pursuant to RSA 541-A establishing:

23 (a) The eligibility requirements for initial licensure and for initial certification if  
24 certification of individuals is authorized by their practice acts.

25 (b) The eligibility requirements for license renewal, including any continuing  
26 competency requirements and any requirements for education, clinical experience, and training.

27 (c) The eligibility requirements for renewal of certification, including any continuing  
28 competency requirements and any requirements for education, clinical experience, and training.

29 (d) If the governing boards issue conditional licenses or certifications, conditional  
30 renewal of licenses or certifications, or conditional reinstatement after lapse or suspension of  
31 licenses or certifications, the circumstances under which these are issued and the standards for the  
32 imposition of the conditions.

33 (e) The ~~[application procedures and]~~ eligibility requirements, including any continuing  
34 competency requirements, for the reinstatement of licenses suspended for disciplinary reasons and  
35 for such reinstatement of certifications if authorized by their practice acts.

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1 (f) The ~~[application procedures and]~~ eligibility requirements, including any continuing  
2 competency requirements, for the reinstatement of lapsed licenses and for such reinstatement of  
3 certifications if authorized by their practice acts.

4 (g) ~~[The design and content of supplemental application forms requesting applicant  
5 information specific to the profession for which the applicant is applying, which forms may require a  
6 notarized affidavit that the information provided in the application is complete and accurate, and  
7 which do not request information already provided on forms adopted under RSA 328-F:13, IV.~~

8 ~~(h) Application procedures.~~

9 ~~(i) The allocation of disciplinary sanctions in cases of misconduct by licensees and by  
10 certified individuals.~~

11 II. The governing boards may adopt rules pursuant to RSA 541-A that specify, for their  
12 respective professions:

13 (a) The scope of practice.

14 (b) The ethical standards.

15 (c) The eligibility requirements ~~[and procedures]~~ for the issuance of licenses to  
16 applicants currently licensed in foreign countries and territories and in the territories of the United  
17 States.

18 (d) What constitutes, for disciplinary purposes, sexual relations with and sexual  
19 harassment of, a client or patient.

20 20 Allied Health Professionals; Licenses. Amend RSA 328-F:18, I through IV to read as follows:

21 I. Each governing board shall issue initial licenses and license renewals to applicants who  
22 have completed the ~~[required]~~ application procedures ***established by the office of professional***  
23 ***licensure and certification*** and have met the eligibility requirements established by the practice  
24 act and the rules of the governing board. If a governing board is authorized by its practice act to  
25 issue provisional licenses, it shall issue such licenses to applicants who have completed the  
26 ~~[required]~~ application procedures ***established by the office of professional licensure and***  
27 ***certification*** and have met the eligibility requirements for provisional licensure established by the  
28 practice act and the rules of the governing board.

29 II. The governing boards shall take no action on an application for any type of license, or  
30 reinstate any lapsed or suspended license, until the applicant has completed the application  
31 procedures ~~[required by the practice acts and the rules of the governing boards]~~ ***established by the***  
32 ***office of professional licensure and certification.***

33 III. To ~~[insure]~~ ***ensure*** the competency of licensees, the governing boards are authorized to  
34 issue initial licenses, license renewals, and reinstatements of licensure after lapse or suspension for  
35 disciplinary reasons that are conditional in nature. Such conditional licenses may include the  
36 following conditions on the licensee's authorization to practice:

37 (a) A limit on the duration of the license.

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1 (b) A requirement that specified education, clinical experience, or training is completed  
2 by the licensee before removal of the condition.

3 (c) A requirement that the conditional licensee be supervised in his or her practice.

4 (d) A limitation on the scope of the practice of the conditional licensee.

5 IV. Initial licenses, including conditional licenses that are the first license issued to the  
6 individual, and provisional licenses shall be:

7 ~~(a) Signed and dated by the chairperson of the governing board issuing them.~~

8 ~~(b)~~ numbered consecutively and recorded.

9 21 Allied Health Professionals; Reinstatement. Amend RSA 328-F:24, III to read as follows:

10 III. Governing boards are authorized to conduct disciplinary proceedings in accordance with  
11 procedural rules adopted by the ~~[board of directors]~~ ***office of professional licensure and***  
12 ***certification.***

13 22 Repeals; Allied Health. The following are repealed:

14 I. RSA 328-F:6, relative to compensation for governing board members.

15 II. RSA 328-F:12, I and IV, relative to a report of funds.

16 III. RSA 328-F:13, II-V, relative rulemaking by the allied health board of directors.

17 23 Repeals; Genetic Counselors. The following are repealed:

18 I. RSA 326-K:7, relative to compensation of the genetic counselors governing board.

19 II. RSA 326-K:9, II, relative to application procedures.

20 24 Physical Therapists; Powers of the Board. Amend RSA 328-A:3, IV to read as follows:

21 IV. Employ or contract with any entity for the purpose of administering examinations  
22 authorized by this chapter ***through the office of professional licensure and certification.***

23 25 Repeals; Physical Therapists. The following are repealed:

24 I. RSA 328-A:3, VIII-XI, relative to duties of the board.

25 II. RSA 328-A:15, I, relative to licensee information.

26 26 Respiratory Care; Rulemaking. Amend RSA 326-E:2, III to read as follows:

27 III. Specifying the ~~[application procedures and]~~ eligibility requirements to be met by persons  
28 or entities seeking approval as providers of continuing education programs.

29 27 Respiratory Care; Rulemaking. Amend RSA 326-E:11, III to read as follows:

30 III. The board shall establish, through rules adopted pursuant to RSA 541-A, ~~[application~~  
31 ~~procedures and]~~ eligibility requirements for the approval of persons and entities as providers of  
32 continuing education programs.

33 28 Repeals; Respiratory Care. The following are repealed:

34 I. RSA 326-E:5, II(b) and (c), relative to duties of the governing board.

35 II. RSA 326-E:7, I, relative to licensee and governing board information.

36 29 Speech-language Pathology; Reinstatement. Amend RSA 326-F:7-a, III and IV to read as  
37 follows:

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1 III. Complies with any reinstatement application procedures established by the ~~[board]~~  
2 **office of professional licensure and certification** in rules adopted pursuant to RSA 541-A.

3 IV. Pays the reinstatement fee **established by the office of professional licensure and**  
4 **certification.**

5 30 Repeal; Speech-language Pathology. RSA 326-F:5, II, relative to rules for applications, is  
6 repealed.

7 31 Barbering, Cosmetology, Esthetics; Board; Quorum. Amend RSA 313-A:2, V to read as  
8 follows:

9 V. The board shall hold at least 6 regular meetings each year. Special meetings may be  
10 called at such times as the rules of the board may provide. A quorum of the board shall consist of ~~no~~  
11 ~~fewer than 4 members~~ **a majority of the members of the board who have been approved by**  
12 **the governor and council.** All meetings of the board shall be open to the public, except when the  
13 board conducts a nonpublic session under RSA 91-A.

14 32 Barbering, Cosmetology, Esthetics; Records. Amend RSA 313-A:4 to read as follows:

15 313-A:4 Maintenance of Records. The board shall maintain a record containing the names and  
16 addresses of all licensees and of all salons, barbershops and schools licensed pursuant to this chapter  
17 ~~[and]~~ **in accordance with the retention policy established by the office of professional**  
18 **licensure and certification. The board** shall issue all notices, license and registration  
19 certificates. The record shall include the date of issuance, renewal, suspension or revocation of all  
20 licenses. This record shall be open to public inspection at all reasonable times.

21 33 Barbering, Cosmetology, Esthetics; Board Duties. Amend RSA 313-A:7, I(a)-(d) to read as  
22 follows:

23 (a) Prescribe the duties of its officers ~~[and employees]~~;

24 (b) Establish an office, within the office of professional licensure and certification at  
25 which all records and files of the board shall be kept **in accordance with the retention policy**  
26 **established by the office of professional licensure and certification;**

27 (c) Maintain a telephone line or an electronic mail address for the purpose of accepting  
28 consumer complaints;

29 (d) Keep a record of its proceedings **in accordance with the retention policy**  
30 **established by the office of professional licensure and certification;**

31 34 Barbering, Cosmetology, Esthetics; Applications. Amend RSA 313-A:16 to read as follows:

32 313-A:16 Applications. Applicants shall make written application to the ~~[secretary of the]~~ board  
33 on a form prescribed and supplied by the ~~[board]~~ **office of professional licensure and**  
34 **certification** which shall contain satisfactory evidence of the qualifications required of the  
35 applicant; and the applicant shall also pay the examination fee.

36 35 Repeals; Barbering, Cosmetology, Esthetics. The following are repealed:

37 I. RSA 313-A:6, relative to compensation of board members.



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1 II. RSA 313-A:7, I(f) and (g), relative to reports and fees.

2 36 Body Art; Advisory Board; Compensation. Amend the introductory paragraph of RSA 314-  
3 A:14 to read as follows:

4 314-A:14 Advisory Board of Body Art Practitioners. The executive director shall establish the  
5 advisory board of body art practitioners. The board shall consist of 3 body art practitioners who are  
6 licensees in the state of New Hampshire. Each member shall be appointed to a term of 3 years. No  
7 member shall serve more than 2 consecutive full terms. ~~[Each member of the advisory board shall~~  
8 ~~receive as compensation the sum of \$45 for each day actually devoted to the work of the advisory~~  
9 ~~board and shall be reimbursed for necessary traveling expenses incurred in the discharge of such~~  
10 ~~duty.]~~ The advisory board shall:

11 37 Chiropractic; Rulemaking. Amend RSA 316-A:3, IV to read as follows:

12 IV. Procedures for oral examinations and interviews, if appropriate. Such rules shall  
13 include a listing of permissible areas of inquiry and a statement of the means by which the inquiry  
14 shall be recorded. Transcripts or recordings shall be maintained by the board or commission ~~[for a~~  
15 ~~period of not less than 90 days]~~ ***in accordance with the retention policy established by the***  
16 ***office of professional licensure and certification.***

17 38 Chiropractic; Board Meetings. Amend RSA 316-A:7 to read as follows:

18 316-A:7 Organization; Meetings. The board shall elect a chairperson ~~[and a secretary-~~  
19 ~~treasurer]~~. The board shall meet quarterly and at such other times as the business of the board  
20 shall require. ***A quorum shall consist of a majority of the members of the board who have***  
21 ***been approved by the governor and council.***

22 39 Repeals; Chiropractic. The following are repealed:

23 I. RSA 316-A:3, VIII, IX, and XVII, relative to rules on licensee information and fees.

24 II. RSA 316-A:6, relative to board member successors.

25 III. RSA 316-A:9, relative to compensation of board members.

26 IV. RSA 316-A:10, relative to a report.

27 V. RSA 316-A:16, relative to licensure without exam of certain persons.

28 40 Dentistry; Board Meetings. Amend RSA 317-A:4, II to read as follows:

29 II. The board shall choose one of its members as its president and one of its members as  
30 vice-president. ~~[Five members]~~ ***A majority of the members of the board who have been***  
31 ***approved by the governor and council*** shall constitute a quorum. No board action shall be taken  
32 without an affirmative vote of the majority of board members present and eligible to participate in  
33 the matter in question. Board members shall not be eligible to participate in a vote when the board  
34 member has recused himself or herself from participation due to a conflict of interest. The board  
35 shall meet once a year and at such other times and places as it may deem proper. A true record of  
36 all their official acts shall be made and preserved by the ~~[board's executive director]~~ ***office of***  
37 ***professional licensure and certification in accordance with the retention policy established***

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1 **by the office.** The records shall be public and shall be open to inspection at all reasonable times,  
2 except for records compiled in connection with disciplinary proceedings, which are subject to RSA  
3 317-A:18.

4 41 New Paragraph; Dentistry; Professional Health Program. Amend RSA 317-A:16-a by  
5 inserting after paragraph VI the following new paragraph:

6 VII. Rules governing the professional health program shall be implemented through the  
7 office of professional licensure and certification pursuant to RSA 310-A:1-d, II(h)(4).

8 42 Dentistry; Licensure of Hygienists. Amend RSA 317-A:21, II to read as follows:

9 II. Applications for licensure as a dental hygienist shall be made to the board in writing and  
10 shall be accompanied by a fee established by the ~~board~~ **office of professional licensure and**  
11 **certification** and by satisfactory proof that the applicant is a graduate of a school of dentistry or a  
12 school of dental hygiene with a minimum of a 2-year program in an institution of higher education,  
13 the program of which is accredited by a national accrediting agency recognized by the United States  
14 Department of Education and the Commission on Dental Accreditation.

15 43 Repeals; Dentistry. The following are repealed:

16 I. RSA 317-A:2, III, relative to compensation of board members.

17 II. RSA 317-A:2-a, I(d), relative to compensation of hygienists committee members.

18 III. RSA 317-A:4, I(d)-(f), relative to duties of the board.

19 IV. RSA 317-A:5, relative to reports and receipts.

20 V. RSA 317-A:10, relative to attested licenses.

21 VI. RSA 317-A:12, I, II, V, VII, VIII, and X, relative to rules on applications and fees.

22 VII. RSA 317-A:18, II, relative to retaining experts for investigations.

23 44 Dieticians; Board Records. Amend RSA 326-H:9, III to read as follows:

24 III. Maintain a true record of the board's official acts **through the office of professional**  
25 **licensure and certification and in accordance with the retention policy established by the**  
26 **office**, which shall be public and open to inspection at all reasonable times, except for records  
27 compiled in connection with disciplinary proceedings.

28 45 Dieticians; Rules. Amend RSA 326-H:10, I to read as follows:

29 I. The ~~application procedures~~ **eligibility requirements** for licensure or temporary  
30 licensure to practice as a licensed dietitian in this state.

31 46 Dieticians; License Fees. Amend RSA 326-H:12, V to read as follows:

32 V. Pay the ~~[\$110]~~ license fee **established by the office of professional licensure and**  
33 **certification.**

34 47 Dieticians; License Renewals. Amend RSA 326-H:14, II to read as follows:

35 II. All licenses issued by the board shall be renewed biennially or reissued pursuant to rules  
36 adopted and upon payment of a ~~[\$110]~~ license renewal fee **established by the office of**  
37 **professional licensure and certification.** The board shall cause notification of impending license

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1 expiration to be sent to each licensed person at least 60 days prior to the expiration of the license.  
2 Licenses shall continue as valid until final action is exercised by the board on an application for  
3 renewal, provided that the application is filed before the expiration date of the license.

4 48 Repeal; Dietitians. The following are repealed:

5 I. RSA 326-H:7, IV, relative to travel expenses for board members.

6 II. RSA 326-H:10, III, V, and VIII, relative to rules on fees.

7 49 Repeal; Electrologists. RSA 314:2-a, IV, relative to compensation for the electrology advisory  
8 committee, is repealed.

9 50 Funeral Directors; Board. Amend RSA 325:2, I to read as follows:

10 I. There shall be a board of registration of funeral directors and embalmers consisting of 5  
11 members, including 4 funeral directors or embalmers and one public member, appointed by the  
12 governor, with the approval of the council, to serve terms of 5 years. No member of the board shall  
13 be appointed to more than 2 consecutive terms. ~~[The commissioner of the department of health and~~  
14 ~~human services, or his designee, shall serve as a non-voting secretary of the board.]~~

15 51 Funeral Directors; Quorum. Amend RSA 325:8 to read as follows:

16 325:8 Organization; Quorum. Within 30 days after appointment and qualification of a member,  
17 the board shall meet and elect from among its members a chairperson and such other officers as the  
18 board may provide for by rule. This organization shall continue until the appointment of a new  
19 member or upon the resignation of an existing board officer. The office of secretary and treasurer  
20 may be held by one member. ~~[Three members]~~ **A majority of the members of the board who**  
21 **have been approved by the governor and council** shall constitute a quorum for the transaction  
22 of business.

23 52 Funeral Directors; Rules. Amend RSA 325:9, IV to read as follows:

24 IV. ~~[How a license to practice under this chapter shall be renewed]~~ **Eligibility**  
25 **requirements for renewal of license**, including the requirements for continuing education;

26 53 Funeral Directors; Licensure. Amend RSA 325:20 to read as follows:

27 325:20 Licensure. The board shall issue to each applicant successfully passing the examination,  
28 where an examination is required, and who otherwise satisfies the board of **her or** his qualifications,  
29 a license, ~~[signed by all the members of the board,]~~ entitling **her or** him to practice or engage in the  
30 business in this state as a funeral director, embalmer, or both, as the case may be.

31 54 Funeral Directors; Interstate Agreements. Amend RSA 325:22-a to read as follows:

32 325:22-a Interstate Agreements. The board may enter into an agreement with the corresponding  
33 licensing authority of any other state competent to enter into such agreement which shall permit a  
34 nonresident person duly registered and licensed as a funeral director or embalmer in any state  
35 signing the agreement with the board to go into the other state for the purpose of handling,  
36 embalming, transporting, and burying dead human bodies and directing funerals as though he **or**  
37 **she** were licensed under the laws of New Hampshire, except that he **or she** shall not maintain an

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1 establishment, advertise, have any agent or agency, or otherwise hold himself *or herself* out as a  
2 funeral director or embalmer other than in his *or her* native state; provided that the agreement will  
3 set forth that the licensing authority of the state in which the funeral director or embalmer is  
4 licensed will assume the responsibility for instituting disciplinary action against any licensed  
5 funeral directors or embalmers who may be guilty of unprofessional conduct in the practice of their  
6 business in New Hampshire when such is reported by this board and the same to apply to New  
7 Hampshire *individuals* licensed ~~[men]~~ *under this chapter*.

8 55 Funeral Directors; Notification. Amend RSA 325:24 to read as follows:

9 325:24 Notices of Expiration. On or before May 15 of each odd-numbered year, the board shall  
10 ~~[mail to]~~ *notify* each holder of a license ~~[a notice]~~ of the expiration of *her or* his license and an  
11 application for the renewal thereof.

12 56 Repeal; Funeral Directors. The following are repealed:

- 13 I. RSA 325:6, relative compensation of board members.
- 14 II. RSA 325:9, I and V, relative to rules on applications and fees.
- 15 III. RSA 325:11, relative to a register of licensees.
- 16 IV. RSA 325:12, relative to a board treasurer.
- 17 V. RSA 325:33, II, relative to investigations.
- 18 VI. RSA 325:39, relative to an account.
- 19 VII. RSA 325:42, relative to a special fund.

20 57 Hearing Care Providers; Board of Hearing Care Providers. Amend RSA 137-F:3, VII to read  
21 as follows:

22 VII. A quorum of the board shall be ~~[4 members]~~ *a majority of the members of the board*  
23 *who have been approved by the governor and council*.

24 58 Hearing Care Providers; Rulemaking. Amend RSA 137-F:6, I and II to read as follows:

- 25 I. The ~~[form and]~~ content of audiologist license applications and examinations.
- 26 II. The ~~[form and]~~ content of hearing aid dealer registration applications and examinations.

27 59 Hearing Care Providers; Application for Registration; Fees. RSA 137-F:9 is repealed and  
28 reenacted to read as follows:

29 137-F:9 Application for Registration. An application for a certificate of registration under this  
30 chapter shall be filed with the board in such form and detail as required in accordance with rules  
31 adopted under RSA 541-A.

32 60 Hearing Care Providers; Record. RSA 137-F:29 is repealed and reenacted to read as follows:

33 137-F:29 Record. The board shall maintain a record of its proceedings in accordance with the  
34 retention policy established by the office of professional licensure and certification.

35 61 Repeal; Hearing Care Providers. The following are repealed:

- 36 I. RSA 137-F:3, V, relative to mileage for members of board of hearing care providers.
- 37 II. RSA 137-F:4, relative to board subcommittees.

1           III. RSA 137-F:5, VIII and IX, relative to certain powers and duties of the board.

2           IV. RSA 137-F:6, V, relative to the board's rulemaking authority.

3           V. RSA 137-F:21, III, relative to the board's authority to appoint legal counsel and  
4     investigatory experts.

5           62 Medical Imaging and Radiation Therapy; Board Responsibilities. Amend RSA 328-J:7 to  
6     read as follows:

7           328-J:7 Board Responsibilities; Rulemaking Authority. The board shall adopt rules, pursuant to  
8     RSA 541-A, relative to:

9           I. ~~[The application procedure for any license issued under this chapter.~~

10          ~~II.]~~ The qualifications of applicants in addition to those required by statute.

11          ~~III.]~~ **II.** The ~~[design and]~~ content of all forms required under this chapter.

12          ~~IV.]~~ ~~The establishment of all fees required under this chapter.~~

13          ~~V.]~~ **III.** How an applicant shall be examined, including:

14                 (a) Time and place of examination.

15                 (b) The subjects to be tested.

16                 (c) Passing grade.

17                 (d) Disposition of examination papers.

18          ~~VI.]~~ ~~How a license shall be renewed, reinstated, or placed on inactive status.~~

19          ~~VII.]~~ **IV.** Ethical standards, required to be met by each limited x-ray machine operator,  
20     medical imaging professional, and radiation therapist licensed under this chapter, and how a license  
21     may be revoked for violation of these standards.

22          ~~VIII.]~~ **V.** Establishment of the scope of practice for limited x-ray machine operators, medical  
23     imaging professionals, and radiation therapists.

24          ~~IX.]~~ **VI.** Procedures for assuring the continuing competence of limited x-ray machine  
25     operators, medical imaging professionals, and radiation therapists licensed under this chapter  
26     including, but not limited to, continuing education requirements and the professional's health  
27     program.

28          ~~X.]~~ **VII.** How licensees shall provide evidence of good professional character and reliability  
29     to satisfy the board that they shall faithfully and conscientiously avoid professional misconduct and  
30     otherwise adhere to the requirements of this chapter.

31          ~~XI.]~~ **VIII.** Procedures for accepting and responding to written complaints, publicizing the  
32     complaint procedure, standards of and procedures for conducting investigations, investigator  
33     training requirements, and procedures for conducting disciplinary hearings and alternative dispute  
34     resolution under this chapter.

35          ~~XII.]~~ **IX.** Procedures relative to the disclosure to the public of final disciplinary actions by  
36     the board, including those actions that occur without holding a public hearing. Dismissed  
37     complaints shall not be made public.

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1           ~~XIII.]~~ **X.** Standards of care for the practice of telemedicine or telehealth.

2           ~~[XIV.]~~ **XI.** Interstate licensure and temporary permits under RSA 328-J:20.

3           ~~[XV.]~~ **XII.** ~~[Procedures for an educational program review and approval to follow in making~~  
4 ~~application for]~~ **Standards for educational program** approval by the board.

5           ~~[XVI.]~~ **XIII.** A process for reviewing the accreditation status of an educational program  
6 which is currently accredited by a recognized national educational accreditation organization.

7           63 Medical Imaging and Radiation Therapy; Hearings. Amend RSA 328-J:18, V to read as  
8 follows:

9           V. Any disciplinary action by the board shall be ~~[published in the report of the board and~~  
10 ~~shall be]~~ a public record in accordance with RSA 91-A.

11           64 Repeal; Medical Imaging and Radiation Therapy. RSA 328-J:3, IV, relative to compensation  
12 for members of the board of medical imaging and radiation therapy, is repealed.

13           65 Board of Registration of Medical Technicians; Rulemaking. RSA 328-I:4 is repealed and  
14 reenacted to read as follows:

15           328-I:4 Rulemaking. The board shall adopt rules, pursuant to RSA 541-A, relative to:

16           I. Registration eligibility requirements.

17           II. Eligibility requirements for renewal or reinstatement of a registration to work as a  
18 medical technician.

19           III. The conduct of investigations and hearings, in accordance with RSA 328-I:11.

20           IV. Procedures for notice and hearing prior to denial, suspension, or revocation of a  
21 registration and the imposition of administrative fines.

22           V. Procedures for the approval or denial of an application.

23           VI. Procedures for sharing information with other in-state boards, the office of inspector  
24 general, department of health and human services, out-of-state boards, and law enforcement  
25 entities.

26           66 Repeals; Board of Registration of Medical Technicians. The following are repealed:

27           I. RSA 328-I:2, III, relative to compensation for members of the board of registration of  
28 medical technicians.

29           II. RSA 328-I:3, V, VII, VIII, IX, and X, relative to certain duties of the board.

30           III. RSA 328-I:10, XI, relative to notice of disciplinary actions by the board.

31           IV. RSA 328-I:15, relative to the board's annual report.

32           67 Physician Assistants; Conditions for Licensure. Amend the introductory paragraph of RSA  
33 328-D:3, I to read as follows:

34           I. To apply for licensure by the board as a physician assistant, an applicant shall file a  
35 written application on forms provided by the ~~[board]~~ **office of professional licensure and**  
36 **certification** and pay an application fee. The applicant to be licensed shall:

37           68 Physician Assistants; Rulemaking. Amend RSA 328-D:10, I,(b) to read as follows:

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1 (b) ~~[Form and]~~ Content of the application for licensure.

2 69 Physician Assistants; Recordkeeping. RSA 328-D:11 is repealed and reenacted to read as  
3 follows:

4 328-D:11 Recordkeeping. The board shall keep a record of its proceedings under this chapter in  
5 accordance with the retention policy established by the office of professional licensure and  
6 certification.

7 70 Repeal; Physician Assistants. RSA 328-D:10, I(c) relative to the board of medicine's  
8 rulemaking authority regarding application procedures, is repealed.

9 71 Physicians and Surgeons; Records. Amend RSA 329:8 to read as follows:

10 329:8 Records. A true record of all of the board's official acts shall be made and preserved ~~by~~  
11 ~~the administrator]~~ ***in accordance with the retention policy established by the office of***  
12 ***professional licensure and certification.*** The records shall be public and shall be open to  
13 inspection at all reasonable times, except for records compiled in connection with disciplinary  
14 investigations and records otherwise exempt from disclosure under RSA 91-A, RSA 329:18, or other  
15 applicable statutes.

16 72 Physicians and Surgeons; Professionals' Health Program. Amend RSA 329:13-b, V(a) to read  
17 as follows:

18 V.(a) The ~~board]~~ ***office of professional licensure and certification*** may contract with  
19 other organizations to operate the professionals' health program for physicians and physician  
20 assistants who are impaired or potentially impaired because of mental or physical illness including  
21 substance abuse or disruptive behavior. This program shall be available to all physicians and  
22 physician assistants licensed in this state, all physicians and physician assistants seeking licensure  
23 in this state, and all resident physicians in training, and shall include, but shall not be limited to,  
24 education, intervention, ongoing care or treatment, and post-treatment monitoring.

25 73 New Paragraph; Physicians and Surgeons; Professionals' Health Program. Amend RSA  
26 329:13-b by inserting after paragraph VI the following new paragraph:

27 VII. Rules governing the program shall be implemented through the office of professional  
28 licensure and certification pursuant to RSA 310-A:1-d, II(h)(4).

29 74 Physicians and Surgeons; Notice of Renewal. Amend RSA 329:16-d to read as follows:

30 329:16-d Notice of Renewal. On or before March 1 of each licensee's renewal year, the board  
31 shall ~~mail]~~ ***notify*** each licensee, except those on the inactive list, an application for renewal of  
32 license.

33 75 Physicians and Surgeons; Disciplinary Action. Amend RSA 329:17, V-a to read as follows:

34 V-a. A medical review subcommittee of 13 members shall be nominated by the board of  
35 medicine and appointed by the governor and council. The subcommittee shall consist of 13 persons,  
36 9 of whom shall be physicians, one of whom shall be a physician assistant, and 3 of whom shall be  
37 public members. One of the physician members shall practice in the area of pain medicine and

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1 anesthesiology. No public member of the subcommittee shall be or ever have been a member of the  
2 medical profession or the spouse of a member of the medical profession. No public member shall  
3 have or ever have had a material financial interest in either the provision of medical services or an  
4 activity directly related to medicine, including the representation of the board or profession for a fee.  
5 The terms of the public members shall be staggered so that no 2 public members' terms expire in the  
6 same year. The subcommittee members shall be appointed for 3-year terms, and shall serve no more  
7 than 2 terms. Upon referral by the board, the subcommittee shall review disciplinary actions  
8 reported to the board under paragraphs II-V of this section, except that matters concerning a  
9 medical director involved in a current internal or external grievance pursuant to RSA 420-J shall not  
10 be reviewed until the grievance process has been completed. Following review of each case, the  
11 subcommittee shall make recommendations to the board. ~~[Funds shall be appropriated from the  
12 general fund for use by the subcommittee to investigate allegations under paragraphs I-V of this  
13 section.]~~ The state of New Hampshire, by the board and the office of professional licensure and  
14 certification, and with the approval of governor and council, shall contract with a qualified physician  
15 to serve as a medical review subcommittee investigator.

16 76 Physicians and Surgeons; Disciplinary Action. Amend RSA 329:17, XIII to read as follows:

17 XIII. When an investigation of a complaint against a licensee is determined to be unfounded,  
18 the board shall dismiss the complaint and explain in writing to the complainant its reason for  
19 dismissing the complaint. The board may destroy all information collected during the course of the  
20 investigation ~~[after 3 years]~~ ***in accordance with the retention policy established by the office***  
21 ***of professional licensure and certification.*** The board shall retain a record only noting that an  
22 investigation was conducted and that the board determined the complaint to be unfounded. For the  
23 purpose of this paragraph, a complaint shall be deemed to be unfounded if it does not fall within the  
24 jurisdiction of the board, does not relate to the actions of the licensee, or is determined by the board  
25 to be frivolous.

26 77 Physicians and Surgeons; Denial or Revocation of License. Amend RSA 329:18, II to read as  
27 follows:

28 II. The board through the office of professional licensure and certification may retain expert  
29 witnesses or other qualified persons to assist with any investigation or adjudicatory proceeding.  
30 Members of the board are not eligible for retainment. ~~[The board may also retain special legal  
31 counsel in instances when recommended by the attorney general. To the extent the board's existing  
32 appropriation does not include funds covering such expenditures, the board through the office of  
33 professional licensure and certification may request the governor and council to expend funds not  
34 otherwise appropriated on the condition that such funds be recovered in the board's next budget at  
35 the rate of 125 percent.]~~

36 78 Repeal; Physicians and Surgeons. The following are repealed:



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1 I. RSA 329:2, II(e), III, and IV, relative to duties of the board of medicine regarding  
2 physicians and surgeons.

3 II. RSA 329:5, relative to compensation for members of the board and the medical review  
4 subcommittee.

5 III. RSA 329:9, I and VII, relative to rulemaking authority regarding applications, and fees.

6 IV. RSA 329:14, IV, relative to license format.

7 V. RSA 329:19, relative to record of accounts.

8 79 Mental Health Practice; Committees Established; Duties. Amend RSA 330-A:4, I and I-a to  
9 read as follows:

10 I. The board ~~shall~~ **may** create an advisory committee for each mental health discipline it  
11 licenses for the purpose of assisting the board in its responsibilities under RSA 330-A:10, II, and  
12 RSA 330-A:10, VII-XV. The board member of each mental health discipline shall serve as the chair  
13 of that advisory committee. The balance of the membership of each of the advisory committees shall  
14 be composed of at least 2 persons and no more than 4 persons licensed in the mental health  
15 discipline of that committee.

16 I-a. The board ~~shall~~ **may** create a professional conduct investigation committee for the  
17 purpose of assisting the board in its responsibilities under RSA 330-A:28 and RSA 330-A:29. A  
18 board investigator, appointed by the chairperson of the board with the advice of the board, shall  
19 serve as the chair of the professional conduct investigation committee. The balance of the  
20 membership of the professional conduct investigation committee shall be composed of one licensed  
21 clinical social worker, one licensed clinical mental health counselor, and additional members from  
22 the professions licensed by the board to a maximum of 12 members.

23 80 Mental Health Practice; Organization and Meetings. Amend RSA 330-A:9, I to read as  
24 follows:

25 I. The board shall hold regular annual meetings. Other meetings of the board shall be held  
26 at such times and upon such notice as the rules of the board provide. ~~[Five members]~~ **A majority of**  
27 ***the members of the board who have been approved by the governor and council*** shall  
28 constitute a quorum.

29 81 Mental Health Practice; Board; Responsibilities and Rulemaking Authority. RSA 330-A:10 is  
30 repealed and reenacted to read as follows:

31 330-A:10 Board; Responsibilities and Rulemaking Authority. The board shall adopt rules,  
32 pursuant to RSA 541-A, relative to:

33 I. Procedures for expedited licensure for applicants from other states who qualify under RSA  
34 330-A:26.

35 II. The qualifications of applicants in addition to those requirements set by statute.

36 III. How an applicant shall be examined, including:

37 (a) Time and place of examination.

1 (b) The subjects to be tested.

2 (c) Passing grade.

3 (d) Disposition of examination papers.

4 IV. Ethical standards, as promulgated by the American Association of Pastoral Counselors,  
5 required to be met by each pastoral psychotherapist licensed under this chapter, and how a license  
6 may be revoked for violation of these standards.

7 V. Ethical standards, as promulgated by the National Association of Social Workers,  
8 required to be met by each licensed clinical social worker, and how a license may be revoked for  
9 violation of these standards.

10 VI. Ethical standards, including those promulgated by the American Clinical Mental Health  
11 Counselors Association, required to be met by each licensed clinical mental health counselor, and  
12 how a license may be revoked for violations of these standards.

13 VII. Ethical standards, including those promulgated by the American Association of  
14 Marriage and Family Therapy, required to be met by each licensed marriage and family therapist,  
15 and how a license may be revoked for violations of these standards.

16 VIII. Compliance with the mental health client bill of rights as authorized under RSA 330-  
17 A:15.

18 IX. Procedures, standards, and supervision requirements for candidates for licensure as a  
19 member of one of the licensed mental health disciplines, consistent with the standards established  
20 by the advisory committee for each of the licensed mental health disciplines. All candidates for  
21 licensure shall be documented with the board. The supervision shall be at a location mutually  
22 convenient to both the supervisor and the candidate for licensure.

23 X. Establishment of the scope of practice for each mental health discipline licensed under  
24 this chapter, consistent with the standards established by the advisory committee for each of the  
25 licensed mental health disciplines.

26 XI. Procedures for assuring the continuing competence of persons licensed under this  
27 chapter including, but not limited to, continuing education requirements, provided that at least 3  
28 hours of the required continuing education units for biennial renewal shall be from a nationally  
29 recognized, evidence-based or best practices training organization in the area of suicide prevention,  
30 intervention, or post-vention and how mental illness, substance use disorders, trauma, or  
31 interpersonal violence directly impacts risk for suicide.

32 XII. How licensees shall provide evidence of good professional character and reliability to  
33 satisfy the board that they shall faithfully and conscientiously avoid professional misconduct and  
34 otherwise adhere to the requirements of this chapter.

35 XIII. Procedures for accepting and responding to written complaints, publicizing the  
36 complaint procedure, standards of and procedures for conducting investigations, investigator  
37 training requirements, and procedures for conducting disciplinary hearings under this chapter.

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1           XIV. The content of the materials and information to be distributed under RSA 330-A:14.

2           XV. Procedures for receiving and addressing complaints against licensees who have had a  
3 personal or professional relationship with a board member.

4           XVI. Requirements to be met by licensees relative to the disclosure of information to  
5 patients and the general public concerning the nature of mental health care and the responsibilities  
6 of mental health practitioners to clients in RSA 330-A:15, XV. Procedures and mechanisms for  
7 providing interdisciplinary collaboration among the mental health disciplines.

8           82 Mental Health Practice; Applicants From Other States. Amend RSA 330-A:26, II to read as  
9 follows:

10           II. An applicant whose state licensure meets the requirements in paragraph I shall be  
11 allowed to practice in this state not more than 30 days after the application is received by the board,  
12 pending final approval or denial of the license for other reason by the board. The board shall adopt  
13 rules under RSA 330-A:10, I [~~and I-a~~] *relative* to [~~ensure the timely review and approval of~~  
14 ~~applications under this section~~] *procedures for expedited licensure for applicants from other*  
15 *states*.

16           83 Mental Health Practice; Hearings. Amend RSA 330-A:29, IV to read as follows:

17           IV. The respondent shall be heard in his or her defense either in person or by counsel and  
18 may produce witnesses and testify in his or her behalf. A [~~stenographic~~] record of the hearing shall  
19 be taken and preserved. The hearing may be adjourned from time to time.

20           84 Repeal; Mental Health Practice. The following are repealed:

21           I. RSA 330-A:7, relative to compensation and expenses.

22           II. RSA 330-A:13, relative to records and reports.

23           85 Midwifery; Powers and Duties of the Council. Amend RSA 326-D:4, I to read as follows:

24           I. The powers and duties of the council shall include:

25           (a) Certifying eligible applicants for certification under this chapter.

26           (b) [~~Establishing fees for examination of applicants.~~

27           (c) Investigating complaints against persons certified under this chapter.

28           (d) (c) Undertaking, when appropriate, disciplinary proceedings and disciplinary  
29 action against persons certified under this chapter.

30           (e) [~~Reporting to the commissioner immediately on all complaints received and~~  
31 ~~disciplinary action taken.~~]

32           86 Midwifery; Rulemaking. Amend RSA 326-D:5 to read as follows:

33           326-D:5 Rulemaking.

34           I. The council shall adopt rules, pursuant to RSA 541-A, relative to:

35           (a) Qualifications for the practice of midwifery.

36           (b) The teaching of midwifery.

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1 (c) The scope of practice and procedures in the practice of midwifery, including policies  
2 for professional direction and supervision.

3 (d) ~~[Procedures]~~ **Eligibility requirements** for the certification of midwives and the  
4 issuance of certificates of midwifery, including procedures for provisional certification and  
5 recertification after certification has lapsed.

6 (e) Renewal ~~[procedures]~~ **eligibility requirements**, including requirements for  
7 continuing education and peer review.

8 (f) Diagnostic and laboratory tests midwives may administer and perform and the  
9 proper administration of RSA 326-D:12.

10 (g) Standards for reciprocity.

