

LEGISLATIVE COMMITTEE MINUTES

**SB58**

Bill as  
Introduced

SB 58 - AS INTRODUCED

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

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

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

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

18           2 Acupuncture; Quorum. Amend RSA 328-G:6 to read as follows:

19           328-G:6 Organization and Meetings. The board shall hold regular meetings at least semi-  
20 annually and shall give notice to its members of the time and place for holding all regular and  
21 special meetings. A quorum of the board shall consist of ~~[not less than 3 members]~~ **a majority of**  
22 **the members of the board who have been approved by the governor and council.** The board  
23 shall biennially elect a chairperson, a vice-chairperson, and a secretary from among its members.

24           3 Acupuncture; Rulemaking. Amend RSA 328-G:7, I-III to read as follows:

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

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

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

31           4 Acupuncture; Rulemaking. Amend RSA 328-G:7, XIV to read as follows:

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

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

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

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

1 5 Acupuncture; Powers of the Board. Amend RSA 328-G:11, I to read as follows:

2 I. The board shall:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

31 6 Acupuncture; Disciplinary Hearings; Rules. Amend RSA 328-G:12, III(b) to read as follows:

32 (b) Disciplinary action taken under this paragraph may be ordered by the board in a  
33 decision made after a hearing in the manner provided by the rules adopted by the ~~[board]~~ **office of**  
34 **professional licensure and certification** and reviewed in accordance with RSA 541.

35 7 Repeals; Acupuncture. The following are repealed:

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

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

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1       8 Alcohol and Other Drug Use Professionals; Board; Quorum. Amend RSA 330-C:3, IX to read  
2 as follows:

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

6       9 Alcohol and Other Drug Use Professionals; Board; Removal. Amend RSA 330-C:3, XIII to read  
7 as follows:

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

15       10 Alcohol and Other Drug Use Professionals; Board; Duties. Amend RSA 330-C:5, VIII to read  
16 as follows:

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

20       11 Alcohol and Other Drug Use Professionals; Records. RSA 330-C:7 is repealed and reenacted  
21 to read as follows:

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

27       12 Alcohol and Other Drug Use Professionals; Rulemaking. Amend RSA 330-C:9, I - V-b to read  
28 as follows:

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

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

34               (b) The ***eligibility requirements for the*** issuance of MLADC licenses to applicants  
35 holding a currently valid license or other authorization to practice substance use counseling and co-  
36 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:

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.

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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

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.



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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.

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.

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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

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.

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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).**

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:

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:

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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 ~~[I.]~~ 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 ~~[II. 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:



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.]~~

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:

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)]~~ (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           ~~(e)~~ **(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. 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 (e) 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)]~~ (c) 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)]~~ (d) Rules on substantial equivalency for implementation of RSA 309-B:6.

17 ~~[(f)]~~ (e) Rules governing the manner and circumstances of use of the titles "certified  
18 public accountant", "CPA," "public accountant" and "PA."

19 ~~[(g)]~~ (f) 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)]~~ (g) The establishment of administrative fines for violations of this chapter.

24 ~~[(j)]~~ (h) Rules on how an applicant for certificate demonstrates good character.

25 ~~[(k)]~~ (i) 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 one of whom shall be a public member]~~ **a majority of the members of**  
14 **the board appointed by the governor and council.**

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           ~~(e)]~~ (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)]~~ (f) 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)]~~ (g) Fees for applications, certification, renewal of certification, and reinstatement of  
31 certification.

32           ~~[(j)]~~ (h) 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]~~ (a) 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 ~~[(c) 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 (e) (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)~~ (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.*

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 ~~II.]~~ 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 INTRODUCED**

**- Page 51 -**

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.

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)].~~

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

~~(j)]~~ **(j)** 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 Acupuncture; Disciplinary Hearings; Rules. Amend RSA 328-G:12, III(b) to read as follows:

(b) Disciplinary action taken under this paragraph may be ordered by the board in a decision made after a hearing in the manner provided by the rules adopted by the ~~[board]~~ **office of professional licensure and certification** and reviewed in accordance with RSA 541.

7 Repeals; Acupuncture. The following are repealed:

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

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.

SB 58 - AS AMENDED BY THE SENATE

- Page 6 -

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:

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 Dietitians; 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 Dietitians; 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 Dietitians; 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 Dietitians; 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; Dietitians. 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

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.

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

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:

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 ~~[E.]~~ 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 ~~[H.] 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 ~~[I.]~~ 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 ~~[II. 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:

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.]~~

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:

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           ~~[(e)] (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           ~~(e)~~ **(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. 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)~~ (c) 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)~~ (d) Rules on substantial equivalency for implementation of RSA 309-B:6.

17 ~~(f)~~ (e) Rules governing the manner and circumstances of use of the titles "certified  
18 public accountant", "CPA," "public accountant" and "PA."

19 ~~(g)~~ (f) 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)~~ (g) The establishment of administrative fines for violations of this chapter.

24 ~~(j)~~ (h) Rules on how an applicant for certificate demonstrates good character.

25 ~~(k)~~ (i) 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.]~~ 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.]~~ III. How an applicant shall be examined, and procedures for computerized  
 24 examinations;

25 ~~[IV.]~~ IV. ~~[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.]~~ V. 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.]~~ VI. 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           ~~(e)~~ (c) 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           ~~[(c) 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)~~ (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.*



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 II.] 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**

**- Page 51 -**

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.

SB 58 - AS AMENDED BY THE HOUSE

03/11/2021 0617s  
3Jun2021... 1531h

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 struck through.~~]  
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 and in consultation*  
9 *with the appropriate board, council, or commission.*

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

12 (a) Supervision of the division directors;

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

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

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

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

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

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

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

27 (1) All fees authorized by statute for all boards, commissions, ~~and~~ councils, *and*  
28 *programs* within the office of professional licensure and certification, in consultation with the

1 affected boards, commissions, and councils on a biennial basis in conjunction with the preparation of  
2 the biennial budget;~~and~~

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;***

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

11 (4) ***Rules governing the professionals' health program as set forth in RSA***  
12 ***310-A:1-e; and***

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

21 2 Acupuncture; Quorum. Amend RSA 328-G:6 to read as follows:

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

27 3 Acupuncture; Rulemaking. Amend RSA 328-G:7, I-III to read as follows:

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

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

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

34 4 Acupuncture; Rulemaking. Amend RSA 328-G:7, XIV to read as follows:

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

1 (b) Renewal, revocation, or suspension of certification of an acupuncture detoxification  
2 specialist.

3 ~~[(e) Any fees required under subparagraphs (a) and (b).~~

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

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

6 I. The board shall:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

35 6 Repeals; Acupuncture. The following are repealed:

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

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

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1       7 Alcohol and Other Drug Use Professionals; Board; Quorum. Amend RSA 330-C:3, IX to read  
2 as follows:

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

6       8 Alcohol and Other Drug Use Professionals; Board; Removal. Amend RSA 330-C:3, XIII to read  
7 as follows:

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

15       9 Alcohol and Other Drug Use Professionals; Board; Duties. Amend RSA 330-C:5, VIII to read  
16 as follows:

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

20       10 Alcohol and Other Drug Use Professionals; Records. RSA 330-C:7 is repealed and reenacted  
21 to read as follows:

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

27       11 Alcohol and Other Drug Use Professionals; Rulemaking. Amend RSA 330-C:9, I - V-b to read  
28 as follows:

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

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

34               (b) The *eligibility requirements for the* issuance of MLADC licenses to applicants  
35 holding a currently valid license or other authorization to practice substance use counseling and co-  
36 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 12 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 13 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 14 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 15 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:28, II, relative to retaining experts for investigations or hearings.

37 16 Allied Health Professionals; Legal Counsel. Amend RSA 328-F:3, II to read as follows:



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.

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:

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.

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*

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; Dieticians. 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

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.



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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.

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:

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

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.

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 (e)] 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.

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:



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.

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

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:

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.*

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 ~~[I.]~~ 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 ~~[II.]~~ ~~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.~~

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

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:

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.



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,

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.

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:



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.***

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) 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.

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           ~~[(d)]~~ (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           ~~[(e)]~~ (e) Procedures for the conduct of hearings consistent with the requirements of due  
 9 process.

10           ~~[(f)]~~ (f) Procedures for approving education courses for eligibility for licensure and for a  
 11 continuing education program.

12           ~~[(g)]~~ (g) How an applicant shall be examined, including the time, place, type, and form of  
 13 the examination.

14           ~~[(h)]~~ (h) The design of an official seal.

15           ~~[(i)]~~ (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<sup>[.]</sup> *and* have a serial number<sup>[.]</sup> ~~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.

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           ~~[(h)]~~ (h) The establishment of administrative fines for violations of this chapter.

22           ~~[(i)]~~ (i) Rules on how an applicant for certificate demonstrates good character.

23           ~~[(j)]~~ (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.~~



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:

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.

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) 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) 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 ~~[(e)]~~ (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.

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.

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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~~[ ]~~ *and*  
5 have a serial number~~[ ]~~, ~~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~~[ ]~~ *and*  
20 have a serial number~~[ ]~~, ~~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~~[ ]~~ *and* have a  
33 serial number~~[ ]~~, ~~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

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

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[,] **and** have a  
10 serial number[, ~~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.



CHAPTER 197  
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03/11/2021 0617s  
3Jun2021... 1531h  
06/24/2021 2056EBA

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

CHAPTER 197  
SB 58 - FINAL VERSION

03/11/2021 0617s  
3Jun2021... 1531h  
06/24/2021 2056EBA

21-0935  
10/04

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:*

1 197:1 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 and in consultation***  
9 ***with the appropriate board, council, or commission.***

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

12 (a) Supervision of the division directors;

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

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

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

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

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

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

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

27 (1) All fees authorized by statute for all boards, commissions, ~~and~~ councils, ***and***  
28 ***programs*** within the office of professional licensure and certification, in consultation with the

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1 affected boards, commissions, and councils on a biennial basis in conjunction with the preparation of  
2 the biennial budget;~~and~~

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;***

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

11 (4) ***Rules governing the professionals' health program as set forth in RSA***  
12 ***310-A:1-e; and***

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

21 197:2 Acupuncture; Quorum. Amend RSA 328-G:6 to read as follows:

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

27 197:3 Acupuncture; Rulemaking. Amend RSA 328-G:7, I-III to read as follows:

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

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

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

34 197:4 Acupuncture; Rulemaking. Amend RSA 328-G:7, XIV to read as follows:

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

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1 (b) Renewal, revocation, or suspension of certification of an acupuncture detoxification  
2 specialist.

3 ~~[(e) Any fees required under subparagraphs (a) and (b).]~~

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

5 197:5 Acupuncture; Powers of the Board. Amend RSA 328-G:11, I to read as follows:

6 I. The board shall:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

35 197:6 Repeals; Acupuncture. The following are repealed:

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

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

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1 197:7 Alcohol and Other Drug Use Professionals; Board; Quorum. Amend RSA 330-C:3, IX to  
2 read as follows:

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

6 197:8 Alcohol and Other Drug Use Professionals; Board; Removal. Amend RSA 330-C:3, XIII to  
7 read as follows:

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

15 197:9 Alcohol and Other Drug Use Professionals; Board; Duties. Amend RSA 330-C:5, VIII to  
16 read as follows:

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

20 197:10 Alcohol and Other Drug Use Professionals; Records. RSA 330-C:7 is repealed and  
21 reenacted to read as follows:

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

27 197:11 Alcohol and Other Drug Use Professionals; Rulemaking. Amend RSA 330-C:9, I - V-b to  
28 read as follows:

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

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

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

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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.

18 197:12 Alcohol and Other Drug Use Professionals; Applications. Amend RSA 330-C:15, I(a) to  
19 read as follows:

20 (a) Submit a completed application and pay fees established by the ~~board~~ *office of*  
21 *professional licensure and certification*;

22 197:13 Alcohol and Other Drug Use Professionals; Applicants From Other States. Amend RSA  
23 330-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.]~~

28 197:14 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.

34 197:15 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:28, II, relative to retaining experts for investigations or hearings.

37 197:16 Allied Health Professionals; Legal Counsel. Amend RSA 328-F:3, II to read as follows:

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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           197:17 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           197:18 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           197:19 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.

20 197:20 Allied Health Professionals; Licenses. Amend RSA 328-F:18, I through IV to read as  
21 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 (a) A limit on the duration of the license.
- 2 (b) A requirement that specified education, clinical experience, or training is completed  
3 by the licensee before removal of the condition.
- 4 (c) A requirement that the conditional licensee be supervised in his or her practice.
- 5 (d) A limitation on the scope of the practice of the conditional licensee.

6 IV. Initial licenses, certifications, and registrations, including conditional licenses,  
7 certifications, and registrations that are the first license, certificate, or registration issued to the  
8 individual or hearing aid dealer, and provisional licenses, certifications, and registrations shall be:

9 ~~(a) Signed and dated by the chairperson of the governing board issuing them or his or~~  
10 ~~her designee.~~

11 ~~(b)~~ numbered consecutively and recorded.

12 197:21 Allied Health Professionals; Reinstatement. Amend RSA 328-F:24, III to read as follows:

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

16 197:22 Repeals; Allied Health. The following are repealed:

- 17 I. RSA 328-F:6, relative to compensation for governing board members.
- 18 II. RSA 328-F:12, I and IV, relative to a report of funds.
- 19 III. RSA 328-F:13, II-V, relative rulemaking by the allied health board of directors.

20 197:23 Repeals; Genetic Counselors. The following are repealed:

- 21 I. RSA 326-K:7, relative to compensation of the genetic counselors governing board.
- 22 II. RSA 326-K:9, II, relative to application procedures.

23 197:24 Physical Therapists; Powers of the Board. Amend RSA 328-A:3, IV to read as follows:

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

26 197:25 Repeals; Physical Therapists. The following are repealed:

- 27 I. RSA 328-A:3, VIII-XI, relative to duties of the board.
- 28 II. RSA 328-A:15, I, relative to licensee information.

29 197:26 Respiratory Care; Rulemaking. Amend RSA 326-E:2, III to read as follows:

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

32 197:27 Respiratory Care; Rulemaking. Amend RSA 326-E:11, III to read as follows:

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

36 197:28 Repeals; Respiratory Care. The following are repealed:

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

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

2           197:29 Speech-language Pathology; Reinstatement. Amend RSA 326-F:7-a, III and IV to read as  
3 follows:

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

6           IV. Pays the reinstatement fee *established by the office of professional licensure and*  
7 *certification*.

8           197:30 Repeal; Speech-language Pathology. RSA 326-F:5, II, relative to rules for applications, is  
9 repealed.

10          197:31 Barbering, Cosmetology, Esthetics; Board; Quorum. Amend RSA 313-A:2, V to read as  
11 follows:

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

17          197:32 Barbering, Cosmetology, Esthetics; Records. Amend RSA 313-A:4 to read as follows:

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

24          197:33 Barbering, Cosmetology, Esthetics; Board Duties. Amend RSA 313-A:7, I(a)-(d) to read  
25 as follows:

26               (a) Prescribe the duties of its officers [~~and employees~~];

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

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

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

34          197:34 Barbering, Cosmetology, Esthetics; Applications. Amend RSA 313-A:16 to read as  
35 follows:

36          313-A:16 Applications. Applicants shall make written application to the [~~secretary of the~~] board  
37 on a form prescribed and supplied by the [board] *office of professional licensure and*

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1 *certification* which shall contain satisfactory evidence of the qualifications required of the  
2 applicant; and the applicant shall also pay the examination fee.

3 197:35 Repeals; Barbering, Cosmetology, Esthetics. The following are repealed:

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

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

6 197:36 Body Art; Advisory Board; Compensation. Amend the introductory paragraph of RSA  
7 314-A:14 to read as follows:

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

15 197:37 Chiropractic; Rulemaking. Amend RSA 316-A:3, IV to read as follows:

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

21 197:38 Chiropractic; Board Meetings. Amend RSA 316-A:7 to read as follows:

22 316-A:7 Organization; Meetings. The board shall elect a chairperson ~~[and a secretary-  
23 treasurer]~~. The board shall meet quarterly and at such other times as the business of the board  
24 shall require. ***A quorum shall consist of a majority of the members of the board who have  
25 been approved by the governor and council.***

26 197:39 Repeals; Chiropractic. The following are repealed:

27 I. RSA 316-A:3, VIII, IX, and XVII, relative to rules on licensee information and fees.

28 II. RSA 316-A:6, relative to board member successors.

29 III. RSA 316-A:9, relative to compensation of board members.

30 IV. RSA 316-A:10, relative to a report.

31 V. RSA 316-A:16, relative to licensure without exam of certain persons.

32 197:40 Dentistry; Board Meetings. Amend RSA 317-A:4, II to read as follows:

33 II. The board shall choose one of its members as its president and one of its members as  
34 vice-president. ~~[Five members]~~ ***A majority of the members of the board who have been  
35 approved by the governor and council*** shall constitute a quorum. No board action shall be taken  
36 without an affirmative vote of the majority of board members present and eligible to participate in  
37 the matter in question. Board members shall not be eligible to participate in a vote when the board

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1 member has recused himself or herself from participation due to a conflict of interest. The board  
2 shall meet once a year and at such other times and places as it may deem proper. A true record of  
3 all their official acts shall be made and preserved by the ~~[board's executive director]~~ **office of**  
4 **professional licensure and certification in accordance with the retention policy established**  
5 **by the office.** The records shall be public and shall be open to inspection at all reasonable times,  
6 except for records compiled in connection with disciplinary proceedings, which are subject to RSA  
7 317-A:18.

8 197:41 New Paragraph; Dentistry; Professional Health Program. Amend RSA 317-A:16-a by  
9 inserting after paragraph VI the following new paragraph:

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

12 197:42 Dentistry; Licensure of Hygienists. Amend RSA 317-A:21, II to read as follows:

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

19 197:43 Repeals; Dentistry. The following are repealed:

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

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

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

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

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

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

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

27 197:44 Dietitians; Board Records. Amend RSA 326-H:9, III to read as follows:

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

32 197:45 Dietitians; Rules. Amend RSA 326-H:10, I to read as follows:

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

35 197:46 Dietitians; License Fees. Amend RSA 326-H:12, V to read as follows:

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

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1 197:47 Dieticians; License Renewals. Amend RSA 326-H:14, II to read as follows:

2 II. All licenses issued by the board shall be renewed biennially or reissued pursuant to rules,  
3 adopted and upon payment of a [~~\$110~~] license renewal fee *established by the office of*  
4 *professional licensure and certification*. The board shall cause notification of impending license  
5 expiration to be sent to each licensed person at least 60 days prior to the expiration of the license.  
6 Licenses shall continue as valid until final action is exercised by the board on an application for  
7 renewal, provided that the application is filed before the expiration date of the license.

8 197:48 Repeal; Dieticians. The following are repealed:

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

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

11 197:49 Repeal; Electrologists. RSA 314:2-a, IV, relative to compensation for the electrology  
12 advisory committee, is repealed.

13 197:50 Funeral Directors; Board. Amend RSA 325:2, I to read as follows:

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

19 197:51 Funeral Directors; Quorum. Amend RSA 325:8 to read as follows:

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

27 197:52 Funeral Directors; Rules. Amend RSA 325:9, IV to read as follows:

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

30 197:53 Funeral Directors; Licensure. Amend RSA 325:20 to read as follows:

31 325:20 Licensure. The board shall issue to each applicant successfully passing the examination,  
32 where an examination is required, and who otherwise satisfies the board of *her or* his qualifications,  
33 a license, [~~signed by all the members of the board,~~] entitling *her or* him to practice or engage in the  
34 business in this state as a funeral director, embalmer, or both, as the case may be.

35 197:54 Funeral Directors; Interstate Agreements. Amend RSA 325:22-a to read as follows:

36 325:22-a Interstate Agreements. The board may enter into an agreement with the  
37 corresponding licensing authority of any other state competent to enter into such agreement which

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1 shall permit a nonresident person duly registered and licensed as a funeral director or embalmer in  
2 any state signing the agreement with the board to go into the other state for the purpose of handling,  
3 embalming, transporting, and burying dead human bodies and directing funerals as though he *or*  
4 *she* were licensed under the laws of New Hampshire, except that he *or she* shall not maintain an  
5 establishment, advertise, have any agent or agency, or otherwise hold himself *or herself* out as a  
6 funeral director or embalmer other than in his *or her* native state; provided that the agreement will  
7 set forth that the licensing authority of the state in which the funeral director or embalmer is  
8 licensed will assume the responsibility for instituting disciplinary action against any licensed  
9 funeral directors or embalmers who may be guilty of unprofessional conduct in the practice of their  
10 business in New Hampshire when such is reported by this board and the same to apply to New  
11 Hampshire *individuals* licensed ~~[men]~~ *under this chapter*.

12 197:55 Funeral Directors; Notification. Amend RSA 325:24 to read as follows:

13 325:24 Notices of Expiration. On or before May 15 of each odd-numbered year, the board shall  
14 ~~[mail to]~~ *notify* each holder of a license ~~[a notice]~~ of the expiration of *her or* his license and an  
15 application for the renewal thereof.

16 197:56 Repeal; Funeral Directors. The following are repealed:

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

24 197:57 Hearing Care Providers; Board of Hearing Care Providers. Amend RSA 137-F:3, VII to  
25 read as follows:

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

28 197:58 Hearing Care Providers; Rulemaking. Amend RSA 137-F:6, I and II to read as follows:

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

31 197:59 Hearing Care Providers; Application for Registration; Fees. RSA 137-F:9 is repealed and  
32 reenacted to read as follows:

33 137-F:9 Application for Registration. An application for a certificate of registration under this  
34 chapter shall be filed with the board in such form and detail as required in accordance with rules  
35 adopted under RSA 541-A.

36 197:60 Hearing Care Providers; Record. RSA 137-F:29 is repealed and reenacted to read as  
37 follows:

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1 137-F:29 Record. The board shall maintain a record of its proceedings in accordance with the  
2 retention policy established by the office of professional licensure and certification.

3 197:61 Repeal; Hearing Care Providers. The following are repealed:

4 I. RSA 137-F:3, V, relative to mileage for members of board of hearing care providers.

5 II. RSA 137-F:4, relative to board subcommittees.

6 III. RSA 137-F:5, VIII and IX, relative to certain powers and duties of the board.

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

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

10 197:62 Medical Imaging and Radiation Therapy; Board Responsibilities. Amend RSA 328-J:7 to  
11 read as follows:

12 328-J:7 Board Responsibilities; Rulemaking Authority. The board shall adopt rules, pursuant to  
13 RSA 541-A, relative to:

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

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

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

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

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

19 (a) Time and place of examination.

20 (b) The subjects to be tested.

21 (c) Passing grade.

22 (d) Disposition of examination papers.

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

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

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

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

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

36 XI.] VIII. Procedures for accepting and responding to written complaints, publicizing the  
37 complaint procedure, standards of and procedures for conducting investigations, investigator

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1 training requirements, and procedures for conducting disciplinary hearings and alternative dispute  
2 resolution under this chapter.

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

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

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

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

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

12 197:63 Medical Imaging and Radiation Therapy; Hearings. Amend RSA 328-J:18, V to read as  
13 follows:

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

16 197:64 Repeal; Medical Imaging and Radiation Therapy. RSA 328-J:3, IV, relative to  
17 compensation for members of the board of medical imaging and radiation therapy, is repealed.

18 197:65 Board of Registration of Medical Technicians; Rulemaking. RSA 328-I:4 is repealed and  
19 reenacted to read as follows:

20 328-I:4 Rulemaking. The board shall adopt rules, pursuant to RSA 541-A, relative to:

21 I. Registration eligibility requirements.

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

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

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

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

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

31 197:66 Repeals; Board of Registration of Medical Technicians. The following are repealed:

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

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

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

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



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1       197:67 Physician Assistants; Conditions for Licensure. Amend the introductory paragraph of  
2 RSA 328-D:3, I to read as follows:

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

6       197:68 Physician Assistants; Rulemaking. Amend RSA 328-D:10, I,(b) to read as follows:

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

8       197:69 Physician Assistants; Recordkeeping. RSA 328-D:11 is repealed and reenacted to read as  
9 follows:

10       328-D:11 Recordkeeping. The board shall keep a record of its proceedings under this chapter in  
11 accordance with the retention policy established by the office of professional licensure and  
12 certification.

13       197:70 Repeal; Physician Assistants. RSA 328-D:10, I(c) relative to the board of medicine's  
14 rulemaking authority regarding application procedures, is repealed.

15       197:71 Physicians and Surgeons; Records. Amend RSA 329:8 to read as follows:

16       329:8 Records. A true record of all of the board's official acts shall be made and preserved ~~[by~~  
17 ~~the administrator]~~ **in accordance with the retention policy established by the office of**  
18 **professional licensure and certification**. The records shall be public and shall be open to  
19 inspection at all reasonable times, except for records compiled in connection with disciplinary  
20 investigations and records otherwise exempt from disclosure under RSA 91-A, RSA 329:18, or other  
21 applicable statutes.

22       197:72 Physicians and Surgeons; Professionals' Health Program. Amend RSA 329:13-b, V(a) to  
23 read as follows:

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

31       197:73 New Paragraph; Physicians and Surgeons; Professionals' Health Program. Amend RSA  
32 329:13-b by inserting after paragraph VI the following new paragraph:

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

35       197:74 Physicians and Surgeons; Notice of Renewal. Amend RSA 329:16-d to read as follows:

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

4 197:75 Physicians and Surgeons; Disciplinary Action. Amend RSA 329:17, V-a to read as  
5 follows:

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

25 197:76 Physicians and Surgeons; Disciplinary Action. Amend RSA 329:17, XIII to read as  
26 follows:

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

36 197:77 Physicians and Surgeons; Denial or Revocation of License. Amend RSA 329:18, II to  
37 read as follows:

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

9 197:78 Repeal; Physicians and Surgeons. The following are repealed:

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

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

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

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

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

17 197:79 Mental Health Practice; Committees Established; Duties. Amend RSA 330-A:4, I and I-a  
18 to read as follows:

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

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

32 197:80 Mental Health Practice; Organization and Meetings. Amend RSA 330-A:9, I to read as  
33 follows:

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

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1       197:81 Mental Health Practice; Board; Responsibilities and Rulemaking Authority. RSA 330-  
2 A:10 is repealed and reenacted to read as follows:

3       330-A:10 Board; Responsibilities and Rulemaking Authority. The board shall adopt rules,  
4 pursuant to RSA 541-A, relative to:

5           I. Procedures for expedited licensure for applicants from other states who qualify under RSA  
6 330-A:26.

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

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

9               (a) Time and place of examination.

10              (b) The subjects to be tested.

11              (c) Passing grade.

12              (d) Disposition of examination papers.

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

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

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

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

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

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

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

35           XI. Procedures for assuring the continuing competence of persons licensed under this  
36 chapter including, but not limited to, continuing education requirements, provided that at least 3  
37 hours of the required continuing education units for biennial renewal shall be from a nationally

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1 recognized, evidence-based or best practices training organization in the area of suicide prevention,  
2 intervention, or post-vention and how mental illness, substance use disorders, trauma, or  
3 interpersonal violence directly impacts risk for suicide.

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

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

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

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

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

17 197:82 Mental Health Practice; Applicants From Other States. Amend RSA 330-A:26, II to read  
18 as follows:

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

25 197:83 Mental Health Practice; Hearings. Amend RSA 330-A:29, IV to read as follows:

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

29 197:84 Repeal; Mental Health Practice. The following are repealed:

- 30 I. RSA 330-A:7, relative to compensation and expenses.
- 31 II. RSA 330-A:13, relative to records and reports.

32 197:85 Midwifery; Powers and Duties of the Council. Amend RSA 326-D:4, I to read as follows:

- 33 I. The powers and duties of the council shall include:
  - 34 (a) Certifying eligible applicants for certification under this chapter.
  - 35 (b) ~~[Establishing fees for examination of applicants.~~
  - 36 (e) Investigating complaints against persons certified under this chapter.

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

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

5           197:86 Midwifery; Rulemaking. Amend RSA 326-D:5 to read as follows:

6           326-D:5 Rulemaking.

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

8           (a) Qualifications for the practice of midwifery.

9           (b) The teaching of midwifery.

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

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

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

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

19           (g) Standards for reciprocity.

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

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

22           ~~[(j)]~~ (j) Reporting requirements relative to client information and notification of  
23 transfers.

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

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

30           197:87 Midwifery; Council Established. Amend RSA 326-D:3, IV to read as follows:

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

35           197:88 Midwifery; Certificate of Renewal; Continuing Education. Amend RSA 326-D:11 to read  
36 as follows:

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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       197:89 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       197:90 Naturopathic Health Care Practice; Naturopathic Board of Examiners. Amend RSA 328-  
15 E:7, 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       197:91 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.

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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.

12 197:92 Repeal; Naturopathic Health Care. RSA 328-E:7, VI, relative to the board serving  
13 without pay, is repealed.

14 197:93 Nurse Practice Act; Rulemaking Authority. Amend RSA 326-B:9, I and II to read as  
15 follows:

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

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

22 197:94 Nurse Practice Act; Alternative Recovery Monitoring Program. Amend RSA 326-B:36-a,  
23 VI to read as follows:

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

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

35 (c) ~~[No later than July 1, 2019, the board shall adopt rules under RSA 541-A for the~~  
36 ~~procedures and other matters required to implement this section]~~ **Rules governing this program**



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1 *shall be implemented through the office of professional licensure and certification*  
2 *pursuant to RSA 310-A:1-d, II(h)(4).*

3 197:95 Repeal; Nurse Practice Act. RSA 326-B:3, VII, relative to compensation of members of  
4 the board of nursing, is repealed.

5 197:96 Nursing Home Administrators; Licenses. Amend RSA 151-A:7, III and IV to read as  
6 follows:

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

9 IV.] If the board finds that programs of training and instruction conducted within the state  
10 are not sufficient in number or content to enable nursing home administrators to meet requirements  
11 established pursuant to this chapter, the board may request the department of health and human  
12 services to institute and conduct or arrange with others to conduct one or more such programs, and  
13 shall make provision for their accessibility to residents of this state. The department of health and  
14 human services may approve programs conducted within and without this state as sufficient to meet  
15 education and training requirements established pursuant to this chapter. For purposes of this  
16 paragraph, the department of health and human services shall have the authority to receive and  
17 disburse state funds allocated for this purpose and federal funds received pursuant to section  
18 1908(e)(1) of the Social Security Act.

19 197:97 Nursing Home Administrators; Registration. Amend RSA 151-A:8, II-IV to read as  
20 follows:

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

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

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

33 197:98 Repeal; Nursing Home Administrators. The following are repealed:

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

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

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

3           197:99 Ophthalmic Dispensing; Rulemaking. Amend RSA 327-A:12, I and II to read as follows:

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

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

9           197:100 Optometry; Rulemaking Authority. RSA 327:31, I-X are repealed and reenacted to read  
10 as follows:

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

13           II. How an applicant shall be examined including:

14               (a) Time and place of examination, and

15               (b) Passing grade;

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

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

21           V. Requirements for continuing education in addition to those requirements set by RSA  
22 327:33 and RSA 327:33-a;

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

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

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

28           197:101 Repeal; Optometry. The following are repealed.

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

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

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

32           197:102 Pharmacy Board; Inspectional Services. Amend RSA 318:9-a to read as follows:

33           318:9-a Inspectional Services. The pharmacy board ***through the office of professional***  
34 ***licensure and certification*** shall provide inspectional services under this chapter and RSA 318-  
35 B:25 to the board of medicine, the board of veterinary medicine, the board of podiatry, the board of  
36 registration in optometry, the board of dental examiners, the board of nursing, and the naturopathic  
37 board of examiners. ***Pharmacy board inspections shall be provided by pharmacists or***

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1 *pharmacy technicians licensed by the New Hampshire board of pharmacy who have*  
2 *training and experience regarding pharmacy statutes and rules.*

3 197:103 Pharmacy Board; Required; Compliance. Amend RSA 318:37, II(b)(2) to read as follows:

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

7 197:104 Pharmacy Board; Penalties. Amend RSA 318:55, III to read as follows:

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

14 197:105 Repeal; Pharmacy Board. The following are repealed:

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

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

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

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

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

21 197:106 Podiatry; Requirements; Cross Reference Change. Amend RSA 315:2, II to read as  
22 follows:

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

26 197:107 Podiatry; Peer Review Committee. Amend RSA 315:2-a to read as follows:

27 315:2-a Peer Review Committee. The board [~~shall~~] *may* establish a peer review committee  
28 consisting of 2 podiatrists appointed by the board and one medical practitioner, appointed by the  
29 board subject to the approval of the board of medicine. Each appointee shall serve for a 2-year term.

30 197:108 Podiatry; Rulemaking Authority. RSA 315:4 is repealed and reenacted to read as  
31 follows:

32 315:4 Rulemaking Authority. The board shall adopt rules, pursuant to RSA 541-A, relative to:

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

34 II. Eligibility requirements for renewal of licensure, including the requirements for  
35 continuing education.

36 III. Ethical standards required to be met by each holder of any license issued under this  
37 chapter and how such license may be revoked for violation of these standards.

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1 IV. Procedures for the conduct of hearings.

2 V. The imposition of administrative fines authorized under RSA 315:9, III(f).

3 VI. Information required by the board in its application relative to the applicant's podiatric  
4 competence and professional conduct.

5 VII. Prescribing controlled drugs pursuant to RSA 318-B:41.

6 197:109 Podiatry; Records and Reports. Amend RSA 315:5 to read as follows:

7 315:5 Records and Reports.

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

14 [~~II. The board shall keep a record of the names and residences of all persons holding licenses~~  
15 ~~or privileges under this chapter and a record of all money received and disbursed by the board.~~

16 [~~III. The board shall report to the governor and council biennially in September. This report~~  
17 ~~shall contain a full and complete account of all official actions taken during the preceding 2-year~~  
18 ~~period, together with a statement of the receipts and disbursements of the board and such comments~~  
19 ~~as the board in its discretion deems necessary.]~~

20 197:110 Podiatry; Notice of Expiration. Amend RSA 315:13 to read as follows:

21 315:13 Notice of Expiration. The secretary shall [~~mail a~~] *provide* notice to each holder of a  
22 license that has not been renewed within 90 days of the expiration date, advising him or her of the  
23 expiration of the license and the penalty of practicing podiatry without holding a license and the  
24 condition and terms upon which his or her license may be reinstated.

25 197:111 Repeal; Podiatry. RSA 315:3, relative to compensation of members of the board of  
26 podiatry, is repealed.

27 197:112 Controlled Drug Prescription Health and Safety Program; Operation. Amend RSA 318-  
28 B:33, VI-VII to read as follows:

29 VI. The [~~program administrator~~] *executive director* may issue a waiver to a dispenser that  
30 is unable to submit prescription information by electronic means. Such waiver may permit the  
31 dispenser to submit prescription information by paper form or other means, provided all information  
32 required by paragraph IV is submitted in this alternative format and within the established time  
33 limit.

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

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1       197:113 Controlled Drug Prescription Health and Safety Program; Information. Amend RSA  
2 318-B:35 to read as follows:

3       318-B:35 Providing Controlled Drug Prescription Health and Safety Information.

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

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

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

9                   (2) For reviewing information regarding prescriptions issued or dispensed by the  
10 requester; or

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

12           (b) By written request, to:

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

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

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

23                   (4) [Repealed.]

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

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

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

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

36                   (3) [Repealed.]

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

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

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

16           197:114 Psychologists; Organization and Meetings. Amend RSA 329-B:9, I to read as follows:

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

21           197:115 Psychologists; Records. Amend RSA 329-B:13 to read as follows:

22           329-B:13 Records and Reports.

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

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

34           197:116 Psychologists; Hearings. Amend RSA 329-B:23, IV to read as follows:

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

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1 197:117 Psychologists; Notice. Amend RSA 329-B:24, I to read as follows:

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

8 197:118 Repeals; Psychologists. The following are repealed:

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

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

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

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

14 197:119 Repeal; Reflexologists, Structural Integrators, and Asian Bodywork Therapists. RSA  
15 328-H:6, II, relative to the compensation of members of the advisory board, is repealed.

16 197:120 New Hampshire Veterinary Practice Act; Meetings and Duties. Amend RSA 332-B:5 to  
17 read as follows:

18 332-B:5 Meetings and Duties. The board shall meet at least 6 times a year at the time and place  
19 fixed by rule of the board. Other necessary meetings may be called by the president of the board by  
20 giving notice as may be required by rule. The quorum and the actions of the board shall be in  
21 accordance with RSA 91-A. At its annual meeting, the board shall organize by electing a president  
22 and such other officers as may be prescribed by rule. Officers of the board serve for terms of one  
23 year and until a successor is elected, without limitation on the number of terms an officer may serve.  
24 The president shall preside at board meetings and serve as administrative head of the board. ~~[The~~  
25 ~~board shall submit annually to the governor a report on the transactions of the board, including an~~  
26 ~~account of monies received and disbursed as shall be required by the state auditors.]~~ Records shall  
27 be kept ~~[by the administrative assistant]~~ pursuant to RSA 91-A:3 **and in accordance with the**  
28 **retention policy established by the office of professional licensure and certification.**

29 197:121 New Hampshire Veterinary Practice Act; Hearing, Decisions, and Appeals. Amend RSA  
30 332-B:16, I to read as follows:

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

35 197:122 Repeal; Veterinary Practice Act. The following are repealed:

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

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

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

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

7           197:123 General Administration of Regulatory Boards and Commissions; Reciprocity  
8 Information. Amend the introductory paragraph of RSA 332-G:12, I to read as follows:

9           I. All boards or commissions *shall grant a license to an individual certified or*  
10 *licensed in another state if it determines that the requirements or standards for*  
11 *certification or licensure in that state are equivalent to, or greater than, those established*  
12 *in New Hampshire. All boards and commissions* shall post information on their website  
13 relative to reciprocal licensure or certification for persons holding a current and valid license or  
14 certification for the practice of the regulated profession in another state. Such information shall  
15 include a list of the states which the board or commission has determined to have license or  
16 certification requirements equal to, or greater than, the requirements of this state. The posting shall  
17 also list states with which the board or commission has:

18           197:124 Board of Engineers; Establishment. Amend RSA 310-A:3, V and VI to read as follows:

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

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

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

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

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

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

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

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

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

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

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

36           (b) The records of the board shall be prima facie evidence of the proceedings of the board,  
37 and a transcript of such records certified by the secretary of the board under seal shall be admissible



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1 in evidence with the same force and effect as if the original were produced. [~~Biennially, as of~~  
2 ~~December 31, the board shall submit to the governor a report of the transactions of the preceding~~  
3 ~~biennium, and a complete statement of the receipts and expenditures of the board.]~~

4 197:125 Board of Engineers; Rulemaking Authority. Amend RSA 310-A:6, I(d) to read as  
5 follows:

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

8 197:126 Repeal; Professional Engineers. The following are repealed:

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

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

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

14 197:127 Board of Architects; Establishment. Amend RSA 310-A:29, V and VI to read as follows:

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

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

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) Whether or not an examination was required.~~

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

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1       197:128 Board of Architects; Rulemaking Authority. Amend RSA 310-A:32, I(d) to read as  
2 follows:

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

5       197:129 Board of Architects; Expiration and Renewals. Amend RSA 310-A:46 to read as follows:

6       310-A:46 Expiration and Renewals. All licenses issued by the board shall expire on the last day  
7 of the month of the licensee's birth in the year 2 years following the year of issuance. The board  
8 shall cause notification of the impending license expiration to be sent to each licensee at least one  
9 month prior to the expiration date of the license. If the renewal fee is not submitted within 12  
10 months after the expiration date of the license, the licensee's name shall be removed from the  
11 mailing list ~~[and roster]~~. An application for reinstatement shall be required to return to active  
12 status. The ~~[board, pursuant to rules adopted under RSA 310-A:32,]~~ ***office of professional***  
13 ***licensure and certification*** shall charge up to a 20 percent late fee for each month or fraction of a  
14 month the renewal is late, up to 12 months, in addition to the renewal fee.

15       197:130 Repeal; Board of Architects. The following are repealed:

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

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

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

20       197:131 Board of Land Surveyors; Establishment. Amend RSA 310-A:55, V and VI to read as  
21 follows:

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

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

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

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

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

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

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

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

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

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

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

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

8           197:132 Land Surveyors; Rulemaking Authority. Amend RSA 310-A:58, IV to read as follows:

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

11           197:133 Land Surveyors; Rulemaking Authority. Amend RSA 310-A:58, VI-a to read as follows:

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

16           197:134 Repeal; Land Surveyors. The following are repealed:

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

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

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

22           197:135 Board of Natural Scientists; Establishment. Amend RSA 310-A:81, V and VI to read as  
23 follows:

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

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

32           ~~(1) The name and residence of each applicant;~~

33           ~~(2) The date of application;~~

34           ~~(3) The place of business of such applicant;~~

35           ~~(4) The applicant's educational and other qualifications;~~

36           ~~(5) Whether or not an examination was required;~~

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

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

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

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

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

10 197:136 Board of Natural Scientists; Rulemaking Authority. Amend RSA 310-A:82, IV to read  
11 as follows:

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

14 197:137 Repeals; Natural Scientists. The following are repealed:

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

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

19 197:138 Board of Foresters; Establishment. Amend RSA 310-A:100, V and VI to read as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

7 197:139 Board of Foresters; Rulemaking. Amend RSA 310-A:102, IV to read as follows:

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

9 197:140 Repeal; Board of Foresters. The following are repealed:

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

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

14 197:141 Board of Professional Geologists. Amend RSA 310-A:120, V-VII to read as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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1       197:142 Board of Professional Geologists; Continuing Education. Amend RSA 310-A:127, I to  
2 read as follows:

3           I. Applications for licensure shall be ~~[on forms prescribed and furnished by the board,]~~ **made**  
4 **using the method prescribed and furnished by the office of professional licensure and**  
5 **certification. Applications** shall contain statements made under oath, showing the applicant's  
6 education and a detailed summary of the applicant's technical work, and shall contain not less than  
7 5 references, of whom at least 3 shall be professional geologists having personal knowledge of the  
8 applicant's professional experience.

9       197:143 Repeal; Board of Professional Geologists. The following are repealed:

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

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

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

16       197:144 Board of Landscape Architects; Establishment. Amend RSA 310-A:142, V and VI to  
17 read as follows:

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

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

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

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

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

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

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

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

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

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

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

35           (b) The records of the board shall be prima facie evidence of the proceedings of the board,  
36 and a transcript of such records certified by the secretary of the board under seal shall be admissible  
37 in evidence with the same force and effect as if the original were produced. ~~[Biennially, as of~~

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1 ~~December 31, the board shall submit to the governor a report of the transactions of the preceding~~  
2 ~~biennium, and a complete statement of the receipts and expenditures of the board.]~~

3 197:145 Board of Landscape Architects; Rulemaking Authority. Amend RSA 310-A:143, I(d) to  
4 read as follows:

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

8 197:146 Board of Landscape Architects; Rulemaking. Amend RSA 310-A:143, I(j) to read as  
9 follows:

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

11 197:147 Board of Landscape Architects; Expiration and Renewals. Amend RSA 310-A:154, II to  
12 read as follows:

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

17 197:148 Repeal; Landscape Architects. The following are repealed:

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

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

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

24 197:149 Court Reporters; Board; Roster. Amend RSA 310-A:154, II to read as follows:

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

29 197:150 Court Reporters; Board; Rulemaking. Amend RSA 310-A:163 and 310-A:164 to read as  
30 follows:

31 310-A:163 Board.

32 I. There is hereby established a board of court reporters. The board shall consist of 5  
33 members who shall be citizens of the United States and residents of this state appointed by the  
34 governor and council, 3 of whom shall be court reporters, one of whom shall be a public member and  
35 one of whom shall be admitted to practice law in the state of New Hampshire. The public member of  
36 the board shall be a person who is not, and never was, a member of the court reporting profession or  
37 the spouse of any such person, and who does not have and never has had, a material financial

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1 interest in either the provision of court reporting services or an activity directly related to court  
2 reporting, including the representation of the board or profession for a fee at any time during the 5  
3 years preceding appointment. Each court reporter member shall have actively practiced court  
4 reporting for the chief means of livelihood for at least 10 years prior to appointment and shall have  
5 held a responsible position in charge of such work for at least 5 years prior to appointment, which  
6 may include the teaching of court reporting. Members shall be appointed for 5-year terms, except  
7 that no more than one appointed member's term may expire in any one calendar year.  
8 Appointments for terms of less than 5 years may be made in order to comply with this limitation. No  
9 appointed member shall be eligible to serve more than 2 full consecutive terms, provided that, for  
10 this purpose only, a period actually served which exceeds 1/2 of the 5-year term shall be deemed a  
11 full term. Upon expiration of a member's term, the member shall serve until a successor is qualified  
12 and appointed. The successor's term shall be 5 years from the date of expiration of the predecessor's  
13 appointment, regardless of the date of the successor's appointment. Vacancies occurring prior to the  
14 expiration of a specific term shall be filled by appointment for the unexpired term. The governor and  
15 council may remove a board member for cause. ~~[Members of the board shall receive \$25 for each day~~  
16 ~~actually engaged in the duties of their office and shall be reimbursed for all actual travel, incidental,~~  
17 ~~and clerical expenses necessarily incurred in carrying out the provisions of this subdivision.]~~

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

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

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

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

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

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

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

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

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

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

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



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

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

11           310-A:164 Rulemaking. The board shall adopt rules, pursuant to RSA 541-A, relative to:

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

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

15           ~~[III.]~~ II. How an applicant shall be examined.

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

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

21           ~~[VI. Fees under RSA 310-A:171.~~

22           ~~[VII.]~~ V. Matters related to the proper administration of this subdivision.

23           ~~[VIII.]~~ VI. Procedures for the conduct of hearings consistent with the requirements of due  
24 process.

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

26           197:151 Court Reporters; Qualifications. Amend RSA 310-A:170, II to read as follows:

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

28           197:152 Home Inspectors; Board of Home Inspectors. Amend RSA 310-A:186, V-IX to read as  
29 follows:

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

33           ~~[VI.]~~ 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 or appoint a chairperson, vice-  
36 chairperson, and secretary. ~~[Four members]~~ *A majority of the members of the board appointed*  
37 *by the governor and council shall constitute a quorum.*

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

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

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

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

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

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

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

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

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

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

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

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

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

26           197:153 Home Inspectors; Rulemaking Authority. Amend RSA 310-A:187, I to read as follows:

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

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

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

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

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

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

36                   ~~(f)]~~ **(c)** Disciplinary actions by the board that shall be implemented for violations of the  
37 standards of practice, code of ethics, and rules adopted by the board.

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1           ~~(g)~~(d) Procedures for the conduct of hearings consistent with the requirements of due  
2 process.

3           ~~(h)~~(e) Procedures for approving education courses for eligibility for licensure and for a  
4 continuing education program.

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

6           ~~(j)~~(g) The design of an official seal.

7           ~~(k)~~(h) The establishment of administrative fines which may be levied in the  
8 administration of this subdivision.

9           197:154 Home Inspectors; License Applications. Amend RSA 310-A:191, I to read as follows:

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

13           197:155 Septic System Evaluators; Board. Amend RSA 310-A:206, VII-X to read as follows:

14           VII. 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. ~~[Three members]~~ **A majority of the members appointed by the**  
18 **governor and council** shall constitute a quorum.

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

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) Proof of passing the septic system evaluator exam.~~

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]~~ **in**  
30 **accordance with the retention policy established by the office of professional licensure and**  
31 **certification.**

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

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

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

9 197:156 Septic System Evaluators; Rulemaking. Amend RSA 310-A:207, I to read as follows:

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

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

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

14 ~~(c)]~~ (c) Procedures for auditing applicants and license holders.

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

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

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

22 ~~(g)]~~ (g) Procedures for the conduct of hearings consistent with the requirements of due  
23 process.

24 ~~(h)]~~ (h) Procedures for approving education courses for eligibility for licensure and for a  
25 continuing education program.

26 ~~(i)]~~ (i) How an applicant shall be examined, including the time, place, type, and form of  
27 the examination.

28 ~~(j)]~~ (j) The design of an official seal.

29 ~~(k)]~~ (k) The establishment of administrative fines which may be levied in the  
30 administration of this subdivision.

31 197:157 Septic System Evaluators; License Applications. Amend RSA 310-A:211, I to read as  
32 follows:

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

36 197:158 Septic System Evaluators; Issuance of Licenses. Amend RSA 310-A:213 to read as  
37 follows:

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1           310-A:213 Issuance of Licenses. The board shall issue a license upon payment of the license fee  
2 established by the [board] *office of professional licensure and certification*, to any applicant  
3 who, in the opinion of the board, has satisfactorily met all the requirements of this subdivision.  
4 Licenses shall show the full name of the license holder<sup>[5]</sup> *and* have a serial number~~[, and be signed~~  
5 ~~by the chairperson or the secretary of the board]~~. The issuance of a license by the board shall be  
6 prima facie evidence that the person named in the license is entitled to all the rights and privileges  
7 of a certified septic system evaluator while the license remains valid. It shall be a class B  
8 misdemeanor for the license holder to perform septic system evaluations after the license of the  
9 evaluator has expired or has been revoked, unless such license shall have been renewed, reinstated,  
10 or reissued.

11           197:159 Board of Accountancy. Amend RSA 309-B:4, III-X to read as follows:

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

15           IV.] The [board] *office of professional licensure and certification* shall establish fees  
16 for examination of applicants, for licenses, for certificates of authorization, for reissuance of licenses,  
17 for renewal and reinstatement of licenses and certificates to practice under this chapter, for late  
18 renewals, for verification of licensure or examination, and for transcribing and transferring records  
19 and other services. All moneys collected by the [board] *office of professional licensure and*  
20 *certification* from fees authorized under this chapter shall be received and accounted for by the  
21 [board] *office of professional licensure and certification*, shall be deposited in the [state  
22 treasury] *office of professional licensure and certification fund established in RSA 310-A:1-*  
23 *e.* Administration expenses shall be limited to the funds collected and may include, but shall not be  
24 limited to, the costs of conducting investigations and of taking testimony and procuring the  
25 attendance of witnesses before the board or its committees; all legal proceedings taken under this  
26 chapter for the enforcement of this chapter; and educational programs for the benefit of the public or  
27 licensees and their employees.

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

33           ~~VI.]~~ IV. The board may employ investigators and such other personnel as it deems necessary  
34 through the office of professional licensure and certification for enforcement under this chapter. It  
35 may appoint such committees or persons to advise or assist it in such enforcement, as it may see fit.  
36 It may retain its own counsel retained through the office of professional licensure and certification to

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1 advise and assist it, in addition to such advice and assistance as is provided by the department of  
2 justice.

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

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

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

19               (b) Rules of procedure governing the conduct of investigations and hearings by the  
20 board.

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

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

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

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

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

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

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

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

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1           ~~(4)~~ (j) Rules for records retention, outsourcing disclosures, and the severance of  
2 connections.

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

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

8           197:160 New Paragraph; Board of Accountancy; Issuance and Renewal of Certificates. Amend  
9 RSA 309-B:7 by inserting after paragraph XIV the following new paragraph:

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

12           197:161 Electricians; Board. Amend RSA 319-C:4, III-IV to read as follows:

13           ~~III. [The members of the board, other than state employees, shall each be allowed the sum of~~  
14 ~~\$30 per day and their necessary traveling expenses incurred in carrying out their official duties.~~

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

18           197:162 Electricians; Organizations and Meetings; Rulemaking. Amend RSA 319-C:6 and 6-a to  
19 read as follows:

20           319-C:6 Organization and Meetings. The board shall hold at least 4 regular meetings each year,  
21 and special meetings may be held at such times as the business of the board may require. Notice of  
22 all meetings shall be given in such manner as the rules of the board may provide. The board shall  
23 annually elect a chairman, a vice-chairman, and a secretary, who shall be one of the appointed  
24 members. A quorum of the board shall consist of ~~[not less than 3 members, not including the ex~~  
25 ~~officio member, and at least]~~ **a majority of the members of the board appointed by the**  
26 **governor and council**, one of whom shall be a public member.

27           319-C:6-a Rulemaking Authority. The board, with an affirmative vote of at least 3 of the 5  
28 appointed board members, shall adopt rules, pursuant to RSA 541-A, relative to:

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

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

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

34           (b) Good professional character;

35           ~~[III.]~~ II. How an applicant shall be examined, and procedures for computerized  
36 examinations;

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

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

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

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

10           ~~[VII.]~~ **VI.** Procedures and policy for the investigation of complaints against licensees or  
11 registrants;

12           ~~[VIII.]~~ **VII.** Procedures for the conduct of hearings consistent with the requirements of due  
13 process; and

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

15           197:163 Electricians; Records. Amend RSA 319-C:13 to read as follows:

16           319-C:13 Records. The board shall keep a record of the name and residence of all persons  
17 licensed under this chapter *in accordance with the retention policy established by the office of*  
18 *professional licensure and certification*, and said record or duplicate thereof shall be open for  
19 inspection during office hours.

20           197:164 Family Mediators; Board. Amend RSA 328-C:4, II(a) to read as follows:

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

24           197:165 Family Mediators; Rulemaking. Amend RSA 328-C:8 to read as follows:

25           328-C:8 Rulemaking Authority.

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

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

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

32           (e) Content of training programs and training equivalents allowed under RSA 328-C:5,

33           III.

34           ~~[(d)]~~ (c) Content of internships and duration and content of internship equivalents  
35 allowed under RSA 328-C:5, III.

36           ~~[(e)]~~ (d) The ethical standards and standards of practice for family mediators certified in  
37 New Hampshire.



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1           ~~[(f)]~~ (e) Procedures for the reporting of activities conducted by certified family mediators  
2 and certified family mediator training programs.

3           ~~[(g)]~~ Procedures for processing complaints.

4           ~~[(h)]~~ (f) Disciplinary ~~[procedures,]~~ penalties~~;~~ and sanctions for certified family  
5 mediators and martial mediator training programs, as provided under RSA 328-C:7.

6           ~~[(i)]~~ Fees for applications, certification, renewal of certification, and reinstatement of  
7 certification.

8           ~~[(j)]~~ (g) Reporting requirements for certified training programs.