11 (h) ~~[Establishing examination fees authorized under RSA 326-D:4, I(b)].~~

12 ~~(i)~~ Establishing all administrative fines authorized under RSA 326-D:8, III(a)(4).

13 ~~(j)~~ **(i)** Reporting requirements relative to client information and notification of  
14 transfers.

15 II. No rule relative to the scope of midwifery practice shall exceed the parameters of the  
16 definition of "midwifery" under RSA 326-D:2, V.

17 III. Notwithstanding RSA 541-A:16, I(b)(2), the council shall adopt the model rules for  
18 adjudicative hearings adopted by the attorney general under RSA 541-A:30-a. The council may  
19 adopt supplements or modifications to the model rules pursuant to RSA 541-A:30-a, IV. Rehearings  
20 and appeals to the council shall be conducted pursuant to the provisions of RSA 541.

21 87 Midwifery; Council Established. Amend RSA 326-D:3, IV to read as follows:

22 IV. Members of the council shall elect a chairperson annually from among their members.  
23 The council shall meet at least quarterly and may hold additional meetings at such times as it may  
24 deem necessary. A quorum of the council shall consist of ~~[no fewer than 4 members]~~ **a majority of**  
25 **the members of the council who have been approved by the governor and council.**

26 88 Midwifery; Certificate of Renewal; Continuing Education. Amend RSA 326-D:11 to read as  
27 follows:

28 326-D:11 Certificate Renewal; Continuing Education. Every person certified under this chapter  
29 shall apply to the council for certificate renewal every 2 years. Renewals of certificates shall be  
30 contingent upon presentation of satisfactory evidence to the council of having met the continuing  
31 education requirements established by the council pursuant to RSA 326-D:5, I(e) and shall be  
32 accompanied by the renewal fee established ~~[pursuant to RSA 326-D:4, I(b)]~~ **by the office of**  
33 **professional licensure and certification.** All certificates shall automatically lapse 2 years after  
34 the date of issuance unless a timely and complete renewal application has been filed with the  
35 council. In no event shall a certificate, for which a timely and complete application for renewal has  
36 been submitted, expire before the council has taken final action upon the application.

37 89 Repeals; Midwifery. The following are repealed:

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1 I. RSA 326-D:2, III relative to a definition of commissioner.

2 II. RSA 326-D:9, relative to a report.

3 III. RSA 326-D:10, relative to powers and duties of commissioner.

4 90 Naturopathic Health Care Practice; Naturopathic Board of Examiners. Amend RSA 328-E:7,  
5 V to read as follows:

6 V. Members of the board shall elect a chairperson annually from among the members.  
7 [~~Three~~] **A majority of the** members of the board **who have been approved by the governor and**  
8 **council** constitute a quorum for the transaction of business.

9 91 Naturopathic Health Care Practice; Powers and Duties of the Board. RSA 328-E:8 is  
10 repealed and reenacted to read as follows:

11 328-E:8 Powers and Duties of the Board.

12 I. The board shall:

13 (a) Insure that doctors of naturopathic medicine serving the public meet minimum  
14 standards of proficiency and competency to protect the health, safety and welfare of the public.

15 (b) Administer and enforce all provisions of this chapter, which pertain to licensees and  
16 applicants, and all rules adopted by the board under the authority granted in this chapter.

17 (c) Maintain a record of its acts and proceedings, including the issuance, refusal,  
18 renewal, suspension or revocation of licenses in accordance with the retention schedule established  
19 by the office of professional licensure and certification.

20 (d) Keep all applications for licensure in accordance with the retention policy established  
21 by the office of professional licensure and certification.

22 (e) Maintain a record of the results of all examinations it gives in accordance with the  
23 office of professional licensure and certification.

24 (f) Keep all examination records including written examination records and tape  
25 recordings of the questions and answers in oral examinations in accordance with the retention policy  
26 established by the office of professional licensure and certification.

27 (g) Keep the records of the board open to public inspection at all reasonable times.

28 (h) Adopt and use a seal, the imprint of which, together with the signatures of the  
29 chairman or vice-chairman and the secretary-treasurer of the board, shall evidence its official acts.

30 (i) Annually compile and publish a directory.

31 II. The board shall have the power to subpoena witnesses and administer oaths in any  
32 hearing or disciplinary proceedings, and to compel, by subpoena duces tecum, the production of  
33 papers and records.

34 III. Witnesses summoned before the board shall be paid the same fees as witnesses  
35 summoned to appear before the superior court, and such summons shall have the same effect as  
36 though issued for appearance before such court.

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1 IV. The board shall accept written complaints from the public against licensees and conduct  
2 necessary investigations of such complaints.

3 92 Repeal; Naturopathic Health Care. RSA 328-E:7, VI, relative to the board serving without  
4 pay, is repealed.

5 93 Nurse Practice Act; Rulemaking Authority. Amend RSA 326-B:9, I and II to read as follows:

6 I. ~~[Application procedures and]~~ Eligibility requirements for the issuance of all initial,  
7 temporary, and renewal licenses, specialty licenses, and certificates issued by the board, including  
8 the issuance of such licenses to applicants holding a currently valid license or other authorization to  
9 practice in another jurisdiction.

10 II. ~~[Application procedures and]~~ Eligibility requirements for the reinstatement of licenses  
11 after lapse and after disciplinary action.

12 94 Nurse Practice Act; Alternative Recovery Monitoring Program. Amend RSA 326-B:36-a, VI  
13 to read as follows:

14 VI.(a) The ~~[board]~~ **office of professional licensure and certification** shall contract with  
15 other organizations to operate the alternative recovery monitoring program for licensees who are  
16 impaired by substance use disorder or mental or physical illness. This program may include, but  
17 shall not be limited to, assessment, education, intervention, drug and alcohol testing, temporary  
18 suspension or limitation of clinical privileges, drug addiction counseling, participation in peer  
19 support groups, record keeping with respect to success and failure rates, post-treatment assessment  
20 and monitoring, and other alternatives approved by the board.

21 (b) The ~~[board]~~ **office of professional licensure and certification** may allocate  
22 amounts determined by the board from the annual license renewal fees it collects from licensees in  
23 each class of nurses licensed by the board, to provide funding for the alternative recovery monitoring  
24 program as set forth in subparagraph (a).

25 (c) ~~[No later than July 1, 2019, the board shall adopt rules under RSA 541-A for the  
26 procedures and other matters required to implement this section]~~ **Rules governing this program  
27 shall be implemented through the office of professional licensure and certification  
28 pursuant to RSA 310-A:1-d, II(h)(4).**

29 95 Repeal; Nurse Practice Act. RSA 326-B:3, VII, relative to compensation of members of the  
30 board of nursing, is repealed.

31 96 Nursing Home Administrators; Licenses. Amend RSA 151-A:7, III and IV to read as follows:

32 III. ~~[Any license issued by the board under or pursuant to the provisions of this section shall  
33 be under the hand and seal of the secretary of the board.~~

34 ~~IV.]~~ If the board finds that programs of training and instruction conducted within the state  
35 are not sufficient in number or content to enable nursing home administrators to meet requirements  
36 established pursuant to this chapter, the board may request the department of health and human  
37 services to institute and conduct or arrange with others to conduct one or more such programs, and

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1 shall make provision for their accessibility to residents of this state. The department of health and  
2 human services may approve programs conducted within and without this state as sufficient to meet  
3 education and training requirements established pursuant to this chapter. For purposes of this  
4 paragraph, the department of health and human services shall have the authority to receive and  
5 disburse state funds allocated for this purpose and federal funds received pursuant to section  
6 1908(e)(1) of the Social Security Act.

7 97 Nursing Home Administrators; Registration. Amend RSA 151-A:8, II-IV to read as follows:

8 II. Upon making an application for a new certificate of registration such individual shall pay  
9 a [~~\$300~~] biennial registration renewal fee **established by the office of professional licensure and**  
10 **certification**.

11 III. Upon receipt of such application for registration, the registration fee and the evidence  
12 required with respect to the rules and regulations of the board, the board shall issue a certificate of  
13 registration to such nursing home administrator.

14 IV. Upon complaint or other knowledge of a nursing home administrator's violation of any  
15 provision of this chapter and for the health, safety, and protection of the public, the board is granted  
16 emergency license suspension authority. The [~~secretary of the~~] board may [~~upon recommendation of~~  
17 ~~the board,~~] immediately suspend an administrator's license to practice, pending notice and hearing  
18 as provided under RSA 541-A. For any license so suspended, the [~~secretary~~] **board** shall also notify  
19 the bureau of health facilities administration.

20 98 Repeal; Nursing Home Administrators. The following are repealed:

21 I. RSA 151-A:3, III(d), relative to compensation for members of the board of examiners of  
22 nursing home administrators.

23 II. RSA 151-A:3, V and VI, relative to the secretary of the board and administrative  
24 attachment.

25 III. RSA 151-A:8, VII, relative to maintaining a register of applications for licensing and  
26 registration of nursing home administrators.

27 99 Ophthalmic Dispensing; Rulemaking. Amend RSA 327-A:12, I and II to read as follows:

28 I. [~~The~~] **Eligibility requirements for** registration [~~application form and content, and the~~  
29 ~~license application procedures~~].

30 II. [~~The application form, content, and procedure~~] **Eligibility requirements** for a renewal  
31 or reinstatement of a registration to practice ophthalmic dispensing, in accordance with RSA 327-  
32 A:3.

33 100 Optometry; Rulemaking Authority. RSA 327:31, I-X are repealed and reenacted to read as  
34 follows:

35 I. The qualifications of applicants in addition to those requirements set by RSA 327:6 and  
36 RSA 327:6-a;

37 II. How an applicant shall be examined including:

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1 (a) Time and place of examination, and

2 (b) Passing grade;

3 III. How a license to practice optometry shall be renewed or reinstated;

4 IV. Ethical and professional standards, in addition to those specified by RSA 327:20,  
5 required to be met by each holder of a license to practice optometry and how disciplinary actions by  
6 the board shall be implemented pursuant to RSA 327:21, RSA 327:22, and RSA 327:27 for violations  
7 of these standards;

8 V. Requirements for continuing education in addition to those requirements set by RSA  
9 327:33 and RSA 327:33-a;

10 VI. Additions or alterations to the defined pharmaceutical agents for diagnostic purposes as  
11 set forth in RSA 327:1, III;

12 VII. Procedural and substantive requirements for assessing, compromising, and collecting  
13 administrative fines as authorized by RSA 327:20, III(e); and

14 VIII. Prescribing controlled drugs pursuant to RSA 318-B:41.

15 101 Repeal; Optometry. The following are repealed.

16 I. RSA 327:4, relative to organization and reports.

17 II. RSA 327:5, relative to compensation.

18 III. RSA 327:33-b, relative to consumer publication.

19 102 Pharmacy Board; Inspectional Services. Amend RSA 318:9-a to read as follows:

20 318:9-a Inspectional Services. The pharmacy board *through the office of professional*  
21 *licensure and certification* shall provide inspectional services under this chapter and RSA 318-  
22 B:25 to the board of medicine, the board of veterinary medicine, the board of podiatry, the board of  
23 registration in optometry, the board of dental examiners, the board of nursing, and the naturopathic  
24 board of examiners. *Pharmacy board inspections shall be provided by pharmacists or*  
25 *pharmacy technicians licensed by the New Hampshire board of pharmacy who have*  
26 *training and experience regarding pharmacy statutes and rules.*

27 103 Pharmacy Board; Required; Compliance. Amend RSA 318:37, II(b)(2) to read as follows:

28 (2) Submit to the New Hampshire pharmacy board an application for registration as  
29 provided by the [~~New Hampshire pharmacy board~~] *office of professional licensure and*  
30 *certification*;

31 104 Pharmacy Board; Penalties. Amend RSA 318:55, III to read as follows:

32 III. For any order issued in resolution of a disciplinary proceeding before the board, the  
33 board may require that any licensee, permittee, registrant, or certificate holder found guilty of a  
34 charge involving any drug law or rule to pay to the board a sum not to exceed the reasonable cost of  
35 investigation and prosecution of the proceeding. The sum shall not exceed \$5,000. The costs to be  
36 assessed shall be fixed by the board and any sums recovered shall be paid to the state treasurer for  
37 deposit in the [~~general fund~~] *office of professional licensure and certification fund.*



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1       105 Repeal; Pharmacy Board. The following are repealed:

2           I. RSA 318:4, relative to the compensation of pharmacy board members.

3           II. RSA 318:5-a, I, III, V, VII, XI, and XI-b, relative to rulemaking on applications, forms and  
4 fees.

5           III. RSA 318:6, relative to the pharmacy board secretary.

6           IV. RSA 318:11, relative to pharmacy board reports.

7           V. RSA 318:51-e, I and IV, relative to rules for outsourcing facilities.

8       106 Podiatry; Requirements; Cross Reference Change. Amend RSA 315:2, II to read as follows:

9           II. Any person applying for licensure under this chapter, including any person seeking to  
10 restore or renew, shall provide the board with information relating to podiatric competence and  
11 professional conduct, in accordance with rules adopted under ~~[RSA 315:4, X]~~ **RSA 315:4, V.**

12       107 Podiatry; Peer Review Committee. Amend RSA 315:2-a to read as follows:

13           315:2-a Peer Review Committee. The board ~~[shall]~~ **may** establish a peer review committee  
14 consisting of 2 podiatrists appointed by the board and one medical practitioner, appointed by the  
15 board subject to the approval of the board of medicine. Each appointee shall serve for a 2-year term.

16       108 Podiatry; Rulemaking Authority. RSA 315:4 is repealed and reenacted to read as follows:

17           315:4 Rulemaking Authority. The board shall adopt rules, pursuant to RSA 541-A, relative to:

18           I. The qualifications of applicants in addition to those requirements set by statute.

19           II. Eligibility requirements for renewal of licensure, including the requirements for  
20 continuing education.

21           III. Ethical standards required to be met by each holder of any license issued under this  
22 chapter and how such license may be revoked for violation of these standards.

23           IV. Procedures for the conduct of hearings.

24           V. The imposition of administrative fines authorized under RSA 315:9, III(f).

25           VI. Information required by the board in its application relative to the applicant's podiatric  
26 competence and professional conduct.

27           VII. Prescribing controlled drugs pursuant to RSA 318-B:41.

28       109 Podiatry; Records and Reports. Amend RSA 315:5 to read as follows:

29           315:5 Records and Reports.

30           ~~[H.]~~ The board shall keep a true record of its official acts ***in accordance with the retention***  
31 ***policy established by the office of professional licensure and certification.*** With the  
32 exception of records compiled in connection with investigatory and deliberative aspects of  
33 disciplinary investigations and material otherwise exempt from disclosure under RSA 91-A or other  
34 applicable statutes, the board's records shall be subject to inspection at the board's office upon  
35 reasonable notice during ordinary business hours.

36           ~~[H.] The board shall keep a record of the names and residences of all persons holding licenses~~  
37 ~~or privileges under this chapter and a record of all money received and disbursed by the board.~~

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1           ~~III. The board shall report to the governor and council biennially in September. This report~~  
2 ~~shall contain a full and complete account of all official actions taken during the preceding 2-year~~  
3 ~~period, together with a statement of the receipts and disbursements of the board and such comments~~  
4 ~~as the board in its discretion deems necessary.]~~

5           110 Podiatry; Notice of Expiration. Amend RSA 315:13 to read as follows:

6           315:13 Notice of Expiration. The secretary shall ~~mail a~~ **provide** notice to each holder of a  
7 license that has not been renewed within 90 days of the expiration date, advising him or her of the  
8 expiration of the license and the penalty of practicing podiatry without holding a license and the  
9 condition and terms upon which his or her license may be reinstated.

10          111 Repeal; Podiatry. RSA 315:3, relative to compensation of members of the board of podiatry,  
11 is repealed.

12          112 Controlled Drug Prescription Health and Safety Program; Operation. Amend RSA 318-  
13 B:33, VI-VII to read as follows:

14           VI. The ~~program administrator~~ **executive director** may issue a waiver to a dispenser that  
15 is unable to submit prescription information by electronic means. Such waiver may permit the  
16 dispenser to submit prescription information by paper form or other means, provided all information  
17 required by paragraph IV is submitted in this alternative format and within the established time  
18 limit.

19           VII. The ~~program administrator~~ **executive director** may grant a reasonable extension to a  
20 dispenser that is unable, for good cause, to submit all the information required by paragraph IV  
21 within the established time limits.

22          113 Controlled Drug Prescription Health and Safety Program; Information. Amend RSA 318-  
23 B:35 to read as follows:

24          318-B:35 Providing Controlled Drug Prescription Health and Safety Information.

25           I. The ~~program administrator~~ **executive director** may provide information in the  
26 prescription health and safety program upon request only to the following persons:

27           (a) By electronic or written request to prescribers, dispensers, and the chief medical  
28 examiner and delegates within the state who are registered with the program:

29               (1) For the purpose of providing medical or pharmaceutical care to a specific patient;

30               (2) For reviewing information regarding prescriptions issued or dispensed by the  
31 requester; or

32               (3) For the purpose of investigating the death of an individual.

33           (b) By written request, to:

34               (1) A patient who requests his or her own prescription monitoring information.

35               (2) The board of dentistry, the board of medicine, the board of nursing, the board of  
36 registration in optometry, the board of podiatry, the board of veterinary medicine, and the pharmacy  
37 board; provided, however, that the request is pursuant to the boards' official duties and

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1 responsibilities and the disclosures to each board relate only to its licensees and only with respect to  
2 those licensees whose prescribing or dispensing activities indicate possible fraudulent conduct.

3 (3) Authorized law enforcement officials on a case-by-case basis for the purpose of  
4 investigation and prosecution of a criminal offense when presented with a court order based on  
5 probable cause. No law enforcement agency or official shall have direct access to query program  
6 information.

7 (4) [Repealed.]

8 (5) A practitioner or consultant retained by the office to review the system  
9 information of an impaired practitioner program participant or a referral who has agreed to be  
10 evaluated or monitored through the program and who has separately agreed in writing to the  
11 consultant's access to and review of such information.

12 (c) By electronic or written request on a case-by-case basis to:

13 (1) A controlled prescription drug health and safety program from another state;  
14 provided, that there is an agreement in place with the other state to ensure that the information is  
15 used or disseminated pursuant to the requirements of this state.

16 (2) An entity that operates a secure interstate prescription drug data exchange  
17 system for the purpose of interoperability and the mutual secure exchange of information among  
18 prescription drug monitoring programs, provided that there is an agreement in place with the entity  
19 to ensure that the information is used or disseminated pursuant to the requirements of this state.

20 (3) [Repealed.]

21 II. The ~~[program administrator]~~ **executive director** shall notify the appropriate regulatory  
22 board listed in subparagraph I(b)(2) and the prescriber or dispenser at such regular intervals as may  
23 be established by the office if there is reasonable cause to believe a violation of law or breach of  
24 professional standards may have occurred. The program administrator shall provide prescription  
25 information required or necessary for an investigation.

26 III. The ~~[program administrator]~~ **executive director** shall review the information to  
27 identify information that appears to indicate whether a person may be obtaining prescriptions in a  
28 manner that may represent misuse or abuse of schedule II-IV controlled substances. When such  
29 information is identified, the program administrator shall notify the practitioner who prescribed the  
30 prescription.

31 IV. The ~~[program administrator]~~ **executive director** shall make a report, at least annually,  
32 commencing on November 1, 2019, to the senate president, the speaker of the house of  
33 representatives, the oversight committee on health and human services, established in RSA 126-  
34 A:13, the advisory council established in RSA 318-B:38 and the licensing boards of all professions  
35 required to use the program relative to the effectiveness of the program.

36 114 Psychologists; Organization and Meetings. Amend RSA 329-B:9, I to read as follows:

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1 I. The board shall hold regular annual meetings. Other meetings of the board shall be held  
2 at such times and upon such notice as the rules of the board provide. [~~Five members~~] ***A majority of***  
3 ***the members of the board who have been approved by the governor and council*** shall  
4 constitute a quorum.

5 115 Psychologists; Records. Amend RSA 329-B:13 to read as follows:

6 329-B:13 Records and Reports.

7 [~~I.~~] The board shall keep records of its proceedings and separate registers of all applications  
8 for licensure and all complaints filed against licensees ***in accordance with the retention policy***  
9 ***established by the office of professional licensure and certification***. Such records shall show  
10 information relative to the application or complaint and the board's response to the application or  
11 complaint, without disclosing the identity of those involved, as the rules of the board may prescribe.  
12 The records shall be public and shall be open to inspection at all reasonable times, except for records  
13 compiled in connection with disciplinary investigations and records otherwise exempt from  
14 disclosure under RSA 91-A or other applicable statutes.

15 [~~II. Biennially, as of October 1, the board shall submit to the governor a report of the~~  
16 ~~applications, licensure, and other activity of the preceding biennium, and shall also transmit a~~  
17 ~~complete statement of the expenditures of the board.~~]

18 116 Psychologists; Hearings. Amend RSA 329-B:23, IV to read as follows:

19 IV. The respondent shall be heard in his or her defense either in person or by counsel and  
20 may produce witnesses and testify in his or her behalf. A [~~stenographic record~~] ***recording*** of the  
21 hearing shall be taken and preserved. The hearing may be adjourned from time to time.

22 117 Psychologists; Notice. Amend RSA 329-B:24, I to read as follows:

23 I. Licenses shall be valid for a period of 2 years and shall become invalid on the expiration  
24 date unless renewed or reinstated. It shall be the duty of the board to notify every person licensed  
25 by the board under this chapter of the date of expiration of the license and the amount of the fee that  
26 shall be required for its renewal for 2 years. Such notice shall be ~~mailed~~ ***provided*** at least 2 months  
27 in advance of the date of expiration of such license. Renewal shall be conditional upon filing a timely  
28 and complete renewal application and payment of the renewal fee.

29 118 Repeals; Psychologists. The following are repealed:

30 I. RSA 329-B:4, relative to advisory committees to the board.

31 II. RSA 329-B:7, relative to compensation of members of the board of psychology and related  
32 committees.

33 III. RSA 329-B:10, I, IV, VI, and XVI, relative to rulemaking authority.

34 IV. RSA 329-B:27, IV, relative to certain administrative rules relative to psychologists.

35 119 Repeal; Reflexologists, Structural Integrators, and Asian Bodywork Therapists. RSA 328-  
36 H:6, II, relative to the compensation of members of the advisory board, is repealed.

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1       120 New Hampshire Veterinary Practice Act; Meetings and Duties. Amend RSA 332-B:5 to read  
2 as follows:

3       332-B:5 Meetings and Duties. The board shall meet at least 6 times a year at the time and place  
4 fixed by rule of the board. Other necessary meetings may be called by the president of the board by  
5 giving notice as may be required by rule. The quorum and the actions of the board shall be in  
6 accordance with RSA 91-A. At its annual meeting, the board shall organize by electing a president  
7 and such other officers as may be prescribed by rule. Officers of the board serve for terms of one  
8 year and until a successor is elected, without limitation on the number of terms an officer may serve.  
9 The president shall preside at board meetings and serve as administrative head of the board. ~~[The~~  
10 ~~board shall submit annually to the governor a report on the transactions of the board, including an~~  
11 ~~account of monies received and disbursed as shall be required by the state auditors.]~~ Records shall  
12 be kept ~~[by the administrative assistant]~~ pursuant to RSA 91-A:3 **and in accordance with the**  
13 **retention policy established by the office of professional licensure and certification.**

14       121 New Hampshire Veterinary Practice Act; Hearing, Decisions, and Appeals. Amend RSA  
15 332-B:16, I to read as follows:

16           I. Adjudicatory proceedings shall be open to the public. The board's public docket file for  
17 each such proceeding shall include a taped or written account of all oral hearings and shall be  
18 retained by the board ~~[for 6 years from the issuance of the final decision]~~ **in accordance with the**  
19 **retention policy established by the office of professional licensure and certification.**

20       122 Repeal; Veterinary Practice Act. The following are repealed:

21           I. RSA 332-B:3, III, relative to compensation of members of the veterinary medicine board.

22           II. RSA 332-B:7, III, relative to the power of the board of veterinary medicine to set certain  
23 fees.

24           III. RSA 332-B:7, V-a, relative to the power of the board of veterinary medicine to  
25 compensate board counsel, assistants, and investigators.

26           IV. RSA 332-B:7-a, I, III, and VII, relative to certain rulemaking authority of the board of  
27 veterinary medicine.

28       123 General Administration of Regulatory Boards and Commissions; Reciprocity Information.  
29 Amend the introductory paragraph of RSA 332-G:12, I to read as follows:

30           I. All boards or commissions, including the board of hearing care providers established in  
31 RSA 137-F:3, **shall grant a license to an individual certified or licensed in another state if it**  
32 **determines that the requirements or standards for certification or licensure in that state**  
33 **are equivalent to, or greater than, those established in New Hampshire. All boards and**  
34 **commissions** shall post information on their website relative to reciprocal licensure or certification  
35 for persons holding a current and valid license or certification for the practice of the regulated  
36 profession in another state. Such information shall include a list of the states which the board or  
37 commission has determined to have license or certification requirements equal to, or greater than,

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1 the requirements of this state. The posting shall also list states with which the board or commission  
2 has:

3 124 Board of Engineers; Establishment. Amend RSA 310-A:3, V and VI to read as follows:

4 V. The board shall hold at least 3 regular meetings each year and special meetings at such  
5 times as it may deem necessary. Notice of all meetings shall be given in such a manner as rules  
6 adopted by the board may provide. The board shall biennially elect a chairperson, vice-chairperson,  
7 and secretary. ~~[Three members]~~ ***A majority of the members of the board who have been***  
8 ***approved by the governor and council*** shall constitute a quorum.

9 VI.(a) The board shall keep a record of its proceedings ~~[and a register of all applications for~~  
10 ~~licensure, which shall show:]~~ ***in accordance with the retention policy established by the office***  
11 ***of professional licensure and certification.***

12 ~~(1) The name, age, and residence of each applicant.~~

13 ~~(2) The date of application.~~

14 ~~(3) The place of business of such applicant.~~

15 ~~(4) The applicant's educational and other qualifications.~~

16 ~~(5) Whether or not an examination was required.~~

17 ~~(6) Whether the applicant was rejected and the reasons for such rejection.~~

18 ~~(7) Whether a license was granted.~~

19 ~~(8) The date of the action of the board.~~

20 ~~(9) Such other information as may be deemed necessary by the board.]~~

21 (b) The records of the board shall be prima facie evidence of the proceedings of the board,  
22 and a transcript of such records certified by the secretary of the board under seal shall be admissible  
23 in evidence with the same force and effect as if the original were produced. ~~[Biennially, as of~~  
24 ~~December 31, the board shall submit to the governor a report of the transactions of the preceding~~  
25 ~~biennium, and a complete statement of the receipts and expenditures of the board.]~~

26 125 Board of Engineers; Rulemaking Authority. Amend RSA 310-A:6, I(d) to read as follows:

27 (d) ~~[How a license to practice under this subdivision shall be renewed]~~ ***The***  
28 ***requirements for renewal of a license***, including the requirements for continuing education;

29 126 Repeal; Professional Engineers. The following are repealed:

30 I. RSA 310-A:3, IV, relative to compensation for members of the board of engineers.

31 II. RSA 310-A:3, VII, relative to the roster of professional engineers published by the  
32 secretary of state.

33 III. RSA 310-A:6, I(a), (e), (j), and (k), relative to certain rulemaking authority of the board  
34 of engineers.

35 127 Board of Architects; Establishment. Amend RSA 310-A:29, V and VI to read as follows:

36 V. The board shall hold at least 3 regular meetings each year and special meetings at such  
37 times as it may deem necessary. Notice of all meetings shall be given in such a manner as rules

1 adopted by the board may provide. The board shall biennially elect or appoint a chairperson, vice-  
2 chairperson, and secretary. ~~[Three members]~~ **A majority of the members of the board who have**  
3 **been approved by the governor and council** shall constitute a quorum.

4 VI.(a) The board shall keep a record of its proceedings ~~[and a register of all applications for~~  
5 ~~licensure, which shall show:]~~ **in accordance with the retention policy established by the office**  
6 **of professional licensure and certification.**

7 ~~(1) The name, age, and residence of each applicant.~~

8 ~~(2) The date of application.~~

9 ~~(3) The place of business of such applicant.~~

10 ~~(4) The applicant's educational and other qualifications.~~

11 ~~(5) Whether or not an examination was required.~~

12 ~~(6) Whether the applicant was rejected and the reasons for such rejection.~~

13 ~~(7) Whether a license was granted.~~

14 ~~(8) The date of the action of the board.~~

15 ~~(9) Such other information as may be deemed necessary by the board.]~~

16 (b) The records of the board shall be prima facie evidence of the proceedings of the board,  
17 and a transcript of such records certified by the secretary of the board under seal shall be admissible  
18 in evidence with the same force and effect as if the original were produced. ~~[Biennially, as of~~  
19 ~~December 31, the board shall submit to the governor a report of the transactions of the preceding~~  
20 ~~biennium, and a complete statement of the receipts and expenditures of the board.]~~

21 128 Board of Architects; Rulemaking Authority. Amend RSA 310-A:32, I(d) to read as follows:

22 (d) ~~[How a license to practice under this subdivision shall]~~ **The criteria for a license to**  
23 **be renewed or reinstated, including [late fees and] any requirements for continuing education;**

24 129 Board of Architects; Expiration and Renewals. Amend RSA 310-A:46 to read as follows:

25 310-A:46 Expiration and Renewals. All licenses issued by the board shall expire on the last day  
26 of the month of the licensee's birth in the year 2 years following the year of issuance. The board  
27 shall cause notification of the impending license expiration to be sent to each licensee at least one  
28 month prior to the expiration date of the license. If the renewal fee is not submitted within 12  
29 months after the expiration date of the license, the licensee's name shall be removed from the  
30 mailing list ~~[and roster]~~. An application for reinstatement shall be required to return to active  
31 status. The ~~[board, pursuant to rules adopted under RSA 310-A:32,]~~ **office of professional**  
32 **licensure and certification** shall charge up to a 20 percent late fee for each month or fraction of a  
33 month the renewal is late, up to 12 months, in addition to the renewal fee.

34 130 Repeal; Board of Architects. The following are repealed:

35 I. RSA 310-A:29, IV, relative to compensation for members of the board of architects.

36 II. RSA 310-A:29, VII, relative to the roster of architects published by the secretary of state.

1 III. RSA 310-A:32, I(a), (e), (j), and (k), relative to certain rulemaking authority of the board  
2 of architects.

3 131 Board of Land Surveyors; Establishment. Amend RSA 310-A:55, V and VI to read as  
4 follows:

5 V. The board shall hold at least 4 regular meetings each year and special meetings at such  
6 times as it may deem necessary. Notice of all meetings shall be given in such a manner as rules  
7 adopted by the board may provide. The board shall elect or appoint a chairperson, vice-chairperson,  
8 and secretary. The secretary may or may not be a member of the board. ~~[Three members]~~ **A**  
9 **majority of the members of the board who have been approved by the governor and council**  
10 shall constitute a quorum.

11 VI.(a) The board shall keep a record of its proceedings and a register of all applications for  
12 licensure~~[-, which shall show:]~~ **in accordance with the retention policy established by the office**  
13 **of professional licensure and certification.**

14 ~~(1) The name, age, and residence of each applicant.~~

15 ~~(2) The date of application.~~

16 ~~(3) The place of business of such applicant.~~

17 ~~(4) The applicant's educational and other qualifications.~~

18 ~~(5) Whether or not an examination was required.~~

19 ~~(6) Whether the applicant was rejected and the reasons for such rejection.~~

20 ~~(7) Whether a license was granted.~~

21 ~~(8) The date of the action of the board.~~

22 ~~(9) Such other information as may be deemed necessary by the board.]~~

23 (b) The records of the board shall be prima facie evidence of the proceedings of the board,  
24 and a transcript of such records certified by the secretary of the board under seal shall be admissible  
25 in evidence with the same force and effect as if the original were produced. ~~[Biennially, as of July 31~~  
26 ~~of each even-numbered year, the board shall submit to the governor a report of the transactions of~~  
27 ~~the preceding biennium, and a complete statement of the receipts and expenditures of the board.]~~

28 132 Land Surveyors; Rulemaking Authority. Amend RSA 310-A:58, IV to read as follows:

29 IV. ~~[How a license to practice under this subdivision shall]~~ **The requirements for a license**  
30 **to** be renewed, including the requirements for continuing education;

31 133 Land Surveyors; Rulemaking Authority. Amend RSA 310-A:58, VI-a to read as follows:

32 VI-a. ~~[Application procedures for and]~~ **The criteria for** issuance of land surveying  
33 certificates for proprietorships, corporations and partnerships, including the qualifications of  
34 applicants in addition to those requirements set forth under this subdivision, and for satisfactory  
35 evidence of good professional character;

36 134 Repeal; Land Surveyors. The following are repealed:

37 I. RSA 310-A:55, IV, relative to compensation of members of the board of land surveyors.



1 II. RSA 310-A:55, VII, relative to the roster of land surveyors published by the secretary of  
2 state.

3 III. RSA 310-A:58, I and V, relative to certain rulemaking authority of the board of land  
4 surveyors.

5 135 Board of Natural Scientists; Establishment. Amend RSA 310-A:81, V and VI to read as  
6 follows:

7 V. The board shall hold at least 3 regular meetings each year and special meetings at such  
8 times as it may deem necessary. Notice of all meetings shall be given in such a manner as rules  
9 adopted by the board may provide. The board shall biennially elect or appoint a chairperson, vice-  
10 chairperson, and secretary. A quorum of the board shall consist of ~~[at least 4 members]~~ **a majority**  
11 **of the members of the board who have been approved by the governor and council.**

12 VI.(a) The board shall keep a record of its proceedings ~~[and a register of all applications for~~  
13 ~~registration, which shall show:]~~ **in accordance with the retention policy established by the**  
14 **office of professional licensure and certification.**

15 ~~(1) The name and residence of each applicant.~~

16 ~~(2) The date of application.~~

17 ~~(3) The place of business of such applicant.~~

18 ~~(4) The applicant's educational and other qualifications.~~

19 ~~(5) Whether or not an examination was required.~~

20 ~~(6) Whether the applicant was rejected and the reasons for such rejection.~~

21 ~~(7) Whether a certificate of registration was granted.~~

22 ~~(8) The date of the action of the board.~~

23 ~~(9) Such other information as may be deemed necessary by the board.]~~

24 (b) The records of the board shall be prima facie evidence of the proceedings of the board,  
25 and a transcript of such records certified by the secretary of the board under seal shall be admissible  
26 in evidence with the same force and effect as if the original were produced. ~~[Biennially, as of~~  
27 ~~December 31 of each even-numbered year, the board shall submit to the governor a report of the~~  
28 ~~transactions of the preceding biennium, and a complete statement of the receipts and expenditures~~  
29 ~~of the board.]~~

30 136 Board of Natural Scientists; Rulemaking Authority. Amend RSA 310-A:82, IV to read as  
31 follows:

32 IV. ~~[How a certificate to practice under this subdivision shall]~~ **The criteria required for a**  
33 **license to** be renewed, including the requirement for continuing education.

34 137 Repeals; Natural Scientists. The following are repealed:

35 I. RSA 310-A:81, VII, relative to the roster of natural scientists published by the secretary of  
36 state.

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1           II. RSA 310-A:82, I and V, relative to certain rulemaking authority of the board of natural  
2 scientists.

3           138 Board of Foresters; Establishment. Amend RSA 310-A:100, V and VI to read as follows:

4           V. The board shall hold at least 3 regular meetings each year and special meetings at such  
5 times as it may deem necessary. Notice of all meetings shall be given in such a manner as rules  
6 adopted by the board may provide. The board shall biennially elect or appoint a chairperson, vice-  
7 chairperson, and secretary. ~~[Four members]~~ ***A majority of the members of the board have been***  
8 ***approved by the governor and council*** shall constitute a quorum.

9           VI.(a) The board shall adopt an official seal.

10           (b) The board shall keep a true record of its proceedings ~~[and a register of all~~  
11 ~~applications for licensure, which shall show:]~~ ***in accordance with the retention policy***  
12 ***established by the office of professional licensure and certification.***

13                   ~~(1) The name, age, and residence of each applicant.~~

14                   ~~(2) The date of application.~~

15                   ~~(3) The place of business of such applicant.~~

16                   ~~(4) The applicant's educational and other qualifications.~~

17                   ~~(5) Whether or not an examination was required.~~

18                   ~~(6) Whether the applicant was rejected and the reasons for such rejection.~~

19                   ~~(7) Whether a license was granted.~~

20                   ~~(8) The date of the action of the board.~~

21                   ~~(9) Such other information as may be deemed necessary by the board.]~~

22           (c) The records of the board shall be prima facie evidence of the proceedings of the board,  
23 and a transcript of such records certified by the secretary of the board under seal shall be admissible  
24 in evidence with the same force and effect as if the original were produced. ~~[Biennially, as of~~  
25 ~~December 31 of each even-numbered year, the board shall submit to the governor a report of the~~  
26 ~~transactions of the preceding biennium, and a complete statement of the receipts and expenditures~~  
27 ~~of the board.]~~

28           139 Board of Foresters; Rulemaking. Amend RSA 310-A:102, IV to read as follows:

29           IV. Renewal ~~[procedures]~~ ***criteria***, including requirements for continuing education.

30           140 Repeal; Board of Foresters. The following are repealed:

31           I. RSA 310-A:100, VII, relative to the roster of licensed foresters published by the secretary  
32 of state.

33           II. RSA 310-A:102, I and V, relative to certain rulemaking authority of the board of  
34 foresters.

35           141 Board of Professional Geologists. Amend RSA 310-A:120, V-VII to read as follows:

36           V. The board shall hold at least 3 regular meetings each year and special meetings at such  
37 times as it may deem necessary. Notice of all meetings shall be given in such a manner as rules

1 adopted by the board may provide. The board shall biennially elect a chairperson, vice-chairperson,  
2 and secretary. ~~[Three members]~~ ***A majority of members of the board who have been approved***  
3 ***by the governor and council*** shall constitute a quorum.

4 VI. The board shall keep a record of its proceedings ~~[and a register of all applications for~~  
5 ~~licensure, which shall show:]~~ ***in accordance with the retention policy established by the office***  
6 ***of professional licensure and certification.***

7 ~~(a) The name, age, and residence of each applicant.~~

8 ~~(b) The date of application.~~

9 ~~(c) The place of business of such applicant.~~

10 ~~(d) The applicant's educational and other qualifications.~~

11 ~~(e) Whether or not an examination was required.~~

12 ~~(f) Whether the applicant was rejected and the reasons for such rejection.~~

13 ~~(g) Whether a license or permit was granted.~~

14 ~~(h) The date of the action of the board.~~

15 ~~(i) Such other information as may be deemed necessary by the board.]~~

16 VII. The records of the board shall be prima facie evidence of the proceedings of the board,  
17 and a transcript of such records certified by the secretary of the board under seal shall be admissible  
18 in evidence with the same force and effect as if the original were produced. ~~[Biennially, as of~~  
19 ~~December 31, the board shall submit to the governor a report of the transactions of the preceding~~  
20 ~~biennium, and a complete statement of the receipts and expenditures of the board.]~~

21 142 Board of Professional Geologists; Continuing Education. Amend RSA 310-A:127, I to read  
22 as follows:

23 I. Applications for licensure shall be ~~[on forms prescribed and furnished by the board,]~~ ***made***  
24 ***using the method prescribed and furnished by the office of professional licensure and***  
25 ***certification. Applications*** shall contain statements made under oath, showing the applicant's  
26 education and a detailed summary of the applicant's technical work, and shall contain not less than  
27 5 references, of whom at least 3 shall be professional geologists having personal knowledge of the  
28 applicant's professional experience.

29 143 Repeal; Board of Professional Geologists. The following are repealed:

30 I. RSA 310-A:120, VIII, relative to the roster of professional geologists published by the  
31 secretary of state.

32 II. RSA 310-A:121, I(a), II, and III, relative to certain rulemaking of the board of  
33 professional geologists.

34 III. RSA 310-A:123, relative to receipts and disbursements of the board of professional  
35 geologists.

36 144 Board of Landscape Architects; Establishment. Amend RSA 310-A:142, V and VI to read as  
37 follows:

1 V. The board shall hold at least 3 regular meetings each year and special meetings at such  
2 times as it may deem necessary. Notice of all meetings shall be given in such a manner as rules  
3 adopted by the board may provide. The board shall biennially elect or appoint a chairperson, vice-  
4 chairperson, and secretary. ~~[Three members]~~ ***A majority of the members of the board who have***  
5 ***been approved by the governor and council*** shall constitute a quorum.

6 VI.(a) The board shall keep a record of its proceedings ~~[and a register of all applications for~~  
7 ~~licensure, which shall show:]~~ ***in accordance with the retention policy established by the office***  
8 ***of professional licensure and certification.***

9 ~~(1) The name, age, and residence of each applicant.~~

10 ~~(2) The date of application.~~

11 ~~(3) The place of business of such applicant.~~

12 ~~(4) The applicant's educational and other qualifications.~~

13 ~~(5) Whether or not an examination was required.~~

14 ~~(6) Whether the applicant was rejected and the reasons for such rejection.~~

15 ~~(7) Whether a license was granted.~~

16 ~~(8) The date of the action of the board.~~

17 ~~(9) Such other information as may be deemed necessary by the board.]~~

18 (b) The records of the board shall be prima facie evidence of the proceedings of the board,  
19 and a transcript of such records certified by the secretary of the board under seal shall be admissible  
20 in evidence with the same force and effect as if the original were produced. ~~[Biennially, as of~~  
21 ~~December 31, the board shall submit to the governor a report of the transactions of the preceding~~  
22 ~~biennium, and a complete statement of the receipts and expenditures of the board.]~~

23 145 Board of Landscape Architects; Rulemaking Authority. Amend RSA 310-A:143, I(d) to read  
24 as follows:

25 (d) ~~[How a license to practice under this subdivision shall be]~~ ***The criteria for a***  
26 ***license to be*** renewed or reinstated, including late fees and any requirements for continuing  
27 education;

28 146 Board of Landscape Architects; Rulemaking. Amend RSA 310-A:143, I(j) to read as follows:

29 (j) ~~[Application procedures for and]~~ ***The*** issuance of corporate practice certificates.

30 147 Board of Landscape Architects; Expiration and Renewals. Amend RSA 310-A:154, II to read  
31 as follows:

32 II. If the renewal fee is not submitted within 12 months after the expiration date of the  
33 license, the licensee's name shall be removed from the mailing list ~~[and roster]~~. The board, pursuant  
34 to rules adopted under RSA 310-A:143, shall charge up to a 20 percent late fee for each month or  
35 fraction of a month the renewal is late, up to 12 months, in addition to the renewal fee.

36 148 Repeal; Landscape Architects. The following are repealed:

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1 I. RSA 310-A:142, IV, relative to compensation of members of the board of landscape  
2 architects.

3 II. RSA 310-A:142, VII, relative to the roster of landscape architects published by the  
4 secretary of state.

5 III. RSA 310-A:143, I(a) and (e), relative to certain rulemaking authority of the board of  
6 landscape architects.

7 149 Court Reporters; Board; Roster. Amend RSA 310-A:154, II to read as follows:

8 II. If the renewal fee is not submitted within 12 months after the expiration date of the  
9 license, the licensee's name shall be removed from the mailing list [~~and roster~~] The board, pursuant  
10 to rules adopted under RSA 310-A:143, shall charge up to a 20 percent late fee for each month or  
11 fraction of a month the renewal is late, up to 12 months, in addition to the renewal fee.

12 150 Court Reporters; Board; Rulemaking. Amend RSA 310-A:163 and 310-A:164 to read as  
13 follows:

14 310-A:163 Board.

15 I. There is hereby established a board of court reporters. The board shall consist of 5  
16 members who shall be citizens of the United States and residents of this state appointed by the  
17 governor and council, 3 of whom shall be court reporters, one of whom shall be a public member and  
18 one of whom shall be admitted to practice law in the state of New Hampshire. The public member of  
19 the board shall be a person who is not, and never was, a member of the court reporting profession or  
20 the spouse of any such person, and who does not have and never has had, a material financial  
21 interest in either the provision of court reporting services or an activity directly related to court  
22 reporting, including the representation of the board or profession for a fee at any time during the 5  
23 years preceding appointment. Each court reporter member shall have actively practiced court  
24 reporting for the chief means of livelihood for at least 10 years prior to appointment and shall have  
25 held a responsible position in charge of such work for at least 5 years prior to appointment, which  
26 may include the teaching of court reporting. Members shall be appointed for 5-year terms, except  
27 that no more than one appointed member's term may expire in any one calendar year.  
28 Appointments for terms of less than 5 years may be made in order to comply with this limitation. No  
29 appointed member shall be eligible to serve more than 2 full consecutive terms, provided that, for  
30 this purpose only, a period actually served which exceeds 1/2 of the 5-year term shall be deemed a  
31 full term. Upon expiration of a member's term, the member shall serve until a successor is qualified  
32 and appointed. The successor's term shall be 5 years from the date of expiration of the predecessor's  
33 appointment, regardless of the date of the successor's appointment. Vacancies occurring prior to the  
34 expiration of a specific term shall be filled by appointment for the unexpired term. The governor and  
35 council may remove a board member for cause. [~~Members of the board shall receive \$25 for each day  
36 actually engaged in the duties of their office and shall be reimbursed for all actual travel, incidental,  
37 and clerical expenses necessarily incurred in carrying out the provisions of this subdivision.~~]

1 II. The board shall hold at least 3 regular meetings each year and special meetings at such  
2 times as it may deem necessary. Notice of all meetings shall be given in such a manner as rules  
3 adopted by the board may provide. The board shall biennially elect or appoint a chairperson, vice-  
4 chairperson, and secretary. ~~[Three members]~~ ***A majority of the members of the board appointed***  
5 ***by the governor and council*** shall constitute a quorum.

6 III. The board shall keep a record of its proceedings ~~[and a register of all applications for~~  
7 ~~licensure, which shall show:~~

8 (a) ~~The name, age, and residence of each applicant.~~

9 (b) ~~The date of application.~~

10 (c) ~~The place of business of such applicant.~~

11 (d) ~~The applicant's educational and other qualifications.~~

12 (e) ~~Whether or not an examination was required.~~

13 (f) ~~Whether the applicant was rejected and the reasons for such rejection.~~

14 (g) ~~Whether a license was granted.~~

15 (h) ~~The date of the action of the board.~~

16 (i) ~~Such other information as may be deemed necessary by the board]~~ ***in accordance***  
17 ***with the retention policy established by the office of professional licensure and***  
18 ***certification.***

19 IV. The records of the board shall be prima facie evidence of the proceedings of the board,  
20 and a transcript of such records certified by the secretary of the board under seal shall be admissible  
21 in evidence with the same force and effect as if the original were produced.

22 ~~[V. Biennially, on or before December 31, the board shall submit to the governor a report of~~  
23 ~~the transactions of the preceding biennium, and a complete statement of the receipts and~~  
24 ~~expenditures of the board. The secretary of the board shall publish a roster listing the names and~~  
25 ~~places of business of all court reporters licensed under the board during February of each even-~~  
26 ~~numbered year. Copies of this roster shall be mailed to each person so licensed, placed on file with~~  
27 ~~the secretary of state, and furnished to the public upon request at a fee to be established by the~~  
28 ~~board. The board may include in such roster any other information it deems appropriate.]~~

29 310-A:164 Rulemaking. The board shall adopt rules, pursuant to RSA 541-A, relative to:

30 I. ~~[The application procedure for a license to practice under this subdivision.~~

31 ~~II.]~~ The qualifications of applicants in addition to those requirements set by statute,  
32 including the qualifications for satisfactory evidence of good professional character.

33 ~~III.]~~ ***II.*** How an applicant shall be examined.

34 ~~IV.]~~ ***III.*** ~~[How a license to practice under this subdivision shall]~~ ***The criteria for a license***  
35 ***to be renewed or reinstated, including [late fees and] any requirements for continuing education.***

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1           ~~[V.]~~ **IV.** Ethical and professional standards required to be met by each holder of a license  
2 under this subdivision and how disciplinary actions by the board shall be implemented for violations  
3 of these standards.

4           ~~[VI. Fees under RSA 310-A:171.~~

5           ~~VII.]~~ **V.** Matters related to the proper administration of this subdivision.

6           ~~[VIII.]~~ **VI.** Procedures for the conduct of hearings consistent with the requirements of due  
7 process.

8           ~~[IX.]~~ **VII.** The design of an official seal.

9           151 Court Reporters; Qualifications. Amend RSA 310-A:170, II to read as follows:

10           II. Paid the fee required ~~[by this subdivision];~~ and

11           152 Home Inspectors; Board of Home Inspectors. Amend RSA 310-A:186, V-IX to read as  
12 follows:

13           V. ~~[Members of the board shall receive \$25 for each day actually engaged in the duties of~~  
14 ~~their office and shall be reimbursed for all actual travel, incidental, and clerical expenses necessarily~~  
15 ~~incurred in carrying out the provisions of this subdivision.~~

16           ~~VI.]~~ The board shall hold at least 3 regular meetings each year and special meetings at such  
17 times as it may deem necessary. Notice of all meetings shall be given in such a manner as rules  
18 adopted by the board may provide. The board shall biennially elect or appoint a chairperson, vice-  
19 chairperson, and secretary. ~~[Four members]~~ **A majority of the members of the board appointed**  
20 **by the governor and council** shall constitute a quorum.

21           ~~[VII.(a)]~~ The board shall keep a record of its proceedings and a register of all applications for  
22 licensure, which shall show:

23                   (1) The name, age, and residence of each applicant.

24                   (2) The date of application.

25                   (3) The place of business of such applicant.

26                   (4) The applicant's educational and other qualifications.

27                   (5) Proof of passing home inspection exam.

28                   (6) Whether the applicant was rejected and the reasons for such rejection.

29                   (7) Whether a license was granted.

30                   (8) The date of the action of the board.

31                   (9) Such other information as may be deemed necessary by the board.

32           ~~(b)]~~ **VI.** The records of the board shall be prima facie evidence of the proceedings of the  
33 board, and a transcript of such records certified by the secretary of the board under seal shall be  
34 admissible in evidence with the same force and effect as if the original were produced. ~~[Biennially,~~  
35 ~~as of December 31, the board shall submit to the governor a report of the transactions of the~~  
36 ~~preceding biennium, and a complete statement of the receipts and expenditures of the board~~

1 VIII. ~~The secretary of the board shall publish a roster listing the names and addresses of all~~  
2 ~~home inspectors licensed under this subdivision by the board during February of each even-~~  
3 ~~numbered year. Copies of this roster shall be sent to each person so licensed, placed on file with the~~  
4 ~~secretary of state, and furnished to the public upon request at a fee to be established by the board.~~  
5 ~~The board may include in such roster any other information it deems appropriate.~~

6 IX.] VII. The board, its members, and its agents shall be immune from personal liability for  
7 actions taken in good faith in the discharge of the board's responsibilities, and the state shall hold  
8 the board, its members, and its agents harmless from all costs, damages, and attorneys' fees arising  
9 from claims and suits against them with respect to matters to which such immunity applies.

10 153 Home Inspectors; Rulemaking Authority. Amend RSA 310-A:187, I to read as follows:

11 I. The board shall adopt rules, pursuant to RSA 541-A, relative to:

12 (a) ~~[The application procedure for a license to practice under this subdivision.~~

13 ~~(b)]~~ (b) The qualifications of applicants in addition to requirements of this subdivision, and  
14 including the qualifications for satisfactory evidence of good professional character.

15 ~~[(c) Procedures for auditing applicants and licensees.~~

16 ~~(d) How a license to practice under this subdivision shall be]~~ (b) **The criteria for a**  
17 **license to be** renewed or reinstated, including ~~[late fees and]~~ any requirements for continuing  
18 education.

19 ~~[(e) The establishment of all fees required under this subdivision.~~

20 ~~(f)]~~ (c) Disciplinary actions by the board that shall be implemented for violations of the  
21 standards of practice, code of ethics, and rules adopted by the board.

22 ~~[(g)]~~ (d) Procedures for the conduct of hearings consistent with the requirements of due  
23 process.

24 ~~(h)]~~ (e) Procedures for approving education courses for eligibility for licensure and for a  
25 continuing education program

26 ~~[(i)]~~ (f) How an applicant shall be examined, including the form of the examination.

27 ~~[(j)]~~ (g) The design of an official seal.

28 ~~[(k)]~~ (h) The establishment of administrative fines which may be levied in the  
29 administration of this subdivision.

30 154 Home Inspectors; License Applications. Amend RSA 310-A:191, I to read as follows:

31 I. Applications for licensure ~~[on forms prescribed and furnished by the board]~~ **made using**  
32 **the method prescribed and furnished by the office of professional licensure and**  
33 **certification.**

34 155 Septic System Evaluators; Board. Amend RSA 310-A:206, VII-X to read as follows:

35 VII. The board shall hold at least 3 regular meetings each year and special meetings at such  
36 times as it may deem necessary. Notice of all meetings shall be given in such a manner as rules  
37 adopted by the board may provide. The board shall biennially elect or appoint a chairperson, vice-



1 chairperson, and secretary. ~~[Three members]~~ ***A majority of the members appointed by the***  
2 ***governor and council*** shall constitute a quorum.

3 VIII.(a) The board shall keep a record of its proceedings ~~[and a register of all applications for~~  
4 ~~licensure, which shall show:~~

5 ~~(1) The name, age, and residence of each applicant.~~

6 ~~(2) The date of application.~~

7 ~~(3) The place of business of such applicant.~~

8 ~~(4) The applicant's educational and other qualifications.~~

9 ~~(5) Proof of passing the septic system evaluator exam.~~

10 ~~(6) Whether the applicant was rejected and the reasons for such rejection.~~

11 ~~(7) Whether a license was granted.~~

12 ~~(8) The date of the action of the board.~~

13 ~~(9) Such other information as may be deemed necessary by the board]~~ ***in***  
14 ***accordance with the retention policy established by the office of professional licensure and***  
15 ***certification.***

16 (b) The records of the board shall be prima facie evidence of the proceedings of the board,  
17 and a transcript of such records certified by the secretary of the board under seal shall be admissible  
18 in evidence with the same force and effect as if the original were produced. ~~[Biennially, as of~~  
19 ~~December 31, the board shall submit to the executive director of the office of professional licensing~~  
20 ~~and certification a report of the transactions of the preceding biennium, and a complete statement of~~  
21 ~~the receipts and expenditures of the board.~~

22 ~~IX. The secretary of the board shall maintain and regularly update a roster listing the~~  
23 ~~names and addresses of all septic system evaluators certified under this subdivision by the board on~~  
24 ~~the board's website. The board may include in such roster any other information it deems~~  
25 ~~appropriate.~~

26 ~~X.] IX.~~ The board, its members, and its agents shall be immune from personal liability for  
27 actions taken in good faith in the discharge of the board's responsibilities, and the state shall hold  
28 the board, its members, and its agents harmless from all costs, damages, and attorneys' fees arising  
29 from claims and suits against them with respect to matters to which such immunity applies.

30 156 Septic System Evaluators; Rulemaking. Amend RSA 310-A:207, I to read as follows:

31 I. The board shall adopt rules, pursuant to RSA 541-A, relative to:

32 (a) ~~[The application procedure for a license to practice under this subdivision.~~

33 ~~(b)]~~ The qualifications of applicants in addition to the requirements of this subdivision,  
34 including the qualifications for satisfactory evidence of good professional character.

35 ~~(c)]~~ (b) Procedures for auditing applicants and license holders.

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1           ~~[(d)]~~ **(c)** ~~[How a license to practice under this subdivision shall be]~~ **The criteria for a**  
2 **license to be** renewed or reinstated, including late fees and any requirements for continuing  
3 education.

4           ~~[(e) The establishment of all fees required under this subdivision.~~

5           ~~[(f)]~~ **(d)** Professional standards required to be met by each holder of a license under this  
6 subdivision and how disciplinary actions by the board shall be implemented for violations of these  
7 standards.

8           ~~[(g)]~~ **(e)** Procedures for the conduct of hearings consistent with the requirements of due  
9 process.

10           ~~[(h)]~~ **(f)** Procedures for approving education courses for eligibility for licensure and for a  
11 continuing education program.

12           ~~[(i)]~~ **(g)** How an applicant shall be examined, including the time, place, type, and form of  
13 the examination.

14           ~~[(j)]~~ **(h)** The design of an official seal.

15           ~~[(k)]~~ **(i)** The establishment of administrative fines which may be levied in the  
16 administration of this subdivision.

17           157 Septic System Evaluators; License Applications. Amend RSA 310-A:211, I to read as  
18 follows:

19           I. Applications for licensure ~~[shall be on forms prescribed and furnished by the board]~~ **made**  
20 **using the method prescribed and furnished by the office of professional licensure and**  
21 **certification.**

22           158 Septic System Evaluators; Issuance of Licenses. Amend RSA 310-A:213 to read as follows:

23           310-A:213 Issuance of Licenses. The board shall issue a license upon payment of the license fee  
24 established by the ~~board]~~ **office of professional licensure and certification**, to any applicant  
25 who, in the opinion of the board, has satisfactorily met all the requirements of this subdivision.  
26 Licenses shall show the full name of the license holder~~[-]~~ **and** have a serial number~~[- and be signed~~  
27 ~~by the chairperson or the secretary of the board]~~. The issuance of a license by the board shall be  
28 prima facie evidence that the person named in the license is entitled to all the rights and privileges  
29 of a certified septic system evaluator while the license remains valid. It shall be a class B  
30 misdemeanor for the license holder to perform septic system evaluations after the license of the  
31 evaluator has expired or has been revoked, unless such license shall have been renewed, reinstated,  
32 or reissued.

33           159 Board of Accountancy. Amend RSA 309-B:4, III-X to read as follows:

34           III. ~~[Each member of the board shall be paid \$100 for each day or portion of a day spent in~~  
35 ~~the discharge of official duties and shall be reimbursed for actual and necessary expenses incurred in~~  
36 ~~the discharge of official duties.~~

1           ~~IV.]~~ The ~~[board]~~ ***office of professional licensure and certification*** shall establish fees  
2 for examination of applicants, for licenses, for certificates of authorization, for reissuance of licenses,  
3 for renewal and reinstatement of licenses and certificates to practice under this chapter, for late  
4 renewals, for verification of licensure or examination, and for transcribing and transferring records  
5 and other services. All moneys collected by the ~~[board]~~ ***office of professional licensure and***  
6 ***certification*** from fees authorized under this chapter shall be received and accounted for by the  
7 ~~[board]~~ ***office of professional licensure and certification***, shall be deposited in the ~~[state~~  
8 ~~treasury]~~ ***office of professional licensure and certification fund established in RSA 310-A:1-***  
9 ***e.*** Administration expenses shall be limited to the funds collected and may include, but shall not be  
10 limited to, the costs of conducting investigations and of taking testimony and procuring the  
11 attendance of witnesses before the board or its committees; all legal proceedings taken under this  
12 chapter for the enforcement of this chapter; and educational programs for the benefit of the public or  
13 licensees and their employees.

14           ~~[V. The board shall file an annual report of its activities with the governor, the president of~~  
15 ~~the senate, and the speaker of the house of representatives. The report shall include a statement of~~  
16 ~~all receipts and disbursements and a listing of all current licensees under this chapter. The board~~  
17 ~~shall mail a copy of the annual report to any person requesting it, upon payment of a reasonable~~  
18 ~~charge.~~

19           ~~VI.]~~ ***IV.*** The board may employ investigators and such other personnel as it deems necessary  
20 through the office of professional licensure and certification for enforcement under this chapter. It  
21 may appoint such committees or persons to advise or assist it in such enforcement, as it may see fit.  
22 It may retain its own counsel retained through the office of professional licensure and certification to  
23 advise and assist it, in addition to such advice and assistance as is provided by the department of  
24 justice.

25           ~~[VII.]~~ ***V.*** The board shall have the power to take any action necessary and proper to carry  
26 out the purposes of this chapter, including the power to sue and be sued in its official name as an  
27 agency of this state; to issue subpoenas to compel the attendance of witnesses and the production of  
28 documents; and to administer oaths, to take testimony, to cooperate with the appropriate authorities  
29 in other states in investigations and enforcement concerning violations of this chapter and  
30 comparable laws of other states, and to receive evidence concerning all matters within its  
31 jurisdiction. In case of disobedience of a subpoena, the board may invoke the aid of any court of this  
32 state in requiring the attendance and testimony of witnesses and the production of documentary  
33 evidence. The board, its members, and its agents shall be immune from personal liability for actions  
34 taken in good faith in the discharge of the board's responsibilities, and the state shall hold the board,  
35 its members, and its agents harmless from all costs, damages, and attorneys' fees arising from  
36 claims and suits against them with respect to matters to which such immunity applies.

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1           ~~[VIII.]~~ **VI.** The board shall adopt rules, pursuant to RSA 541-A, governing its  
2 administration, the enforcement of this chapter and the conduct of licensees. Such rules shall  
3 include, but not be limited to:

4           (a) Rules governing the board's meetings and conduct of its business.

5           (b) Rules of procedure governing the conduct of investigations and hearings by the  
6 board.

7           (c) Rules specifying the educational and experience qualifications required for all  
8 licensees, and the continuing professional education required for renewal of certificates or  
9 registrations.

10           (d) Rules of professional conduct directed to controlling the quality and integrity of the  
11 practice of public accountancy by licensees, including, but not limited to, matters relating to  
12 independence, integrity, objectivity, competence, technical standards, responsibilities to the public,  
13 and responsibilities to clients.

14           (e) Rules on substantial equivalency for implementation of RSA 309-B:6.

15           (f) Rules governing the manner and circumstances of use of the titles "certified public  
16 accountant", "CPA," "public accountant" and "PA."

17           (g) Rules regarding peer review as required under this chapter. Such rules shall include  
18 conduct and cost parameters to ensure that charges for the off-site peer review process are not  
19 excessive.

20           ~~(h) The establishment of all fees required under this chapter.~~

21           ~~(i)~~ **(h)** The establishment of administrative fines for violations of this chapter.

22           ~~(j)~~ **(i)** Rules on how an applicant for certificate demonstrates good character.

23           ~~(k)~~ **(j)** Rules for records retention, outsourcing disclosures, and the severance of  
24 connections.

25           ~~[IX.]~~ **VII.** In accordance with RSA 541-A, the board shall publish notice of such proposed  
26 action and shall, in addition, notify all licensees.

27           ~~[X.]~~ **VIII.** All administrative, clerical, and business processing functions of the board shall  
28 be transferred to the office of professional licensure and certification, established in RSA 310-A:1  
29 through RSA 310-A:1-e.

30           160 New Paragraph; Board of Accountancy; Issuance and Renewal of Certificates. Amend RSA  
31 309-B:7 by inserting after paragraph XIV the following new paragraph:

32           XV. The office of professional licensure and certification may contract with the NASBA  
33 Qualification Appraisal Service to assess any applications made under this section.

34           161 Electricians; Board. Amend RSA 319-C:4, III-IV to read as follows:

35           III. ~~[The members of the board, other than state employees, shall each be allowed the sum of~~  
36 ~~\$30 per day and their necessary traveling expenses incurred in carrying out their official duties.~~

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1           ~~IV.]~~ All administrative, clerical, and business processing functions of the board shall be  
2 transferred to the office of professional licensure and certification established in RSA 310-A:1  
3 through RSA 310-A:1-e.

4           162 Electricians; Organizations and Meetings; Rulemaking. Amend RSA 319-C:6 and 6-a to  
5 read as follows:

6           319-C:6 Organization and Meetings. The board shall hold at least 4 regular meetings each year,  
7 and special meetings may be held at such times as the business of the board may require. Notice of  
8 all meetings shall be given in such manner as the rules of the board may provide. The board shall  
9 annually elect a chairman, a vice-chairman, and a secretary, who shall be one of the appointed  
10 members. A quorum of the board shall consist of ~~[not less than 3 members, not including the ex~~  
11 ~~officio member, and at least]~~ **a majority of the members of the board appointed by the**  
12 **governor and council**, one of whom shall be a public member.

13           319-C:6-a Rulemaking Authority. The board, with an affirmative vote of at least 3 of the 5  
14 appointed board members, shall adopt rules, pursuant to RSA 541-A, relative to:

15           I. ~~[The application procedure for a license to practice under this chapter;~~

16           ~~II.]~~ The qualifications of applicants in addition to those requirements established under this  
17 chapter, and including the qualifications for satisfactory evidence of:

18           (a) ~~[A high school education]~~ **Either completion of high school or a high school**  
19 **equivalent**, and

20           (b) Good professional character;

21           ~~III.]~~ **II.** How an applicant shall be examined, and procedures for computerized  
22 examinations;

23           ~~IV.]~~ **III.** ~~[How]~~ **The criteria for** a license to practice under this chapter ~~[shall]~~ **to be**  
24 renewed, including the requirements for continuing education;

25           ~~V. The establishment of all fees required under this chapter;~~

26           ~~V-a.]~~ **IV.** The applicable version of the National Electrical Code with any discretionary  
27 changes, provided that any such changes are no less stringent than provided in the state building  
28 code administered and approved by the state building code review board under RSA 155-A;

29           ~~VI.]~~ **V.** Ethical and professional standards required to be met by each holder of a license to  
30 practice under this chapter and how disciplinary actions by the board shall be implemented for  
31 violations of these standards; **and**

32           ~~VII.]~~ **VI.** Procedures and policy for the investigation of complaints against licensees or  
33 registrants;

34           ~~VIII.]~~ **VII.** Procedures for the conduct of hearings consistent with the requirements of due  
35 process; and

36           ~~IX.]~~ **VIII.** Matters related to the proper administration of this chapter.

37           163 Electricians; Records. Amend RSA 319-C:13 to read as follows:

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1 319-C:13 Records. The board shall keep a record of the name and residence of all persons  
2 licensed under this chapter *in accordance with the retention policy established by the office of*  
3 *professional licensure and certification*, and said record or duplicate thereof shall be open for  
4 inspection during office hours.

5 164 Family Mediators; Board. Amend RSA 328-C:4, II(a) to read as follows:

6 II.(a) Appointments and reappointments to the board shall be for 3-year terms. Vacancies  
7 shall be filled by appointment for the unexpired term. *No member shall be appointed to more*  
8 *than 2 consecutive terms.*

9 165 Family Mediators; Rulemaking. Amend RSA 328-C:8 to read as follows:

10 328-C:8 Rulemaking Authority.

11 I. The board shall adopt rules for family mediators and family mediator training programs  
12 pursuant to RSA 541-A, relative to the following:

13 (a) The eligibility requirements [~~and application procedures~~] for certification, renewal of  
14 certification, recertification, and reinstatement of certification.

15 (b) [~~The content of all application forms, which forms may require a notarized affidavit~~  
16 ~~stating that the information provided in the application is complete and accurate.~~

17 (e) Content of training programs and training equivalents allowed under RSA 328-C:5,  
18 III.

19 [~~(d)~~ (c) Content of internships and duration and content of internship equivalents  
20 allowed under RSA 328-C:5, III.

21 (e) (d) The ethical standards and standards of practice for family mediators certified in  
22 New Hampshire.

23 (f) (e) Procedures for the reporting of activities conducted by certified family mediators  
24 and certified family mediator training programs.

25 (g) [~~Procedures for processing complaints.~~

26 (h) (f) Disciplinary [~~procedures,~~] penalties[~~,~~] and sanctions for certified family  
27 mediators and martial mediator training programs, as provided under RSA 328-C:7

28 (i) [~~Fees for applications, certification, renewal of certification, and reinstatement of~~  
29 ~~certification.~~

30 (j) (g) Reporting requirements for certified training programs.

31 II. The board may adopt rules for family mediators and family mediator training programs,  
32 pursuant to RSA 541-A, relative to the [~~following:~~

33 (a) [~~the~~] application [~~process,~~] requirements[~~,~~] and criteria for temporary renewal of  
34 certification and conditional certification.

35 (b) [~~Fees for temporary renewal of certification and conditional certification and for the~~  
36 ~~filing of requests for information not governed by RSA 91-A, the filing of complaints and petitions,~~  
37 ~~and the processing of changes to information of record.~~

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1           ~~(e) Procedures for informal resolution or referral of complaints.]~~

2       166 Repeal; Family Mediators. The following are repealed:

3           I. RSA 328-C:4-a, II, relative to application fees for certification of family mediators.

4           II. RSA 328-C:12, relative to expenses of the family mediator board.

5       167 Guardians ad Litem Board; Rulemaking. Amend RSA 490-C:5 to read as follows:

6       490-C:5 Rulemaking Authority.

7           I. The board shall adopt rules, pursuant to RSA 541-A, relative to the following:

8           (a) The application [~~process~~] **criteria** for certification, renewal of certification,  
9       recertification, and reinstatement of certification.

10          (b) [~~The content of all application forms, which forms may require a notarized affidavit~~  
11       ~~stating that the information provided in the application is complete and accurate and which may~~  
12       ~~gather, in addition to other information, information that will assist the court in making an informed~~  
13       ~~decision on whether or not to appoint an individual as a guardian ad litem in a particular case.~~

14          ~~(e)~~ (e) Eligibility requirements and criteria for certification, recertification, reinstatement,  
15       and renewal of certification.

16          ~~(d)~~ (c) Training requirements.

17          ~~(e)~~ (d) Educational and continuing educational requirements.

18          ~~(f) Fees for certification, recertification, reinstatement, and renewal of certification.~~

19          ~~(g)~~ (e) The ethical standards and standards of practice for guardians ad litem certified  
20       in New Hampshire.

21          ~~(h)~~ (f) Procedures for conducting investigations and hearings conducted by the board  
22       under this chapter.

23          ~~(i)~~ (g) Procedures for processing complaints and addressing disciplinary issues handled  
24       by the board under this chapter.

25          ~~(j)~~ (h) Disciplinary procedures, penalties, and sanctions for certified guardians ad litem,  
26       which penalties, sanctions, and procedures may include revocation of certification, suspension of  
27       certification, the imposition of supplemental training requirements or supervised training  
28       requirements, supplemental education, fines, written reprimand, and treatment and counseling,  
29       including but not limited to treatment or counseling for alcohol or substance abuse. Disciplinary  
30       procedures, penalties, and sanctions may be established for and applied to formerly certified  
31       guardians ad litem who engaged in acts or omissions prohibited when certified.

32           II. The board may adopt rules, pursuant to RSA 541-A, relative to the following:

33           (a) The application or certification [~~process~~] requirements[~~]~~ and criteria for temporary  
34       or conditional certification or both, including but not limited to procedures and requirements  
35       regarding the circumstances and manner in which individuals may be temporarily or conditionally  
36       certified or both, the term and duration of conditional or temporary certification or both, and the  
37       ethical standards and standards of practice applicable to persons so certified.

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1           (b) ~~[Fees for temporary or conditional certification or both, and for the filing of requests~~  
2 ~~for information, the filing of complaints or petitions, the processing of changes to information of~~  
3 ~~record, the provision of training, and the provision of course material.~~

4           ~~(e)~~ (e) Procedures for the reporting of activities conducted by guardians ad litem appointed  
5 in New Hampshire.

6           ~~(d)~~ (c) The administration of oaths or affirmations, the preservation of testimony, and  
7 the issuance of subpoenas for witnesses and for documents, on the approval of the attorney general,  
8 relative to investigations, adjudicatory hearings, or other proceedings held by the board.

9           ~~(e)~~ (d) Procedures for informal resolution or referral of complaints.

10          ~~(f)~~ (e) Procedures and requirements relating to the resignation or surrender of  
11 certification, including but not limited to the circumstances or conditions under which a certified  
12 guardian ad litem may resign or surrender his or her certification.

13          ~~(g)~~ (f) Disciplinary procedures, penalties, and sanctions for conditionally or temporarily  
14 certified guardians ad litem or both and persons formerly certified by the board, which penalties,  
15 sanctions, and procedures may include, but need not be limited to, those listed in RSA 490-C:4, I(f).

16          ~~(h)~~ (g) Procedures and requirements relative to maintenance or disclosure of  
17 confidential information received by, or used in investigations or in hearings, proceedings, or other  
18 activities or matters before the board.

19          168 Board of Manufactured Housing; Quorum. Amend RSA 205-A:26, I to read as follows:

20           I. A majority of the ***members of the board who have been appointed by the governor***  
21 ***and council*** shall constitute a quorum ~~[to conduct hearings, and a vote of at least 4 members~~  
22 ~~present and voting in favor shall be required to adopt and approve any matter under consideration].~~

23          169 Board of Manufactured Housing; Meetings and Records. Amend RSA 205-A:29 to read as  
24 follows:

25          205-A:29 Meetings and Records. The board shall hold meetings in Concord, New Hampshire or  
26 in any other location deemed appropriate by the board. The records of the board shall be maintained  
27 at the office of the board of manufactured housing ***consistent with the retention policy***  
28 ***established by the office of professional licensure and certification.***

29          170 Real Estate Appraisers; Registration of Appraisal Management Companies. Amend RSA  
30 310-B:12-b, I(a) to read as follows:

31           (a) An applicant for registration as an appraisal management company in this state  
32 shall submit to the board an application ~~[on a form or forms prescribed by the board]~~ ***using the***  
33 ***method prescribed and furnished by the office of professional licensure and certification.***

34          171 Real Estate Appraisers; License or Certificate. Amend RSA 310-B:16 to read as follows:

35          310-B:16 License or Certificate.



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1 I. A license or certificate issued under authority of this chapter shall bear ~~[the signature of~~  
2 ~~the board chairperson or a designee who is a member of the board and]~~ a license or certificate  
3 number assigned by the board.

4 II. Each licensed or certified real estate appraiser shall place such appraiser's license or  
5 certificate number adjacent to or immediately below the appraiser's signature whenever the  
6 appraiser's signature is used in an appraisal report or in a contract or other instrument used by the  
7 license or certificate holder in conducting real estate appraisal activities.

8 172 Real Estate Appraisers; Rulemaking. Amend RSA 310-B:24 to read as follows:

9 310-B:24 Rulemaking Authority. The board shall adopt rules pursuant to RSA 541-A, relative  
10 to:

11 I. The application ~~[procedure and]~~ eligibility requirements for the issuance of any initial  
12 license or certificate issued under this chapter, including the issuance of such licenses to applicants  
13 holding a currently valid license or other authorization to practice in another jurisdiction.

14 I-a. The application ~~[procedure and]~~ eligibility requirements for the issuance of any  
15 temporary practice permit issued under this chapter.

16 ~~II. [Design and content of all forms required under this chapter.~~

17 ~~III.]~~ How an applicant shall be examined.

18 ~~[IV.]~~ **III.** ~~[How a]~~ *The criteria for renewal of a* license or certificate ~~[shall be renewed].~~

19 ~~[V.]~~ **IV.** Ethical standards required to be met by each holder of a license or certificate issued  
20 under this chapter and how such license or certificate may be revoked for violation of these  
21 standards.

22 ~~[VI. Establishing all fees required under this chapter, subject to RSA 332-G.~~

23 ~~VII.]~~ **V.** Standards for appraisal education programs and the issuance of evidence indicating  
24 satisfactory completion of such program.

25 ~~[VII-a.]~~ **VI.** The registration and supervision of appraisal management companies under  
26 RSA 310-B:16-a~~], including the establishment of fees for annual registration and for renewal of~~  
27 ~~registration].~~

28 ~~[VIII.]~~ **VII.** The conduct of investigations and procedures for the conduct of hearings  
29 consistent with the requirements of RSA 541-A.