9           II. The board may adopt rules for family mediators and family mediator training programs,  
10 pursuant to RSA 541-A, relative to the ~~[following:]~~

11           ~~(a) the]~~ application ~~[process,]~~ requirements~~;~~ and criteria for temporary renewal of  
12 certification and conditional certification.

13           ~~[(b)]~~ Fees for temporary renewal of certification and conditional certification and for the  
14 filing of requests for information not governed by RSA 91-A, the filing of complaints and petitions,  
15 and the processing of changes to information of record.

16           ~~(c) Procedures for informal resolution or referral of complaints;]~~

17           197:166 Repeal; Family Mediators. The following are repealed:

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

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

20           197:167 Guardians ad Litem Board; Rulemaking. Amend RSA 490-C:5 to read as follows:

21           490-C:5 Rulemaking Authority.

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

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

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

29           ~~(c)]~~ (e) Eligibility requirements and criteria for certification, recertification, reinstatement,  
30 and renewal of certification.

31           ~~[(d)]~~ (c) Training requirements.

32           ~~[(e)]~~ (d) Educational and continuing educational requirements.

33           ~~[(f)]~~ Fees for certification, recertification, reinstatement, and renewal of certification.

34           ~~[(g)]~~ (e) The ethical standards and standards of practice for guardians ad litem certified  
35 in New Hampshire.

36           ~~[(h)]~~ (f) Procedures for conducting investigations and hearings conducted by the board  
37 under this chapter.

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1           ~~[(g)]~~ (g) Procedures for processing complaints and addressing disciplinary issues handled  
2 by the board under this chapter.

3           ~~[(h)]~~ (h) Disciplinary procedures, penalties, and sanctions for certified guardians ad litem,  
4 which penalties, sanctions, and procedures may include revocation of certification, suspension of  
5 certification, the imposition of supplemental training requirements or supervised training  
6 requirements, supplemental education, fines, written reprimand, and treatment and counseling,  
7 including but not limited to treatment or counseling for alcohol or substance abuse. Disciplinary  
8 procedures, penalties, and sanctions may be established for and applied to formerly certified  
9 guardians ad litem who engaged in acts or omissions prohibited when certified.

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

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

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

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

21           ~~[(c)]~~ (c) The administration of oaths or affirmations, the preservation of testimony, and  
22 the issuance of subpoenas for witnesses and for documents, on the approval of the attorney general,  
23 relative to investigations, adjudicatory hearings, or other proceedings held by the board.

24           ~~[(d)]~~ (d) Procedures for informal resolution or referral of complaints.

25           ~~[(e)]~~ (e) Procedures and requirements relating to the resignation or surrender of  
26 certification, including but not limited to the circumstances or conditions under which a certified  
27 guardian ad litem may resign or surrender his or her certification.

28           ~~[(f)]~~ (f) Disciplinary procedures, penalties, and sanctions for conditionally or  
29 temporarily certified guardians ad litem or both and persons formerly certified by the board, which  
30 penalties, sanctions, and procedures may include, but need not be limited to, those listed in RSA  
31 490-C:4, I(f).

32           ~~[(g)]~~ (g) Procedures and requirements relative to maintenance or disclosure of  
33 confidential information received by, or used in investigations or in hearings, proceedings, or other  
34 activities or matters before the board.

35           197:168 Board of Manufactured Housing; Quorum. Amend RSA 205-A:26, I to read as follows:

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

4 197:169 Board of Manufactured Housing; Meetings and Records. Amend RSA 205-A:29 to read  
5 as follows:

6 205-A:29 Meetings and Records. The board shall hold meetings in Concord, New Hampshire or  
7 in any other location deemed appropriate by the board. The records of the board shall be maintained  
8 at the office of the board of manufactured housing *consistent with the retention policy*  
9 *established by the office of professional licensure and certification*.

10 197:170 Real Estate Appraisers; Registration of Appraisal Management Companies. Amend  
11 RSA 310-B:12-b, I(a) to read as follows:

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

15 197:171 Real Estate Appraisers; License or Certificate. Amend RSA 310-B:16 to read as follows:

16 310-B:16 License or Certificate.

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

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

24 197:172 Real Estate Appraisers; Rulemaking. Amend RSA 310-B:24 to read as follows:

25 310-B:24 Rulemaking Authority. The board shall adopt rules pursuant to RSA 541-A, relative  
26 to:

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

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

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

33 III.] How an applicant shall be examined.

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

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

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

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

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

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

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

11           IX. The requirements for public requests for information.

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

13           197:173 Repeal; Real Estate Appraisers. RSA 310-B:22, relative to a roster of licensed or  
14 certified real estate appraisers, is repealed.

15           197:174 Repeal; Distribution of Publications. RSA 332-H, relative to the distribution of  
16 publications by licensing commissions and boards, is repealed.

17           197:175 Engineers; Signed License. Amend RSA 310-A:18 to read as follows:

18           310-A:18 Certificates; Seals. The board shall issue a license, upon payment of the registration  
19 fee established by the board, to any applicant who, in the opinion of the board, has satisfactorily met  
20 all the requirements of this subdivision. Licenses shall show the full name of the licensee<sup>[5]</sup> *and*  
21 have a serial number~~], and be signed by the chairperson and the secretary of the board under seal of~~  
22 ~~the board].~~ The issuance of a license by the board shall be prima facie evidence that the person  
23 named in the license is entitled to all the rights and privileges of a licensed professional engineer  
24 while the license remains valid. Each licensee shall upon licensure obtain a seal of the design  
25 authorized by the board, bearing the registrant's name and the legend, "Licensed Professional  
26 Engineer." All papers or documents involving the practice of engineering 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 engineer who prepared or had responsibility for and approved them. It shall be a class  
29 B misdemeanor for the licensee to stamp or seal any documents with such seal after the license of  
30 the licensee has expired or has been revoked, unless such license shall have been renewed or  
31 reissued.

32           197:176 Architects; Signed License. Amend RSA 310-A:44 to read as follows:

33           310-A:44 Certificates; Seals. The board shall issue a license upon payment of the registration  
34 fee established by the board, to any applicant who, in the opinion of the board, has satisfactorily met  
35 all the requirements of this subdivision. Licenses shall show the full name of the licensee<sup>[5]</sup> *and*  
36 have a serial number~~], and be signed by the chairperson and the secretary of the board under seal of~~  
37 ~~the board].~~ The issuance of a license by the board shall be prima facie evidence that the person

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1 named in the license is entitled to all the rights and privileges of a licensed architect while the  
2 license remains valid. Each licensee shall upon licensure obtain a seal of the design authorized by  
3 the board, bearing the registrant's name and the legend, "Licensed Architect." All papers or  
4 documents involving the practice of a profession under this subdivision, when issued or filed for  
5 public record, shall be dated and bear the signature and seal of the licensed professional who  
6 prepared or had responsibility for and approved them. It shall be a class B misdemeanor for the  
7 licensee to stamp or seal any documents with such seal after the license of the licensee has expired  
8 or has been revoked, unless such license shall have been renewed, reinstated, or reissued.

9 197:177 Soil Scientists; Signed License. Amend RSA 310-A:87 to read as follows:

10 310-A:87 Certificates. Certificates shall show the full name of the certified soil scientist,  
11 apprentice soil scientist, certified wetland scientist, or apprentice wetland scientist[,] **and** have a  
12 serial number[~~and be signed by the chairperson and the secretary of the board under seal of the~~  
13 ~~board~~]. Each certified soil scientist or certified wetland scientist shall obtain a seal of the design  
14 authorized by the board bearing the name of the certified individual, the legend "Certified Soil  
15 Scientist" or "Certified Wetland Scientist," as appropriate, and a place for the certified individual's  
16 signature. Plans and reports prepared by a certified individual shall be stamped with the seal and  
17 signed by the certified individual during the life of the certificate.

18 197:178 Foresters; Signed License. Amend RSA 310-A:107 to read as follows:

19 310-A:107 Issuance of License; Endorsement of Documents. The board shall issue a license  
20 upon payment of the fee as provided in this subdivision to any applicant, who, in the opinion of the  
21 board, has satisfactorily met all the requirements of this subdivision. Licenses shall show the full  
22 name of the licensee[,] **and** shall have a serial number[~~and shall be signed by the chairperson and~~  
23 ~~secretary under the seal of the board~~]. The issuance of a license by the board shall be evidence that  
24 the person named in the license is entitled to all rights and privileges of a licensed forester while  
25 such license remains unrevoked or unexpired. Plans, maps, and reports issued by the licensee shall  
26 be endorsed with the licensee's name and license number during the life of the license. It shall be a  
27 class B misdemeanor for anyone to endorse any document with such name and license number after  
28 the license of the named licensee has expired or has been revoked, unless said license has been  
29 renewed or reissued. It shall be a class B misdemeanor for any licensed forester to endorse any plan,  
30 map or report unless the licensed forester shall have actually prepared such plan, map or report, or  
31 shall have been in the actual charge of the preparation of the same.

32 197:179 Geologists; Signed License. Amend RSA 310-A:130 to read as follows:

33 310-A:130 Certificates; Seals. The board shall issue a license, upon payment of the licensing fee  
34 established by the board, to any applicant who has satisfactorily met all the requirements of this  
35 subdivision. Licenses shall show the full name of the licensee[,] **and** have a serial number[~~and be~~  
36 ~~signed by the chairperson and the secretary of the board under seal 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

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1 all the rights and privileges of a licensed professional geologist while the license remains valid. Each  
2 licensee shall upon licensure obtain a seal of the design authorized by the board, bearing the  
3 registrant's name and the legend, "Licensed Professional Geologist." All papers or documents  
4 involving the practice of geology affecting public health, safety, and welfare, under this subdivision,  
5 when issued or filed for public record, shall be dated and bear the signature and seal of the licensed  
6 professional geologist who prepared or had responsibility for and approved them.

7 197:180 Landscape Architects; Signed License. Amend RSA 310-A:152 to read as follows:

8 310-A:152 Certificates; Seals. The board shall issue a license upon payment of the license fee  
9 established by the board, to any applicant who, in the opinion of the board, has satisfactorily met all  
10 the requirements of this subdivision. Licenses shall show the full name of the licensee[~~]~~ **and** have a  
11 serial number[ ~~and be signed by the chairperson and the secretary of the board under seal of the~~  
12 ~~board~~]. The issuance of a license by the board shall be prima facie evidence that the person named  
13 in the license is entitled to all the rights and privileges of a licensed landscape architect while the  
14 license remains valid. Each licensee shall upon licensure obtain a seal of the design authorized by  
15 the board, bearing the registrant's name and the legend, "licensed landscape architect." All papers  
16 or documents involving the practice of landscape architecture under this subdivision, when issued or  
17 filed for public record, shall be dated and bear the signature and seal of the licensed professional  
18 who prepared or had responsibility for and approved them. It shall be a class B misdemeanor for the  
19 licensee to stamp or seal any documents with such seal after the license of the licensee has expired  
20 or has been revoked, unless such license shall have been renewed, reinstated, or reissued.

21 197:181 Home Inspectors; Signed License. Amend RSA 310-A:193 to read as follows:

22 310-A:193 Issuance of Licenses. The board shall issue a license upon payment of the license fee  
23 established by the board, to any applicant who, in the opinion of the board, has satisfactorily met all  
24 the requirements of this subdivision. Licenses shall show the full name of the licensee[~~]~~ **and** have a  
25 serial number[ ~~and be signed by the chairperson or the secretary of the board~~]. The issuance of a  
26 license by the board shall be prima facie evidence that the person named in the license is entitled to  
27 all the rights and privileges of a licensed home inspector while the license remains valid. It shall be  
28 a class B misdemeanor for the licensee to perform home inspections after the license of the licensee  
29 has expired or has been revoked, unless such license shall have been renewed, reinstated, or  
30 reissued.

31 197:182 Electricians; Signed License. Amend RSA 319-C:7, III to read as follows:

32 III. All persons licensed by the board shall receive a certificate [~~under the seal of the board~~  
33 ~~and with the signature of the board chairman,~~] which must be publicly displayed at the principal  
34 place of business of said electrician, or, if no such place of business, must be carried on his or her  
35 person and displayed at any time upon request to any electrical inspector appointed by the board  
36 under this chapter, as long as said person continues in the business as herein defined. The  
37 certificate shall specify the name of the person licensed who, in the case of a firm, shall be one of its

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1 members or employees and, in the case of a corporation, one of its officers or employees passing the  
2 examination. In the case of a firm or corporation, the license shall be void upon the death of or the  
3 severance from the company of said person.

4 197:183 Effective Date.

5 I. Sections 20 and 123 of this act shall take effect July 1, 2021, at 12:01 a.m.

II. The remainder of this act shall take effect July 1, 2021.

Approved: August 10, 2021

Effective Date:

I. Sections 20 & 123 shall take effect July 1, 2021 at 12:01 a.m.

II. Remainder shall take effect July 1, 2021.

# Amendments



Amendment to SB 58

1 Amend the bill by inserting after section 165 the following and renumbering the original sections  
2 166-177 to read as 167-178, respectively:

3

4 166 Electricians; Criminal History Record Checks. Amend RSA 319-C by inserting after section  
5 6-c the following new section:

6 319-C:6-d Criminal History Record Checks.

7 I. Every applicant for an initial master electrician license, journeyman license, or apprentice  
8 identification card, and for reinstatement of the license or apprentice identification card, shall be  
9 required to submit:

10 (a) An original criminal offender record report issued by the state of New Hampshire  
11 and each state where the applicant has resided within the past 6 years; or

12 (b) A criminal history record release form, as provided by the New Hampshire division of  
13 state police which authorizes the release of his or her criminal history record, if any, to the  
14 electrician's board:

15 (1) Every applicant shall submit with a release form a complete set of fingerprints  
16 taken by a qualified law enforcement agency or an authorized employee of the department of safety.  
17 In the event that the first set of fingerprints is invalid due to insufficient pattern, a second set of  
18 fingerprints shall be necessary in order to complete the criminal history record check. If, after 2  
19 attempts, a set of fingerprints is invalid due to insufficient pattern, the board may, in lieu of the  
20 criminal history record check, accept police clearances from every city, town, or county where the  
21 person has lived during the past 6 years; and

22 (2) The division of state police shall conduct the release a criminal history conviction  
23 only record through its records and through the Federal Bureau of Investigation upon receipt of a  
24 criminal history record release form to the board;

25 (3) The board shall review the criminal record information of convictions only prior  
26 to making a decision and shall maintain the confidentiality of all criminal history records received  
27 pursuant to this section; and

28 (c) The applicant shall bear the cost of all criminal history record checks.

29 II. The board shall consider military security clearance for an individual actively serving in  
30 any component of the Department of Defense in lieu of criminal background checks.

31 III. Those individuals who are under 18 years of age or enrolled in a high school program  
32 receiving an apprentice identification card from the board shall be exempt from the requirement to

1 obtain a criminal offender record report. Upon the individual's graduation from high school or  
2 turning 18 years of age, whichever comes later, the individual shall be required to submit a criminal  
3 offender record report as described in paragraph I.

4 IV. All individuals holding a master electrician license, journeyman license, or apprentice  
5 identification card, on the effective date this section, shall, at the time of their next renewal, submit  
6 a criminal offender record report as described in paragraph I.

7

8 Amend the bill by replacing section 178 with the following:

9

10 178 Effective Date.

11 I. Section 166 of this act shall take effect January 1, 2022.

12 II. The remainder of this act shall take effect July 1, 2021.

UNAPPROVED

Sen. Carson, Dist 14  
February 2, 2021  
2021-0212s  
10/04

Amendment to SB 58

1 Amend RSA 319-C:6 as inserted by section 164 of the bill by replacing it with the following:

2

3 319-C:6 Organization and Meetings. The board shall hold at least 4 regular meetings each year,  
4 and special meetings may be held at such times as the business of the board may require. Notice of  
5 all meetings shall be given in such manner as the rules of the board may provide. The board shall  
6 annually elect a chairman, a vice-chairman, and a secretary, who shall be one of the appointed  
7 members. A quorum of the board shall consist of ~~{not less than 3 members, not including the ex~~  
8 ~~officio member, and at least] a majority of the members of the board appointed by the~~  
9 ***governor and council***, one of whom shall be a public member.

UNAPPROVED

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;***

8

9 Amend RSA 319-C:6 as inserted by section 164 of the bill by replacing it with the following:

10

11 319-C:6 Organization and Meetings. The board shall hold at least 4 regular meetings each year,  
12 and special meetings may be held at such times as the business of the board may require. Notice of  
13 all meetings shall be given in such manner as the rules of the board may provide. The board shall  
14 annually elect a chairman, a vice-chairman, and a secretary, who shall be one of the appointed  
15 members. A quorum of the board shall consist of ~~[not less than 3 members, not including the ex~~  
16 ~~officio member, and at least]~~ ***a majority of the members of the board appointed by the***  
17 ***governor and council,*** one of whom shall be a public member.

18

19 Amend the bill by inserting after section 165 the following and renumbering the original sections  
20 166-177 to read as 167-178, respectively:

21

22 166 Electricians; Criminal History Record Checks. Amend RSA 319-C by inserting after section  
23 6-c the following new section:

24 319-C:6-d Criminal History Record Checks.

25 I. Every applicant for an initial master electrician license, journeyman license, or apprentice  
26 identification card, and for reinstatement of the license or apprentice identification card, shall be  
27 required to submit:

28 (a) An original criminal offender record report issued by the state of New Hampshire  
29 and each state where the applicant has resided within the past 6 years; or

30 (b) A criminal history record release form, as provided by the New Hampshire division of  
31 state police which authorizes the release of his or her criminal history record, if any, to the  
32 electrician's board:

Amendment to SB 58

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1 (1) Every applicant shall submit with a release form a complete set of fingerprints  
2 taken by a qualified law enforcement agency or an authorized employee of the department of safety.  
3 In the event that the first set of fingerprints is invalid due to insufficient pattern, a second set of  
4 fingerprints shall be necessary in order to complete the criminal history record check. If, after 2  
5 attempts, a set of fingerprints is invalid due to insufficient pattern, the board may, in lieu of the  
6 criminal history record check, accept police clearances from every city, town, or county where the  
7 person has lived during the past 6 years; and

8 (2) The division of state police shall conduct the release a criminal history conviction  
9 only record through its records and through the Federal Bureau of Investigation upon receipt of a  
10 criminal history record release form to the board;

11 (3) The board shall review the criminal record information of convictions only prior  
12 to making a decision and shall maintain the confidentiality of all criminal history records received  
13 pursuant to this section; and

14 (c) The applicant shall bear the cost of all criminal history record checks.

15 II. The board shall consider military security clearance for an individual actively serving in  
16 any component of the Department of Defense in lieu of criminal background checks.

17 III. Those individuals who are under 18 years of age or enrolled in a high school program  
18 receiving an apprentice identification card from the board shall be exempt from the requirement to  
19 obtain a criminal offender record report. Upon the individual's graduation from high school or  
20 turning 18 years of age, whichever comes later, the individual shall be required to submit a criminal  
21 offender record report as described in paragraph I.

22 IV. All individuals holding a master electrician license, journeyman license, or apprentice  
23 identification card, on the effective date this section, shall, at the time of their next renewal, submit  
24 a criminal offender record report as described in paragraph I.

25  
26 Amend the bill by replacing section 178 with the following:

27  
28 178 Effective Date.

29 I. Section 166 of this act shall take effect January 1, 2022.

30 II. The remainder of this act shall take effect July 1, 2021.

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;***

8

9 Amend RSA 319-C:6 as inserted by section 164 of the bill by replacing it with the following:

10

11 319-C:6 Organization and Meetings. The board shall hold at least 4 regular meetings each year,  
12 and special meetings may be held at such times as the business of the board may require. Notice of  
13 all meetings shall be given in such manner as the rules of the board may provide. The board shall  
14 annually elect a chairman, a vice-chairman, and a secretary, who shall be one of the appointed  
15 members. A quorum of the board shall consist of ~~[not less than 3 members, not including the ex~~  
16 ~~officio member, and at least]~~ ***a majority of the members of the board appointed by the***  
17 ***governor and council***, one of whom shall be a public member.

18

19 Amend the bill by inserting after section 165 the following and renumbering the original sections  
20 166-177 to read as 167-178, respectively:

21

22 166 Electricians; Criminal History Record Checks. Amend RSA 319-C by inserting after section  
23 6-c the following new section:

24 319-C:6-d Criminal History Record Checks.

25 I. Every applicant for an initial master electrician license, journeyman license, or apprentice  
26 identification card, and for reinstatement of the license or apprentice identification card, shall be  
27 required to submit:

28 (a) An original criminal offender record report issued by the state of New Hampshire  
29 and each state where the applicant has resided within the past 6 years; or

30 (b) A criminal history record release form, as provided by the New Hampshire division of  
31 state police which authorizes the release of his or her criminal history record, if any, to the  
32 electrician's board:

Amendment to SB 58

- Page 2 -

1           (1) Every applicant shall submit with a release form a complete set of fingerprints  
2 taken by a qualified law enforcement agency or an authorized employee of the department of safety.  
3 In the event that the first set of fingerprints is invalid due to insufficient pattern, a second set of  
4 fingerprints shall be necessary in order to complete the criminal history record check. If, after 2  
5 attempts, a set of fingerprints is invalid due to insufficient pattern, the board may, in lieu of the  
6 criminal history record check, accept police clearances from every city, town, or county where the  
7 person has lived during the past 6 years; and

8           (2) The division of state police shall conduct the release a criminal history conviction  
9 only record through its records and through the Federal Bureau of Investigation upon receipt of a  
10 criminal history record release form to the board;

11           (3) The board shall review the criminal record information of convictions only prior  
12 to making a decision and shall maintain the confidentiality of all criminal history records received  
13 pursuant to this section; and

14           (c) The applicant shall bear the cost of all criminal history record checks.

15           II. The board shall consider military security clearance for an individual actively serving in  
16 any component of the Department of Defense in lieu of criminal background checks.

17           III. Those individuals who are under 18 years of age or enrolled in a high school program  
18 receiving an apprentice identification card from the board shall be exempt from the requirement to  
19 obtain a criminal offender record report. Upon the individual's graduation from high school or  
20 turning 18 years of age, whichever comes later, the individual shall be required to submit a criminal  
21 offender record report as described in paragraph I.

22           IV. All individuals holding a master electrician license, journeyman license, or apprentice  
23 identification card, on the effective date this section, shall, at the time of their next renewal, submit  
24 a criminal offender record report as described in paragraph I.

25

26 Amend the bill by replacing section 178 with the following:

27

28           178 Effective Date.

29           I. Section 166 of this act shall take effect January 1, 2022.

30           II. The remainder of this act shall take effect July 1, 2021.

# Committee Minutes



**SENATE CALENDAR NOTICE**  
**Executive Departments and Administration**

Sen Sharon Carson, Chair  
Sen John Reagan, Vice Chair  
Sen Denise Ricciardi, Member  
Sen Kevin Cavanaugh, Member  
Sen Suzanne Prentiss, Member

Date: January 20, 2021

**HEARINGS**

Wednesday	01/27/2021	
(Day)	(Date)	
Executive Departments and Administration	REMOTE 000	9:00 a.m.
(Name of Committee)	(Place)	(Time)
9:00 a.m.      SB 55	relative to project labor agreements in government contracts.	
9:20 a.m.      SB 56	relative to reports by trustees of charitable trusts.	
9:40 a.m.      SB 57	relative to allowing pharmacy technicians and interns to remotely perform non-dispensing tasks.	
10:00 a.m.     SB 58	relative to the administration of occupational regulation by the office of professional licensure and certification.	

**EXECUTIVE SESSION MAY FOLLOW**

Committee members will receive secure Zoom invitations via email.

Members of the public may attend using the following links:

1. Link to Zoom Webinar: <https://www.zoom.us/j/93288810031>
2. To listen via telephone: Dial (for higher quality, dial a number based on your current location): 1-301-715-8592, or 1-312-626-6799 or 1-929-205-6099, or 1-253-215-8782, or 1-346-248-7799, or 1-669-900-6833
3. Or iPhone one-tap: +19292056099,,93288810031# or +13017158592,,93288810031#
4. Webinar ID: [932 8881 0031](https://www.zoom.us/j/93288810031)
5. To view/listen to this hearing on YouTube, use this link:  
<https://www.youtube.com/channel/UCjBZdtrjRnQdmg-2MPMiWrA>
6. To sign in to speak, register your position on a bill and/or submit testimony, use this link:  
<http://gencourt.state.nh.us/remotecommittee/senate.aspx>

The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: [remotesenate@leg.state.nh.us](mailto:remotesenate@leg.state.nh.us) or call (603-271-6931).

Cameron Lapine 271-2104

Sharon M Carson  
Chairman

**Sponsors:**

**SB 55**

Sen. Avard  
Rep. Ammon

Sen. Daniels  
Rep. Lang

Sen. Bradley

Rep. Burt

**SB 56**

Sen. Kahn

**SB 57**

Sen. Carson  
Rep. Goley

Sen. D'Allesandro  
Rep. Long

Sen. Soucy  
Rep. L. Ober

Sen. Bradley  
Rep. McGuire

**SB 58**

Sen. Carson

Sen. Giuda

# Senate Executive Departments and Administration Committee

*Cameron Lapine 271-2104*

**SB 58**, relative to the administration of occupational regulation by the office of professional licensure and certification.

**Hearing Date:** January 27, 2021

**Time Opened:** 10:49 a.m.

**Time Closed:** 11:09 a.m.

**Members of the Committee Present:** Senators Carson, Reagan, Ricciardi, Cavanaugh and Prentiss

**Members of the Committee Absent :** None

**Bill 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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**Sponsors:**

Sen. Carson

Sen. Giuda

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**Who supports the bill:** Senator Sharon Carson (Senate District 14), Jake Berry (New Futures), Michael Soucy (Electricians Board), Lindsey Courtney (OPLC), James Potter (New Hampshire Medical Society), Paula Minnehan (New Hampshire Hospital Association), and Senator Bob Giuda (Senate District 2).

**Who opposes the bill:** David Conway.

**Who is neutral on the bill:** Tina Kelley.

**Summary of testimony presented in support:**

**Senator Sharon Carson**

**Senate District 14**

- Senator Carson said that SB 58 is a refiled bill from last session. She asked that the hearing report for SB 576 (2020) be included in the permanent file for SB 58.
- SB 576 (2020) was filed by Senator Giuda. Senator Carson said that, in the refile, SB 576 (2020) has been divided into two packages: a policy package and a fiscal package. She said that Senator Giuda was sponsoring the fiscal package.

- Senator Carson said that due to the length and complexity of SB 58, the Committee would not be taking action on the bill any time soon.
- Senator Carson said that she had received a request from the Board of Electricians for an amendment regarding background checks.

## Senator Bob Giuda

### Senate District 2

- Senator Giuda said that SB 58 is a much-needed bill. He said that the Office of Professional Licensure and Certification (OPLC) has been stymied in achieving its goals by changes in directors and a lack of cohesion across the Office. He said that OPLC can't achieve its goals without SB 58 and its companion bill.
- Senator Giuda implored the Committee to pass SB 58, amending it if needed, because OPLC is severely hamstrung without it.
- Senator Giuda said that OPLC Executive Director Lindsey Courtney is doing a good job trying to get the Office to function.

## Lindsey Courtney

### Executive Director, OPLC

- OPLC oversees 54 licensing boards, councils, and commissions.
- Ms. Courtney said that the 12 main objectives of SB 58 are to:
  - Remove the requirement in certain practice acts for stenographers at meetings;
  - Grant the Executive Director the authority to set *per diem* rates across all boards;
  - Standardize the quorum requirements across all boards;
  - Repeal RSA 332-h;
  - Add the Board of Veterinary Medicine to the OPLC statute;
  - Remove references to the Commissioner of the Department of Health and Human Services (DHHS);
  - Remove the requirement that boards have to provide their rosters for a fee;
  - Standardize retention policies across the Office;
  - Clarify OPLC's reporting requirements;
  - Grant the Executive Director the authority to promulgate rules for the Professional Health Program;
  - Set term limits for the Family Mediators Board; and
  - Clarify that the Executive Director, not the program administrator, has certain authority over the Controlled Drug Prescription Health and Safety Program.
- Ms. Courtney said that the individual boards, councils, and commissions have their own authority to set their own professional standards and that she supports that. She said that there are certain functions unrelated to the standards of the practice that need to be standardized.
- Ms. Courtney explained the purpose behind the 12 main objectives of SB 58 as:
  - There is not a need to pay for a stenographer when meetings can be recorded;
  - Some boards, councils, and commissions have *per diem* rates, and some do not. Some *per diem* rates are \$20, some are \$100. Ms. Courtney said that it is hard to budget with the varying *per diem* rates;
  - Most practice acts define a quorum as a majority of members confirmed by the

- Executive Council and sworn in. Some define a quorum as a set number of members. That leads to problems when vacancies go unfilled;
- RSA 332-h requires that all boards provide a printed set of rules for their licensees. With all rules published online, there is no need for a printed set for each licensee;
  - The Board of Veterinary Medicine was moved to OPLC's authority in HB 4 (2019) but the Board's language needs to be woven into OPLC's statute to effectuate that change;
  - Some boards, including the Midwifery Council, used to be part of DHHS and their practice acts still reference the Commissioner of DHHS;
  - Board rosters are available online for no fee, as they are required under RSA 91-A;
  - Some practice acts contain their own retention policies. With OPLC's recent physical relocation to a new office, it has become apparent that having varying physical records retention policies is not viable;
  - Not all Title 30 boards are OPLC boards, but there is a reading of RSA 332-g which would require OPLC to report on all Title 30 boards, even if they are not OPLC boards;
  - Granting the Executive Director the authority to promulgate rules for the Professional Health Program will allow there to be one set of rules and allow the program to operate more efficiently;
  - There are no term limits for the Family Mediators Board; and
  - RSA 318-b grants certain authorities to a classified State employee. Normally, such authority is granted to the Director or Commissioner, who can then delegate the authority.
- Ms. Courtney said that the changes in SB 58 are vital to OPLC's ability to function as an agency. She said that they streamline the practices and policies of the Office.

**James Potter**

**Executive Vice President and CEO, New Hampshire Medical Society**

- Mr. Potter said that SB 58 makes a series of commonsense moves to allow OPLC to exercise its authority consistently and in a standardized way.
- HB 1520 (2020) designated a specific nonlapsing fund for the professional health program. If SB 58 is not passed, Mr. Potter said that HB 1520 (2020) will be gutted. He said that the rules vary by board and the program is needed now more than ever. He said that stress levels are at a record high.
- Mr. Potter said that fees for the professional health program range from \$30 on one board to \$0 on another. He would like that to be consistent with an equitable fee – around \$10.

**Paula Minnehan**

**Senior Vice President, New Hampshire Hospital Association (NHHA)**

- Ms. Minnehan said that NHHA works with many OPLC boards and that NHHA supports the goals Ms. Courtney outlined in her testimony. She said that the changes in SB 58 will ensure consistency amongst the boards, councils, and commissions.

**Summary of testimony presented in opposition: None.**

**Neutral Information Presented: None.**

cml  
Date Hearing Report completed: January 29, 2021

# Speakers

Name	Title	Representing	Position	Testifying
Carson Sharon	An Elected Official	Senate District 14	Support	Yes
Kelley Tina	State Agency Staff	Myself	Neutral	No
Soucy Michael	State Agency Staff	Electricians Board	Support	No
Conway David	State Agency Staff	Myself	Oppose	Yes
Minnehan Paula	A Lobbyist	New Hampshire Hospital Association	Support	Yes
Giuda Senator Robert	An Elected Official	NH Senate District 2	Support	Yes
Courtney Lindsey	State Agency Staff	Office of Professional Licensure and Certification	Support	Yes
Potter James	A Lobbyist	New Hampshire Medical Society	Support	Yes
Berry Jake	A Lobbyist	New Futures	Support	No



# Testimony



**SENATE EXECUTIVE DEPARTMENTS AND ADMINISTRATION COMMITTEE**

**January 27, 2021**

**SB 58 – Relative to the Administration of Occupational Regulation by the Office of Professional Licensure and Certification**

**Testimony**

Good morning, 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



January 27, 2021

Hon. Sharon Carson  
Chair, Executive Departments & Administration Committee  
LOB Room 101  
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 Licensing 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 his 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. 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 is currently revising its website; all rules will link 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. Sharon Carson  
January 27, 2021  
Page Four

to adopt rules relative to the professional health program. The rules are not the same across all the boards. 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.

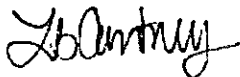
All boards within OPLC establish term limits for board members, with the exception of the family mediator certification board. To be consistent with other boards, SB 58 proposes to establish term limits for the family mediator certification board.

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 changes 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

SB 576 - AS AMENDED BY THE SENATE

03/11/2020 1104s

2020 SESSION

20-2982  
10/05

SENATE BILL **576**

AN ACT revising the authority of boards and commissions for technical and health professions regulated by the office of professional licensure and certification.

SPONSORS: Sen. Giuda, Dist 2; Sen. Sherman, Dist 24

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 struck through.~~]  
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*

AN ACT                revising the authority of boards and commissions for technical and health professions regulated by the office of professional licensure and certification.

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

1            1 New Subparagraph; Office of Professional Licensure and Certification; Health Professions;  
2 Veterinarians. Amend RSA 310-A:1-a, I by inserting after subparagraph (z) the following new  
3 subparagraph:

4            (aa) Veterinary medicine under RSA 332-B:3.

5            2 Administration of the Office. Amend RSA 310-A:1-d to read as follows:

6            310-A:1-d Administration of the Office of Professional Licensure and Certification.

7            I. The office of professional licensure and certification shall operate under the supervision of  
8 the executive director appointed under RSA 310-A:1-b. The office may employ such clerical or other  
9 assistants as are necessary for the proper performance of its work, and may make expenditures for  
10 any purpose which are reasonably necessary, according to the executive director, for the proper  
11 performance of its duties under this chapter. ***The office may contract for the services of***  
12 ***investigators, hearing officers, and legal counsel after consulting with the boards,***  
13 ***councils, and commissions within the office.***

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

16            (a) Supervision of the division directors;

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

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

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

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

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

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

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



SB 576 - AS AMENDED BY THE SENATE

- Page 2 -

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

5 (2) Such organizational and procedural rules necessary to administer the boards,  
6 commissions, ~~and~~ councils, **and programs** in the office of professional licensure and certification,  
7 including rules governing the administration of complaints and investigations, payment processing  
8 procedures, and application procedures;

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

12 (4) **Rules governing a healthcare professionals prescription drug**  
13 **monitoring program for the boards of medicine, pharmacy, dental examiners, nursing, and**  
14 **veterinary medicine; and**

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

23 3 Fees; Estimated Revenues. Amend RSA 310-A:1-e, I(a) to read as follows:

24 I.(a) The executive director of the office of professional licensure and certification shall  
25 assess annual or biennial license, certification, and renewal fees, as well as any necessary  
26 administrative fees for each professional regulatory board, council, or commission administered by  
27 the office. **Such fees shall be sufficient to produce estimated revenues up to 125 percent of**  
28 **the total operating expenses for the office, as determined by averaging the operating**  
29 **expenses for the office for the previous 2 fiscal years.**

30 4 Acupuncture; Quorum. Amend RSA 328-G:6 to read as follows:

31 328-G:6 Organization and Meetings. The board shall hold regular meetings at least semi-  
32 annually and shall give notice to its members of the time and place for holding all regular and  
33 special meetings. A quorum of the board shall consist of ~~[not less than 3 members]~~ **a majority of**  
34 **the members of the board who have been approved by the governor and council.** The board  
35 shall biennially elect a chairperson, a vice-chairperson, and a secretary from among its members.

36 5 Acupuncture; Rulemaking. Amend RSA 328-G:7, I-III to read as follows:

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

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

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

7 6 Acupuncture; Rulemaking. Amend RSA 328-G:7, XIV to read as follows:

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

10 (b) Renewal, revocation, or suspension of certification of an acupuncture detoxification  
11 specialist.

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

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

14 7 Acupuncture; Licensure. Amend RSA 328-G:9, II(d) to read as follows:

15 (d) Has paid the ~~[\$110]~~ license fee **established by the office of professional licensure**  
16 **and certification** and filed the application ~~[established by the board]~~.

17 8 Acupuncture; License Renewal. Amend RSA 328-G:9, IX to read as follows:

18 IX. All licenses issued by the board shall be renewed biennially on or before June 30 or  
19 reissued pursuant to rules adopted, and upon payment of ~~[a \$110]~~ **the renewal fee established by**  
20 **the office of professional licensure and certification.**

21 9 Acupuncture; Powers of the Board. Amend RSA 328-G:11, I to read as follows:

22 I. The board shall:

23 (a) ~~[Ensure]~~ **Ensure** that licensed acupuncturists 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 an accurate account of all receipts, expenditures, and refunds granted  
28 under this chapter through the office of licensure and certification **and in accordance with the**  
29 **retention policy established by the office of professional licensure and certification.**

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

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

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

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

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

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

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

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

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

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

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

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

14          10 Acupuncture; Disciplinary Hearings; Rules. Amend RSA 328-G:12, III(b) to read as follows:

15           (b) Disciplinary action taken under this paragraph may be ordered by the board in a  
16 decision made after a hearing in the manner provided by the rules adopted by the [~~board~~] **office of**  
17 **professional licensure and certification** and reviewed in accordance with RSA 541.

18          11 Repeals; Acupuncture. The following are repealed:

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

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

21          12 Alcohol and Other Drug Use Professionals; Board; Quorum. Amend RSA 330-C:3, IX to read  
22 as follows:

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

26          13 Alcohol and Other Drug Use Professionals; Board; Removal. Amend RSA 330-C:3, XIII to  
27 read as follows:

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

35          14 Alcohol and Other Drug Use Professionals; Board; Duties. Amend RSA 330-C:5, VIII to read  
36 as follows:

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

4 15 Alcohol and Other Drug Use Professionals; Records; Fees. RSA 330-C:7 and 330-C:8 are  
5 repealed and reenacted to read as follows:

6 330-C:7 Records. A true record of all of the board's official acts shall be made and preserved by  
7 the board through the office of professional licensure and certification in accordance with the  
8 retention policy established by the office. The records shall be public and shall be open to inspection  
9 at all reasonable times, except for records compiled in connection with disciplinary investigations  
10 and records otherwise exempt from disclosure under RSA 91-A or other applicable statutes.

11 330-C:8 Fees; Charges.

12 I. The board shall charge licensees fees established by the office of professional licensure and  
13 certification for the issuance of an initial license or certificate and for the renewal of a license or  
14 certificate under this chapter.

15 II. The board may provide for:

16 (a) The administration of examinations required by this chapter.

17 (b) The approval of continuing education programs and program providers.

18 (c) The verification of license status or educational credentials.

19 III. The office of professional licensure and certification may establish administrative  
20 charges for services offered pursuant to paragraph II.

21 16 Alcohol and Other Drug Use Professionals; Rulemaking. Amend RSA 330-C:9, I - V-b to read  
22 as follows:

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

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

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

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

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

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

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

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

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

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

10 ~~[V-b]~~ **V-a.** The requirements for clinical supervision and the documentation of clinical  
11 supervision hours.

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

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

16 18 Alcohol and Other Drug Use Professionals; Applicants From Other States. Amend RSA 330-  
17 C:21, I-a to read as follows:

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

22 19 Alcohol and Other Drug Use Professionals; Renewals. Amend RSA 330-C:22, II and III to  
23 read as follows:

24 II. Licensees and certification holders shall have a grace period of 30 days after expiration in  
25 which to renew retroactively if they otherwise are entitled to have their licenses or certifications  
26 renewed and pay to the board the renewal fee and any late fee set by the ~~[board]~~ **office of**  
27 **professional licensure and certification** under rules adopted pursuant to RSA 541-A.

28 III. A suspended license or certification shall be subject to expiration and may be renewed as  
29 provided in this chapter, but such renewal shall not entitle the person, while the license or  
30 certification remains suspended and until it is reinstated, to engage in the activity, or in any other  
31 conduct or activity in violation of the order under which the license or certification was suspended.  
32 If a suspended license or certification is reinstated after its expiration, the person, as a condition of  
33 reinstatement, shall pay ~~[a]~~ **any** reinstatement fee ~~[that shall equal the renewal fee in effect on the~~  
34 ~~last regular renewal date immediately preceding the date of reinstatement, plus any]~~ **and** late fee  
35 set by the ~~[board]~~ **office of professional licensure and certification**.

36 20 Alcohol and Other Drug Use Professionals; Reinstatement. Amend RSA 330-C:23, II to read  
37 as follows:

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1           II. Application for reinstatement of a license or certification which has lapsed shall include  
2 payment of a reinstatement fee *established by the office of professional licensure and*  
3 *certification* and be made, and granted or denied, in accordance with rules adopted by the board  
4 pursuant to RSA 541-A.

5           21 Alcohol and Other Drug Use Professionals; Hearings. Amend RSA 330-C:29, I to read as  
6 follows:

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

11           22 Repeals; Alcohol and Other Drug Use Professionals. The following are repealed:

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

13           II. RSA 330-C:5, X, relative to establishing fees.

14           III. RSA 330-C:9, IX, relative to rules for the conduct of hearings.

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

16           23 Allied Health Professionals; Legal Counsel. Amend RSA 328-F:3, II to read as follows:

17           II. The governing boards' chairpersons or their appointees shall make up the board of  
18 directors of the office of licensed allied health professionals. [~~The board of directors shall contract for~~  
19 ~~the services of investigators and legal counsel retained through the office of professional licensure~~  
20 ~~and certification~~]. The board of directors shall have the authority to delegate to the person in the  
21 supervisory position matters of administrative and personnel management.

22           24 Allied Health Professionals; Records. Amend RSA 328-F:9 to read as follows:

23           328-F:9 Records of the Boards. A true record of all of each board's official acts shall be made  
24 and preserved *in accordance with the retention policy established by the office of*  
25 *professional licensure and certification*. The records shall be public and shall be open to  
26 inspection at all reasonable times, except for records compiled in connection with disciplinary  
27 investigations and records otherwise exempt from disclosure under RSA 91-A or other applicable  
28 statutes.

29           25 Allied Health Professionals; Records. RSA 328-F:10 is repealed and reenacted to read as  
30 follows:

31           328-F:10 Records of Disciplinary History. Each governing board shall maintain a list of persons  
32 against whom the board has taken any disciplinary action in accordance with the retention policy  
33 established by the office of professional licensure and certification. This list shall include the name  
34 of the person, the reason for the disciplinary action, the date of the disciplinary action, and the  
35 nature of the disciplinary action.

36           26 Allied Health Professionals; Rulemaking. Amend RSA 328-F:11 to read as follows:

37           328-F:11 Rulemaking by the Governing Boards.

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

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

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

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

8 (d) If the governing boards issue conditional licenses or certifications, conditional  
9 renewal of licenses or certifications, or conditional reinstatement after lapse or suspension of  
10 licenses or certifications, the circumstances under which these are issued and the standards for the  
11 imposition of the conditions.

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

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

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

22 ~~(h) Application procedures.~~

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

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

27 (a) The scope of practice.

28 (b) The ethical standards.

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

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

34 27 Allied Health Professionals; Licenses. Amend RSA 328-F:18, I through the introductory  
35 paragraph of RSA 328-F:18, III to read as follows:

36 I. Each governing board shall issue initial licenses and license renewals to applicants who  
37 have completed the ~~[required]~~ application procedures *established by the office of professional*

1 **licensure and certification** and have met the eligibility requirements established by the practice  
2 act and the rules of the governing board. If a governing board is authorized by its practice act to  
3 issue provisional licenses, it shall issue such licenses to applicants who have completed the  
4 ~~[required]~~ application procedures **established by the office of professional licensure and**  
5 **certification** and have met the eligibility requirements for provisional licensure established by the  
6 practice act and the rules of the governing board.

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

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

15 28 Allied Health Professionals; Renewals. Amend RSA 328-F:19, III to read as follows:

16 III. Applicants shall submit completed applications for renewal on or before December 1 of  
17 the renewal year. Completed renewal applications submitted between December 2 and December 31  
18 of the renewal year shall be accompanied by a late filing fee **established by the office of**  
19 **professional licensure and certification.** Licenses shall lapse when completed renewal  
20 applications have not been filed by December 31 of the renewal year, and their holders are not  
21 authorized to practice until the licenses have been reinstated.

22 29 Allied Health Professionals; Reinstatement. Amend RSA 328-F:20, III and IV to read as  
23 follows:

24 III. Complies with any application procedure established by the ~~[governing board]~~ **office of**  
25 **professional licensure and certification.**

26 IV. Pays the reinstatement fee **established by the office of professional licensure and**  
27 **certification.**

28 30 Allied Health Professionals; Reinstatement. Amend RSA 328-F:24, III to read as follows:

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

32 31 Repeals; Allied Health. The following are repealed:

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

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

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

36 IV. RSA 328-F:15, relative to establishment of fees.

37 32 Repeals; Genetic Counselors. The following are repealed:



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

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

3 33 Physical Therapists; Powers of the Board. Amend RSA 328-A:3, IV to read as follows:

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

6 34 Physical Therapists; Rules; Animal Physical Therapists. Amend RSA 328-A:4, VIII to read  
7 as follows:

8 VIII. Regarding the establishment, criteria, [~~fees,~~] and renewal of, [~~and disciplinary~~  
9 ~~proceedings for~~] certified animal physical therapists under RSA 328-A:15-b.

10 35 Repeals; Physical Therapists. The following are repealed:

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

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

13 36 Respiratory Care; Rulemaking. Amend RSA 326-E:2, III to read as follows:

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

16 37 Respiratory Care; Rulemaking. Amend RSA 326-E:11, III to read as follows:

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

20 38 Repeals; Respiratory Care. The following are repealed:

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

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

23 39 Speech-language Pathology; Reinstatement. Amend RSA 326-F:7-a, III and IV to read as  
24 follows:

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

27 IV. Pays the reinstatement fee ***established by the office of professional licensure and***  
28 ***certification.***

29 40 Repeal; Speech-language Pathology. RSA 326-F:5, II, relative to rules for applications, is  
30 repealed.

31 41 Barbering, Cosmetology, Esthetics; Board; Quorum. Amend RSA 313-A:2, V to read as  
32 follows:

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

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1 42 Barbering, Cosmetology, Esthetics; Records. Amend RSA 313-A:4 to read as follows:

2 313-A:4 Maintenance of Records. The board shall maintain a record containing the names and  
3 addresses of all licensees and of all salons, barbershops and schools licensed pursuant to this chapter  
4 ~~[and]~~ ***in accordance with the retention policy established by the office of professional***  
5 ***licensure and certification. The board*** shall issue all notices, license and registration  
6 certificates. The record shall include the date of issuance, renewal, suspension or revocation of all  
7 licenses. This record shall be open to public inspection at all reasonable times.

8 43 Barbering, Cosmetology, Esthetics; Board Duties. Amend RSA 313-A:7, I(a)-(d) to read as  
9 follows:

10 (a) Prescribe the duties of its officers ~~[and employees]~~;

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

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

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

18 44 Barbering, Cosmetology, Esthetics; Rulemaking. Amend the introductory paragraph of RSA  
19 313-A:8, II to read as follows:

20 II. The qualifications ~~[of applicants]~~ ***and eligibility requirements for licensure,***  
21 including the qualifications for satisfactory evidence of:

22 45 Barbering, Cosmetology, Esthetics; Barber License. Amend RSA 313-A:10, I(e) to read as  
23 follows:

24 (e) Pay a fee established by the ~~[board]~~ ***office of professional licensure and***  
25 ***certification.***

26 46 Barbering, Cosmetology, Esthetics; Master Barber License. Amend RSA 313-A:10, III(e) to  
27 read as follows:

28 (e) Pay a fee established by the ~~[board]~~ ***office of professional licensure and***  
29 ***certification.***

30 47 Barbering, Cosmetology, Esthetics; Cosmetologists License. Amend RSA 313-A:11, I(e) to  
31 read as follows:

32 (e) Pay a fee established by the ~~[board]~~ ***office of professional licensure and***  
33 ***certification.***

34 48 Barbering, Cosmetology, Esthetics; Applications. Amend RSA 313-A:16 to read as follows:

35 313-A:16 Applications. Applicants shall make written application to the ~~[secretary of the]~~ board  
36 on a form prescribed and supplied by the ~~[board]~~ ***office of professional licensure and***

1 **certification** which shall contain satisfactory evidence of the qualifications required of the  
2 applicant; and the applicant shall also pay the examination fee.

3 49 Barbering, Cosmetology, Esthetics; Temporary Permit. Amend RSA 313-A:18, I to read as  
4 follows:

5 I. Any person eligible to take an examination for a license under this chapter may apply to  
6 the board for a permit to professionally operate temporarily pending the holding of such  
7 examination. The application shall be accompanied by the payment of a fee established by the  
8 [board] **office of professional licensure and certification** which shall be credited as the required  
9 examination fee.

10 50 Barbering, Cosmetology, Esthetics; Renewals. Amend RSA 313-A:20 to read as follows:

11 313-A:20 Expiration and Renewal of Licenses. Each barber, master barber, barber instructor,  
12 apprentice, barbershop, barber school, esthetician, esthetics instructor, esthetics school, esthetics  
13 salon, manicurist, apprentice, beauty salon, or manicuring salon license issued under this chapter  
14 shall expire on the last day of the birth month of the licensee in the odd year next succeeding its date  
15 of issuance. Each cosmetologist, cosmetology instructor, or cosmetology school license issued under  
16 this chapter shall expire on the last day of the birth month of the licensee in the even year next  
17 succeeding its date of issuance. Any personal license which has expired may be renewed within 6  
18 months by payment of the renewal fee and a late fee established by the [board] **office of**  
19 **professional licensure and certification**. After 6 months and within 5 years, a personal license  
20 may be renewed by paying the renewal fee and a late fee established by the [board] **office of**  
21 **professional licensure and certification**. Any school or shop license which has expired may be  
22 renewed upon payment of the renewal fee plus a late fee established by the [board] **office of**  
23 **professional licensure and certification**.

24 51 Barbering, Cosmetology, Esthetics; Apprentices. Amend RSA 313-A:24, II(b) to read as  
25 follows:

26 (b) Paying a fee established by the [board] **office of professional licensure and**  
27 **certification**; and

28 52 Barbering, Cosmetology, Esthetics; Tanning Facilities. Amend RSA 313-A:29 to read as  
29 follows:

30 313-A:29 Registration Fee Required. No person shall operate a tanning facility without paying  
31 an annual registration fee established by the [board] **office of professional licensure and**  
32 **certification**. Registration fees received from each tanning facility shall be deposited into the office  
33 of professional licensure and certification fund.

34 53 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.

37 III. RSA 313-A:8, I, V, and VIII, relative to rules on applications, fees, and hearings.

1 54 Body Art; Fees. Amend RSA 314-A:2, II to read as follows:

2 II. The fee for an initial license and a renewal license shall be ~~[\$110]~~ **established in rules**  
3 **adopted by the office of professional licensure and certification.** The license shall be renewed  
4 biennially on the last day of the licensee's birth month in odd-numbered years upon payment of the  
5 ~~[\$110]~~ renewal fee.

6 55 Body Art; Advisory Board; Compensation. Amend the introductory paragraph of RSA 314-  
7 A:14 to read as follows:

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

15 56 Chiropractic; Rulemaking. Amend RSA 316-A:3, IV to read as follows:

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

21 57 Chiropractic; Fees. Amend RSA 316-A:5 to read as follows:

22 316-A:5 Fees. The ~~[board]~~ **office of professional licensure and certification** shall establish  
23 fees for examination of applicants, for licenses and for renewal of licenses to practice chiropractic,  
24 and for transcribing and transferring records and other services. ~~[The fees established by the board~~  
25 ~~shall be sufficient to produce estimated revenues equal to 125 percent of the direct operating~~  
26 ~~expenses of the board for the previous fiscal year.]~~

27 58 Chiropractic; Board Meetings. Amend RSA 316-A:7 to read as follows:

28 316-A:7 Organization; Meetings. The board shall elect a chairperson ~~[and a secretary-~~  
29 ~~treasurer]~~. The board shall meet quarterly and at such other times as the business of the board  
30 shall require. **A quorum shall constitute a majority of the members of the board who have**  
31 **been approved by the governor and council.**

32 59 Chiropractic; Fees. Amend RSA 316-A:11, I to read as follows:

33 I. Each applicant shall pay to the ~~[secretary-treasurer]~~ **office of professional licensure**  
34 **and certification** a fee, established by the ~~[board]~~ **office of professional licensure and**  
35 **certification**, for which the applicant shall be entitled to an examination and to a reexamination, if  
36 necessary, within one year.

37 60 Chiropractic; License Fees. Amend RSA 316-A:14-a and 14-b to read as follows:

1       316-A:14-a Licenses and Certificates. Each applicant who qualifies under this chapter and who  
 2 attains a minimum grade of 70 percent upon the examination given under RSA 316-A:13, I shall  
 3 receive a license from the board as a chiropractor permitted to practice in New Hampshire. The fee  
 4 for an initial license and for a license renewal shall be ~~[\$300]~~ **as established in rules by the office**  
 5 **of professional licensure and certification.** The initial license and renewal licenses shall be  
 6 valid for the terms established under RSA 316-A:19.

7       316-A:14-b License Fees. Each applicant who qualifies under this chapter shall pay a fee for an  
 8 initial license and for a license renewal ~~[of \$300]~~ **as established in rules by the office of**  
 9 **professional licensure and certification.** The initial license and license renewals shall be valid  
 10 for the terms established under RSA 316-A:19.

11       61 Chiropractic; Renewals. Amend RSA 316-A:19 and 20 to read as follows:

12       316-A:19 Initial License and License Renewals. The fee for an initial license and license  
 13 renewal issued under this chapter shall be ~~[\$300]~~ **as established in rules by the office of**  
 14 **professional licensure and certification.** All licenses and renewals issued under the provisions  
 15 of this chapter shall expire on July 1 in each odd numbered year.