30 ~~VIII-a.]~~ **VIII.** Establishing continuing education and experience requirements which  
31 comport with criteria set forth by the board.

32 IX. The requirements for public requests for information.

33 X. The conditions and requirements for granting a waiver to any rule adopted by the board.

34 173 Repeal; Real Estate Appraisers. RSA 310-B:22, relative to a roster of licensed or certified  
35 real estate appraisers, is repealed.

36 174 Repeal; Distribution of Publications. RSA 332-H, relative to the distribution of publications  
37 by licensing commissions and boards, is repealed.

**Amendment to SB 58**

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1       175 Engineers; Signed License. Amend RSA 310-A:18 to read as follows:

2       310-A:18 Certificates; Seals. The board shall issue a license, upon payment of the registration  
3 fee established by the board, to any applicant who, in the opinion of the board, has satisfactorily met  
4 all the requirements of this subdivision. Licenses shall show the full name of the licensee<sup>[;]</sup> **and**  
5 have a serial number<sup>[;]</sup> ~~and be signed by the chairperson and the secretary of the board under seal of~~  
6 ~~the board~~. The issuance of a license by the board shall be prima facie evidence that the person  
7 named in the license is entitled to all the rights and privileges of a licensed professional engineer  
8 while the license remains valid. Each licensee shall upon licensure obtain a seal of the design  
9 authorized by the board, bearing the registrant's name and the legend, "Licensed Professional  
10 Engineer." All papers or documents involving the practice of engineering under this subdivision,  
11 when issued or filed for public record, shall be dated and bear the signature and seal of the licensed  
12 professional engineer who prepared or had responsibility for and approved them. It shall be a class  
13 B misdemeanor for the licensee to stamp or seal any documents with such seal after the license of  
14 the licensee has expired or has been revoked, unless such license shall have been renewed or  
15 reissued.

16       176 Architects; Signed License. Amend RSA 310-A:44 to read as follows:

17       310-A:44 Certificates; Seals. The board shall issue a license upon payment of the registration  
18 fee established by the board, to any applicant who, in the opinion of the board, has satisfactorily met  
19 all the requirements of this subdivision. Licenses shall show the full name of the licensee<sup>[;]</sup> **and**  
20 have a serial number<sup>[;]</sup> ~~and be signed by the chairperson and the secretary of the board under seal of~~  
21 ~~the board~~. The issuance of a license by the board shall be prima facie evidence that the person  
22 named in the license is entitled to all the rights and privileges of a licensed architect while the  
23 license remains valid. Each licensee shall upon licensure obtain a seal of the design authorized by  
24 the board, bearing the registrant's name and the legend, "Licensed Architect." All papers or  
25 documents involving the practice of a profession under this subdivision, when issued or filed for  
26 public record, shall be dated and bear the signature and seal of the licensed professional who  
27 prepared or had responsibility for and approved them. It shall be a class B misdemeanor for the  
28 licensee to stamp or seal any documents with such seal after the license of the licensee has expired  
29 or has been revoked, unless such license shall have been renewed, reinstated, or reissued.

30       177 Soil Scientists; Signed License. Amend RSA 310-A:87 to read as follows:

31       310-A:87 Certificates. Certificates shall show the full name of the certified soil scientist,  
32 apprentice soil scientist, certified wetland scientist, or apprentice wetland scientist<sup>[;]</sup> **and** have a  
33 serial number<sup>[;]</sup> ~~and be signed by the chairperson and the secretary of the board under seal of the~~  
34 ~~board~~. Each certified soil scientist or certified wetland scientist shall obtain a seal of the design  
35 authorized by the board bearing the name of the certified individual, the legend "Certified Soil  
36 Scientist" or "Certified Wetland Scientist," as appropriate, and a place for the certified individual's

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1 signature. Plans and reports prepared by a certified individual shall be stamped with the seal and  
2 signed by the certified individual during the life of the certificate.

3 178 Foresters; Signed License. Amend RSA 310-A:107 to read as follows:

4 310-A:107 Issuance of License; Endorsement of Documents. The board shall issue a license  
5 upon payment of the fee as provided in this subdivision to any applicant, who, in the opinion of the  
6 board, has satisfactorily met all the requirements of this subdivision. Licenses shall show the full  
7 name of the licensee[;] **and** shall have a serial number[;] ~~and shall be signed by the chairperson and~~  
8 ~~secretary under the seal of the board~~. The issuance of a license by the board shall be evidence that  
9 the person named in the license is entitled to all rights and privileges of a licensed forester while  
10 such license remains unrevoked or unexpired. Plans, maps, and reports issued by the licensee shall  
11 be endorsed with the licensee's name and license number during the life of the license. It shall be a  
12 class B misdemeanor for anyone to endorse any document with such name and license number after  
13 the license of the named licensee has expired or has been revoked, unless said license has been  
14 renewed or reissued. It shall be a class B misdemeanor for any licensed forester to endorse any plan,  
15 map or report unless the licensed forester shall have actually prepared such plan, map or report, or  
16 shall have been in the actual charge of the preparation of the same.

17 179 Geologists; Signed License. Amend RSA 310-A:130 to read as follows:

18 310-A:130 Certificates; Seals. The board shall issue a license, upon payment of the licensing fee  
19 established by the board, to any applicant who has satisfactorily met all the requirements of this  
20 subdivision. Licenses shall show the full name of the licensee[;] **and** have a serial number[;] ~~and be~~  
21 ~~signed by the chairperson and the secretary of the board under seal of the board~~. The issuance of a  
22 license by the board shall be prima facie evidence that the person named in the license is entitled to  
23 all the rights and privileges of a licensed professional geologist while the license remains valid. Each  
24 licensee shall upon licensure obtain a seal of the design authorized by the board, bearing the  
25 registrant's name and the legend, "Licensed Professional Geologist." All papers or documents  
26 involving the practice of geology affecting public health, safety, and welfare, under this subdivision,  
27 when issued or filed for public record, shall be dated and bear the signature and seal of the licensed  
28 professional geologist who prepared or had responsibility for and approved them.

29 180 Landscape Architects; Signed License. Amend RSA 310-A:152 to read as follows:

30 310-A:152 Certificates; Seals. The board shall issue a license upon payment of the license fee  
31 established by the board, to any applicant who, in the opinion of the board, has satisfactorily met all  
32 the requirements of this subdivision. Licenses shall show the full name of the licensee[;] **and** have a  
33 serial number[;] ~~and be signed by the chairperson and the secretary of the board under seal of the~~  
34 ~~board~~. The issuance of a license by the board shall be prima facie evidence that the person named  
35 in the license is entitled to all the rights and privileges of a licensed landscape architect while the  
36 license remains valid. Each licensee shall upon licensure obtain a seal of the design authorized by  
37 the board, bearing the registrant's name and the legend, "licensed landscape architect." All papers

**Amendment to SB 58**

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1 or documents involving the practice of landscape architecture under this subdivision, when issued or  
2 filed for public record, shall be dated and bear the signature and seal of the licensed professional  
3 who prepared or had responsibility for and approved them. It shall be a class B misdemeanor for the  
4 licensee to stamp or seal any documents with such seal after the license of the licensee has expired  
5 or has been revoked, unless such license shall have been renewed, reinstated, or reissued.

6 181 Home Inspectors; Signed License. Amend RSA 310-A:193 to read as follows:

7 310-A:193 Issuance of Licenses. The board shall issue a license upon payment of the license fee  
8 established by the board, to any applicant who, in the opinion of the board, has satisfactorily met all  
9 the requirements of this subdivision. Licenses shall show the full name of the licensee<sup>[7]</sup> **and** have a  
10 serial number<sup>[7]</sup>, ~~and be signed by the chairperson or the secretary of the board~~. The issuance of a  
11 license by the board shall be prima facie evidence that the person named in the license is entitled to  
12 all the rights and privileges of a licensed home inspector while the license remains valid. It shall be  
13 a class B misdemeanor for the licensee to perform home inspections after the license of the licensee  
14 has expired or has been revoked, unless such license shall have been renewed, reinstated, or  
15 reissued.

16 182 Electricians; Signed License. Amend RSA 319-C:7, III to read as follows:

17 III. All persons licensed by the board shall receive a certificate ~~[under the seal of the board~~  
18 ~~and with the signature of the board chairman,]~~ which must be publicly displayed at the principal  
19 place of business of said electrician, or, if no such place of business, must be carried on his or her  
20 person and displayed at any time upon request to any electrical inspector appointed by the board  
21 under this chapter, as long as said person continues in the business as herein defined. The  
22 certificate shall specify the name of the person licensed who, in the case of a firm, shall be one of its  
23 members or employees and, in the case of a corporation, one of its officers or employees passing the  
24 examination. In the case of a firm or corporation, the license shall be void upon the death of or the  
25 severance from the company of said person.

26 183 Effective Date. This act shall take effect July 1, 2021.

# Sub-Committee Minutes

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SUBCOMMITTEE WORK SESSION on SB 58

BILL TITLE: relative to the administration of occupational regulation by the office of professional licensure and certification.

DATE:

Subcommittee Members: Reps. Alliegro, Santonastaso, P. Schmidt, O'Brien, S. Pearson and Schuett

Comments and Recommendations:

Combination of amendments. And additional info to be incorporated. Removal of duplications in 133. Smartling will draft.

MOTIONS: OTP, OTP/A, ITL, Retained (1st Yr), Interim Study (2nd Yr) (Please circle one)

Moved by Rep. Seconded by Rep. AM Vote:

Adoption of Amendment #

Moved by Rep. Seconded by Rep. Vote:

Amendment Adopted Amendment Failed

MOTIONS: OTP, OTP/A, ITL, Retained (1st Yr), Interim Study (2nd Yr) (Please circle one)

Moved by Rep. Seconded by Rep. AM Vote:

Adoption of Amendment #

Moved by Rep. Seconded by Rep. Vote:

Amendment Adopted Amendment Failed

Respectfully submitted,

Rep. [Signature] Subcommittee Chairman/Clerk

HOUSE COMMITTEE ON

SUBCOMMITTEE WORK SESSION on

BILL TITLE:

DATE: May 18

Subcommittee Members: Pearson, Alliegro, Santastasio, Schmidt, Schweft

Comments and Recommendations:

Final adoption of 2021-1514h on SB104
Final adoption of 2021-1531h on SB58

SB 58

MOTIONS: OTP, OTP/A, ITL, Retained (1st Yr), Interim Study (2nd Yr)
(Please circle one)

Moved by Rep. Pearson Seconded by Rep. Alliegro AM Vote: \_\_\_\_\_

Adoption of Amendment # 2021-1531h

Moved by Rep. Pearson Seconded by Rep. Alliegro Vote: \_\_\_\_\_

X Amendment Adopted 5-0 Amendment Failed

MOTIONS: OTP, OTP/A, ITL, Retained (1st Yr), Interim Study (2nd Yr)
(Please circle one)

Moved by Rep. Pearson Seconded by Rep. Alliegro AM Vote: \_\_\_\_\_

Adoption of Amendment # 2021-1514h


Moved by Rep. \_\_\_\_\_ Seconded by Rep. \_\_\_\_\_ Vote: \_\_\_\_\_

X Amendment Adopted 5-0 Amendment Failed

SB 104

Respectfully submitted,

Rep. [Signature]
Subcommittee Chairman/Clerk

**Archived:** Tuesday, May 18, 2021 8:12:12 AM  
**From:** Pam Smarling  
**Sent:** Monday, May 17, 2021 5:25:18 PM  
**To:** ~House Executive Departments and Administration  
**Subject:** amendment to SB 58  
**Response requested:** Yes  
**Importance:** Normal  
**Attachments:**  
[SB 58 - 2021-1531h.pdf](#) 

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TO: All Members of the House ED&A Committee,

Attached is the amendment to Sb 58. This amendment:

- Adds the provision to RSA 310-A:1-d that ensures the OPLC will consult with the boards before contracting for investigators, hearings officers, legal counsel and experts (section 1, page 1)
- Restores rulemaking for all of the boards relative to hearings
- Removes requirements for board members to sign licenses
- Inserts the language requiring pharmacy board inspections in the correct section (RSA 318:9-a; section 102, page 25 of the amendment)

I have reviewed this amendment and believe that all of the changes that the subcommittee discussed have been included. I will send it to Lindsey Courtney and Tom Broderick for their review as well.

I'll see you in the morning.

*Pam*

Pam Smarling, Senior Committee Researcher  
House Committee Research, Room 409, LOB  
33 N. State St., Concord, NH 03301  
(603) 271-3387





## OPLC Draft Legislation 5-12-21 (LBC)

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.

### Amendment to SB 58

Amend Section 1 of the bill by replacing lines 2 through 8 with the following:

1 Administration of the Office. Amend RSA 310-A:1-d to read as follows: 310-A:1-d Administration of the Office of Professional Licensure and Certification. I. The office of professional licensure and certification shall operate under the supervision of the executive director appointed under RSA 310-A:1-b. The office may employ such clerical or other assistants as are necessary for the proper performance of its work, and may make expenditures for any purpose which are reasonably necessary, according to the executive director, for the proper performance of its duties under this chapter. ***The office may contract for the services of investigators, hearing officers, legal counsel and experts as necessary and in consultation with the appropriate board, council, or commission.***

Amend Section 104 of the bill by replacing page 25, lines 30 through 34 with the following:

318:9-a Inspectional Services. The pharmacy board ***through the office of professional licensure and certification*** shall provide inspectional services under this chapter and RSA 318-B:25 to the board of medicine, the board of veterinary medicine, the board of podiatry, the board of registration in optometry, the board of dental examiners, the board of nursing, and the naturopathic board of examiners. ***Pharmacy board inspections shall be provided by pharmacists or pharmacy technicians licensed by the New Hampshire Board of Pharmacy who have training and experience regarding pharmacy statutes and rules.***

Amend Section 7 of the bill by replacing page 3, lines 36 through 37 and page 4, line 1, with the following:

Repeals; Acupuncture. The following are repealed:

- I. RSA 328-G:5, relative to mileage for the board of acupuncture licensing.
- II. RSA 328-G:7, IV, relative to rulemaking on a register.

Amend Section 16 of the bill by replacing page 5, lines 34 through 37, with the following:

16 Repeals; Alcohol and Other Drug Use Professionals. The following are repealed:

- I. RSA 330-C:3, XI, relative to mileage for board members.
- II. RSA 330-C:28, II, relative to retaining experts for investigations or hearings.

Amend Section 40 of the bill by replacing page 10, lines 14 through 20, with the following language:

40 Repeals; Chiropractic. The following are repealed:

- I. RSA 316-A:3, VIII-IX and XVII, relative to rules on licensee information and fees.
- II. RSA 316-A:6, relative to board member successors.
- III. RSA 316-A:9, relative to compensation of board members.
- IV. RSA 316-A:10, relative to a report.
- V. RSA 316-A:16, relative to licensure without exam of certain persons.

Amend Section 44 of the bill by replacing page 11, lines 8 through 15, with the following language:

44 Repeals; Dentistry. The following are repealed:

- I. RSA 317-A:2, III, relative to compensation of board members.
- II. RSA 317-A:2-a, I(d), relative to compensation of hygienists committee members.
- III. RSA 317-A:4, I(d)-(f), relative to duties of the board.
- IV. RSA 317-A:5, relative to reports and receipts.
- V. RSA 317-A:10, relative to attested licenses.
- VI. RSA 317-A:12, I, II, V, VII-VIII, and X, relative to rules on applications and fees.
- VII. RSA 317-A:18, II, relative to retaining experts for investigations.

Amend Section 49 of the bill by replacing page 11, lines 34 through 36, with the following language:

49 Repeal; Dietitians. The following are repealed:

- I. RSA 326-H:7, IV, relative to travel expenses for board members.
- II. RSA 326-H:10, III, V, and VIII, relative to rules on fees.

Amend Section 57 of the bill by replacing page 13, lines 7 through 14, with the following language:

57 Repeal; Funeral Directors. The following are repealed:

- I. RSA 325:6, relative compensation of board members.
- II. RSA 325:9, I, and V relative to rules on applications and fees.
- III. RSA 325:11, relative to a register of licensees.
- IV. RSA 325:12, relative to a board treasurer.
- V. RSA 325:33, II, relative to investigations.
- VI. RSA 325:39, relative to an account.
- VII. RSA 325:42, relative to a special fund

Amend Section 62 of the bill by replacing page 13, lines 30 through 36 with the following language:

62 Repeal; Hearing Care Providers. The following are repealed:

- I. RSA 137-F:3, V, relative to mileage for members of board of hearing care providers.
- II. RSA 137-F:4, relative to board subcommittees.
- III. RSA 137-F:5, VIII and IX, relative to certain powers and duties of the board.
- IV. RSA 137-F:6, V, relative to the board's rulemaking authority.
- V. RSA 137-F:21, III, relative to the board's authority to appoint legal counsel and investigatory experts.

Amend Section 66 of the bill by replacing page 15, lines 9 through 18, with the following language:

328-I:4 Rulemaking. The board shall adopt rules, pursuant to RSA 541-A, relative to:

- I. Registration eligibility requirements.
- II. Eligibility requirements for renewal or reinstatement of a registration to work as a medical technician.
- III. The conduct of investigations and hearings, in accordance with RSA 328-I:11
- IV. Procedures for notice and hearing prior to denial, suspension, or revocation of a registration and the imposition of administrative fines.
- V. Procedures for the approval or denial of an application.
- VI. Procedures for sharing information with other in-state boards, the office of inspector general, department of health and human services, out-of-state boards and law enforcement entities.

Amend Section 71 of the bill by replacing page 15, lines 1 through 3, with the following language:

RSA 328-D:10, I(c) relative to the board of medicine's rulemaking authority regarding application procedures is repealed.

Amend Section 80 of the bill by replacing page 18, lines 11 through 19, with the following language:

80 Repeal; Physicians and Surgeons. The following are repealed:

- I. RSA 329:2, II(e), III, and IV, relative to duties of the board of medicine regarding physicians and surgeons.
- II. RSA 329:5, relative to compensation for members of the board and the medical review subcommittee.

- III. RSA 329:9, I and VII, relative to rulemaking authority regarding applications, and fees.
- IV. RSA 329:14, IV, relative to license format.
- V. RSA 329:19, relative to record of accounts.

Amend Section 83 of the bill by replacing page 19, lines 5 through 35 and page 20, lines 1 through 18, with the following language:

83 Mental Health Practice; Board; Responsibilities and Rulemaking Authority. RSA 330-A:10 is repealed and reenacted to read as follows:

330-A:10 Board; Responsibilities and Rulemaking Authority. The board shall adopt rules, pursuant to RSA 541-A, relative to:

- I. Procedures for expedited licensure for applicants from other states who qualify under RSA 330-A:26.
- II. The qualifications of applicants in addition to those requirements set by statute.
- III. How an applicant shall be examined, including: (a) Time and place of examination. (b) The subjects to be tested. (c) Passing grade. (d) Disposition of examination papers.
- IV. Ethical standards, as promulgated by the American Association of Pastoral Counselors, required to be met by each pastoral psychotherapist licensed under this chapter, and how a license may be revoked for violation of these standards.
- V. Ethical standards, as promulgated by the National Association of Social Workers, required to be met by each licensed clinical social worker, and how a license may be revoked for violation of these standards.
- VI. Ethical standards, including those promulgated by the American Clinical Mental Health Counselors Association, required to be met by each licensed clinical mental health counselor, and how a license may be revoked for violations of these standards.
- VII. Ethical standards, including those promulgated by the American Association of Marriage and Family Therapy, required to be met by each licensed marriage and family therapist, and how a license may be revoked for violations of these standards.
- VIII. Compliance with the mental health client bill of rights as authorized under RSA 330-A:15.
- IX. Procedures, standards, and supervision requirements for candidates for licensure as a member of one of the licensed mental health disciplines, consistent with the standards established by the advisory committee for each of the licensed mental health disciplines. All candidates for licensure shall be documented with the board. The supervision shall be at a location mutually convenient to both the supervisor and the candidate for licensure.
- X. Establishment of the scope of practice for each mental health discipline licensed under this chapter, consistent with the standards established by the advisory committee for each of the licensed mental health disciplines.
- XI. Procedures for assuring the continuing competence of persons licensed under this chapter including, but not limited to, continuing education requirements, provided that at least 3 hours of the required continuing education units for biennial renewal

shall be from a nationally recognized, evidence-based or best practices training organization in the area of suicide prevention, intervention, or post-vention and how mental illness, substance use disorders, trauma, or interpersonal violence directly impacts risk for suicide.

- XII. How licensees shall provide evidence of good professional character and reliability to satisfy the board that they shall faithfully and conscientiously avoid professional misconduct and otherwise adhere to the requirements of this chapter.
- XIII. Procedures for accepting and responding to written complaints, publicizing the complaint procedure, standards of and procedures for conducting investigations, investigator training requirements, and procedures for conducting disciplinary hearings under this chapter.
- XIV. The content of the materials and information to be distributed under RSA 330-A:14.
- XV. Procedures for receiving and addressing complaints against licensees who have had a personal or professional relationship with a board member.
- XVI. Requirements to be met by licensees relative to the disclosure of information to patients and the general public concerning the nature of mental health care and the responsibilities of mental health practitioners to clients in RSA 330-A:15. XV. Procedures and mechanisms for providing interdisciplinary collaboration among the mental health disciplines.

Amend Section 107 of the bill by replacing page 26, lines 11 through 17 with the following:  
107 Repeal; Pharmacy Board. The following are repealed:

- I. RSA 318:4, relative to the compensation of pharmacy board members.
- II. RSA 318:5-a, I, III, V, VII, XI, and XI-b, relative to rulemaking on applications, forms and fees.
- III. RSA 318:6, relative to the pharmacy board secretary.
- IV. RSA 318:11, relative to pharmacy board reports.
- V. RSA 318:51-e, I and IV, relative to rules for outsourcing facilities.

Amend Section 110 of the bill by replacing page 26, lines 26 through 36, with the following language:

110 Podiatry; Rulemaking Authority. RSA 315:4 is repealed and reenacted to read as follows:  
315:4 Rulemaking Authority. The board shall adopt rules, pursuant to RSA 541-A, relative to:

- I. The qualifications of applicants in addition to those requirements set by statute.
- II. Eligibility requirements for renewal of licensure, including the requirements for continuing education.
- III. Ethical standards required to be met by each holder of any license issued under this chapter and how such license may be revoked for violation of these standards.
- IV. Procedures for the conduct of hearings.
- V. The imposition of administrative fines authorized under RSA 315:9, III(f); and
- VI. Information required by the board in its application relative to the applicant's podiatric competence and professional conduct.
- VII. VI. Prescribing controlled drugs pursuant to RSA 318-B:41

Amend Section 120 of the bill by replacing page 29, line 37 and page 30, lines 1 through 5, with the following language:

120 Repeals; Psychologists. The following are repealed:

- I. RSA 329-B:4, relative to advisory committees to the board.
- II. RSA 329-B:7, relative to compensation of members of the board of psychology and related committees.
- III. RSA 329-B:10, I, IV, VI, and XVI, relative to rulemaking authority.
- IV. RSA 329-B:27, IV, relative to certain administrative rules relative to psychologists.

Amend Section 124 of the bill by replacing page 30, lines 27 through 34, of the bill with the following language:

124 Repeal; Veterinary Practice Act. The following are repealed:

- I. RSA 332-B:3, III, relative to compensation of members of the veterinary medicine board.
- II. RSA 332-B:7, III, relative to the power of the board of veterinary medicine to set certain fees.
- III. RSA 332-B:7, V-a, relative to the power of the board of veterinary medicine to compensate board counsel, assistants, and investigators.
- IV. RSA 332-B:7-a, I, III, and VII, relative to certain rulemaking authority of the board of veterinary medicine.

Amend Section 128 of the bill by replacing page 31, line 37 and page 32, lines 1 through 5, with the following language:

128 Repeal; Professional Engineers. The following are repealed:

- I. RSA 310-A:3, IV, relative to compensation for members of the board of engineers.
- II. RSA 310-A:3, VII, relative to the roster of professional engineers published by the secretary of state.
- III. RSA 310-A:6, I(a), (e), (j), and (k), relative to certain rulemaking authority of the board of engineers

Amend Section 132 of the bill by replacing page 33, lines 5 through 9, with the following language:

132 Repeal; Board of Architects. The following are repealed:

- I. RSA 310-A:29, IV, relative to compensation for members of the board of architects.
- II. RSA 310-A:29, VII, relative to the roster of architects published by the secretary of state.
- III. RSA 310-A:32, I(a), (e), (j), and (k), relative to certain rulemaking authority of the board of architect

Amend Section 136 of the bill by replacing page 34, lines 6 through 11 with the following language:

136 Repeal; Land Surveyors. The following are repealed:

- I. RSA 310-A:55, IV, relative to compensation of members of the board of land surveyors.
- II. RSA 310-A:55, VII, relative to the roster of land surveyors published by the secretary of state.
- III. RSA 310-A:58, I, and V relative to certain rulemaking authority of the board of land surveyors.

Amend Section 145 of the bill by replacing page 36, line 36 and page 37, lines 1 through 6, with the following language:

145 Repeal; Board of Professional Geologists. The following are repealed:

- I. RSA 310-A:120, VIII, relative to the roster of professional geologists published by the secretary of state.
- II. RSA 310-A:121, I(a), II, and III, relative to certain rulemaking of the board of professional geologists.
- III. RSA 310-A:123, relative to receipts and disbursements of the board of professional geologists.

Amend Section 150 of the bill by replacing page 38, lines 7 through 13, with the following language:

150 Repeal; Landscape Architects. The following are repealed:

- I. RSA 310-A:142, IV, relative to compensation of members of the board of landscape architects.
- II. RSA 310-A:142, VII, relative to the roster of landscape architects published by the secretary of state.
- III. RSA 310-A:143, I(a), and (e), relative to certain rulemaking authority of the board of landscape architects.

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SUBCOMMITTEE WORK SESSION on SB 58

BILL TITLE: relative to the administration of occupational regulation by the office of professional licensure and certification.

DATE:

Subcommittee Members: Reps. Alliegro, Santonastaso, P. Schmidt, O'Brien, S. Pearson and Schuett

Comments and Recommendations:

Combination of amendments. And additional info to be incorporated. Removal of duplications in 133. Smarling will draft.

MOTIONS: OTP, OTP/A, ITL, Retained (1st Yr), Interim Study (2nd Yr) (Please circle one)

Moved by Rep. \_\_\_\_\_ Seconded by Rep. \_\_\_\_\_ AM Vote: \_\_\_\_\_

Adoption of Amendment # \_\_\_\_\_

Moved by Rep. \_\_\_\_\_ Seconded by Rep. \_\_\_\_\_ Vote: \_\_\_\_\_

\_\_\_\_\_ Amendment Adopted \_\_\_\_\_ Amendment Failed

MOTIONS: OTP, OTP/A, ITL, Retained (1st Yr), Interim Study (2nd Yr) (Please circle one)

Moved by Rep. \_\_\_\_\_ Seconded by Rep. \_\_\_\_\_ AM Vote: \_\_\_\_\_

Adoption of Amendment # \_\_\_\_\_

Moved by Rep. \_\_\_\_\_ Seconded by Rep. \_\_\_\_\_ Vote: \_\_\_\_\_

\_\_\_\_\_ Amendment Adopted \_\_\_\_\_ Amendment Failed

Respectfully submitted,

Rep. [Signature] Subcommittee Chairman/Clerk



Amendment to SB 58

1 Amend RSA 310-A:1-d, II(h)(2) as inserted by section 1 of the bill by replacing it with the following:

2

3 (2) Such organizational and procedural rules necessary to administer the boards,  
4 commissions, ~~and~~ councils, **and programs** in the office of professional licensure and certification,  
5 including rules governing the administration of complaints and investigations, payment processing  
6 procedures, and application procedures. ***The boards shall retain the authority to determine the  
7 criteria necessary for licensing applications. Rules for pharmacists and pharmacy  
8 technicians licensed by the pharmacy board shall include requirements for training and  
9 experience regarding pharmacy laws and rules relative to the practice of pharmacy;***

10

11 Amend the bill by replacing section 104 with the following:

12

13 104 Pharmacy Board; Inspectional Services. Amend RSA 318:9-a to read as follows:

14 318:9-a Inspectional Services. The pharmacy board ***through the office of professional  
15 licensure and certification*** shall provide inspectional services under this chapter and RSA 318-  
16 B:25 to the board of medicine, the board of veterinary medicine, the board of podiatry, the board of  
17 registration in optometry, the board of dental examiners, the board of nursing, and the naturopathic  
18 board of examiners. ***Pharmacy board inspections shall be provided by pharmacists or  
19 pharmacy technicians licensed by the New Hampshire pharmacy board who have training  
20 and experience regarding pharmacy laws and rules.***

## OPLC Draft Legislation 5-12-21 (LBC)

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.

### Amendment to SB 58

Amend Section 1 of the bill by replacing lines 2 through 8 with the following:

1 Administration of the Office. Amend RSA 310-A:1-d to read as follows: 310-A:1-d Administration of the Office of Professional Licensure and Certification. I. The office of professional licensure and certification shall operate under the supervision of the executive director appointed under RSA 310-A:1-b. The office may employ such clerical or other assistants as are necessary for the proper performance of its work, and may make expenditures for any purpose which are reasonably necessary, according to the executive director, for the proper performance of its duties under this chapter. ***The office may contract for the services of investigators, hearing officers, legal counsel and experts as necessary and in consultation with the appropriate board, council, or commission.***

Amend Section 104 of the bill by replacing page 25, lines 30 through 34 with the following:

318:9-a Inspectional Services. The pharmacy board ***through the office of professional licensure and certification*** shall provide inspectional services under this chapter and RSA 318-B:25 to the board of medicine, the board of veterinary medicine, the board of podiatry, the board of registration in optometry, the board of dental examiners, the board of nursing, and the naturopathic board of examiners. ***Pharmacy board inspections shall be provided by pharmacists or pharmacy technicians licensed by the New Hampshire Board of Pharmacy who have training and experience regarding pharmacy statutes and rules.***

Amend Section 7 of the bill by replacing page 3, lines 36 through 37 and page 4, line 1, with the following:

Repeals; Acupuncture. The following are repealed:

- I. RSA 328-G:5, relative to mileage for the board of acupuncture licensing.
- II. RSA 328-G:7, IV, relative to rulemaking on a register.

Amend Section 16 of the bill by replacing page 5, lines 34 through 37, with the following:  
16 Repeals; Alcohol and Other Drug Use Professionals. The following are repealed:

- I. RSA 330-C:3, XI, relative to mileage for board members.
- II. RSA 330-C:28, II, relative to retaining experts for investigations or hearings.

Amend Section 40 of the bill by replacing page 10, lines 14 through 20, with the following language:

40 Repeals; Chiropractic. The following are repealed:

- I. RSA 316-A:3, VIII-IX and XVII, relative to rules on licensee information and fees.
- II. RSA 316-A:6, relative to board member successors.
- III. RSA 316-A:9, relative to compensation of board members.
- IV. RSA 316-A:10, relative to a report.
- V. RSA 316-A:16, relative to licensure without exam of certain persons.

Amend Section 44 of the bill by replacing page 11, lines 8 through 15, with the following language:

44 Repeals; Dentistry. The following are repealed:

- I. RSA 317-A:2, III, relative to compensation of board members.
- II. RSA 317-A:2-a, I(d), relative to compensation of hygienists committee members.
- III. RSA 317-A:4, I(d)-(f), relative to duties of the board.
- IV. RSA 317-A:5, relative to reports and receipts.
- V. RSA 317-A:10, relative to attested licenses.
- VI. RSA 317-A:12, I, II, V, VII-VIII, and X, relative to rules on applications and fees.
- VII. RSA 317-A:18, II, relative to retaining experts for investigations.

Amend Section 49 of the bill by replacing page 11, lines 34 through 36, with the following language

49 Repeal; Dieticians. The following are repealed:

- I. RSA 326-H:7, IV, relative to travel expenses for board members.
- II. RSA 326-H:10, III, V, and VIII, relative to rules on fees.

Amend Section 57 of the bill by replacing page 13, lines 7 through 14, with the following language:

57 Repeal; Funeral Directors. The following are repealed:

- I. RSA 325:6, relative compensation of board members.
- II. RSA 325:9, I, and V relative to rules on applications and fees.
- III. RSA 325:11, relative to a register of licensees.
- IV. RSA 325:12, relative to a board treasurer.
- V. RSA 325:33, II, relative to investigations.
- VI. RSA 325:39, relative to an account.
- VII. RSA 325:42, relative to a special fund

Amend Section 62 of the bill by replacing page 13, lines 30 through 36 with the following language:

62 Repeal; Hearing Care Providers. The following are repealed:

- I. RSA 137-F:3, V, relative to mileage for members of board of hearing care providers.
- II. RSA 137-F:4, relative to board subcommittees.
- III. RSA 137-F:5, VIII and IX, relative to certain powers and duties of the board.
- IV. RSA 137-F:6, V, relative to the board's rulemaking authority.
- V. RSA 137-F:21, III, relative to the board's authority to appoint legal counsel and investigatory experts.

Amend Section 66 of the bill by replacing page 15, lines 9 through 18, with the following language:

328-I:4 Rulemaking. The board shall adopt rules, pursuant to RSA 541-A, relative to:

- I. Registration eligibility requirements.
- II. Eligibility requirements for renewal or reinstatement of a registration to work as a medical technician.
- III. The conduct of investigations and hearings, in accordance with RSA 328-I:11
- IV. Procedures for notice and hearing prior to denial, suspension, or revocation of a registration and the imposition of administrative fines.
- V. Procedures for the approval or denial of an application.
- VI. Procedures for sharing information with other in-state boards, the office of inspector general, department of health and human services, out-of-state boards and law enforcement entities.

Amend Section 71 of the bill by replacing page 15, lines 1 through 3, with the following language:

RSA 328-D:10, I(c) relative to the board of medicine's rulemaking authority regarding application procedures is repealed.

Amend Section 80 of the bill by replacing page 18, lines 11 through 19, with the following language:

80 Repeal; Physicians and Surgeons. The following are repealed:

- I. RSA 329:2, II(e), III, and IV, relative to duties of the board of medicine regarding physicians and surgeons.
- II. RSA 329:5, relative to compensation for members of the board and the medical review subcommittee.

- III. RSA 329:9, I and VII, relative to rulemaking authority regarding applications, and fees.
- IV. RSA 329:14, IV, relative to license format.
- V. RSA 329:19, relative to record of accounts.

Amend Section 83 of the bill by replacing page 19, lines 5 through 35 and page 20, lines 1 through 18, with the following language:

83 Mental Health Practice; Board; Responsibilities and Rulemaking Authority. RSA 330-A:10 is repealed and reenacted to read as follows:

330-A:10 Board; Responsibilities and Rulemaking Authority. The board shall adopt rules, pursuant to RSA 541-A, relative to:

- I. Procedures for expedited licensure for applicants from other states who qualify under RSA 330-A:26.
- II. The qualifications of applicants in addition to those requirements set by statute.
- III. How an applicant shall be examined, including: (a) Time and place of examination. (b) The subjects to be tested. (c) Passing grade. (d) Disposition of examination papers.
- IV. Ethical standards, as promulgated by the American Association of Pastoral Counselors, required to be met by each pastoral psychotherapist licensed under this chapter, and how a license may be revoked for violation of these standards.
- V. Ethical standards, as promulgated by the National Association of Social Workers, required to be met by each licensed clinical social worker, and how a license may be revoked for violation of these standards.
- VI. Ethical standards, including those promulgated by the American Clinical Mental Health Counselors Association, required to be met by each licensed clinical mental health counselor, and how a license may be revoked for violations of these standards.
- VII. Ethical standards, including those promulgated by the American Association of Marriage and Family Therapy, required to be met by each licensed marriage and family therapist, and how a license may be revoked for violations of these standards.
- VIII. Compliance with the mental health client bill of rights as authorized under RSA 330-A:15.
- IX. Procedures, standards, and supervision requirements for candidates for licensure as a member of one of the licensed mental health disciplines, consistent with the standards established by the advisory committee for each of the licensed mental health disciplines. All candidates for licensure shall be documented with the board. The supervision shall be at a location mutually convenient to both the supervisor and the candidate for licensure.
- X. Establishment of the scope of practice for each mental health discipline licensed under this chapter, consistent with the standards established by the advisory committee for each of the licensed mental health disciplines.
- XI. Procedures for assuring the continuing competence of persons licensed under this chapter including, but not limited to, continuing education requirements, provided that at least 3 hours of the required continuing education units for biennial renewal

shall be from a nationally recognized, evidence-based or best practices training organization in the area of suicide prevention, intervention, or post-vention and how mental illness, substance use disorders, trauma, or interpersonal violence directly impacts risk for suicide.

- XII. How licensees shall provide evidence of good professional character and reliability to satisfy the board that they shall faithfully and conscientiously avoid professional misconduct and otherwise adhere to the requirements of this chapter.
- XIII. Procedures for accepting and responding to written complaints, publicizing the complaint procedure, standards of and procedures for conducting investigations, investigator training requirements, and procedures for conducting disciplinary hearings under this chapter.
- XIV. The content of the materials and information to be distributed under RSA 330-A:14.
- XV. Procedures for receiving and addressing complaints against licensees who have had a personal or professional relationship with a board member.
- XVI. Requirements to be met by licensees relative to the disclosure of information to patients and the general public concerning the nature of mental health care and the responsibilities of mental health practitioners to clients in RSA 330-A:15. XV. Procedures and mechanisms for providing interdisciplinary collaboration among the mental health disciplines.