16       316-A:20 Renewal. Any person holding a chiropractor's license may have the same renewed  
 17 upon application and payment of the ~~[\$300]~~ renewal fee **established by the office of professional**  
 18 **licensure and certification.** Each applicant shall submit satisfactory evidence that the applicant  
 19 has completed at least 20 hours of continuing education approved by or conducted by the  
 20 International Chiropractors Association, or the American Chiropractic Association, or the New  
 21 Hampshire board of chiropractic examiners, or any state-chartered chiropractic school or college,  
 22 within one year prior to the date of renewal. In the event of failure to comply with the provisions of  
 23 this section, the applicant shall appear before the board to show cause why the license should not be  
 24 suspended.

25       62 Repeals; Chiropractic. The following are repealed:

26       I. RSA 316-A:3, VIII-XII and XVII, relative to rules on licensee information, hearings and  
 27 fees.

28       II. RSA 316-A:6, relative to board member successors.

29       III. RSA 316-A:9, relative to compensation of board members.

30       IV. RSA 316-A:10, relative to a report.

31       V. RSA 316-A:16, relative to licensure without exam of certain persons.

32       63 Dentistry; Board Meetings. Amend RSA 317-A:4, II to read as follows:

33       II. The board shall choose one of its members as its president and one of its members as  
 34 vice-president. ~~[Five members]~~ **A majority of the members of the board who have been**  
 35 **approved by the governor and council** shall constitute a quorum. No board action shall be taken  
 36 without an affirmative vote of the majority of board members present and eligible to participate in  
 37 the matter in question. Board members shall not be eligible to participate in a vote when the board

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1 member has recused himself or herself from participation due to a conflict of interest. The board  
2 shall meet once a year and at such other times and places as it may deem proper. A true record of  
3 all their official acts shall be made and preserved by the ~~[board's executive director]~~ *office of*  
4 *professional licensure and certification in accordance with the retention policy established*  
5 *by the office*. The records shall be public and shall be open to inspection at all reasonable times,  
6 except for records compiled in connection with disciplinary proceedings, which are subject to RSA  
7 317-A:18.

8 64 Dentistry; Applications. Amend RSA 317-A:8, I to read as follows:

9 I. Applications for licensure shall be made to the board in writing or online and shall be  
10 accompanied by a fee established in rules adopted under RSA 541-A by the ~~[board]~~ *office of*  
11 *professional licensure and certification* and by satisfactory proof that the applicant is a  
12 graduate of a school that is recognized by the Commission on Dental Accreditation (CODA). The  
13 applicant shall be of good professional character and 18 years of age or older.

14 65 Dentistry; Renewals. Amend RSA 317-A:13, II to read as follows:

15 II. Except as provided in RSA 317-A:16, before April 1 in the year of renewal under  
16 paragraph I a person licensed to practice dentistry or dental hygiene in this state shall register with  
17 the board, apply for license renewal, and pay the fee established in rules adopted by the ~~[board]~~  
18 *office of professional licensure and certification*. The timelines of submission of renewal  
19 applications shall be evidenced by date stamp made at the time of receipt at the board's office if hand  
20 delivered, or by postmark if mailed.

21 66 Dentistry; Penalties. Amend RSA 317-A:15 to read as follows:

22 317-A:15 Failure to Register; Penalties. Any person licensed by the board under this chapter  
23 who fails, neglects, or refuses to register pursuant to RSA 317-A:13 shall be assessed a late biennial  
24 registration fee as determined in rules adopted by the ~~[board]~~ *office of professional licensure and*  
25 *certification*, provided the licensee submits a completed renewal application between April 1 and  
26 April 30 of the renewal year. ~~[The payment of the fee may be waived by the board if the board~~  
27 ~~determines that good cause has been shown for the failure to register.]~~ Licenses shall lapse when  
28 complete renewal applications have not been received by the board by April 30 of the renewal year.  
29 Holders of lapsed active licenses are not authorized to practice until they receive written notification  
30 from the board that their licenses have been reinstated.

31 67 Dentistry; Reinstatement. Amend RSA 317-A:15-a, III to read as follows:

32 III. Pays the registration fee, late fee, and reinstatement fee *established in rules by the*  
33 *office of professional licensure and certification*.

34 68 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 69 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 70 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 71 Dietitians; 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 72 Dietitians; 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 73 Dietitians; 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 74 Dietitians; 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 75 Repeal; Dietitians. 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.

37 76 Electrologists; Fees. Amend RSA 314:10, I to read as follows:

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1 I. The fee for an initial biennial license and for renewal of the biennial license issued under  
2 this chapter shall be [~~\$110~~] **established in rules by the office of professional licensure and**  
3 **certification**. The executive director shall establish by rule a schedule of fees for applications,  
4 examinations, and license replacement.

5 77 Repeal; Electrologists. RSA 314:2-a, IV, relative to compensation for the electrology advisory  
6 committee, is repealed.

7 78 Funeral Directors; Board. Amend RSA 325:2, I to read as follows:

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

13 79 Funeral Directors; Quorum. Amend RSA 325:8 to read as follows:

14 325:8 Organization; Quorum. Within 30 days after appointment and qualification of a member,  
15 the board shall meet and elect from among its members a chairperson and such other officers as the  
16 board may provide for by rule. This organization shall continue until the appointment of a new  
17 member or upon the resignation of an existing board officer. The office of secretary and treasurer  
18 may be held by one member. [~~Three members~~] **A majority of the members of the board who**  
19 **have been approved by the governor and council** shall constitute a quorum for the transaction  
20 of business.

21 80 Funeral Directors; Rules. Amend RSA 325:9, IV to read as follows:

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

24 81 Funeral Directors; Fees. Amend RSA 325:12-a to read as follows:

25 325:12-a Fees. The fee for an initial 2-year license and for renewal of a license issued under this  
26 chapter shall be [~~\$110 for embalmers and \$300 for funeral directors~~] **established by the office of**  
27 **professional licensure and certification**. The [~~board~~] **office of professional licensure and**  
28 **certification** shall establish fees for examination of applicants, for apprentices, for funeral home  
29 inspections, and for transcribing and transferring records and other services.

30 82 Funeral Directors; Examinations. Amend RSA 325:18 to read as follows:

31 325:18 Examinations. Examinations of applicants for licensure shall be held at least annually.  
32 Any person who desires to engage in funeral directing or embalming shall submit in writing to the  
33 board on forms provided by it an application for licensure accompanied by a fee established by the  
34 [~~board~~] **office of professional licensure and certification**. The board shall require the applicant  
35 to submit to such examinations as it may deem proper.

36 83 Funeral Directors; Licensure. Amend RSA 325:20 to read as follows:



1       325:20 Licensure. The board shall issue to each applicant successfully passing the examination,  
 2 where an examination is required, and who otherwise satisfies the board of *her or* his qualifications,  
 3 a license, [~~signed by all the members of the board,~~] entitling *her or* him to practice or engage in the  
 4 business in this state as a funeral director, embalmer, or both, as the case may be.

5       84 Funeral Directors; Interstate Agreements. Amend RSA 325:22-a to read as follows:

6       325:22-a Interstate Agreements. The board may enter into an agreement with the corresponding  
 7 licensing authority of any other state competent to enter into such agreement which shall permit a  
 8 nonresident person duly registered and licensed as a funeral director or embalmer in any state  
 9 signing the agreement with the board to go into the other state for the purpose of handling,  
 10 embalming, transporting, and burying dead human bodies and directing funerals as though he *or*  
 11 *she* were licensed under the laws of New Hampshire, except that he *or she* shall not maintain an  
 12 establishment, advertise, have any agent or agency, or otherwise hold himself *or herself* out as a  
 13 funeral director or embalmer other than in his *or her* native state; provided that the agreement will  
 14 set forth that the licensing authority of the state in which the funeral director or embalmer is  
 15 licensed will assume the responsibility for instituting disciplinary action against any licensed  
 16 funeral directors or embalmers who may be guilty of unprofessional conduct in the practice of their  
 17 business in New Hampshire when such is reported by this board and the same to apply to New  
 18 Hampshire *individuals* licensed [~~men~~] *under this chapter*.

19       85 Funeral Directors; Notification. Amend RSA 325:24 to read as follows:

20       325:24 Notices of Expiration. On or before May 15 of each odd-numbered year, the board shall  
 21 [~~mail to~~] *notify* each holder of a license [~~a notice~~] of the expiration of *her or* his license and an  
 22 application for the renewal thereof.

23       86 Funeral Directors; Renewals. Amend RSA 325:25, I to read as follows:

24       I. Every person licensed to practice under this chapter, except as provided in RSA 325:29,  
 25 shall apply to the board every 2 years for license renewal. The board shall require each licensee to  
 26 show proof of meeting the continuing education requirement of RSA 325:28-a. Payment shall be  
 27 made to the [~~board secretary~~] *office of professional licensure and certification* of the renewal  
 28 fee established in RSA 325:12-a.

29       87 Funeral Directors; Apprentices; Term. Amend RSA 325:30 to read as follows:

30       325:30 Issuance; Term; Renewal. Apprentice licenses shall be issued for a period of one year  
 31 and shall terminate one year from the date of issuance unless sooner ended by death, resignation,  
 32 revocation or by ruling or decision of the board. Such licenses may be renewed in the discretion of  
 33 the board. The fees for an original apprentice license shall be established by the [~~board~~] *office of*  
 34 *professional licensure and certification*.

35       88 Repeal; Funeral Directors. The following are repealed:

36       I. RSA 325:6, relative compensation of board members.

37       II. RSA 325:9, I, V, and VIII, relative to rules on applications, fees, and hearings.

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1 III. RSA 325:11, relative to a register of licensees.

2 IV. RSA 325:12, relative to a board treasurer.

3 V. RSA 325:33, II, relative to investigations.

4 VI. RSA 325:39, relative to an account.

5 VII. RSA 325:42, relative to a special fund.

6 89 Hearing Care Providers; Board of Hearing Care Providers. Amend RSA 137-F:3, VII to read  
7 as follows:

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

10 90 Hearing Care Providers; Rulemaking. Amend RSA 137-F:6, I and II to read as follows:

11 I. The [~~form and~~] content of audiologist license applications and examinations.

12 II. The [~~form and~~] content of hearing aid dealer registration applications and examinations.

13 91 Hearing Care Providers; Registration of Hearing Aid Dealers. Amend RSA 137-F:8 to read as  
14 follows:

15 137-F:8 Registration of Hearing Aid Dealers Required. No person shall engage in the business  
16 of selling or offering for rent hearing aids unless such person is registered in accordance with this  
17 chapter and unless the registration of such person is current and valid. The fee for an initial  
18 registration under this section [~~is \$300~~] ***shall be established by the office of professional***  
19 ***licensure and certification.*** This section includes the selling or renting of hearing aids by mail in  
20 this state by a person outside the state. Registration certificates shall be renewed biennially on or  
21 before June 30 upon payment of a [~~\$300~~] renewal fee ***established by the office of professional***  
22 ***licensure and certification.***

23 92 Hearing Care Providers; Application for Registration; Fees. RSA 137-F:9 is repealed and  
24 reenacted to read as follows:

25 137-F:9 Application for Registration. An application for a certificate of registration under this  
26 chapter shall be filed with the board in such form and detail as required in accordance with rules  
27 adopted under RSA 541-A.

28 93 Hearing Care Providers; Audiology Licensure Required. Amend RSA 137-F:11, II to read as  
29 follows:

30 II. The board shall license each applicant who satisfies the requirements of this chapter.  
31 Upon payment of a [~~\$300~~] license fee ***established by the office of professional licensure and***  
32 ***certification,*** the board shall issue to such person a certificate of licensure which shall be evidence  
33 of the right to practice as an audiologist. The initial license shall be valid for at least 2 years and  
34 expire on June 30. Renewals shall be valid for 2 years from the date of renewal.

35 94 Hearing Care Providers; License Requirements; Fees. Amend RSA 137-F:13, I(a)-(b) to read  
36 as follows:

1 (a) Make application to the board, upon a form prescribed by the [audiology  
2 subcommittee] *office of professional licensure and certification*.

3 (b) Pay to the [board] *office of professional licensure and certification* the  
4 appropriate license fee.

5 95 Hearing Care Providers; License Renewal. Amend RSA 137-F:20 to read as follows:

6 137-F:20 License Renewal. A license issued under RSA 137-F:13 shall expire at 12:01 a.m. on  
7 July 1 of the odd year next succeeding its date of issuance. Every person licensed under this chapter  
8 who wishes to renew a license shall, on or before the expiration date, pay a [\$300] renewal fee  
9 *established by the office of professional licensure and certification* to the board. The board  
10 shall notify each person licensed under this chapter of the date of expiration of such person's license  
11 and the renewal fee required. The notice shall be mailed to such person's last known address as  
12 provided to the board at least 60 days in advance of the expiration of such license. Renewals are  
13 contingent upon evidence of 20 hours or the equivalent in continuing education units, including, but  
14 not limited to, attending professional meetings or completing approved independent studies and  
15 regional in-service programs, as determined by the board.

16 96 Hearing Care Providers; Record. RSA 137-F:29 is repealed and reenacted to read as follows:

17 137-F:29 Record. The board shall maintain a record of its proceedings in accordance with the  
18 retention policy established by the office of professional licensure and certification.

19 97 Hearing Care Providers; Out-of-State Sales Regulated. Amend RSA 137-F:30, III to read as  
20 follows:

21 III. The [board] *office of professional licensure and certification* shall assess fees as  
22 established by rules adopted by the [board] *office* pursuant to RSA 541-A for out-of-state hearing aid  
23 sales companies.

24 98 Repeal; Hearing Care Providers. The following are repealed:

25 I. RSA 137-F:3, V, relative to mileage for members of board of hearing care providers.

26 II. RSA 137-F:4, relative to board subcommittees.

27 III. RSA 137-F:5, VIII and IX, relative to certain powers and duties of the board.

28 IV. RSA 137-F:6, V, XII, and XIII, relative to the board's rulemaking authority.

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

31 99 Massage Therapists and Massage Establishments; License Issuance. Amend RSA 328-B:6,  
32 I(a) to read as follows:

33 (a) Submits the required application form and [\$110] licensing fee *established by the*  
34 *office of professional licensure and certification*.

35 100 Massage Therapists and Massage Establishments; License Renewal. Amend RSA 328-B:7  
36 to read as follows:

1 328-B:7 License Renewal. All licenses issued pursuant to this chapter shall expire on the last  
2 day of the birth month of the licensee in the even-numbered year, upon approval of the executive  
3 director of the renewal application and submission of the required [~~\$110~~] renewal fee *established*  
4 *by the office of professional licensure and certification.*

5 101 Medical Imaging and Radiation Therapy; Organization and Meeting. Amend RSA 328-J:6  
6 to read as follows:

7 328-J:6 Organization and Meetings. The board shall hold meetings at least 2 times per year.  
8 Other meetings of the board shall be held at such times and upon such notice as the rules of the  
9 board provide. [~~Four members~~] *A majority of the members of the board who have been*  
10 *approved by the governor and council* shall constitute a quorum.

11 102 Medical Imaging and Radiation Therapy; Board Responsibilities. Amend RSA 328-J:7 to  
12 read as follows:

13 328-J:7 Board Responsibilities; Rulemaking Authority. The board shall adopt rules, pursuant to  
14 RSA 541-A, relative to:

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

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

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

18 [~~IV. The establishment of all fees required under this chapter.~~

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

20 (a) Time and place of examination.

21 (b) The subjects to be tested.

22 (c) Passing grade.

23 (d) Disposition of examination papers.

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

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

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

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

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

1 ~~[XI. Procedures for accepting and responding to written complaints, publicizing the~~  
2 ~~complaint procedure, standards of and procedures for conducting investigations, investigator~~  
3 ~~training requirements, and procedures for conducting disciplinary hearings and alternative dispute~~  
4 ~~resolution under this chapter.~~

5 ~~XII. Procedures relative to the disclosure to the public of final disciplinary actions by the~~  
6 ~~board, including those actions that occur without holding a public hearing. Dismissed complaints~~  
7 ~~shall not be made public.~~

8 ~~XIII.] VIII. Standards of care for the practice of telemedicine or telehealth.~~

9 ~~[XIV.] IX. Interstate licensure and temporary permits under RSA 328-J:20.~~

10 ~~[XV.] X. [Procedures for an educational program review and approval to follow in making~~  
11 ~~application for] **Standards for educational program** approval by the board.~~

12 ~~[XVI.] XI. A process for reviewing the accreditation status of an educational program which~~  
13 ~~is currently accredited by a recognized national educational accreditation organization.~~

14 103 Medical Imaging and Radiation Therapy; Applications. Amend RSA 328-J:13, I to read as  
15 follows:

16 I. Applications for licensure or for a temporary license shall be on forms prescribed and  
17 furnished by the ~~[board]~~ **office of professional licensure and certification**, shall contain  
18 statements made under oath, showing the applicant's education and a detailed summary of the  
19 applicant's technical work. The ~~[board]~~ **office of professional licensure and certification** shall  
20 establish fees for application and any examination required under this chapter. If the board denies  
21 the issuance of a license or a temporary permit to any applicant, any initial fee deposited shall be  
22 retained as an application fee.

23 104 Medical Imaging and Radiation Therapy; License Renewal. Amend RSA 328-J:15, II to read  
24 as follows:

25 II. All licenses issued by the board shall expire on the last day of the licensee's month of  
26 birth in the second year following the year of issuance, or upon such other biennial date as the board  
27 may adopt. If the renewal fee is not submitted within 12 months after the expiration date, the  
28 licensee's name shall be removed from current status, and application for reinstatement shall be  
29 required to return to current status. The board shall charge a ~~[20 percent]~~ late fee **established by**  
30 **the office of professional licensure and certification** for each month or fraction of a month the  
31 renewal is late, up to 12 months, in addition to the renewal fee. Any renewal application received 12  
32 months after the expiration date shall be rejected, unless accompanied by proof of successful  
33 completion of the examination required by the board. Licensees shall complete at least 24 hours of  
34 board-approved continuing education during each license period in order to maintain his or her  
35 license. If a licensee fails to renew such license within the 12 months after the date of expiration, it  
36 shall become null and void and the licensee shall be required to reapply and to be re-examined for  
37 licensure.

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1       105 Medical Imaging and Radiation Therapy; Hearings. Amend RSA 328-J:18, V to read as  
2 follows:

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

5       106 Medical Imaging and Radiation Therapy; Investigative Costs. Amend RSA 328-J:23 to read  
6 as follows:

7       328-J:23 Investigative Costs. For any order issued in resolution of a disciplinary proceeding by  
8 the board, where the board has found misconduct sufficient to support disciplinary action, including  
9 but not limited to a violation of this chapter or an administrative rule adopted under this chapter,  
10 the board may require the registrant who is the subject of such finding to pay the board a sum not to  
11 exceed the reasonable cost of investigation and prosecution of the proceeding. This sum shall not  
12 exceed \$5,000. This sum may be imposed in addition to any otherwise authorized administrative  
13 fines levied by the board as part of the penalty. ~~[The investigative and prosecution costs shall be~~  
14 ~~assessed by the board and any sums recovered shall be credited to the board's fund and disbursed by~~  
15 ~~the board for any future investigations of complaints and activities that violate this chapter or rules~~  
16 ~~adopted under this chapter.]~~

17       107 Repeal; Medical Imaging and Radiation Therapy. RSA 328-J:3, IV, relative to compensation  
18 for members of the board of medical imaging and radiation therapy, is repealed.

19       108 Board of Registration of Medical Technicians; Rulemaking. RSA 328-I:4 is repealed and  
20 reenacted to read as follows:

21       328-I:4 Rulemaking. The board shall adopt rules, pursuant to RSA 541-A, relative to:

22           I. Registration eligibility requirements.

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

25           III. The imposition of administrative fines.

26           IV. Procedures for the approval or denial of an application.

27           V. Procedures for sharing information with other in-state boards, the office of inspector  
28 general, department of health and human services, out-of-state boards and law enforcement entities.

29       109 Board of Registration of Medical Technicians; Initial Registration. Amend RSA 328-I:6, I to  
30 read as follows:

31           I. The board may register any person who submits a completed application. The fee for  
32 registration under this chapter shall be ~~[\$110]~~ ***established by the office of professional licensure***  
33 ***and certification.***

34       110 Board of Registration of Medical Technicians; Renewal of Registration. Amend RSA 328-I:8  
35 to read as follows:

36       328-I:8 Renewal of Registration. Certificates of registration issued under this chapter shall be  
37 subject to renewal every 2 years and shall expire unless renewed in the manner prescribed by the

1 board. The fee for renewal of certificates of registration shall be ~~[\$110]~~ **established by the office of**  
 2 **professional licensure and certification**. Certificates of registration for medical technician shall  
 3 be renewed upon the payment of the renewal fee.

4 111 Board of Registration of Medical Technicians; Disciplinary Action. Amend RSA 328-I:10,  
 5 XIII to read as follows:

6 XIII. When an investigation of a complaint against a registrant is determined to be  
 7 unfounded, the board shall dismiss the complaint and explain in writing to the complainant and the  
 8 registrant its reason for dismissing the complaint. The board shall destroy all information collected  
 9 during the course of the investigation ~~[after 6 years. The board shall retain a record only noting that~~  
 10 ~~an investigation was conducted and that the board determined the complaint to be unfounded]~~ **in**  
 11 **accordance with the retention policy established by the office of professional licensure and**  
 12 **certification**. For the purpose of this paragraph, a complaint shall be deemed to be unfounded if it  
 13 does not fall within the jurisdiction of the board, does not relate to the actions of the registrant, or is  
 14 determined by the board to be frivolous.

15 112 Board of Registration of Medical Technicians; Investigative Costs. Amend RSA 328-I:14 to  
 16 read as follows:

17 328-I:14 Investigative Costs. For any order issued in resolution of a disciplinary proceeding by  
 18 the board, where the board has found misconduct sufficient to support disciplinary action, including  
 19 but not limited to a violation of this chapter or an administrative rule adopted under this chapter,  
 20 the board may require the registrant who is the subject of such finding to pay the board a sum not to  
 21 exceed the reasonable cost of investigation and prosecution of the proceeding. This sum shall not  
 22 exceed \$5,000. This sum may be imposed in addition to any otherwise authorized administrative  
 23 fines levied by the board as part of the penalty. ~~[The investigative and prosecution costs shall be~~  
 24 ~~assessed by the board and any sums recovered shall be credited to the board's fund and disbursed by~~  
 25 ~~the board for any future investigations of complaints and activities that violate this chapter or rules~~  
 26 ~~adopted under this chapter.]~~

27 113 Repeals; Board of Registration of Medical Technicians. The following are repealed:

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

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

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

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

33 114 Physician Assistants; Conditions for Licensure. Amend the introductory paragraph of RSA  
 34 328-D:3, I to read as follows:

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

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1 115 Physician Assistants; Renewal of Licenses. Amend RSA 328-D:5 to read as follows:

2 328-D:5 Renewal of Licenses. Every person licensed to practice under this chapter shall apply  
3 to the board for annual renewal of license on forms provided by the [board] **office of professional**  
4 **licensure and certification** and shall pay a renewal fee as established by the [board] **office of**  
5 **professional licensure and certification**. Applications for renewal shall be filed no later than  
6 December 31 of each year and shall include a photocopy of the applicant's current national  
7 certification card. A license issued under this chapter shall not expire until the board has taken  
8 final action upon the application for renewal.

9 116 Physician Assistants; Failure to Renew. Amend RSA 328-D:5-a, I to read as follows:

10 I. Any licensee who fails to apply for renewal under RSA 328-D:5 shall pay double the  
11 renewal fee, provided the licensee applies and pays the renewal fee no later than 90 days after the  
12 expiration date. Any licensee who fails to apply for renewal of his or her license within the 90-day  
13 period after expiration, shall have his or her license lapse. A lapsed license shall be reinstated only  
14 upon payment of a reinstatement fee as established by the [board] **office of professional licensure**  
15 **and certification**, and upon showing evidence of professional competence as the board may  
16 reasonably require.

17 117 Physician Assistants; Rulemaking. Amend RSA 328-D:10, I,(b) to read as follows:

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

19 118 Physician Assistants; Recordkeeping. RSA 328-D:11 is repealed and reenacted to read as  
20 follows:

21 328-D:11 Recordkeeping. The board shall keep a record of its proceedings under this chapter in  
22 accordance with the retention policy established by the office of professional licensure and  
23 certification.

24 119 Repeal; Physician Assistants. RSA 328-D:10, I(c) and (d), relative to the board of medicine's  
25 rulemaking authority regarding application procedures and the conduct of hearings for physician  
26 assistants, are repealed.

27 120 Physicians and Surgeons; Records. Amend RSA 329:8 to read as follows:

28 329:8 Records. A true record of all of the board's official acts shall be made and preserved [by  
29 ~~the administrator]~~ **in accordance with the retention policy established by the office of**  
30 **professional licensure and certification**. The records shall be public and shall be open to  
31 inspection at all reasonable times, except for records compiled in connection with disciplinary  
32 investigations and records otherwise exempt from disclosure under RSA 91-A, RSA 329:18, or other  
33 applicable statutes.

34 121 Physicians and Surgeons; Qualifications of Licensees. Amend RSA 329:12, I(a) and (b) to  
35 read as follows:

36 (a) Pay a fee established by the [board] **office of professional licensure and**  
37 **certification**.



1 (b) Submit an application [~~in a form prescribed by the board~~] which shall be verified by  
2 oath.

3 122 Physicians and Surgeons; Professionals' Health Program. Amend RSA 329:13-b, V(a) to  
4 read as follows:

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

12 123 New Paragraph; Physicians and Surgeons; Professionals' Health Program. Amend RSA  
13 329:13-b by inserting after paragraph VI the following new paragraph:

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

16 124 Physicians and Surgeons; Renewal. Amend RSA 329:16-a to read as follows:

17 329:16-a Renewal. Every person licensed to practice under this chapter, except as provided in  
18 RSA 329:16-c, shall apply to the board on a biennial basis for renewal of license on forms provided by  
19 the [board] *office of professional licensure and certification* and shall pay a renewal fee as  
20 established by the [board] *office of professional licensure and certification*. If a person applies  
21 to the board for a renewal of license by June 30 of the year in which the licensee's renewal is set to  
22 occur, the person's license shall not expire until the board has taken final action upon the application  
23 for renewal.

24 125 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.

28 126 Physicians and Surgeons; Neglect to Renew. Amend RSA 329:16-e to read as follows:

29 329:16-e Neglect to Renew. Any licensee who fails to renew his or her license by June 30 of the  
30 year in which the licensee's renewal is set to occur shall be required to pay double the renewal fee if  
31 paid within 90 days of the expiration date. Any failure, neglect, or refusal on the part of any person  
32 licensed by the board to renew the license as provided in RSA 329:16-a or this section shall  
33 automatically lapse such license. Licenses lapsed under this section for nonpayment within 90 days  
34 shall not be reinstated except upon payment of a reinstatement fee as established by the [board]  
35 *office of professional licensure and certification*, and a showing of such evidence of professional  
36 competence as the board may reasonably require.

37 127 Physicians and Surgeons; Reinstatement. Amend RSA 329:16-h to read as follows:

1 329:16-h Reinstatement. Any person whose name has been placed on the inactive list may be  
2 restored to active status upon the filing of a written request for reinstatement of license,  
3 accompanied by the reinstatement fee as established by the ~~board~~ **office of professional**  
4 **licensure and certification**, proof of satisfaction of continuing medical education requirements  
5 established by RSA 329:16-g, and such other evidence of professional competence as the board may  
6 reasonably require.

7 128 Physicians and Surgeons; Disciplinary Action. Amend RSA 329:17, V-a to read as follows:

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

27 129 Physicians and Surgeons; Disciplinary Action. Amend RSA 329:17, XIII to read as follows:

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

1 130 Physicians and Surgeons; Denial or Revocation of License. Amend RSA 329:17-c to read as  
2 follows:

3 329:17-c Denial or Revocation of License. Upon receipt of an administratively final order from  
4 the licensing authority of another jurisdiction which imposes disciplinary sanctions against a  
5 licensee of the board, or a person applying for such license, the board may issue an order directing  
6 the licensee or applicant to appear and show cause why similar disciplinary sanctions or, in the case  
7 of an applicant, license denial or restriction, should not be imposed in the state. In any such  
8 proceeding, the decision of the foreign licensing authority may not be collaterally attacked, but the  
9 licensee or applicant shall be given the opportunity to demonstrate why a lesser sanction should be  
10 imposed. The board may issue any disciplinary sanction or take any action with regard to a license  
11 application pursuant to this section otherwise permitted by this chapter, including sanctions or  
12 actions which are more stringent than those imposed by the foreign jurisdiction. ~~[The board may  
13 adopt summary procedures for handling proceedings brought under this chapter, but shall furnish  
14 the respondent at least 10 days' written notice and a reasonable opportunity to be heard.]~~ The board  
15 may require a licensee to suspend practice in this state as a condition of postponing a hearing date  
16 established for allegations brought under this section.

17 131 Physicians and Surgeons; Denial or Revocation of License. Amend RSA 329:18, II to read as  
18 follows:

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

27 132 Repeal; Physicians and Surgeons. The following are repealed:

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

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

32 III. RSA 329:9, I, VI, and VII, relative to rulemaking authority regarding applications,  
33 hearings, and fees.

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

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

36 133 Mental Health Practice; Committees Established; Duties. Amend RSA 330-A:4, I and I-a to  
37 read as follows:

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

7 I-a. The board [shall] *may* create a professional conduct investigation committee for the  
8 purpose of assisting the board in its responsibilities under RSA 330-A:28 and RSA 330-A:29. A  
9 board investigator, appointed by the chairperson of the board with the advice of the board, shall  
10 serve as the chair of the professional conduct investigation committee. The balance of the  
11 membership of the professional conduct investigation committee shall be composed of one licensed  
12 clinical social worker, one licensed clinical mental health counselor, and additional members from  
13 the professions licensed by the board to a maximum of 12 members.

14 134 Mental Health Practice; Organization and Meetings. Amend RSA 330-A:9, I to read as  
15 follows:

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

20 135 Mental Health Practice; Board; Responsibilities and Rulemaking Authority. RSA 330-A:10  
21 is repealed and reenacted to read as follows:

22 330-A:10 Board; Responsibilities and Rulemaking Authority. The board shall adopt rules,  
23 pursuant to RSA 541-A, relative to:

24 I. Procedures for expedited licensure for applicants from other states who qualify under RSA  
25 330-A:26.

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

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

28 (a) Time and place of examination.

29 (b) The subjects to be tested.

30 (c) Passing grade.

31 (d) Disposition of examination papers.

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

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

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

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

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

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

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

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

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

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

27 XIV. Requirements to be met by licensees relative to the disclosure of information to  
28 patients and the general public concerning the nature of mental health care and the responsibilities  
29 of mental health practitioners to clients in RSA 330-A:15.

30 XV. Procedures and mechanisms for providing interdisciplinary collaboration among the  
31 mental health disciplines.

32 136 Mental Health Practice; Applicants From Other States. Amend RSA 330-A:26, II to read as  
33 follows:

34 II. An applicant whose state licensure meets the requirements in paragraph I shall be  
35 allowed to practice in this state not more than 30 days after the application is received by the board,  
36 pending final approval or denial of the license for other reason by the board. The board shall adopt  
37 rules under RSA 330-A:10, I ~~and I-a~~ *relative* to ~~ensure the timely review and approval of~~

1 ~~applications under this section]~~ **procedures for expedited licensure for applicants from other**  
2 **states.**

3 137 Mental Health Practice; Hearings. Amend RSA 330-A:29, IV to read as follows:

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

7 138 Mental Health Practice; Expirations, Renewals, Reinstatements, and Inactive Status.  
8 Amend RSA 330-A:31, I and II to read as follows:

9 I. Licenses shall be valid for a period of 2 years and shall become invalid on the expiration  
10 date unless renewed. It shall be the duty of the board to notify every person licensed by the board  
11 under this chapter of the date of expiration of the license and the amount of the fee that shall be  
12 required for its renewal for 2 years. Such notice shall be mailed at least 2 months in advance of the  
13 date of expiration of such license. Renewal shall be conditional upon filing a timely and complete  
14 renewal application and payment of the fee as set by the ~~board~~ **office of professional licensure**  
15 **and certification.**

16 II. If a license is not renewed it may be reinstated not later than 6 months after the date of  
17 license expiration upon payment of the fee **established by the office of professional licensure**  
18 **and certification** and compliance with rules adopted by the board. A license may be placed on  
19 inactive status pursuant to rules adopted by the board.

20 139 Repeal; Mental Health Practice. The following are repealed:

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

22 II. RSA 330-A:12, relative to fees.

23 III. RSA 330-A:13, relative to records and reports.

24 140 Midwifery; Council Established. Amend RSA 326-D:3, IV to read as follows:

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

29 141 Midwifery; Powers and Duties of the Council. Amend RSA 326-D:4, I to read as follows:

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

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

32 (b) ~~Establishing fees for examination of applicants.~~

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

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

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

1 142 Midwifery; Rulemaking. Amend RSA 326-D:5 to read as follows:  
2 326-D:5 Rulemaking.

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

4 (a) Qualifications for the practice of midwifery.

5 (b) The teaching of midwifery.

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

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

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

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

15 (g) Standards for reciprocity.

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

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

18 ~~(j)~~ **(i)** Reporting requirements relative to client information and notification of  
19 transfers.

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

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

26 143 Midwifery; Certification. Amend RSA 326-D:6, I and II to read as follows:

27 I. No person shall practice midwifery in this state without first obtaining certification from  
28 the council. The council shall certify for the practice of midwifery any person applying for such  
29 certification who meets the qualifications adopted under RSA 326-D:5, I(a) and who submits a ~~[\$110]~~  
30 certification fee **established by the office of professional licensure and certification**.

31 II. Certification issued under this chapter shall be subject to renewal every 2 years and shall  
32 expire unless renewed in accordance with rules adopted by the council and upon payment of a ~~[\$110]~~  
33 renewal fee **established by the office of professional licensure and certification**.

34 144 Midwifery; Certificate of Renewal; Continuing Education. Amend RSA 326-D:11 to read as  
35 follows:

36 326-D:11 Certificate Renewal; Continuing Education. Every person certified under this chapter  
37 shall apply to the council for certificate renewal every 2 years. Renewals of certificates shall be

1 contingent upon presentation of satisfactory evidence to the council of having met the continuing  
2 education requirements established by the council pursuant to RSA 326-D:5, I(e) and shall be  
3 accompanied by the renewal fee established [~~pursuant to RSA 326-D:4, I(b)~~] **by the office of**  
4 **professional licensure and certification**. All certificates shall automatically lapse 2 years after  
5 the date of issuance unless a timely and complete renewal application has been filed with the  
6 council. In no event shall a certificate, for which a timely and complete application for renewal has  
7 been submitted, expire before the council has taken final action upon the application.

8 145 Repeals; Midwifery. The following are repealed:

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

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

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

12 146 Naturopathic Health Care Practice; Naturopathic Board of Examiners. Amend RSA 328-  
13 E:7, V to read as follows:

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

17 147 Naturopathic Health Care Practice; Powers and Duties of the Board. RSA 328-E:8 is  
18 repealed and reenacted to read as follows:

19 328-E:8 Powers and Duties of the Board.

20 I. The board shall:

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

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

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

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

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

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

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

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



1 (i) Annually compile and publish a directory.

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

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

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

10 148 Naturopathic Health Care Practice; Qualification for Licensure. Amend RSA 328-E:9, I (g)  
11 to read as follows:

12 (g) File an application and pay the ~~[\$300]~~ license fee *established by the office of*  
13 *professional licensure and certification*.

14 149 Naturopathic Health Care Practice; License Renewal and Continuing Education. Amend  
15 RSA 328-E:13, I to read as follows:

16 I. The license to practice naturopathic medicine shall be renewed biennially. A fee in the  
17 amount ~~[of \$300]~~ *established by the office of professional licensure and certification* shall  
18 accompany the application for renewal.

19 150 Repeals; Naturopathic Health Care. The following are repealed:

20 I. RSA 328-E:7, VI, relative to the board serving without pay.

21 II. RSA 328-E:15, relative to administration.

22 151 Nurse Practice Act; Fees; Charges. Amend RSA 326-B:8 to read as follows:

23 326-B:8 Fees; Charges.

24 I. The board shall charge fees *established by the office of professional licensure and*  
25 *certification* or the issuance, renewal, and reinstatement of all licenses, specialty licenses, and  
26 specialty certificates authorized by this chapter.

27 II. The board may provide the following services and make administrative charges  
28 *established by the office of professional licensure and certification* for:

29 (a) The administration of examinations required by this chapter.

30 (b) Verification of licensure status.

31 (c) ~~[The sale of lists of licensees who have given their written authorization to have their~~  
32 ~~names included on such lists.~~

33 ~~(d)]~~ The actual costs of a criminal conviction record check required pursuant RSA 326-  
34 B:15.

35 ~~(e)]~~ (d) The actual cost of collection of statistical data provided to private entities.

36 ~~(f)]~~ (e) Site visits associated with nursing education programs under RSA 326-B:32.

37 152 Nurse Practice Act; Rulemaking Authority. Amend RSA 326-B:9, I and II to read as follows:

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

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

7 153 Nurse Practice Act; Fees; Licensure; All Applicants. Amend RSA 326-B:16, I to read as  
8 follows:

9 I. Submit a completed application and fees as established by the ~~[board]~~ **office of**  
10 **professional licensure and certification.**

11 154 Nurse Practice Act; Fees; License Renewal; All Licensees. Amend RSA 326-B:22, II(a) to  
12 read as follows:

13 (a) By midnight on his or her date of birth in the renewal year submit a completed  
14 application and fees as established by the ~~[board]~~ **office of professional licensure and**  
15 **certification;**

16 155 Nurse Practice Act; License Reinstatement. Amend RSA 326-B:23, III to read as follows:

17 III. Application for reinstatement of a license which has lapsed under this section shall  
18 include payment of a reinstatement fee **established by the office of professional licensure and**  
19 **certification** and be made, and granted or denied, in accordance with rules adopted by the board  
20 pursuant to RSA 541-A.

21 156 Nurse Practice Act; Certificate of Medication Administration for Licensed Nursing  
22 Assistants. Amend RSA 326-B:27, I(c) to read as follows:

23 (c) Has paid the certification fee **established by the office of professional licensure**  
24 **and certification.**

25 157 Nurse Practice Act; Alternative Recovery Monitoring Program. Amend RSA 326-B:36-a, VI  
26 to read as follows:

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

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

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

5 158 Repeals; Nurse Practice Act. The following are repealed:

6 I. RSA 326-B:3, VII, relative to compensation of members of the board of nursing.

7 II. RSA 326-B:4, XIII, relative to establishing and collecting fees by the board of nursing.

8 III. RSA 326-B:6, relative to collection and expenditure of funds.

9 159 Nursing Home Administrators; Rulemaking. RSA 151-A:4-a, II-VII are repealed and  
 10 reenacted to read as follows:

11 II. To establish a schedule of fines.

12 III. To establish requirements for disciplinary proceedings and criteria for disciplinary  
 13 actions, including suspending, revoking or placing conditions on a license.

14 IV. To establish standards and criteria for licensing, application and examination of  
 15 applicants, and criteria for granting waivers of experience pursuant to RSA 151-A:5, II.

16 V. To establish criteria for review and approval of educational requirements, including  
 17 formal educational requirements for licensure or renewal and practical training requirements.

18 160 Nursing Home Administrators; Qualifications for Admission to Examination. Amend the  
 19 introductory paragraph of RSA 151-A:5 to read as follows:

20 151-A:5 Qualifications for Admission to Examination. The board shall admit to examination for  
 21 licensure as a nursing home administrator any candidate who pays a [~~\$300~~] licensing fee  
 22 **established by the office of professional licensure and certification** and submits evidence of  
 23 good moral character and suitability prescribed by the board and evidence that the candidate is at  
 24 least 21 years old and has completed preliminary education satisfactory to the board; provided:

25 161 Nursing Home Administrators; Licenses. Amend RSA 151-A:7, III and IV to read as  
 26 follows:

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

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

1 disburse state funds allocated for this purpose and federal funds received pursuant to section  
2 1908(e)(1) of the Social Security Act.

3 162 Nursing Home Administrators; Registration. Amend RSA 151-A:8, II-IV to read as follows:

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

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

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

16 163 Nursing Home Administrators; Reciprocity. Amend the introductory paragraph of RSA 151-  
17 A:9 to read as follows:

18 151-A:9 Reciprocity. The board, subject to the provisions of this chapter and the rules and  
19 regulations of the board promulgated thereunder prescribing the qualifications for nursing home  
20 administrator license, may endorse a nursing home administrator license issued by the proper  
21 authorities of any other state upon payment of a reasonable fee as established by the [~~board~~] **office**  
22 **of professional licensure and certification** and upon submission of evidence satisfactory to the  
23 board that:

24 164 Repeal; Nursing Home Administrators. The following are repealed:

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

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

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

31 165 Ophthalmic Dispensing; Application and Registration Fees. Amend RSA 327-A:7 to read as  
32 follows:

33 327-A:7 Application and Registration Fees. Every application for a certificate of registration for  
34 ophthalmic dispensing shall be accompanied by a non-refundable registration fee [~~of \$110~~]  
35 **established by the office of professional licensure and certification**. Upon approval of the  
36 application by the executive director, the applicant shall be issued a certificate of registration for  
37 ophthalmic dispensing, which shall be renewed biennially on or before June 30 upon payment of the

1 renewal fee. The fee for renewal of any certificate of registration shall be [~~\$110~~] *established by the*  
 2 *office of professional licensure and certification.*

3 166 Ophthalmic Dispensing; Rulemaking. Amend RSA 327-A:12, I and II to read as follows:

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

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

9 167 Optometry; Licenses; Qualifications. Amend RSA 327:6 to read as follows:

10 327:6 Licenses; Qualifications. No person, except as otherwise provided in this chapter, shall  
 11 practice optometry without a license. The board shall not issue a license to any applicant until the  
 12 person has passed an examination approved by the board, and has presented satisfactory evidence in  
 13 the form of affidavits properly sworn to, that the person is over 18 years of age and of good moral  
 14 character, has completed a minimum of 2 years at a college of arts and sciences and has graduated  
 15 from a school or college of optometry approved by the board, maintaining a minimum of 4 years in  
 16 optometric training. Persons who submit an application which demonstrates that they meet the  
 17 eligibility requirements of this chapter and any rules adopted by the board pursuant to RSA 541-A,  
 18 and pay the [~~\$300~~] licensing fee *established by the office of professional licensure and*  
 19 *certification*, shall be licensed by the board.

20 168 Optometry; Renewal of Licenses. Amend RSA 327:13, I to read as follows:

21 I. All licenses issued under this chapter shall be renewed biennially on or before June 30  
 22 upon payment of a [~~\$300~~] license renewal fee *established by the office of professional licensure*  
 23 *and certification.*

24 169 Optometry; Contact Lens Prescriptions to be Provided to Patient. Amend RSA 327:25-a,  
 25 IV(c) to read as follows:

26 (c) The board of pharmacy or the board of registration in optometry shall assess [~~the~~  
 27 ~~following~~] *the* registration fees for out-of-state contact lens sale companies[~~:~~

28 (1) ~~\$300 for the initial registration.~~

29 (2) ~~\$150 for an annual registration renewal~~] *established by the office of*  
 30 *professional licensure and certification.*

31 170 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.

13 171 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 327:5-a, relative to fees.

17 IV. RSA 327:33-b, relative to consumer publication.

18 172 Pharmacy Board; Fees. Amend RSA 318:6-a to read as follows:

19 318:6-a Fees; *Restoration*.

20 ~~I.] The board shall establish fees for examination of applicants, for licenses and for renewal  
21 of licenses to practice pharmacy, for licensed advanced pharmacy technicians, for registration and  
22 certification of pharmacy technicians, and for transcribing and transferring records and other  
23 services.~~

24 ~~II.]~~ The fee for restoration of a suspended, revoked, or voluntarily surrendered license,  
25 registration, or certification under this chapter shall not include the assessment of charges or  
26 renewal fees for the period in which the licensee, registrant, or certificate holder was not permitted  
27 to practice in this state.

28 173 Pharmacy Board; Inspectional Services. Amend RSA 318:9-a to read as follows:

29 318:9-a Inspectional Services. The pharmacy board *through the office of professional*  
30 *licensure and certification* shall provide inspectional services under this chapter and RSA 318-  
31 B:25 to the board of medicine, the board of veterinary medicine, the board of podiatry, the board of  
32 registration in optometry, the board of dental examiners, the board of nursing, and the naturopathic  
33 board of examiners.

34 174 Pharmacy Board; Application Fee for Pharmacist License. Amend RSA 318:23 to read as  
35 follows:

36 318:23 Application Fee for Pharmacist License. Each person applying for a license to practice  
37 the profession of pharmacy in this state by way of examination shall pay a reasonable application fee

1 to be established by the [~~pharmacy board~~] *office of professional licensure and certification*.  
2 This fee shall include the cost of investigating the applicant's qualifications to become a pharmacist  
3 in this state.

4 175 Pharmacy Board; Renewal Of License. Amend RSA 318:25, II to read as follows:

5 II. Pay a reasonable fee established by the [~~board~~] *office of professional licensure and*  
6 *certification*;

7 176 Pharmacy Board; Neglect to Renew. Amend RSA 318:26 to read as follows:

8 318:26 Neglect to Renew. Any failure, neglect or refusal on the part of any person licensed by  
9 the board to renew his license as provided in RSA 318:25 shall cause the license to lapse. Licenses  
10 lapsed under this section shall not be restored except upon payment of a restoration fee as  
11 established by the [~~board~~] *office of professional licensure and certification*, and a showing of  
12 evidence, as the board may require, demonstrating professional competence.

13 177 Pharmacy Board; Change in Name, Employment or Residence. Amend RSA 318:26-a to  
14 read as follows:

15 318:26-a Change in Name, Employment, or Residence. Any pharmacist, licensed advanced  
16 pharmacy technician, or pharmacy technician who changes his or her name, place or status of  
17 employment, or residence shall notify the board in writing within 15 days. For failure to report such  
18 a change within 15 days, the board may suspend the pharmacist's license, the advanced pharmacy  
19 technician's license, or the pharmacy technician's registration. Reinstatement shall be made only  
20 upon payment of a reasonable fee as established by the [~~board~~] *office of professional licensure*  
21 *and certification*.

22 178 Pharmacy Board; Impaired Pharmacist Program. Amend RSA 318:29-a, VI to read as  
23 follows:

24 VI.(a) The [~~board~~] *office of professional licensure and certification* may contract with  
25 other organizations to operate the impaired pharmacist program for pharmacists who are impaired  
26 by drug or alcohol abuse or mental or physical illness. This program shall include, but is not limited  
27 to, education, intervention and post-treatment monitoring.

28 (b) The [~~board~~] *office of professional licensure and certification* may allocate an  
29 amount determined by the [~~board~~] *office of professional licensure and certification* from each  
30 pharmacist biennial license renewal fee it collects to provide funding for the impaired pharmacist  
31 program as set forth in subparagraph VI(a).

32 VII. *Rules governing the impaired pharmacist program shall be implemented*  
33 *through the office of professional licensure and certification pursuant to RSA 310-A:1-d,*  
34 *II(h)(4).*

35 179 Pharmacy Board; Required; Compliance. Amend RSA 318:37, II(b)(2) to read as follows:

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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*;

4 180 Pharmacy Board; Permit; Fees. Amend RSA 318:38, II and III to read as follows:

5 II. All pharmacy permits shall expire when there is a change of ownership of the pharmacy  
6 or at midnight on December 31 [~~biennially in each odd-numbered year~~] *annually*. Every pharmacy  
7 that wishes to continue to operate as such shall renew its permit no later than December 15  
8 [~~biennially in odd-numbered years~~] *annually* or immediately when the permit expires for any other  
9 reason. It shall be deemed a violation of the provisions of this chapter for any pharmacy to be open  
10 or operated beyond the expiration date of its permit.

11 III. All applicants for a pharmacy permit shall pay a reasonable fee as established by the  
12 [~~board~~] *office of professional licensure and certification* for each original pharmacy permit and  
13 for each renewal thereof.

14 181 Pharmacy Board; Possession and Sale of Drugs and Devices for Administration;  
15 Wholesalers. Amend RSA 318:51-a, I to read as follows:

16 I. No person shall manufacture legend drugs or controlled drugs as that term is defined in  
17 RSA 318-B:1, VI and no person as a wholesaler, distributor, or reverse distributor shall supply the  
18 same without first having obtained a license to do so from the [~~board~~] *office of professional*  
19 *licensure and certification*. Such license shall expire biennially on June 30 of every even-  
20 numbered year. An application together with a reasonable fee as established by the board shall be  
21 filed biennially by midnight on June 30 of every even-numbered year.

22 182 Pharmacy Board; Possession and Sale of Drugs and Devices for Administration; Licensing of  
23 Limited Retail Drug Distributors. Amend RSA 318:51-b, I to read as follows:

24 I. No person shall operate as a limited retail drug distributor, as defined in RSA 318:1, VII-  
25 a, without first having obtained a license to do so from the board. Such license shall expire  
26 biennially on June 30 of each odd-numbered year. An application together with a reasonable fee as  
27 established by the [~~board~~] *office of professional licensure and certification* shall be filed  
28 biennially by midnight June 15 of every odd-numbered year.

29 183 Pharmacy Board; Possession and Sale of Drugs and Devices for Administration;  
30 Outsourcing. Amend RSA 318:51-c, I to read as follows:

31 I. No person shall compound legend drugs or controlled drugs, as defined in RSA 318-B:1,  
32 VI, and no person acting as or employed by an outsourcing facility shall supply such drugs, without  
33 first having obtained a license from the board. Such license shall expire biennially on June 30 of  
34 each odd-numbered year. An application together with a fee established by the [~~board~~] *office of*  
35 *professional licensure and certification* shall be filed biennially by June 15 of every odd-  
36 numbered year.



1 184 Pharmacy Board; Possession and Sale of Drugs and Devices for Administration; Licensure  
2 of Research Organizations. Amend RSA 318:51-f, I to read as follows:

3 I. No research organization shall procure or conduct research operations with prescription  
4 drugs by researchers without first having obtained a license from the board. Such license shall  
5 expire biennially on June 30 of each odd-numbered year. An application together with a reasonable  
6 fee as established by the ~~[board]~~ **office of professional licensure and certification** shall be filed  
7 biennially by June 15 of every odd-numbered year.

8 185 Pharmacy Board; Penalties. Amend RSA 318:55, III to read as follows:

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

15 186 Repeal; Pharmacy Board. The following are repealed:

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

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

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

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

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

22 187 Podiatry; Requirements; Cross Reference Change. Amend RSA 315:2, II to read as follows:

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

26 188 Podiatry; Peer Review Committee. Amend RSA 315:2-a to read as follows:

27 315:2-a Peer Review Committee. The board ~~[shall]~~ **may** establish a peer review committee  
28 consisting of 2 podiatrists appointed by the board and one medical practitioner, appointed by the  
29 board subject to the approval of the board of medicine. Each appointee shall serve for a 2-year term.

30 189 Podiatry; Rulemaking Authority. RSA 315:4 is repealed and reenacted to read as follows:

31 315:4 Rulemaking Authority. The board shall adopt rules, pursuant to RSA 541-A, relative to:

32 I. The qualifications of applicants in addition to those requirements set by statute.

33 II. Eligibility requirements for renewal of licensure, including the requirements for  
34 continuing education.

35 III. Ethical standards required to be met by each holder of any license issued under this  
36 chapter and how such license may be revoked for violation of these standards.

37 IV. The imposition of administrative fines authorized under RSA 315:9, III(f); and

1 V. Information required by the board in its application relative to the applicant's podiatric  
2 competence and professional conduct.

3 VI. Prescribing controlled drugs pursuant to RSA 318-B:41.

4 190 Podiatry; Records and Reports. Amend RSA 315:5 to read as follows:

5 315:5 Records and Reports.

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

12 [~~II. The board shall keep a record of the names and residences of all persons holding licenses~~  
13 ~~or privileges under this chapter and a record of all money received and disbursed by the board.~~

14 [~~III. The board shall report to the governor and council biennially in September. This report~~  
15 ~~shall contain a full and complete account of all official actions taken during the preceding 2 year~~  
16 ~~period, together with a statement of the receipts and disbursements of the board and such comments~~  
17 ~~as the board in its discretion deems necessary.]~~

18 191 Podiatry; Licenses. Amend RSA 315:8, I to read as follows:

19 I. The board shall issue a license to applicants who have submitted a complete application,  
20 paid a [~~\$300~~] license fee *established by the office of professional licensure and certification*,  
21 achieved a satisfactory examination score, and satisfied all other criteria of competence and  
22 professional character required by this chapter.

23 192 Podiatry; License Renewal; Inactive Status. Amend RSA 315:11, I to read as follows:

24 I. Every person licensed to practice under this chapter shall apply to the board biennially on  
25 or before June 30 for renewal of license on forms provided by the board and shall pay a [~~\$300~~]  
26 renewal fee *established by the office of professional licensure and certification.* As a  
27 condition of renewal of license, each licensee shall show proof of having completed the continuing  
28 education units as required in rules adopted by the board.

29 193 Podiatry; Neglect to Renew. Amend RSA 315:12 to read as follows:

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

1 194 Podiatry; Notice of Expiration. Amend RSA 315:13 to read as follows:

2 315:13 Notice of Expiration. The secretary shall ~~[mail-a]~~ **provide** notice to each holder of a  
3 license that has not been renewed within 90 days of the expiration date, advising him or her of the  
4 expiration of the license and the penalty of practicing podiatry without holding a license and the  
5 condition and terms upon which his or her license may be reinstated.

6 195 Podiatry; Reinstatement. Amend RSA 315:13-a to read as follows:

7 315:13-a Reinstatement. Any person who has not renewed his or her license within 90 days of  
8 the expiration date shall only have his or her license restored upon the filing of a reinstatement  
9 application, accompanied by the reinstatement fee as established by the ~~[board]~~ **office of**  
10 **professional licensure and certification**, proof of satisfaction of continuing podiatric education  
11 requirements established by ~~[RSA 315:4, V]~~ **RSA 315:4, II**, and such other evidence of professional  
12 competence as the board may reasonably require.

13 196 Repeals; Podiatry. The following are repealed:

14 I. RSA 315:3, relative to compensation of members of the board of podiatry.

15 II. RSA 315:15, relative to reports of the board of podiatry.

16 197 Controlled Drug Prescription Health and Safety Program; Operation. Amend RSA 318-  
17 B:33, VI-VII to read as follows:

18 VI. The ~~[program-administrator]~~ **executive director** may issue a waiver to a dispenser that  
19 is unable to submit prescription information by electronic means. Such waiver may permit the  
20 dispenser to submit prescription information by paper form or other means, provided all information  
21 required by paragraph IV is submitted in this alternative format and within the established time  
22 limit.

23 VII. The ~~[program-administrator]~~ **executive director** may grant a reasonable extension to a  
24 dispenser that is unable, for good cause, to submit all the information required by paragraph IV  
25 within the established time limits.

26 198 Controlled Drug Prescription Health and Safety Program; Information. Amend RSA 318-  
27 B:35 to read as follows:

28 318-B:35 Providing Controlled Drug Prescription Health and Safety Information.

29 I. The ~~[program-administrator]~~ **executive director** may provide information in the  
30 prescription health and safety program upon request only to the following persons:

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

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

34 (2) For reviewing information regarding prescriptions issued or dispensed by the  
35 requester; or

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

37 (b) By written request, to:

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

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

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

11 (4) [Repealed.]

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

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

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

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

24 (3) [Repealed.]

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

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

35 IV. The ~~[program administrator]~~ **executive director** shall make a report, at least annually,  
36 commencing on November 1, 2019, to the senate president, the speaker of the house of  
37 representatives, the oversight committee on health and human services, established in RSA 126-

1 A:13, the advisory council established in RSA 318-B:38 and the licensing boards of all professions  
2 required to use the program relative to the effectiveness of the program.

3 199 Controlled Drug Prescription Health and Safety Program; Advisory Council Established.  
4 Amend the introductory paragraph of RSA 318-B:38, I to read as follows:

5 I. There is hereby established an advisory council to carry out the duties under this  
6 subdivision. Members of the council shall not [~~be compensated for serving on the council, or~~] serve  
7 on the council for more than [~~one 5-year term except for the attorney general, or designee, or the~~  
8 ~~commissioner of the department of health and human services, or designee~~] **3 consecutive 3-year**  
9 **terms**. The members of the council shall be as follows:

10 200 Psychologists; Committees Established; Duties. Amend RSA 329-B:4, I-III to read as  
11 follows:

12 I. The board [~~shall~~] **may** create an advisory committee for the purpose of assisting the board  
13 in its responsibilities under RSA 329-B:10. A board member shall be appointed by the board to chair  
14 the advisory committee. The balance of the membership of the advisory committee shall be  
15 composed of psychologists licensed by the board to a maximum of 4 members.

16 II. The board [~~shall~~] **may** create a committee for professional conduct investigations for the  
17 purpose of assisting the board in its responsibilities under RSA 329-B:22 and RSA 329-B:23. A  
18 board investigator, appointed by the chairperson of the board with the advice and consent of the  
19 board, shall chair the professional conduct investigation committee. The balance of the membership  
20 of the professional conduct investigation committee shall be composed of psychologists licensed by  
21 the board to a maximum of 12 members.

22 III. The board [~~shall~~] **may** create a professional's health committee to administer the  
23 professional's health program which shall address issues that may impinge on a practitioner's ability  
24 to practice. A board member, appointed by the chairperson of the board with the advice and consent  
25 of the board, shall chair the professional's health committee. The balance of the membership of the  
26 professional's health committee shall be composed of psychologists licensed by the board to a  
27 maximum of 12 members.

28 201 Psychologists; Organization and Meetings. Amend RSA 329-B:9, I to read as follows:

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

33 202 Psychologists; Establishment of Fees. Amend RSA 329-B:12 to read as follows:

34 329-B:12 Establishment of Fees.

35 [~~I-~~] The fee for an initial license shall be [~~\$300~~] **established by the office of professional**  
36 **licensure and certification**. The license shall be renewed biennially on or before June 30 upon

1 payment of a [\$300] renewal fee *established by the office of professional licensure and*  
2 *certification.*

3 ~~II. The board shall establish fees applicable to psychologists for review of applicants;~~  
4 ~~reinstatement of license; inactive license status; reactivation of an inactive license; examination of~~  
5 ~~applicants; transcribing and transferring records; and other services, including investigations and~~  
6 ~~hearings conducted under this chapter.]~~

7 203 Psychologist; Psychologist License. Amend RSA 329-B:15 to read as follows:

8 329-B:15 Psychologist License.

9 I. The board shall issue a psychologist license to any person who:

10 (a) Has passed a satisfactory examination in psychology.

11 (b) Has received the doctoral degree based on a program of studies, the content of which  
12 was primarily psychological, from a regionally accredited educational institution having a graduate  
13 program, or its substantial equivalent in both subject matter and extent of training.

14 (c) Has had at least 2 years of satisfactory, supervised experience in the field of  
15 psychology.

16 (d) Is of good professional character.

17 (e) Has paid all fees established and collected by the [board] *office of licensure and*  
18 *certification.*

19 (f) Has submitted a complete set of fingerprints and a criminal history records release  
20 form in accordance with RSA 329-B:14-a.

21 II. Examinations for applicants under this chapter shall be held by the board at least once  
22 each year. The board shall determine the subject and scope of the examination, which may be  
23 written, oral, or both. If an applicant fails the first examination, the applicant may be admitted to a  
24 subsequent examination upon the payment of an additional fee in the amount established by the  
25 [board] *office of licensure and certification.*

26 204 Psychologists; Complaints. Amend RSA 329-B:23, I to read as follows:

27 I. Any complaint not dismissed or settled informally shall be heard by the board. Such  
28 hearing shall be an open public hearing. Any member of the board shall have the authority to  
29 preside at such a hearing and to issue oaths or affirmations to witnesses. *Dismissed complaints*  
30 *shall not be made public.*

31 205 Psychologists; Hearings. Amend RSA 329-B:23, IV to read as follows:

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

35 206 Repeals; Psychologists. The following are repealed:

36 I. RSA 329-B:7, relative to compensation of members of the board of psychology and related  
37 committees.

1 II. RSA 329-B:10, I, IV, VI, XII, and XVI.

2 III. RSA 329-B:11, relative to receipts and disbursements from the board of psychology.

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

4 207 Reflexologists, Structural Integrators, and Asian Bodywork Therapists; Practitioner license  
5 Issuance. Amend RSA 328-H:8, I(c) to read as follows:

6 (c) Makes payment of the [~~\$110~~] license fee *established by the office of professional*  
7 *licensure and certification*;

8 208 Reflexologists, Structural Integrators, and Asian Bodywork Therapists. Amend RSA 328-  
9 H:9, II to read as follows:

10 II. All licenses issued pursuant to this chapter shall be renewed biennially on or before June  
11 30 upon approval by the executive director of the renewal application and submission of the required  
12 [~~\$110~~] renewal fee *established by the office of professional licensure and certification*.

13 209 Reflexologists, Structural Integrators, and Asian Bodywork Therapists; Fund. Amend RSA  
14 328-H:15 to read as follows:

15 328-H:15 Administrative Fines. The executive director, after notice and an opportunity for a  
16 hearing, pursuant to rules adopted under RSA 541-A, may impose an administrative fine not to  
17 exceed \$2,000 for each offense upon any person who violates any provision of this chapter or rules  
18 adopted pursuant to it. Rehearings and appeals from a decision of the executive director shall be in  
19 accordance with RSA 541. Any administrative fine imposed under this section shall not preclude the  
20 imposition of further penalties or administrative actions under this chapter. The executive director  
21 shall adopt rules in accordance with RSA 541-A relative to administrative fines which shall be scaled  
22 to reflect the scope and severity of the violation. The sums obtained from the levying of  
23 administrative fines under this chapter shall be forwarded to the state treasurer to be deposited into  
24 the [~~general fund~~] *office of professional licensure and certification fund*.

25 210 Repeal; Reflexologists, Structural Integrators, and Asian Bodywork Therapists. RSA 328-  
26 H:6, II, relative to the compensation of members of the advisory board, is repealed.

27 211 New Hampshire Veterinary Practice Act; Meetings and Duties. Amend RSA 332-B:5 to read  
28 as follows:

29 332-B:5 Meetings and Duties. The board shall meet at least 6 times a year at the time and place  
30 fixed by rule of the board. Other necessary meetings may be called by the president of the board by  
31 giving notice as may be required by rule. The quorum and the actions of the board shall be in  
32 accordance with RSA 91-A. At its annual meeting, the board shall organize by electing a president  
33 and such other officers as may be prescribed by rule. Officers of the board serve for terms of one  
34 year and until a successor is elected, without limitation on the number of terms an officer may serve.  
35 The president shall preside at board meetings and serve as administrative head of the board. [~~The~~  
36 ~~board shall submit annually to the governor a report on the transactions of the board, including an~~  
37 ~~account of monies received and disbursed as shall be required by the state auditors.] Records shall~~

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1 be kept ~~[by the administrative assistant]~~ pursuant to RSA 91-A:3 **and in accordance with the**  
2 **retention policy established by the office of professional licensure and certification.**

3 212 New Hampshire Veterinary Practice Act; Revenues. Amend RSA 332-B:6 to read as follows:

4 332-B:6 Revenues. All revenues received by the board shall be deposited in the ~~[general]~~ **office**  
5 **of professional licensure and certification** fund.

6 213 New Hampshire Veterinary Practice Act; Application for Licensure. Amend RSA 332-B:9 to  
7 read as follows:

8 332-B:9 Application for License; Qualifications. Any person desiring a license to practice  
9 veterinary medicine in this state shall make written application to the board. The application shall  
10 show that the applicant is 18 years of age or more, a graduate of an AVMA accredited school of  
11 veterinary medicine or other veterinary school acceptable to the board, or the holder of an ECFVG  
12 certificate or a PAVE certificate, a person of good professional character, and such other information  
13 and proof as the board may require by rule. The application shall be accompanied by a fee in the  
14 amount established and published by the ~~[board]~~ **office of professional licensure and**  
15 **certification.**

16 214 New Hampshire Veterinary Practice Act; License Expiration and Renewal. Amend RSA  
17 332-B:13, I to read as follows:

18 I. All licenses shall expire biennially on December 31 of each even-numbered year for even-  
19 numbered licenses and on December 31 of each odd-numbered year for odd-numbered licenses but  
20 may automatically be renewed by filing a renewal application and paying a renewal fee established  
21 in rules adopted by the ~~[board]~~ **office of professional licensure and certification**, subject to  
22 paragraph II; except that for licenses which expire December 31, 2011, odd numbered licenses shall  
23 be issued for 2 years and even numbered licenses shall be issued for one year, and the board shall  
24 charge fees accordingly. Not later than one month prior to the expiration date, the board shall mail  
25 a notice to licensed veterinarians that their license will expire on December 31 and provide them  
26 with a license renewal application. Persons previously licensed who allow their license to lapse shall  
27 be required to file a reinstatement application containing such information as required by the board.  
28 Persons who have allowed their license to lapse more than 5 years shall apply for reinstatement of  
29 licensure in accordance with RSA 332-B:17.

30 215 New Hampshire Veterinary Practice Act; Hearing, Decisions, and Appeals. Amend RSA  
31 332-B:16, I to read as follows:

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

36 216 Repeal; Veterinary Practice Act. The following are repealed:

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



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

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

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

7 217 General Administration of Regulatory Boards and Commissions; Reciprocity Information.  
8 Amend the introductory paragraph of RSA 332-G:12, I to read as follows:

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

19 218 General Administration of Regulatory Boards and Commissions; Petition for Review of a  
20 Criminal Record. Amend RSA 332-G:13, XIII to read as follows:

21 XIII. The office of professional licensure and certification shall establish an annual reporting  
22 requirement ***for the boards and commissions within the office*** of the (a) number of applicants  
23 petitioning each board or commission, (b) the numbers of each board's or commission's approvals and  
24 denials, (c) the type of offenses for which each board or commission approved or denied the petitions,  
25 and (d) other data the office determines. The office will compile and publish annually a report on a  
26 searchable public website.

27 219 General Administration of Regulatory Boards and Commissions; Reciprocal and Temporary  
28 Licenses. Amend RSA 332-G:14, III to read as follows:

29 III. A person applying for a temporary license ***from a board or commission within the***  
30 ***office of professional licensure and certification*** shall present to the office of professional  
31 licensure and certification:

- 32 (a) A current equivalent license from another jurisdiction in the United States.  
33 (b) A statement of good standing from the licensing authority.  
34 (c) Authorization for a criminal history records check, if required.  
35 (d) A completed application.

1 (e) A certification that the person has committed no acts or omissions which are grounds  
2 for disciplinary action in another jurisdiction, or, if such acts have been committed, would be  
3 grounds for disciplinary action.

4 (f) Other information specifically required by the board.

5 (g) Payment of a fee [~~not to exceed \$100~~] **established by the office of professional**  
6 **licensure and certification.**

7 220 Board of Engineers; Establishment. Amend RSA 310-A:3, V and VI to read as follows:

8 V. 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 a chairperson, vice-chairperson,  
11 and secretary. [~~Three members~~] **A majority of the members of the board who have been**  
12 **approved by the governor and council** shall constitute a quorum.

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

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

17 [~~(2) The date of application.~~

18 [~~(3) The place of business of such applicant.~~

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

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

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

22 [~~(7) Whether a license was granted.~~

23 [~~(8) The date of the action of the board.~~

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

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

30 221 Board of Engineers; Rulemaking Authority. Amend RSA 310-A:6, I(d) to read as follows:

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

33 222 Professional Engineers; Applications. Amend RSA 310-A:16 to read as follows:

34 310-A:16 Applications. Applications for licensure or for a temporary permit shall be [~~in forms~~  
35 ~~prescribed and furnished by the board~~] **made using the format prescribed by the office of**  
36 **professional licensure and certification**, shall contain statements made under oath, showing the  
37 applicant's education and a detailed summary of the applicant's technical work, and shall contain

1 not less than 5 references, of whom at least 3 shall be licensed professional engineers having  
 2 personal knowledge of the applicant's professional experience. The [board] *office of professional*  
 3 *licensure and certification* shall establish fees for application and any examination required  
 4 under this subdivision. If the board denies the issuance of a license or a temporary permit to any  
 5 applicant, any initial fee deposited shall be retained as an application fee.

6 223 Professional Engineers; Certificates; Seals. Amend RSA 310-A:18 to read as follows:

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

21 224 Professional Engineers. Amend RSA 310-A:21 to read as follows:

22 310-A:21 License Expiration and Renewals. All licenses issued by the board shall expire on the  
 23 last day of the month of the licensee's birth in the year 2 years following the year of issuance. The  
 24 board shall cause notification of the impending license expiration to be sent to each licensee at least  
 25 one month prior to the expiration of the license. If the renewal fee is not submitted within 12  
 26 months after the expiration date, the licensee's name shall be removed from current status, and  
 27 application for reinstatement shall be required to return to current status. The [board] *office of*  
 28 *professional licensure and certification* shall charge a 20 percent reinstatement fee for each  
 29 month or fraction of a month the renewal is late, up to 12 months, in addition to the renewal fee. If  
 30 a professional engineer is 70 years or older at time of renewal, and the professional engineer has  
 31 held an engineering license continuously for the 10-year period immediately preceding the renewal,  
 32 the [board] *office of professional licensure and certification* may waive the renewal fee in  
 33 accordance with rules adopted by the [board] *office of professional licensure and certification*.

34 225 Repeal; Professional Engineers. The following are repealed:

- 35 I. RSA 310-A:3, IV, relative to compensation for members of the board of engineers.  
 36 II. RSA 310-A:3, VII, relative to the roster of professional engineers published by the  
 37 secretary of state.

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

3 IV. RSA 310-A:7, relative to fees adopted by the board of engineers.

4 226 Board of Architects; Establishment. Amend RSA 310-A:29, V and VI to read as 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. ~~[Three members]~~ ***A majority of the members of the board who have***  
9 ***been approved by the governor and council*** shall constitute a quorum.

10 VI.(a) The board shall keep a record of its proceedings ~~[and a register of all applications for~~  
11 ~~licensure, which shall show:]~~ ***in accordance with the retention policy established by the office***  
12 ***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 (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, the board shall submit to the governor a report of the transactions of the preceding~~  
26 ~~biennium, and a complete statement of the receipts and expenditures of the board.]~~

27 227 Board of Architects; Rulemaking Authority. Amend RSA 310-A:32, I(d) to read as follows:

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

30 228 Board of Architects; Applications. Amend RSA 310-A:42 to read as follows:

31 310-A:42 Applications. Applications for licensure shall be ~~[on forms prescribed and furnished by~~  
32 ~~the board]~~ ***made using the method prescribed by the office of professional licensure and***  
33 ***certification***, shall contain statements made under oath, showing the applicant's education and a  
34 detailed summary of the applicant's technical work, and shall contain not less than 5 references, of  
35 whom at least 3 shall be licensed architects having personal knowledge of the applicant's  
36 professional experience. The ~~[board]~~ ***office of professional licensure and certification*** shall  
37 establish fees for application and any examination required under this subdivision. Should the

1 board deny the issuance of a license to any applicant, any initial fee deposited shall be retained as an  
2 application fee.

3 229 Board of Architects; Certificates; Seals. Amend RSA 310-A:44 to read as follows:

4 310-A:44 Certificates; Seals. The board shall issue a license upon payment of the registration  
5 fee established by the ~~board~~ *office of professional licensure and certification*, to any applicant  
6 who, in the opinion of the board, has satisfactorily met all the requirements of this subdivision.  
7 Licenses shall show the full name of the licensee, have a serial number, and be signed by the  
8 chairperson and the secretary of the board under seal of the board. The issuance of a license by the  
9 board shall be prima facie evidence that the person named in the license is entitled to all the rights  
10 and privileges of a licensed architect while the license remains valid. Each licensee shall upon  
11 licensure obtain a seal of the design authorized by the board, bearing the registrant's name and the  
12 legend, "Licensed Architect." All papers or documents involving the practice of a profession under  
13 this subdivision, when issued or filed for public record, shall be dated and bear the signature and  
14 seal of the licensed professional who prepared or had responsibility for and approved them. It shall  
15 be a class B misdemeanor for the licensee to stamp or seal any documents with such seal after the  
16 license of the licensee has expired or has been revoked, unless such license shall have been renewed,  
17 reinstated, or reissued.

18 230 Board of Architects; Expiration and Renewals. Amend RSA 310-A:46 to read as follows:

19 310-A:46 Expiration and Renewals. All licenses issued by the board shall expire on the last day  
20 of the month of the licensee's birth in the year 2 years following the year of issuance. The board  
21 shall cause notification of the impending license expiration to be sent to each licensee at least one  
22 month prior to the expiration date of the license. If the renewal fee is not submitted within 12  
23 months after the expiration date of the license, the licensee's name shall be removed from the  
24 mailing list ~~and roster~~. An application for reinstatement shall be required to return to active  
25 status. The ~~board, pursuant to rules adopted under RSA 310-A:32,~~ *office of professional*  
26 *licensure and certification* shall charge up to a 20 percent late fee for each month or fraction of a  
27 month the renewal is late, up to 12 months, in addition to the renewal fee.

28 231 Repeal; Board of Architects. The following are repealed:

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

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

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

33 IV. RSA 310-A:33, relative to the authority of the board of architects to set fees.

34 232 Board of Land Surveyors; Establishment. Amend RSA 310-A:55, V and VI to read as  
35 follows:

36 V. The board shall hold at least 4 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 elect or appoint a chairperson, vice-chairperson,  
 2 and secretary. The secretary may or may not be a member of the board. [~~Three members~~] A  
 3 **majority of the members of the board who have been approved by the governor and council**  
 4 shall constitute a quorum.

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

- 8 [~~(1) The name, age, and residence of each applicant.~~  
 9 ~~(2) The date of application.~~  
 10 ~~(3) The place of business of such applicant.~~  
 11 ~~(4) The applicant's educational and other qualifications.~~  
 12 ~~(5) Whether or not an examination was required.~~  
 13 ~~(6) Whether the applicant was rejected and the reasons for such rejection.~~  
 14 ~~(7) Whether a license was granted.~~  
 15 ~~(8) The date of the action of the board.~~  
 16 ~~(9) Such other information as may be deemed necessary by the board.]~~

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

22 233 Land Surveyors; Rulemaking Authority. Amend RSA 310-A:58, IV to read as follows:

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

25 234 Land Surveyors; Rulemaking Authority. Amend RSA 310-A:58, VI-a to read as follows:

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

30 235 Land Surveyors; Application. Amend RSA 310-A:65 to read as follows:

31 310-A:65 Application. Applications for licensure shall be [~~on forms~~] **made on the format**  
 32 **prescribed and furnished by the [board] office of licensure and certification,** shall contain  
 33 statements made under oath, showing the applicant's education and detailed summary of the  
 34 applicant's technical work, and shall contain not less than 5 references, of whom 3 shall be land  
 35 surveyors having personal knowledge of the applicant's land surveying experience. All applications  
 36 shall be accompanied by a fee established by the [~~board~~] **office of professional licensure and**  
 37 **certification.**

1       236 Land Surveyors; Examinations. Amend RSA 310-A:66, II to read as follows:

2           II. Examinations shall be held as the board shall determine. The scope of the examination  
3 and the method of procedure shall be prescribed by the board. A candidate failing an examination  
4 may apply for reexamination at the expiration of 6 months. Subsequent examination will be granted  
5 upon payment of the fee to be determined by the ~~[board]~~ **office of professional licensure and**  
6 **certification**. A candidate failing the examination 3 consecutive times shall be required to furnish  
7 evidence of additional experience, study, or education credits acceptable to the board before being  
8 allowed to take the examination again.

9       237 Land Surveyors; Expiration and Renewals. Amend RSA 310-A:68 to read as follows:

10       310-A:68 Expiration and Renewals. All licenses issued by the board shall expire on the last day  
11 of the month of the licensee's birth in the year 2 years following the year of issuance. The secretary  
12 of the board shall notify every licensee of the date of the expiration of the license and the amount of  
13 the fee that shall be required for its renewal for 2 years. Such notice shall be mailed at least one  
14 month in advance of the date of expiration. Renewal may be effected at any time during the month  
15 of expiration by the payment of the fee established by the ~~[board]~~ **office of professional licensure**  
16 **and certification** and submission of evidence satisfactory to the board showing fulfillment of  
17 continuing education requirements. The failure on the part of any licensee to renew the license in  
18 the month of expiration as required above shall not deprive such person of the right of renewal,  
19 provided that the ~~[board]~~ **office of professional licensure and certification** shall charge a 20  
20 percent reinstatement fee for each month or fraction of a month the renewal is late. If a licensee  
21 fails to renew such license within the 12 months after the date of expiration, it shall become null and  
22 void and the licensee shall be required to reapply and to be reexamined for licensure as required in  
23 this section.

24       238 Repeal; Land Surveyors. The following are repealed:

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

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

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

30           IV. RSA 310-A:60, relative to the authority of the board of land surveyors to set certain fees.

31       239 Board of Natural Scientists; Establishment. Amend RSA 310-A:81, V and VI to read as  
32 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 or appoint a chairperson, vice-  
36 chairperson, and secretary. A quorum of the board shall consist of ~~[at least 4 members]~~ **a majority**  
37 **of the members of the board who have been approved by the governor and council.**

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

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

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

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

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

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

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

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

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

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

13 (b) 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 of each even numbered year, the board shall submit to the governor a report of the~~  
17 ~~transactions of the preceding biennium, and a complete statement of the receipts and expenditures~~  
18 ~~of the board.]~~

19 240 Board of Natural Scientists; Rulemaking Authority. Amend RSA 310-A:82, IV to read as  
20 follows:

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

23 241 Natural Scientists; Certification Procedure. Amend RSA 310-A:86, I to read as follows:

24 I. Application for certification shall be [~~on forms prescribed and furnished by the board]~~  
25 *made using the method prescribed and furnished by the office of professional licensure and*  
26 *certification.* [~~Such forms]~~ *Applications* shall include the applicant's educational background,  
27 including transcripts from educational institutions attended, a detailed work experience history, and  
28 such other information as the board may by rule require. All applications shall be signed under oath  
29 by the applicant.

30 242 Natural Scientists; Failure to Renew. Amend RSA 310-A:90 to read as follows:

31 310-A:90 Failure to Renew. Failure to remit the biennial renewal fee when due shall  
32 automatically cancel the certification. If properly renewed, a certification shall remain in effect  
33 continuously from the date of issuance, unless suspended or revoked by the board for just cause. A  
34 person whose certification is cancelled for such failure may reinstate such certification by paying,  
35 within one year of cancellation, all fees due, plus a late fee as established by the [~~board]~~ *office of*  
36 *professional licensure and certification.*

37 243 Repeals; Natural Scientists. The following are repealed:



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

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

5 III. RSA 310-A:92, relative to the authority of the board of natural scientists to set fees.

6 244 Board of Foresters; Establishment. Amend RSA 310-A:100, 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. ~~[Four members]~~ ***A majority of the members of the board have been***  
11 ***approved by the governor and council*** shall constitute a quorum.

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

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

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

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

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

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

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

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

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

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

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

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

31 245 Board of Foresters; Rulemaking. Amend RSA 310-A:102, IV to read as follows:

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

33 246 Board of Foresters; Applications; Fees. Amend RSA 310-A:105 to read as follows:

34 310-A:105 Applications; Fees. Applications for licensing shall be made ~~[on forms prescribed and~~  
35 ~~furnished by the board,]~~ ***using the method prescribed by the office of professional licensure***  
36 ***and certification*** and shall contain statements made under oath as to citizenship, residence, the  
37 applicant's education, a detailed summary of the applicant's technical experience, and shall contain

1 the names of not less than 5 references, 3 or more of whom shall be individuals having personal or  
 2 professional knowledge of the applicant's forestry experience. The fee for a license as a forester shall  
 3 be fixed by the [board] *office of professional licensure and certification*. One-half of the fee  
 4 shall accompany the application, the balance to be paid before the issuance of the license. Should  
 5 the applicant fail to remit the remaining balance within 30 days after being notified by certified  
 6 mail, return receipt requested, that the application has been accepted, the applicant shall forfeit the  
 7 right to have the license issued and the applicant may be required to again submit an original  
 8 application and pay an original fee on such application. Should the board deny the issuance of a  
 9 license to any applicant, the fee deposited shall be retained by the [board] *office of professional*  
 10 *licensure and certification* as an application fee.

11 247 Board of Foresters; Examination; Re-Examination; Fee. Amend RSA 310-A:106 to read as  
 12 follows:

13 310-A:106 Examination; Re-Examination; Fee. The methods and procedure for written and oral  
 14 examinations shall be prescribed by the board. A candidate failing an examination may apply for re-  
 15 examination at the expiration of 6 months and shall be entitled to one re-examination without  
 16 payment of an additional fee. Subsequent re-examinations may be granted upon payment of a fee to  
 17 be fixed by the [board] *office of professional licensure and certification*.

18 248 Board of Foresters; Failure to Renew. Amend RSA 310-A:110 to read as follows:

19 310-A:110 Failure to Renew. Failure to remit the biennial renewal fee when due or failure to  
 20 submit proof of required continuing education shall automatically cancel the license. If properly  
 21 renewed, a license shall remain in effect continuously from the date of issuance, unless suspended or  
 22 revoked by the board for just cause. A person whose license is cancelled for such failure may  
 23 reinstate such license by paying, within one year of cancellation, all fees due, plus a late fee as  
 24 established by the [board] *office of professional licensure and certification*, provided continuing  
 25 education requirements have been met.

26 249 Repeal; Board of Foresters. The following are repealed:

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

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

31 III. RSA 310-A:116, relative to fees established by the board of foresters.

32 250 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.

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.]~~

18 251 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.

26 252 Board of Professional Geologists; Examinations. Amend RSA 310-A:129 to read as follows:

27 310-A:129 Examinations. Written technical examinations in geology shall be held at least  
 28 annually as the board shall determine. The scope of the technical and professional examination and  
 29 the methods of procedure shall be prescribed by the board. A candidate failing an examination may  
 30 apply for reexamination upon payment of an additional fee determined by the [~~board] office of~~  
 31 ~~professional licensure and certification~~ and shall be reexamined on the next regularly  
 32 scheduled examination date. A candidate failing the examination 3 consecutive times shall be  
 33 required to furnish evidence of additional experience, study, or education credits acceptable to the  
 34 board before being allowed to proceed with the examination.

35 253 Board of Professional Geologists; Certificates; Seals. Amend RSA 310-A:130 to read as  
 36 follows:



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- 1           ~~(3) The place of business of such applicant.~~  
2           ~~(4) The applicant's educational and other qualifications.~~  
3           ~~(5) Whether or not an examination was required.~~  
4           ~~(6) Whether the applicant was rejected and the reasons for such rejection.~~  
5           ~~(7) Whether a license was granted.~~  
6           ~~(8) The date of the action of the board.~~  
7           ~~(9) Such other information as may be deemed necessary by the board.]~~

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

13           257 Board of Landscape Architects; Rulemaking Authority. Amend RSA 310-A:143, I(d) to read  
14 as follows:

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

18           258 Board of Landscape Architects; Rulemaking. Amend RSA 310-A:143, I(j) to read as follows:

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

20           259 Board of Landscape Architects; Applications. Amend RSA 310-A:149, I to read as follows:

21           I. Applications for licensure shall be ~~[on forms prescribed and furnished by the board,]~~ ***made***  
22 ***using the method prescribed and furnished by the office of professional licensure and***  
23 ***certification. Applications*** shall contain statements made under oath, showing the applicant's  
24 education and a detailed summary of the applicant's technical work, and shall contain not less than  
25 5 references, of whom at least 3 shall be licensed landscape architects having personal knowledge of  
26 the applicant's professional experience. The ~~[board]~~ ***office of professional licensure and***  
27 ***certification*** shall establish fees for application and any examination required under this  
28 subdivision. Should the board deny the issuance of a license to any applicant, any initial fee  
29 deposited shall be retained as an application fee.

30           260 Board of Landscape Architects; Examinations. Amend RSA 310-A:151 to read as follows:

31           310-A:151 Examinations. Written technical examination in landscape architecture shall be held  
32 at least annually as the board shall determine. The scope of the technical and professional  
33 examination and the methods of procedure shall be prescribed by the board. A candidate failing an  
34 examination may apply for reexamination upon payment of an additional fee determined by the  
35 ~~[board]~~ ***office of professional licensure and certification*** and shall be reexamined on the next  
36 regularly scheduled examination date.

1       261 Board of Landscape Architects; Certificates; Seals. Amend RSA 310-A:152 to read as  
2 follows:

3       310-A:152 Certificates; Seals. The board shall issue a license upon payment of the license fee  
4 established by the [board] *office of professional licensure and certification*, to any applicant  
5 who, in the opinion of the board, has satisfactorily met all the requirements of this subdivision.  
6 Licenses shall show the full name of the licensee, have a serial number, and be signed by the  
7 chairperson and the secretary of the board under seal of the board. The issuance of a license by the  
8 board shall be prima facie evidence that the person named in the license is entitled to all the rights  
9 and privileges of a licensed landscape architect while the license remains valid. Each licensee shall  
10 upon licensure obtain a seal of the design authorized by the board, bearing the registrant's name and  
11 the legend, "licensed landscape architect." All papers or documents involving the practice of  
12 landscape architecture under this subdivision, when issued or filed for public record, shall be dated  
13 and bear the signature and seal of the licensed professional who prepared or had responsibility for  
14 and approved them. It shall be a class B misdemeanor for the licensee to stamp or seal any  
15 documents with such seal after the license of the licensee has expired or has been revoked, unless  
16 such license shall have been renewed, reinstated, or reissued.

17       262 Board of Landscape Architects; Expiration and Renewals. Amend RSA 310-A:154, II to read  
18 as follows:

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

23       263 Repeal; Landscape Architects. The following are repealed:

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

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

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

30           IV. RSA 310-A:144, relative to the authority of the board of landscape architects to establish  
31 fees.

32       264 Court Reporters; Board; Rulemaking. Amend RSA 310-A:163 and 310-A:164 to read as  
33 follows:

34       310-A:163 Board.

35           I. There is hereby established a board of court reporters. The board shall consist of 5  
36 members who shall be citizens of the United States and residents of this state appointed by the  
37 governor and council, 3 of whom shall be court reporters, one of whom shall be a public member and

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

21 II. 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. ~~[Three members]~~ **A majority of the members of the board appointed**  
25 **by the governor and council** shall constitute a quorum.

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

- 28 ~~(a) The name, age, and residence of each applicant.~~  
29 ~~(b) The date of application.~~  
30 ~~(c) The place of business of such applicant.~~  
31 ~~(d) The applicant's educational and other qualifications.~~  
32 ~~(e) Whether or not an examination was required.~~  
33 ~~(f) Whether the applicant was rejected and the reasons for such rejection.~~  
34 ~~(g) Whether a license was granted.~~  
35 ~~(h) The date of the action of the board.~~

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

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

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

14           310-A:164 Rulemaking. The board shall adopt rules, pursuant to RSA 541-A, relative to:

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

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

18           ~~[III.]~~ III. How an applicant shall be examined.

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

21           ~~[V.]~~ V. Ethical and professional standards required to be met by each holder of a license  
 22 under this subdivision and how disciplinary actions by the board shall be implemented for violations  
 23 of these standards.

24           ~~[VI. Fees under RSA 310-A:171.~~

25           ~~VII.]~~ VII. Matters related to the proper administration of this subdivision.

26           ~~[VIII. Procedures for the conduct of hearings consistent with the requirements of due~~  
 27 ~~process.~~

28           ~~IX.]~~ IX. The design of an official seal.

29           265 Court Reporters; Qualifications. Amend RSA 310-A:170, II to read as follows:

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

31           266 Court Reporters; Term of License. Amend RSA 310-A:173 to read as follows:

32           310-A:173 Term of License; Renewal. The term of licensure under this subdivision shall be  
 33 every 2 years. All licenses issued by the board shall expire on the last day of the month of the  
 34 licensee's birth in the year 2 years following the year of issuance. The secretary of the board shall  
 35 notify every licensee of the date of the expiration of the license and the amount of the fee that shall  
 36 be required for its renewal for 2 years, such amount to be not less than \$200. Such notice shall be  
 37 mailed at least one month in advance of the date of expiration. Renewal may be effected at any time



1 during the month of expiration by the payment of the fee established by the [board] *office of*  
 2 *professional licensure and certification* and submission of evidence satisfactory to the board  
 3 showing fulfillment of continuing education requirements. If a licensee fails to renew such license  
 4 within the 12 months after the date of expiration, it shall become null and void and the licensee shall  
 5 be required to reapply for licensure. [~~The board, pursuant to rules adopted under RSA 310-A:171,~~  
 6 ~~shall charge up to a 20 percent late fee for each month or fraction of a month the renewal is late, up~~  
 7 ~~to 12 months, in addition to the renewal fee.]~~

8 267 Repeal; Court Reporters. RSA 310-A:171, relative to fees for court reporters, is repealed.

9 268 Home Inspectors; Board of Home Inspectors. Amend RSA 310-A:186, V-IX to read as  
 10 follows:

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

14 VI.] 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. [~~Four members~~] *A majority of the members of the board appointed*  
 18 *by the governor and council* shall constitute a quorum.

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

- 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) ~~Proof of passing home inspection exam.~~
- 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) VI. The records of the board shall be prima facie evidence of the proceedings of the  
 31 board, and a transcript of such records certified by the secretary of the board under seal shall be  
 32 admissible in evidence with the same force and effect as if the original were produced. [~~Biennially,~~  
 33 ~~as of December 31, the board shall submit to the governor a report of the transactions of the~~  
 34 ~~preceding biennium, and a complete statement of the receipts and expenditures of the board~~

35 VIII. ~~The secretary of the board shall publish a roster listing the names and addresses of all~~  
 36 ~~home inspectors licensed under this subdivision by the board during February of each even-~~  
 37 ~~numbered year. Copies of this roster shall be sent to each person so licensed, placed on file with the~~

1 ~~secretary of state, and furnished to the public upon request at a fee to be established by the board.~~  
 2 ~~The board may include in such roster any other information it deems appropriate.~~

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

7 269 Home Inspectors; Rulemaking Authority. Amend RSA 310-A:187, I to read as follows:

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

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

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

12 (c) ~~[Procedures for auditing applicants and licensees.~~

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

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

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

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

20 (h) (d) Procedures for approving education courses for eligibility for licensure and for a  
 21 continuing education program

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

23 (j) (f) The design of an official seal.

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

26 270 Home Inspectors; License Applications. Amend RSA 310-A:191, I to read as follows:

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

30 271 Home Inspectors; Issuance of Licenses. Amend RSA 310-A:193 to read as follows:

31 310-A:193 Issuance of Licenses. The board shall issue a license upon payment of the license fee  
 32 established by the ~~[board]~~ **office of professional licensure and certification**, to any applicant  
 33 who, in the opinion of the board, has satisfactorily met all the requirements of this subdivision.  
 34 Licenses shall show the full name of the licensee, have a serial number, and be signed by the  
 35 chairperson or the secretary of the board. The issuance of a license by the board shall be prima facie  
 36 evidence that the person named in the license is entitled to all the rights and privileges of a licensed  
 37 home inspector while the license remains valid. It shall be a class B misdemeanor for the licensee to

1 perform home inspections after the license of the licensee has expired or has been revoked, unless  
2 such license shall have been renewed, reinstated, or reissued.

3 272 Repeal; Home Inspectors. RSA 310-A:188, relative to rules and fees for the licensing of  
4 home inspectors, is repealed.

5 273 Septic System Evaluators; Board. Amend RSA 310-A:206, VII-X to read as follows:

6 VII. 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 or appoint a chairperson, vice-  
9 chairperson, and secretary. ~~[Three members]~~ ***A majority of the members appointed by the***  
10 ***governor and council*** shall constitute a quorum.

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

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) ~~Proof of passing the septic system evaluator exam.~~

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]~~ ***in***  
22 ***accordance with the retention policy established by the office of professional licensure and***  
23 ***certification.***

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 executive director of the office of professional licensing~~  
28 ~~and certification a report of the transactions of the preceding biennium, and a complete statement of~~  
29 ~~the receipts and expenditures of the board.~~

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

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

1 274 Septic System Evaluators; Rulemaking. Amend RSA 310-A:207, I to read as follows:

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

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

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

6 ~~[(e)]~~ (b) Procedures for auditing applicants and license holders.

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

10 ~~[(e)]~~ ~~The establishment of all fees required under this subdivision.~~

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

14 ~~[(g)]~~ ~~Procedures for the conduct of hearings consistent with the requirements of due~~  
15 ~~process.~~

16 ~~(h)]~~ (e) Procedures for approving education courses for eligibility for licensure and for a  
17 continuing education program.

18 ~~[(i)]~~ (f) How an applicant shall be examined, including the time, place, type, and form of  
19 the examination.

20 ~~[(j)]~~ (g) The design of an official seal.

21 ~~[(k)]~~ (h) The establishment of administrative fines which may be levied in the  
22 administration of this subdivision.

23 275 Septic System Evaluators; License Applications. Amend RSA 310-A:211, I to read as  
24 follows:

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

28 276 Septic System Evaluators; Issuance of Licenses. Amend RSA 310-A:213 to read as follows:

29 310-A:213 Issuance of Licenses. The board shall issue a license upon payment of the license fee  
30 established by the ~~[board]~~ **office of professional licensure and certification**, to any applicant  
31 who, in the opinion of the board, has satisfactorily met all the requirements of this subdivision.  
32 Licenses shall show the full name of the license holder, have a serial number, and be signed by the  
33 chairperson or the secretary of the board. The issuance of a license by the board shall be prima facie  
34 evidence that the person named in the license is entitled to all the rights and privileges of a certified  
35 septic system evaluator while the license remains valid. It shall be a class B misdemeanor for the  
36 license holder to perform septic system evaluations after the license of the evaluator has expired or  
37 has been revoked, unless such license shall have been renewed, reinstated, or reissued.

1       277 Repeal; Septic System Evaluators. RSA 310-A:208, relative to licensing and fees for septic  
2 system evaluators, is repealed.

3       278 Board of Accountancy. Amend RSA 309-B:4, III-VIII to read as follows:

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

7           IV.] The [board] *office of professional licensure and certification* shall establish fees  
8 for examination of applicants, for licenses, for certificates of authorization, for reissuance of licenses,  
9 for renewal and reinstatement of licenses and certificates to practice under this chapter, for late  
10 renewals, for verification of licensure or examination, and for transcribing and transferring records  
11 and other services. All moneys collected by the [board] *office of professional licensure and*  
12 *certification* from fees authorized under this chapter shall be received and accounted for by the  
13 [board] *office of professional licensure and certification*, shall be deposited in the [state  
14 treasury] *office of professional licensure and certification fund established in RSA 310-A:1-*  
15 *e*. Administration expenses shall be limited to the funds collected and may include, but shall not be  
16 limited to, the costs of conducting investigations and of taking testimony and procuring the  
17 attendance of witnesses before the board or its committees; all legal proceedings taken under this  
18 chapter for the enforcement of this chapter; and educational programs for the benefit of the public or  
19 licensees and their employees.

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

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

31           ~~VII.] V.~~ The board shall have the power to take any action necessary and proper to carry  
32 out the purposes of this chapter, including the power to sue and be sued in its official name as an  
33 agency of this state; to issue subpoenas to compel the attendance of witnesses and the production of  
34 documents; and to administer oaths, to take testimony, to cooperate with the appropriate authorities  
35 in other states in investigations and enforcement concerning violations of this chapter and  
36 comparable laws of other states, and to receive evidence concerning all matters within its  
37 jurisdiction. In case of disobedience of a subpoena, the board may invoke the aid of any court of this

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

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

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

10 (b) ~~[Rules of procedure governing the conduct of investigations and hearings by the~~  
 11 ~~board.~~

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

15 ~~(d)~~ (e) Rules of professional conduct directed to controlling the quality and integrity of  
 16 the practice of public accountancy by licensees, including, but not limited to, matters relating to  
 17 independence, integrity, objectivity, competence, technical standards, responsibilities to the public,  
 18 and responsibilities to clients.

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

20 ~~(f)~~ (e) Rules governing the manner and circumstances of use of the titles "certified  
 21 public accountant", "CPA," "public accountant" and "PA."

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

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

26 ~~(i)~~ (g) The establishment of administrative fines for violations of this chapter.

27 ~~(j)~~ (h) Rules on how an applicant for certificate demonstrates good character.

28 ~~(k)~~ (i) Rules for records retention, outsourcing disclosures, and the severance of  
 29 connections.

30 279 Board of Accountancy; Qualifications for a Certificate as a Certified Public Accountant.  
 31 Amend RSA 309-B:5, I to read as follows:

32 I. The certificate of "certified public accountant" shall be granted to persons of good  
 33 character who meet the education, experience, and examination requirements of this section, who  
 34 make application therefor pursuant to RSA 309-B:7, and who pay the fees prescribed by the ~~board~~  
 35 *office of professional licensure*.

36 280 Board of Accountancy; Qualifications for a Certificate as a Certified Public Accountant.  
 37 Amend RSA 309-B:5, VIII to read as follows:

1 VIII. The board may charge, or provide for a third party administering the examination to  
2 charge, each applicant a fee in an amount prescribed by the [board] *office of professional*  
3 *licensure and certification* by rule, for each section of the examination or reexamination taken by  
4 the applicant.

5 281 Board of Accountancy; Issuance and Renewal of Certificates. Amend RSA 309-B:7, III-a and  
6 IV to read as follows:

7 III-a. [(a)] As an alternative to the requirements of paragraph III, a certificate holder  
8 licensed by another state who establishes his or her principal place of business in this state shall  
9 request the issuance of a certificate from the board prior to establishing such principal place of  
10 business. The board shall issue a certificate to such person who obtains from the NASBA National  
11 Qualification Appraisal Service verification that such individual's CPA qualifications are  
12 substantially equivalent to the CPA licensure requirements of the AICPA/NASBA Uniform  
13 Accountancy Act.

14 ~~[(b) An application under this paragraph may be made through the NASBA~~  
15 ~~Qualification Appraisal Service.]~~

16 IV. The board, *through the office of professional licensure and certification*, may  
17 charge a fee to any licensee of another state receiving a reciprocal certificate under this section, in  
18 accordance with rules adopted by the [board] *office of professional licensure and certification*.

19 282 Board of Accountancy; Issuance and Renewal of Certificates. Amend RSA 309-B:7, VIII to  
20 read as follows:

21 VIII. The board shall charge a fee for each application for initial issuance or renewal of a  
22 certificate under this section in an amount prescribed by the [board] *office of professional*  
23 *licensure and certification* by rule.

24 283 New Paragraph; Board of Accountancy; Issuance and Renewal of Certificates. Amend RSA  
25 309-B:7 by inserting after paragraph XIV the following new paragraph:

26 XV. The board may contract with the NASBA Qualification Appraisal Service to assess any  
27 applications made under this section.

28 284 Board of Accountancy; Firm Permits to Practice. Amend RSA 309-B:8, V to read as follows:

29 V. The board shall charge a fee for each application for initial issuance or renewal of a  
30 permit under this section in an amount prescribed by the [board] *office of professional licensure*  
31 *and certification* by rule.

32 285 Electricians; Board. Amend RSA 319-C:4, III-IV to read as follows:

33 III. ~~[The members of the board, other than state employees, shall each be allowed the sum of~~  
34 ~~\$30 per day and their necessary traveling expenses incurred in carrying out their official duties.~~

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

1       286 Electricians; Organizations and Meetings; Rulemaking. Amend RSA 319-C:6 and 6-a to  
2 read as follows:

3       319-C:6 Organization and Meetings. The board shall hold at least 4 regular meetings each year,  
4 and special meetings may be held at such times as the business of the board may require. Notice of  
5 all meetings shall be given in such manner as the rules of the board may provide. The board shall  
6 annually elect a chairman, a vice-chairman, and a secretary, who shall be one of the appointed  
7 members. A quorum of ~~[the board shall consist of not less than 3 members, not including the ex~~  
8 ~~officio member, and at least one of whom shall be a public member]~~ **a majority of the members of**  
9 **the board appointed by the governor and council.**

10       319-C:6-a Rulemaking Authority. The board, with an affirmative vote of at least 3 of the 5  
11 appointed board members, shall adopt rules, pursuant to RSA 541-A, relative to:

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

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

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

17           (b) Good professional character;

18       ~~[III.]~~ **II.** How an applicant shall be examined, and procedures for computerized  
19 examinations;

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

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

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

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

29       ~~[VII. Procedures and policy for the investigation of complaints against licensees or~~  
30 ~~registrants;~~

31       ~~VIII. Procedures for the conduct of hearings consistent with the requirements of due~~  
32 ~~process; and]~~

33       ~~[IX.]~~ **VI.** Matters related to the proper administration of this chapter.

34       287 Electricians; Examination for License. Amend RSA 319-C:8 to read as follows:

35       319-C:8 Examinations for License. Each applicant for licensure shall present to the board ~~[, on~~  
36 ~~forms furnished by the board, a written]~~ **an** application for examination and license, containing such  
37 information as the board may require, accompanied by the required application fee established by



1 the [board] *office of professional licensure and certification*. Proctored examinations shall be  
2 written, written and oral, oral, or computerized as approved by the board, and shall be of a thorough  
3 and practical character. They shall include such provisions of the National Electrical Code as the  
4 board may deem appropriate. Any person failing to pass his or her first examination may be  
5 reexamined at any subsequent examination meeting of the board or by an examination entity  
6 approved by the board, and thereafter may be examined as often as he or she may desire upon  
7 submitting the written application for examination and license and payment of the required  
8 application fee as set forth in this chapter.

9 288 Electricians; Renewal of Licenses. Amend RSA 319-C:9, I to read as follows:

10 I. Notwithstanding any outstanding license to the contrary, all licenses issued by the board  
11 shall be valid for 3 years and expire on the last day of the month of the licensee's birth, but may be  
12 renewed without additional fees during the following month, retroactive to the first day of the  
13 month. Upon payment of the normal renewal fee and a late fee, licenses which have been expired for  
14 at least one month shall be permitted to be renewed within one year after the date of expiration.  
15 The fees for renewal and late renewal of a license issued under this chapter shall be established by  
16 the [board] *office of professional licensure and certification*.

17 289 Electricians; Records. Amend RSA 319-C:13 to read as follows:

18 319-C:13 Records. The board shall keep a record of the name and residence of all persons  
19 licensed under this chapter *in accordance with the retention policy established by the office of*  
20 *professional licensure and certification*, and said record or duplicate thereof shall be open for  
21 inspection during office hours.

22 290 Repeal; Electricians. RSA 319-C:6-b, relative to fees for licensure as an electrician, is  
23 repealed.

24 291 Family Mediators; Board. Amend RSA 328-C:4, II(a) to read as follows:

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

28 292 Family Mediators; Rulemaking. Amend RSA 328-C:8 to read as follows:

29 328-C:8 Rulemaking Authority.

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

32 (a) The eligibility requirements [~~and application procedures~~] for certification, renewal of  
33 certification, recertification, and reinstatement of certification.

34 (b) [~~The content of all application forms, which forms may require a notarized affidavit~~  
35 ~~stating that the information provided in the application is complete and accurate.~~

36 (c) Content of training programs and training equivalents allowed under RSA 328-C:5,

37 III.

1           ~~[(d)]~~ (c) Content of internships and duration and content of internship equivalents  
2 allowed under RSA 328-C:5, III.

3           ~~[(e)]~~ (d) The ethical standards and standards of practice for family mediators certified in  
4 New Hampshire.

5           ~~[(f)]~~ (e) Procedures for the reporting of activities conducted by certified family mediators  
6 and certified family mediator training programs.

7           ~~[(g)]~~ Procedures for processing complaints.

8           ~~[(h)]~~ (f) Disciplinary [~~procedures,~~] penalties[~~;~~] and sanctions for certified family  
9 mediators and martial mediator training programs, as provided under RSA 328-C:7

10           ~~[(i)]~~ Fees for applications, certification, renewal of certification, and reinstatement of  
11 certification.

12           ~~[(j)]~~ (g) Reporting requirements for certified training programs.

13           II. The board may adopt rules for family mediators and family mediator training programs,  
14 pursuant to RSA 541-A, relative to the [~~following:~~

15           ~~(a) the~~] application [~~process,~~] requirements[~~;~~] and criteria for temporary renewal of  
16 certification and conditional certification.

17           ~~[(b) Fees for temporary renewal of certification and conditional certification and for the~~  
18 ~~filing of requests for information not governed by RSA 91 A, the filing of complaints and petitions,~~  
19 ~~and the processing of changes to information of record.~~

20           ~~(c) Procedures for informal resolution or referral of complaints.]~~

21           293 Repeal; Family Mediators. The following are repealed:

22           I. RSA 328-C:4-a, II, relative to application fees for certification of family mediators.

23           II. RSA 328-C:11, relative to fees established by the family mediator board.

24           294 Guardians ad Litem Board; Duties. Amend RSA 490-C:4, I(c) to read as follows:

25           (c) Establish requirements[~~;~~] **and** criteria[~~;~~ ~~and fees~~] for the certification, recertification,  
26 reinstatement, and renewal of certification of guardians ad litem.

27           295 Guardians ad Litem Board; Duties. Amend RSA 490-C:4, I(f) to read as follows:

28           (f) Establish disciplinary [~~procedures,~~] penalties[~~;~~] and sanctions for certified guardians  
29 ad 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 and counseling for alcohol and substance abuse.  
33 Disciplinary [~~procedures,~~] penalties[~~;~~] and sanctions may be established for and applied to formerly  
34 certified guardians ad litem claimed to have engaged in acts or omissions prohibited when certified.

35           296 Guardians ad Litem Board; Duties. Amend RSA 490-C:4, II(c) to read as follows:

36           (c) Establish requirements[~~;~~] **and** criteria[~~;~~ ~~and fees~~] for the conditional certification or  
37 temporary certification of guardians ad litem or both, including procedures and requirements

1 regarding the circumstances and manner in which individuals may be temporarily or conditionally  
2 certified, the term and duration of conditional or temporary certification, and the ethical standards  
3 and standards of practice applicable to persons so certified.

4 297 Guardians ad Litem Board; Rulemaking. Amend RSA 490-C:5 to read as follows:

5 490-C:5 Rulemaking Authority.

6 I. The board shall adopt rules, pursuant to RSA 541-A, relative to the following:

7 (a) The application [~~process~~] *criteria* for certification, renewal of certification,  
8 recertification, and reinstatement of certification.

9 (b) ~~[The content of all application forms, which forms may require a notarized affidavit~~  
10 ~~stating that the information provided in the application is complete and accurate and which may~~  
11 ~~gather, in addition to other information, information that will assist the court in making an informed~~  
12 ~~decision on whether or not to appoint an individual as a guardian ad litem in a particular case.~~

13 (c) Eligibility requirements and criteria for certification, recertification, reinstatement,  
14 and renewal of certification.

15 ~~[(d)]~~ (c) Training requirements.

16 ~~[(e)]~~ (d) Educational and continuing educational requirements.

17 ~~[(f)] Fees for certification, recertification, reinstatement, and renewal of certification.~~

18 (e) The ethical standards and standards of practice for guardians ad litem certified  
19 in New Hampshire.

20 ~~[(h)] Procedures for conducting investigations and hearings conducted by the board under~~  
21 ~~this chapter.~~

22 ~~[(i)] Procedures for processing complaints and addressing disciplinary issues handled by~~  
23 ~~the board under this chapter.~~

24 (f) Disciplinary [~~procedures,~~] penalties[~~,~~] and sanctions for certified guardians ad  
25 litem, which penalties[~~,~~] *and* sanctions[~~, and procedures~~] may include revocation of certification,  
26 suspension of certification, the imposition of supplemental training requirements or supervised  
27 training requirements, supplemental education, fines, written reprimand, and treatment and  
28 counseling, including but not limited to treatment or counseling for alcohol or substance abuse.  
29 Disciplinary [~~procedures,~~] penalties[~~,~~] and sanctions may be established for and applied to formerly  
30 certified guardians ad litem who engaged in acts or omissions prohibited when certified.