Amend Section 107 of the bill by replacing page 26, lines 11 through 17 with the following:  
107 Repeal; Pharmacy Board. The following are repealed:

- I. RSA 318:4, relative to the compensation of pharmacy board members.
- II. RSA 318:5-a, I, III, V, VII, XI, and XI-b, relative to rulemaking on applications, forms and fees.
- III. RSA 318:6, relative to the pharmacy board secretary.
- IV. RSA 318:11, relative to pharmacy board reports.
- V. RSA 318:51-e, I and IV, relative to rules for outsourcing facilities.

Amend Section 110 of the bill by replacing page 26, lines 26 through 36, with the following language:

110 Podiatry; Rulemaking Authority. RSA 315:4 is repealed and reenacted to read as follows:  
315:4 Rulemaking Authority. The board shall adopt rules, pursuant to RSA 541-A, relative to:

- I. The qualifications of applicants in addition to those requirements set by statute.
- II. Eligibility requirements for renewal of licensure, including the requirements for continuing education.
- III. Ethical standards required to be met by each holder of any license issued under this chapter and how such license may be revoked for violation of these standards.
- IV. Procedures for the conduct of hearings.
- V. The imposition of administrative fines authorized under RSA 315:9, III(f); and
- VI. Information required by the board in its application relative to the applicant's podiatric competence and professional conduct.
- VII. VI. Prescribing controlled drugs pursuant to RSA 318-B:41

Amend Section 120 of the bill by replacing page 29, line 37 and page 30, lines 1 through 5, with the following language:

120 Repeals; Psychologists. The following are repealed:

- I. RSA 329-B:4, relative to advisory committees to the board.
- II. RSA 329-B:7, relative to compensation of members of the board of psychology and related committees.
- III. RSA 329-B:10, I, IV, VI, and XVI, relative to rulemaking authority.
- IV. RSA 329-B:27, IV, relative to certain administrative rules relative to psychologists.

Amend Section 124 of the bill by replacing page 30, lines 27 through 34, of the bill with the following language:

124 Repeal; Veterinary Practice Act. The following are repealed:

- I. RSA 332-B:3, III, relative to compensation of members of the veterinary medicine board.
- II. RSA 332-B:7, III, relative to the power of the board of veterinary medicine to set certain fees.
- III. RSA 332-B:7, V-a, relative to the power of the board of veterinary medicine to compensate board counsel, assistants, and investigators.
- IV. RSA 332-B:7-a, I, III, and VII, relative to certain rulemaking authority of the board of veterinary medicine.

Amend Section 128 of the bill by replacing page 31, line 37 and page 32, lines 1 through 5, with the following language:

128 Repeal; Professional Engineers. The following are repealed:

- I. RSA 310-A:3, IV, relative to compensation for members of the board of engineers.
- II. RSA 310-A:3, VII, relative to the roster of professional engineers published by the secretary of state.
- III. RSA 310-A:6, I(a), (e), (j), and (k), relative to certain rulemaking authority of the board of engineers

Amend Section 132 of the bill by replacing page 33, lines 5 through 9, with the following language:

132 Repeal; Board of Architects. The following are repealed:

- I. RSA 310-A:29, IV, relative to compensation for members of the board of architects.
- II. RSA 310-A:29, VII, relative to the roster of architects published by the secretary of state.
- III. RSA 310-A:32, I(a), (e), (j), and (k), relative to certain rulemaking authority of the board of architect

Amend Section 136 of the bill by replacing page 34, lines 6 through 11 with the following language:

136 Repeal; Land Surveyors. The following are repealed:

- I. RSA 310-A:55, IV, relative to compensation of members of the board of land surveyors.
- II. RSA 310-A:55, VII, relative to the roster of land surveyors published by the secretary of state.
- III. RSA 310-A:58, I, and V relative to certain rulemaking authority of the board of land surveyors.

Amend Section 145 of the bill by replacing page 36, line 36 and page 37, lines 1 through 6, with the following language:

145 Repeal; Board of Professional Geologists. The following are repealed:

- I. RSA 310-A:120, VIII, relative to the roster of professional geologists published by the secretary of state.
- II. RSA 310-A:121, I(a), II, and III, relative to certain rulemaking of the board of professional geologists.
- III. RSA 310-A:123, relative to receipts and disbursements of the board of professional geologists.

Amend Section 150 of the bill by replacing page 38, lines 7 through 13, with the following language:

150 Repeal; Landscape Architects. The following are repealed:

- I. RSA 310-A:142, IV, relative to compensation of members of the board of landscape architects.
- II. RSA 310-A:142, VII, relative to the roster of landscape architects published by the secretary of state.
- III. RSA 310-A:143, I(a), and (e), relative to certain rulemaking authority of the board of landscape architects.



# Hearing Minutes

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

PUBLIC HEARING ON SB 58

**BILL TITLE:** relative to the administration of occupational regulation by the office of professional licensure and certification.

**DATE:** April 15, 2021

**LOB ROOM:** 306 **Time Public Hearing Called to Order:** 1:30 p.m.

**Time Adjourned:** 2:45 p.m.

**Committee Members:** Reps. McGuire, Roy, Sytek, S. Pearson, Yakubovich, T. Lekas, Alliegro, Bailey, Lanzara, Santonastaso, Goley, Schuett, Jeudy, P. Schmidt, Schultz, Fellows, Fontneau, Grote and O'Brien

**Bill Sponsors:**

Sen. Carson

Sen. Guida

TESTIMONY

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

**April 15, 2021**

The entire ED&A Committee was present for all hearings.

**SB 58 relative to the administration of occupational regulation by the office of professional licensure and certification. (1:30 PM/2:45 PM)**

**Senator Carson, prime sponsor, introduced the bill and spoke in favor.** She said the bill made statutory changes to the OPLC (Office of Professional Licensing and Certification). It makes changes to the boards so that they conform to oversight and administration by the OPLC.

It was a refile of a bill from last year which was part of an omnibus bill and vetoed. The refile was done in two parts, a policy bill and a fiscal bill.

SB 58 now presented to the Committee is the policy bill. She said that the Senate had amended the bill at the request of the Electricians Board to include background checks. She said that another amendment should be introduced at the request of the Board of Pharmacy reflecting compromise language for which Rep. Merchant had been instrumental.

**Sen. Guida, co-sponsor, spoke in support.** He said the bill was really needed and traced the difficult history of the OPLC since its inception. The bill affects how the boards interact with their professions and the public. The bill would streamline and standardize the application process. One result would be to accelerate initial licensing, relicensing, and hearings.

There was a question as to whether there was any pushback from the boards on this bill.

**Lindsey Courtney, Executive Director OPLC, spoke in support.**

She said this was a cleanup bill that would help OPLC in its mission to promote efficiency and economy in the administration of its licensing boards. She said there were a number of objectives.

- A main objective was to remove the requirement for a court stenographer from some practice acts proceeding.
- Also, giving the ED the authority to set per diem rates, and to standardize quorum requirements.
- She then listed several changes that she said were non-substantive carry-overs.
- She said the bill did not affect the authority of the boards in the areas requiring licensing.
- She then went back to the three principal objectives and explained them in detail.

- She also said that the bill abolished some paper publishing requirements; this is a dated requirement since all the information is available on web sites.
- She added some additional specifics: inclusion the board of veterinary medicine – an oversight from a previous session and removal of an obsolete reference to the Commissioner of HHS.
- She added that the bill provides that the OPLC develop a retention policy.

At present there are conflicting requirements among the boards so that records are being kept indefinitely which is causing storage problems. She continued with other changes: some boards are not with in Title 30 and OPLC should not have to keep records about them; developing PHP (Professional Health Programs) administrative rules; term limits for the Family Mediator Certification Board like all other boards. Regarding the amendment mentioned earlier namely that pharmacy inspectors must be licensed pharmacists themselves, she said that she had language with Rep. Merchant that she could provide the Committee.

There were committee questions: where was the fiscal bill that was to accompany this policy bill? Was a one-size-fits-all intended for per diem allowances? Who should set them – the boards or the agency? What about quorum requirements and the effect of board vacancies? What about retention of record policy; how determined, how approved? What were priority items in the bill? What was meant by: NH is at a competitive disadvantage with respect to licensing? What were other states doing?

**Paula Minnehan, Senior VP, Government Relations, of the NH Hospital Association spoke in support.** This bill addresses concerns that that hospitals have had for years in dealing with multiple health-related boards. She gave examples of the practical difficulties the hospitals have experienced and said how important the streamlining of this bill was.

There were Committee questions about the hospitals' experience with respect to the issues addressed in this bill, such as quorums, speed of licensing.

**Hearing closed at 2:45 p.m.**

**Respectfully submitted by  
Rep John Sytek  
Committee Clerk**

**April 15, 2021**

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**SB 58 relative to the administration of occupational regulation by the office of professional licensure and certification. (1:30 PM/2:45 PM)**

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>Sen. Guida, co-sponsor, spoke in support. He said the bill was really needed and traced the difficult history of the OPLC since its inception. The bill affects how the boards interact with their professions and the public. The bill would streamline and standardize the application process. One result would be to accelerate initial licensing, relicensing, and hearings.

There was a question as to whether there was any pushback from the boards on this bill.

>Lindsey Courtney, Executive Director OPLC, spoke in support. She said this was a cleanup bill that would help OPLC in its mission to promote efficiency and economy in the administration of its licensing boards. She said there were a number of objectives. A main objective was to remove the requirement for a court stenographer from some practice acts proceeding. Also, giving the ED the authority to set per diem rates, and to standardize quorum requirements. She then listed several changes that she said were non-substantive carry-overs. She said the bill did not affect the authority of the boards in the areas requiring licensing. She then went back to the three principal objectives and explained them in detail. She also said that the bill abolished some paper publishing requirements; this is a dated requirement since all the information is available on web sites. She added some additional specifics: inclusion the board of veterinary medicine – an oversight from a previous session and removal of an obsolete reference to the Commissioner of HHS. She added that the bill provides that the OPLC develop a retention policy. At present there are conflicting requirements among the boards so that records are being kept indefinitely which is causing storage problems. She continued with other changes: some boards are not with in Title 30 and OPLC should not have to keep records about them; developing PHP (Professional Health Programs) administrative rules; term limits for the Family Mediator Certification Board like all other boards. Regarding the amendment mentioned earlier namely that pharmacy inspectors must be licensed pharmacists themselves, she said that she had language with Rep. Merchant that she could provide the Committee.

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boards or the agency? What about quorum requirements and the effect of board vacancies? What about retention of record policy; how determined, how approved? What were priority items in the bill? What was meant by: NH is at a competitive disadvantage with respect to licensing? What were other states doing?

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There were Committee questions about the hospitals' experience with respect to the issues addressed in this bill, such as quorums, speed of licensing.

Respectfully submitted by

Rep John Sytek

Committee Clerk

# House Remote Testify

## Executive Departments and Administration Committee Testify List for Bill SB58 on 2020-01-20

Support: 7 Oppose: 0 Neutral: 0 Total to Testify: 4

[Export to Excel](#)

<u>Name</u>	<u>City, State</u> <u>Email Address</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>S</u>
Courtney, Lindsey	Concord, NH lindsey.courtney@oplc.nh.gov	State Agency Staff	Office of Professional Licensure & Cert	Support	Yes (5m)	4
Giuda, Bob	Warren, NH bob.giuda@leg.state.nh.us	An Elected Official	NH Senate District 2	Support	Yes (3m)	4
Carson, Sharon	Londonderry, NH deborah.chroniak@leg.state.nh.us	An Elected Official	Senate District 14	Support	Yes (10m)	4
Minnehan, Paula	Concord, NH pminnehan@nhha.org	A Lobbyist	NH Hospital Association	Support	Yes (0m)	4
Pauer, Eric	Brookline, NH secretary@BrooklineGOP.org	A Member of the Public	Myself	Support	No	4
Berry, Jake	Concord, NH jberry@new-futures.org	A Lobbyist	New Futures	Support	No	4
Gordon, Jennifer	ALLENSTOWN, NH jgordon@karnerbluestrategies.com	A Member of the Public	NASW	Support	No	4

# Testimony



**HOUSE EXECUTIVE DEPARTMENTS AND ADMINISTRATION COMMITTEE**

**April 15, 2021**

**SB 58 – Relative to the Administration of Occupational Regulation by the Office of Professional Licensure and Certification**

**Testimony**

Good afternoon, Madam Chair, and members of the committee. My name is Paula Minnehan, Senior VP, State Government Relations with the New Hampshire Hospital Association (NHHA), representing all 26 of the state's community hospitals as well as all specialty hospitals.

The NHHA is in strong support of SB 58. The hospitals and NHHA work with many of the clinical licensing boards that fall under the authority of the Office of Professional Licensing and Certification (OPLC) on many issues relating to workforce development, licensing, and regulatory processes. We believe the proposed changes contemplated in SB 58 provides OPLC with the necessary statutory authority to establish policies that achieve the stated goals of reducing administrative complexities and ensuring consistency among various clinical boards while at the same time allowing boards to focus on their missions of ensuring public safety and overseeing that professional qualified individuals have the ability to practice in our state.

NHHA is in strong support of SB 58 and we ask that you support the bill. Thank you for the opportunity to provide our comments.



# State of New Hampshire

## OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION

7 Eagle Square, Suite 200

Concord, N.H. 03301-2412

Telephone 603-271-2152 · Fax 603-271-6202

LINDSEY B. COURTNEY

Executive Director



April 15, 2021

Hon. Carol McGuire  
Chair, Executive Departments & Administration Committee  
LOB Room 306  
33 N. State Street  
Concord, NH 03301

**Re: Testimony in Support of SB 58—relative to the administration of occupational regulation by the office of professional licensure and certification.**

Good morning, Madam Chair, members of the committee:

My name is Lindsey Courtney, Executive Director of the New Hampshire Office of Professional Licensure and Certification (OPLC), the agency that oversees the administration of fifty-four boards, councils, and commissions within the State of New Hampshire.

OPLC fully supports SB 58, and wishes to thank Senator Carson for bringing this bill forward. Over the last year, OPLC has been working diligently to establish efficiencies within the office in order to assist the licensing boards in their important work. SB 58 is a cleanup bill and, as such, is a crucial step to pave the way for OPLC to achieve its mission of promoting the efficiency and economy in the administration of its licensing boards. The primary objectives of the bill are to: (1) remove the requirement in certain board practice acts that require a court stenographer to be present for all hearings; (2) grant to the executive director the authority to set per diem rates for board members; (3) standardize quorum requirements; (4) repeal RSA 332-H; (5) add the board of veterinary medicine to RSA 310-A:1-a; (6) remove references to the commissioner of the department of health and human services; (7) remove the requirement in certain practice acts that boards provide a roster of licensees for a fee; (8) permit OPLC to adopt a retention policy across the agency; (9) clarify that OPLC does not have reporting requirements under RSA 332-G:13, XIII and RSA 332-G:14 for boards that do not fall within the agency; (10) grant the executive director the authority to promulgate rules for all boards that participate in the professional health program; (11) set term limits for the board of family mediator certification; and, (12) clarify that the executive director, not the PDMP program administrator, has authority over certain discretionary tasks.

To be clear, the boards, councils, and commissions within OPLC have their own independent, regulatory authority to establish standards for their respective professions. SB 58 does not propose to change such standards or the boards' authority to set such standards and, in fact, makes clear that the boards retain such authority. However, there are certain administrative functions, unrelated to standards of practice, that should be standardized for all boards within OPLC. Indeed, that was a primary purpose in establishing OPLC. SB 58 would assist to effectuate this intent by granting OPLC the ability to streamline certain administrative functions across all boards, thereby making the licensing and disciplinary processes more efficient.

1. Stenographer requirement.

A few practice acts require that a stenographer be present at hearing, while the large majority of practice acts permit hearings to be recorded by a tape recorder. The recording is then transcribed in the event a party requests a transcript. To standardize the requirement across all boards, and to reduce the cost to the agency, SB 58 proposes to eliminate the requirement that a stenographer be present at hearings. All boards would then simply have to comply with the records requirement in the administrative procedures act, specifically RSA 541-A:31, VII and VII-a. All boards would be required to record hearings. Parties would still be permitted to request and pay for a stenographer, if desired, but the agency would not be required to provide a stenographer.

2. Per Diem.

SB 58 proposes to grant the executive director the authority to establish per diem rates for all boards, councils, and commissions within OPLC.

At present, some boards receive a per diem rate; others do not. Some boards receive a per diem for any work performed, others are required to perform work for a certain number of hours or, alternatively, only receive per diems for board meetings (as opposed to investigations). Some boards receive a rate of \$25.00, while others receive \$100.00. OPLC would like to standardize the per diem rates as a matter of fundamental fairness. Additionally, allowing OPLC to adopt rules across all boards, councils, and commissions would ensure that OPLC can effectively budget for per diem rates.

3. Standardize quorum requirements.

Most practice acts establish a quorum of the majority of members appointed and confirmed by governor and council. However, some practice acts define a set number of board members who constitute a quorum. When vacancies are not filled, boards are sometimes unable to meet, which delays the business of the board. As an example, up until most recently, the board of hearing care providers did not have a quorum, and therefore, licenses were being approved by operation of law after sixty (60) days, regardless of whether individuals met the requirements for licensure. SB 58 proposes to change those practice acts establishing a specific quorum number to make a quorum the majority of those members appointed to serve on the board.

4. Repeals RSA 332-H.

RSA 332-H requires boards to distribute printed rules to licensees. The statutory provision is outdated and unnecessary, given rules are readily available on the OPLC website. OPLC recently updated its website; all rules now link directly to the GenCourt website. Additionally, boards are not complying with this statutory requirement. SB 58 proposes to eliminate this requirement.

5. Adds board of veterinary medicine to RSA 310-A:1-a.

RSA 310-A:1-a identifies those boards that fall within the office. The board of veterinary medicine was transferred from the department of agriculture to the office effective with HB 4, however, RSA 310-A:1-a was not amended to reflect this change. SB 58 proposes to amend RSA 310-A:1-a to include the board of veterinary medicine.

6. Removes references to commissioner.

Like many boards within OPLC, the midwifery council used to be part of the department of health and human services. The council's practice act, RSA 326-D, still contains references to the commissioner of the department. SB 58 proposes to eliminate such references.

7. Eliminates requirement of providing a roster.

Some practice acts require boards to provide a roster of licensees, and to do so at a cost upon request. The large majority of boards have licensing rosters online, and those that do not should be online by March 1, 2021. Additionally, this information is available pursuant to RSA 91-A. Accordingly, SB 58 proposes to eliminate this requirement.

8. Permits OPLC to adopt a retention policy.

Some practice acts establish a timeframe in which certain documents must be retained. Given the conflicting statutory language, OPLC has been unable to adopt a retention policy. This has posed a problem for the agency, particularly given its recent physical relocation. OPLC does not have the ability to store, indefinitely, all paper files. SB 58 proposes to permit OPLC to adopt a retention policy so that documents are stored in a like manner across the agency, and for the same timeframe as permitted by the Secretary of State.

9. Clarify that OPLC does not have a reporting requirement for non-OPLC boards.

RSA 332-G applies to all Title XXX boards. Not all boards within OPLC are Title XXX boards, and not all Title XXX boards are within OPLC. Yet, RSA 332-G:13, XIII and RSA 332-G:14 appear to require OPLC to report certain information and issue temporary licenses for all Title XXX boards, including, arguably, non-OPLC boards. SB 58 proposes to make clear that OPLC's authority extends only to the boards that fall within the agency.

10. Permits OPLC to adopt rules for PHP.

OPLC presently contracts with the professional health program on behalf of thirteen boards within the agency. Although the contract is between OPLC and PHP, the boards have the ability

Hon. Carol McGuire

April 15, 2021

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to adopt rules relative to the professional health program. The rules are not the same across all the boards, which makes the program difficult to administer effectively. SB 58 proposes to permit OPLC to promulgate one set of rules for all boards that participate in the professional health program. This would ensure the process is efficient, and permit OPLC to add additional boards to the contract, if desired, without engaging in additional rulemaking.

11. Set term limits for family mediator certification board.

All boards within OPLC establish term limits for board members, with the exception of the family mediator certification board. To be consistent with other boards, SB 58 proposes to establish term limits for the family mediator certification board.

12. Clarify executive director's authority for PDMP.

RSA 318-B:35 appears to grant certain discretionary authority to a state classified employee, as opposed to the executive director. Generally, statutes grant discretionary authority to a department head, which may then be delegated to staff as he or she sees fit. To be consistent, SB 58 proposes to make clear that the executive director has certain statutory authority.

These change are vital to OPLC's ability to function effectively as an agency. Thank you for the opportunity to provide comments. I am happy to answer any questions.


Very truly yours,



Lindsey B. Courtney, JD

Executive Director

Office of Professional Licensure and Certification

**Archived:** Friday, April 16, 2021 5:18:25 PM  
**From:** Courtney, Lindsey  
**Sent:** Thursday, April 15, 2021 12:24:42 PM  
**To:** ~House Executive Departments and Administration  
**Subject:** NH House Remote Testify: 1:30 pm - SB58 in House Executive Departments and Administration  
**Importance:** Normal  
**Attachments:**  
[House Testimony in support of SB 58.pdf](#) 

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Attached is OPLC's testimony in support of SB 58. Thank you!

**Lindsey B. Courtney, J.D. | Executive Director**

NH Office of Professional Licensure and Certification

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*The information contained in this electronic message and any attachment to this message may contain confidential or privileged information and are intended for the exclusive use of the addressee(s). Please notify the NH Office of Professional Licensure and Certification immediately at (603) 271-6985 or reply to [lindsey.courtney@oplcnh.gov](mailto:lindsey.courtney@oplcnh.gov) if you are not the intended recipient and destroy all copies of this electronic message and any attachments. Thank you.*

**Archived:** Friday, April 16, 2021 5:18:26 PM  
**From:** [Paula Minnehan](#)  
**Sent:** Monday, April 12, 2021 4:47:46 PM  
**To:** ~House Executive Departments and Administration  
**Subject:** SB 58 Hearing NHHA Testimony  
**Importance:** Normal  
**Attachments:**  
SB 58 Testimony 04152021 FINAL.pdf ;

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Good Afternoon,

Attached is NHHA's testimony on SB 58, which will be heard in House ED&A on Thursday, April 15, 2021 at 1:30 pm.

Thank you,  
Paula

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**Paula M. Minnehan**  
Senior Vice President, State Government Relations  
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Bill as  
Introduced

SB 58 - AS AMENDED BY THE SENATE

03/11/2021 0617s

2021 SESSION

21-0935

10/04

SENATE BILL **58**

AN ACT relative to the administration of occupational regulation by the office of professional licensure and certification.

SPONSORS: Sen. Carson, Dist 14; Sen. Giuda, Dist 2

COMMITTEE: Executive Departments and Administration

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ANALYSIS

This bill makes changes to the statutory provisions governing the regulatory boards and commissions for technical professions and health professions in order to conform to oversight and administration by the office of professional licensure and regulation.

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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 the administration of occupational regulation by the office of professional licensure and certification.

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

1 Administration of the Office. Amend RSA 310-A:1-d to read as follows:

2 310-A:1-d Administration of the Office of Professional Licensure and Certification.

3 I. The office of professional licensure and certification shall operate under the supervision of  
4 the executive director appointed under RSA 310-A:1-b. The office may employ such clerical or other  
5 assistants as are necessary for the proper performance of its work, and may make expenditures for  
6 any purpose which are reasonably necessary, according to the executive director, for the proper  
7 performance of its duties under this chapter. ***The office may contract for the services of***  
8 ***investigators, hearing officers, legal counsel and experts as necessary.***

9 II. The executive director of the office of professional licensure and certification shall be  
10 responsible for:

11 (a) Supervision of the division directors;

12 (b) The performance of the administrative, clerical, and business processing  
13 responsibilities of the boards, commissions, and councils;

14 (c) Employment of such personnel needed to carry out the functions of the boards;

15 (d) The issuance of a license or certification to any applicant who has met the  
16 requirements for licensure or certification and denying a license or certification to applicants who do  
17 not meet the minimum qualifications;

18 (e) Maintenance of the official record of all applicants and licensees ***in accordance***  
19 ***with the retention policy established by the office of professional licensure and***  
20 ***certification;***

21 (f) Supervision, coordination, and assistance to the boards, commissions, and councils in  
22 rulemaking, pursuant to RSA 541-A;

23 (g) Maintaining the confidentiality of information, documents, and files in accordance  
24 with RSA 91-A;

25 (h) Establishing by rule, pursuant to RSA 541-A:

26 (1) All fees authorized by statute for all boards, commissions, [~~and~~] councils, ***and***  
27 ***programs*** within the office of professional licensure and certification, in consultation with the  
28 affected boards, commissions, and councils on a biennial basis in conjunction with the preparation of  
29 the biennial budget; [~~and~~]

1 (2) Such organizational and procedural rules necessary to administer the boards,  
2 commissions, ~~and~~ councils, **and programs** in the office of professional licensure and certification,  
3 including rules governing the administration of complaints and investigations, payment processing  
4 procedures, and application procedures. ***The boards shall retain the authority to determine the***  
5 ***criteria necessary for licensing applications;***

6 (3) ***The rate of per diem compensation and reimbursable expenses for all***  
7 ***boards, commissions, councils, and programs within the office of professional licensure***  
8 ***and certification; and***

9 (4) ***Rules governing the professionals' health program as set forth in RSA***  
10 ***310-A:1-e; and***

11 (i) Submitting, by November 1, to the speaker of the house of representatives, the  
12 president of the senate, the chairpersons of the house and senate executive departments and  
13 administration committees, and the governor, an annual report summarizing the transactions of the  
14 preceding fiscal year and a complete statement of the receipts and expenditures of the office of  
15 professional licensure and certification. Such report shall satisfy the requirements for any annual or  
16 biennial report imposed by statute on any board, commission, or council administered by the office of  
17 professional licensure and certification. The report shall be posted on the website of the office of  
18 professional licensure and certification immediately upon submission.

19 2 Acupuncture; Quorum. Amend RSA 328-G:6 to read as follows:

20 328-G:6 Organization and Meetings. The board shall hold regular meetings at least semi-  
21 annually and shall give notice to its members of the time and place for holding all regular and  
22 special meetings. A quorum of the board shall consist of ~~[not less than 3 members]~~ ***a majority of***  
23 ***the members of the board who have been approved by the governor and council.*** The board  
24 shall biennially elect a chairperson, a vice-chairperson, and a secretary from among its members.

25 3 Acupuncture; Rulemaking. Amend RSA 328-G:7, I-III to read as follows:

26 I. ~~[Procedures and forms for application]~~ ***Eligibility requirements*** for an acupuncture  
27 license.

28 II. Scope of practice ~~[and fees for applications]~~.

29 III. ~~[Procedures]~~ ***Eligibility requirements*** for license renewal, including continuing  
30 education requirements, testing, peer review, ~~[or other appropriate procedures,]~~ and methods to  
31 ensure compliance with such requirements.

32 4 Acupuncture; Rulemaking. Amend RSA 328-G:7, XIV to read as follows:

33 XIV.(a) ~~[Procedures and forms for application]~~ ***Eligibility requirements*** for certification as  
34 an acupuncture detoxification specialist.

35 (b) Renewal, revocation, or suspension of certification of an acupuncture detoxification  
36 specialist.

37 ~~[(c) Any fees required under subparagraphs (a) and (b)].~~

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1 ~~(d) Maintaining a register of persons certified as acupuncture detoxification specialists.]~~

2 5 Acupuncture; Powers of the Board. Amend RSA 328-G:11, I to read as follows:

3 I. The board shall:

4 (a) ~~[Insure]~~ **Ensure** that licensed acupuncturists serving the public meet minimum  
5 standards of proficiency and competency to protect the health, safety, and welfare of the public.

6 (b) Administer and enforce all provisions of this chapter, which pertain to licensees and  
7 applicants, and all rules adopted by the board under the authority granted in this chapter.

8 (c) Maintain an accurate account of all receipts, expenditures, and refunds granted  
9 under this chapter through the office of licensure and certification **and in accordance with the**  
10 **retention policy established by the office of professional licensure and certification.**

11 (d) Maintain a record of its acts and proceedings, including the issuance, refusal,  
12 suspension, or revocation of licenses **in accordance with the retention policy established by the**  
13 **office of professional licensure and certification.**

14 (e) ~~[Maintain a roster of all acupuncturists licensed under this chapter which indicates:~~

15 ~~(1) The name of the licensee.~~

16 ~~(2) Current professional office address.~~

17 ~~(3) The date of issuance and the number of the licensee's license.~~

18 ~~(4) Whether the licensee is in good standing.~~

19 ~~(f)]~~ **(f)** Keep all applications for licensure ~~[as a permanent record]~~ **in accordance with the**  
20 **retention policy established by the office of professional licensure and certification.**

21 ~~(g)]~~ **(f)** Maintain a ~~[permanent]~~ record of the results of all examinations it gives **in**  
22 **accordance with the retention policy established by the office of professional licensure and**  
23 **certification.**

24 ~~(h)]~~ **(g)** Keep all examination records including written examination records and tape  
25 recordings of the questions and answers in oral examinations **in accordance with the retention**  
26 **policy established by the office of professional licensure and certification.**

27 ~~(i)]~~ **(h)** Keep the records of the board open to public inspection at all reasonable times.

28 ~~(j)]~~ **(i)** Adopt and use a seal, the imprint of which, together with the signatures of the  
29 chairperson or vice-chairperson and the secretary-treasurer of the board, shall evidence its official  
30 acts.

31 ~~(k) Annually compile and publish a directory.]~~

32 6 Acupuncture; Disciplinary Hearings; Rules. Amend RSA 328-G:12, III(b) to read as follows:

33 (b) Disciplinary action taken under this paragraph may be ordered by the board in a  
34 decision made after a hearing in the manner provided by the rules adopted by the ~~[board]~~ **office of**  
35 **professional licensure and certification** and reviewed in accordance with RSA 541.

36 7 Repeals; Acupuncture. The following are repealed:

37 I. RSA 328-G:5, relative to mileage for the board of acupuncture licensing.

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1 II. RSA 328-G:7, IV and VII, relative to rulemaking on a register and hearings.

2 8 Alcohol and Other Drug Use Professionals; Board; Quorum. Amend RSA 330-C:3, IX to read  
3 as follows:

4 IX. The board shall elect a chairperson annually from among its membership. [~~Four~~  
5 ~~members~~] **A majority of the members** of the board **who have been approved by the governor**  
6 **and council** shall constitute a quorum.

7 9 Alcohol and Other Drug Use Professionals; Board; Removal. Amend RSA 330-C:3, XIII to read  
8 as follows:

9 XIII. The governor may remove any member from the board for neglect of any duty under  
10 RSA 330-C:5 or for incompetence, or unprofessional or dishonorable conduct. Any person may file a  
11 complaint against a board member or board members with the executive director of the office of  
12 professional licensure and certification. Upon receipt of a complaint, the [~~commissioner~~] **executive**  
13 **director** shall conduct an investigation and take any appropriate action and report his or her  
14 findings to the complainant. The provisions of RSA 4:1 controlling the removal of public officials  
15 from office shall be followed in dismissing board members.

16 10 Alcohol and Other Drug Use Professionals; Board; Duties. Amend RSA 330-C:5, VIII to read  
17 as follows:

18 VIII. Maintain records of proceedings as required by the laws of New Hampshire **and as set**  
19 **forth by the retention policy established by the office of professional licensure and**  
20 **certification.**

21 11 Alcohol and Other Drug Use Professionals; Records. RSA 330-C:7 is repealed and reenacted  
22 to read as follows:

23 330-C:7 Records. A true record of all of the board's official acts shall be made and preserved by  
24 the board through the office of professional licensure and certification in accordance with the  
25 retention policy established by the office. The records shall be public and shall be open to inspection  
26 at all reasonable times, except for records compiled in connection with disciplinary investigations  
27 and records otherwise exempt from disclosure under RSA 91-A or other applicable statutes.

28 12 Alcohol and Other Drug Use Professionals; Rulemaking. Amend RSA 330-C:9, I - V-b to read  
29 as follows:

30 I. [~~Application procedures and~~] Eligibility requirements for the issuance of all initial and  
31 renewal licenses issued by the board, including without limitation:

32 (a) The **eligibility requirements for the** issuance of LADC licenses to applicants  
33 holding a currently valid license or other authorization to practice substance use counseling in  
34 another jurisdiction;

35 (b) The **eligibility requirements for the** issuance of MLADC licenses to applicants  
36 holding a currently valid license or other authorization to practice substance use counseling and co-  
37 occurring disorder counseling in another jurisdiction;

1 (c) The *eligibility requirements for the* issuance of such licenses to applicants holding  
2 a current license issued by the board of nursing or the board of medicine; and

3 (d) The *eligibility requirements for the* issuance of a MLADC license under RSA 330-  
4 C:16.

5 II. [~~Application procedures and~~] Eligibility requirements for the reinstatement of licenses  
6 after lapse and after disciplinary action.

7 III. [~~Application procedures~~] *Eligibility requirements*, training requirements, and other  
8 criteria for the issuance of certification, renewal of certification, and reinstatement of certification  
9 for certified recovery support workers and certified recovery support worker supervisors.

10 IV. [~~The establishment of license and certificate application, late renewal, and~~  
11 ~~reinstatement fees required under this chapter.~~

12 V.] The process standards for approval of education programs for the continuing education  
13 requirements of this chapter and providers of such programs, and the process for approval of  
14 providers engaged in clinical supervision.

15 [~~V-a.~~] V. The process standards for approval of individuals engaged in clinical supervision.

16 [~~V-b.~~] V-a. The requirements for clinical supervision and the documentation of clinical  
17 supervision hours.

18 13 Alcohol and Other Drug Use Professionals; Applications. Amend RSA 330-C:15, I(a) to read  
19 as follows:

20 (a) Submit a completed application and pay fees established by the [~~board~~] *office of*  
21 *professional licensure and certification*;

22 14 Alcohol and Other Drug Use Professionals; Applicants From Other States. Amend RSA 330-  
23 C:21, I-a to read as follows:

24 I-a. An applicant whose state licensure meets the requirements in paragraph I shall be  
25 deemed able to practice in this state not more than 60 days after the application is received by the  
26 board pending final approval or denial for other reason by the board. [~~The board shall adopt rules~~  
27 ~~under RSA 541-A to ensure the timely review and approval of applications under this section.~~]

28 15 Alcohol and Other Drug Use Professionals; Hearings. Amend RSA 330-C:29, I to read as  
29 follows:

30 I. The board may hold adjudicative hearings concerning allegations of misconduct or other  
31 matters within the scope of this chapter. Such hearings shall be public proceedings. Any member of  
32 the board [~~other than the public members~~], or any other qualified person appointed by the board,  
33 shall have authority to preside at such a hearing and to issue oaths or affirmations to witnesses.

34 16 Repeals; Alcohol and Other Drug Use Professionals. The following are repealed:

35 I. RSA 330-C:3, XI, relative to mileage for board members.

36 II. RSA 330-C:9, IX, relative to rules for the conduct of hearings.

37 III. RSA 330-C:28, II, relative to retaining experts for investigations or hearings.

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1 17 Allied Health Professionals; Legal Counsel. Amend RSA 328-F:3, II to read as follows:

2 II. The governing boards' chairpersons or their appointees shall make up the board of  
3 directors of the office of licensed allied health professionals. [~~The board of directors shall contract for  
4 the services of investigators and legal counsel retained through the office of professional licensure  
5 and certification~~]. The board of directors shall have the authority to delegate to the person in the  
6 supervisory position matters of administrative and personnel management.

7 18 Allied Health Professionals; Records. Amend RSA 328-F:9 to read as follows:

8 328-F:9 Records of the Boards. A true record of all of each board's official acts shall be made  
9 and preserved *in accordance with the retention policy established by the office of*  
10 *professional licensure and certification*. The records shall be public and shall be open to  
11 inspection at all reasonable times, except for records compiled in connection with disciplinary  
12 investigations and records otherwise exempt from disclosure under RSA 91-A or other applicable  
13 statutes.

14 19 Allied Health Professionals; Records. RSA 328-F:10 is repealed and reenacted to read as  
15 follows:

16 328-F:10 Records of Disciplinary History. Each governing board shall maintain a list of persons  
17 against whom the board has taken any disciplinary action in accordance with the retention policy  
18 established by the office of professional licensure and certification. This list shall include the name  
19 of the person, the reason for the disciplinary action, the date of the disciplinary action, and the  
20 nature of the disciplinary action.

21 20 Allied Health Professionals; Rulemaking. Amend RSA 328-F:11 to read as follows:

22 328-F:11 Rulemaking by the Governing Boards.

23 I. The governing boards shall adopt rules pursuant to RSA 541-A establishing:

24 (a) The eligibility requirements for initial licensure and for initial certification if  
25 certification of individuals is authorized by their practice acts.

26 (b) The eligibility requirements for license renewal, including any continuing  
27 competency requirements and any requirements for education, clinical experience, and training.

28 (c) The eligibility requirements for renewal of certification, including any continuing  
29 competency requirements and any requirements for education, clinical experience, and training.

30 (d) If the governing boards issue conditional licenses or certifications, conditional  
31 renewal of licenses or certifications, or conditional reinstatement after lapse or suspension of  
32 licenses or certifications, the circumstances under which these are issued and the standards for the  
33 imposition of the conditions.

34 (e) The [~~application procedures and~~] eligibility requirements, including any continuing  
35 competency requirements, for the reinstatement of licenses suspended for disciplinary reasons and  
36 for such reinstatement of certifications if authorized by their practice acts.

1 (f) The ~~[application procedures and]~~ eligibility requirements, including any continuing  
2 competency requirements, for the reinstatement of lapsed licenses and for such reinstatement of  
3 certifications if authorized by their practice acts.

4 (g) ~~[The design and content of supplemental application forms requesting applicant  
5 information specific to the profession for which the applicant is applying, which forms may require a  
6 notarized affidavit that the information provided in the application is complete and accurate, and  
7 which do not request information already provided on forms adopted under RSA 328-F:13, IV.~~

8 ~~(h) Application procedures.~~

9 (i) The allocation of disciplinary sanctions in cases of misconduct by licensees and by  
10 certified individuals.