31 II. The board may adopt rules, pursuant to RSA 541-A, relative to the following:

32 (a) The application or certification [~~process~~] requirements[~~,~~] and criteria for temporary  
33 or conditional certification or both, including but not limited to procedures and requirements  
34 regarding the circumstances and manner in which individuals may be temporarily or conditionally  
35 certified or both, the term and duration of conditional or temporary certification or both, and the  
36 ethical standards and standards of practice applicable to persons so certified.

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) 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)]~~ Procedures for informal resolution or referral of complaints.

10 ~~[(f)]~~ (d) 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)]~~ (e) Disciplinary ~~[procedures,]~~ penalties~~[,]~~ and sanctions for conditionally or  
14 temporarily certified guardians ad litem or both and persons formerly certified by the board, which  
15 penalties~~[,]~~ **and** sanctions~~[, and procedures]~~ may include, but need not be limited to, those listed in  
16 RSA 490-C:4, I(f).

17 ~~[(h)]~~ (f) Procedures and requirements relative to maintenance or disclosure of  
18 confidential information received by, or used in investigations or in hearings, proceedings, or other  
19 activities or matters before the board.

20 298 Board of Manufactured Housing; Quorum. Amend RSA 205-A:26, I to read as follows:

21 I. A majority of the *members of the board who have been appointed by the governor*  
22 *and council* shall constitute a quorum ~~[to conduct hearings, and a vote of at least 4 members~~  
23 ~~present and voting in favor shall be required to adopt and approve any matter under consideration].~~

24 299 Board of Manufactured Housing; Meetings and Records. Amend RSA 205-A:29 to read as  
25 follows:

26 205-A:29 Meetings and Records. The board shall hold meetings in Concord, New Hampshire or  
27 in any other location deemed appropriate by the board. The records of the board shall be maintained  
28 at the office of the board of manufactured housing *consistent with the retention policy*  
29 *established by the office of professional licensure and certification.*

30 300 Real Estate Appraisers; Licensure or Certification Process. Amend RSA 310-B:5, I and II to  
31 read as follows:

32 I. Applications for original license or certification, renewal license or certification and  
33 examinations shall be made ~~[in writing to the board on forms approved by the board]~~ *using the*  
34 *method prescribed and furnished by the office of professional licensure and certification.*

35 II. Appropriate fees, as fixed by the ~~[board]~~ *office of professional licensure and*  
36 *certification* under rules established pursuant to RSA 541-A, shall accompany all applications for  
37 original license, certification, renewal license, renewal certification, reciprocal license, and reciprocal

1 certification. An annual federal registration fee shall be collected by the board for transmittal to the  
2 federal government under Title XI.

3 301 Real Estate Appraisers; Registration of Appraisal Management Companies. Amend RSA  
4 310-B:12-b, I(a) to read as follows:

5 (a) An applicant for registration as an appraisal management company in this state  
6 shall submit to the board an application ~~[on a form or forms prescribed by the board]~~ **using the**  
7 **method prescribed and furnished by the office of professional licensure and certification.**

8 302 Real Estate Appraisers; Appraisal Management Company Fee. Amend RSA 310-B:12-e to  
9 read as follows:

10 310-B:12-e Appraisal Management Company Fee.

11 I. The ~~[board]~~ **office of professional licensure and certification** shall establish by rule  
12 or regulation a processing fee to be paid by each appraisal management company seeking  
13 registration under this chapter that is sufficient for the administration of the registration process.

14 II. A similar processing fee may be charged by the ~~[board]~~ **office of professional licensure**  
15 **and certification** in connection with the renewal of any registrations.

16 303 Real Estate Appraisers; License or Certificate. Amend RSA 310-B:16 to read as follows:

17 310-B:16 License or Certificate.

18 ~~[I. A license or certificate issued under authority of this chapter shall bear the signature of~~  
19 ~~the board chairperson or a designee who is a member of the board and a license or certificate number~~  
20 ~~assigned by the board.~~

21 ~~II.]~~ Each licensed or certified real estate appraiser shall place such appraiser's license or  
22 certificate number adjacent to or immediately below the appraiser's signature whenever the  
23 appraiser's signature is used in an appraisal report or in a contract or other instrument used by the  
24 license or certificate holder in conducting real estate appraisal activities.

25 304 Real Estate Appraisers; Receipts and Disbursements. Amend RSA 310-B:21 to read as  
26 follows:

27 310-B:21 Receipts and Disbursements.

28 I. The ~~[board]~~ **office of professional licensure and certification** shall receive and  
29 account for all moneys derived under the provisions of this chapter. Under no circumstances shall  
30 the total amount of payments exceed the fees collected under this chapter.

31 I-a. All moneys collected as administrative penalties through enforcement actions or  
32 settlements under this chapter shall be credited to the real estate appraisers fund and disbursed by  
33 the board for the investigation of complaints and activities ~~[that violate this chapter or rules adopted~~  
34 ~~by the board.~~

35 ~~II. The board shall reimburse the general fund for moneys appropriated for the purposes of~~  
36 ~~this chapter as soon as such funds are available.~~

1           ~~III.]~~ **II.** Revenues in excess of budget estimates may be expended with the prior approval of  
2 the legislative fiscal committee and the governor and council.

3           305 Real Estate Appraisers; Rulemaking. Amend RSA 310-B:24 to read as follows:

4           310-B:24 Rulemaking Authority. The board shall adopt rules pursuant to RSA 541-A, relative  
5 to:

6           I. The application [~~procedure and~~] eligibility requirements for the issuance of any initial  
7 license or certificate issued under this chapter, including the issuance of such licenses to applicants  
8 holding a currently valid license or other authorization to practice in another jurisdiction.

9           I-a. The application [~~procedure and~~] eligibility requirements for the issuance of any  
10 temporary practice permit issued under this chapter.

11           II. [~~Design and content of all forms required under this chapter.~~

12           ~~III.]~~ How an applicant shall be examined.

13           ~~[IV.]~~ **III.** [~~How a~~] *The criteria for renewal of a* license or certificate [~~shall be renewed~~].

14           ~~[V.]~~ **IV.** Ethical standards required to be met by each holder of a license or certificate issued  
15 under this chapter and how such license or certificate may be revoked for violation of these  
16 standards.

17           ~~[VI. Establishing all fees required under this chapter, subject to RSA 332-G.~~

18           ~~VII.]~~ **V.** Standards for appraisal education programs and the issuance of evidence indicating  
19 satisfactory completion of such program.

20           ~~[VII-a.]~~ **VI.** The registration and supervision of appraisal management companies under  
21 RSA 310-B:16-a[, ~~including the establishment of fees for annual registration and for renewal of~~  
22 ~~registration~~].

23           ~~[VIII. The conduct of investigations and procedures for the conduct of hearings consistent~~  
24 ~~with the requirements of RSA 541-A.~~

25           ~~VIII-a.]~~ **VII.** Establishing continuing education and experience requirements which comport  
26 with criteria set forth by the board.

27           ~~[IX.]~~ **VIII.** The requirements for public requests for information.

28           ~~[X.]~~ **IX.** The conditions and requirements for granting a waiver to any rule adopted by the  
29 board.

30           306 Repeal; Real Estate Appraisers. The following are repealed:

31           I. RSA 310-B:20, relative to fees for licensure or certification of appraisal management  
32 companies.

33           II. RSA 310-B:22, relative to a roster of licensed or certified real estate appraisers.

34           307 Repeal; Distribution of Publications. RSA 332-H, relative to the distribution of publications  
35 by licensing commissions and boards, is repealed.

36           308 Effective Date. This act shall take effect September 1, 2020.

**SB 576- FISCAL NOTE**  
AS AMENDED BY THE SENATE (AMENDMENT #2020-1104s)

AN ACT revising the authority of boards and commissions for technical and health professions regulated by the office of professional licensure and certification.

FISCAL IMPACT:  State  County  Local  None

STATE:	Estimated Increase / (Decrease)			
	FY 2020	FY 2021	FY 2022	FY 2023
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	\$785,000	\$0	\$785,000
Expenditures	\$0	\$0	\$0	\$0
<b>Funding Source:</b>	<input checked="" type="checkbox"/> General <input type="checkbox"/> Education <input type="checkbox"/> Highway <input checked="" type="checkbox"/> Other - Office of Professional Licensure and Certification Fund (RSA 310-A:1-e,I(b))			

**METHODOLOGY:**

This bill as amended changes the license term for in-state and out-of-state pharmacy permits from a biennial to an annual basis. This change will result in a net revenue increase of \$785,000 in FY 2021 and FY 2023. The term of such permits had been previously changed from an annual basis to a biennial basis in 2019 (Chapter 264:7). The corresponding administrative rules governing the amounts of the annual permit fees were not increased at that time to account for the change in license term, resulting in a biennial permit for the price of an annual permit, or half of what would be collected over a two year period. The Office of Professional Licensure and Certification (OPLC) reports that the loss of revenue due to the 2019 change in permit term was not anticipated and will negatively affect the projected lapse of revenue from the OPLC fund to the general fund in FY 2021 and in odd numbered fiscal years thereafter, however the bill as amended will restore the lost revenue as indicated:

	<u>FY 2020</u>	<u>FY 2021</u>	<u>FY 2022</u>	<u>FY 2023</u>
Permit fees prior to Chapter 264:7, 2019	\$785,000	\$785,000	\$785,000	\$785,000
Current Law	\$785,000	\$0	\$785,000	\$0
HB 576 as amended by 2020-1104s	\$785,000	\$785,000	\$785,000	\$785,000

**AGENCIES CONTACTED:**

Office of Professional Licensure and Certification

# Senate Executive Departments and Administration Committee

*Cameron Lapine 271-3091*

**SB 576**, revising the authority of boards and commissions for technical and health professions regulated by the office of professional licensure and certification.

**Hearing Date:** February 19, 2020

**Time Opened:** 9:15 a.m.

**Time Closed:** 9:34 a.m.

**Members of the Committee Present:** Senators Carson, Cavanaugh, Rosenwald, Chandley and Reagan

**Members of the Committee Absent :** None

**Bill 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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**Sponsors:**

Sen. Giuda

Sen. Sherman

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**Who supports the bill:** Senator Tom Sherman (District 24), Senator Bob Giuda (District 2), Lindsey Courtney (OPLC), and Paula Minnehan (NH Hospital Association).

**Who opposes the bill:** None.

**Who is neutral on the bill:** None.

**Summary of testimony presented in support:**

*Griffin Roberge*

*Senate Legislative Aide*

- Mr. Roberge introduced SB 576 on behalf of Senator Giuda.

*Senator Bob Giuda*

*Senate District 2*

- Senator Giuda proposed Amendment 2020-0678s.



- SB 576 is a lot of work. More work needs to be done to establish the Office of Professional Licensure and Certification (OPLC) as the overseer of 54 boards, councils, and commissions.
- Senator Giuda referred to SB 576 as “The Tolstoy Document” and “War and Peace”, describing it as very long but necessary.
- Things within OPLC cannot get done because there is conflict among the various OPLC statutes.
- Due to conflicts in statute, the Board of Pharmacy has created a \$700,000 liability for the state.
- One of the problems facing OPLC is determining who pays how much of OPLC’s operating costs.

*Lindsey Courtney – Provided Written Testimony*

*Interim Director, OPLC*

- SB 576 paves the way for OPLC to reach its mission of promoting efficiency in the administration of the 54 boards, councils, and commissions that OPLC oversees.
- The primary objective of SB 576 is to remove language from certain practice acts that conflicts with OPLC’s existing authority to set fees across all boards, councils, and commissions.
- The second objective is to establish OPLC as a 125% agency.
- The third objective is to remove the requirement in certain board practice acts that require a court stenographer to be present for all hearings.
- The fourth objective is to grant to the Executive Director of OPLC the authority to set per diem rates for board members.
- The fifth objective is to standardize quorum requirements.
- The sixth objective is to repeal RSA 332-H.
- The seventh objective is to add the Board of Veterinary Medicine to RSA 310-A:10-a.
- The eighth objective is to remove references to the Commissioner of the Department of Health and Human Services (DHHS).
- The ninth objective is to remove the requirement in certain practice acts that boards provide a roster of licensees for a fee.
- The tenth objective is to permit OPLC to adopt a standard retention policy across the agency.
- The eleventh objective is to clarify that OPLC does not have reporting requirements under RSA 332-G:13, XIII, and RSA 332-G:14 for boards that don’t fall within the agency.
- The twelfth objective is to grant the Executive Director of OPLC the authority to promulgate rules for all boards that participate in the professional health program.

- The thirteenth objective is to set term limits for the Board of Family Mediator Certifications.
- The fourteenth objective is to change the term limits for the Prescription Drug Monitoring Program (PDMP) to three, three-year terms.
- The fifteenth objective is to clarify that the Executive Director, not the PDMP Program Administrator, has authority over certain discretionary tasks.
- The sixteenth objective is to change the licensing schedule of pharmacies from biannual to annual licensing.
- SB 576 is a very large clean up bill.
- Many of the changes in SB 576 should have occurred five years ago when OPLC was created.
- The boards, councils, and commissions that OPLC oversees have their own regulatory standards. Certain functions unrelated to professional standards should be standardized across the boards, councils, and commissions.
- Effective July 1, 2018, RSA 310:A granted the Executive Director of OPLC the authority to set fees via rules but practice acts have language that conflict with that statutory authority.
- As practice acts are amended, the boards have the authority to promulgate fees, not the OPLC. To remedy this conflict, SB 576 removes all references in the practice acts to fees.
- With respect to the second change, it makes OPLC a 125% agency. Most practice acts prevent boards from charging fees in excess of 125% expenses.
- Boards no longer have individual budgets. OPLC has the authority to promulgate rules related to fees. SB 576 proposes to make OPLC a 125% agency, such that OPLC may not charge fees in excess of 125% of expenses.
- With respect to the third change, a few practice acts require a court stenographer to be present for hearings while a large majority of practice acts only require the hearings to be recorded. OPLC wants to remove requirements for a court stenographer. It will be up to the parties involved as to whether or not they want a stenographer. They will have to pay for it, not the agency. This makes it consistent across all boards.
- With respect to the fourth objective, SB 576 proposes to grant the Executive Director of OPLC the authority to establish per diem rates for all boards, councils, and commissions within OPLC. SB 576 eliminates references to per diem rates from the board practice acts. Currently, some boards have per diem rates while others do not. This leads to different boards having different amounts. OPLC wants to standardize the per diem rate as a matter of fairness. In addition, OPLC can't manage its budget when there are variations in what boards are entitled to receive.
- With respect to the fifth objective, most practice acts establish a quorum of the majority of members appointed and confirmed by the Governor and Executive Council. Some practice acts define a set number of board members who

constitute a quorum. This is an issue because when vacancies are not filled, boards are sometimes unable to meet which delays the business of the board.

- An example is the Board of Hearing Care, which had a set quorum of four members, who did not have a quorum and licenses were being approved for operations by law after 60 days, regardless of whether individuals met the requirements for licensure.
- SB 576 changes those practice acts establishing a specific quorum number to make a quorum the majority of those members appointed to serve on the board.
- SB 576 repeals RSA 332-H, which requires boards to distribute printed rules to licensees. It is outdated and unnecessary because it is online and in the statute. Boards aren't complying with this statute anyway.
- With respect to objective seven, it adds the Board of Veterinary Medicine to RSA 310-A:1-a. This board was transferred from the Department of Markets, Agriculture, and Food to OPLC under HB 4 (2019) but the statute was not changed.
- With respect to objective eight, most boards came from DHHS to OPLC but practice acts make references to the DHHS Commissioner. SB 576 eliminates such references.
- With respect to objective nine, SB 576 eliminates the requirement of providing a roster of licensees for cost. Some practice acts require boards to provide a roster of licensees, and to do so at a cost upon request. Most boards have rosters online already or will have one by the end of the calendar year. This information is available without a cost.
- With respect to objective ten, practice acts establish a timeframe for how documents must be retained. There is conflicting statutory language and OPLC has been unable to adopt a standardized retention policy. OPLC wants to establish an agency-wide retention policy. Some practice acts have a set number of years to retain documents.
- With respect to objective eleven, OPLC does not have a reporting requirement for non-OPLC boards. RSA 332-G-13 applies to all Title 30 boards. Some require OPLC to report information and issue temporary licenses for all Title 30 boards, including non-OPLC boards. SB 576 proposes to make clear that OPLC's authority extends only to the boards that fall within the agency.
- With respect to objective twelve, SB 576 permits OPLC to adopt rules for the professional health program on behalf of five boards within the agency. The boards adopt their own rules relative to the professional health program. The rules are not the same. SB 576 permits OPLC to promulgate one set of rules for all boards that participate in the professional health program. This ensures the process is quick and permits OPLC to add additional boards to the contract without engaging in additional rule making.
- With respect to objective thirteen, SB 576 will set term limits for the Family Mediator Certification Board. All boards within OPLC have term limits except for

the Family Mediator Certification Board. To keep it consistent, SB 576 establishes term limits for this board.

- With respect to objective fourteen, it will change the term limits for PDMP. SB 576 changes the term limits for the PDMP Advisory Council from one term to three, three-year consecutive terms.
- With respect to objective fifteen, it clarifies the Executive Director's authority over PDMP. Generally, statutes grant discretionary authority to a department head, which may then be delegated to staff as he or she sees fit but, as of right now, the discretionary authority is to a classified employee rather than the Executive Director of OPLC. SB 576 proposes to make clear that the Executive Director of OPLC has certain statutory authority.
- With respect to objective sixteen, HB 4 (2019) was adopted, which changed OPLC's dedicated fund to a lapsing dedicated fund. A large portion of OPLC's budget is made up of pharmacy licenses. OPLC stands to lose \$729,250 in FY 2021. SB 576 proposes to prevent that loss by requiring pharmacies to renew their licenses annually.
- The changes in SB 576 are vital to OPLC's ability to function effectively as an agency.
- Senator Rosenwald asked, regarding Page 2, Line 12, if the Prescription Drug Health and Safety Program or the Health Professionals Drug Program for people who have a substance problem was being referenced.
  - Ms. Courtney responded that it was the later.
- Senator Rosenwald said that she did not believe that the Health Professionals Drug Program was a monitoring program.
  - Ms. Courtney responded that she believed it could be more clearly phrased.

**Summary of testimony presented in opposition:** None.

**Neutral Information Presented:** None.

HB 1491 - AS AMENDED BY THE SENATE

06/16/2020 1423s  
06/16/2020 1521s

2020 SESSION

20-2662  
10/05

HOUSE BILL **1491**

AN ACT relative to occupational licensure and the office of professional licensure and certification.

SPONSORS: Rep. P. Schmidt, Straf. 19

COMMITTEE: Executive Departments and Administration

AMENDED ANALYSIS

This bill:

I. 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.

II. Expands the professions in the allied health governing boards which grant temporary licensure to licensees from other states.

III. Authorizes the department of health and human services to access certain data and information from the controlled drug prescription health and safety program under certain circumstances.

IV. Repeals the provision allowing certain applicants for licensure as allied health professionals to practice on a conditional basis pending the results of a criminal history record check.

V. Amends the definition of licensing agency to include the state fire marshal for purposes of licensing places of assembly under RSA 155:18.

VI. Establishes a special marriage officiant license to temporarily authorize an individual to solemnize a marriage. A portion of the license fee shall be deposited in the fund for domestic violence programs.

Explanation: Matter added to current law appears in **bold italics**.  
Matter removed from current law appears [~~in brackets and struck through~~].  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

HB 1491 - AS AMENDED BY THE SENATE

06/16/2020 1423s  
06/16/2020 1521s

20-2662  
10/05

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty*

AN ACT relative to occupational licensure and the office of professional licensure and certification.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1 1 New Subparagraph; Office of Professional Licensure and Certification; Health Professions;  
2 Veterinarians. Amend RSA 310-A:1-a, I by inserting after subparagraph (z) the following new  
3 subparagraph:

4 (aa) Veterinary medicine under RSA 332-B:3.

5 2 Administration of the Office. Amend RSA 310-A:1-d to read as follows:

6 310-A:1-d Administration of the Office of Professional Licensure and Certification.

7 I. The office of professional licensure and certification shall operate under the supervision of  
8 the executive director appointed under RSA 310-A:1-b. The office may employ such clerical or other  
9 assistants as are necessary for the proper performance of its work, and may make expenditures for  
10 any purpose which are reasonably necessary, according to the executive director, for the proper  
11 performance of its duties under this chapter. *The office may contract for the services of*  
12 *investigators, hearing officers, and legal counsel after consulting with the boards,*  
13 *councils, and commissions within the office.*

14 II. The executive director of the office of professional licensure and certification shall be  
15 responsible for:

16 (a) Supervision of the division directors;

17 (b) The performance of the administrative, clerical, and business processing  
18 responsibilities of the boards, commissions, and councils;

19 (c) Employment of such personnel needed to carry out the functions of the boards;

20 (d) The issuance of a license or certification to any applicant who has met the  
21 requirements for licensure or certification and denying a license or certification to applicants who do  
22 not meet the minimum qualifications;

23 (e) Maintenance of the official record of all applicants and licensees *in accordance*  
24 *with the retention policy established by the office of professional licensure and*  
25 *certification;*

26 (f) Supervision, coordination, and assistance to the boards, commissions, and councils in  
27 rulemaking, pursuant to RSA 541-A;

28 (g) Maintaining the confidentiality of information, documents, and files in accordance  
29 with RSA 91-A;

HB 1491 - AS AMENDED BY THE SENATE

- Page 2 -

1 (h) Establishing by rule, pursuant to RSA 541-A:

2 (1) All fees authorized by statute for all boards, commissions, ~~[and]~~ councils, **and**  
3 **programs** within the office of professional licensure and certification, in consultation with the  
4 affected boards, commissions, and councils on a biennial basis in conjunction with the preparation of  
5 the biennial budget;~~[and]~~

6 (2) Such organizational and procedural rules necessary to administer the boards,  
7 commissions, ~~[and]~~ councils, **and programs** in the office of professional licensure and certification,  
8 including rules governing the administration of complaints and investigations, payment processing  
9 procedures, and application procedures;

10 (3) ***The rate of per diem compensation and reimbursable expenses for all***  
11 ***boards, commissions, councils, and programs within the office of professional licensure***  
12 ***and certification; and***

13 (4) ***Rules governing a healthcare professionals prescription drug***  
14 ***monitoring program for the boards of medicine, pharmacy, dental examiners, nursing, and***  
15 ***veterinary medicine; and***

16 (i) Submitting, by November 1, to the speaker of the house of representatives, the  
17 president of the senate, the chairpersons of the house and senate executive departments and  
18 administration committees, and the governor, an annual report summarizing the transactions of the  
19 preceding fiscal year and a complete statement of the receipts and expenditures of the office of  
20 professional licensure and certification. Such report shall satisfy the requirements for any annual or  
21 biennial report imposed by statute on any board, commission, or council administered by the office of  
22 professional licensure and certification. The report shall be posted on the website of the office of  
23 professional licensure and certification immediately upon submission.

24 3 Fees; Estimated Revenues. Amend RSA 310-A:1-e, I(a) to read as follows:

25 I.(a) The executive director of the office of professional licensure and certification shall  
26 assess annual or biennial license, certification, and renewal fees, as well as any necessary  
27 administrative fees for each professional regulatory board, council, or commission administered by  
28 the office. ***Such fees shall be sufficient to produce estimated revenues up to 125 percent of***  
29 ***the total operating expenses for the office, as determined by averaging the operating***  
30 ***expenses for the office for the previous 2 fiscal years.***

31 4 Acupuncture; Quorum. Amend RSA 328-G:6 to read as follows:

32 328-G:6 Organization and Meetings. The board shall hold regular meetings at least semi-  
33 annually and shall give notice to its members of the time and place for holding all regular and  
34 special meetings. A quorum of the board shall consist of ~~[not less than 3 members]~~ ***a majority of***  
35 ***the members of the board who have been approved by the governor and council.*** The board  
36 shall biennially elect a chairperson, a vice-chairperson, and a secretary from among its members.

37 5 Acupuncture; Rulemaking. Amend RSA 328-G:7, I-III to read as follows:

1 I. ~~[Procedures and forms for application]~~ **Eligibility requirements** for an acupuncture  
2 license.

3 II. Scope of practice ~~[and fees for applications]~~.

4 III. ~~[Procedures]~~ **Eligibility requirements** for license renewal, including continuing  
5 education requirements, testing, peer review, ~~[or other appropriate procedures,]~~ and methods to  
6 ensure compliance with such requirements.

7 6 Acupuncture; Rulemaking. Amend RSA 328-G:7, XIV to read as follows:

8 XIV.(a) ~~[Procedures and forms for application]~~ **Eligibility requirements** for certification as  
9 an acupuncture detoxification specialist.

10 (b) Renewal, revocation, or suspension of certification of an acupuncture detoxification  
11 specialist.

12 ~~[(e) Any fees required under subparagraphs (a) and (b).~~

13 ~~(d) Maintaining a register of persons certified as acupuncture detoxification specialists.]~~

14 7 Acupuncture; Licensure. Amend RSA 328-G:9, II(d) to read as follows:

15 (d) Has paid the ~~[\$110]~~ license fee **established by the office of professional licensure**  
16 **and certification** and filed the application ~~[established by the board]~~.

17 8 Acupuncture; License Renewal. Amend RSA 328-G:9, IX to read as follows:

18 IX. All licenses issued by the board shall be renewed biennially on or before June 30 or  
19 reissued pursuant to rules adopted, and upon payment of ~~[a \$110]~~ **the renewal fee established by**  
20 **the office of professional licensure and certification.**

21 9 Acupuncture; Powers of the Board. Amend RSA 328-G:11, I to read as follows:

22 I. The board shall:

23 (a) ~~[Ensure]~~ **Ensure** that licensed acupuncturists 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 an accurate account of all receipts, expenditures, and refunds granted  
28 under this chapter through the office of licensure and certification **and in accordance with the**  
29 **retention policy established by the office of professional licensure and certification.**

30 (d) Maintain a record of its acts and proceedings, including the issuance, refusal,  
31 suspension, or revocation of licenses **in accordance with the retention policy established by the**  
32 **office of professional licensure and certification.**

33 (e) ~~[Maintain a roster of all acupuncturists licensed under this chapter which indicates:~~

34 ~~(1) The name of the licensee.~~

35 ~~(2) Current professional office address.~~

36 ~~(3) The date of issuance and the number of the licensee's license.~~

37 ~~(4) Whether the licensee is in good standing.~~



1           ~~(f)~~ Keep all applications for licensure [~~as a permanent record~~] **in accordance with the**  
2 **retention policy established by the office of professional licensure and certification.**

3           ~~(g)~~ (f) Maintain a [~~permanent~~] record of the results of all examinations it gives **in**  
4 **accordance with the retention policy established by the office of professional licensure and**  
5 **certification.**

6           ~~(h)~~ (g) Keep all examination records including written examination records and tape  
7 recordings of the questions and answers in oral examinations **in accordance with the retention**  
8 **policy established by the office of professional licensure and certification.**

9           ~~(i)~~ (h) Keep the records of the board open to public inspection at all reasonable times.

10           ~~(j)~~ (i) Adopt and use a seal, the imprint of which, together with the signatures of the  
11 chairperson or vice-chairperson and the secretary-treasurer of the board, shall evidence its official  
12 acts.

13           ~~(k) Annually compile and publish a directory.~~

14           10 Acupuncture; Disciplinary Hearings; Rules. Amend RSA 328-G:12, III(b) to read as follows:

15           (b) Disciplinary action taken under this paragraph may be ordered by the board in a  
16 decision made after a hearing in the manner provided by the rules adopted by the [~~board~~] **office of**  
17 **professional licensure and certification** and reviewed in accordance with RSA 541.

18           11 Repeals; Acupuncture. The following are repealed:

19           I. RSA 328-G:5, relative to mileage for the board of acupuncture licensing.

20           II. RSA 328-G:7, IV and VII, relative to rulemaking on a register and hearings.

21           12 Alcohol and Other Drug Use Professionals; Board; Quorum. Amend RSA 330-C:3, IX to read  
22 as follows:

23           IX. The board shall elect a chairperson annually from among its membership. [~~Four~~  
24 ~~members~~] **A majority of the members** of the board **who have been approved by the governor**  
25 **and council** shall constitute a quorum.

26           13 Alcohol and Other Drug Use Professionals; Board; Removal. Amend RSA 330-C:3, XIII to  
27 read as follows:

28           XIII. The governor may remove any member from the board for neglect of any duty under  
29 RSA 330-C:5 or for incompetence, or unprofessional or dishonorable conduct. Any person may file a  
30 complaint against a board member or board members with the executive director of the office of  
31 professional licensure and certification. Upon receipt of a complaint, the [~~commissioner~~] **executive**  
32 **director** shall conduct an investigation and take any appropriate action and report his or her  
33 findings to the complainant. The provisions of RSA 4:1 controlling the removal of public officials  
34 from office shall be followed in dismissing board members.

35           14 Alcohol and Other Drug Use Professionals; Board; Duties. Amend RSA 330-C:5, VIII to read  
36 as follows:

1 VIII. Maintain records of proceedings as required by the laws of New Hampshire *and as set*  
2 *forth by the retention policy established by the office of professional licensure and*  
3 *certification.*

4 15 Alcohol and Other Drug Use Professionals; Records; Fees. RSA 330-C:7 and 330-C:8 are  
5 repealed and reenacted to read as follows:

6 330-C:7 Records. A true record of all of the board's official acts shall be made and preserved by  
7 the board through the office of professional licensure and certification in accordance with the  
8 retention policy established by the office. The records shall be public and shall be open to inspection  
9 at all reasonable times, except for records compiled in connection with disciplinary investigations  
10 and records otherwise exempt from disclosure under RSA 91-A or other applicable statutes.

11 330-C:8 Fees; Charges.

12 I. The board shall charge licensees fees established by the office of professional licensure and  
13 certification for the issuance of an initial license or certificate and for the renewal of a license or  
14 certificate under this chapter.

15 II. The board may provide for:

16 (a) The administration of examinations required by this chapter.

17 (b) The approval of continuing education programs and program providers.

18 (c) The verification of license status or educational credentials.

19 III. The office of professional licensure and certification may establish administrative  
20 charges for services offered pursuant to paragraph II.

21 16 Alcohol and Other Drug Use Professionals; Rulemaking. Amend RSA 330-C:9, I - V-b to read  
22 as follows:

23 I. ~~[Application procedures and]~~ Eligibility requirements for the issuance of all initial and  
24 renewal licenses issued by the board, including without limitation:

25 (a) The *eligibility requirements for the* issuance of LADC licenses to applicants  
26 holding a currently valid license or other authorization to practice substance use counseling in  
27 another jurisdiction;

28 (b) The *eligibility requirements for the* issuance of MLADC licenses to applicants  
29 holding a currently valid license or other authorization to practice substance use counseling and co-  
30 occurring disorder counseling in another jurisdiction;

31 (c) The *eligibility requirements for the* issuance of such licenses to applicants holding  
32 a current license issued by the board of nursing or the board of medicine; and

33 (d) The *eligibility requirements for the* issuance of a MLADC license under RSA 330-  
34 C:16.

35 II. ~~[Application procedures and]~~ Eligibility requirements for the reinstatement of licenses  
36 after lapse and after disciplinary action.

HB 1491 - AS AMENDED BY THE SENATE

- Page 6 -

1 III. ~~[Application procedures]~~ **Eligibility requirements**, training requirements, and other  
2 criteria for the issuance of certification, renewal of certification, and reinstatement of certification  
3 for certified recovery support workers and certified recovery support worker supervisors.

4 IV. ~~[The establishment of license and certificate application, late renewal, and~~  
5 ~~reinstatement fees required under this chapter.~~

6 ~~V.]~~ The process standards for approval of education programs for the continuing education  
7 requirements of this chapter and providers of such programs, and the process for approval of  
8 providers engaged in clinical supervision.

9 ~~[V-a.]~~ V. The process standards for approval of individuals engaged in clinical supervision.

10 ~~[V-b.]~~ **V-a.** The requirements for clinical supervision and the documentation of clinical  
11 supervision hours.

12 17 Alcohol and Other Drug Use Professionals; Applications. Amend RSA 330-C:15, I(a) to read  
13 as follows:

14 (a) Submit a completed application and pay fees established by the ~~[board]~~ **office of**  
15 **professional licensure and certification**;

16 18 Alcohol and Other Drug Use Professionals; Applicants From Other States. Amend RSA 330-  
17 C:21, I-a to read as follows:

18 I-a. An applicant whose state licensure meets the requirements in paragraph I shall be  
19 deemed able to practice in this state not more than 60 days after the application is received by the  
20 board pending final approval or denial for other reason by the board. ~~[The board shall adopt rules~~  
21 ~~under RSA 541-A to ensure the timely review and approval of applications under this section.]~~

22 19 Alcohol and Other Drug Use Professionals; Renewals. Amend RSA 330-C:22, II and III to  
23 read as follows:

24 II. Licensees and certification holders shall have a grace period of 30 days after expiration in  
25 which to renew retroactively if they otherwise are entitled to have their licenses or certifications  
26 renewed and pay to the board the renewal fee and any late fee set by the ~~[board]~~ **office of**  
27 **professional licensure and certification** under rules adopted pursuant to RSA 541-A.

28 III. A suspended license or certification shall be subject to expiration and may be renewed as  
29 provided in this chapter, but such renewal shall not entitle the person, while the license or  
30 certification remains suspended and until it is reinstated, to engage in the activity, or in any other  
31 conduct or activity in violation of the order under which the license or certification was suspended.  
32 If a suspended license or certification is reinstated after its expiration, the person, as a condition of  
33 reinstatement, shall pay [a] **any** reinstatement fee ~~[that shall equal the renewal fee in effect on the~~  
34 ~~last regular renewal date immediately preceding the date of reinstatement, plus any]~~ **and** late fee  
35 set by the ~~[board]~~ **office of professional licensure and certification**.

36 20 Alcohol and Other Drug Use Professionals; Reinstatement. Amend RSA 330-C:23, II to read  
37 as follows:

1           II. Application for reinstatement of a license or certification which has lapsed shall include  
2 payment of a reinstatement fee *established by the office of professional licensure and*  
3 *certification* and be made, and granted or denied, in accordance with rules adopted by the board  
4 pursuant to RSA 541-A.

5           21 Alcohol and Other Drug Use Professionals; Hearings. Amend RSA 330-C:29, I to read as  
6 follows:

7           I. The board may hold adjudicative hearings concerning allegations of misconduct or other  
8 matters within the scope of this chapter. Such hearings shall be public proceedings. Any member of  
9 the board [~~other than the public members~~], or any other qualified person appointed by the board,  
10 shall have authority to preside at such a hearing and to issue oaths or affirmations to witnesses.

11           22 Repeals; Alcohol and Other Drug Use Professionals. The following are repealed:

12           I. RSA 330-C:3, XI, relative to mileage for board members.

13           II. RSA 330-C:5, X, relative to establishing fees.

14           III. RSA 330-C:9, IX, relative to rules for the conduct of hearings.

15           IV. RSA 330-C:28, II, relative to retaining experts for investigations or hearings.

16           23 Allied Health Professionals; Legal Counsel. Amend RSA 328-F:3, II to read as follows:

17           II. The governing boards' chairpersons or their appointees shall make up the board of  
18 directors of the office of licensed allied health professionals. [~~The board of directors shall contract for~~  
19 ~~the services of investigators and legal counsel retained through the office of professional licensure~~  
20 ~~and certification~~]. The board of directors shall have the authority to delegate to the person in the  
21 supervisory position matters of administrative and personnel management.

22           24 Allied Health Professionals; Records. Amend RSA 328-F:9 to read as follows:

23           328-F:9 Records of the Boards. A true record of all of each board's official acts shall be made  
24 and preserved *in accordance with the retention policy established by the office of*  
25 *professional licensure and certification*. The records shall be public and shall be open to  
26 inspection at all reasonable times, except for records compiled in connection with disciplinary  
27 investigations and records otherwise exempt from disclosure under RSA 91-A or other applicable  
28 statutes.

29           25 Allied Health Professionals; Records. RSA 328-F:10 is repealed and reenacted to read as  
30 follows:

31           328-F:10 Records of Disciplinary History. Each governing board shall maintain a list of persons  
32 against whom the board has taken any disciplinary action in accordance with the retention policy  
33 established by the office of professional licensure and certification. This list shall include the name  
34 of the person, the reason for the disciplinary action, the date of the disciplinary action, and the  
35 nature of the disciplinary action.

36           26 Allied Health Professionals; Rulemaking. Amend RSA 328-F:11 to read as follows:

37           328-F:11 Rulemaking by the Governing Boards.

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- Page 8 -

1 I. The governing boards shall adopt rules pursuant to RSA 541-A establishing:

2 (a) The eligibility requirements for initial licensure and for initial certification if  
3 certification of individuals is authorized by their practice acts.

4 (b) The eligibility requirements for license renewal, including any continuing  
5 competency requirements and any requirements for education, clinical experience, and training.

6 (c) The eligibility requirements for renewal of certification, including any continuing  
7 competency requirements and any requirements for education, clinical experience, and training.

8 (d) If the governing boards issue conditional licenses or certifications, conditional  
9 renewal of licenses or certifications, or conditional reinstatement after lapse or suspension of  
10 licenses or certifications, the circumstances under which these are issued and the standards for the  
11 imposition of the conditions.

12 (e) The ~~[application procedures and]~~ eligibility requirements, including any continuing  
13 competency requirements, for the reinstatement of licenses suspended for disciplinary reasons and  
14 for such reinstatement of certifications if authorized by their practice acts.

15 (f) The ~~[application procedures and]~~ eligibility requirements, including any continuing  
16 competency requirements, for the reinstatement of lapsed licenses and for such reinstatement of  
17 certifications if authorized by their practice acts.

18 (g) ~~[The design and content of supplemental application forms requesting applicant  
19 information specific to the profession for which the applicant is applying, which forms may require a  
20 notarized affidavit that the information provided in the application is complete and accurate, and  
21 which do not request information already provided on forms adopted under RSA 328-F:13, IV.~~

22 ~~(h) Application procedures.~~

23 ~~(i)~~ The allocation of disciplinary sanctions in cases of misconduct by licensees and by  
24 certified individuals.

25 II. The governing boards may adopt rules pursuant to RSA 541-A that specify, for their  
26 respective professions:

27 (a) The scope of practice.

28 (b) The ethical standards.

29 (c) The eligibility requirements ~~[and procedures]~~ for the issuance of licenses to  
30 applicants currently licensed in foreign countries and territories and in the territories of the United  
31 States.

32 (d) What constitutes, for disciplinary purposes, sexual relations with and sexual  
33 harassment of, a client or patient.

34 27 Allied Health Professionals; Licenses. Amend RSA 328-F:18, I through the introductory  
35 paragraph of RSA 328-F:18, III to read as follows:

36 I. Each governing board shall issue initial licenses and license renewals to applicants who  
37 have completed the ~~[required]~~ application procedures *established by the office of professional*

1 **licensure and certification** and have met the eligibility requirements established by the practice  
2 act and the rules of the governing board. If a governing board is authorized by its practice act to  
3 issue provisional licenses, it shall issue such licenses to applicants who have completed the  
4 ~~[required]~~ application procedures **established by the office of professional licensure and**  
5 **certification** and have met the eligibility requirements for provisional licensure established by the  
6 practice act and the rules of the governing board.

7 II. The governing boards shall take no action on an application for any type of license, or  
8 reinstate any lapsed or suspended license, until the applicant has completed the application  
9 procedures ~~[required by the practice acts and the rules of the governing boards]~~ **established by the**  
10 **office of professional licensure and certification.**

11 III. To ~~[insure]~~ **ensure** the competency of licensees, the governing boards are authorized to  
12 issue initial licenses, license renewals, and reinstatements of licensure after lapse or suspension for  
13 disciplinary reasons that are conditional in nature. Such conditional licenses may include the  
14 following conditions on the licensee's authorization to practice:

15 28 Allied Health Professionals; Renewals. Amend RSA 328-F:19, III to read as follows:

16 III. Applicants shall submit completed applications for renewal on or before December 1 of  
17 the renewal year. Completed renewal applications submitted between December 2 and December 31  
18 of the renewal year shall be accompanied by a late filing fee **established by the office of**  
19 **professional licensure and certification.** Licenses shall lapse when completed renewal  
20 applications have not been filed by December 31 of the renewal year, and their holders are not  
21 authorized to practice until the licenses have been reinstated.

22 29 Allied Health Professionals; Reinstatement. Amend RSA 328-F:20, III and IV to read as  
23 follows:

24 III. Complies with any application procedure established by the ~~[governing board]~~ **office of**  
25 **professional licensure and certification.**

26 IV. Pays the reinstatement fee **established by the office of professional licensure and**  
27 **certification.**

28 30 Allied Health Professionals; Reinstatement. Amend RSA 328-F:24, III to read as follows:

29 III. Governing boards are authorized to conduct disciplinary proceedings in accordance with  
30 procedural rules adopted by the ~~[board of directors]~~ **office of professional licensure and**  
31 **certification.**

32 31 Repeals; Allied Health. The following are repealed:

33 I. RSA 328-F:6, relative to compensation for governing board members.

34 II. RSA 328-F:12, I and IV, relative to a report of funds.

35 III. RSA 328-F:13, II-V, relative rulemaking by the allied health board of directors.

36 IV. RSA 328-F:15, relative to establishment of fees.

37 32 Repeals; Genetic Counselors. The following are repealed:

1 I. RSA 326-K:7, relative to compensation of the genetic counselors governing board.

2 II. RSA 326-K:9, II, relative to application procedures.

3 33 Physical Therapists; Powers of the Board. Amend RSA 328-A:3, IV to read as follows:

4 IV. Employ or contract with any entity for the purpose of administering examinations  
5 authorized by this chapter *through the office of professional licensure and certification*.

6 34 Physical Therapists; Rules; Animal Physical Therapists. Amend RSA 328-A:4, VIII to read  
7 as follows:

8 VIII. Regarding the establishment, criteria, [fees,] and renewal of, [~~and disciplinary~~  
9 ~~proceedings for~~] certified animal physical therapists under RSA 328-A:15-b.

10 35 Repeals; Physical Therapists. The following are repealed:

11 I. RSA 328-A:3, VIII-XI, relative to duties of the board.

12 II. RSA 328-A:15, I, relative to licensee information.

13 36 Respiratory Care; Rulemaking. Amend RSA 326-E:2, III to read as follows:

14 III. Specifying the [~~application procedures and~~] eligibility requirements to be met by persons  
15 or entities seeking approval as providers of continuing education programs.

16 37 Respiratory Care; Rulemaking. Amend RSA 326-E:11, III to read as follows:

17 III. The board shall establish, through rules adopted pursuant to RSA 541-A, [~~application~~  
18 ~~procedures and~~] eligibility requirements for the approval of persons and entities as providers of  
19 continuing education programs.

20 38 Repeals; Respiratory Care. The following are repealed:

21 I. RSA 326-E:5, II(b) and (c), relative to duties of the governing board.

22 II. RSA 326-E:7, I, relative to licensee and governing board information.

23 39 Speech-language Pathology; Reinstatement. Amend RSA 326-F:7-a, III and IV to read as  
24 follows:

25 III. Complies with any reinstatement application procedures established by the [~~board~~]  
26 *office of professional licensure and certification* in rules adopted pursuant to RSA 541-A.

27 IV. Pays the reinstatement fee *established by the office of professional licensure and*  
28 *certification*.

29 40 Repeal; Speech-language Pathology. RSA 326-F:5, II, relative to rules for applications, is  
30 repealed.

31 41 Barbering, Cosmetology, Esthetics; Board; Quorum. Amend RSA 313-A:2, V to read as  
32 follows:

33 V. The board shall hold at least 6 regular meetings each year. Special meetings may be  
34 called at such times as the rules of the board may provide. A quorum of the board shall consist of [~~no~~  
35 ~~fewer than 4 members~~] *a majority of the members of the board who have been approved by*  
36 *the governor and council*. All meetings of the board shall be open to the public, except when the  
37 board conducts a nonpublic session under RSA 91-A.

1 42 Barbering, Cosmetology, Esthetics; Records. Amend RSA 313-A:4 to read as follows:

2 313-A:4 Maintenance of Records. The board shall maintain a record containing the names and  
3 addresses of all licensees and of all salons, barbershops and schools licensed pursuant to this chapter  
4 ~~[and]~~ ***in accordance with the retention policy established by the office of professional***  
5 ***licensure and certification. The board*** shall issue all notices, license and registration  
6 certificates. The record shall include the date of issuance, renewal, suspension or revocation of all  
7 licenses. This record shall be open to public inspection at all reasonable times.

8 43 Barbering, Cosmetology, Esthetics; Board Duties. Amend RSA 313-A:7, I(a)-(d) to read as  
9 follows:

10 (a) Prescribe the duties of its officers ~~[and employees]~~;

11 (b) Establish an office, within the office of professional licensure and certification at  
12 which all records and files of the board shall be kept ***in accordance with the retention policy***  
13 ***established by the office of professional licensure and certification;***

14 (c) Maintain a telephone line or an electronic mail address for the purpose of accepting  
15 consumer complaints;

16 (d) Keep a record of its proceedings ***in accordance with the retention policy***  
17 ***established by the office of professional licensure and certification;***

18 44 Barbering, Cosmetology, Esthetics; Rulemaking. Amend the introductory paragraph of RSA  
19 313-A:8, II to read as follows:

20 II. The qualifications ~~[of applicants]~~ ***and eligibility requirements for licensure,***  
21 including the qualifications for satisfactory evidence of:

22 45 Barbering, Cosmetology, Esthetics; Barber License. Amend RSA 313-A:10, I(e) to read as  
23 follows:

24 (e) Pay a fee established by the ~~[board]~~ ***office of professional licensure and***  
25 ***certification.***

26 46 Barbering, Cosmetology, Esthetics; Master Barber License. Amend RSA 313-A:10, III(e) to  
27 read as follows:

28 (e) Pay a fee established by the ~~[board]~~ ***office of professional licensure and***  
29 ***certification.***

30 47 Barbering, Cosmetology, Esthetics; Cosmetologists License. Amend RSA 313-A:11, I(e) to  
31 read as follows:

32 (e) Pay a fee established by the ~~[board]~~ ***office of professional licensure and***  
33 ***certification.***

34 48 Barbering, Cosmetology, Esthetics; Applications. Amend RSA 313-A:16 to read as follows:

35 313-A:16 Applications. Applicants shall make written application to the ~~[secretary of the]~~ board  
36 on a form prescribed and supplied by the ~~[board]~~ ***office of professional licensure and***



1 *certification* which shall contain satisfactory evidence of the qualifications required of the  
2 applicant; and the applicant shall also pay the examination fee.

3 49 Barbering, Cosmetology, Esthetics; Temporary Permit. Amend RSA 313-A:18, I to read as  
4 follows:

5 I. Any person eligible to take an examination for a license under this chapter may apply to  
6 the board for a permit to professionally operate temporarily pending the holding of such  
7 examination. The application shall be accompanied by the payment of a fee established by the  
8 [board] *office of professional licensure and certification* which shall be credited as the required  
9 examination fee.

10 50 Barbering, Cosmetology, Esthetics; Renewals. Amend RSA 313-A:20 to read as follows:

11 313-A:20 Expiration and Renewal of Licenses. Each barber, master barber, barber instructor,  
12 apprentice, barbershop, barber school, esthetician, esthetics instructor, esthetics school, esthetics  
13 salon, manicurist, apprentice, beauty salon, or manicuring salon license issued under this chapter  
14 shall expire on the last day of the birth month of the licensee in the odd year next succeeding its date  
15 of issuance. Each cosmetologist, cosmetology instructor, or cosmetology school license issued under  
16 this chapter shall expire on the last day of the birth month of the licensee in the even year next  
17 succeeding its date of issuance. Any personal license which has expired may be renewed within 6  
18 months by payment of the renewal fee and a late fee established by the [board] *office of*  
19 *professional licensure and certification*. After 6 months and within 5 years, a personal license  
20 may be renewed by paying the renewal fee and a late fee established by the [board] *office of*  
21 *professional licensure and certification*. Any school or shop license which has expired may be  
22 renewed upon payment of the renewal fee plus a late fee established by the [board] *office of*  
23 *professional licensure and certification*.

24 51 Barbering, Cosmetology, Esthetics; Apprentices. Amend RSA 313-A:24, II(b) to read as  
25 follows:

26 (b) Paying a fee established by the [board] *office of professional licensure and*  
27 *certification*; and

28 52 Barbering, Cosmetology, Esthetics; Tanning Facilities. Amend RSA 313-A:29 to read as  
29 follows:

30 313-A:29 Registration Fee Required. No person shall operate a tanning facility without paying  
31 an annual registration fee established by the [board] *office of professional licensure and*  
32 *certification*. Registration fees received from each tanning facility shall be deposited into the office  
33 of professional licensure and certification fund.

34 53 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.

37 III. RSA 313-A:8, I, V, and VIII, relative to rules on applications, fees, and hearings.

1 54 Body Art; Fees. Amend RSA 314-A:2, II to read as follows:

2 II. The fee for an initial license and a renewal license shall be ~~[\$110]~~ ***established in rules***  
3 ***adopted by the office of professional licensure and certification.*** The license shall be renewed  
4 biennially on the last day of the licensee's birth month in odd-numbered years upon payment of the  
5 ~~[\$110]~~ renewal fee.

6 55 Body Art; Advisory Board; Compensation. Amend the introductory paragraph of RSA 314-  
7 A:14 to read as follows:

8 314-A:14 Advisory Board of Body Art Practitioners. The executive director shall establish the  
9 advisory board of body art practitioners. The board shall consist of 3 body art practitioners who are  
10 licensees in the state of New Hampshire. Each member shall be appointed to a term of 3 years. No  
11 member shall serve more than 2 consecutive full terms. ~~[Each member of the advisory board shall~~  
12 ~~receive as compensation the sum of \$45 for each day actually devoted to the work of the advisory~~  
13 ~~board and shall be reimbursed for necessary traveling expenses incurred in the discharge of such~~  
14 ~~duty.]~~ The advisory board shall:

15 56 Chiropractic; Rulemaking. Amend RSA 316-A:3, IV to read as follows:

16 IV. Procedures for oral examinations and interviews, if appropriate. Such rules shall  
17 include a listing of permissible areas of inquiry and a statement of the means by which the inquiry  
18 shall be recorded. Transcripts or recordings shall be maintained by the board or commission ~~[for a~~  
19 ~~period of not less than 90 days]~~ ***in accordance with the retention policy established by the***  
20 ***office of professional licensure and certification.***

21 57 Chiropractic; Fees. Amend RSA 316-A:5 to read as follows:

22 316-A:5 Fees. The ~~[board]~~ ***office of professional licensure and certification*** shall establish  
23 fees for examination of applicants, for licenses and for renewal of licenses to practice chiropractic,  
24 and for transcribing and transferring records and other services. ~~[The fees established by the board~~  
25 ~~shall be sufficient to produce estimated revenues equal to 125 percent of the direct operating~~  
26 ~~expenses of the board for the previous fiscal year.]~~

27 58 Chiropractic; Board Meetings. Amend RSA 316-A:7 to read as follows:

28 316-A:7 Organization; Meetings. The board shall elect a chairperson ~~[and a secretary-~~  
29 ~~treasurer]~~. The board shall meet quarterly and at such other times as the business of the board  
30 shall require. ***A quorum shall constitute a majority of the members of the board who have***  
31 ***been approved by the governor and council.***

32 59 Chiropractic; Fees. Amend RSA 316-A:11, I to read as follows:

33 I. Each applicant shall pay to the ~~[secretary-treasurer]~~ ***office of professional licensure***  
34 ***and certification*** a fee, established by the ~~[board]~~ ***office of professional licensure and***  
35 ***certification***, for which the applicant shall be entitled to an examination and to a reexamination, if  
36 necessary, within one year.

37 60 Chiropractic; License Fees. Amend RSA 316-A:14-a and 14-b to read as follows:

1 316-A:14-a Licenses and Certificates. Each applicant who qualifies under this chapter and who  
 2 attains a minimum grade of 70 percent upon the examination given under RSA 316-A:13, I shall  
 3 receive a license from the board as a chiropractor permitted to practice in New Hampshire. The fee  
 4 for an initial license and for a license renewal shall be [~~\$300~~] **as established in rules by the office**  
 5 **of professional licensure and certification**. The initial license and renewal licenses shall be  
 6 valid for the terms established under RSA 316-A:19.

7 316-A:14-b License Fees. Each applicant who qualifies under this chapter shall pay a fee for an  
 8 initial license and for a license renewal [~~of \$300~~] **as established in rules by the office of**  
 9 **professional licensure and certification**. The initial license and license renewals shall be valid  
 10 for the terms established under RSA 316-A:19.

11 61 Chiropractic; Renewals. Amend RSA 316-A:19 and 20 to read as follows:

12 316-A:19 Initial License and License Renewals. The fee for an initial license and license  
 13 renewal issued under this chapter shall be [~~\$300~~] **as established in rules by the office of**  
 14 **professional licensure and certification**. All licenses and renewals issued under the provisions  
 15 of this chapter shall expire on July 1 in each odd numbered year.

16 316-A:20 Renewal. Any person holding a chiropractor's license may have the same renewed  
 17 upon application and payment of the [~~\$300~~] renewal fee **established by the office of professional**  
 18 **licensure and certification**. Each applicant shall submit satisfactory evidence that the applicant  
 19 has completed at least 20 hours of continuing education approved by or conducted by the  
 20 International Chiropractors Association, or the American Chiropractic Association, or the New  
 21 Hampshire board of chiropractic examiners, or any state-chartered chiropractic school or college,  
 22 within one year prior to the date of renewal. In the event of failure to comply with the provisions of  
 23 this section, the applicant shall appear before the board to show cause why the license should not be  
 24 suspended.

25 62 Repeals; Chiropractic. The following are repealed:

26 I. RSA 316-A:3, VIII-XII and XVII, relative to rules on licensee information, hearings and  
 27 fees.

28 II. RSA 316-A:6, relative to board member successors.

29 III. RSA 316-A:9, relative to compensation of board members.

30 IV. RSA 316-A:10, relative to a report.

31 V. RSA 316-A:16, relative to licensure without exam of certain persons.

32 63 Dentistry; Board Meetings. Amend RSA 317-A:4, II to read as follows:

33 II. The board shall choose one of its members as its president and one of its members as  
 34 vice-president. [~~Five members~~] **A majority of the members of the board who have been**  
 35 **approved by the governor and council** shall constitute a quorum. No board action shall be taken  
 36 without an affirmative vote of the majority of board members present and eligible to participate in  
 37 the matter in question. Board members shall not be eligible to participate in a vote when the board

1 member has recused himself or herself from participation due to a conflict of interest. The board  
2 shall meet once a year and at such other times and places as it may deem proper. A true record of  
3 all their official acts shall be made and preserved by the ~~[board's executive director]~~ **office of**  
4 **professional licensure and certification in accordance with the retention policy established**  
5 **by the office.** The records shall be public and shall be open to inspection at all reasonable times,  
6 except for records compiled in connection with disciplinary proceedings, which are subject to RSA  
7 317-A:18.

8 64 Dentistry; Applications. Amend RSA 317-A:8, I to read as follows:

9 I. Applications for licensure shall be made to the board in writing or online and shall be  
10 accompanied by a fee established in rules adopted under RSA 541-A by the ~~[board]~~ **office of**  
11 **professional licensure and certification** and by satisfactory proof that the applicant is a  
12 graduate of a school that is recognized by the Commission on Dental Accreditation (CODA). The  
13 applicant shall be of good professional character and 18 years of age or older.

14 65 Dentistry; Renewals. Amend RSA 317-A:13, II to read as follows:

15 II. Except as provided in RSA 317-A:16, before April 1 in the year of renewal under  
16 paragraph I a person licensed to practice dentistry or dental hygiene in this state shall register with  
17 the board, apply for license renewal, and pay the fee established in rules adopted by the ~~[board]~~  
18 **office of professional licensure and certification.** The timelines of submission of renewal  
19 applications shall be evidenced by date stamp made at the time of receipt at the board's office if hand  
20 delivered, or by postmark if mailed.

21 66 Dentistry; Penalties. Amend RSA 317-A:15 to read as follows:

22 317-A:15 Failure to Register; Penalties. Any person licensed by the board under this chapter  
23 who fails, neglects, or refuses to register pursuant to RSA 317-A:13 shall be assessed a late biennial  
24 registration fee as determined in rules adopted by the ~~[board]~~ **office of professional licensure and**  
25 **certification**, provided the licensee submits a completed renewal application between April 1 and  
26 April 30 of the renewal year. ~~[The payment of the fee may be waived by the board if the board~~  
27 ~~determines that good cause has been shown for the failure to register.]~~ Licenses shall lapse when  
28 complete renewal applications have not been received by the board by April 30 of the renewal year.  
29 Holders of lapsed active licenses are not authorized to practice until they receive written notification  
30 from the board that their licenses have been reinstated.

31 67 Dentistry; Reinstatement. Amend RSA 317-A:15-a, III to read as follows:

32 III. Pays the registration fee, late fee, and reinstatement fee **established in rules by the**  
33 **office of professional licensure and certification.**

34 68 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       69 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       70 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       71 Dietitians; 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       72 Dietitians; 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       73 Dietitians; 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       74 Dietitians; 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       75 Repeal; Dietitians. 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.

37       76 Electrologists; Fees. Amend RSA 314:10, I to read as follows:

1 I. The fee for an initial biennial license and for renewal of the biennial license issued under  
 2 this chapter shall be ~~[\$110]~~ **established in rules by the office of professional licensure and**  
 3 **certification**. The executive director shall establish by rule a schedule of fees for applications,  
 4 examinations, and license replacement.

5 77 Repeal; Electrologists. RSA 314:2-a, IV, relative to compensation for the electrology advisory  
 6 committee, is repealed.

7 78 Funeral Directors; Board. Amend RSA 325:2, I to read as follows:

8 I. There shall be a board of registration of funeral directors and embalmers consisting of 5  
 9 members, including 4 funeral directors or embalmers and one public member, appointed by the  
 10 governor, with the approval of the council, to serve terms of 5 years. No member of the board shall  
 11 be appointed to more than 2 consecutive terms. ~~[The commissioner of the department of health and~~  
 12 ~~human services, or his designee, shall serve as a non-voting secretary of the board.]~~

13 79 Funeral Directors; Quorum. Amend RSA 325:8 to read as follows:

14 325:8 Organization; Quorum. Within 30 days after appointment and qualification of a member,  
 15 the board shall meet and elect from among its members a chairperson and such other officers as the  
 16 board may provide for by rule. This organization shall continue until the appointment of a new  
 17 member or upon the resignation of an existing board officer. The office of secretary and treasurer  
 18 may be held by one member. ~~[Three members]~~ **A majority of the members of the board who**  
 19 **have been approved by the governor and council** shall constitute a quorum for the transaction  
 20 of business.

21 80 Funeral Directors; Rules. Amend RSA 325:9, IV to read as follows:

22 IV. ~~[How a license to practice under this chapter shall be renewed]~~ **Eligibility**  
 23 **requirements for renewal of license**, including the requirements for continuing education;

24 81 Funeral Directors; Fees. Amend RSA 325:12-a to read as follows:

25 325:12-a Fees. The fee for an initial 2-year license and for renewal of a license issued under this  
 26 chapter shall be ~~[- \$110 for embalmers and \$300 for funeral directors]~~ **established by the office of**  
 27 **professional licensure and certification**. The ~~[board]~~ **office of professional licensure and**  
 28 **certification** shall establish fees for examination of applicants, for apprentices, for funeral home  
 29 inspections, and for transcribing and transferring records and other services.

30 82 Funeral Directors; Examinations. Amend RSA 325:18 to read as follows:

31 325:18 Examinations. Examinations of applicants for licensure shall be held at least annually.  
 32 Any person who desires to engage in funeral directing or embalming shall submit in writing to the  
 33 board on forms provided by it an application for licensure accompanied by a fee established by the  
 34 ~~[board]~~ **office of professional licensure and certification**. The board shall require the applicant  
 35 to submit to such examinations as it may deem proper.

36 83 Funeral Directors; Licensure. Amend RSA 325:20 to read as follows:

1 325:20 Licensure. The board shall issue to each applicant successfully passing the examination,  
 2 where an examination is required, and who otherwise satisfies the board of *her or* his qualifications,  
 3 a license, [~~signed by all the members of the board,~~] entitling *her or* him to practice or engage in the  
 4 business in this state as a funeral director, embalmer, or both, as the case may be.

5 84 Funeral Directors; Interstate Agreements. Amend RSA 325:22-a to read as follows:

6 325:22-a Interstate Agreements. The board may enter into an agreement with the  
 7 corresponding licensing authority of any other state competent to enter into such agreement which  
 8 shall permit a nonresident person duly registered and licensed as a funeral director or embalmer in  
 9 any state signing the agreement with the board to go into the other state for the purpose of handling,  
 10 embalming, transporting, and burying dead human bodies and directing funerals as though he *or*  
 11 *she* were licensed under the laws of New Hampshire, except that he *or she* shall not maintain an  
 12 establishment, advertise, have any agent or agency, or otherwise hold himself *or herself* out as a  
 13 funeral director or embalmer other than in his *or her* native state; provided that the agreement will  
 14 set forth that the licensing authority of the state in which the funeral director or embalmer is  
 15 licensed will assume the responsibility for instituting disciplinary action against any licensed  
 16 funeral directors or embalmers who may be guilty of unprofessional conduct in the practice of their  
 17 business in New Hampshire when such is reported by this board and the same to apply to New  
 18 Hampshire *individuals* licensed [~~men~~] *under this chapter*.

19 85 Funeral Directors; Notification. Amend RSA 325:24 to read as follows:

20 325:24 Notices of Expiration. On or before May 15 of each odd-numbered year, the board shall  
 21 [~~mail to~~] *notify* each holder of a license [~~a notice~~] of the expiration of *her or* his license and an  
 22 application for the renewal thereof.

23 86 Funeral Directors; Renewals. Amend RSA 325:25, I to read as follows:

24 I. Every person licensed to practice under this chapter, except as provided in RSA 325:29,  
 25 shall apply to the board every 2 years for license renewal. The board shall require each licensee to  
 26 show proof of meeting the continuing education requirement of RSA 325:28-a. Payment shall be  
 27 made to the [~~board secretary~~] *office of professional licensure and certification* of the renewal  
 28 fee established in RSA 325:12-a.

29 87 Funeral Directors; Apprentices; Term. Amend RSA 325:30 to read as follows:

30 325:30 Issuance; Term; Renewal. Apprentice licenses shall be issued for a period of one year  
 31 and shall terminate one year from the date of issuance unless sooner ended by death, resignation,  
 32 revocation or by ruling or decision of the board. Such licenses may be renewed in the discretion of  
 33 the board. The fees for an original apprentice license shall be established by the [~~board~~] *office of*  
 34 *professional licensure and certification*.

35 88 Repeal; Funeral Directors. The following are repealed:

36 I. RSA 325:6, relative compensation of board members.

37 II. RSA 325:9, I, V, and VIII, relative to rules on applications, fees, and hearings.

1 III. RSA 325:11, relative to a register of licensees.

2 IV. RSA 325:12, relative to a board treasurer.

3 V. RSA 325:33, II, relative to investigations.

4 VI. RSA 325:39, relative to an account.

5 VII. RSA 325:42, relative to a special fund.

6 89 Hearing Care Providers; Board of Hearing Care Providers. Amend RSA 137-F:3, VII to read  
7 as follows:

8 VII. A quorum of the board shall be [~~4 members~~] ***a majority of the members of the board***  
9 ***who have been approved by the governor and council.***

10 90 Hearing Care Providers; Rulemaking. Amend RSA 137-F:6, I and II to read as follows:

11 I. The [~~form and~~] content of audiologist license applications and examinations.

12 II. The [~~form and~~] content of hearing aid dealer registration applications and examinations.

13 91 Hearing Care Providers; Registration of Hearing Aid Dealers. Amend RSA 137-F:8 to read as  
14 follows:

15 137-F:8 Registration of Hearing Aid Dealers Required. No person shall engage in the business  
16 of selling or offering for rent hearing aids unless such person is registered in accordance with this  
17 chapter and unless the registration of such person is current and valid. The fee for an initial  
18 registration under this section [~~is \$300~~] ***shall be established by the office of professional***  
19 ***licensure and certification.*** This section includes the selling or renting of hearing aids by mail in  
20 this state by a person outside the state. Registration certificates shall be renewed biennially on or  
21 before June 30 upon payment of a [~~\$300~~] renewal fee ***established by the office of professional***  
22 ***licensure and certification.***

23 92 Hearing Care Providers; Application for Registration; Fees. RSA 137-F:9 is repealed and  
24 reenacted to read as follows:

25 137-F:9 Application for Registration. An application for a certificate of registration under this  
26 chapter shall be filed with the board in such form and detail as required in accordance with rules  
27 adopted under RSA 541-A.

28 93 Hearing Care Providers; Audiology Licensure Required. Amend RSA 137-F:11, II to read as  
29 follows:

30 II. The board shall license each applicant who satisfies the requirements of this chapter.  
31 Upon payment of a [~~\$300~~] license fee ***established by the office of professional licensure and***  
32 ***certification,*** the board shall issue to such person a certificate of licensure which shall be evidence  
33 of the right to practice as an audiologist. The initial license shall be valid for at least 2 years and  
34 expire on June 30. Renewals shall be valid for 2 years from the date of renewal.

35 94 Hearing Care Providers; License Requirements; Fees. Amend RSA 137-F:13, I(a)-(b) to read  
36 as follows:



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1 (a) Make application to the board, upon a form prescribed by the [audiology  
2 subcommittee] *office of professional licensure and certification*.

3 (b) Pay to the [board] *office of professional licensure and certification* the  
4 appropriate license fee.

5 95 Hearing Care Providers; License Renewal. Amend RSA 137-F:20 to read as follows:

6 137-F:20 License Renewal. A license issued under RSA 137-F:13 shall expire at 12:01 a.m. on  
7 July 1 of the odd year next succeeding its date of issuance. Every person licensed under this chapter  
8 who wishes to renew a license shall, on or before the expiration date, pay a [~~\$300~~] renewal fee  
9 *established by the office of professional licensure and certification* to the board. The board  
10 shall notify each person licensed under this chapter of the date of expiration of such person's license  
11 and the renewal fee required. The notice shall be mailed to such person's last known address as  
12 provided to the board at least 60 days in advance of the expiration of such license. Renewals are  
13 contingent upon evidence of 20 hours or the equivalent in continuing education units, including, but  
14 not limited to, attending professional meetings or completing approved independent studies and  
15 regional in-service programs, as determined by the board.

16 96 Hearing Care Providers; Record. RSA 137-F:29 is repealed and reenacted to read as follows:

17 137-F:29 Record. The board shall maintain a record of its proceedings in accordance with the  
18 retention policy established by the office of professional licensure and certification.

19 97 Hearing Care Providers; Out-of-State Sales Regulated. Amend RSA 137-F:30, III to read as  
20 follows:

21 III. The [board] *office of professional licensure and certification* shall assess fees as  
22 established by rules adopted by the [board] *office* pursuant to RSA 541-A for out-of-state hearing aid  
23 sales companies.

24 98 Repeal; Hearing Care Providers. The following are repealed:

25 I. RSA 137-F:3, V, relative to mileage for members of board of hearing care providers.

26 II. RSA 137-F:4, relative to board subcommittees.

27 III. RSA 137-F:5, VIII and IX, relative to certain powers and duties of the board.

28 IV. RSA 137-F:6, V, XII, and XIII, relative to the board's rulemaking authority.

29 V. RSA 137-F:21, III, relative to the board's authority to appoint legal counsel and  
30 investigatory experts.

31 99 Massage Therapists and Massage Establishments; License Issuance. Amend RSA 328-B:6,  
32 I(a) to read as follows:

33 (a) Submits the required application form and [~~\$110~~] licensing fee *established by the*  
34 *office of professional licensure and certification*.

35 100 Massage Therapists and Massage Establishments; License Renewal. Amend RSA 328-B:7  
36 to read as follows:

1 328-B:7 License Renewal. All licenses issued pursuant to this chapter shall expire on the last  
2 day of the birth month of the licensee in the even-numbered year, upon approval of the executive  
3 director of the renewal application and submission of the required [~~\$110~~] renewal fee *established*  
4 *by the office of professional licensure and certification*.

5 101 Medical Imaging and Radiation Therapy; Organization and Meeting. Amend RSA 328-J:6  
6 to read as follows:

7 328-J:6 Organization and Meetings. The board shall hold meetings at least 2 times per year.  
8 Other meetings of the board shall be held at such times and upon such notice as the rules of the  
9 board provide. [~~Four members~~] *A majority of the members of the board who have been*  
10 *approved by the governor and council* shall constitute a quorum.

11 102 Medical Imaging and Radiation Therapy; Board Responsibilities. Amend RSA 328-J:7 to  
12 read as follows:

13 328-J:7 Board Responsibilities; Rulemaking Authority. The board shall adopt rules, pursuant to  
14 RSA 541-A, relative to:

15 I. [~~The application procedure for any license issued under this chapter.~~

16 II.] The qualifications of applicants in addition to those required by statute.

17 [~~III.~~] II. The [~~design and~~] content of all forms required under this chapter.

18 [~~IV. The establishment of all fees required under this chapter.~~

19 V.] III. How an applicant shall be examined, including:

20 (a) Time and place of examination.

21 (b) The subjects to be tested.

22 (c) Passing grade.

23 (d) Disposition of examination papers.

24 [~~VI. How a license shall be renewed, reinstated, or placed on inactive status.~~

25 VII.] IV. Ethical standards, required to be met by each limited x-ray machine operator,  
26 medical imaging professional, and radiation therapist licensed under this chapter, and how a license  
27 may be revoked for violation of these standards.

28 [~~VIII.~~] V. Establishment of the scope of practice for limited x-ray machine operators, medical  
29 imaging professionals, and radiation therapists.

30 IX.] VI. Procedures for assuring the continuing competence of limited x-ray machine  
31 operators, medical imaging professionals, and radiation therapists licensed under this chapter  
32 including, but not limited to, continuing education requirements and the professional's health  
33 program.

34 X.] VII. How licensees shall provide evidence of good professional character and reliability  
35 to satisfy the board that they shall faithfully and conscientiously avoid professional misconduct and  
36 otherwise adhere to the requirements of this chapter.

1 ~~[XI. Procedures for accepting and responding to written complaints, publicizing the~~  
 2 ~~complaint procedure, standards of and procedures for conducting investigations, investigator~~  
 3 ~~training requirements, and procedures for conducting disciplinary hearings and alternative dispute~~  
 4 ~~resolution under this chapter.~~

5 ~~XII. Procedures relative to the disclosure to the public of final disciplinary actions by the~~  
 6 ~~board, including those actions that occur without holding a public hearing. Dismissed complaints~~  
 7 ~~shall not be made public.~~

8 ~~XIII.] VIII. Standards of care for the practice of telemedicine or telehealth.~~

9 ~~[XIV.] IX. Interstate licensure and temporary permits under RSA 328-J:20.~~

10 ~~[XV.] X. [Procedures for an educational program review and approval to follow in making~~  
 11 ~~application for] **Standards for educational program** approval by the board.~~

12 ~~[XVI.] XI. A process for reviewing the accreditation status of an educational program which~~  
 13 ~~is currently accredited by a recognized national educational accreditation organization.~~

14 103 Medical Imaging and Radiation Therapy; Applications. Amend RSA 328-J:13, I to read as  
 15 follows:

16 I. Applications for licensure or for a temporary license shall be on forms prescribed and  
 17 furnished by the ~~[board]~~ **office of professional licensure and certification**, shall contain  
 18 statements made under oath, showing the applicant's education and a detailed summary of the  
 19 applicant's technical work. The ~~[board]~~ **office of professional licensure and certification** shall  
 20 establish fees for application and any examination required under this chapter. If the board denies  
 21 the issuance of a license or a temporary permit to any applicant, any initial fee deposited shall be  
 22 retained as an application fee.

23 104 Medical Imaging and Radiation Therapy; License Renewal. Amend RSA 328-J:15, II to read  
 24 as follows:

25 II. All licenses issued by the board shall expire on the last day of the licensee's month of  
 26 birth in the second year following the year of issuance, or upon such other biennial date as the board  
 27 may adopt. If the renewal fee is not submitted within 12 months after the expiration date, the  
 28 licensee's name shall be removed from current status, and application for reinstatement shall be  
 29 required to return to current status. The board shall charge a ~~[20 percent]~~ late fee **established by**  
 30 **the office of professional licensure and certification** for each month or fraction of a month the  
 31 renewal is late, up to 12 months, in addition to the renewal fee. Any renewal application received 12  
 32 months after the expiration date shall be rejected, unless accompanied by proof of successful  
 33 completion of the examination required by the board. Licensees shall complete at least 24 hours of  
 34 board-approved continuing education during each license period in order to maintain his or her  
 35 license. If a licensee fails to renew such license within the 12 months after the date of expiration, it  
 36 shall become null and void and the licensee shall be required to reapply and to be re-examined for  
 37 licensure.

1           105 Medical Imaging and Radiation Therapy; Hearings. Amend RSA 328-J:18, V to read as  
2 follows:

3           V. Any disciplinary action by the board shall be ~~[published in the report of the board and~~  
4 ~~shall be]~~ a public record in accordance with RSA 91-A.

5           106 Medical Imaging and Radiation Therapy; Investigative Costs. Amend RSA 328-J:23 to read  
6 as follows:

7           328-J:23 Investigative Costs. For any order issued in resolution of a disciplinary proceeding by  
8 the board, where the board has found misconduct sufficient to support disciplinary action, including  
9 but not limited to a violation of this chapter or an administrative rule adopted under this chapter,  
10 the board may require the registrant who is the subject of such finding to pay the board a sum not to  
11 exceed the reasonable cost of investigation and prosecution of the proceeding. This sum shall not  
12 exceed \$5,000. This sum may be imposed in addition to any otherwise authorized administrative  
13 fines levied by the board as part of the penalty. ~~[The investigative and prosecution costs shall be~~  
14 ~~assessed by the board and any sums recovered shall be credited to the board's fund and disbursed by~~  
15 ~~the board for any future investigations of complaints and activities that violate this chapter or rules~~  
16 ~~adopted under this chapter.]~~

17           107 Repeal; Medical Imaging and Radiation Therapy. RSA 328-J:3, IV, relative to compensation  
18 for members of the board of medical imaging and radiation therapy, is repealed.

19           108 Board of Registration of Medical Technicians; Rulemaking. RSA 328-I:4 is repealed and  
20 reenacted to read as follows:

21           328-I:4 Rulemaking. The board shall adopt rules, pursuant to RSA 541-A, relative to:

22           I. Registration eligibility requirements.

23           II. Eligibility requirements for renewal or reinstatement of a registration to work as a  
24 medical technician.

25           III. The imposition of administrative fines.

26           IV. Procedures for the approval or denial of an application.

27           V. Procedures for sharing information with other in-state boards, the office of inspector  
28 general, department of health and human services, out-of-state boards and law enforcement entities.

29           109 Board of Registration of Medical Technicians; Initial Registration. Amend RSA 328-I:6, I to  
30 read as follows:

31           I. The board may register any person who submits a completed application. The fee for  
32 registration under this chapter shall be ~~[\$110]~~ ***established by the office of professional licensure***  
33 ***and certification.***

34           110 Board of Registration of Medical Technicians; Renewal of Registration. Amend RSA 328-I:8  
35 to read as follows:

36           328-I:8 Renewal of Registration. Certificates of registration issued under this chapter shall be  
37 subject to renewal every 2 years and shall expire unless renewed in the manner prescribed by the

1 board. The fee for renewal of certificates of registration shall be [~~\$110~~] **established by the office of**  
2 **professional licensure and certification**. Certificates of registration for medical technician shall  
3 be renewed upon the payment of the renewal fee.

4 111 Board of Registration of Medical Technicians; Disciplinary Action. Amend RSA 328-I:10,  
5 XIII to read as follows:

6 XIII. When an investigation of a complaint against a registrant is determined to be  
7 unfounded, the board shall dismiss the complaint and explain in writing to the complainant and the  
8 registrant its reason for dismissing the complaint. The board shall destroy all information collected  
9 during the course of the investigation [~~after 6 years. The board shall retain a record only noting that~~  
10 ~~an investigation was conducted and that the board determined the complaint to be unfounded~~] **in**  
11 **accordance with the retention policy established by the office of professional licensure and**  
12 **certification**. For the purpose of this paragraph, a complaint shall be deemed to be unfounded if it  
13 does not fall within the jurisdiction of the board, does not relate to the actions of the registrant, or is  
14 determined by the board to be frivolous.

15 112 Board of Registration of Medical Technicians; Investigative Costs. Amend RSA 328-I:14 to  
16 read as follows:

17 328-I:14 Investigative Costs. For any order issued in resolution of a disciplinary proceeding by  
18 the board, where the board has found misconduct sufficient to support disciplinary action, including  
19 but not limited to a violation of this chapter or an administrative rule adopted under this chapter,  
20 the board may require the registrant who is the subject of such finding to pay the board a sum not to  
21 exceed the reasonable cost of investigation and prosecution of the proceeding. This sum shall not  
22 exceed \$5,000. This sum may be imposed in addition to any otherwise authorized administrative  
23 fines levied by the board as part of the penalty. [~~The investigative and prosecution costs shall be~~  
24 ~~assessed by the board and any sums recovered shall be credited to the board's fund and disbursed by~~  
25 ~~the board for any future investigations of complaints and activities that violate this chapter or rules~~  
26 ~~adopted under this chapter.~~]

27 113 Repeals; Board of Registration of Medical Technicians. The following are repealed:

28 I. RSA 328-I:2, III, relative to compensation for members of the board of registration of  
29 medical technicians.

30 II. RSA 328-I:3, V, VII, VIII, IX, and X, relative to certain duties of the board.

31 III. RSA 328-I:10, XI, relative to notice of disciplinary actions by the board.

32 IV. RSA 328-I:15, relative to the board's annual report.

33 114 Physician Assistants; Conditions for Licensure. Amend the introductory paragraph of RSA  
34 328-D:3, I to read as follows:

35 I. To apply for licensure by the board as a physician assistant, an applicant shall file a  
36 written application on forms provided by the [~~board~~] **office of professional licensure and**  
37 **certification** and pay an application fee. The applicant to be licensed shall:

1 115 Physician Assistants; Renewal of Licenses. Amend RSA 328-D:5 to read as follows:

2 328-D:5 Renewal of Licenses. Every person licensed to practice under this chapter shall apply  
3 to the board for [~~annual~~] **biennial** renewal of license on forms provided by the [~~board~~] **office of**  
4 **professional licensure and certification** and shall pay a renewal fee as established by the  
5 [~~board~~] **office of professional licensure and certification**. Applications for renewal shall be filed  
6 no later than December 31 of [~~each~~] **every other** year and shall include [~~a photocopy~~] **proof** of the  
7 applicant's current national certification [~~card~~]. A license issued under this chapter shall not expire  
8 until the board has taken final action upon the application for renewal.

9 116 Physician Assistants; Failure to Renew. Amend RSA 328-D:5-a, I to read as follows:

10 I. Any licensee who fails to apply for renewal under RSA 328-D:5 shall pay double the  
11 renewal fee, provided the licensee applies and pays the renewal fee no later than 90 days after the  
12 expiration date. Any licensee who fails to apply for renewal of his or her license within the 90-day  
13 period after expiration, shall have his or her license lapse. A lapsed license shall be reinstated only  
14 upon payment of a reinstatement fee as established by the [~~board~~] **office of professional licensure**  
15 **and certification**, and upon showing evidence of professional competence as the board may  
16 reasonably require.

17 117 Physician Assistants; Rulemaking. Amend RSA 328-D:10, I,(b) to read as follows:

18 (b) [~~Form and~~] Content of the application for licensure.

19 118 Physician Assistants; Recordkeeping. RSA 328-D:11 is repealed and reenacted to read as  
20 follows:

21 328-D:11 Recordkeeping. The board shall keep a record of its proceedings under this chapter in  
22 accordance with the retention policy established by the office of professional licensure and  
23 certification.

24 119 Repeal; Physician Assistants. RSA 328-D:10, I(c) and (d), relative to the board of medicine's  
25 rulemaking authority regarding application procedures and the conduct of hearings for physician  
26 assistants, are repealed.

27 120 Physicians and Surgeons; Records. Amend RSA 329:8 to read as follows:

28 329:8 Records. A true record of all of the board's official acts shall be made and preserved [~~by~~  
29 ~~the administrator~~] **in accordance with the retention policy established by the office of**  
30 **professional licensure and certification**. The records shall be public and shall be open to  
31 inspection at all reasonable times, except for records compiled in connection with disciplinary  
32 investigations and records otherwise exempt from disclosure under RSA 91-A, RSA 329:18, or other  
33 applicable statutes.

34 121 Physicians and Surgeons; Qualifications of Licensees. Amend RSA 329:12, I(a) and (b) to  
35 read as follows:

36 (a) Pay a fee established by the [~~board~~] **office of professional licensure and**  
37 **certification**.

1 (b) Submit an application [~~in a form prescribed by the board~~] which shall be verified by  
2 oath.

3 122 Physicians and Surgeons; Professionals' Health Program. Amend RSA 329:13-b, V(a) to  
4 read as follows:

5 V.(a) The [board] **office of professional licensure and certification** may contract with  
6 other organizations to operate the professionals' health program for physicians and physician  
7 assistants who are impaired or potentially impaired because of mental or physical illness including  
8 substance abuse or disruptive behavior. This program shall be available to all physicians and  
9 physician assistants licensed in this state, all physicians and physician assistants seeking licensure  
10 in this state, and all resident physicians in training, and shall include, but shall not be limited to,  
11 education, intervention, ongoing care or treatment, and post-treatment monitoring.

12 123 New Paragraph; Physicians and Surgeons; Professionals' Health Program. Amend RSA  
13 329:13-b by inserting after paragraph VI the following new paragraph:

14 VII. Rules governing the program shall be implemented through the office of professional  
15 licensure and certification pursuant to RSA 310-A:1-d, II(h)(4).

16 124 Physicians and Surgeons; Renewal. Amend RSA 329:16-a to read as follows:

17 329:16-a Renewal. Every person licensed to practice under this chapter, except as provided in  
18 RSA 329:16-c, shall apply to the board on a biennial basis for renewal of license on forms provided by  
19 the [board] **office of professional licensure and certification** and shall pay a renewal fee as  
20 established by the [board] **office of professional licensure and certification**. If a person applies  
21 to the board for a renewal of license by June 30 of the year in which the licensee's renewal is set to  
22 occur, the person's license shall not expire until the board has taken final action upon the application  
23 for renewal.

24 125 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.

28 126 Physicians and Surgeons; Neglect to Renew. Amend RSA 329:16-e to read as follows:

29 329:16-e Neglect to Renew. Any licensee who fails to renew his or her license by June 30 of the  
30 year in which the licensee's renewal is set to occur shall be required to pay double the renewal fee if  
31 paid within 90 days of the expiration date. Any failure, neglect, or refusal on the part of any person  
32 licensed by the board to renew the license as provided in RSA 329:16-a or this section shall  
33 automatically lapse such license. Licenses lapsed under this section for nonpayment within 90 days  
34 shall not be reinstated except upon payment of a reinstatement fee as established by the [board]  
35 **office of professional licensure and certification**, and a showing of such evidence of professional  
36 competence as the board may reasonably require.

37 127 Physicians and Surgeons; Reinstatement. Amend RSA 329:16-h to read as follows:

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1       329:16-h Reinstatement. Any person whose name has been placed on the inactive list may be  
2 restored to active status upon the filing of a written request for reinstatement of license,  
3 accompanied by the reinstatement fee as established by the [board] *office of professional*  
4 *licensure and certification*, proof of satisfaction of continuing medical education requirements  
5 established by RSA 329:16-g, and such other evidence of professional competence as the board may  
6 reasonably require.

7       128 Physicians and Surgeons; Disciplinary Action. Amend RSA 329:17, V-a to read as follows:

8       V-a. A medical review subcommittee of 13 members shall be nominated by the board of  
9 medicine and appointed by the governor and council. The subcommittee shall consist of 13 persons,  
10 9 of whom shall be physicians, one of whom shall be a physician assistant, and 3 of whom shall be  
11 public members. One of the physician members shall practice in the area of pain medicine and  
12 anesthesiology. No public member of the subcommittee shall be or ever have been a member of the  
13 medical profession or the spouse of a member of the medical profession. No public member shall  
14 have or ever have had a material financial interest in either the provision of medical services or an  
15 activity directly related to medicine, including the representation of the board or profession for a fee.  
16 The terms of the public members shall be staggered so that no 2 public members' terms expire in the  
17 same year. The subcommittee members shall be appointed for 3-year terms, and shall serve no more  
18 than 2 terms. Upon referral by the board, the subcommittee shall review disciplinary actions  
19 reported to the board under paragraphs II-V of this section, except that matters concerning a  
20 medical director involved in a current internal or external grievance pursuant to RSA 420-J shall not  
21 be reviewed until the grievance process has been completed. Following review of each case, the  
22 subcommittee shall make recommendations to the board. [~~Funds shall be appropriated from the~~  
23 ~~general fund for use by the subcommittee to investigate allegations under paragraphs I-V of this~~  
24 ~~section.] The state of New Hampshire, by the board and the office of professional licensure and  
25 certification, and with the approval of governor and council, shall contract with a qualified physician  
26 to serve as a medical review subcommittee investigator.~~

27       129 Physicians and Surgeons; Disciplinary Action. Amend RSA 329:17, XIII to read as follows:

28       XIII. When an investigation of a complaint against a licensee is determined to be unfounded,  
29 the board shall dismiss the complaint and explain in writing to the complainant its reason for  
30 dismissing the complaint. The board may destroy all information collected during the course of the  
31 investigation [~~after 3 years~~] *in accordance with the retention policy established by the office*  
32 *of professional licensure and certification*. The board shall retain a record only noting that an  
33 investigation was conducted and that the board determined the complaint to be unfounded. For the  
34 purpose of this paragraph, a complaint shall be deemed to be unfounded if it does not fall within the  
35 jurisdiction of the board, does not relate to the actions of the licensee, or is determined by the board  
36 to be frivolous.



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1 130 Physicians and Surgeons; Denial or Revocation of License. Amend RSA 329:17-c to read as  
2 follows:

3 329:17-c Denial or Revocation of License. Upon receipt of an administratively final order from  
4 the licensing authority of another jurisdiction which imposes disciplinary sanctions against a  
5 licensee of the board, or a person applying for such license, the board may issue an order directing  
6 the licensee or applicant to appear and show cause why similar disciplinary sanctions or, in the case  
7 of an applicant, license denial or restriction, should not be imposed in the state. In any such  
8 proceeding, the decision of the foreign licensing authority may not be collaterally attacked, but the  
9 licensee or applicant shall be given the opportunity to demonstrate why a lesser sanction should be  
10 imposed. The board may issue any disciplinary sanction or take any action with regard to a license  
11 application pursuant to this section otherwise permitted by this chapter, including sanctions or  
12 actions which are more stringent than those imposed by the foreign jurisdiction. ~~[The board may  
13 adopt summary procedures for handling proceedings brought under this chapter, but shall furnish  
14 the respondent at least 10 days' written notice and a reasonable opportunity to be heard.]~~ The board  
15 may require a licensee to suspend practice in this state as a condition of postponing a hearing date  
16 established for allegations brought under this section.

17 131 Physicians and Surgeons; Denial or Revocation of License. Amend RSA 329:18, II to read as  
18 follows:

19 II. The board through the office of professional licensure and certification may retain expert  
20 witnesses or other qualified persons to assist with any investigation or adjudicatory proceeding.  
21 Members of the board are not eligible for retainment. ~~[The board may also retain special legal  
22 counsel in instances when recommended by the attorney general. To the extent the board's existing  
23 appropriation does not include funds covering such expenditures, the board through the office of  
24 professional licensure and certification may request the governor and council to expend funds not  
25 otherwise appropriated on the condition that such funds be recovered in the board's next budget at  
26 the rate of 125 percent.]~~

27 132 Repeal; Physicians and Surgeons. The following are repealed:

28 I. RSA 329:2, II(e), III, and IV, relative to duties of the board of medicine regarding  
29 physicians and surgeons.

30 II. RSA 329:5, relative to compensation for members of the board and the medical review  
31 subcommittee.

32 III. RSA 329:9, I, VI, and VII, relative to rulemaking authority regarding applications,  
33 hearings, and fees.

34 IV. RSA 329:14, IV, relative to license format.

35 V. RSA 329:19, relative to record of accounts.

36 133 Mental Health Practice; Committees Established; Duties. Amend RSA 330-A:4, I and I-a to  
37 read as follows:

1 I. The board [~~shall~~] **may** create an advisory committee for each mental health discipline it  
2 licenses for the purpose of assisting the board in its responsibilities under RSA 330-A:10, II, and  
3 RSA 330-A:10, VII-XV. The board member of each mental health discipline shall serve as the chair  
4 of that advisory committee. The balance of the membership of each of the advisory committees shall  
5 be composed of at least 2 persons and no more than 4 persons licensed in the mental health  
6 discipline of that committee.

7 I-a. The board [~~shall~~] **may** create a professional conduct investigation committee for the  
8 purpose of assisting the board in its responsibilities under RSA 330-A:28 and RSA 330-A:29. A  
9 board investigator, appointed by the chairperson of the board with the advice of the board, shall  
10 serve as the chair of the professional conduct investigation committee. The balance of the  
11 membership of the professional conduct investigation committee shall be composed of one licensed  
12 clinical social worker, one licensed clinical mental health counselor, and additional members from  
13 the professions licensed by the board to a maximum of 12 members.

14 134 Mental Health Practice; Organization and Meetings. Amend RSA 330-A:9, I to read as  
15 follows:

16 I. The board shall hold regular annual meetings. Other meetings of the board shall be held  
17 at such times and upon such notice as the rules of the board provide. [~~Five members~~] **A majority of**  
18 ***the members of the board who have been approved by the governor and council*** shall  
19 constitute a quorum.

20 135 Mental Health Practice; Board; Responsibilities and Rulemaking Authority. RSA 330-A:10  
21 is repealed and reenacted to read as follows:

22 330-A:10 Board; Responsibilities and Rulemaking Authority. The board shall adopt rules,  
23 pursuant to RSA 541-A, relative to:

24 I. Procedures for expedited licensure for applicants from other states who qualify under RSA  
25 330-A:26.

26 II. The qualifications of applicants in addition to those requirements set by statute.

27 III. How an applicant shall be examined, including:

28 (a) Time and place of examination.

29 (b) The subjects to be tested.

30 (c) Passing grade.

31 (d) Disposition of examination papers.

32 IV. Ethical standards, as promulgated by the American Association of Pastoral Counselors,  
33 required to be met by each pastoral psychotherapist licensed under this chapter, and how a license  
34 may be revoked for violation of these standards.

35 V. Ethical standards, as promulgated by the National Association of Social Workers,  
36 required to be met by each licensed clinical social worker, and how a license may be revoked for  
37 violation of these standards.

1 VI. Ethical standards, including those promulgated by the American Clinical Mental Health  
2 Counselors Association, required to be met by each licensed clinical mental health counselor, and  
3 how a license may be revoked for violations of these standards.

4 VII. Ethical standards, including those promulgated by the American Association of  
5 Marriage and Family Therapy, required to be met by each licensed marriage and family therapist,  
6 and how a license may be revoked for violations of these standards.

7 VIII. Compliance with the mental health client bill of rights as authorized under RSA 330-  
8 A:15.

9 IX. Procedures, standards, and supervision requirements for candidates for licensure as a  
10 member of one of the licensed mental health disciplines, consistent with the standards established  
11 by the advisory committee for each of the licensed mental health disciplines. All candidates for  
12 licensure shall be documented with the board. The supervision shall be at a location mutually  
13 convenient to both the supervisor and the candidate for licensure.

14 X. Establishment of the scope of practice for each mental health discipline licensed under  
15 this chapter, consistent with the standards established by the advisory committee for each of the  
16 licensed mental health disciplines.

17 XI. Procedures for assuring the continuing competence of persons licensed under this  
18 chapter including, but not limited to, continuing education requirements, provided that at least 3  
19 hours of the required continuing education units for biennial renewal shall be from a nationally  
20 recognized, evidence-based or best practices training organization in the area of suicide prevention,  
21 intervention, or postvention and how mental illness, substance use disorders, trauma, or  
22 interpersonal violence directly impacts risk for suicide.

23 XII. How licensees shall provide evidence of good professional character and reliability to  
24 satisfy the board that they shall faithfully and conscientiously avoid professional misconduct and  
25 otherwise adhere to the requirements of this chapter.

26 XIII. The content of the materials and information to be distributed under RSA 330-A:14.

27 XIV. Requirements to be met by licensees relative to the disclosure of information to  
28 patients and the general public concerning the nature of mental health care and the responsibilities  
29 of mental health practitioners to clients in RSA 330-A:15.

30 XV. Procedures and mechanisms for providing interdisciplinary collaboration among the  
31 mental health disciplines.

32 136 Mental Health Practice; Applicants From Other States. Amend RSA 330-A:26, II to read as  
33 follows:

34 II. An applicant whose state licensure meets the requirements in paragraph I shall be  
35 allowed to practice in this state not more than 30 days after the application is received by the board,  
36 pending final approval or denial of the license for other reason by the board. The board shall adopt  
37 rules under RSA 330-A:10, I [~~and I-a~~] *relative* to [~~ensure the timely review and approval of~~

1 ~~applications under this section]~~ *procedures for expedited licensure for applicants from other*  
2 *states.*

3 137 Mental Health Practice; Hearings. Amend RSA 330-A:29, IV to read as follows:

4 IV. The respondent shall be heard in his or her defense either in person or by counsel and  
5 may produce witnesses and testify in his or her behalf. A ~~[stenographic]~~ record of the hearing shall  
6 be taken and preserved. The hearing may be adjourned from time to time.

7 138 Mental Health Practice; Expirations, Renewals, Reinstatements, and Inactive Status.  
8 Amend RSA 330-A:31, I and II to read as follows:

9 I. Licenses shall be valid for a period of 2 years and shall become invalid on the expiration  
10 date unless renewed. It shall be the duty of the board to notify every person licensed by the board  
11 under this chapter of the date of expiration of the license and the amount of the fee that shall be  
12 required for its renewal for 2 years. Such notice shall be mailed at least 2 months in advance of the  
13 date of expiration of such license. Renewal shall be conditional upon filing a timely and complete  
14 renewal application and payment of the fee as set by the ~~[board]~~ *office of professional licensure*  
15 *and certification.*

16 II. If a license is not renewed it may be reinstated not later than 6 months after the date of  
17 license expiration upon payment of the fee *established by the office of professional licensure*  
18 *and certification* and compliance with rules adopted by the board. A license may be placed on  
19 inactive status pursuant to rules adopted by the board.

20 139 Repeal; Mental Health Practice. The following are repealed:

21 I. RSA 330-A:7, relative to compensation and expenses.

22 II. RSA 330-A:12, relative to fees.

23 III. RSA 330-A:13, relative to records and reports.

24 140 Midwifery; Council Established. Amend RSA 326-D:3, IV to read as follows:

25 IV. Members of the council shall elect a chairperson annually from among their members.  
26 The council shall meet at least quarterly and may hold additional meetings at such times as it may  
27 deem necessary. A quorum of the council shall consist of ~~[no fewer than 4 members]~~ *a majority of*  
28 *the members of the council who have been approved by the governor and council.*

29 141 Midwifery; Powers and Duties of the Council. Amend RSA 326-D:4, I to read as follows:

30 I. The powers and duties of the council shall include:

31 (a) Certifying eligible applicants for certification under this chapter.

32 (b) ~~[Establishing fees for examination of applicants.~~

33 ~~(e)]~~ Investigating complaints against persons certified under this chapter.

34 ~~[(d)]~~ (c) Undertaking, when appropriate, disciplinary proceedings and disciplinary  
35 action against persons certified under this chapter.

36 ~~[(e) Reporting to the commissioner immediately on all complaints received and~~  
37 ~~disciplinary action taken.]~~

1 142 Midwifery; Rulemaking. Amend RSA 326-D:5 to read as follows:

2 326-D:5 Rulemaking.

3 I. The council shall adopt rules, pursuant to RSA 541-A, relative to:

4 (a) Qualifications for the practice of midwifery.

5 (b) The teaching of midwifery.

6 (c) The scope of practice and procedures in the practice of midwifery, including policies  
7 for professional direction and supervision.

8 (d) ~~[Procedures]~~ **Eligibility requirements** for the certification of midwives and the  
9 issuance of certificates of midwifery, including procedures for provisional certification and  
10 recertification after certification has lapsed.

11 (e) Renewal ~~[procedures]~~ **eligibility requirements**, including requirements for  
12 continuing education and peer review.

13 (f) Diagnostic and laboratory tests midwives may administer and perform and the  
14 proper administration of RSA 326-D:12.

15 (g) Standards for reciprocity.

16 (h) ~~[Establishing examination fees authorized under RSA 326-D:4, I(b)].~~

17 ~~(i)~~ Establishing all administrative fines authorized under RSA 326-D:8, III(a)(4).

18 ~~(j)~~ **(i)** Reporting requirements relative to client information and notification of  
19 transfers.

20 II. No rule relative to the scope of midwifery practice shall exceed the parameters of the  
21 definition of "midwifery" under RSA 326-D:2, V.

22 ~~[III. Notwithstanding RSA 541 A:16, I(b)(2), the council shall adopt the model rules for  
23 adjudicative hearings adopted by the attorney general under RSA 541 A:30 a. The council may  
24 adopt supplements or modifications to the model rules pursuant to RSA 541 A:30 a, IV. Rehearings  
25 and appeals to the council shall be conducted pursuant to the provisions of RSA 541.]~~

26 143 Midwifery; Certification. Amend RSA 326-D:6, I and II to read as follows:

27 I. No person shall practice midwifery in this state without first obtaining certification from  
28 the council. The council shall certify for the practice of midwifery any person applying for such  
29 certification who meets the qualifications adopted under RSA 326-D:5, I(a) and who submits a ~~[\$110]~~  
30 certification fee **established by the office of professional licensure and certification**.

31 II. Certification issued under this chapter shall be subject to renewal every 2 years and shall  
32 expire unless renewed in accordance with rules adopted by the council and upon payment of a ~~[\$110]~~  
33 renewal fee **established by the office of professional licensure and certification**.

34 144 Midwifery; Certificate of Renewal; Continuing Education. Amend RSA 326-D:11 to read as  
35 follows:

36 326-D:11 Certificate Renewal; Continuing Education. Every person certified under this chapter  
37 shall apply to the council for certificate renewal every 2 years. Renewals of certificates shall be

1 contingent upon presentation of satisfactory evidence to the council of having met the continuing  
2 education requirements established by the council pursuant to RSA 326-D:5, I(e) and shall be  
3 accompanied by the renewal fee established [~~pursuant to RSA 326-D:4, I(b)~~] **by the office of**  
4 **professional licensure and certification**. All certificates shall automatically lapse 2 years after  
5 the date of issuance unless a timely and complete renewal application has been filed with the  
6 council. In no event shall a certificate, for which a timely and complete application for renewal has  
7 been submitted, expire before the council has taken final action upon the application.

8 145 Repeals; Midwifery. The following are repealed:

9 I. RSA 326-D:2, III relative to a definition of commissioner.

10 II. RSA 326-D:9, relative to a report.

11 III. RSA 326-D:10, relative to powers and duties of commissioner.

12 146 Naturopathic Health Care Practice; Naturopathic Board of Examiners. Amend RSA 328-  
13 E:7, V to read as follows:

14 V. Members of the board shall elect a chairperson annually from among the members.  
15 [~~Three~~] **A majority of the** members of the board **who have been approved by the governor and**  
16 **council** constitute a quorum for the transaction of business.

17 147 Naturopathic Health Care Practice; Powers and Duties of the Board. RSA 328-E:8 is  
18 repealed and reenacted to read as follows:

19 328-E:8 Powers and Duties of the Board.

20 I. The board shall:

21 (a) Insure that doctors of naturopathic medicine serving the public meet minimum  
22 standards of proficiency and competency to protect the health, safety and welfare of the public.

23 (b) Administer and enforce all provisions of this chapter, which pertain to licensees and  
24 applicants, and all rules adopted by the board under the authority granted in this chapter.

25 (c) Maintain a record of its acts and proceedings, including the issuance, refusal,  
26 renewal, suspension or revocation of licenses in accordance with the retention schedule established  
27 by the office of professional licensure and certification.

28 (d) Keep all applications for licensure in accordance with the retention policy established  
29 by the office of professional licensure and certification.

30 (e) Maintain a record of the results of all examinations it gives in accordance with the  
31 office of professional licensure and certification.

32 (f) Keep all examination records including written examination records and tape  
33 recordings of the questions and answers in oral examinations in accordance with the retention policy  
34 established by the office of professional licensure and certification.

35 (g) Keep the records of the board open to public inspection at all reasonable times.

36 (h) Adopt and use a seal, the imprint of which, together with the signatures of the  
37 chairman or vice-chairman and the secretary-treasurer of the board, shall evidence its official acts.

1 (i) Annually compile and publish a directory.

2 II. The board shall have the power to subpoena witnesses and administer oaths in any  
3 hearing or disciplinary proceedings, and to compel, by subpoena duces tecum, the production of  
4 papers and records.

5 III. Witnesses summoned before the board shall be paid the same fees as witnesses  
6 summoned to appear before the superior court, and such summons shall have the same effect as  
7 though issued for appearance before such court.

8 IV. The board shall accept written complaints from the public against licensees and conduct  
9 necessary investigations of such complaints.

10 148 Naturopathic Health Care Practice; Qualification for Licensure. Amend RSA 328-E:9, I (g)  
11 to read as follows:

12 (g) File an application and pay the [\$300] license fee *established by the office of*  
13 *professional licensure and certification*.

14 149 Naturopathic Health Care Practice; License Renewal and Continuing Education. Amend  
15 RSA 328-E:13, I to read as follows:

16 I. The license to practice naturopathic medicine shall be renewed biennially. A fee in the  
17 amount [~~of \$300~~] *established by the office of professional licensure and certification* shall  
18 accompany the application for renewal.

19 150 Repeals; Naturopathic Health Care. The following are repealed:

20 I. RSA 328-E:7, VI, relative to the board serving without pay.

21 II. RSA 328-E:15, relative to administration.

22 115 Physician Assistants; Renewal of Licenses. Amend RSA 328-D:5 to read as follows:

23 328-D:5 Renewal of Licenses. Every person licensed to practice under this chapter shall apply  
24 to the board for [~~annual~~] *biennial* renewal of license on forms provided by the [~~board~~] *office of*  
25 *professional licensure and certification* and shall pay a renewal fee as established by the  
26 [~~board~~] *office of professional licensure and certification*. Applications for renewal shall be filed  
27 no later than December 31 of [~~each~~] *every other* year and shall include [~~a photocopy~~] *proof* of the  
28 applicant's current national certification [~~card~~]. A license issued under this chapter shall not expire  
29 until the board has taken final action upon the application for renewal.

30 152 Nurse Practice Act; Rulemaking Authority. Amend RSA 326-B:9, I and II to read as follows:

31 I. [~~Application procedures and~~] Eligibility requirements for the issuance of all initial,  
32 temporary, and renewal licenses, specialty licenses, and certificates issued by the board, including  
33 the issuance of such licenses to applicants holding a currently valid license or other authorization to  
34 practice in another jurisdiction.

35 II. [~~Application procedures and~~] Eligibility requirements for the reinstatement of licenses  
36 after lapse and after disciplinary action.

1 153 Nurse Practice Act; Fees; Licensure; All Applicants. Amend RSA 326-B:16, I to read as  
2 follows:

3 I. Submit a completed application and fees as established by the [board] *office of*  
4 *professional licensure and certification.*

5 154 Nurse Practice Act; Fees; License Renewal; All Licensees. Amend RSA 326-B:22, II(a) to  
6 read as follows:

7 (a) By midnight on his or her date of birth in the renewal year submit a completed  
8 application and fees as established by the [board] *office of professional licensure and*  
9 *certification;*

10 155 Nurse Practice Act; License Reinstatement. Amend RSA 326-B:23, III to read as follows:

11 III. Application for reinstatement of a license which has lapsed under this section shall  
12 include payment of a reinstatement fee *established by the office of professional licensure and*  
13 *certification* and be made, and granted or denied, in accordance with rules adopted by the board  
14 pursuant to RSA 541-A.

15 156 Nurse Practice Act; Certificate of Medication Administration for Licensed Nursing  
16 Assistants. Amend RSA 326-B:27, I(c) to read as follows:

17 (c) Has paid the certification fee *established by the office of professional licensure*  
18 *and certification.*

19 157 Nurse Practice Act; Alternative Recovery Monitoring Program. Amend RSA 326-B:36-a, VI  
20 to read as follows:

21 VI.(a) The [board] *office of professional licensure and certification* shall contract with  
22 other organizations to operate the alternative recovery monitoring program for licensees who are  
23 impaired by substance use disorder or mental or physical illness. This program may include, but  
24 shall not be limited to, assessment, education, intervention, drug and alcohol testing, temporary  
25 suspension or limitation of clinical privileges, drug addiction counseling, participation in peer  
26 support groups, record keeping with respect to success and failure rates, post-treatment assessment  
27 and monitoring, and other alternatives approved by the board.

28 (b) The [board] *office of professional licensure and certification* may allocate  
29 amounts determined by the board from the annual license renewal fees it collects from licensees in  
30 each class of nurses licensed by the board, to provide funding for the alternative recovery monitoring  
31 program as set forth in subparagraph (a).

32 (c) ~~[No later than July 1, 2019, the board shall adopt rules under RSA 541-A for the~~  
33 ~~procedures and other matters required to implement this section]~~ *Rules governing this program*  
34 *shall be implemented through the office of professional licensure and certification*  
35 *pursuant to RSA 310-A:1-d, II(h)(4).*

36 158 Repeals; Nurse Practice Act. The following are repealed:

37 I. RSA 326-B:3, VII, relative to compensation of members of the board of nursing.



1 II. RSA 326-B:4, XIII, relative to establishing and collecting fees by the board of nursing.

2 III. RSA 326-B:6, relative to collection and expenditure of funds.

3 159 Nursing Home Administrators; Rulemaking. RSA 151-A:4-a, II-VII are repealed and  
4 reenacted to read as follows:

5 II. To establish a schedule of fines.

6 III. To establish requirements for disciplinary proceedings and criteria for disciplinary  
7 actions, including suspending, revoking or placing conditions on a license.

8 IV. To establish standards and criteria for licensing, application and examination of  
9 applicants, and criteria for granting waivers of experience pursuant to RSA 151-A:5, II.

10 V. To establish criteria for review and approval of educational requirements, including  
11 formal educational requirements for licensure or renewal and practical training requirements.

12 160 Nursing Home Administrators; Qualifications for Admission to Examination. Amend the  
13 introductory paragraph of RSA 151-A:5 to read as follows:

14 151-A:5 Qualifications for Admission to Examination. The board shall admit to examination for  
15 licensure as a nursing home administrator any candidate who pays a [~~\$300~~] licensing fee  
16 ***established by the office of professional licensure and certification*** and submits evidence of  
17 good moral character and suitability prescribed by the board and evidence that the candidate is at  
18 least 21 years old and has completed preliminary education satisfactory to the board; provided:

19 161 Nursing Home Administrators; Licenses. Amend RSA 151-A:7, III and IV to read as  
20 follows:

21 III. [~~Any license issued by the board under or pursuant to the provisions of this section shall~~  
22 ~~be under the hand and seal of the secretary of the board.~~

23 IV.] If the board finds that programs of training and instruction conducted within the state  
24 are not sufficient in number or content to enable nursing home administrators to meet requirements  
25 established pursuant to this chapter, the board may request the department of health and human  
26 services to institute and conduct or arrange with others to conduct one or more such programs, and  
27 shall make provision for their accessibility to residents of this state. The department of health and  
28 human services may approve programs conducted within and without this state as sufficient to meet  
29 education and training requirements established pursuant to this chapter. For purposes of this  
30 paragraph, the department of health and human services shall have the authority to receive and  
31 disburse state funds allocated for this purpose and federal funds received pursuant to section  
32 1908(e)(1) of the Social Security Act.