11 II. The governing boards may adopt rules pursuant to RSA 541-A that specify, for their  
12 respective professions:

13 (a) The scope of practice.

14 (b) The ethical standards.

15 (c) The eligibility requirements ~~[and procedures]~~ for the issuance of licenses to  
16 applicants currently licensed in foreign countries and territories and in the territories of the United  
17 States.

18 (d) What constitutes, for disciplinary purposes, sexual relations with and sexual  
19 harassment of, a client or patient.

20 21 Allied Health Professionals; Licenses. Amend RSA 328-F:18, I through the introductory  
21 paragraph of RSA 328-F:18, III to read as follows:

22 I. Each governing board shall issue initial licenses and license renewals to applicants who  
23 have completed the ~~[required]~~ application procedures ***established by the office of professional***  
24 ***licensure and certification*** and have met the eligibility requirements established by the practice  
25 act and the rules of the governing board. If a governing board is authorized by its practice act to  
26 issue provisional licenses, it shall issue such licenses to applicants who have completed the  
27 ~~[required]~~ application procedures ***established by the office of professional licensure and***  
28 ***certification*** and have met the eligibility requirements for provisional licensure established by the  
29 practice act and the rules of the governing board.

30 II. The governing boards shall take no action on an application for any type of license, or  
31 reinstate any lapsed or suspended license, until the applicant has completed the application  
32 procedures ~~[required by the practice acts and the rules of the governing boards]~~ ***established by the***  
33 ***office of professional licensure and certification.***

34 III. To ~~[insure]~~ ***ensure*** the competency of licensees, the governing boards are authorized to  
35 issue initial licenses, license renewals, and reinstatements of licensure after lapse or suspension for  
36 disciplinary reasons that are conditional in nature. Such conditional licenses may include the  
37 following conditions on the licensee's authorization to practice:

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1 22 Allied Health Professionals; Reinstatement. Amend RSA 328-F:24, III to read as follows:

2 III. Governing boards are authorized to conduct disciplinary proceedings in accordance with  
3 procedural rules adopted by the ~~[board of directors]~~ **office of professional licensure and**  
4 **certification**.

5 23 Repeals; Allied Health. The following are repealed:

6 I. RSA 328-F:6, relative to compensation for governing board members.

7 II. RSA 328-F:12, I and IV, relative to a report of funds.

8 III. RSA 328-F:13, II-V, relative rulemaking by the allied health board of directors.

9 24 Repeals; Genetic Counselors. The following are repealed:

10 I. RSA 326-K:7, relative to compensation of the genetic counselors governing board.

11 II. RSA 326-K:9, II, relative to application procedures.

12 25 Physical Therapists; Powers of the Board. Amend RSA 328-A:3, IV to read as follows:

13 IV. Employ or contract with any entity for the purpose of administering examinations  
14 authorized by this chapter **through the office of professional licensure and certification**.

15 26 Repeals; Physical Therapists. The following are repealed:

16 I. RSA 328-A:3, VIII-XI, relative to duties of the board.

17 II. RSA 328-A:15, I, relative to licensee information.

18 27 Respiratory Care; Rulemaking. Amend RSA 326-E:2, III to read as follows:

19 III. Specifying the ~~[application procedures and]~~ eligibility requirements to be met by persons  
20 or entities seeking approval as providers of continuing education programs.

21 28 Respiratory Care; Rulemaking. Amend RSA 326-E:11, III to read as follows:

22 III. The board shall establish, through rules adopted pursuant to RSA 541-A, ~~[application~~  
23 ~~procedures and]~~ eligibility requirements for the approval of persons and entities as providers of  
24 continuing education programs.

25 29 Repeals; Respiratory Care. The following are repealed:

26 I. RSA 326-E:5, II(b) and (c), relative to duties of the governing board.

27 II. RSA 326-E:7, I, relative to licensee and governing board information.

28 30 Speech-language Pathology; Reinstatement. Amend RSA 326-F:7-a, III and IV to read as  
29 follows:

30 III. Complies with any reinstatement application procedures established by the ~~[board]~~  
31 **office of professional licensure and certification** in rules adopted pursuant to RSA 541-A.

32 IV. Pays the reinstatement fee **established by the office of professional licensure and**  
33 **certification**.

34 31 Repeal; Speech-language Pathology. RSA 326-F:5, II, relative to rules for applications, is  
35 repealed.

36 32 Barbering, Cosmetology, Esthetics; Board; Quorum. Amend RSA 313-A:2, V to read as  
37 follows:



1 V. The board shall hold at least 6 regular meetings each year. Special meetings may be  
 2 called at such times as the rules of the board may provide. A quorum of the board shall consist of ~~no~~  
 3 ~~fewer than 4 members~~ **a majority of the members of the board who have been approved by**  
 4 **the governor and council.** All meetings of the board shall be open to the public, except when the  
 5 board conducts a nonpublic session under RSA 91-A.

6 33 Barbering, Cosmetology, Esthetics; Records. Amend RSA 313-A:4 to read as follows:

7 313-A:4 Maintenance of Records. The board shall maintain a record containing the names and  
 8 addresses of all licensees and of all salons, barbershops and schools licensed pursuant to this chapter  
 9 ~~and~~ **in accordance with the retention policy established by the office of professional**  
 10 **licensure and certification. The board** shall issue all notices, license and registration  
 11 certificates. The record shall include the date of issuance, renewal, suspension or revocation of all  
 12 licenses. This record shall be open to public inspection at all reasonable times.

13 34 Barbering, Cosmetology, Esthetics; Board Duties. Amend RSA 313-A:7, I(a)-(d) to read as  
 14 follows:

15 (a) Prescribe the duties of its officers ~~and employees~~;

16 (b) Establish an office, within the office of professional licensure and certification at  
 17 which all records and files of the board shall be kept **in accordance with the retention policy**  
 18 **established by the office of professional licensure and certification;**

19 (c) Maintain a telephone line or an electronic mail address for the purpose of accepting  
 20 consumer complaints;

21 (d) Keep a record of its proceedings **in accordance with the retention policy**  
 22 **established by the office of professional licensure and certification;**

23 35 Barbering, Cosmetology, Esthetics; Applications. Amend RSA 313-A:16 to read as follows:

24 313-A:16 Applications. Applicants shall make written application to the ~~secretary of the~~ board  
 25 on a form prescribed and supplied by the ~~board~~ **office of professional licensure and**  
 26 **certification** which shall contain satisfactory evidence of the qualifications required of the  
 27 applicant; and the applicant shall also pay the examination fee.

28 36 Repeals; Barbering, Cosmetology, Esthetics. The following are repealed:

29 I. RSA 313-A:6, relative to compensation of board members.

30 II. RSA 313-A:7, I(f) and (g), relative to reports and fees.

31 37 Body Art; Advisory Board; Compensation. Amend the introductory paragraph of RSA 314-  
 32 A:14 to read as follows:

33 314-A:14 Advisory Board of Body Art Practitioners. The executive director shall establish the  
 34 advisory board of body art practitioners. The board shall consist of 3 body art practitioners who are  
 35 licensees in the state of New Hampshire. Each member shall be appointed to a term of 3 years. No  
 36 member shall serve more than 2 consecutive full terms. ~~Each member of the advisory board shall~~  
 37 ~~receive as compensation the sum of \$45 for each day actually devoted to the work of the advisory~~

1 ~~board and shall be reimbursed for necessary traveling expenses incurred in the discharge of such~~  
2 ~~duty.]~~ The advisory board shall:

3 38 Chiropractic; Rulemaking. Amend RSA 316-A:3, IV to read as follows:

4 IV. Procedures for oral examinations and interviews, if appropriate. Such rules shall  
5 include a listing of permissible areas of inquiry and a statement of the means by which the inquiry  
6 shall be recorded. Transcripts or recordings shall be maintained by the board or commission [~~for a~~  
7 ~~period of not less than 90 days]~~ ***in accordance with the retention policy established by the***  
8 ***office of professional licensure and certification.***

9 39 Chiropractic; Board Meetings. Amend RSA 316-A:7 to read as follows:

10 316-A:7 Organization; Meetings. The board shall elect a chairperson [~~and a secretary-~~  
11 ~~treasurer]~~. The board shall meet quarterly and at such other times as the business of the board  
12 shall require. ***A quorum shall consist of a majority of the members of the board who have***  
13 ***been approved by the governor and council.***

14 40 Repeals; Chiropractic. The following are repealed:

15 I. RSA 316-A:3, VIII-XII and XVII, relative to rules on licensee information, hearings and  
16 fees.

17 II. RSA 316-A:6, relative to board member successors.

18 III. RSA 316-A:9, relative to compensation of board members.

19 IV. RSA 316-A:10, relative to a report.

20 V. RSA 316-A:16, relative to licensure without exam of certain persons.

21 41 Dentistry; Board Meetings. Amend RSA 317-A:4, II to read as follows:

22 II. The board shall choose one of its members as its president and one of its members as  
23 vice-president. [~~Five members]~~ ***A majority of the members of the board who have been***  
24 ***approved by the governor and council*** shall constitute a quorum. No board action shall be taken  
25 without an affirmative vote of the majority of board members present and eligible to participate in  
26 the matter in question. Board members shall not be eligible to participate in a vote when the board  
27 member has recused himself or herself from participation due to a conflict of interest. The board  
28 shall meet once a year and at such other times and places as it may deem proper. A true record of  
29 all their official acts shall be made and preserved by the [~~board's executive director]~~ ***office of***  
30 ***professional licensure and certification in accordance with the retention policy established***  
31 ***by the office.*** The records shall be public and shall be open to inspection at all reasonable times,  
32 except for records compiled in connection with disciplinary proceedings, which are subject to RSA  
33 317-A:18.

34 42 New Paragraph; Dentistry; Professional Health Program. Amend RSA 317-A:16-a by  
35 inserting after paragraph VI the following new paragraph:

36 VII. Rules governing the professional health program shall be implemented through the  
37 office of professional licensure and certification pursuant to RSA 310-A:1-d, II(h)(4).

1 43 Dentistry; Licensure of Hygienists. Amend RSA 317-A:21, II to read as follows:

2 II. Applications for licensure as a dental hygienist shall be made to the board in writing and  
3 shall be accompanied by a fee established by the ~~board~~ **office of professional licensure and**  
4 **certification** and by satisfactory proof that the applicant is a graduate of a school of dentistry or a  
5 school of dental hygiene with a minimum of a 2-year program in an institution of higher education,  
6 the program of which is accredited by a national accrediting agency recognized by the United States  
7 Department of Education and the Commission on Dental Accreditation.

8 44 Repeals; Dentistry. The following are repealed:

9 I. RSA 317-A:2, III, relative to compensation of board members.

10 II. RSA 317-A:2-a, I(d), relative to compensation of hygienists committee members.

11 III. RSA 317-A:4, I(d)-(f), relative to duties of the board.

12 IV. RSA 317-A:5, relative to reports and receipts.

13 V. RSA 317-A:10, relative to attested licenses.

14 VI. RSA 317-A:12, I, II, V, and VII-X, relative to rules on applications, fees, and hearings.

15 VII. RSA 317-A:18, II, relative to retaining experts for investigations.

16 45 Dieticians; Board Records. Amend RSA 326-H:9, III to read as follows:

17 III. Maintain a true record of the board's official acts **through the office of professional**  
18 **licensure and certification and in accordance with the retention policy established by the**  
19 **office**, which shall be public and open to inspection at all reasonable times, except for records  
20 compiled in connection with disciplinary proceedings.

21 46 Dieticians; Rules. Amend RSA 326-H:10, I to read as follows:

22 I. The ~~application procedures~~ **eligibility requirements** for licensure or temporary  
23 licensure to practice as a licensed dietitian in this state.

24 47 Dieticians; License Fees. Amend RSA 326-H:12, V to read as follows:

25 V. Pay the ~~[\$110]~~ license fee **established by the office of professional licensure and**  
26 **certification**.

27 48 Dieticians; License Renewals. Amend RSA 326-H:14, II to read as follows:

28 II. All licenses issued by the board shall be renewed biennially or reissued pursuant to rules  
29 adopted and upon payment of a ~~[\$110]~~ license renewal fee **established by the office of**  
30 **professional licensure and certification**. The board shall cause notification of impending license  
31 expiration to be sent to each licensed person at least 60 days prior to the expiration of the license.  
32 Licenses shall continue as valid until final action is exercised by the board on an application for  
33 renewal, provided that the application is filed before the expiration date of the license.

34 49 Repeal; Dieticians. The following are repealed:

35 I. RSA 326-H:7, IV, relative to travel expenses for board members.

36 II. RSA 326-H:10, III, V, VII, and VIII, relative to rules on fees and hearings.

1       50 Repeal; Electrologists. RSA 314:2-a, IV, relative to compensation for the electrology advisory  
2 committee, is repealed.

3       51 Funeral Directors; Board. Amend RSA 325:2, I to read as follows:

4           I. There shall be a board of registration of funeral directors and embalmers consisting of 5  
5 members, including 4 funeral directors or embalmers and one public member, appointed by the  
6 governor, with the approval of the council, to serve terms of 5 years. No member of the board shall  
7 be appointed to more than 2 consecutive terms. ~~[The commissioner of the department of health and  
8 human services, or his designee, shall serve as a non-voting secretary of the board.]~~

9       52 Funeral Directors; Quorum. Amend RSA 325:8 to read as follows:

10       325:8 Organization; Quorum. Within 30 days after appointment and qualification of a member,  
11 the board shall meet and elect from among its members a chairperson and such other officers as the  
12 board may provide for by rule. This organization shall continue until the appointment of a new  
13 member or upon the resignation of an existing board officer. The office of secretary and treasurer  
14 may be held by one member. ~~[Three members]~~ ***A majority of the members of the board who***  
15 ***have been approved by the governor and council*** shall constitute a quorum for the transaction  
16 of business.

17       53 Funeral Directors; Rules. Amend RSA 325:9, IV to read as follows:

18           IV. ~~[How a license to practice under this chapter shall be renewed]~~ ***Eligibility***  
19 ***requirements for renewal of license***, including the requirements for continuing education;

20       54 Funeral Directors; Licensure. Amend RSA 325:20 to read as follows:

21       325:20 Licensure. The board shall issue to each applicant successfully passing the examination,  
22 where an examination is required, and who otherwise satisfies the board of ***her or*** his qualifications,  
23 a license, ~~[signed by all the members of the board,]~~ entitling ***her or*** him to practice or engage in the  
24 business in this state as a funeral director, embalmer, or both, as the case may be.

25       55 Funeral Directors; Interstate Agreements. Amend RSA 325:22-a to read as follows:

26       325:22-a Interstate Agreements. The board may enter into an agreement with the corresponding  
27 licensing authority of any other state competent to enter into such agreement which shall permit a  
28 nonresident person duly registered and licensed as a funeral director or embalmer in any state  
29 signing the agreement with the board to go into the other state for the purpose of handling,  
30 embalming, transporting, and burying dead human bodies and directing funerals as though he ***or***  
31 ***she*** were licensed under the laws of New Hampshire, except that he ***or she*** shall not maintain an  
32 establishment, advertise, have any agent or agency, or otherwise hold himself ***or herself*** out as a  
33 funeral director or embalmer other than in his ***or her*** native state; provided that the agreement will  
34 set forth that the licensing authority of the state in which the funeral director or embalmer is  
35 licensed will assume the responsibility for instituting disciplinary action against any licensed  
36 funeral directors or embalmers who may be guilty of unprofessional conduct in the practice of their

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1 business in New Hampshire when such is reported by this board and the same to apply to New  
2 Hampshire *individuals* licensed ~~[men]~~ ***under this chapter.***

3 56 Funeral Directors; Notification. Amend RSA 325:24 to read as follows:

4 325:24 Notices of Expiration. On or before May 15 of each odd-numbered year, the board shall  
5 ~~[mail to]~~ ***notify*** each holder of a license ~~[a notice]~~ of the expiration of ***her or*** his license and an  
6 application for the renewal thereof.

7 57 Repeal; Funeral Directors. The following are repealed:

8 I. RSA 325:6, relative compensation of board members.

9 II. RSA 325:9, I, V, and VIII, relative to rules on applications, fees, and hearings.

10 III. RSA 325:11, relative to a register of licensees.

11 IV. RSA 325:12, relative to a board treasurer.

12 V. RSA 325:33, II, relative to investigations.

13 VI. RSA 325:39, relative to an account.

14 VII. RSA 325:42, relative to a special fund.

15 58 Hearing Care Providers; Board of Hearing Care Providers. Amend RSA 137-F:3, VII to read  
16 as follows:

17 VII. A quorum of the board shall be ~~[4 members]~~ ***a majority of the members of the board***  
18 ***who have been approved by the governor and council.***

19 59 Hearing Care Providers; Rulemaking. Amend RSA 137-F:6, I and II to read as follows:

20 I. The ~~[form and]~~ content of audiologist license applications and examinations.

21 II. The ~~[form and]~~ content of hearing aid dealer registration applications and examinations.

22 60 Hearing Care Providers; Application for Registration; Fees. RSA 137-F:9 is repealed and  
23 reenacted to read as follows:

24 137-F:9 Application for Registration. An application for a certificate of registration under this  
25 chapter shall be filed with the board in such form and detail as required in accordance with rules  
26 adopted under RSA 541-A.

27 61 Hearing Care Providers; Record. RSA 137-F:29 is repealed and reenacted to read as follows:

28 137-F:29 Record. The board shall maintain a record of its proceedings in accordance with the  
29 retention policy established by the office of professional licensure and certification.

30 62 Repeal; Hearing Care Providers. The following are repealed:

31 I. RSA 137-F:3, V, relative to mileage for members of board of hearing care providers.

32 II. RSA 137-F:4, relative to board subcommittees.

33 III. RSA 137-F:5, VIII and IX, relative to certain powers and duties of the board.

34 IV. RSA 137-F:6, V, XII, and XIII, relative to the board's rulemaking authority.

35 V. RSA 137-F:21, III, relative to the board's authority to appoint legal counsel and  
36 investigatory experts.

1           63 Medical Imaging and Radiation Therapy; Board Responsibilities. Amend RSA 328-J:7 to  
2 read as follows:

3           328-J:7 Board Responsibilities; Rulemaking Authority. The board shall adopt rules, pursuant to  
4 RSA 541-A, relative to:

5           I. ~~[The application procedure for any license issued under this chapter.~~

6           ~~II.]~~ The qualifications of applicants in addition to those required by statute.

7           ~~III.] II.~~ The ~~[design and]~~ content of all forms required under this chapter.

8           ~~IV.]~~ ~~The establishment of all fees required under this chapter.~~

9           ~~V.] III.~~ How an applicant shall be examined, including:

10           (a) Time and place of examination.

11           (b) The subjects to be tested.

12           (c) Passing grade.

13           (d) Disposition of examination papers.

14           ~~VI.]~~ ~~How a license shall be renewed, reinstated, or placed on inactive status.~~

15           ~~VII.] IV.~~ Ethical standards, required to be met by each limited x-ray machine operator,  
16 medical imaging professional, and radiation therapist licensed under this chapter, and how a license  
17 may be revoked for violation of these standards.

18           ~~VIII.] V.~~ Establishment of the scope of practice for limited x-ray machine operators, medical  
19 imaging professionals, and radiation therapists.

20           ~~IX.] VI.~~ Procedures for assuring the continuing competence of limited x-ray machine  
21 operators, medical imaging professionals, and radiation therapists licensed under this chapter  
22 including, but not limited to, continuing education requirements and the professional's health  
23 program.

24           ~~X.] VII.~~ How licensees shall provide evidence of good professional character and reliability  
25 to satisfy the board that they shall faithfully and conscientiously avoid professional misconduct and  
26 otherwise adhere to the requirements of this chapter.

27           ~~XI.]~~ ~~Procedures for accepting and responding to written complaints, publicizing the~~  
28 ~~complaint procedure, standards of and procedures for conducting investigations, investigator~~  
29 ~~training requirements, and procedures for conducting disciplinary hearings and alternative dispute~~  
30 ~~resolution under this chapter.~~

31           ~~XII.]~~ ~~Procedures relative to the disclosure to the public of final disciplinary actions by the~~  
32 ~~board, including those actions that occur without holding a public hearing. Dismissed complaints~~  
33 ~~shall not be made public.~~

34           ~~XIII.] VIII.~~ Standards of care for the practice of telemedicine or telehealth.

35           ~~XIV.] IX.~~ Interstate licensure and temporary permits under RSA 328-J:20.

36           ~~XV.] X.~~ ~~[Procedures for an educational program review and approval to follow in making~~  
37 ~~application for] **Standards for educational program** approval by the board.~~

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1           ~~[XVI.]~~ **XI.** A process for reviewing the accreditation status of an educational program which  
2 is currently accredited by a recognized national educational accreditation organization.

3           64 Medical Imaging and Radiation Therapy; Hearings. Amend RSA 328-J:18, V to read as  
4 follows:

5           V. Any disciplinary action by the board shall be ~~[published in the report of the board and~~  
6 ~~shall be]~~ a public record in accordance with RSA 91-A.

7           65 Repeal; Medical Imaging and Radiation Therapy. RSA 328-J:3, IV, relative to compensation  
8 for members of the board of medical imaging and radiation therapy, is repealed.

9           66 Board of Registration of Medical Technicians; Rulemaking. RSA 328-I:4 is repealed and  
10 reenacted to read as follows:

11           328-I:4 Rulemaking. The board shall adopt rules, pursuant to RSA 541-A, relative to:

12           I. Registration eligibility requirements.

13           II. Eligibility requirements for renewal or reinstatement of a registration to work as a  
14 medical technician.

15           III. The imposition of administrative fines.

16           IV. Procedures for the approval or denial of an application.

17           V. Procedures for sharing information with other in-state boards, the office of inspector  
18 general, department of health and human services, out-of-state boards and law enforcement entities.

19           67 Repeals; Board of Registration of Medical Technicians. The following are repealed:

20           I. RSA 328-I:2, III, relative to compensation for members of the board of registration of  
21 medical technicians.

22           II. RSA 328-I:3, V, VII, VIII, IX, and X, relative to certain duties of the board.

23           III. RSA 328-I:10, XI, relative to notice of disciplinary actions by the board.

24           IV. RSA 328-I:15, relative to the board's annual report.

25           68 Physician Assistants; Conditions for Licensure. Amend the introductory paragraph of RSA  
26 328-D:3, I to read as follows:

27           I. To apply for licensure by the board as a physician assistant, an applicant shall file a  
28 written application on forms provided by the ~~[board]~~ **office of professional licensure and**  
29 **certification** and pay an application fee. The applicant to be licensed shall:

30           69 Physician Assistants; Rulemaking. Amend RSA 328-D:10, I,(b) to read as follows:

31           (b) ~~[Form and]~~ Content of the application for licensure.

32           70 Physician Assistants; Recordkeeping. RSA 328-D:11 is repealed and reenacted to read as  
33 follows:

34           328-D:11 Recordkeeping. The board shall keep a record of its proceedings under this chapter in  
35 accordance with the retention policy established by the office of professional licensure and  
36 certification.

1 71 Repeal; Physician Assistants. RSA 328-D:10, I(c) and (d), relative to the board of medicine's  
2 rulemaking authority regarding application procedures and the conduct of hearings for physician  
3 assistants, are repealed.

4 72 Physicians and Surgeons; Records. Amend RSA 329:8 to read as follows:

5 329:8 Records. A true record of all of the board's official acts shall be made and preserved ~~by~~  
6 ~~the administrator]~~ **in accordance with the retention policy established by the office of**  
7 **professional licensure and certification.** The records shall be public and shall be open to  
8 inspection at all reasonable times, except for records compiled in connection with disciplinary  
9 investigations and records otherwise exempt from disclosure under RSA 91-A, RSA 329:18, or other  
10 applicable statutes.

11 73 Physicians and Surgeons; Professionals' Health Program. Amend RSA 329:13-b, V(a) to read  
12 as follows:

13 V.(a) The ~~board]~~ **office of professional licensure and certification** may contract with  
14 other organizations to operate the professionals' health program for physicians and physician  
15 assistants who are impaired or potentially impaired because of mental or physical illness including  
16 substance abuse or disruptive behavior. This program shall be available to all physicians and  
17 physician assistants licensed in this state, all physicians and physician assistants seeking licensure  
18 in this state, and all resident physicians in training, and shall include, but shall not be limited to,  
19 education, intervention, ongoing care or treatment, and post-treatment monitoring.

20 74 New Paragraph; Physicians and Surgeons; Professionals' Health Program. Amend RSA  
21 329:13-b by inserting after paragraph VI the following new paragraph:

22 VII. Rules governing the program shall be implemented through the office of professional  
23 licensure and certification pursuant to RSA 310-A:1-d, II(h)(4).

24 75 Physicians and Surgeons; Notice of Renewal. Amend RSA 329:16-d to read as follows:

25 329:16-d Notice of Renewal. On or before March 1 of each licensee's renewal year, the board  
26 shall ~~mail]~~ **notify** each licensee, except those on the inactive list, an application for renewal of  
27 license.

28 76 Physicians and Surgeons; Disciplinary Action. Amend RSA 329:17, V-a to read as follows:

29 V-a. A medical review subcommittee of 13 members shall be nominated by the board of  
30 medicine and appointed by the governor and council. The subcommittee shall consist of 13 persons,  
31 9 of whom shall be physicians, one of whom shall be a physician assistant, and 3 of whom shall be  
32 public members. One of the physician members shall practice in the area of pain medicine and  
33 anesthesiology. No public member of the subcommittee shall be or ever have been a member of the  
34 medical profession or the spouse of a member of the medical profession. No public member shall  
35 have or ever have had a material financial interest in either the provision of medical services or an  
36 activity directly related to medicine, including the representation of the board or profession for a fee.  
37 The terms of the public members shall be staggered so that no 2 public members' terms expire in the



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1 same year. The subcommittee members shall be appointed for 3-year terms, and shall serve no more  
2 than 2 terms. Upon referral by the board, the subcommittee shall review disciplinary actions  
3 reported to the board under paragraphs II-V of this section, except that matters concerning a  
4 medical director involved in a current internal or external grievance pursuant to RSA 420-J shall not  
5 be reviewed until the grievance process has been completed. Following review of each case, the  
6 subcommittee shall make recommendations to the board. ~~[Funds shall be appropriated from the  
7 general fund for use by the subcommittee to investigate allegations under paragraphs I-V of this  
8 section.]~~ The state of New Hampshire, by the board and the office of professional licensure and  
9 certification, and with the approval of governor and council, shall contract with a qualified physician  
10 to serve as a medical review subcommittee investigator.

11 77 Physicians and Surgeons; Disciplinary Action. Amend RSA 329:17, XIII to read as follows:

12 XIII. When an investigation of a complaint against a licensee is determined to be unfounded,  
13 the board shall dismiss the complaint and explain in writing to the complainant its reason for  
14 dismissing the complaint. The board may destroy all information collected during the course of the  
15 investigation ~~[after 3 years]~~ ***in accordance with the retention policy established by the office***  
16 ***of professional licensure and certification.*** The board shall retain a record only noting that an  
17 investigation was conducted and that the board determined the complaint to be unfounded. For the  
18 purpose of this paragraph, a complaint shall be deemed to be unfounded if it does not fall within the  
19 jurisdiction of the board, does not relate to the actions of the licensee, or is determined by the board  
20 to be frivolous.

21 78 Physicians and Surgeons; Denial or Revocation of License. Amend RSA 329:17-c to read as  
22 follows:

23 329:17-c Denial or Revocation of License. Upon receipt of an administratively final order from  
24 the licensing authority of another jurisdiction which imposes disciplinary sanctions against a  
25 licensee of the board, or a person applying for such license, the board may issue an order directing  
26 the licensee or applicant to appear and show cause why similar disciplinary sanctions or, in the case  
27 of an applicant, license denial or restriction, should not be imposed in the state. In any such  
28 proceeding, the decision of the foreign licensing authority may not be collaterally attacked, but the  
29 licensee or applicant shall be given the opportunity to demonstrate why a lesser sanction should be  
30 imposed. The board may issue any disciplinary sanction or take any action with regard to a license  
31 application pursuant to this section otherwise permitted by this chapter, including sanctions or  
32 actions which are more stringent than those imposed by the foreign jurisdiction. ~~[The board may  
33 adopt summary procedures for handling proceedings brought under this chapter, but shall furnish  
34 the respondent at least 10 days' written notice and a reasonable opportunity to be heard.]~~ The board  
35 may require a licensee to suspend practice in this state as a condition of postponing a hearing date  
36 established for allegations brought under this section.

1           79 Physicians and Surgeons; Denial or Revocation of License. Amend RSA 329:18, II to read as  
2 follows:

3           II. The board through the office of professional licensure and certification may retain expert  
4 witnesses or other qualified persons to assist with any investigation or adjudicatory proceeding.  
5 Members of the board are not eligible for retainment. ~~[The board may also retain special legal  
6 counsel in instances when recommended by the attorney general. To the extent the board's existing  
7 appropriation does not include funds covering such expenditures, the board through the office of  
8 professional licensure and certification may request the governor and council to expend funds not  
9 otherwise appropriated on the condition that such funds be recovered in the board's next budget at  
10 the rate of 125 percent.]~~

11           80 Repeal; Physicians and Surgeons. The following are repealed:

12           I. RSA 329:2, II(e), III, and IV, relative to duties of the board of medicine regarding  
13 physicians and surgeons.

14           II. RSA 329:5, relative to compensation for members of the board and the medical review  
15 subcommittee.

16           III. RSA 329:9, I, VI, and VII, relative to rulemaking authority regarding applications,  
17 hearings, and fees.

18           IV. RSA 329:14, IV, relative to license format.

19           V. RSA 329:19, relative to record of accounts.

20           81 Mental Health Practice; Committees Established; Duties. Amend RSA 330-A:4, I and I-a to  
21 read as follows:

22           I. The board ~~shall~~ **may** create an advisory committee for each mental health discipline it  
23 licenses for the purpose of assisting the board in its responsibilities under RSA 330-A:10, II, and  
24 RSA 330-A:10, VII-XV. The board member of each mental health discipline shall serve as the chair  
25 of that advisory committee. The balance of the membership of each of the advisory committees shall  
26 be composed of at least 2 persons and no more than 4 persons licensed in the mental health  
27 discipline of that committee.

28           I-a. The board ~~shall~~ **may** create a professional conduct investigation committee for the  
29 purpose of assisting the board in its responsibilities under RSA 330-A:28 and RSA 330-A:29. A  
30 board investigator, appointed by the chairperson of the board with the advice of the board, shall  
31 serve as the chair of the professional conduct investigation committee. The balance of the  
32 membership of the professional conduct investigation committee shall be composed of one licensed  
33 clinical social worker, one licensed clinical mental health counselor, and additional members from  
34 the professions licensed by the board to a maximum of 12 members.

35           82 Mental Health Practice; Organization and Meetings. Amend RSA 330-A:9, I to read as  
36 follows:

1 I. The board shall hold regular annual meetings. Other meetings of the board shall be held  
2 at such times and upon such notice as the rules of the board provide. [~~Five members~~] ***A majority of***  
3 ***the members of the board who have been approved by the governor and council*** shall  
4 constitute a quorum.

5 83 Mental Health Practice; Board; Responsibilities and Rulemaking Authority. RSA 330-A:10 is  
6 repealed and reenacted to read as follows:

7 330-A:10 Board; Responsibilities and Rulemaking Authority. The board shall adopt rules,  
8 pursuant to RSA 541-A, relative to:

9 I. Procedures for expedited licensure for applicants from other states who qualify under RSA  
10 330-A:26.

11 II. The qualifications of applicants in addition to those requirements set by statute.

12 III. How an applicant shall be examined, including:

13 (a) Time and place of examination.

14 (b) The subjects to be tested.

15 (c) Passing grade.

16 (d) Disposition of examination papers.

17 IV. Ethical standards, as promulgated by the American Association of Pastoral Counselors,  
18 required to be met by each pastoral psychotherapist licensed under this chapter, and how a license  
19 may be revoked for violation of these standards.

20 V. Ethical standards, as promulgated by the National Association of Social Workers,  
21 required to be met by each licensed clinical social worker, and how a license may be revoked for  
22 violation of these standards.

23 VI. Ethical standards, including those promulgated by the American Clinical Mental Health  
24 Counselors Association, required to be met by each licensed clinical mental health counselor, and  
25 how a license may be revoked for violations of these standards.

26 VII. Ethical standards, including those promulgated by the American Association of  
27 Marriage and Family Therapy, required to be met by each licensed marriage and family therapist,  
28 and how a license may be revoked for violations of these standards.

29 VIII. Compliance with the mental health client bill of rights as authorized under RSA 330-  
30 A:15.

31 IX. Procedures, standards, and supervision requirements for candidates for licensure as a  
32 member of one of the licensed mental health disciplines, consistent with the standards established  
33 by the advisory committee for each of the licensed mental health disciplines. All candidates for  
34 licensure shall be documented with the board. The supervision shall be at a location mutually  
35 convenient to both the supervisor and the candidate for licensure.

1 X. Establishment of the scope of practice for each mental health discipline licensed under  
2 this chapter, consistent with the standards established by the advisory committee for each of the  
3 licensed mental health disciplines.

4 XI. Procedures for assuring the continuing competence of persons licensed under this  
5 chapter including, but not limited to, continuing education requirements, provided that at least 3  
6 hours of the required continuing education units for biennial renewal shall be from a nationally  
7 recognized, evidence-based or best practices training organization in the area of suicide prevention,  
8 intervention, or post-vention and how mental illness, substance use disorders, trauma, or  
9 interpersonal violence directly impacts risk for suicide.

10 XII. How licensees shall provide evidence of good professional character and reliability to  
11 satisfy the board that they shall faithfully and conscientiously avoid professional misconduct and  
12 otherwise adhere to the requirements of this chapter.

13 XIII. The content of the materials and information to be distributed under RSA 330-A:14.

14 XIV. Requirements to be met by licensees relative to the disclosure of information to  
15 patients and the general public concerning the nature of mental health care and the responsibilities  
16 of mental health practitioners to clients in RSA 330-A:15.

17 XV. Procedures and mechanisms for providing interdisciplinary collaboration among the  
18 mental health disciplines.

19 84 Mental Health Practice; Applicants From Other States. Amend RSA 330-A:26, II to read as  
20 follows:

21 II. An applicant whose state licensure meets the requirements in paragraph I shall be  
22 allowed to practice in this state not more than 30 days after the application is received by the board,  
23 pending final approval or denial of the license for other reason by the board. The board shall adopt  
24 rules under RSA 330-A:10, I [~~and I-a~~] **relative** to [~~ensure the timely review and approval of~~  
25 ~~applications under this section~~] **procedures for expedited licensure for applicants from other**  
26 **states.**

27 85 Mental Health Practice; Hearings. Amend RSA 330-A:29, IV to read as follows:

28 IV. The respondent shall be heard in his or her defense either in person or by counsel and  
29 may produce witnesses and testify in his or her behalf. A [~~stenographic~~] record of the hearing shall  
30 be taken and preserved. The hearing may be adjourned from time to time.

31 86 Repeal; Mental Health Practice. The following are repealed:

32 I. RSA 330-A:7, relative to compensation and expenses.

33 II. RSA 330-A:13, relative to records and reports.

34 87 Midwifery; Powers and Duties of the Council. Amend RSA 326-D:4, I to read as follows:

35 I. The powers and duties of the council shall include:

36 (a) Certifying eligible applicants for certification under this chapter.

37 (b) [~~Establishing fees for examination of applicants.~~]

1           ~~(e)~~] Investigating complaints against persons certified under this chapter.

2           ~~[(d)]~~ **(c)** Undertaking, when appropriate, disciplinary proceedings and disciplinary  
3 action against persons certified under this chapter.

4           ~~[(e) Reporting to the commissioner immediately on all complaints received and  
5 disciplinary action taken.]~~

6           88 Midwifery; Rulemaking. Amend RSA 326-D:5 to read as follows:

7           326-D:5 Rulemaking.

8           I. The council shall adopt rules, pursuant to RSA 541-A, relative to:

9           (a) Qualifications for the practice of midwifery.

10          (b) The teaching of midwifery.

11          (c) The scope of practice and procedures in the practice of midwifery, including policies  
12 for professional direction and supervision.

13          (d) ~~[Procedures]~~ **Eligibility requirements** for the certification of midwives and the  
14 issuance of certificates of midwifery, including procedures for provisional certification and  
15 recertification after certification has lapsed.

16          (e) Renewal ~~[procedures]~~ **eligibility requirements**, including requirements for  
17 continuing education and peer review.

18          (f) Diagnostic and laboratory tests midwives may administer and perform and the  
19 proper administration of RSA 326-D:12.

20          (g) Standards for reciprocity.

21          (h) ~~[Establishing examination fees authorized under RSA 326-D:4, I(b)].~~

22          ~~(i)~~ Establishing all administrative fines authorized under RSA 326-D:8, III(a)(4).

23          ~~[(j)]~~ **(i)** Reporting requirements relative to client information and notification of  
24 transfers.

25          II. No rule relative to the scope of midwifery practice shall exceed the parameters of the  
26 definition of "midwifery" under RSA 326-D:2, V.