33 162 Nursing Home Administrators; Registration. Amend RSA 151-A:8, II-IV to read as follows:

34 II. Upon making an application for a new certificate of registration such individual shall pay  
35 a [~~\$300~~] biennial registration renewal fee ***established by the office of professional licensure and***  
36 ***certification.***

1           III. Upon receipt of such application for registration, the registration fee and the evidence  
2 required with respect to the rules and regulations of the board, the board shall issue a certificate of  
3 registration to such nursing home administrator.

4           IV. Upon complaint or other knowledge of a nursing home administrator's violation of any  
5 provision of this chapter and for the health, safety, and protection of the public, the board is granted  
6 emergency license suspension authority. The ~~[secretary of the]~~ board may ~~[upon recommendation of~~  
7 ~~the board,]~~ immediately suspend an administrator's license to practice, pending notice and hearing  
8 as provided under RSA 541-A. For any license so suspended, the ~~[secretary]~~ **board** shall also notify  
9 the bureau of health facilities administration.

10          163 Nursing Home Administrators; Reciprocity. Amend the introductory paragraph of RSA 151-  
11 A:9 to read as follows:

12          151-A:9 Reciprocity. The board, subject to the provisions of this chapter and the rules and  
13 regulations of the board promulgated thereunder prescribing the qualifications for nursing home  
14 administrator license, may endorse a nursing home administrator license issued by the proper  
15 authorities of any other state upon payment of a reasonable fee as established by the ~~[board]~~ **office**  
16 **of professional licensure and certification** and upon submission of evidence satisfactory to the  
17 board that:

18          164 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          165 Ophthalmic Dispensing; Application and Registration Fees. Amend RSA 327-A:7 to read as  
26 follows:

27          327-A:7 Application and Registration Fees. Every application for a certificate of registration for  
28 ophthalmic dispensing shall be accompanied by a non-refundable registration fee ~~[of \$110]~~  
29 **established by the office of professional licensure and certification**. Upon approval of the  
30 application by the executive director, the applicant shall be issued a certificate of registration for  
31 ophthalmic dispensing, which shall be renewed biennially on or before June 30 upon payment of the  
32 renewal fee. The fee for renewal of any certificate of registration shall be ~~[\$110]~~ **established by the**  
33 **office of professional licensure and certification**.

34          166 Ophthalmic Dispensing; Rulemaking. Amend RSA 327-A:12, I and II to read as follows:

35           I. ~~[The]~~ **Eligibility requirements for** registration ~~[application form and content, and the~~  
36 ~~license application procedures]~~.

1 II. ~~[The application form, content, and procedure]~~ **Eligibility requirements** for a renewal  
2 or reinstatement of a registration to practice ophthalmic dispensing, in accordance with RSA 327-  
3 A:3.

4 167 Optometry; Licenses; Qualifications. Amend RSA 327:6 to read as follows:

5 327:6 Licenses; Qualifications. No person, except as otherwise provided in this chapter, shall  
6 practice optometry without a license. The board shall not issue a license to any applicant until the  
7 person has passed an examination approved by the board, and has presented satisfactory evidence in  
8 the form of affidavits properly sworn to, that the person is over 18 years of age and of good moral  
9 character, has completed a minimum of 2 years at a college of arts and sciences and has graduated  
10 from a school or college of optometry approved by the board, maintaining a minimum of 4 years in  
11 optometric training. Persons who submit an application which demonstrates that they meet the  
12 eligibility requirements of this chapter and any rules adopted by the board pursuant to RSA 541-A,  
13 and pay the [~~\$300~~] licensing fee **established by the office of professional licensure and**  
14 **certification**, shall be licensed by the board.

15 168 Optometry; Renewal of Licenses. Amend RSA 327:13, I to read as follows:

16 I. All licenses issued under this chapter shall be renewed biennially on or before June 30  
17 upon payment of a [~~\$300~~] license renewal fee **established by the office of professional licensure**  
18 **and certification**.

19 169 Optometry; Contact Lens Prescriptions to be Provided to Patient. Amend RSA 327:25-a,  
20 IV(c) to read as follows:

21 (c) The board of pharmacy or the board of registration in optometry shall assess [~~the~~  
22 ~~following~~] **the** registration fees for out-of-state contact lens sale companies[~~:~~

23 ~~(1) \$300 for the initial registration.~~

24 ~~(2) \$150 for an annual registration renewal]~~ **established by the office of**  
25 **professional licensure and certification**.

26 170 Optometry; Rulemaking Authority. RSA 327:31, I-X are repealed and reenacted to read as  
27 follows:

28 I. The qualifications of applicants in addition to those requirements set by RSA 327:6 and  
29 RSA 327:6-a;

30 II. How an applicant shall be examined including:

31 (a) Time and place of examination, and

32 (b) Passing grade;

33 III. How a license to practice optometry shall be renewed or reinstated;

34 IV. Ethical and professional standards, in addition to those specified by RSA 327:20,  
35 required to be met by each holder of a license to practice optometry and how disciplinary actions by  
36 the board shall be implemented pursuant to RSA 327:21, RSA 327:22, and RSA 327:27 for violations  
37 of these standards;

1 V. Requirements for continuing education in addition to those requirements set by RSA  
2 327:33 and RSA 327:33-a;

3 VI. Additions or alterations to the defined pharmaceutical agents for diagnostic purposes as  
4 set forth in RSA 327:1, III;

5 VII. Procedural and substantive requirements for assessing, compromising, and collecting  
6 administrative fines as authorized by RSA 327:20, III(e); and

7 VIII. Prescribing controlled drugs pursuant to RSA 318-B:41.

8 171 Repeal; Optometry. The following are repealed.

9 I. RSA 327:4, relative to organization and reports.

10 II. RSA 327:5, relative to compensation.

11 III. RSA 327:5-a, relative to fees.

12 IV. RSA 327:33-b, relative to consumer publication.

13 172 Pharmacy Board; Fees. Amend RSA 318:6-a to read as follows:

14 318:6-a Fees; **Restoration**.

15 ~~I. The board shall establish fees for examination of applicants, for licenses and for renewal~~  
16 ~~of licenses to practice pharmacy, for licensed advanced pharmacy technicians, for registration and~~  
17 ~~certification of pharmacy technicians, and for transcribing and transferring records and other~~  
18 ~~services.~~

19 ~~II.]~~ The fee for restoration of a suspended, revoked, or voluntarily surrendered license,  
20 registration, or certification under this chapter shall not include the assessment of charges or  
21 renewal fees for the period in which the licensee, registrant, or certificate holder was not permitted  
22 to practice in this state.

23 173 Pharmacy Board; Inspectional Services. Amend RSA 318:9-a to read as follows:

24 318:9-a Inspectional Services. The pharmacy board **through the office of professional**  
25 **licensure and certification** shall provide inspectional services under this chapter and RSA 318-  
26 B:25 to the board of medicine, the board of veterinary medicine, the board of podiatry, the board of  
27 registration in optometry, the board of dental examiners, the board of nursing, and the naturopathic  
28 board of examiners.

29 174 Pharmacy Board; Application Fee for Pharmacist License. Amend RSA 318:23 to read as  
30 follows:

31 318:23 Application Fee for Pharmacist License. Each person applying for a license to practice  
32 the profession of pharmacy in this state by way of examination shall pay a reasonable application fee  
33 to be established by the ~~[pharmacy board]~~ **office of professional licensure and certification**.  
34 This fee shall include the cost of investigating the applicant's qualifications to become a pharmacist  
35 in this state.

36 175 Pharmacy Board; Renewal Of License. Amend RSA 318:25, II to read as follows:

1 II. Pay a reasonable fee established by the [board] *office of professional licensure and*  
 2 *certification;*

3 176 Pharmacy Board; Neglect to Renew. Amend RSA 318:26 to read as follows:

4 318:26 Neglect to Renew. Any failure, neglect or refusal on the part of any person licensed by  
 5 the board to renew his license as provided in RSA 318:25 shall cause the license to lapse. Licenses  
 6 lapsed under this section shall not be restored except upon payment of a restoration fee as  
 7 established by the [board] *office of professional licensure and certification*, and a showing of  
 8 evidence, as the board may require, demonstrating professional competence.

9 177 Pharmacy Board; Change in Name, Employment or Residence. Amend RSA 318:26-a to  
 10 read as follows:

11 318:26-a Change in Name, Employment, or Residence. Any pharmacist, licensed advanced  
 12 pharmacy technician, or pharmacy technician who changes his or her name, place or status of  
 13 employment, or residence shall notify the board in writing within 15 days. For failure to report such  
 14 a change within 15 days, the board may suspend the pharmacist's license, the advanced pharmacy  
 15 technician's license, or the pharmacy technician's registration. Reinstatement shall be made only  
 16 upon payment of a reasonable fee as established by the [board] *office of professional licensure*  
 17 *and certification*.

18 178 Pharmacy Board; Impaired Pharmacist Program. Amend RSA 318:29-a, VI to read as  
 19 follows:

20 VI.(a) The [board] *office of professional licensure and certification* may contract with  
 21 other organizations to operate the impaired pharmacist program for pharmacists who are impaired  
 22 by drug or alcohol abuse or mental or physical illness. This program shall include, but is not limited  
 23 to, education, intervention and post-treatment monitoring.

24 (b) The [board] *office of professional licensure and certification* may allocate an  
 25 amount determined by the [board] *office of professional licensure and certification* from each  
 26 pharmacist biennial license renewal fee it collects to provide funding for the impaired pharmacist  
 27 program as set forth in subparagraph VI(a).

28 ***VII. Rules governing the impaired pharmacist program shall be implemented***  
 29 ***through the office of professional licensure and certification pursuant to RSA 310-A:1-d,***  
 30 ***II(h)(4).***

31 179 Pharmacy Board; Required; Compliance. Amend RSA 318:37, II(b)(2) to read as follows:

32 (2) Submit to the New Hampshire pharmacy board an application for registration as  
 33 provided by the [~~New Hampshire pharmacy board~~] *office of professional licensure and*  
 34 *certification;*

35 180 Pharmacy Board; Permit; Fees. Amend RSA 318:38, II and III to read as follows:

36 II. All pharmacy permits shall expire when there is a change of ownership of the pharmacy  
 37 or at midnight on December 31 biennially in each odd-numbered year *for odd-numbered licenses*

1 *or on December 31 of each even-numbered year for even-numbered licenses.* Every pharmacy  
 2 that wishes to continue to operate as such shall renew its permit no later than December [15  
 3 ~~biennially in odd-numbered years~~] *31 of the renewal year according to license number* or  
 4 immediately when the permit expires for any other reason. It shall be deemed a violation of the  
 5 provisions of this chapter for any pharmacy to be open or operated beyond the expiration date of its  
 6 permit.

7 III. All applicants for a pharmacy permit shall pay a reasonable fee as established by the  
 8 ~~[board]~~ *office of professional licensure and certification* for each original pharmacy permit and  
 9 for each renewal thereof.

10 181 Pharmacy Board; Possession and Sale of Drugs and Devices for Administration;  
 11 Wholesalers. Amend RSA 318:51-a, I to read as follows:

12 I. No person shall manufacture legend drugs or controlled drugs as that term is defined in  
 13 RSA 318-B:1, VI and no person as a wholesaler, distributor, or reverse distributor shall supply the  
 14 same without first having obtained a license to do so from the ~~[board]~~ *office of professional*  
 15 *licensure and certification.* Such license shall expire biennially on June 30 of every even-  
 16 numbered year. An application together with a reasonable fee as established by the board shall be  
 17 filed biennially by midnight on June 30 of every even-numbered year.

18 182 Pharmacy Board; Possession and Sale of Drugs and Devices for Administration; Licensing of  
 19 Limited Retail Drug Distributors. Amend RSA 318:51-b, I to read as follows:

20 I. No person shall operate as a limited retail drug distributor, as defined in RSA 318:1, VII-  
 21 a, without first having obtained a license to do so from the board. Such license shall expire  
 22 biennially on June 30 of each odd-numbered year. An application together with a reasonable fee as  
 23 established by the ~~[board]~~ *office of professional licensure and certification* shall be filed  
 24 biennially by midnight June 15 of every odd-numbered year.

25 183 Pharmacy Board; Possession and Sale of Drugs and Devices for Administration;  
 26 Outsourcing. Amend RSA 318:51-c, I to read as follows:

27 I. No person shall compound legend drugs or controlled drugs, as defined in RSA 318-B:1,  
 28 VI, and no person acting as or employed by an outsourcing facility shall supply such drugs, without  
 29 first having obtained a license from the board. Such license shall expire biennially on June 30 of  
 30 each odd-numbered year. An application together with a fee established by the ~~[board]~~ *office of*  
 31 *professional licensure and certification* shall be filed biennially by June 15 of every odd-  
 32 numbered year.

33 184 Pharmacy Board; Possession and Sale of Drugs and Devices for Administration; Licensure  
 34 of Research Organizations. Amend RSA 318:51-f, I to read as follows:

35 I. No research organization shall procure or conduct research operations with prescription  
 36 drugs by researchers without first having obtained a license from the board. Such license shall  
 37 expire biennially on June 30 of each odd-numbered year. An application together with a reasonable

1 fee as established by the ~~board~~ *office of professional licensure and certification* shall be filed  
2 biennially by June 15 of every odd-numbered year.

3 185 Pharmacy Board; Penalties. Amend RSA 318:55, III to read as follows:

4 III. For any order issued in resolution of a disciplinary proceeding before the board, the  
5 board may require that any licensee, permittee, registrant, or certificate holder found guilty of a  
6 charge involving any drug law or rule to pay to the board a sum not to exceed the reasonable cost of  
7 investigation and prosecution of the proceeding. The sum shall not exceed \$5,000. The costs to be  
8 assessed shall be fixed by the board and any sums recovered shall be paid to the state treasurer for  
9 deposit in the ~~general fund~~ *office of professional licensure and certification fund*.

10 186 Repeal; Pharmacy Board. The following are repealed:

11 I. RSA 318:4, relative to the compensation of pharmacy board members.

12 II. RSA 318:5-a, I, III, V, VII, VIII, XI, and XI-b, relative to rulemaking on applications,  
13 forms and fees:

14 III. RSA 318:6, relative to the pharmacy board secretary.

15 IV. RSA 318:11, relative to pharmacy board reports.

16 V. RSA 318:51-e, I and IV, relative to rules for outsourcing facilities.

17 187 Podiatry; Requirements; Cross Reference Change. Amend RSA 315:2, II to read as follows:

18 II. Any person applying for licensure under this chapter, including any person seeking to  
19 restore or renew, shall provide the board with information relating to podiatric competence and  
20 professional conduct, in accordance with rules adopted under ~~[RSA 315:4, X]~~ *RSA 315:4, V*.

21 188 Podiatry; Peer Review Committee. Amend RSA 315:2-a to read as follows:

22 315:2-a Peer Review Committee. The board ~~[shall]~~ *may* establish a peer review committee  
23 consisting of 2 podiatrists appointed by the board and one medical practitioner, appointed by the  
24 board subject to the approval of the board of medicine. Each appointee shall serve for a 2-year term.

25 189 Podiatry; Rulemaking Authority. RSA 315:4 is repealed and reenacted to read as follows:

26 315:4 Rulemaking Authority. The board shall adopt rules, pursuant to RSA 541-A, relative to:

27 I. The qualifications of applicants in addition to those requirements set by statute.

28 II. Eligibility requirements for renewal of licensure, including the requirements for  
29 continuing education.

30 III. Ethical standards required to be met by each holder of any license issued under this  
31 chapter and how such license may be revoked for violation of these standards.

32 IV. The imposition of administrative fines authorized under RSA 315:9, III(f); and

33 V. Information required by the board in its application relative to the applicant's podiatric  
34 competence and professional conduct. /

35 VI. Prescribing controlled drugs pursuant to RSA 318-B:41.

36 190 Podiatry; Records and Reports. Amend RSA 315:5 to read as follows:

37 315:5 Records and Reports.

1           ~~[I.]~~ The board shall keep a true record of its official acts *in accordance with the retention*  
 2 *policy established by the office of professional licensure and certification.* With the  
 3 exception of records compiled in connection with investigatory and deliberative aspects of  
 4 disciplinary investigations and material otherwise exempt from disclosure under RSA 91-A or other  
 5 applicable statutes, the board's records shall be subject to inspection at the board's office upon  
 6 reasonable notice during ordinary business hours.

7           ~~[II.]~~ ~~The board shall keep a record of the names and residences of all persons holding licenses~~  
 8 ~~or privileges under this chapter and a record of all money received and disbursed by the board.~~

9           ~~III.~~ ~~The board shall report to the governor and council biennially in September. This report~~  
 10 ~~shall contain a full and complete account of all official actions taken during the preceding 2-year~~  
 11 ~~period, together with a statement of the receipts and disbursements of the board and such comments~~  
 12 ~~as the board in its discretion deems necessary.]~~

13           191 Podiatry; Licenses. Amend RSA 315:8, I to read as follows:

14           I. The board shall issue a license to applicants who have submitted a complete application,  
 15 paid a ~~[\$300]~~ license fee *established by the office of professional licensure and certification,*  
 16 achieved a satisfactory examination score, and satisfied all other criteria of competence and  
 17 professional character required by this chapter.

18           192 Podiatry; License Renewal; Inactive Status. Amend RSA 315:11, I to read as follows:

19           I. Every person licensed to practice under this chapter shall apply to the board biennially on  
 20 or before June 30 for renewal of license on forms provided by the board and shall pay a ~~[\$300]~~  
 21 renewal fee *established by the office of professional licensure and certification.* As a  
 22 condition of renewal of license, each licensee shall show proof of having completed the continuing  
 23 education units as required in rules adopted by the board.

24           193 Podiatry; Neglect to Renew. Amend RSA 315:12 to read as follows:

25           315:12 Neglect to Renew. Any licensee who fails to renew his or her license by June 30 of the  
 26 year in which the licensee's renewal is set to occur, shall be required to pay double the renewal fee if  
 27 paid within 90 days of the expiration date. Any failure, neglect, or refusal on the part of any person  
 28 licensed by the board to renew the license as provided in RSA 315:11 or this section shall  
 29 automatically result in the lapse of the license. Licenses lapsed under this section for nonpayment  
 30 within 90 days shall not be reinstated except upon payment of a reinstatement fee as established in  
 31 rules adopted by the ~~[board]~~ *office of professional licensure and certification,* and a showing of  
 32 such evidence of professional competence as the board may reasonably require.

33           194 Podiatry; Notice of Expiration. Amend RSA 315:13 to read as follows:

34           315:13 Notice of Expiration. The secretary shall ~~[mail-a]~~ *provide* notice to each holder of a  
 35 license that has not been renewed within 90 days of the expiration date, advising him or her of the  
 36 expiration of the license and the penalty of practicing podiatry without holding a license and the  
 37 condition and terms upon which his or her license may be reinstated.



1 195 Podiatry; Reinstatement. Amend RSA 315:13-a to read as follows:

2 315:13-a Reinstatement. Any person who has not renewed his or her license within 90 days of  
3 the expiration date shall only have his or her license restored upon the filing of a reinstatement  
4 application, accompanied by the reinstatement fee as established by the ~~[board]~~ **office of**  
5 **professional licensure and certification**, proof of satisfaction of continuing podiatric education  
6 requirements established by ~~[RSA 315:4, V]~~ **RSA 315:4, II**, and such other evidence of professional  
7 competence as the board may reasonably require.

8 196 Repeals; Podiatry. The following are repealed:

9 I. RSA 315:3, relative to compensation of members of the board of podiatry.

10 II. RSA 315:15, relative to reports of the board of podiatry.

11 197 Controlled Drug Prescription Health and Safety Program; Operation. Amend RSA 318-  
12 B:33, VI-VII to read as follows:

13 VI. The ~~[program administrator]~~ **executive director** may issue a waiver to a dispenser that  
14 is unable to submit prescription information by electronic means. Such waiver may permit the  
15 dispenser to submit prescription information by paper form or other means, provided all information  
16 required by paragraph IV is submitted in this alternative format and within the established time  
17 limit.

18 VII. The ~~[program administrator]~~ **executive director** may grant a reasonable extension to a  
19 dispenser that is unable, for good cause, to submit all the information required by paragraph IV  
20 within the established time limits.

21 198 Controlled Drug Prescription Health and Safety Program; Information. Amend RSA 318-  
22 B:35 to read as follows:

23 318-B:35 Providing Controlled Drug Prescription Health and Safety Information.

24 I. The ~~[program administrator]~~ **executive director** may provide information in the  
25 prescription health and safety program upon request only to the following persons:

26 (a) By electronic or written request to prescribers, dispensers, and the chief medical  
27 examiner and delegates within the state who are registered with the program:

28 (1) For the purpose of providing medical or pharmaceutical care to a specific patient;

29 (2) For reviewing information regarding prescriptions issued or dispensed by the  
30 requester; or

31 (3) For the purpose of investigating the death of an individual.

32 (b) By written request, to:

33 (1) A patient who requests his or her own prescription monitoring information.

34 (2) The board of dentistry, the board of medicine, the board of nursing, the board of  
35 registration in optometry, the board of podiatry, the board of veterinary medicine, and the pharmacy  
36 board; provided, however, that the request is pursuant to the boards' official duties and

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.

36 199 Controlled Drug Prescription Health and Safety Program; Advisory Council Established.  
37 Amend the introductory paragraph of RSA 318-B:38, I to read as follows:

1 I. There is hereby established an advisory council to carry out the duties under this  
2 subdivision. Members of the council shall not ~~[be compensated for serving on the council, or]~~ serve  
3 on the council for more than ~~[one 5-year term except for the attorney general, or designee, or the~~  
4 ~~commissioner of the department of health and human services, or designee]~~ **3 consecutive 3-year**  
5 **terms.** The members of the council shall be as follows:

6 200 Psychologists; Committees Established; Duties. Amend RSA 329-B:4, I-III to read as  
7 follows:

8 I. The board ~~[shall]~~ **may** create an advisory committee for the purpose of assisting the board  
9 in its responsibilities under RSA 329-B:10. A board member shall be appointed by the board to chair  
10 the advisory committee. The balance of the membership of the advisory committee shall be  
11 composed of psychologists licensed by the board to a maximum of 4 members.

12 II. The board ~~[shall]~~ **may** create a committee for professional conduct investigations for the  
13 purpose of assisting the board in its responsibilities under RSA 329-B:22 and RSA 329-B:23. A  
14 board investigator, appointed by the chairperson of the board with the advice and consent of the  
15 board, shall chair the professional conduct investigation committee. The balance of the membership  
16 of the professional conduct investigation committee shall be composed of psychologists licensed by  
17 the board to a maximum of 12 members.

18 III. The board ~~[shall]~~ **may** create a professional's health committee to administer the  
19 professional's health program which shall address issues that may impinge on a practitioner's ability  
20 to practice. A board member, appointed by the chairperson of the board with the advice and consent  
21 of the board, shall chair the professional's health committee. The balance of the membership of the  
22 professional's health committee shall be composed of psychologists licensed by the board to a  
23 maximum of 12 members.

24 201 Psychologists; Organization and Meetings. Amend RSA 329-B:9, I to read as 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.

29 202 Psychologists; Establishment of Fees. Amend RSA 329-B:12 to read as follows:

30 329-B:12 Establishment of Fees.

31 ~~[I.]~~ The fee for an initial license shall be ~~[\$300]~~ **established by the office of professional**  
32 **licensure and certification.** The license shall be renewed biennially on or before June 30 upon  
33 payment of a ~~[\$300]~~ renewal fee **established by the office of professional licensure and**  
34 **certification.**

35 ~~[II.]~~ ~~The board shall establish fees applicable to psychologists for review of applicants;~~  
36 ~~reinstatement of license; inactive license status; reactivation of an inactive license; examination of~~

1 ~~applicants; transcribing and transferring records; and other services, including investigations and~~  
2 ~~hearings conducted under this chapter.]~~

3 203 Psychologist; Psychologist License. Amend RSA 329-B:15 to read as follows:

4 329-B:15 Psychologist License.

5 I. The board shall issue a psychologist license to any person who:

6 (a) Has passed a satisfactory examination in psychology.

7 (b) Has received the doctoral degree based on a program of studies, the content of which  
8 was primarily psychological, from a regionally accredited educational institution having a graduate  
9 program, or its substantial equivalent in both subject matter and extent of training.

10 (c) Has had at least 2 years of satisfactory, supervised experience in the field of  
11 psychology.

12 (d) Is of good professional character.

13 (e) Has paid all fees established and collected by the ~~board~~ **office of licensure and**  
14 **certification.**

15 (f) Has submitted a complete set of fingerprints and a criminal history records release  
16 form in accordance with RSA 329-B:14-a.

17 II. Examinations for applicants under this chapter shall be held by the board at least once  
18 each year. The board shall determine the subject and scope of the examination, which may be  
19 written, oral, or both. If an applicant fails the first examination, the applicant may be admitted to a  
20 subsequent examination upon the payment of an additional fee in the amount established by the  
21 ~~board~~ **office of licensure and certification.**

22 204 Psychologists; Complaints. Amend RSA 329-B:23, I to read as follows:

23 I. Any complaint not dismissed or settled informally shall be heard by the board. Such  
24 hearing shall be an open public hearing. Any member of the board shall have the authority to  
25 preside at such a hearing and to issue oaths or affirmations to witnesses. **Dismissed complaints**  
26 **shall not be made public.**

27 205 Psychologists; Hearings. Amend RSA 329-B:23, 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~~ **recording** of the  
30 hearing shall be taken and preserved. The hearing may be adjourned from time to time.

31 206 Repeals; Psychologists. The following are repealed:

32 I. RSA 329-B:7, relative to compensation of members of the board of psychology and related  
33 committees.

34 II. RSA 329-B:10, I, IV, VI, XII, and XVI.

35 III. RSA 329-B:11, relative to receipts and disbursements from the board of psychology.

36 IV. RSA 329-B:27, IV, relative to certain administrative rules relative to psychologists.

1       207 Reflexologists, Structural Integrators, and Asian Bodywork Therapists; Practitioner license  
2 Issuance. Amend RSA 328-H:8, I(c) to read as follows:

3               (c) Makes payment of the ~~[\$110]~~ license fee ***established by the office of professional***  
4 ***licensure and certification;***

5       208 Reflexologists, Structural Integrators, and Asian Bodywork Therapists. Amend RSA 328-  
6 H:9, II to read as follows:

7               II. All licenses issued pursuant to this chapter shall be renewed biennially on or before June  
8 30 upon approval by the executive director of the renewal application and submission of the required  
9 ~~[\$110]~~ renewal fee ***established by the office of professional licensure and certification.***

10       209 Reflexologists, Structural Integrators, and Asian Bodywork Therapists; Fund. Amend RSA  
11 328-H:15 to read as follows:

12       328-H:15 Administrative Fines. The executive director, after notice and an opportunity for a  
13 hearing, pursuant to rules adopted under RSA 541-A, may impose an administrative fine not to  
14 exceed \$2,000 for each offense upon any person who violates any provision of this chapter or rules  
15 adopted pursuant to it. Rehearings and appeals from a decision of the executive director shall be in  
16 accordance with RSA 541. Any administrative fine imposed under this section shall not preclude the  
17 imposition of further penalties or administrative actions under this chapter. The executive director  
18 shall adopt rules in accordance with RSA 541-A relative to administrative fines which shall be scaled  
19 to reflect the scope and severity of the violation. The sums obtained from the levying of  
20 administrative fines under this chapter shall be forwarded to the state treasurer to be deposited into  
21 the ~~[general fund]~~ ***office of professional licensure and certification fund.***

22       210 Repeal; Reflexologists, Structural Integrators, and Asian Bodywork Therapists. RSA 328-  
23 H:6, II, relative to the compensation of members of the advisory board, is repealed.

24       211 New Hampshire Veterinary Practice Act; Meetings and Duties. Amend RSA 332-B:5 to read  
25 as follows:

26       332-B:5 Meetings and Duties. The board shall meet at least 6 times a year at the time and place  
27 fixed by rule of the board. Other necessary meetings may be called by the president of the board by  
28 giving notice as may be required by rule. The quorum and the actions of the board shall be in  
29 accordance with RSA 91-A. At its annual meeting, the board shall organize by electing a president  
30 and such other officers as may be prescribed by rule. Officers of the board serve for terms of one  
31 year and until a successor is elected, without limitation on the number of terms an officer may serve.  
32 The president shall preside at board meetings and serve as administrative head of the board. ~~[The~~  
33 ~~board shall submit annually to the governor a report on the transactions of the board, including an~~  
34 ~~account of monies received and disbursed as shall be required by the state auditors.]~~ Records shall  
35 be kept ~~[by the administrative assistant]~~ pursuant to RSA 91-A:3 ***and in accordance with the***  
36 ***retention policy established by the office of professional licensure and certification.***

37       212 New Hampshire Veterinary Practice Act; Revenues. Amend RSA 332-B:6 to read as follows:

1 332-B:6 Revenues. All revenues received by the board shall be deposited in the [general] *office*  
2 *of professional licensure and certification* fund.

3 213 New Hampshire Veterinary Practice Act; Application for Licensure. Amend RSA 332-B:9 to  
4 read as follows:

5 332-B:9 Application for License; Qualifications. Any person desiring a license to practice  
6 veterinary medicine in this state shall make written application to the board. The application shall  
7 show that the applicant is 18 years of age or more, a graduate of an AVMA accredited school of  
8 veterinary medicine or other veterinary school acceptable to the board, or the holder of an ECFVG  
9 certificate or a PAVE certificate, a person of good professional character, and such other information  
10 and proof as the board may require by rule. The application shall be accompanied by a fee in the  
11 amount established and published by the [board] *office of professional licensure and*  
12 *certification*.

13 214 New Hampshire Veterinary Practice Act; License Expiration and Renewal. Amend RSA  
14 332-B:13, I to read as follows:

15 I. All licenses shall expire biennially on December 31 of each even-numbered year for even-  
16 numbered licenses and on December 31 of each odd-numbered year for odd-numbered licenses but  
17 may automatically be renewed by filing a renewal application and paying a renewal fee established  
18 in rules adopted by the [board] *office of professional licensure and certification*, subject to  
19 paragraph II; except that for licenses which expire December 31, 2011, odd numbered licenses shall  
20 be issued for 2 years and even numbered licenses shall be issued for one year, and the board shall  
21 charge fees accordingly. Not later than one month prior to the expiration date, the board shall mail  
22 a notice to licensed veterinarians that their license will expire on December 31 and provide them  
23 with a license renewal application. Persons previously licensed who allow their license to lapse shall  
24 be required to file a reinstatement application containing such information as required by the board.  
25 Persons who have allowed their license to lapse more than 5 years shall apply for reinstatement of  
26 licensure in accordance with RSA 332-B:17.

27 215 New Hampshire Veterinary Practice Act; Hearing, Decisions, and Appeals. Amend RSA  
28 332-B:16, I to read as follows:

29 I. Adjudicatory proceedings shall be open to the public. The board's public docket file for  
30 each such proceeding shall include a taped or written account of all oral hearings and shall be  
31 retained by the board [~~for 6 years from the issuance of the final decision~~] *in accordance with the*  
32 *retention policy established by the office of professional licensure and certification*.

33 216 Repeal; Veterinary Practice Act. The following are repealed:

34 I. RSA 332-B:3, III, relative to compensation of members of the veterinary medicine board.

35 II. RSA 332-B:7, III, relative to the power of the board of veterinary medicine to set certain  
36 fees.

1           III. RSA 332-B:7, V-a, relative to the power of the board of veterinary medicine to  
2 compensate board counsel, assistants, and investigators.

3           IV. RSA 332-B:7-a, I, III, and VII-IX, relative to certain rulemaking authority of the board of  
4 veterinary medicine.

5           217 General Administration of Regulatory Boards and Commissions; Reciprocity Information.  
6 Amend the introductory paragraph of RSA 332-G:12, I to read as follows:

7           I. All boards or commissions, including the board of hearing care providers established in  
8 RSA 137-F:3, ***shall grant a license to an individual certified or licensed in another state if it***  
9 ***determines that the requirements or standards for certification or licensure in that state***  
10 ***are equivalent to, or greater than, those established in New Hampshire. All boards and***  
11 ***commissions*** shall post information on their website relative to reciprocal licensure or certification  
12 for persons holding a current and valid license or certification for the practice of the regulated  
13 profession in another state. Such information shall include a list of the states which the board or  
14 commission has determined to have license or certification requirements equal to, or greater than,  
15 the requirements of this state. The posting shall also list states with which the board or commission  
16 has:

17           218 General Administration of Regulatory Boards and Commissions; Petition for Review of a  
18 Criminal Record. Amend RSA 332-G:13, XIII to read as follows:

19           XIII. The office of professional licensure and certification shall establish an annual reporting  
20 requirement ***for the boards and commissions within the office*** of the (a) number of applicants  
21 petitioning each board or commission, (b) the numbers of each board's or commission's approvals and  
22 denials, (c) the type of offenses for which each board or commission approved or denied the petitions,  
23 and (d) other data the office determines. The office will compile and publish annually a report on a  
24 searchable public website.

25           219 General Administration of Regulatory Boards and Commissions; Reciprocal and Temporary  
26 Licenses. Amend RSA 332-G:14, III to read as follows:

27           III. A person applying for a temporary license ***from a board or commission within the***  
28 ***office of professional licensure and certification*** shall present to the office of professional  
29 licensure and certification:

30           (a) A current equivalent license from another jurisdiction in the United States.

31           (b) A statement of good standing from the licensing authority.

32           (c) Authorization for a criminal history records check, if required.

33           (d) A completed application.

34           (e) A certification that the person has committed no acts or omissions which are grounds  
35 for disciplinary action in another jurisdiction, or, if such acts have been committed, would be  
36 grounds for disciplinary action.

37           (f) Other information specifically required by the board.

1 (g) Payment of a fee [~~not to exceed \$100~~] *established by the office of professional*  
2 *licensure and certification.*

3 220 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.~~]

26 221 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;

29 222 Professional Engineers; Applications. Amend RSA 310-A:16 to read as follows:

30 310-A:16 Applications. Applications for licensure or for a temporary permit shall be [~~on forms~~  
31 ~~prescribed and furnished by the board~~] *made using the format prescribed by the office of*  
32 *professional licensure and certification*, shall contain statements made under oath, showing the  
33 applicant's education and a detailed summary of the applicant's technical work, and shall contain  
34 not less than 5 references, of whom at least 3 shall be licensed professional engineers having  
35 personal knowledge of the applicant's professional experience. The [~~board~~] *office of professional*  
36 *licensure and certification* shall establish fees for application and any examination required



1 under this subdivision. If the board denies the issuance of a license or a temporary permit to any  
2 applicant, any initial fee deposited shall be retained as an application fee.

3 223 Professional Engineers; Certificates; Seals. Amend RSA 310-A:18 to read as follows:

4 310-A:18 Certificates; Seals. The board shall issue a license, upon payment of the registration  
5 fee established by the [board] *office of professional licensure and certification*, to any applicant  
6 who, in the opinion of the board, has satisfactorily met all the requirements of this subdivision.  
7 Licenses shall show the full name of the licensee, have a serial number, and be signed by the  
8 chairperson and the secretary of the board under seal of the board. The issuance of a license by the  
9 board shall be prima facie evidence that the person named in the license is entitled to all the rights  
10 and privileges of a licensed professional engineer while the license remains valid. Each licensee  
11 shall upon licensure obtain a seal of the design authorized by the board, bearing the registrant's  
12 name and the legend, "Licensed Professional Engineer." All papers or documents involving the  
13 practice of engineering under this subdivision, when issued or filed for public record, shall be dated  
14 and bear the signature and seal of the licensed professional engineer who prepared or had  
15 responsibility for and approved them. It shall be a class B misdemeanor for the licensee to stamp or  
16 seal any documents with such seal after the license of the licensee has expired or has been revoked,  
17 unless such license shall have been renewed or reissued.

18 224 Professional Engineers. Amend RSA 310-A:21 to read as follows:

19 310-A:21 License Expiration and Renewals. All licenses issued by the board shall expire on the  
20 last day of the month of the licensee's birth in the year 2 years following the year of issuance. The  
21 board shall cause notification of the impending license expiration to be sent to each licensee at least  
22 one month prior to the expiration of the license. If the renewal fee is not submitted within 12  
23 months after the expiration date, the licensee's name shall be removed from current status, and  
24 application for reinstatement shall be required to return to current status. The [board] *office of*  
25 *professional licensure and certification* shall charge a 20 percent reinstatement fee for each  
26 month or fraction of a month the renewal is late, up to 12 months, in addition to the renewal fee. If  
27 a professional engineer is 70 years or older at time of renewal, and the professional engineer has  
28 held an engineering license continuously for the 10-year period immediately preceding the renewal,  
29 the [board] *office of professional licensure and certification* may waive the renewal fee in  
30 accordance with rules adopted by the [board] *office of professional licensure and certification*.

31 225 Repeal; Professional Engineers. The following are repealed:

32 I. RSA 310-A:3, IV, relative to compensation for members of the board of engineers.

33 II. RSA 310-A:3, VII, relative to the roster of professional engineers published by the  
34 secretary of state.

35 III. RSA 310-A:6, I(a), (e), (h), (j), and (k), relative to certain rulemaking authority of the  
36 board of engineers.

37 IV. RSA 310-A:7, relative to fees adopted by the board of engineers.

1 226 Board of Architects; Establishment. Amend RSA 310-A:29, 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 or appoint a chairperson, vice-  
5 chairperson, and secretary. ~~[Three members]~~ **A majority of the members of the board who have**  
6 **been 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.]~~

24 227 Board of Architects; Rulemaking Authority. Amend RSA 310-A:32, I(d) to read as follows:

25 (d) ~~[How a license to practice under this subdivision shall]~~ **The criteria for a license to**  
26 **be renewed or reinstated, including [late fees and] any requirements for continuing education;**

27 228 Board of Architects; Applications. Amend RSA 310-A:42 to read as follows:

28 310-A:42 Applications. Applications for licensure shall be ~~[on forms prescribed and furnished by~~  
29 ~~the board]~~ **made using the method prescribed by the office of professional licensure and**  
30 **certification**, shall contain statements made under oath, showing the applicant's education and a  
31 detailed summary of the applicant's technical work, and shall contain not less than 5 references, of  
32 whom at least 3 shall be licensed architects having personal knowledge of the applicant's  
33 professional experience. The ~~[board]~~ **office of professional licensure and certification** shall  
34 establish fees for application and any examination required under this subdivision. Should the  
35 board deny the issuance of a license to any applicant, any initial fee deposited shall be retained as an  
36 application fee.

37 229 Board of Architects; Certificates; Seals. Amend RSA 310-A:44 to read as follows:

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1       310-A:44 Certificates; Seals. The board shall issue a license upon payment of the registration  
2 fee established by the ~~[board]~~ **office of professional licensure and certification**, to any applicant  
3 who, in the opinion of the board, has satisfactorily met all the requirements of this subdivision.  
4 Licenses shall show the full name of the licensee, have a serial number, and be signed by the  
5 chairperson and the secretary of the board under seal of the board. The issuance of a license by the  
6 board shall be prima facie evidence that the person named in the license is entitled to all the rights  
7 and privileges of a licensed architect while the license remains valid. Each licensee shall upon  
8 licensure obtain a seal of the design authorized by the board, bearing the registrant's name and the  
9 legend, "Licensed Architect." All papers or documents involving the practice of a profession under  
10 this subdivision, when issued or filed for public record, shall be dated and bear the signature and  
11 seal of the licensed professional who prepared or had responsibility for and approved them. It shall  
12 be a class B misdemeanor for the licensee to stamp or seal any documents with such seal after the  
13 license of the licensee has expired or has been revoked, unless such license shall have been renewed,  
14 reinstated, or reissued.

15       230 Board of Architects; Expiration and Renewals. Amend RSA 310-A:46 to read as follows:

16       310-A:46 Expiration and Renewals. All licenses issued by the board shall expire on the last day  
17 of the month of the licensee's birth in the year 2 years following the year of issuance. The board  
18 shall cause notification of the impending license expiration to be sent to each licensee at least one  
19 month prior to the expiration date of the license. If the renewal fee is not submitted within 12  
20 months after the expiration date of the license, the licensee's name shall be removed from the  
21 mailing list ~~[and roster]~~. An application for reinstatement shall be required to return to active  
22 status. The ~~[board, pursuant to rules adopted under RSA 310-A:32,]~~ **office of professional**  
23 **licensure and certification** shall charge up to a 20 percent late fee for each month or fraction of a  
24 month the renewal is late, up to 12 months, in addition to the renewal fee.

25       231 Repeal; Board of Architects. The following are repealed:

- 26       I. RSA 310-A:29, IV, relative to compensation for members of the board of architects.  
27       II. RSA 310-A:29, VII, relative to the roster of architects published by the secretary of state.  
28       III. RSA 310-A:32, I(a), (e), (h), (j), and (k), relative to certain rulemaking authority of the  
29 board of architects.  
30       IV. RSA 310-A:33, relative to the authority of the board of architects to set fees.

31       232 Board of Land Surveyors; Establishment. Amend RSA 310-A:55, V and VI to read as  
32 follows:

33       V. The board shall hold at least 4 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 elect or appoint a chairperson, vice-chairperson,  
36 and secretary. The secretary may or may not be a member of the board. ~~[Three members]~~ A

1 *majority of the members of the board who have been approved by the governor and council*  
2 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 July 31~~  
18 ~~of each even-numbered year, the board shall submit to the governor a report of the transactions of~~  
19 ~~the preceding biennium, and a complete statement of the receipts and expenditures of the board.]~~

20 233 Land Surveyors; Rulemaking Authority. Amend RSA 310-A:58, IV to read as follows:

21 IV. ~~[How a license to practice under this subdivision shall]~~ *The requirements for a license*  
22 *to be renewed, including the requirements for continuing education;*

23 234 Land Surveyors; Rulemaking Authority. Amend RSA 310-A:58, VI-a to read as follows:

24 VI-a. ~~[Application procedures for and]~~ *The criteria for* issuance of land surveying  
25 certificates for proprietorships, corporations and partnerships, including the qualifications of  
26 applicants in addition to those requirements set forth under this subdivision, and for satisfactory  
27 evidence of good professional character;

28 235 Land Surveyors; Application. Amend RSA 310-A:65 to read as follows:

29 310-A:65 Application. Applications for licensure shall be ~~[on forms]~~ *made on the format*  
30 *prescribed and furnished by the [board] office of licensure and certification,* shall contain  
31 statements made under oath, showing the applicant's education and detailed summary of the  
32 applicant's technical work, and shall contain not less than 5 references, of whom 3 shall be land  
33 surveyors having personal knowledge of the applicant's land surveying experience. All applications  
34 shall be accompanied by a fee established by the ~~[board]~~ *office of professional licensure and*  
35 *certification.*

36 236 Land Surveyors; Examinations. Amend RSA 310-A:66, II to read as follows:

1 II. Examinations shall be held as the board shall determine. The scope of the examination  
 2 and the method of procedure shall be prescribed by the board. A candidate failing an examination  
 3 may apply for reexamination at the expiration of 6 months. Subsequent examination will be granted  
 4 upon payment of the fee to be determined by the [board] *office of professional licensure and*  
 5 *certification*. A candidate failing the examination 3 consecutive times shall be required to furnish  
 6 evidence of additional experience, study, or education credits acceptable to the board before being  
 7 allowed to take the examination again.

8 237 Land Surveyors; Expiration and Renewals. Amend RSA 310-A:68 to read as follows:

9 310-A:68 Expiration and Renewals. All licenses issued by the board shall expire on the last day  
 10 of the month of the licensee's birth in the year 2 years following the year of issuance. The secretary  
 11 of the board shall notify every licensee of the date of the expiration of the license and the amount of  
 12 the fee that shall be required for its renewal for 2 years. Such notice shall be mailed at least one  
 13 month in advance of the date of expiration. Renewal may be effected at any time during the month  
 14 of expiration by the payment of the fee established by the [board] *office of professional licensure*  
 15 *and certification* and submission of evidence satisfactory to the board showing fulfillment of  
 16 continuing education requirements. The failure on the part of any licensee to renew the license in  
 17 the month of expiration as required above shall not deprive such person of the right of renewal,  
 18 provided that the [board] *office of professional licensure and certification* shall charge a 20  
 19 percent reinstatement fee for each month or fraction of a month the renewal is late. If a licensee  
 20 fails to renew such license within the 12 months after the date of expiration, it shall become null and  
 21 void and the licensee shall be required to reapply and to be reexamined for licensure as required in  
 22 this section.

23 238 Repeal; Land Surveyors. The following are repealed:

24 I. RSA 310-A:55, IV, relative to compensation of members of the board of land surveyors.

25 II. RSA 310-A:55, VII, relative to the roster of land surveyors published by the secretary of  
 26 state.

27 III. RSA 310-A:58, I, V, and VIII, relative to certain rulemaking authority of the board of  
 28 land surveyors.

29 IV. RSA 310-A:60, relative to the authority of the board of land surveyors to set certain fees.

30 239 Board of Natural Scientists; Establishment. Amend RSA 310-A:81, V and VI to read as  
 31 follows:

32 V. The board shall hold at least 3 regular meetings each year and special meetings at such  
 33 times as it may deem necessary. Notice of all meetings shall be given in such a manner as rules  
 34 adopted by the board may provide. The board shall biennially elect or appoint a chairperson, vice-  
 35 chairperson, and secretary. A quorum of the board shall consist of [~~at least 4 members~~] *a majority*  
 36 *of the members of the board who have been approved by the governor and council.*

1 VI.(a) The board shall keep a record of its proceedings [~~and a register of all applications for~~  
2 ~~registration, which shall show:] *in accordance with the retention policy established by the*  
3 *office of professional licensure and certification.*~~

4 [~~(1) The name and residence of each applicant.~~

5 [~~(2) The date of application.~~

6 [~~(3) The place of business of such applicant.~~

7 [~~(4) The applicant's educational and other qualifications.~~

8 [~~(5) Whether or not an examination was required.~~

9 [~~(6) Whether the applicant was rejected and the reasons for such rejection.~~

10 [~~(7) Whether a certificate of registration was granted.~~

11 [~~(8) The date of the action of the board.~~

12 [~~(9) Such other information as may be deemed necessary by the board.]~~

13 (b) 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 of each even-numbered year, the board shall submit to the governor a report of the~~  
17 ~~transactions of the preceding biennium, and a complete statement of the receipts and expenditures~~  
18 ~~of the board.]~~

19 240 Board of Natural Scientists; Rulemaking Authority. Amend RSA 310-A:82, IV to read as  
20 follows:

21 IV. [~~How a certificate to practice under this subdivision shall] *The criteria required for a*  
22 *license to be renewed, including the requirement for continuing education.*~~

23 241 Natural Scientists; Certification Procedure. Amend RSA 310-A:86, I to read as follows:

24 I. Application for certification shall be [~~on forms prescribed and furnished by the board]~~  
25 *made using the method prescribed and furnished by the office of professional licensure and*  
26 *certification.* [~~Such forms]~~ *Applications* shall include the applicant's educational background,  
27 including transcripts from educational institutions attended, a detailed work experience history, and  
28 such other information as the board may by rule require. All applications shall be signed under oath  
29 by the applicant.

30 242 Natural Scientists; Failure to Renew. Amend RSA 310-A:90 to read as follows:

31 310-A:90 Failure to Renew. Failure to remit the biennial renewal fee when due shall  
32 automatically cancel the certification. If properly renewed, a certification shall remain in effect  
33 continuously from the date of issuance, unless suspended or revoked by the board for just cause. A  
34 person whose certification is cancelled for such failure may reinstate such certification by paying,  
35 within one year of cancellation, all fees due, plus a late fee as established by the [~~board]~~ *office of*  
36 *professional licensure and certification.*

37 243 Repeals; Natural Scientists. The following are repealed:

1 I. RSA 310-A:81, VII, relative to the roster of natural scientists published by the secretary of  
2 state.

3 II. RSA 310-A:82, I and V, relative to certain rulemaking authority of the board of natural  
4 scientists.

5 III. RSA 310-A:92, relative to the authority of the board of natural scientists to set fees.

6 244 Board of Foresters; Establishment. Amend RSA 310-A:100, 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. ~~[Four members]~~ ***A majority of the members of the board have been***  
11 ***approved by the governor and council*** shall constitute a quorum.

12 VI.(a) The board shall adopt an official seal.

13 (b) The board shall keep a true record of its proceedings ~~[and a register of all~~  
14 ~~applications for licensure, which shall show:]~~ ***in accordance with the retention policy***  
15 ***established by the office of professional licensure and certification.***

16 ~~[(1) The name, age, and residence of each applicant.~~

17 ~~(2) The date of application.~~

18 ~~(3) The place of business of such applicant.~~

19 ~~(4) The applicant's educational and other qualifications.~~

20 ~~(5) Whether or not an examination was required.~~

21 ~~(6) Whether the applicant was rejected and the reasons for such rejection.~~

22 ~~(7) Whether a license was granted.~~

23 ~~(8) The date of the action of the board.~~

24 ~~(9) Such other information as may be deemed necessary by the board.]~~

25 (c) The records of the board shall be prima facie evidence of the proceedings of the board,  
26 and a transcript of such records certified by the secretary of the board under seal shall be admissible  
27 in evidence with the same force and effect as if the original were produced. ~~[Biennially, as of~~  
28 ~~December 31 of each even-numbered year, the board shall submit to the governor a report of the~~  
29 ~~transactions of the preceding biennium, and a complete statement of the receipts and expenditures~~  
30 ~~of the board.]~~

31 245 Board of Foresters; Rulemaking. Amend RSA 310-A:102, IV to read as follows:

32 IV. Renewal ~~[procedures]~~ ***criteria***, including requirements for continuing education.

33 246 Board of Foresters; Applications; Fees. Amend RSA 310-A:105 to read as follows:

34 310-A:105 Applications; Fees. Applications for licensing shall be made ~~[on forms prescribed and~~  
35 ~~furnished by the board,]~~ ***using the method prescribed by the office of professional licensure***  
36 ***and certification*** and shall contain statements made under oath as to citizenship, residence, the  
37 applicant's education, a detailed summary of the applicant's technical experience, and shall contain

1 the names of not less than 5 references, 3 or more of whom shall be individuals having personal or  
 2 professional knowledge of the applicant's forestry experience. The fee for a license as a forester shall  
 3 be fixed by the [board] *office of professional licensure and certification*. One-half of the fee  
 4 shall accompany the application, the balance to be paid before the issuance of the license. Should  
 5 the applicant fail to remit the remaining balance within 30 days after being notified by certified  
 6 mail, return receipt requested, that the application has been accepted, the applicant shall forfeit the  
 7 right to have the license issued and the applicant may be required to again submit an original  
 8 application and pay an original fee on such application. Should the board deny the issuance of a  
 9 license to any applicant, the fee deposited shall be retained by the [board] *office of professional*  
 10 *licensure and certification* as an application fee.

11 247 Board of Foresters; Examination; Re-Examination; Fee. Amend RSA 310-A:106 to read as  
 12 follows:

13 310-A:106 Examination; Re-Examination; Fee. The methods and procedure for written and oral  
 14 examinations shall be prescribed by the board. A candidate failing an examination may apply for re-  
 15 examination at the expiration of 6 months and shall be entitled to one re-examination without  
 16 payment of an additional fee. Subsequent re-examinations may be granted upon payment of a fee to  
 17 be fixed by the [board] *office of professional licensure and certification*.

18 248 Board of Foresters; Failure to Renew. Amend RSA 310-A:110 to read as follows:

19 310-A:110 Failure to Renew. Failure to remit the biennial renewal fee when due or failure to  
 20 submit proof of required continuing education shall automatically cancel the license. If properly  
 21 renewed, a license shall remain in effect continuously from the date of issuance, unless suspended or  
 22 revoked by the board for just cause. A person whose license is cancelled for such failure may  
 23 reinstate such license by paying, within one year of cancellation, all fees due, plus a late fee as  
 24 established by the [board] *office of professional licensure and certification*, provided continuing  
 25 education requirements have been met.

26 249 Repeal; Board of Foresters. The following are repealed:

27 I. RSA 310-A:100, VII, relative to the roster of licensed foresters published by the secretary  
 28 of state.

29 II. RSA 310-A:102, I and V, relative to certain rulemaking authority of the board of  
 30 foresters.

31 III. RSA 310-A:116, relative to fees established by the board of foresters.

32 250 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.



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.]~~

18 251 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.~~

26 252 Board of Professional Geologists; Examinations. Amend RSA 310-A:129 to read as follows:

27 310-A:129 Examinations. Written technical examinations in geology shall be held at least  
 28 annually as the board shall determine. The scope of the technical and professional examination and  
 29 the methods of procedure shall be prescribed by the board. A candidate failing an examination may  
 30 apply for reexamination upon payment of an additional fee determined by the [~~board] **office of**~~  
 31 **professional licensure and certification** and shall be reexamined on the next regularly  
 32 scheduled examination date. A candidate failing the examination 3 consecutive times shall be  
 33 required to furnish evidence of additional experience, study, or education credits acceptable to the  
 34 board before being allowed to proceed with the examination.

35 253 Board of Professional Geologists; Certificates; Seals. Amend RSA 310-A:130 to read as  
 36 follows:



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- 1           ~~(3) The place of business of such applicant.~~  
2           ~~(4) The applicant's educational and other qualifications.~~  
3           ~~(5) Whether or not an examination was required.~~  
4           ~~(6) Whether the applicant was rejected and the reasons for such rejection.~~  
5           ~~(7) Whether a license was granted.~~  
6           ~~(8) The date of the action of the board.~~  
7           ~~(9) Such other information as may be deemed necessary by the board.]~~

8           (b) The records of the board shall be prima facie evidence of the proceedings of the board,  
9 and a transcript of such records certified by the secretary of the board under seal shall be admissible  
10 in evidence with the same force and effect as if the original were produced. ~~[Biennially, as of~~  
11 ~~December 31, the board shall submit to the governor a report of the transactions of the preceding~~  
12 ~~biennium, and a complete statement of the receipts and expenditures of the board.]~~

13           257 Board of Landscape Architects; Rulemaking Authority. Amend RSA 310-A:143, I(d) to read  
14 as follows:

15           (d) ~~[How a license to practice under this subdivision shall be]~~ ***The criteria for a***  
16 ***license to be*** renewed or reinstated, including late fees and any requirements for continuing  
17 education;

18           258 Board of Landscape Architects; Rulemaking. Amend RSA 310-A:143, I(j) to read as follows:

19           (j) ~~[Application procedures for and]~~ ***The*** issuance of corporate practice certificates.