27          ~~[III. Notwithstanding RSA 541-A:16, I(b)(2), the council shall adopt the model rules for  
28 adjudicative hearings adopted by the attorney general under RSA 541-A:30-a. The council may  
29 adopt supplements or modifications to the model rules pursuant to RSA 541-A:30-a, IV. Rehearings  
30 and appeals to the council shall be conducted pursuant to the provisions of RSA 541.]~~

31          89 Midwifery; Council Established. Amend RSA 326-D:3, IV to read as follows:

32          IV. Members of the council shall elect a chairperson annually from among their members.  
33 The council shall meet at least quarterly and may hold additional meetings at such times as it may  
34 deem necessary. A quorum of the council shall consist of ~~[no fewer than 4 members]~~ **a majority of**  
35 **the members of the council who have been approved by the governor and council.**

36          90 Midwifery; Certificate of Renewal; Continuing Education. Amend RSA 326-D:11 to read as  
37 follows:

1 326-D:11 Certificate Renewal; Continuing Education. Every person certified under this chapter  
2 shall apply to the council for certificate renewal every 2 years. Renewals of certificates shall be  
3 contingent upon presentation of satisfactory evidence to the council of having met the continuing  
4 education requirements established by the council pursuant to RSA 326-D:5, I(e) and shall be  
5 accompanied by the renewal fee established [~~pursuant to RSA 326-D:4, I(b)~~] **by the office of**  
6 **professional licensure and certification**. All certificates shall automatically lapse 2 years after  
7 the date of issuance unless a timely and complete renewal application has been filed with the  
8 council. In no event shall a certificate, for which a timely and complete application for renewal has  
9 been submitted, expire before the council has taken final action upon the application.

10 91 Repeals; Midwifery. The following are repealed:

11 I. RSA 326-D:2, III relative to a definition of commissioner.

12 II. RSA 326-D:9, relative to a report.

13 III. RSA 326-D:10, relative to powers and duties of commissioner.

14 92 Naturopathic Health Care Practice; Naturopathic Board of Examiners. Amend RSA 328-E:7,  
15 V to read as follows:

16 V. Members of the board shall elect a chairperson annually from among the members.  
17 [~~Three~~] **A majority of the** members of the board **who have been approved by the governor and**  
18 **council** constitute a quorum for the transaction of business.

19 93 Naturopathic Health Care Practice; Powers and Duties of the Board. RSA 328-E:8 is  
20 repealed and reenacted to read as follows:

21 328-E:8 Powers and Duties of the Board.

22 I. The board shall:

23 (a) Insure that doctors of naturopathic medicine serving the public meet minimum  
24 standards of proficiency and competency to protect the health, safety and welfare of the public.

25 (b) Administer and enforce all provisions of this chapter, which pertain to licensees and  
26 applicants, and all rules adopted by the board under the authority granted in this chapter.

27 (c) Maintain a record of its acts and proceedings, including the issuance, refusal,  
28 renewal, suspension or revocation of licenses in accordance with the retention schedule established  
29 by the office of professional licensure and certification.

30 (d) Keep all applications for licensure in accordance with the retention policy established  
31 by the office of professional licensure and certification.

32 (e) Maintain a record of the results of all examinations it gives in accordance with the  
33 office of professional licensure and certification.

34 (f) Keep all examination records including written examination records and tape  
35 recordings of the questions and answers in oral examinations in accordance with the retention policy  
36 established by the office of professional licensure and certification.

37 (g) Keep the records of the board open to public inspection at all reasonable times.

1 (h) Adopt and use a seal, the imprint of which, together with the signatures of the  
2 chairman or vice-chairman and the secretary-treasurer of the board, shall evidence its official acts.

3 (i) Annually compile and publish a directory.

4 II. The board shall have the power to subpoena witnesses and administer oaths in any  
5 hearing or disciplinary proceedings, and to compel, by subpoena duces tecum, the production of  
6 papers and records.

7 III. Witnesses summoned before the board shall be paid the same fees as witnesses  
8 summoned to appear before the superior court, and such summons shall have the same effect as  
9 though issued for appearance before such court.

10 IV. The board shall accept written complaints from the public against licensees and conduct  
11 necessary investigations of such complaints.

12 94 Repeal; Naturopathic Health Care. RSA 328-E:7, VI, relative to the board serving without  
13 pay, is repealed.

14 95 Nurse Practice Act; Rulemaking Authority. Amend RSA 326-B:9, I and II to read as follows:

15 I. ~~[Application procedures and]~~ Eligibility requirements for the issuance of all initial,  
16 temporary, and renewal licenses, specialty licenses, and certificates issued by the board, including  
17 the issuance of such licenses to applicants holding a currently valid license or other authorization to  
18 practice in another jurisdiction.

19 II. ~~[Application procedures and]~~ Eligibility requirements for the reinstatement of licenses  
20 after lapse and after disciplinary action.

21 96 Nurse Practice Act; Alternative Recovery Monitoring Program. Amend RSA 326-B:36-a, VI  
22 to read as follows:

23 VI.(a) The ~~board~~ **office of professional licensure and certification** shall contract with  
24 other organizations to operate the alternative recovery monitoring program for licensees who are  
25 impaired by substance use disorder or mental or physical illness. This program may include, but  
26 shall not be limited to, assessment, education, intervention, drug and alcohol testing, temporary  
27 suspension or limitation of clinical privileges, drug addiction counseling, participation in peer  
28 support groups, record keeping with respect to success and failure rates, post-treatment assessment  
29 and monitoring, and other alternatives approved by the board.

30 (b) The ~~board~~ **office of professional licensure and certification** may allocate  
31 amounts determined by the board from the annual license renewal fees it collects from licensees in  
32 each class of nurses licensed by the board, to provide funding for the alternative recovery monitoring  
33 program as set forth in subparagraph (a).

34 (c) ~~[No later than July 1, 2019, the board shall adopt rules under RSA 541-A for the~~  
35 ~~procedures and other matters required to implement this section]~~ **Rules governing this program**  
36 **shall be implemented through the office of professional licensure and certification**  
37 **pursuant to RSA 310-A:1-d, II(h)(4).**

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1 97 Repeal; Nurse Practice Act. RSA 326-B:3, VII, relative to compensation of members of the  
2 board of nursing, is repealed.

3 98 Nursing Home Administrators; Licenses. Amend RSA 151-A:7, III and IV to read as follows:

4 III. ~~[Any license issued by the board under or pursuant to the provisions of this section shall  
5 be under the hand and seal of the secretary of the board.~~

6 IV.] If the board finds that programs of training and instruction conducted within the state  
7 are not sufficient in number or content to enable nursing home administrators to meet requirements  
8 established pursuant to this chapter, the board may request the department of health and human  
9 services to institute and conduct or arrange with others to conduct one or more such programs, and  
10 shall make provision for their accessibility to residents of this state. The department of health and  
11 human services may approve programs conducted within and without this state as sufficient to meet  
12 education and training requirements established pursuant to this chapter. For purposes of this  
13 paragraph, the department of health and human services shall have the authority to receive and  
14 disburse state funds allocated for this purpose and federal funds received pursuant to section  
15 1908(e)(1) of the Social Security Act.

16 99 Nursing Home Administrators; Registration. Amend RSA 151-A:8, II-IV to read as follows:

17 II. Upon making an application for a new certificate of registration such individual shall pay  
18 a [\$300] biennial registration renewal fee **established by the office of professional licensure and  
19 certification.**

20 III. Upon receipt of such application for registration, the registration fee and the evidence  
21 required with respect to the rules and regulations of the board, the board shall issue a certificate of  
22 registration to such nursing home administrator.

23 IV. Upon complaint or other knowledge of a nursing home administrator's violation of any  
24 provision of this chapter and for the health, safety, and protection of the public, the board is granted  
25 emergency license suspension authority. The ~~[secretary of the]~~ board may ~~[upon recommendation of  
26 the board,]~~ immediately suspend an administrator's license to practice, pending notice and hearing  
27 as provided under RSA 541-A. For any license so suspended, the ~~[secretary]~~ **board** shall also notify  
28 the bureau of health facilities administration.

29 100 Repeal; Nursing Home Administrators. The following are repealed:

30 I. RSA 151-A:3, III(d), relative to compensation for members of the board of examiners of  
31 nursing home administrators.

32 II. RSA 151-A:3, V and VI, relative to the secretary of the board and administrative  
33 attachment.

34 III. RSA 151-A:8, VII, relative to maintaining a register of applications for licensing and  
35 registration of nursing home administrators.

36 101 Ophthalmic Dispensing; Rulemaking. Amend RSA 327-A:12, I and II to read as follows:



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1           I. ~~[The]~~ ***Eligibility requirements for*** registration ~~[application form and content, and the~~  
2 ~~license application procedures]~~.

3           II. ~~[The application form, content, and procedure]~~ ***Eligibility requirements*** for a renewal  
4 or reinstatement of a registration to practice ophthalmic dispensing, in accordance with RSA 327-  
5 A:3.

6           102 Optometry; Rulemaking Authority. RSA 327:31, I-X are repealed and reenacted to read as  
7 follows:

8           I. The qualifications of applicants in addition to those requirements set by RSA 327:6 and  
9 RSA 327:6-a;

10           II. How an applicant shall be examined including:

11               (a) Time and place of examination, and

12               (b) Passing grade;

13           III. How a license to practice optometry shall be renewed or reinstated;

14           IV. Ethical and professional standards, in addition to those specified by RSA 327:20,  
15 required to be met by each holder of a license to practice optometry and how disciplinary actions by  
16 the board shall be implemented pursuant to RSA 327:21, RSA 327:22, and RSA 327:27 for violations  
17 of these standards;

18           V. Requirements for continuing education in addition to those requirements set by RSA  
19 327:33 and RSA 327:33-a;

20           VI. Additions or alterations to the defined pharmaceutical agents for diagnostic purposes as  
21 set forth in RSA 327:1, III;

22           VII. Procedural and substantive requirements for assessing, compromising, and collecting  
23 administrative fines as authorized by RSA 327:20, III(e); and

24           VIII. Prescribing controlled drugs pursuant to RSA 318-B:41.

25           103 Repeal; Optometry. The following are repealed.

26               I. RSA 327:4, relative to organization and reports.

27               II. RSA 327:5, relative to compensation.

28               III. RSA 327:33-b, relative to consumer publication.

29           104 Pharmacy Board; Inspectional Services. Amend RSA 318:9-a to read as follows:

30           318:9-a Inspectional Services. The pharmacy board ***through the office of professional***  
31 ***licensure and certification*** shall provide inspectional services under this chapter and RSA 318-  
32 B:25 to the board of medicine, the board of veterinary medicine, the board of podiatry, the board of  
33 registration in optometry, the board of dental examiners, the board of nursing, and the naturopathic  
34 board of examiners.

35           105 Pharmacy Board; Required; Compliance. Amend RSA 318:37, II(b)(2) to read as follows:

1           (2) Submit to the New Hampshire pharmacy board an application for registration as  
2 provided by the [~~New Hampshire pharmacy board~~] **office of professional licensure and**  
3 **certification**;

4           106 Pharmacy Board; Penalties. Amend RSA 318:55, III to read as follows:

5           III. For any order issued in resolution of a disciplinary proceeding before the board, the  
6 board may require that any licensee, permittee, registrant, or certificate holder found guilty of a  
7 charge involving any drug law or rule to pay to the board a sum not to exceed the reasonable cost of  
8 investigation and prosecution of the proceeding. The sum shall not exceed \$5,000. The costs to be  
9 assessed shall be fixed by the board and any sums recovered shall be paid to the state treasurer for  
10 deposit in the [~~general fund~~] **office of professional licensure and certification fund**.

11          107 Repeal; Pharmacy Board. The following are repealed:

12           I. RSA 318:4, relative to the compensation of pharmacy board members.

13           II. RSA 318:5-a, I, III, V, VII, VIII, XI, and XI-b, relative to rulemaking on applications,  
14 forms and fees.

15           III. RSA 318:6, relative to the pharmacy board secretary.

16           IV. RSA 318:11, relative to pharmacy board reports.

17           V. RSA 318:51-e, I and IV, relative to rules for outsourcing facilities.

18          108 Podiatry; Requirements; Cross Reference Change. Amend RSA 315:2, II to read as follows:

19           II. Any person applying for licensure under this chapter, including any person seeking to  
20 restore or renew, shall provide the board with information relating to podiatric competence and  
21 professional conduct, in accordance with rules adopted under [~~RSA 315:4, X~~] **RSA 315:4, V**.

22          109 Podiatry; Peer Review Committee. Amend RSA 315:2-a to read as follows:

23           315:2-a Peer Review Committee. The board [~~shall~~] **may** establish a peer review committee  
24 consisting of 2 podiatrists appointed by the board and one medical practitioner, appointed by the  
25 board subject to the approval of the board of medicine. Each appointee shall serve for a 2-year term.

26          110 Podiatry; Rulemaking Authority. RSA 315:4 is repealed and reenacted to read as follows:

27           315:4 Rulemaking Authority. The board shall adopt rules, pursuant to RSA 541-A, relative to:

28           I. The qualifications of applicants in addition to those requirements set by statute.

29           II. Eligibility requirements for renewal of licensure, including the requirements for  
30 continuing education.

31           III. Ethical standards required to be met by each holder of any license issued under this  
32 chapter and how such license may be revoked for violation of these standards.

33           IV. The imposition of administrative fines authorized under RSA 315:9, III(f); and

34           V. Information required by the board in its application relative to the applicant's podiatric  
35 competence and professional conduct.

36           VI. Prescribing controlled drugs pursuant to RSA 318-B:41.

37          111 Podiatry; Records and Reports. Amend RSA 315:5 to read as follows:

1 315:5 Records and Reports.

2 [~~I.~~] The board shall keep a true record of its official acts *in accordance with the retention*  
3 *policy established by the office of professional licensure and certification.* With the  
4 exception of records compiled in connection with investigatory and deliberative aspects of  
5 disciplinary investigations and material otherwise exempt from disclosure under RSA 91-A or other  
6 applicable statutes, the board's records shall be subject to inspection at the board's office upon  
7 reasonable notice during ordinary business hours.

8 [~~II.~~ The board shall keep a record of the names and residences of all persons holding licenses  
9 or privileges under this chapter and a record of all money received and disbursed by the board.

10 [~~III.~~ The board shall report to the governor and council biennially in September. This report  
11 shall contain a full and complete account of all official actions taken during the preceding 2-year  
12 period, together with a statement of the receipts and disbursements of the board and such comments  
13 as the board in its discretion deems necessary.]

14 112 Podiatry; Notice of Expiration. Amend RSA 315:13 to read as follows:

15 315:13 Notice of Expiration. The secretary shall [~~mail a~~] **provide** notice to each holder of a  
16 license that has not been renewed within 90 days of the expiration date, advising him or her of the  
17 expiration of the license and the penalty of practicing podiatry without holding a license and the  
18 condition and terms upon which his or her license may be reinstated.

19 113 Repeal; Podiatry. RSA 315:3, relative to compensation of members of the board of podiatry,  
20 is repealed.

21 114 Controlled Drug Prescription Health and Safety Program; Operation. Amend RSA 318-  
22 B:33, VI-VII to read as follows:

23 VI. The [~~program administrator~~] **executive director** may issue a waiver to a dispenser that  
24 is unable to submit prescription information by electronic means. Such waiver may permit the  
25 dispenser to submit prescription information by paper form or other means, provided all information  
26 required by paragraph IV is submitted in this alternative format and within the established time  
27 limit.

28 VII. The [~~program administrator~~] **executive director** may grant a reasonable extension to a  
29 dispenser that is unable, for good cause, to submit all the information required by paragraph IV  
30 within the established time limits.

31 115 Controlled Drug Prescription Health and Safety Program; Information. Amend RSA 318-  
32 B:35 to read as follows:

33 318-B:35 Providing Controlled Drug Prescription Health and Safety Information.

34 I. The [~~program administrator~~] **executive director** may provide information in the  
35 prescription health and safety program upon request only to the following persons:

36 (a) By electronic or written request to prescribers, dispensers, and the chief medical  
37 examiner and delegates within the state who are registered with the program:

1 (1) For the purpose of providing medical or pharmaceutical care to a specific patient;  
2 (2) For reviewing information regarding prescriptions issued or dispensed by the  
3 requester; or

4 (3) For the purpose of investigating the death of an individual.

5 (b) By written request, to:

6 (1) A patient who requests his or her own prescription monitoring information.

7 (2) The board of dentistry, the board of medicine, the board of nursing, the board of  
8 registration in optometry, the board of podiatry, the board of veterinary medicine, and the pharmacy  
9 board; provided, however, that the request is pursuant to the boards' official duties and  
10 responsibilities and the disclosures to each board relate only to its licensees and only with respect to  
11 those licensees whose prescribing or dispensing activities indicate possible fraudulent conduct.

12 (3) Authorized law enforcement officials on a case-by-case basis for the purpose of  
13 investigation and prosecution of a criminal offense when presented with a court order based on  
14 probable cause. No law enforcement agency or official shall have direct access to query program  
15 information.

16 (4) [Repealed.]

17 (5) A practitioner or consultant retained by the office to review the system  
18 information of an impaired practitioner program participant or a referral who has agreed to be  
19 evaluated or monitored through the program and who has separately agreed in writing to the  
20 consultant's access to and review of such information.

21 (c) By electronic or written request on a case-by-case basis to:

22 (1) A controlled prescription drug health and safety program from another state;  
23 provided, that there is an agreement in place with the other state to ensure that the information is  
24 used or disseminated pursuant to the requirements of this state.

25 (2) An entity that operates a secure interstate prescription drug data exchange  
26 system for the purpose of interoperability and the mutual secure exchange of information among  
27 prescription drug monitoring programs, provided that there is an agreement in place with the entity  
28 to ensure that the information is used or disseminated pursuant to the requirements of this state.

29 (3) [Repealed.]

30 II. The ~~[program administrator]~~ **executive director** shall notify the appropriate regulatory  
31 board listed in subparagraph I(b)(2) and the prescriber or dispenser at such regular intervals as may  
32 be established by the office if there is reasonable cause to believe a violation of law or breach of  
33 professional standards may have occurred. The program administrator shall provide prescription  
34 information required or necessary for an investigation.

35 III. The ~~[program administrator]~~ **executive director** shall review the information to  
36 identify information that appears to indicate whether a person may be obtaining prescriptions in a  
37 manner that may represent misuse or abuse of schedule II-IV controlled substances. When such

1 information is identified, the program administrator shall notify the practitioner who prescribed the  
2 prescription.

3 IV. The ~~[program administrator]~~ **executive director** shall make a report, at least annually,  
4 commencing on November 1, 2019, to the senate president, the speaker of the house of  
5 representatives, the oversight committee on health and human services, established in RSA 126-  
6 A:13, the advisory council established in RSA 318-B:38 and the licensing boards of all professions  
7 required to use the program relative to the effectiveness of the program.

8 116 Psychologists; Organization and Meetings. Amend RSA 329-B:9, I to read as follows:

9 I. The board shall hold regular annual meetings. Other meetings of the board shall be held  
10 at such times and upon such notice as the rules of the board provide. ~~[Five members]~~ **A majority of**  
11 **the members of the board who have been approved by the governor and council** shall  
12 constitute a quorum.

13 117 Psychologists; Records. Amend RSA 329-B:13 to read as follows:

14 329-B:13 Records and Reports.

15 ~~[F.]~~ The board shall keep records of its proceedings and separate registers of all applications  
16 for licensure and all complaints filed against licensees **in accordance with the retention policy**  
17 **established by the office of professional licensure and certification**. Such records shall show  
18 information relative to the application or complaint and the board's response to the application or  
19 complaint, without disclosing the identity of those involved, as the rules of the board may prescribe.  
20 The records shall be public and shall be open to inspection at all reasonable times, except for records  
21 compiled in connection with disciplinary investigations and records otherwise exempt from  
22 disclosure under RSA 91-A or other applicable statutes.

23 ~~[H. Biennially, as of October 1, the board shall submit to the governor a report of the~~  
24 ~~applications, licensure, and other activity of the preceding biennium, and shall also transmit a~~  
25 ~~complete statement of the expenditures of the board.]~~

26 118 Psychologists; Hearings. Amend RSA 329-B:23, IV to read as follows:

27 IV. The respondent shall be heard in his or her defense either in person or by counsel and  
28 may produce witnesses and testify in his or her behalf. A ~~[stenographic record]~~ **recording** of the  
29 hearing shall be taken and preserved. The hearing may be adjourned from time to time.

30 119 Psychologists; Notice. Amend RSA 329-B:24, I to read as follows:

31 I. Licenses shall be valid for a period of 2 years and shall become invalid on the expiration  
32 date unless renewed or reinstated. It shall be the duty of the board to notify every person licensed  
33 by the board under this chapter of the date of expiration of the license and the amount of the fee that  
34 shall be required for its renewal for 2 years. Such notice shall be ~~mailed~~ **provided** at least 2 months  
35 in advance of the date of expiration of such license. Renewal shall be conditional upon filing a timely  
36 and complete renewal application and payment of the renewal fee.

37 120 Repeals; Psychologists. The following are repealed:

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1 I. RSA 3220-B:4, relative to advisory committees to the board.

2 II. RSA 329-B:7, relative to compensation of members of the board of psychology and related  
3 committees.

4 III. RSA 329-B:10, I, IV, VI, XII, and XVI, relative to rulemaking authority.

5 IV. RSA 329-B:27, IV, relative to certain administrative rules relative to psychologists.

6 121 Repeal; Reflexologists, Structural Integrators, and Asian Bodywork Therapists. RSA 328-  
7 H:6, II, relative to the compensation of members of the advisory board, is repealed.

8 122 New Hampshire Veterinary Practice Act; Meetings and Duties. Amend RSA 332-B:5 to read  
9 as follows:

10 332-B:5 Meetings and Duties. The board shall meet at least 6 times a year at the time and place  
11 fixed by rule of the board. Other necessary meetings may be called by the president of the board by  
12 giving notice as may be required by rule. The quorum and the actions of the board shall be in  
13 accordance with RSA 91-A. At its annual meeting, the board shall organize by electing a president  
14 and such other officers as may be prescribed by rule. Officers of the board serve for terms of one  
15 year and until a successor is elected, without limitation on the number of terms an officer may serve.  
16 The president shall preside at board meetings and serve as administrative head of the board. [~~The~~  
17 ~~board shall submit annually to the governor a report on the transactions of the board, including an~~  
18 ~~account of monies received and disbursed as shall be required by the state auditors.] Records shall  
19 be kept [~~by the administrative assistant~~] pursuant to RSA 91-A:3 **and in accordance with the**  
20 **retention policy established by the office of professional licensure and certification.**~~

21 123 New Hampshire Veterinary Practice Act; Hearing, Decisions, and Appeals. Amend RSA  
22 332-B:16, I to read as follows:

23 I. Adjudicatory proceedings shall be open to the public. The board's public docket file for  
24 each such proceeding shall include a taped or written account of all oral hearings and shall be  
25 retained by the board [~~for 6 years from the issuance of the final decision~~] **in accordance with the**  
26 **retention policy established by the office of professional licensure and certification.**

27 124 Repeal; Veterinary Practice Act. The following are repealed:

28 I. RSA 332-B:3, III, relative to compensation of members of the veterinary medicine board.

29 II. RSA 332-B:7, III, relative to the power of the board of veterinary medicine to set certain  
30 fees.

31 III. RSA 332-B:7, V-a, relative to the power of the board of veterinary medicine to  
32 compensate board counsel, assistants, and investigators.

33 IV. RSA 332-B:7-a, I, III, and VII-IX, relative to certain rulemaking authority of the board of  
34 veterinary medicine.

35 125 General Administration of Regulatory Boards and Commissions; Reciprocity Information.  
36 Amend the introductory paragraph of RSA 332-G:12, I to read as follows:

1 I. All boards or commissions, including the board of hearing care providers established in  
2 RSA 137-F:3, **shall grant a license to an individual certified or licensed in another state if it**  
3 **determines that the requirements or standards for certification or licensure in that state**  
4 **are equivalent to, or greater than, those established in New Hampshire. All boards and**  
5 **commissions** shall post information on their website relative to reciprocal licensure or certification  
6 for persons holding a current and valid license or certification for the practice of the regulated  
7 profession in another state. Such information shall include a list of the states which the board or  
8 commission has determined to have license or certification requirements equal to, or greater than,  
9 the requirements of this state. The posting shall also list states with which the board or commission  
10 has:

11 126 Board of Engineers; Establishment. Amend RSA 310-A:3, V and VI to read as follows:

12 V. The board shall hold at least 3 regular meetings each year and special meetings at such  
13 times as it may deem necessary. Notice of all meetings shall be given in such a manner as rules  
14 adopted by the board may provide. The board shall biennially elect a chairperson, vice-chairperson,  
15 and secretary. ~~[Three members]~~ **A majority of the members of the board who have been**  
16 **approved by the governor and council** shall constitute a quorum.

17 VI.(a) The board shall keep a record of its proceedings ~~[and a register of all applications for~~  
18 ~~licensure, which shall show:]~~ **in accordance with the retention policy established by the office**  
19 **of professional licensure and certification.**

20 ~~(1) The name, age, and residence of each applicant.~~

21 ~~(2) The date of application.~~

22 ~~(3) The place of business of such applicant.~~

23 ~~(4) The applicant's educational and other qualifications.~~

24 ~~(5) Whether or not an examination was required.~~

25 ~~(6) Whether the applicant was rejected and the reasons for such rejection.~~

26 ~~(7) Whether a license was granted.~~

27 ~~(8) The date of the action of the board.~~

28 ~~(9) Such other information as may be deemed necessary by the board.]~~

29 (b) The records of the board shall be prima facie evidence of the proceedings of the board,  
30 and a transcript of such records certified by the secretary of the board under seal shall be admissible  
31 in evidence with the same force and effect as if the original were produced. ~~[Biennially, as of~~  
32 ~~December 31, the board shall submit to the governor a report of the transactions of the preceding~~  
33 ~~biennium, and a complete statement of the receipts and expenditures of the board.]~~

34 127 Board of Engineers; Rulemaking Authority. Amend RSA 310-A:6, I(d) to read as follows:

35 (d) ~~[How a license to practice under this subdivision shall be renewed]~~ **The**  
36 **requirements for renewal of a license**, including the requirements for continuing education;

37 128 Repeal; Professional Engineers. The following are repealed:

1 I. RSA 310-A:3, IV, relative to compensation for members of the board of engineers.

2 II. RSA 310-A:3, VII, relative to the roster of professional engineers published by the  
3 secretary of state.

4 III. RSA 310-A:6, I(a), (e), (h), (j), and (k), relative to certain rulemaking authority of the  
5 board of engineers.

6 129 Board of Architects; Establishment. Amend RSA 310-A:29, V and VI to read as follows:

7 V. The board shall hold at least 3 regular meetings each year and special meetings at such  
8 times as it may deem necessary. Notice of all meetings shall be given in such a manner as rules  
9 adopted by the board may provide. The board shall biennially elect or appoint a chairperson, vice-  
10 chairperson, and secretary. ~~[Three members]~~ ***A majority of the members of the board who have***  
11 ***been approved by the governor and council*** shall constitute a quorum.

12 VI.(a) The board shall keep a record of its proceedings ~~[and a register of all applications for~~  
13 ~~licensure, which shall show:]~~ ***in accordance with the retention policy established by the office***  
14 ***of professional licensure and certification.***

15 ~~(1) The name, age, and residence of each applicant.~~

16 ~~(2) The date of application.~~

17 ~~(3) The place of business of such applicant.~~

18 ~~(4) The applicant's educational and other qualifications.~~

19 ~~(5) Whether or not an examination was required.~~

20 ~~(6) Whether the applicant was rejected and the reasons for such rejection.~~

21 ~~(7) Whether a license was granted.~~

22 ~~(8) The date of the action of the board.~~

23 ~~(9) Such other information as may be deemed necessary by the board.]~~

24 (b) The records of the board shall be prima facie evidence of the proceedings of the board,  
25 and a transcript of such records certified by the secretary of the board under seal shall be admissible  
26 in evidence with the same force and effect as if the original were produced. ~~[Biennially, as of~~  
27 ~~December 31, the board shall submit to the governor a report of the transactions of the preceding~~  
28 ~~biennium, and a complete statement of the receipts and expenditures of the board.]~~

29 130 Board of Architects; Rulemaking Authority. Amend RSA 310-A:32, I(d) to read as follows:

30 (d) ~~[How a license to practice under this subdivision shall]~~ ***The criteria for a license to***  
31 ***be renewed or reinstated, including [late fees and] any requirements for continuing education;***

32 131 Board of Architects; Expiration and Renewals. Amend RSA 310-A:46 to read as follows:

33 310-A:46 Expiration and Renewals. All licenses issued by the board shall expire on the last day  
34 of the month of the licensee's birth in the year 2 years following the year of issuance. The board  
35 shall cause notification of the impending license expiration to be sent to each licensee at least one  
36 month prior to the expiration date of the license. If the renewal fee is not submitted within 12  
37 months after the expiration date of the license, the licensee's name shall be removed from the



1 mailing list ~~[and roster]~~. An application for reinstatement shall be required to return to active  
 2 status. The ~~[board, pursuant to rules adopted under RSA 310-A:32,]~~ **office of professional**  
 3 **licensure and certification** shall charge up to a 20 percent late fee for each month or fraction of a  
 4 month the renewal is late, up to 12 months, in addition to the renewal fee.

5 132 Repeal; Board of Architects. The following are repealed:

6 I. RSA 310-A:29, IV, relative to compensation for members of the board of architects.

7 II. RSA 310-A:29, VII, relative to the roster of architects published by the secretary of state.

8 III. RSA 310-A:32, I(a), (e), (h), (j), and (k), relative to certain rulemaking authority of the  
 9 board of architects.

10 133 Board of Land Surveyors; Establishment. Amend RSA 310-A:55, V and VI to read as  
 11 follows:

12 V. The board shall hold at least 4 regular meetings each year and special meetings at such  
 13 times as it may deem necessary. Notice of all meetings shall be given in such a manner as rules  
 14 adopted by the board may provide. The board shall elect or appoint a chairperson, vice-chairperson,  
 15 and secretary. The secretary may or may not be a member of the board. ~~[Three members]~~ **A**  
 16 **majority of the members of the board who have been approved by the governor and council**  
 17 shall constitute a quorum.

18 VI.(a) The board shall keep a record of its proceedings and a register of all applications for  
 19 licensure~~[-, which shall show:]~~ **in accordance with the retention policy established by the office**  
 20 **of professional licensure and certification.**

21 ~~(1) The name, age, and residence of each applicant.~~

22 ~~(2) The date of application.~~

23 ~~(3) The place of business of such applicant.~~

24 ~~(4) The applicant's educational and other qualifications.~~

25 ~~(5) Whether or not an examination was required.~~

26 ~~(6) Whether the applicant was rejected and the reasons for such rejection.~~

27 ~~(7) Whether a license was granted.~~

28 ~~(8) The date of the action of the board.~~

29 ~~(9) Such other information as may be deemed necessary by the board.]~~

30 (b) The records of the board shall be prima facie evidence of the proceedings of the board,  
 31 and a transcript of such records certified by the secretary of the board under seal shall be admissible  
 32 in evidence with the same force and effect as if the original were produced. ~~[Biennially, as of July 31~~  
 33 ~~of each even-numbered year, the board shall submit to the governor a report of the transactions of~~  
 34 ~~the preceding biennium, and a complete statement of the receipts and expenditures of the board.]~~

35 134 Land Surveyors; Rulemaking Authority. Amend RSA 310-A:58, IV to read as follows:

36 IV. ~~[How a license to practice under this subdivision shall]~~ **The requirements for a license**  
 37 **to be renewed, including the requirements for continuing education;**

1 135 Land Surveyors; Rulemaking Authority. Amend RSA 310-A:58, VI-a to read as follows:

2 VI-a. [~~Application procedures for and~~] ***The criteria for*** issuance of land surveying  
3 certificates for proprietorships, corporations and partnerships, including the qualifications of  
4 applicants in addition to those requirements set forth under this subdivision, and for satisfactory  
5 evidence of good professional character;

6 136 Repeal; Land Surveyors. The following are repealed:

7 I. RSA 310-A:55, IV, relative to compensation of members of the board of land surveyors.

8 II. RSA 310-A:55, VII, relative to the roster of land surveyors published by the secretary of  
9 state.

10 III. RSA 310-A:58, I, V, and VIII, relative to certain rulemaking authority of the board of  
11 land surveyors.

12 137 Board of Natural Scientists; Establishment. Amend RSA 310-A:81, V and VI to read as  
13 follows:

14 V. The board shall hold at least 3 regular meetings each year and special meetings at such  
15 times as it may deem necessary. Notice of all meetings shall be given in such a manner as rules  
16 adopted by the board may provide. The board shall biennially elect or appoint a chairperson, vice-  
17 chairperson, and secretary. A quorum of the board shall consist of [~~at least 4 members~~] ***a majority***  
18 ***of the members of the board who have been approved by the governor and council.***

19 VI.(a) The board shall keep a record of its proceedings [~~and a register of all applications for~~  
20 ~~registration, which shall show:~~] ***in accordance with the retention policy established by the***  
21 ***office of professional licensure and certification.***

22 (1) ~~The name and residence of each applicant.~~

23 (2) ~~The date of application.~~

24 (3) ~~The place of business of such applicant.~~

25 (4) ~~The applicant's educational and other qualifications.~~

26 (5) ~~Whether or not an examination was required.~~

27 (6) ~~Whether the applicant was rejected and the reasons for such rejection.~~

28 (7) ~~Whether a certificate of registration was granted.~~

29 (8) ~~The date of the action of the board.~~

30 (9) ~~Such other information as may be deemed necessary by the board.]~~

31 (b) The records of the board shall be prima facie evidence of the proceedings of the board,  
32 and a transcript of such records certified by the secretary of the board under seal shall be admissible  
33 in evidence with the same force and effect as if the original were produced. [~~Biennially, as of~~  
34 ~~December 31 of each even-numbered year, the board shall submit to the governor a report of the~~  
35 ~~transactions of the preceding biennium, and a complete statement of the receipts and expenditures~~  
36 ~~of the board.]~~

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1       138 Board of Natural Scientists; Rulemaking Authority. Amend RSA 310-A:82, IV to read as  
2 follows:

3           IV. ~~[How a certificate to practice under this subdivision shall]~~ ***The criteria required for a***  
4 ***license to*** be renewed, including the requirement for continuing education.

5       139 Repeals; Natural Scientists. The following are repealed:

6           I. RSA 310-A:81, VII, relative to the roster of natural scientists published by the secretary of  
7 state.

8           II. RSA 310-A:82, I and V, relative to certain rulemaking authority of the board of natural  
9 scientists.

10       140 Board of Foresters; Establishment. Amend RSA 310-A:100, V and VI to read as follows:

11           V. The board shall hold at least 3 regular meetings each year and special meetings at such  
12 times as it may deem necessary. Notice of all meetings shall be given in such a manner as rules  
13 adopted by the board may provide. The board shall biennially elect or appoint a chairperson, vice-  
14 chairperson, and secretary. ~~[Four members]~~ ***A majority of the members of the board have been***  
15 ***approved by the governor and council*** shall constitute a quorum.

16           VI.(a) The board shall adopt an official seal.

17                   (b) The board shall keep a true record of its proceedings ~~[and a register of all~~  
18 ~~applications for licensure, which shall show:]~~ ***in accordance with the retention policy***  
19 ***established by the office of professional licensure and certification.***

20                           ~~(1) The name, age, and residence of each applicant.~~

21                           ~~(2) The date of application.~~

22                           ~~(3) The place of business of such applicant.~~

23                           ~~(4) The applicant's educational and other qualifications.~~

24                           ~~(5) Whether or not an examination was required.~~

25                           ~~(6) Whether the applicant was rejected and the reasons for such rejection.~~

26                           ~~(7) Whether a license was granted.~~

27                           ~~(8) The date of the action of the board.~~

28                           ~~(9) Such other information as may be deemed necessary by the board.]~~

29           (c) The records of the board shall be prima facie evidence of the proceedings of the board,  
30 and a transcript of such records certified by the secretary of the board under seal shall be admissible  
31 in evidence with the same force and effect as if the original were produced. ~~[Biennially, as of~~  
32 ~~December 31 of each even-numbered year, the board shall submit to the governor a report of the~~  
33 ~~transactions of the preceding biennium, and a complete statement of the receipts and expenditures~~  
34 ~~of the board.]~~

35       141 Board of Foresters; Rulemaking. Amend RSA 310-A:102, IV to read as follows:

36           IV. Renewal ~~[procedures]~~ ***criteria***, including requirements for continuing education.

37       142 Repeal; Board of Foresters. The following are repealed:

1 I. RSA 310-A:100, VII, relative to the roster of licensed foresters published by the secretary  
2 of state.

3 II. RSA 310-A:102, I and V, relative to certain rulemaking authority of the board of  
4 foresters.

5 143 Board of Professional Geologists. Amend RSA 310-A:120, V-VII to read as follows:

6 V. The board shall hold at least 3 regular meetings each year and special meetings at such  
7 times as it may deem necessary. Notice of all meetings shall be given in such a manner as rules  
8 adopted by the board may provide. The board shall biennially elect a chairperson, vice-chairperson,  
9 and secretary. ~~[Three members]~~ ***A majority of members of the board who have been approved***  
10 ***by the governor and council*** shall constitute a quorum.

11 VI. The board shall keep a record of its proceedings ~~[and a register of all applications for~~  
12 ~~licensure, which shall show:]~~ ***in accordance with the retention policy established by the office***  
13 ***of professional licensure and certification.***

14 ~~(a) The name, age, and residence of each applicant.~~

15 ~~(b) The date of application.~~

16 ~~(c) The place of business of such applicant.~~

17 ~~(d) The applicant's educational and other qualifications.~~

18 ~~(e) Whether or not an examination was required.~~

19 ~~(f) Whether the applicant was rejected and the reasons for such rejection.~~

20 ~~(g) Whether a license or permit was granted.~~

21 ~~(h) The date of the action of the board.~~

22 ~~(i) Such other information as may be deemed necessary by the board.]~~

23 VII. The records of the board shall be prima facie evidence of the proceedings of the board,  
24 and a transcript of such records certified by the secretary of the board under seal shall be admissible  
25 in evidence with the same force and effect as if the original were produced. ~~[Biennially, as of~~  
26 ~~December 31, the board shall submit to the governor a report of the transactions of the preceding~~  
27 ~~biennium, and a complete statement of the receipts and expenditures of the board.]~~

28 144 Board of Professional Geologists; Continuing Education. Amend RSA 310-A:127, I to read  
29 as follows:

30 I. Applications for licensure shall be ~~[on forms prescribed and furnished by the board,]~~ ***made***  
31 ***using the method prescribed and furnished by the office of professional licensure and***  
32 ***certification. Applications*** shall contain statements made under oath, showing the applicant's  
33 education and a detailed summary of the applicant's technical work, and shall contain not less than  
34 5 references, of whom at least 3 shall be professional geologists having personal knowledge of the  
35 applicant's professional experience.

36 145 Repeal; Board of Professional Geologists. The following are repealed:

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1 I. RSA 310-A:120, VIII, relative to the roster of professional geologists published by the  
2 secretary of state.

3 II. RSA 310-A:121, I(a) and (f), II, and III, relative to certain rulemaking of the board of  
4 professional geologists.

5 III. RSA 310-A:123, relative to receipts and disbursements of the board of professional  
6 geologists.

7 146 Board of Landscape Architects; Establishment. Amend RSA 310-A:142, V and VI to read as  
8 follows:

9 V. The board shall hold at least 3 regular meetings each year and special meetings at such  
10 times as it may deem necessary. Notice of all meetings shall be given in such a manner as rules  
11 adopted by the board may provide. The board shall biennially elect or appoint a chairperson, vice-  
12 chairperson, and secretary. ~~[Three members]~~ ***A majority of the members of the board who have***  
13 ***been approved by the governor and council*** shall constitute a quorum.

14 VI.(a) The board shall keep a record of its proceedings ~~[and a register of all applications for~~  
15 ~~licensure, which shall show:]~~ ***in accordance with the retention policy established by the office***  
16 ***of professional licensure and certification.***

17 ~~(1) The name, age, and residence of each applicant.~~

18 ~~(2) The date of application.~~

19 ~~(3) The place of business of such applicant.~~

20 ~~(4) The applicant's educational and other qualifications.~~

21 ~~(5) Whether or not an examination was required.~~

22 ~~(6) Whether the applicant was rejected and the reasons for such rejection.~~

23 ~~(7) Whether a license was granted.~~

24 ~~(8) The date of the action of the board.~~

25 ~~(9) Such other information as may be deemed necessary by the board.]~~

26 (b) The records of the board shall be prima facie evidence of the proceedings of the board,  
27 and a transcript of such records certified by the secretary of the board under seal shall be admissible  
28 in evidence with the same force and effect as if the original were produced. ~~[Biennially, as of~~  
29 ~~December 31, the board shall submit to the governor a report of the transactions of the preceding~~  
30 ~~biennium, and a complete statement of the receipts and expenditures of the board.]~~

31 147 Board of Landscape Architects; Rulemaking Authority. Amend RSA 310-A:143, I(d) to read  
32 as follows:

33 (d) ~~[How a license to practice under this subdivision shall be]~~ ***The criteria for a***  
34 ***license to be*** renewed or reinstated, including late fees and any requirements for continuing  
35 education;

36 148 Board of Landscape Architects; Rulemaking. Amend RSA 310-A:143, I(j) to read as follows:

37 (j) ~~[Application procedures for and]~~ ***The*** issuance of corporate practice certificates.

1       149 Board of Landscape Architects; Expiration and Renewals. Amend RSA 310-A:154, II to read  
2 as follows:

3           II. If the renewal fee is not submitted within 12 months after the expiration date of the  
4 license, the licensee's name shall be removed from the mailing list [~~and roster~~]. The board, pursuant  
5 to rules adopted under RSA 310-A:143, shall charge up to a 20 percent late fee for each month or  
6 fraction of a month the renewal is late, up to 12 months, in addition to the renewal fee.

7       150 Repeal; Landscape Architects. The following are repealed:

8           I. RSA 310-A:142, IV, relative to compensation of members of the board of landscape  
9 architects.

10          II. RSA 310-A:142, VII, relative to the roster of landscape architects published by the  
11 secretary of state.

12          III. RSA 310-A:143, I(a), (e), and (h), relative to certain rulemaking authority of the board of  
13 landscape architects.

14       151 Court Reporters; Board; Roster. Amend RSA 310-A:154, II to read as follows:

15           II. If the renewal fee is not submitted within 12 months after the expiration date of the  
16 license, the licensee's name shall be removed from the mailing list [~~and roster~~] The board, pursuant  
17 to rules adopted under RSA 310-A:143, shall charge up to a 20 percent late fee for each month or  
18 fraction of a month the renewal is late, up to 12 months, in addition to the renewal fee.

19       152 Court Reporters; Board; Rulemaking. Amend RSA 310-A:163 and 310-A:164 to read as  
20 follows:

21       310-A:163 Board.

22           I. There is hereby established a board of court reporters. The board shall consist of 5  
23 members who shall be citizens of the United States and residents of this state appointed by the  
24 governor and council, 3 of whom shall be court reporters, one of whom shall be a public member and  
25 one of whom shall be admitted to practice law in the state of New Hampshire. The public member of  
26 the board shall be a person who is not, and never was, a member of the court reporting profession or  
27 the spouse of any such person, and who does not have and never has had, a material financial  
28 interest in either the provision of court reporting services or an activity directly related to court  
29 reporting, including the representation of the board or profession for a fee at any time during the 5  
30 years preceding appointment. Each court reporter member shall have actively practiced court  
31 reporting for the chief means of livelihood for at least 10 years prior to appointment and shall have  
32 held a responsible position in charge of such work for at least 5 years prior to appointment, which  
33 may include the teaching of court reporting. Members shall be appointed for 5-year terms, except  
34 that no more than one appointed member's term may expire in any one calendar year.  
35 Appointments for terms of less than 5 years may be made in order to comply with this limitation. No  
36 appointed member shall be eligible to serve more than 2 full consecutive terms, provided that, for  
37 this purpose only, a period actually served which exceeds 1/2 of the 5-year term shall be deemed a

1 full term. Upon expiration of a member's term, the member shall serve until a successor is qualified  
 2 and appointed. The successor's term shall be 5 years from the date of expiration of the predecessor's  
 3 appointment, regardless of the date of the successor's appointment. Vacancies occurring prior to the  
 4 expiration of a specific term shall be filled by appointment for the unexpired term. The governor and  
 5 council may remove a board member for cause. ~~[Members of the board shall receive \$25 for each day  
 6 actually engaged in the duties of their office and shall be reimbursed for all actual travel, incidental,  
 7 and clerical expenses necessarily incurred in carrying out the provisions of this subdivision.]~~

8 II. The board shall hold at least 3 regular meetings each year and special meetings at such  
 9 times as it may deem necessary. Notice of all meetings shall be given in such a manner as rules  
 10 adopted by the board may provide. The board shall biennially elect or appoint a chairperson, vice-  
 11 chairperson, and secretary. ~~[Three members]~~ ***A majority of the members of the board appointed  
 12 by the governor and council*** shall constitute a quorum.

13 III. The board shall keep a record of its proceedings ~~[and a register of all applications for  
 14 licensure, which shall show:~~

- 15 ~~(a) The name, age, and residence of each applicant.~~
- 16 ~~(b) The date of application.~~
- 17 ~~(c) The place of business of such applicant.~~
- 18 ~~(d) The applicant's educational and other qualifications.~~
- 19 ~~(e) Whether or not an examination was required.~~
- 20 ~~(f) Whether the applicant was rejected and the reasons for such rejection.~~
- 21 ~~(g) Whether a license was granted.~~
- 22 ~~(h) The date of the action of the board.~~
- 23 ~~(i) Such other information as may be deemed necessary by the board]~~ ***in accordance  
 24 with the retention policy established by the office of professional licensure and  
 25 certification.***

26 IV. The records of the board shall be prima facie evidence of the proceedings of the board,  
 27 and a transcript of such records certified by the secretary of the board under seal shall be admissible  
 28 in evidence with the same force and effect as if the original were produced.

29 ~~[V. Biennially, on or before December 31, the board shall submit to the governor a report of  
 30 the transactions of the preceding biennium, and a complete statement of the receipts and  
 31 expenditures of the board. The secretary of the board shall publish a roster listing the names and  
 32 places of business of all court reporters licensed under the board during February of each even-  
 33 numbered year. Copies of this roster shall be mailed to each person so licensed, placed on file with  
 34 the secretary of state, and furnished to the public upon request at a fee to be established by the  
 35 board. The board may include in such roster any other information it deems appropriate.]~~

36 310-A:164 Rulemaking. The board shall adopt rules, pursuant to RSA 541-A, relative to:

- 37 I. ~~[The application procedure for a license to practice under this subdivision.]~~

1           ~~II.]~~ The qualifications of applicants in addition to those requirements set by statute,  
2 including the qualifications for satisfactory evidence of good professional character.

3           ~~III.]~~ **II.** How an applicant shall be examined.

4           ~~IV.]~~ **III.** ~~[How a license to practice under this subdivision shall]~~ ***The criteria for a license***  
5 ***to*** be renewed or reinstated, including ~~[late fees and]~~ any requirements for continuing education.

6           ~~V.]~~ **IV.** Ethical and professional standards required to be met by each holder of a license  
7 under this subdivision and how disciplinary actions by the board shall be implemented for violations  
8 of these standards.

9           ~~VI.]~~ ~~Fees under RSA 310-A:171.~~

10          ~~VII.]~~ **V.** Matters related to the proper administration of this subdivision.

11          ~~VIII.]~~ ~~Procedures for the conduct of hearings consistent with the requirements of due~~  
12 ~~process.~~

13          ~~IX.]~~ **VI.** The design of an official seal.

14          153 Court Reporters; Qualifications. Amend RSA 310-A:170, II to read as follows:

15           II. Paid the fee required ~~[by this subdivision]~~; and

16          154 Home Inspectors; Board of Home Inspectors. Amend RSA 310-A:186, V-IX to read as  
17 follows:

18           V. ~~[Members of the board shall receive \$25 for each day actually engaged in the duties of~~  
19 ~~their office and shall be reimbursed for all actual travel, incidental, and clerical expenses necessarily~~  
20 ~~incurred in carrying out the provisions of this subdivision.~~

21           ~~VI.]~~ The board shall hold at least 3 regular meetings each year and special meetings at such  
22 times as it may deem necessary. Notice of all meetings shall be given in such a manner as rules  
23 adopted by the board may provide. The board shall biennially elect or appoint a chairperson, vice-  
24 chairperson, and secretary. ~~[Four members]~~ ***A majority of the members of the board appointed***  
25 ***by the governor and council*** shall constitute a quorum.

26           ~~VII.(a)~~ The board shall keep a record of its proceedings and a register of all applications for  
27 licensure, which shall show:

28                   (1) ~~The name, age, and residence of each applicant.~~

29                   (2) ~~The date of application.~~

30                   (3) ~~The place of business of such applicant.~~

31                   (4) ~~The applicant's educational and other qualifications.~~

32                   (5) ~~Proof of passing home inspection exam.~~

33                   (6) ~~Whether the applicant was rejected and the reasons for such rejection.~~

34                   (7) ~~Whether a license was granted.~~

35                   (8) ~~The date of the action of the board.~~

36                   (9) ~~Such other information as may be deemed necessary by the board.~~



1           ~~(b)~~ VI. The records of the board shall be prima facie evidence of the proceedings of the  
2 board, and a transcript of such records certified by the secretary of the board under seal shall be  
3 admissible in evidence with the same force and effect as if the original were produced. ~~[Biennially,~~  
4 ~~as of December 31, the board shall submit to the governor a report of the transactions of the~~  
5 ~~preceding biennium, and a complete statement of the receipts and expenditures of the board~~

6           VIII. ~~The secretary of the board shall publish a roster listing the names and addresses of all~~  
7 ~~home inspectors licensed under this subdivision by the board during February of each even-~~  
8 ~~numbered year. Copies of this roster shall be sent to each person so licensed, placed on file with the~~  
9 ~~secretary of state, and furnished to the public upon request at a fee to be established by the board.~~  
10 ~~The board may include in such roster any other information it deems appropriate.~~

11           IX.] VII. The board, its members, and its agents shall be immune from personal liability for  
12 actions taken in good faith in the discharge of the board's responsibilities, and the state shall hold  
13 the board, its members, and its agents harmless from all costs, damages, and attorneys' fees arising  
14 from claims and suits against them with respect to matters to which such immunity applies.

15           155 Home Inspectors; Rulemaking Authority. Amend RSA 310-A:187, I to read as follows:

16           I. The board shall adopt rules, pursuant to RSA 541-A, relative to:

17           (a) ~~[The application procedure for a license to practice under this subdivision.~~

18           ~~(b)~~ The qualifications of applicants in addition to requirements of this subdivision, and  
19 including the qualifications for satisfactory evidence of good professional character.

20           ~~(c)~~ (b) ~~[Procedures for auditing applicants and licensees.~~

21           ~~(d)~~ How a license to practice under this subdivision shall be] **The criteria for a license**  
22 **to be** renewed or reinstated, including ~~[late fees and]~~ any requirements for continuing education.

23           ~~(e)~~ The establishment of all fees required under this subdivision.

24           ~~(f)~~ (c) Disciplinary actions by the board that shall be implemented for violations of the  
25 standards of practice, code of ethics, and rules adopted by the board.

26           ~~(g)~~ ~~Procedures for the conduct of hearings consistent with the requirements of due~~  
27 ~~process.~~

28           ~~(h)~~ (d) Procedures for approving education courses for eligibility for licensure and for a  
29 continuing education program

30           ~~(i)~~ (e) How an applicant shall be examined, including the form of the examination.

31           ~~(j)~~ (f) The design of an official seal.

32           ~~(k)~~ (g) The establishment of administrative fines which may be levied in the  
33 administration of this subdivision.

34           156 Home Inspectors; License Applications. Amend RSA 310-A:191, I to read as follows:

35           I. Applications for licensure ~~[on forms prescribed and furnished by the board]~~ **made using**  
36 **the method prescribed and furnished by the office of professional licensure and**  
37 **certification.**

1 157 Septic System Evaluators; Board. Amend RSA 310-A:206, VII-X to read as follows:

2 VII. The board shall hold at least 3 regular meetings each year and special meetings at such  
3 times as it may deem necessary. Notice of all meetings shall be given in such a manner as rules  
4 adopted by the board may provide. The board shall biennially elect or appoint a chairperson, vice-  
5 chairperson, and secretary. [~~Three members~~] ***A majority of the members appointed by the***  
6 ***governor and council*** shall constitute a quorum.

7 VIII.(a) The board shall keep a record of its proceedings [~~and a register of all applications for~~  
8 ~~licensure, which shall show:~~

9 (1) ~~The name, age, and residence of each applicant.~~

10 (2) ~~The date of application.~~

11 (3) ~~The place of business of such applicant.~~

12 (4) ~~The applicant's educational and other qualifications.~~

13 (5) ~~Proof of passing the septic system evaluator exam.~~

14 (6) ~~Whether the applicant was rejected and the reasons for such rejection.~~

15 (7) ~~Whether a license was granted.~~

16 (8) ~~The date of the action of the board.~~

17 (9) ~~Such other information as may be deemed necessary by the board]~~ ***in***  
18 ***accordance with the retention policy established by the office of professional licensure and***  
19 ***certification.***

20 (b) The records of the board shall be prima facie evidence of the proceedings of the board,  
21 and a transcript of such records certified by the secretary of the board under seal shall be admissible  
22 in evidence with the same force and effect as if the original were produced. [~~Biennially, as of~~  
23 ~~December 31, the board shall submit to the executive director of the office of professional licensing~~  
24 ~~and certification a report of the transactions of the preceding biennium, and a complete statement of~~  
25 ~~the receipts and expenditures of the board.~~

26 IX. ~~The secretary of the board shall maintain and regularly update a roster listing the~~  
27 ~~names and addresses of all septic system evaluators certified under this subdivision by the board on~~  
28 ~~the board's website. The board may include in such roster any other information it deems~~  
29 ~~appropriate.~~

30 X.] IX. The board, its members, and its agents shall be immune from personal liability for  
31 actions taken in good faith in the discharge of the board's responsibilities, and the state shall hold  
32 the board, its members, and its agents harmless from all costs, damages, and attorneys' fees arising  
33 from claims and suits against them with respect to matters to which such immunity applies.

34 158 Septic System Evaluators; Rulemaking. Amend RSA 310-A:207, I to read as follows:

35 I. The board shall adopt rules, pursuant to RSA 541-A, relative to:

36 (a) [~~The application procedure for a license to practice under this subdivision.~~

1           ~~(b)~~ The qualifications of applicants in addition to the requirements of this subdivision,  
2 including the qualifications for satisfactory evidence of good professional character.

3           ~~(c)~~ **(b)** Procedures for auditing applicants and license holders.

4           ~~(d)~~ **(c)** ~~[How a license to practice under this subdivision shall be]~~ **The criteria for a**  
5 **license to be** renewed or reinstated, including late fees and any requirements for continuing  
6 education.

7           ~~(e)~~ ~~The establishment of all fees required under this subdivision.~~

8           ~~(f)~~ **(d)** Professional standards required to be met by each holder of a license under this  
9 subdivision and how disciplinary actions by the board shall be implemented for violations of these  
10 standards.

11           ~~(g)~~ ~~Procedures for the conduct of hearings consistent with the requirements of due~~  
12 ~~process.~~

13           ~~(h)~~ **(e)** Procedures for approving education courses for eligibility for licensure and for a  
14 continuing education program.

15           ~~(i)~~ **(f)** How an applicant shall be examined, including the time, place, type, and form of  
16 the examination.

17           ~~(j)~~ **(g)** The design of an official seal.

18           ~~(k)~~ **(h)** The establishment of administrative fines which may be levied in the  
19 administration of this subdivision.

20           159 Septic System Evaluators; License Applications. Amend RSA 310-A:211, I to read as  
21 follows:

22           I. Applications for licensure ~~[shall be on forms prescribed and furnished by the board]~~ **made**  
23 **using the method prescribed and furnished by the office of professional licensure and**  
24 **certification.**

25           160 Septic System Evaluators; Issuance of Licenses. Amend RSA 310-A:213 to read as follows:

26           310-A:213 Issuance of Licenses. The board shall issue a license upon payment of the license fee  
27 established by the ~~board~~ **office of professional licensure and certification**, to any applicant  
28 who, in the opinion of the board, has satisfactorily met all the requirements of this subdivision.  
29 Licenses shall show the full name of the license holder, have a serial number, and be signed by the  
30 chairperson or the secretary of the board. The issuance of a license by the board shall be prima facie  
31 evidence that the person named in the license is entitled to all the rights and privileges of a certified  
32 septic system evaluator while the license remains valid. It shall be a class B misdemeanor for the  
33 license holder to perform septic system evaluations after the license of the evaluator has expired or  
34 has been revoked, unless such license shall have been renewed, reinstated, or reissued.

35           161 Board of Accountancy. Amend RSA 309-B:4, III-X to read as follows:

1           III. ~~[Each member of the board shall be paid \$100 for each day or portion of a day spent in~~  
2 ~~the discharge of official duties and shall be reimbursed for actual and necessary expenses incurred in~~  
3 ~~the discharge of official duties.~~

4           IV.] The [board] **office of professional licensure and certification** shall establish fees  
5 for examination of applicants, for licenses, for certificates of authorization, for reissuance of licenses,  
6 for renewal and reinstatement of licenses and certificates to practice under this chapter, for late  
7 renewals, for verification of licensure or examination, and for transcribing and transferring records  
8 and other services. All moneys collected by the [board] **office of professional licensure and**  
9 **certification** from fees authorized under this chapter shall be received and accounted for by the  
10 [board] **office of professional licensure and certification**, shall be deposited in the [state  
11 treasury] **office of professional licensure and certification fund established in RSA 310-A:1-**  
12 **e.** Administration expenses shall be limited to the funds collected and may include, but shall not be  
13 limited to, the costs of conducting investigations and of taking testimony and procuring the  
14 attendance of witnesses before the board or its committees; all legal proceedings taken under this  
15 chapter for the enforcement of this chapter; and educational programs for the benefit of the public or  
16 licensees and their employees.

17           ~~[V. The board shall file an annual report of its activities with the governor, the president of~~  
18 ~~the senate, and the speaker of the house of representatives. The report shall include a statement of~~  
19 ~~all receipts and disbursements and a listing of all current licensees under this chapter. The board~~  
20 ~~shall mail a copy of the annual report to any person requesting it, upon payment of a reasonable~~  
21 ~~charge.~~

22           VI.] IV. The board may employ investigators and such other personnel as it deems necessary  
23 through the office of professional licensure and certification for enforcement under this chapter. It  
24 may appoint such committees or persons to advise or assist it in such enforcement, as it may see fit.  
25 It may retain its own counsel retained through the office of professional licensure and certification to  
26 advise and assist it, in addition to such advice and assistance as is provided by the department of  
27 justice.

28           ~~[VII.] V.~~ V. The board shall have the power to take any action necessary and proper to carry  
29 out the purposes of this chapter, including the power to sue and be sued in its official name as an  
30 agency of this state; to issue subpoenas to compel the attendance of witnesses and the production of  
31 documents; and to administer oaths, to take testimony, to cooperate with the appropriate authorities  
32 in other states in investigations and enforcement concerning violations of this chapter and  
33 comparable laws of other states, and to receive evidence concerning all matters within its  
34 jurisdiction. In case of disobedience of a subpoena, the board may invoke the aid of any court of this  
35 state in requiring the attendance and testimony of witnesses and the production of documentary  
36 evidence. The board, its members, and its agents shall be immune from personal liability for actions  
37 taken in good faith in the discharge of the board's responsibilities, and the state shall hold the board,

1 its members, and its agents harmless from all costs, damages, and attorneys' fees arising from  
2 claims and suits against them with respect to matters to which such immunity applies.

3 ~~[VIII.]~~ **VI.** The board shall adopt rules, pursuant to RSA 541-A, governing its  
4 administration, the enforcement of this chapter and the conduct of licensees. Such rules shall  
5 include, but not be limited to:

6 (a) Rules governing the board's meetings and conduct of its business.

7 (b) ~~[Rules of procedure governing the conduct of investigations and hearings by the~~  
8 ~~board.~~

9 (c) Rules specifying the educational and experience qualifications required for all  
10 licensees, and the continuing professional education required for renewal of certificates or  
11 registrations.

12 (d) Rules of professional conduct directed to controlling the quality and integrity of  
13 the practice of public accountancy by licensees, including, but not limited to, matters relating to  
14 independence, integrity, objectivity, competence, technical standards, responsibilities to the public,  
15 and responsibilities to clients.

16 (e) Rules on substantial equivalency for implementation of RSA 309-B:6.

17 (f) Rules governing the manner and circumstances of use of the titles "certified  
18 public accountant", "CPA," "public accountant" and "PA."

19 (g) Rules regarding peer review as required under this chapter. Such rules shall  
20 include conduct and cost parameters to ensure that charges for the off-site peer review process are  
21 not excessive.

22 ~~(h) The establishment of all fees required under this chapter.~~

23 (i) The establishment of administrative fines for violations of this chapter.

24 (j) Rules on how an applicant for certificate demonstrates good character.

25 (k) Rules for records retention, outsourcing disclosures, and the severance of  
26 connections.

27 ~~[IX.]~~ **VII.** In accordance with RSA 541-A, the board shall publish notice of such proposed  
28 action and shall, in addition, notify all licensees.

29 ~~[X.]~~ **VIII.** All administrative, clerical, and business processing functions of the board shall  
30 be transferred to the office of professional licensure and certification, established in RSA 310-A:1  
31 through RSA 310-A:1-e.

32 162 New Paragraph; Board of Accountancy; Issuance and Renewal of Certificates. Amend RSA  
33 309-B:7 by inserting after paragraph XIV the following new paragraph:

34 XV. The office of professional licensure and certification may contract with the NASBA  
35 Qualification Appraisal Service to assess any applications made under this section.

36 163 Electricians; Board. Amend RSA 319-C:4, III-IV to read as follows:

1           III. ~~[The members of the board, other than state employees, shall each be allowed the sum of~~  
2 ~~\$30 per day and their necessary traveling expenses incurred in carrying out their official duties.~~

3           IV.] All administrative, clerical, and business processing functions of the board shall be  
4 transferred to the office of professional licensure and certification established in RSA 310-A:1  
5 through RSA 310-A:1-e.

6           164 Electricians; Organizations and Meetings; Rulemaking. Amend RSA 319-C:6 and 6-a to  
7 read as follows:

8           319-C:6 Organization and Meetings. The board shall hold at least 4 regular meetings each year,  
9 and special meetings may be held at such times as the business of the board may require. Notice of  
10 all meetings shall be given in such manner as the rules of the board may provide. The board shall  
11 annually elect a chairman, a vice-chairman, and a secretary, who shall be one of the appointed  
12 members. A quorum of the board shall consist of ~~[not less than 3 members, not including the ex~~  
13 ~~officio member, and at least]~~ **a majority of the members of the board appointed by the**  
14 **governor and council**, one of whom shall be a public member.

15           319-C:6-a Rulemaking Authority. The board, with an affirmative vote of at least 3 of the 5  
16 appointed board members, shall adopt rules, pursuant to RSA 541-A, relative to:

17           I. ~~[The application procedure for a license to practice under this chapter;~~

18           ~~II.]~~ The qualifications of applicants in addition to those requirements established under this  
19 chapter, and including the qualifications for satisfactory evidence of:

20           (a) ~~[A high school education]~~ **Either completion of high school or a high school**  
21 **equivalent**, and

22           (b) Good professional character;

23           ~~III.]~~ **II.** How an applicant shall be examined, and procedures for computerized  
24 examinations;

25           ~~IV.]~~ **III.** ~~[How]~~ **The criteria for** a license to practice under this chapter ~~[shall]~~ **to be**  
26 renewed, including the requirements for continuing education;

27           ~~V. The establishment of all fees required under this chapter;~~

28           ~~V-a.]~~ **IV.** The applicable version of the National Electrical Code with any discretionary  
29 changes, provided that any such changes are no less stringent than provided in the state building  
30 code administered and approved by the state building code review board under RSA 155-A;

31           ~~VI.]~~ **V.** Ethical and professional standards required to be met by each holder of a license to  
32 practice under this chapter and how disciplinary actions by the board shall be implemented for  
33 violations of these standards; **and**

34           ~~VII. Procedures and policy for the investigation of complaints against licensees or~~  
35 ~~registrants;~~

36           ~~VIII. Procedures for the conduct of hearings consistent with the requirements of due~~  
37 ~~process; and]~~

1           ~~[IX.]~~ VI. Matters related to the proper administration of this chapter.

2           165 Electricians; Records. Amend RSA 319-C:13 to read as follows:

3           319-C:13 Records. The board shall keep a record of the name and residence of all persons  
4 licensed under this chapter *in accordance with the retention policy established by the office of*  
5 *professional licensure and certification*, and said record or duplicate thereof shall be open for  
6 inspection during office hours.

7           166 Family Mediators; Board. Amend RSA 328-C:4, II(a) to read as follows:

8           II.(a) Appointments and reappointments to the board shall be for 3-year terms. Vacancies  
9 shall be filled by appointment for the unexpired term. *No member shall be appointed to more*  
10 *than 2 consecutive terms.*

11          167 Family Mediators; Rulemaking. Amend RSA 328-C:8 to read as follows:

12          328-C:8 Rulemaking Authority.

13           I. The board shall adopt rules for family mediators and family mediator training programs  
14 pursuant to RSA 541-A, relative to the following:

15           (a) The eligibility requirements ~~[and application procedures]~~ for certification, renewal of  
16 certification, recertification, and reinstatement of certification.

17           ~~(b) [The content of all application forms, which forms may require a notarized affidavit~~  
18 ~~stating that the information provided in the application is complete and accurate.~~

19           ~~(c)~~ (e) Content of training programs and training equivalents allowed under RSA 328-C:5,  
20 III.

21           ~~(d)~~ (c) Content of internships and duration and content of internship equivalents  
22 allowed under RSA 328-C:5, III.

23           ~~(e)~~ (d) The ethical standards and standards of practice for family mediators certified in  
24 New Hampshire.

25           ~~(f)~~ (e) Procedures for the reporting of activities conducted by certified family mediators  
26 and certified family mediator training programs.

27           ~~(g) Procedures for processing complaints.~~

28           ~~(h)~~ (f) Disciplinary ~~[procedures,]~~ penalties~~]~~ and sanctions for certified family  
29 mediators and martial mediator training programs, as provided under RSA 328-C:7

30           ~~(i) Fees for applications, certification, renewal of certification, and reinstatement of~~  
31 ~~certification.~~

32           ~~(j)~~ (g) Reporting requirements for certified training programs.

33           II. The board may adopt rules for family mediators and family mediator training programs,  
34 pursuant to RSA 541-A, relative to the ~~[following:~~

35           ~~(a) the]~~ application ~~[process,]~~ requirements~~]~~ and criteria for temporary renewal of  
36 certification and conditional certification.

1           ~~[(b) Fees for temporary renewal of certification and conditional certification and for the~~  
2 ~~filing of requests for information not governed by RSA 91-A, the filing of complaints and petitions,~~  
3 ~~and the processing of changes to information of record.~~

4           ~~(e) Procedures for informal resolution or referral of complaints.]~~

5       168 Repeal; Family Mediators. The following are repealed:

6           I. RSA 328-C:4-a, II, relative to application fees for certification of family mediators.

7           II. RSA 328-C:12, relative to expenses of the family mediator board.

8       169 Guardians ad Litem Board; Rulemaking. Amend RSA 490-C:5 to read as follows:

9       490-C:5 Rulemaking Authority.

10           I. The board shall adopt rules, pursuant to RSA 541-A, relative to the following:

11           (a) The application [~~process~~] **criteria** for certification, renewal of certification,  
12 recertification, and reinstatement of certification.

13           ~~(b) [The content of all application forms, which forms may require a notarized affidavit~~  
14 ~~stating that the information provided in the application is complete and accurate and which may~~  
15 ~~gather, in addition to other information, information that will assist the court in making an informed~~  
16 ~~decision on whether or not to appoint an individual as a guardian ad litem in a particular case.~~

17           ~~(e)] Eligibility requirements and criteria for certification, recertification, reinstatement,~~  
18 ~~and renewal of certification.~~

19           ~~[(d)] (c) Training requirements.~~

20           ~~[(e)] (d) Educational and continuing educational requirements.~~

21           ~~[(f) Fees for certification, recertification, reinstatement, and renewal of certification.~~

22           ~~(g)] (e) The ethical standards and standards of practice for guardians ad litem certified~~  
23 ~~in New Hampshire.~~

24           ~~[(h) Procedures for conducting investigations and hearings conducted by the board under~~  
25 ~~this chapter.~~

26           ~~(i) Procedures for processing complaints and addressing disciplinary issues handled by~~  
27 ~~the board under this chapter.~~

28           ~~(j)] (f) Disciplinary [~~procedures,~~] penalties[~~;~~] and sanctions for certified guardians ad~~  
29 ~~litem, which penalties[~~;~~] and sanctions[~~;~~ and ~~procedures~~] may include revocation of certification,~~  
30 ~~suspension of certification, the imposition of supplemental training requirements or supervised~~  
31 ~~training requirements, supplemental education, fines, written reprimand, and treatment and~~  
32 ~~counseling, including but not limited to treatment or counseling for alcohol or substance abuse.~~  
33 ~~Disciplinary [~~procedures,~~] penalties[~~;~~] and sanctions may be established for and applied to formerly~~  
34 ~~certified guardians ad litem who engaged in acts or omissions prohibited when certified.~~

35           II. The board may adopt rules, pursuant to RSA 541-A, relative to the following:

36           (a) The application or certification [~~process,~~] requirements[~~;~~] and criteria for temporary  
37 or conditional certification or both, including but not limited to procedures and requirements



1 regarding the circumstances and manner in which individuals may be temporarily or conditionally  
2 certified or both, the term and duration of conditional or temporary certification or both, and the  
3 ethical standards and standards of practice applicable to persons so certified.

4 ~~(b) [Fees for temporary or conditional certification or both, and for the filing of requests  
5 for information, the filing of complaints or petitions, the processing of changes to information of  
6 record, the provision of training, and the provision of course material.~~

7 ~~(e)]~~ Procedures for the reporting of activities conducted by guardians ad litem appointed  
8 in New Hampshire.

9 ~~[(d)]~~ **(c)** The administration of oaths or affirmations, the preservation of testimony, and  
10 the issuance of subpoenas for witnesses and for documents, on the approval of the attorney general,  
11 relative to investigations, adjudicatory hearings, or other proceedings held by the board.

12 ~~[(e) Procedures for informal resolution or referral of complaints.~~

13 ~~(f)]~~ **(d)** Procedures and requirements relating to the resignation or surrender of  
14 certification, including but not limited to the circumstances or conditions under which a certified  
15 guardian ad litem may resign or surrender his or her certification.

16 ~~[(g)]~~ **(e)** Disciplinary ~~[procedures,]~~ penalties~~[,]~~ and sanctions for conditionally or  
17 temporarily certified guardians ad litem or both and persons formerly certified by the board, which  
18 penalties~~[,]~~ **and** sanctions~~[, and procedures]~~ may include, but need not be limited to, those listed in  
19 RSA 490-C:4, I(f).

20 ~~[(h)]~~ **(f)** Procedures and requirements relative to maintenance or disclosure of  
21 confidential information received by, or used in investigations or in hearings, proceedings, or other  
22 activities or matters before the board.

23 170 Board of Manufactured Housing; Quorum. Amend RSA 205-A:26, I to read as follows:

24 I. A majority of the **members of the board who have been appointed by the governor**  
25 **and council** shall constitute a quorum ~~[to conduct hearings, and a vote of at least 4 members~~  
26 ~~present and voting in favor shall be required to adopt and approve any matter under consideration].~~

27 171 Board of Manufactured Housing; Meetings and Records. Amend RSA 205-A:29 to read as  
28 follows:

29 205-A:29 Meetings and Records. The board shall hold meetings in Concord, New Hampshire or  
30 in any other location deemed appropriate by the board. The records of the board shall be maintained  
31 at the office of the board of manufactured housing **consistent with the retention policy**  
32 **established by the office of professional licensure and certification.**

33 172 Real Estate Appraisers; Registration of Appraisal Management Companies. Amend RSA  
34 310-B:12-b, I(a) to read as follows:

35 (a) An applicant for registration as an appraisal management company in this state  
36 shall submit to the board an application ~~[on a form or forms prescribed by the board]~~ **using the**  
37 **method prescribed and furnished by the office of professional licensure and certification.**

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1       173 Real Estate Appraisers; License or Certificate. Amend RSA 310-B:16 to read as follows:  
2       310-B:16 License or Certificate.

3       ~~[I. A license or certificate issued under authority of this chapter shall bear the signature of~~  
4 ~~the board chairperson or a designee who is a member of the board and a license or certificate number~~  
5 ~~assigned by the board.~~

6       H.] Each licensed or certified real estate appraiser shall place such appraiser's license or  
7 certificate number adjacent to or immediately below the appraiser's signature whenever the  
8 appraiser's signature is used in an appraisal report or in a contract or other instrument used by the  
9 license or certificate holder in conducting real estate appraisal activities.

10       174 Real Estate Appraisers; Rulemaking. Amend RSA 310-B:24 to read as follows:

11       310-B:24 Rulemaking Authority. The board shall adopt rules pursuant to RSA 541-A, relative  
12 to:

13       I. The application ~~[procedure and]~~ eligibility requirements for the issuance of any initial  
14 license or certificate issued under this chapter, including the issuance of such licenses to applicants  
15 holding a currently valid license or other authorization to practice in another jurisdiction.

16       I-a. The application ~~[procedure and]~~ eligibility requirements for the issuance of any  
17 temporary practice permit issued under this chapter.

18       II. ~~[Design and content of all forms required under this chapter.~~

19       ~~III.]~~ How an applicant shall be examined.

20       ~~[IV.]~~ **III.** ~~[How a]~~ *The criteria for renewal of a* license or certificate ~~[shall be renewed].~~

21       ~~[V.]~~ **IV.** Ethical standards required to be met by each holder of a license or certificate issued  
22 under this chapter and how such license or certificate may be revoked for violation of these  
23 standards.

24       ~~[VI. Establishing all fees required under this chapter, subject to RSA 332-G.~~

25       ~~VII.]~~ **V.** Standards for appraisal education programs and the issuance of evidence indicating  
26 satisfactory completion of such program.

27       ~~[VII-a.]~~ **VI.** The registration and supervision of appraisal management companies under  
28 RSA 310-B:16-a~~], including the establishment of fees for annual registration and for renewal of~~  
29 ~~registration].~~

30       ~~[VIII. The conduct of investigations and procedures for the conduct of hearings consistent~~  
31 ~~with the requirements of RSA 541-A.~~

32       ~~VIII-a.]~~ **VII.** Establishing continuing education and experience requirements which comport  
33 with criteria set forth by the board.

34       ~~[IX.]~~ **VIII.** The requirements for public requests for information.

35       ~~[X.]~~ **IX.** The conditions and requirements for granting a waiver to any rule adopted by the  
36 board.

**SB 58 - AS AMENDED BY THE SENATE**

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1           175 Repeal; Real Estate Appraisers. RSA 310-B:22, relative to a roster of licensed or certified  
2 real estate appraisers, is repealed.

3           176 Repeal; Distribution of Publications. RSA 332-H, relative to the distribution of publications  
4 by licensing commissions and boards, is repealed.

5           177 Effective Date. This act shall take effect July 1, 2021.

6           178 Effective Date.

7           I. Section 166 of this act shall take effect January 1, 2022.

8           II. The remainder of this act shall take effect July 1, 2021.