20           259 Board of Landscape Architects; Applications. Amend RSA 310-A:149, I to read as follows:

21           I. Applications for licensure shall be ~~[on forms prescribed and furnished by the board,]~~ ***made***  
22 ***using the method prescribed and furnished by the office of professional licensure and***  
23 ***certification. Applications*** shall contain statements made under oath, showing the applicant's  
24 education and a detailed summary of the applicant's technical work, and shall contain not less than  
25 5 references, of whom at least 3 shall be licensed landscape architects having personal knowledge of  
26 the applicant's professional experience. The ~~[board]~~ ***office of professional licensure and***  
27 ***certification*** shall establish fees for application and any examination required under this  
28 subdivision. Should the board deny the issuance of a license to any applicant, any initial fee  
29 deposited shall be retained as an application fee.

30           260 Board of Landscape Architects; Examinations. Amend RSA 310-A:151 to read as follows:

31           310-A:151 Examinations. Written technical examination in landscape architecture shall be held  
32 at least annually as the board shall determine. The scope of the technical and professional  
33 examination and the methods of procedure shall be prescribed by the board. A candidate failing an  
34 examination may apply for reexamination upon payment of an additional fee determined by the  
35 ~~[board]~~ ***office of professional licensure and certification*** and shall be reexamined on the next  
36 regularly scheduled examination date.

1       261 Board of Landscape Architects; Certificates; Seals. Amend RSA 310-A:152 to read as  
2 follows:

3       310-A:152 Certificates; Seals. The board shall issue a license upon payment of the license fee  
4 established by the ~~board~~ **office of professional licensure and certification**, to any applicant  
5 who, in the opinion of the board, has satisfactorily met all the requirements of this subdivision.  
6 Licenses shall show the full name of the licensee, have a serial number, and be signed by the  
7 chairperson and the secretary of the board under seal of the board. The issuance of a license by the  
8 board shall be prima facie evidence that the person named in the license is entitled to all the rights  
9 and privileges of a licensed landscape architect while the license remains valid. Each licensee shall  
10 upon licensure obtain a seal of the design authorized by the board, bearing the registrant's name and  
11 the legend, "licensed landscape architect." All papers or documents involving the practice of  
12 landscape architecture under this subdivision, when issued or filed for public record, shall be dated  
13 and bear the signature and seal of the licensed professional who prepared or had responsibility for  
14 and approved them. It shall be a class B misdemeanor for the licensee to stamp or seal any  
15 documents with such seal after the license of the licensee has expired or has been revoked, unless  
16 such license shall have been renewed, reinstated, or reissued.

17       262 Board of Landscape Architects; Expiration and Renewals. Amend RSA 310-A:154, II to read  
18 as follows:

19           II. If the renewal fee is not submitted within 12 months after the expiration date of the  
20 license, the licensee's name shall be removed from the mailing list ~~[and roster]~~. The board, pursuant  
21 to rules adopted under RSA 310-A:143, shall charge up to a 20 percent late fee for each month or  
22 fraction of a month the renewal is late, up to 12 months, in addition to the renewal fee.

23       263 Repeal; Landscape Architects. The following are repealed:

24           I. RSA 310-A:142, IV, relative to compensation of members of the board of landscape  
25 architects.

26           II. RSA 310-A:142, VII, relative to the roster of landscape architects published by the  
27 secretary of state.

28           III. RSA 310-A:143, I(a), (e), and (h), relative to certain rulemaking authority of the board of  
29 landscape architects.

30           IV. RSA 310-A:144, relative to the authority of the board of landscape architects to establish  
31 fees.

32       264 Court Reporters; Board; Rulemaking. Amend RSA 310-A:163 and 310-A:164 to read as  
33 follows:

34       310-A:163 Board.

35           I. There is hereby established a board of court reporters. The board shall consist of 5  
36 members who shall be citizens of the United States and residents of this state appointed by the  
37 governor and council, 3 of whom shall be court reporters, one of whom shall be a public member and

1 one of whom shall be admitted to practice law in the state of New Hampshire. The public member of  
 2 the board shall be a person who is not, and never was, a member of the court reporting profession or  
 3 the spouse of any such person, and who does not have and never has had, a material financial  
 4 interest in either the provision of court reporting services or an activity directly related to court  
 5 reporting, including the representation of the board or profession for a fee at any time during the 5  
 6 years preceding appointment. Each court reporter member shall have actively practiced court  
 7 reporting for the chief means of livelihood for at least 10 years prior to appointment and shall have  
 8 held a responsible position in charge of such work for at least 5 years prior to appointment, which  
 9 may include the teaching of court reporting. Members shall be appointed for 5-year terms, except  
 10 that no more than one appointed member's term may expire in any one calendar year.  
 11 Appointments for terms of less than 5 years may be made in order to comply with this limitation. No  
 12 appointed member shall be eligible to serve more than 2 full consecutive terms, provided that, for  
 13 this purpose only, a period actually served which exceeds 1/2 of the 5-year term shall be deemed a  
 14 full term. Upon expiration of a member's term, the member shall serve until a successor is qualified  
 15 and appointed. The successor's term shall be 5 years from the date of expiration of the predecessor's  
 16 appointment, regardless of the date of the successor's appointment. Vacancies occurring prior to the  
 17 expiration of a specific term shall be filled by appointment for the unexpired term. The governor and  
 18 council may remove a board member for cause. ~~[Members of the board shall receive \$25 for each day~~  
 19 ~~actually engaged in the duties of their office and shall be reimbursed for all actual travel, incidental,~~  
 20 ~~and clerical expenses necessarily incurred in carrying out the provisions of this subdivision.]~~

21 II. 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. ~~[Three members]~~ ***A majority of the members of the board appointed***  
 25 ***by the governor and council*** shall constitute a quorum.

26 III. The board shall keep a record of its proceedings ~~[and a register of all applications for~~  
 27 ~~licensure, which shall show:~~

- 28 ~~(a) The name, age, and residence of each applicant.~~
- 29 ~~(b) The date of application.~~
- 30 ~~(c) The place of business of such applicant.~~
- 31 ~~(d) The applicant's educational and other qualifications.~~
- 32 ~~(e) Whether or not an examination was required.~~
- 33 ~~(f) Whether the applicant was rejected and the reasons for such rejection.~~
- 34 ~~(g) Whether a license was granted.~~
- 35 ~~(h) The date of the action of the board.~~

1           ~~(i) Such other information as may be deemed necessary by the board~~ *in accordance*  
2 *with the retention policy established by the office of professional licensure and*  
3 *certification.*

4           IV. The records of the board shall be prima facie evidence of the proceedings of the board,  
5 and a transcript of such records certified by the secretary of the board under seal shall be admissible  
6 in evidence with the same force and effect as if the original were produced.

7           ~~[V. Biennially, on or before December 31, the board shall submit to the governor a report of~~  
8 ~~the transactions of the preceding biennium, and a complete statement of the receipts and~~  
9 ~~expenditures of the board. The secretary of the board shall publish a roster listing the names and~~  
10 ~~places of business of all court reporters licensed under the board during February of each even-~~  
11 ~~numbered year. Copies of this roster shall be mailed to each person so licensed, placed on file with~~  
12 ~~the secretary of state, and furnished to the public upon request at a fee to be established by the~~  
13 ~~board. The board may include in such roster any other information it deems appropriate.]~~

14           310-A:164 Rulemaking. The board shall adopt rules, pursuant to RSA 541-A, relative to:

15           I. ~~[The application procedure for a license to practice under this subdivision.~~

16           ~~II.]~~ II. The qualifications of applicants in addition to those requirements set by statute,  
17 including the qualifications for satisfactory evidence of good professional character.

18           ~~[III.]~~ III. How an applicant shall be examined.

19           ~~[IV.]~~ IV. ~~[How a license to practice under this subdivision shall]~~ *The criteria for a license*  
20 *to be renewed or reinstated, including [late fees and] any requirements for continuing education.*

21           ~~[V.]~~ V. Ethical and professional standards required to be met by each holder of a license  
22 under this subdivision and how disciplinary actions by the board shall be implemented for violations  
23 of these standards.

24           ~~[VI. Fees under RSA 310-A:171.~~

25           ~~[VII.]~~ VII. Matters related to the proper administration of this subdivision.

26           ~~[VIII. Procedures for the conduct of hearings consistent with the requirements of due~~  
27 ~~process.~~

28           ~~[IX.]~~ IX. VI. The design of an official seal.

29           265 Court Reporters; Qualifications. Amend RSA 310-A:170, II to read as follows:

30           II. Paid the fee required ~~[by this subdivision];~~ and

31           266 Court Reporters; Term of License. Amend RSA 310-A:173 to read as follows:

32           310-A:173 Term of License; Renewal. The term of licensure under this subdivision shall be  
33 every 2 years. All licenses issued by the board shall expire on the last day of the month of the  
34 licensee's birth in the year 2 years following the year of issuance. The secretary of the board shall  
35 notify every licensee of the date of the expiration of the license and the amount of the fee that shall  
36 be required for its renewal for 2 years, such amount to be not less than \$200. Such notice shall be  
37 mailed at least one month in advance of the date of expiration. Renewal may be effected at any time

1 during the month of expiration by the payment of the fee established by the [board] *office of*  
 2 *professional licensure and certification* and submission of evidence satisfactory to the board  
 3 showing fulfillment of continuing education requirements. If a licensee fails to renew such license  
 4 within the 12 months after the date of expiration, it shall become null and void and the licensee shall  
 5 be required to reapply for licensure. [~~The board, pursuant to rules adopted under RSA 310-A:171,~~  
 6 ~~shall charge up to a 20 percent late fee for each month or fraction of a month the renewal is late, up~~  
 7 ~~to 12 months, in addition to the renewal fee.]~~

8 267 Repeal; Court Reporters. RSA 310-A:171, relative to fees for court reporters, is repealed.

9 268 Home Inspectors; Board of Home Inspectors. Amend RSA 310-A:186, V-IX to read as  
 10 follows:

11 V. [~~Members of the board shall receive \$25 for each day actually engaged in the duties of~~  
 12 ~~their office and shall be reimbursed for all actual travel, incidental, and clerical expenses necessarily~~  
 13 ~~incurred in carrying out the provisions of this subdivision.~~

14 VI.] 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. [~~Four members~~] *A majority of the members of the board appointed*  
 18 *by the governor and council* shall constitute a quorum.

19 [VII.(a) ~~The board shall keep a record of its proceedings and a register of all applications for~~  
 20 ~~licensure, which shall show:~~

- 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) ~~Proof of passing home inspection exam.~~
- 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) VI. The records of the board shall be prima facie evidence of the proceedings of the  
 31 board, and a transcript of such records certified by the secretary of the board under seal shall be  
 32 admissible in evidence with the same force and effect as if the original were produced. [~~Biennially,~~  
 33 ~~as of December 31, the board shall submit to the governor a report of the transactions of the~~  
 34 ~~preceding biennium, and a complete statement of the receipts and expenditures of the board~~

35 VIII. ~~The secretary of the board shall publish a roster listing the names and addresses of all~~  
 36 ~~home inspectors licensed under this subdivision by the board during February of each even-~~  
 37 ~~numbered year. Copies of this roster shall be sent to each person so licensed, placed on file with the~~

1 secretary of state, and furnished to the public upon request at a fee to be established by the board.  
2 The board may include in such roster any other information it deems appropriate.

3 ~~IX.] VII.~~ The board, its members, and its agents shall be immune from personal liability for  
4 actions taken in good faith in the discharge of the board's responsibilities, and the state shall hold  
5 the board, its members, and its agents harmless from all costs, damages, and attorneys' fees arising  
6 from claims and suits against them with respect to matters to which such immunity applies.

7 269 Home Inspectors; Rulemaking Authority. Amend RSA 310-A:187, I to read as follows:

8 I. The board shall adopt rules, pursuant to RSA 541-A, relative to:

9 (a) ~~[The application procedure for a license to practice under this subdivision.~~

10 (b) The qualifications of applicants in addition to requirements of this subdivision, and  
11 including the qualifications for satisfactory evidence of good professional character.

12 (c) ~~[Procedures for auditing applicants and licensees.~~

13 (d) ~~How a license to practice under this subdivision shall be]~~ **The criteria for a license**  
14 **to be renewed or reinstated, including [late fees and] any requirements for continuing education.**

15 (e) ~~The establishment of all fees required under this subdivision.~~

16 (f) (c) Disciplinary actions by the board that shall be implemented for violations of the  
17 standards of practice, code of ethics, and rules adopted by the board.

18 (g) ~~Procedures for the conduct of hearings consistent with the requirements of due~~  
19 ~~process.~~

20 (h) (d) Procedures for approving education courses for eligibility for licensure and for a  
21 continuing education program

22 (i) (e) How an applicant shall be examined, including the form of the examination.

23 (j) (f) The design of an official seal.

24 (k) (g) The establishment of administrative fines which may be levied in the  
25 administration of this subdivision.

26 270 Home Inspectors; License Applications. Amend RSA 310-A:191, I to read as follows:

27 I. Applications for licensure ~~[on forms prescribed and furnished by the board]~~ **made using**  
28 **the method prescribed and furnished by the office of professional licensure and**  
29 **certification.**

30 271 Home Inspectors; Issuance of Licenses. Amend RSA 310-A:193 to read as follows:

31 310-A:193 Issuance of Licenses. The board shall issue a license upon payment of the license fee  
32 established by the ~~[board]~~ **office of professional licensure and certification**, to any applicant  
33 who, in the opinion of the board, has satisfactorily met all the requirements of this subdivision.  
34 Licenses shall show the full name of the licensee, have a serial number, and be signed by the  
35 chairperson or the secretary of the board. The issuance of a license by the board shall be prima facie  
36 evidence that the person named in the license is entitled to all the rights and privileges of a licensed  
37 home inspector while the license remains valid. It shall be a class B misdemeanor for the licensee to



1 perform home inspections after the license of the licensee has expired or has been revoked, unless  
2 such license shall have been renewed, reinstated, or reissued.

3 272 Repeal; Home Inspectors. RSA 310-A:188, relative to rules and fees for the licensing of  
4 home inspectors, is repealed.

5 273 Septic System Evaluators; Board. Amend RSA 310-A:206, VII-X to read as follows:

6 VII. 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 or appoint a chairperson, vice-  
9 chairperson, and secretary. ~~[Three members]~~ ***A majority of the members appointed by the***  
10 ***governor and council*** shall constitute a quorum.

11 VIII.(a) The board shall keep a record of its proceedings ~~[and a register of all applications for~~  
12 ~~licensure, which shall show:~~

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) ~~Proof of passing the septic system evaluator exam.~~

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]~~ ***in***  
22 ***accordance with the retention policy established by the office of professional licensure and***  
23 ***certification.***

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 executive director of the office of professional licensing~~  
28 ~~and certification a report of the transactions of the preceding biennium, and a complete statement of~~  
29 ~~the receipts and expenditures of the board.~~

30 ~~IX. The secretary of the board shall maintain and regularly update a roster listing the~~  
31 ~~names and addresses of all septic system evaluators certified under this subdivision by the board on~~  
32 ~~the board's website. The board may include in such roster any other information it deems~~  
33 ~~appropriate.~~

34 ~~X.] IX.~~ The board, its members, and its agents shall be immune from personal liability for  
35 actions taken in good faith in the discharge of the board's responsibilities, and the state shall hold  
36 the board, its members, and its agents harmless from all costs, damages, and attorneys' fees arising  
37 from claims and suits against them with respect to matters to which such immunity applies.

1 274 Septic System Evaluators; Rulemaking. Amend RSA 310-A:207, I to read as follows:

2 I. The board shall adopt rules, pursuant to RSA 541-A, relative to:

3 ~~(a) [The application procedure for a license to practice under this subdivision.~~

4 ~~(b)]~~ The qualifications of applicants in addition to the requirements of this subdivision,  
5 including the qualifications for satisfactory evidence of good professional character.

6 ~~(c)]~~ (b) Procedures for auditing applicants and license holders.

7 ~~(d)]~~ (c) ~~[How a license to practice under this subdivision shall be]~~ **The criteria for a**  
8 **license to be** renewed or reinstated, including late fees and any requirements for continuing  
9 education.

10 ~~(e)]~~ ~~The establishment of all fees required under this subdivision.~~

11 ~~(f)]~~ (d) Professional standards required to be met by each holder of a license under this  
12 subdivision and how disciplinary actions by the board shall be implemented for violations of these  
13 standards.

14 ~~(g)]~~ ~~Procedures for the conduct of hearings consistent with the requirements of due~~  
15 ~~process.~~

16 ~~(h)]~~ (e) Procedures for approving education courses for eligibility for licensure and for a  
17 continuing education program.

18 ~~(i)]~~ (f) How an applicant shall be examined, including the time, place, type, and form of  
19 the examination.

20 ~~(j)]~~ (g) The design of an official seal.

21 ~~(k)]~~ (h) The establishment of administrative fines which may be levied in the  
22 administration of this subdivision.

23 275 Septic System Evaluators; License Applications. Amend RSA 310-A:211, I to read as  
24 follows:

25 I. Applications for licensure ~~[shall be on forms prescribed and furnished by the board]~~ **made**  
26 **using the method prescribed and furnished by the office of professional licensure and**  
27 **certification.**

28 276 Septic System Evaluators; Issuance of Licenses. Amend RSA 310-A:213 to read as follows:

29 310-A:213 Issuance of Licenses. The board shall issue a license upon payment of the license fee  
30 established by the ~~[board]~~ **office of professional licensure and certification**, to any applicant  
31 who, in the opinion of the board, has satisfactorily met all the requirements of this subdivision.  
32 Licenses shall show the full name of the license holder, have a serial number, and be signed by the  
33 chairperson or the secretary of the board. The issuance of a license by the board shall be prima facie  
34 evidence that the person named in the license is entitled to all the rights and privileges of a certified  
35 septic system evaluator while the license remains valid. It shall be a class B misdemeanor for the  
36 license holder to perform septic system evaluations after the license of the evaluator has expired or  
37 has been revoked, unless such license shall have been renewed, reinstated, or reissued.

1       277 Repeal; Septic System Evaluators. RSA 310-A:208, relative to licensing and fees for septic  
2 system evaluators, is repealed.

3       278 Board of Accountancy. Amend RSA 309-B:4, III-VIII to read as follows:

4           III. ~~[Each member of the board shall be paid \$100 for each day or portion of a day spent in~~  
5 ~~the discharge of official duties and shall be reimbursed for actual and necessary expenses incurred in~~  
6 ~~the discharge of official duties.~~

7           IV.] The ~~[board]~~ **office of professional licensure and certification** shall establish fees  
8 for examination of applicants, for licenses, for certificates of authorization, for reissuance of licenses,  
9 for renewal and reinstatement of licenses and certificates to practice under this chapter, for late  
10 renewals, for verification of licensure or examination, and for transcribing and transferring records  
11 and other services. All moneys collected by the ~~[board]~~ **office of professional licensure and**  
12 **certification** from fees authorized under this chapter shall be received and accounted for by the  
13 ~~[board]~~ **office of professional licensure and certification**, shall be deposited in the ~~[state~~  
14 ~~treasury]~~ **office of professional licensure and certification fund established in RSA 310-A:1-**  
15 **e.** Administration expenses shall be limited to the funds collected and may include, but shall not be  
16 limited to, the costs of conducting investigations and of taking testimony and procuring the  
17 attendance of witnesses before the board or its committees; all legal proceedings taken under this  
18 chapter for the enforcement of this chapter; and educational programs for the benefit of the public or  
19 licensees and their employees.

20           ~~IV. The board shall file an annual report of its activities with the governor, the president of~~  
21 ~~the senate, and the speaker of the house of representatives. The report shall include a statement of~~  
22 ~~all receipts and disbursements and a listing of all current licensees under this chapter. The board~~  
23 ~~shall mail a copy of the annual report to any person requesting it, upon payment of a reasonable~~  
24 ~~charge.~~

25           ~~VI.]~~ IV. The board may employ investigators and such other personnel as it deems necessary  
26 through the office of professional licensure and certification for enforcement under this chapter. It  
27 may appoint such committees or persons to advise or assist it in such enforcement, as it may see fit.  
28 It may retain its own counsel retained through the office of professional licensure and certification to  
29 advise and assist it, in addition to such advice and assistance as is provided by the department of  
30 justice.

31           ~~VII.]~~ V. The board shall have the power to take any action necessary and proper to carry  
32 out the purposes of this chapter, including the power to sue and be sued in its official name as an  
33 agency of this state; to issue subpoenas to compel the attendance of witnesses and the production of  
34 documents; and to administer oaths, to take testimony, to cooperate with the appropriate authorities  
35 in other states in investigations and enforcement concerning violations of this chapter and  
36 comparable laws of other states, and to receive evidence concerning all matters within its  
37 jurisdiction. In case of disobedience of a subpoena, the board may invoke the aid of any court of this

1 state in requiring the attendance and testimony of witnesses and the production of documentary  
2 evidence. The board, its members, and its agents shall be immune from personal liability for actions  
3 taken in good faith in the discharge of the board's responsibilities, and the state shall hold the board,  
4 its members, and its agents harmless from all costs, damages, and attorneys' fees arising from  
5 claims and suits against them with respect to matters to which such immunity applies.

6 ~~[VIII]~~ VI. The board shall adopt rules, pursuant to RSA 541-A, governing its  
7 administration, the enforcement of this chapter and the conduct of licensees. Such rules shall  
8 include, but not be limited to:

9 (a) Rules governing the board's meetings and conduct of its business.

10 (b) ~~[Rules of procedure governing the conduct of investigations and hearings by the~~  
11 ~~board.~~

12 (e). Rules specifying the educational and experience qualifications required for all  
13 licensees, and the continuing professional education required for renewal of certificates or  
14 registrations.

15 ~~[(d)]~~ (c) Rules of professional conduct directed to controlling the quality and integrity of  
16 the practice of public accountancy by licensees, including, but not limited to, matters relating to  
17 independence, integrity, objectivity, competence, technical standards, responsibilities to the public,  
18 and responsibilities to clients.

19 ~~[(e)]~~ (d) Rules on substantial equivalency for implementation of RSA 309-B:6.

20 ~~[(f)]~~ (e) Rules governing the manner and circumstances of use of the titles "certified  
21 public accountant", "CPA," "public accountant" and "PA."

22 ~~[(g)]~~ (f) Rules regarding peer review as required under this chapter. Such rules shall  
23 include conduct and cost parameters to ensure that charges for the off-site peer review process are  
24 not excessive.

25 ~~[(h)] The establishment of all fees required under this chapter.~~

26 ~~[(i)]~~ (g) The establishment of administrative fines for violations of this chapter.

27 ~~[(j)]~~ (h) Rules on how an applicant for certificate demonstrates good character.

28 ~~[(k)]~~ (i) Rules for records retention, outsourcing disclosures, and the severance of  
29 connections.

30 279 Board of Accountancy; Qualifications for a Certificate as a Certified Public Accountant.  
31 Amend RSA 309-B:5, I to read as follows:

32 I. The certificate of "certified public accountant" shall be granted to persons of good  
33 character who meet the education, experience, and examination requirements of this section, who  
34 make application therefor pursuant to RSA 309-B:7, and who pay the fees prescribed by the ~~[board]~~  
35 **office of professional licensure.**

36 280 Board of Accountancy; Qualifications for a Certificate as a Certified Public Accountant.  
37 Amend RSA 309-B:5, VIII to read as follows:

1 VIII. The board may charge, or provide for a third party administering the examination to  
2 charge, each applicant a fee in an amount prescribed by the [board] *office of professional*  
3 *licensure and certification* by rule, for each section of the examination or reexamination taken by  
4 the applicant.

5 281 Board of Accountancy; Issuance and Renewal of Certificates. Amend RSA 309-B:7, III-a and  
6 IV to read as follows:

7 III-a. ~~[(a)]~~ As an alternative to the requirements of paragraph III, a certificate holder  
8 licensed by another state who establishes his or her principal place of business in this state shall  
9 request the issuance of a certificate from the board prior to establishing such principal place of  
10 business. The board shall issue a certificate to such person who obtains from the NASBA National  
11 Qualification Appraisal Service verification that such individual's CPA qualifications are  
12 substantially equivalent to the CPA licensure requirements of the AICPA/NASBA Uniform  
13 Accountancy Act.

14 ~~[(b) — An application under this paragraph may be made through the NASBA~~  
15 ~~Qualification Appraisal Service.]~~

16 IV. The board, *through the office of professional licensure and certification*, may  
17 charge a fee to any licensee of another state receiving a reciprocal certificate under this section, in  
18 accordance with rules adopted by the [board] *office of professional licensure and certification*.

19 282 Board of Accountancy; Issuance and Renewal of Certificates. Amend RSA 309-B:7, VIII to  
20 read as follows:

21 VIII. The board shall charge a fee for each application for initial issuance or renewal of a  
22 certificate under this section in an amount prescribed by the [board] *office of professional*  
23 *licensure and certification* by rule.

24 283 New Paragraph; Board of Accountancy; Issuance and Renewal of Certificates. Amend RSA  
25 309-B:7 by inserting after paragraph XIV the following new paragraph:

26 XV. The board may contract with the NASBA Qualification Appraisal Service to assess any  
27 applications made under this section.

28 284 Board of Accountancy; Firm Permits to Practice. Amend RSA 309-B:8, V to read as follows:

29 V. The board shall charge a fee for each application for initial issuance or renewal of a  
30 permit under this section in an amount prescribed by the [board] *office of professional licensure*  
31 *and certification* by rule.

32 285 Electricians; Board. Amend RSA 319-C:4, III-IV to read as follows:

33 III. ~~[The members of the board, other than state employees, shall each be allowed the sum of~~  
34 ~~\$30 per day and their necessary traveling expenses incurred in carrying out their official duties.~~

35 ~~IV.]~~ All administrative, clerical, and business processing functions of the board shall be  
36 transferred to the office of professional licensure and certification established in RSA 310-A:1  
37 through RSA 310-A:1-e.

1 286 Electricians; Organizations and Meetings; Rulemaking. Amend RSA 319-C:6 and 6-a to  
2 read as follows:

3 319-C:6 Organization and Meetings. The board shall hold at least 4 regular meetings each year,  
4 and special meetings may be held at such times as the business of the board may require. Notice of  
5 all meetings shall be given in such manner as the rules of the board may provide. The board shall  
6 annually elect a chairman, a vice-chairman, and a secretary, who shall be one of the appointed  
7 members. A quorum of the board shall consist of ~~[not less than 3 members, not including the ex~~  
8 ~~officio member]~~ **a majority of the members of the board appointed by the governor and**  
9 **council**, and at least one of whom shall be a public member.

10 319-C:6-a Rulemaking Authority. The board, with an affirmative vote of at least 3 of the 5  
11 appointed board members, shall adopt rules, pursuant to RSA 541-A, relative to:

12 I. ~~[The application procedure for a license to practice under this chapter;~~

13 II.] The qualifications of applicants in addition to those requirements established under this  
14 chapter, and including the qualifications for satisfactory evidence of:

15 (a) ~~[A high school education]~~ **Either completion of high school or a high school**  
16 **equivalent**, and

17 (b) Good professional character;

18 ~~[II.]~~ II. How an applicant shall be examined, and procedures for computerized  
19 examinations;

20 ~~[IV.]~~ III. ~~[How]~~ **The criteria for** a license to practice under this chapter ~~[shall]~~ **to** be  
21 renewed, including the requirements for continuing education;

22 ~~[V. The establishment of all fees required under this chapter;~~

23 ~~V-a.]~~ IV. The applicable version of the National Electrical Code with any discretionary  
24 changes, provided that any such changes are no less stringent than provided in the state building  
25 code administered and approved by the state building code review board under RSA 155-A;

26 ~~[VI.]~~ V. Ethical and professional standards required to be met by each holder of a license to  
27 practice under this chapter and how disciplinary actions by the board shall be implemented for  
28 violations of these standards; **and**

29 ~~[VII. Procedures and policy for the investigation of complaints against licensees or~~  
30 ~~registrants;~~

31 ~~VIII. Procedures for the conduct of hearings consistent with the requirements of due~~  
32 ~~process; and]~~

33 ~~[IX.]~~ VI. Matters related to the proper administration of this chapter.

34 287 Electricians; Examination for License. Amend RSA 319-C:8 to read as follows:

35 319-C:8 Examinations for License. Each applicant for licensure shall present to the board ~~[on~~  
36 ~~forms furnished by the board, a written]~~ **an** application for examination and license, containing such  
37 information as the board may require, accompanied by the required application fee established by

1 the [board] *office of professional licensure and certification*. Proctored examinations shall be  
 2 written, written and oral, oral, or computerized as approved by the board, and shall be of a thorough  
 3 and practical character. They shall include such provisions of the National Electrical Code as the  
 4 board may deem appropriate. Any person failing to pass his or her first examination may be  
 5 reexamined at any subsequent examination meeting of the board or by an examination entity  
 6 approved by the board, and thereafter may be examined as often as he or she may desire upon  
 7 submitting the written application for examination and license and payment of the required  
 8 application fee as set forth in this chapter.

9 288 Electricians; Renewal of Licenses. Amend RSA 319-C:9, I to read as follows:

10 I. Notwithstanding any outstanding license to the contrary, all licenses issued by the board  
 11 shall be valid for 3 years and expire on the last day of the month of the licensee's birth, but may be  
 12 renewed without additional fees during the following month, retroactive to the first day of the  
 13 month. Upon payment of the normal renewal fee and a late fee, licenses which have been expired for  
 14 at least one month shall be permitted to be renewed within one year after the date of expiration.  
 15 The fees for renewal and late renewal of a license issued under this chapter shall be established by  
 16 the [board] *office of professional licensure and certification*.

17 289 Electricians; Records. Amend RSA 319-C:13 to read as follows:

18 319-C:13 Records. The board shall keep a record of the name and residence of all persons  
 19 licensed under this chapter *in accordance with the retention policy established by the office of*  
 20 *professional licensure and certification*, and said record or duplicate thereof shall be open for  
 21 inspection during office hours.

22 290 Repeal; Electricians. RSA 319-C:6-b, relative to fees for licensure as an electrician, is  
 23 repealed.

24 291 Family Mediators; Board. Amend RSA 328-C:4, II(a) to read as follows:

25 II.(a) Appointments and reappointments to the board shall be for 3-year terms. Vacancies  
 26 shall be filled by appointment for the unexpired term. *No member shall be appointed to more*  
 27 *than 2 consecutive terms*.

28 292 Family Mediators; Rulemaking. Amend RSA 328-C:8 to read as follows:

29 328-C:8 Rulemaking Authority.

30 I. The board shall adopt rules for family mediators and family mediator training programs  
 31 pursuant to RSA 541-A, relative to the following:

32 (a) The eligibility requirements [~~and application procedures~~] for certification, renewal of  
 33 certification, recertification, and reinstatement of certification.

34 (b) [~~The content of all application forms, which forms may require a notarized affidavit~~  
 35 ~~stating that the information provided in the application is complete and accurate.~~

36 (e)] Content of training programs and training equivalents allowed under RSA 328-C:5,

37 III.

1           ~~[(d)]~~ (c) Content of internships and duration and content of internship equivalents  
2 allowed under RSA 328-C:5, III.

3           ~~[(e)]~~ (d) The ethical standards and standards of practice for family mediators certified in  
4 New Hampshire.

5           ~~[(f)]~~ (e) Procedures for the reporting of activities conducted by certified family mediators  
6 and certified family mediator training programs.

7           ~~[(g)]~~ Procedures for processing complaints.

8           ~~[(h)]~~ (f) Disciplinary [~~procedures,~~] penalties[~~]~~ and sanctions for certified family  
9 mediators and martial mediator training programs, as provided under RSA 328-C:7.

10           ~~[(i)]~~ Fees for applications, certification, renewal of certification, and reinstatement of  
11 certification.

12           ~~[(j)]~~ (g) Reporting requirements for certified training programs.

13           II. The board may adopt rules for family mediators and family mediator training programs,  
14 pursuant to RSA 541-A, relative to the [~~following~~]:

15           ~~[(a)]~~ the application [~~process,~~] requirements[~~]~~ and criteria for temporary renewal of  
16 certification and conditional certification.

17           ~~[(b)]~~ Fees for temporary renewal of certification and conditional certification and for the  
18 filing of requests for information not governed by RSA 91-A, the filing of complaints and petitions,  
19 and the processing of changes to information of record.

20           ~~[(c)]~~ Procedures for informal resolution or referral of complaints.]

21           293 Repeal; Family Mediators. The following are repealed:

22           I. RSA 328-C:4-a, II, relative to application fees for certification of family mediators.

23           II. RSA 328-C:11, relative to fees established by the family mediator board.

24           294 Guardians ad Litem Board; Duties. Amend RSA 490-C:4, I(c) to read as follows:

25           (c) Establish requirements[~~]~~ **and** criteria[ ~~and fees~~] for the certification, recertification,  
26 reinstatement, and renewal of certification of guardians ad litem.

27           295 Guardians ad Litem Board; Duties. Amend RSA 490-C:4, I(f) to read as follows:

28           (f) Establish disciplinary [~~procedures,~~] penalties[~~]~~ and sanctions for certified guardians  
29 ad 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 and counseling for alcohol and substance abuse.  
33 Disciplinary [~~procedures,~~] penalties[~~]~~ and sanctions may be established for and applied to formerly  
34 certified guardians ad litem claimed to have engaged in acts or omissions prohibited when certified.

35           296 Guardians ad Litem Board; Duties. Amend RSA 490-C:4, II(c) to read as follows:

36           (c) Establish requirements[~~]~~ **and** criteria[ ~~and fees~~] for the conditional certification or  
37 temporary certification of guardians ad litem or both, including procedures and requirements



1 regarding the circumstances and manner in which individuals may be temporarily or conditionally  
2 certified, the term and duration of conditional or temporary certification, and the ethical standards  
3 and standards of practice applicable to persons so certified.

4 297 Guardians ad Litem Board; Rulemaking. Amend RSA 490-C:5 to read as follows:

5 490-C:5 Rulemaking Authority.

6 I. The board shall adopt rules, pursuant to RSA 541-A, relative to the following:

7 (a) The application [~~process~~] *criteria* for certification, renewal of certification,  
8 recertification, and reinstatement of certification.

9 (b) ~~[The content of all application forms, which forms may require a notarized affidavit~~  
10 ~~stating that the information provided in the application is complete and accurate and which may~~  
11 ~~gather, in addition to other information, information that will assist the court in making an informed~~  
12 ~~decision on whether or not to appoint an individual as a guardian ad litem in a particular case.~~

13 (e) Eligibility requirements and criteria for certification, recertification, reinstatement,  
14 and renewal of certification.

15 ~~[(d)]~~ (c) Training requirements.

16 ~~[(e)]~~ (d) Educational and continuing educational requirements.

17 ~~[(f)]~~ Fees for certification, recertification, reinstatement, and renewal of certification.

18 (g) (e) The ethical standards and standards of practice for guardians ad litem certified  
19 in New Hampshire.

20 ~~[(h)]~~ Procedures for conducting investigations and hearings conducted by the board under  
21 this chapter.

22 ~~[(i)]~~ Procedures for processing complaints and addressing disciplinary issues handled by  
23 the board under this chapter.

24 (j) (f) Disciplinary [~~procedures,~~] penalties[~~]~~ and sanctions for certified guardians ad  
25 litem, which penalties[~~]~~ *and* sanctions[~~]~~ [~~and procedures~~] may include revocation of certification,  
26 suspension of certification, the imposition of supplemental training requirements or supervised  
27 training requirements, supplemental education, fines, written reprimand, and treatment and  
28 counseling, including but not limited to treatment or counseling for alcohol or substance abuse.  
29 Disciplinary [~~procedures,~~] penalties[~~]~~ and sanctions may be established for and applied to formerly  
30 certified guardians ad litem who engaged in acts or omissions prohibited when certified.

31 II. The board may adopt rules, pursuant to RSA 541-A, relative to the following:

32 (a) The application or certification [~~process,~~] requirements[~~]~~ and criteria for temporary  
33 or conditional certification or both, including but not limited to procedures and requirements  
34 regarding the circumstances and manner in which individuals may be temporarily or conditionally  
35 certified or both, the term and duration of conditional or temporary certification or both, and the  
36 ethical standards and standards of practice applicable to persons so certified.

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) 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)]~~ Procedures for informal resolution or referral of complaints.

10 ~~[(f)]~~ (d) 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)]~~ (e) Disciplinary ~~[procedures,]~~ penalties~~]~~ and sanctions for conditionally or  
 14 temporarily certified guardians ad litem or both and persons formerly certified by the board, which  
 15 penalties~~]~~ **and** sanctions~~[-and procedures]~~ may include, but need not be limited to, those listed in  
 16 RSA 490-C:4, I(f).

17 ~~[(h)]~~ (f) Procedures and requirements relative to maintenance or disclosure of  
 18 confidential information received by, or used in investigations or in hearings, proceedings, or other  
 19 activities or matters before the board.

20 298 Board of Manufactured Housing; Quorum. Amend RSA 205-A:26, I to read as follows:

21 I. A majority of the ***members of the board who have been appointed by the governor***  
 22 ***and council*** shall constitute a quorum ~~[to conduct hearings, and a vote of at least 4 members~~  
 23 ~~present and voting in favor shall be required to adopt and approve any matter under consideration].~~

24 299 Board of Manufactured Housing; Meetings and Records. Amend RSA 205-A:29 to read as  
 25 follows:

26 205-A:29 Meetings and Records. The board shall hold meetings in Concord, New Hampshire or  
 27 in any other location deemed appropriate by the board. The records of the board shall be maintained  
 28 at the office of the board of manufactured housing ***consistent with the retention policy***  
 29 ***established by the office of professional licensure and certification.***

30 300 Real Estate Appraisers; Licensure or Certification Process. Amend RSA 310-B:5, I and II to  
 31 read as follows:

32 I. Applications for original license or certification, renewal license or certification and  
 33 examinations shall be made ~~[in writing to the board on forms approved by the board]~~ ***using the***  
 34 ***method prescribed and furnished by the office of professional licensure and certification.***

35 II. Appropriate fees, as fixed by the ~~[board]~~ ***office of professional licensure and***  
 36 ***certification*** under rules established pursuant to RSA 541-A, shall accompany all applications for  
 37 original license, certification, renewal license, renewal certification, reciprocal license, and reciprocal

1 certification. An annual federal registration fee shall be collected by the board for transmittal to the  
2 federal government under Title XI.

3 301 Real Estate Appraisers; Registration of Appraisal Management Companies. Amend RSA  
4 310-B:12-b, I(a) to read as follows:

5 (a) An applicant for registration as an appraisal management company in this state  
6 shall submit to the board an application ~~[on a form or forms prescribed by the board]~~ **using the**  
7 **method prescribed and furnished by the office of professional licensure and certification.**

8 302 Real Estate Appraisers; Appraisal Management Company Fee. Amend RSA 310-B:12-e to  
9 read as follows:

10 310-B:12-e Appraisal Management Company Fee.

11 I. The ~~[board]~~ **office of professional licensure and certification** shall establish by rule  
12 or regulation a processing fee to be paid by each appraisal management company seeking  
13 registration under this chapter that is sufficient for the administration of the registration process.

14 II. A similar processing fee may be charged by the ~~[board]~~ **office of professional licensure**  
15 **and certification** in connection with the renewal of any registrations.

16 303 Real Estate Appraisers; License or Certificate. Amend RSA 310-B:16 to read as follows:

17 310-B:16 License or Certificate.

18 ~~[I. A license or certificate issued under authority of this chapter shall bear the signature of~~  
19 ~~the board chairperson or a designee who is a member of the board and a license or certificate number~~  
20 ~~assigned by the board.~~

21 ~~II.]~~ Each licensed or certified real estate appraiser shall place such appraiser's license or  
22 certificate number adjacent to or immediately below the appraiser's signature whenever the  
23 appraiser's signature is used in an appraisal report or in a contract or other instrument used by the  
24 license or certificate holder in conducting real estate appraisal activities.

25 304 Real Estate Appraisers; Receipts and Disbursements. Amend RSA 310-B:21 to read as  
26 follows:

27 310-B:21 Receipts and Disbursements.

28 I. The ~~[board]~~ **office of professional licensure and certification** shall receive and  
29 account for all moneys derived under the provisions of this chapter. Under no circumstances shall  
30 the total amount of payments exceed the fees collected under this chapter.

31 I-a. All moneys collected as administrative penalties through enforcement actions or  
32 settlements under this chapter shall be credited to the real estate appraisers fund and disbursed by  
33 the board for the investigation of complaints and activities ~~[that violate this chapter or rules adopted~~  
34 ~~by the board.~~

35 ~~II. The board shall reimburse the general fund for moneys appropriated for the purposes of~~  
36 ~~this chapter as soon as such funds are available.~~

1           ~~III.] II.~~ Revenues in excess of budget estimates may be expended with the prior approval of  
2 the legislative fiscal committee and the governor and council.

3           305 Real Estate Appraisers; Rulemaking. Amend RSA 310-B:24 to read as follows:

4           310-B:24 Rulemaking Authority. The board shall adopt rules pursuant to RSA 541-A, relative  
5 to:

6           I. The application [~~procedure and~~] eligibility requirements for the issuance of any initial  
7 license or certificate issued under this chapter, including the issuance of such licenses to applicants  
8 holding a currently valid license or other authorization to practice in another jurisdiction.

9           I-a. The application [~~procedure and~~] eligibility requirements for the issuance of any  
10 temporary practice permit issued under this chapter.

11           II. [~~Design and content of all forms required under this chapter.~~

12           ~~III.]~~ How an applicant shall be examined.

13           ~~[IV.] III.~~ [~~How a~~] *The criteria for renewal of a* license or certificate [~~shall be renewed~~].

14           ~~[V.] IV.~~ Ethical standards required to be met by each holder of a license or certificate issued  
15 under this chapter and how such license or certificate may be revoked for violation of these  
16 standards.

17           ~~[VI. Establishing all fees required under this chapter, subject to RSA 332-G.~~

18           ~~VII.] V.~~ Standards for appraisal education programs and the issuance of evidence indicating  
19 satisfactory completion of such program.

20           ~~[VII-a.] VI.~~ The registration and supervision of appraisal management companies under  
21 RSA 310-B:16-a[, ~~including the establishment of fees for annual registration and for renewal of~~  
22 ~~registration~~].

23           ~~[VIII. The conduct of investigations and procedures for the conduct of hearings consistent~~  
24 ~~with the requirements of RSA 541-A.~~

25           ~~VIII-a.] VII.~~ Establishing continuing education and experience requirements which comport  
26 with criteria set forth by the board.

27           ~~[IX.] VIII.~~ The requirements for public requests for information.

28           ~~[X.] IX.~~ The conditions and requirements for granting a waiver to any rule adopted by the  
29 board.

30           306 Repeal; Real Estate Appraisers. The following are repealed:

31           I. RSA 310-B:20, relative to fees for licensure or certification of appraisal management  
32 companies.

33           II. RSA 310-B:22, relative to a roster of licensed or certified real estate appraisers.

34           307 Repeal; Distribution of Publications. RSA 332-H, relative to the distribution of publications  
35 by licensing commissions and boards, is repealed.

36           308 Findings; Temporary Licensing. On March 23, 2020, Governor Sununu required the office  
37 of professional licensure and certification to establish a system to process a provisional license for an

1 out-of-state medical provider who presents to the office of professional licensure and certification  
2 evidence that they are licensed in good standing in another jurisdiction.

3 309 New Section; Office of Professional Licensure and Certification. Temporary Licensing  
4 Process. Amend RSA 310-A by inserting after section 1-e the following new section:

5 310-A:1-f Temporary Licensing Process; Rulemaking. Notwithstanding any other state law to  
6 the contrary, the office of professional licensure and certification shall be authorized to issue  
7 temporary licenses to out-of-state health care professionals who present evidence of an active license  
8 in good standing from another jurisdiction, in accordance with rules adopted by executive director of  
9 the office of professional licensure and certification under RSA 541-A. The rules shall contain the  
10 following provisions:

11 I. Health care professionals shall be defined as those individuals licensed by the boards,  
12 councils, and commissions within the division of health professions as set forth in RSA 310-A:1-a, II,  
13 with the exception of those licensed pursuant to RSA 314, RSA 314-A, RSA 313, RSA 328-B, and  
14 RSA 328-H.

15 II. The temporary licenses shall be valid for 120 days, or until the board, council, or  
16 commission takes action on an application for full licensure, whichever happens first.

17 III. All individuals licensed under this section shall be subject to the jurisdiction of the state  
18 licensing body for that profession.

19 310 Findings; Electronic Signatures. On May 19, 2020, in response to the COVID-19 State of  
20 Emergency, Governor Sununu issued Exhibit H to Emergency Order #29. Exhibit H requires all  
21 boards, councils, or commissions administered by the office of professional licensure and certification  
22 to accept electronic signatures or scans of signed documents in addition to original signatures.

23 311 New Paragraph; Electronic Signatures. Amend RSA 310-A:1-d by inserting after paragraph  
24 II the following new paragraph:

25 III. Notwithstanding any other provisions of law to the contrary, for the performance of the  
26 administrative, clerical, and business processing responsibilities under paragraph II(b), all boards,  
27 councils, or commissions shall accept electronic signatures and scans of signed documents in  
28 addition to original signatures.

29 312 Allied Health Professionals; Temporary Licensure. Amend the introductory paragraph of  
30 RSA 328-F:18, VI to read as follows:

31 VI. Occupational therapists, occupational therapist assistants, recreational therapists,  
32 speech pathologists, respiratory care practitioners, *athletic trainers*, *genetic counselors*, physical  
33 therapists, and physical therapist assistants from the states of Connecticut, Rhode Island,  
34 Massachusetts, Maine, New York, and Vermont, who are currently licensed, shall be eligible for  
35 temporary licensure for 120 days while the person makes application for licensure to the respective  
36 governing board under this chapter. *Temporary licensure shall not apply to an allied health*  
37 *governing board that is a member of an interstate licensure compact.* An applicant for

1 temporary licensure to practice, who is currently licensed or certified in Connecticut, Rhode Island,  
2 Massachusetts, Maine, New York, or Vermont, shall:

3 313 Controlled Drug Prescription Health and Safety Program; Definitions. Amend RSA 318-  
4 B:31, IV to read as follows:

5 IV. "Dispenser" means a person or entity who is lawfully authorized to deliver a schedule II-  
6 IV controlled substance, **and conduct medication reconciliation**, but does not include:

7 (a) A licensed hospital pharmacy **under RSA 318** that dispenses less than a 48-hour  
8 supply of a schedule II-IV controlled substance from a hospital emergency department or that  
9 dispenses for administration in the hospital;

10 (b) A practitioner, or other authorized person who administers such a substance;

11 (c) A wholesale distributor of a schedule II-IV controlled substance or its analog;

12 (d) A prescriber who dispenses less than a 48-hour supply of a schedule II-IV controlled  
13 substance from a hospital emergency department to a patient; [or]

14 (e) A veterinarian who dispenses less than a 48-hour supply of a schedule II-IV  
15 controlled substance to a patient; **or**

16 (f) **A practitioner who neither prescribes nor dispenses and who is not actively**  
17 **working as a pharmacist within a New Hampshire licensed pharmacy licensed under RSA**  
18 **318 or New Hampshire health care facility licensed under RSA 151.**

19 314 New Paragraph; Controlled Drug Prescription Health and Safety Program Established.  
20 Amend RSA 318-B:32 by inserting after paragraph I the following new paragraph:

21 I-a. The office may enter into agreements or contracts to facilitate the confidential sharing of  
22 information relating to the prescribing and dispensing of schedule II-IV controlled substances, by  
23 practitioners within the state and to establish secure connections between the program and a  
24 practitioner's electronic health record keeping system. The electronic health record keeping system  
25 may allow for the query and retrieval of program information for display and retention in the  
26 patient's medical information; provided that nothing in this section shall allow the electronic health  
27 record keeping system owner or license holder to perform data queries unrelated to individuals  
28 under the practitioner's care. The electronic health record keeping system owner or license holder  
29 shall be responsible for ensuring that only authorized individuals have access to program  
30 information.

31 315 New Paragraph; Controlled Drug Prescription Health and Safety Program; Confidentiality.  
32 Amend RSA 318-B:34 by inserting after paragraph II the following new paragraph:

33 II-a. A practitioner who intends to request and use information from the program about a  
34 patient shall post a sign that can be easily viewed by the public that discloses to the public that the  
35 practitioner may access and use information contained in the program. In lieu of posting a sign, the  
36 practitioner may provide such notice in written material provided to the patient.

1       316 Providing Controlled Drug Prescription Health and Safety Information. Amend RSA 318-  
2 B:35, I(a)(2) and (3) to read as follows:

3               (2) For reviewing information regarding prescriptions issued or dispensed by the  
4 requester; [or]

5               (3) For the purpose of investigating the death of an individual; *or*

6               (4) *For the purpose of administering RSA 318:29-a, VI, RSA 326-B:36-a, RSA*  
7 *329:13-b, and other participating health professional boards.*

8       317 Repeal. RSA 318-B:35, I(b)(5), relative to a practitioner or consultant retained by the office  
9 of professional licensure and certification to review certain information, is repealed.

10       318 Repeal. RSA 328-F:18-a, V, relative to conditional licensure as an allied health professional  
11 pending results of a criminal history records check, is repealed.

12       319 Places of Assembly; Definition of Licensing Agency. Amend RSA 155:17, II to read as  
13 follows:

14               II. "Licensing agency" shall mean the chief of the fire department, the firewards or  
15 engineers, if any, otherwise the selectmen of the town or the commissioners of village district as the  
16 case may be, *or the state fire marshal, as he or she deems necessary, in consultation with the*  
17 *local licensing agency, if any.*

18       320 Places of Assembly; License Required. Amend RSA 155:18 to read as follows:

19       155:18 License Required. No person shall own or operate a place of assembly within this state  
20 unless licensed so to do by the licensing agency of the *state*, city, town, or village district where said  
21 place of assembly is located, including assemblies occurring on state waters or ice formed on state  
22 waters, in accordance with the regulations herein promulgated. In the application of this act to  
23 existing places of assembly the licensing agency may modify such of its provisions as would require  
24 structural changes if in his or her opinion adequate safety may be obtained otherwise and provided  
25 that a permanent record is kept of such modifications and the reasons therefor.

26       321 New Section; Solemnization of Marriage; Special Marriage Officiant License. Amend RSA  
27 457 by inserting after section 32-a the following new section:

28       457:32-b Special Marriage Officiant License.

29               I. The secretary of state may issue a special marriage officiant license, which shall  
30 temporarily authorize an individual to solemnize a marriage in this state. Any individual who  
31 applies for the special marriage officiant license shall register with the secretary of state, complete  
32 the registration form prescribed by the secretary of state, and submit an \$85 fee to the department of  
33 state. The secretary of state shall forward \$80 of the fee to the department of health and human  
34 services for deposit in the fund for domestic violence programs, established in RSA 173-B:15, and  
35 shall retain the remainder of the fee for administrative costs associated with issuance of the license.

36               II. Upon registration as a special marriage officiant, the individual shall be authorized to  
37 solemnize only the civil marriage designated on the registration form and shall receive proof of such

1 authority from the secretary of state. The individual's authority to solemnize the marriage shall  
2 expire at the same time as the corresponding license.

3 322 Effective Date.

4 I. Sections 2, 180, 308-311, and 314-317 of this act shall take effect upon its passage.

5 II. Sections 312, 313, and 318-321 of this act shall take effect 60 days after its passage.

6 III. The remainder of this act shall take effect September 1, 2020.



**HB 1491- FISCAL NOTE**

AS AMENDED BY THE SENATE (AMENDMENT #2020-1423s AND AMENDMENT #2020-1521s)

AN ACT relative to occupational licensure and the office of professional licensure and certification.

FISCAL IMPACT:  State  County  Local  None

STATE:	Estimated Increase / (Decrease)			
	FY 2020	FY 2021	FY 2022	FY 2023
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	Indeterminable	Indeterminable	Indeterminable
Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable
Funding Source:	<input checked="" type="checkbox"/> General <input type="checkbox"/> Education <input type="checkbox"/> Highway <input checked="" type="checkbox"/> Other - Office of Professional Licensure and Certification Fund (RSA 310-A:1-e,I(b)) and Special fund for domestic violence programs (RSA 173-B:15)			

**METHODOLOGY:**

**Section 115 (relative to physician assistants)**

The bill as amended changes license renewals for Physicians Assistants from annual to biennial. The Office of Professional Licensure and Certification (OPLC) states it would lose 1 years' worth of licensing fees due to this transition – anyone who had renewed at the end of 2019 (FY20) wouldn't have to renew again until December 2021 (FY22), so the agency would lose the expected FY21 licensing fees. The estimated revenue loss is \$108,560 in FY21 (Dec 2020) and every odd fiscal year thereafter. The agency would seek to amend their administrative rules governing the fee amount for the 2 year license term to accommodate this revenue loss.

**Section 180 (relative to the Board of Pharmacy)**

This bill establishes that pharmacy odd numbered licenses expire December 31st of each odd numbered year and the even numbered licenses expire December 31st of each even numbered year. Half of licensees will receive an extra year of licensing at no cost. Revenue will shift from every other year, to split evenly between two years. Furthermore, if this provision is passed the agency will continue to seek to amend its license fees through the administrative rule process. The term of such permits had been previously changed from an annual basis to a biennial basis in 2019 (Chapter 264:7). The corresponding administrative rules governing the amounts of the annual permit fees were not increased at that time to account for the change in license term, resulting in a biennial permit for the price of an annual permit, or half of what would be collected over a two year period. The OPLC reports that the loss of revenue due to the 2019

change in permit term was not anticipated and will negatively affect the projected lapse of revenue from the OPLC fund to the general fund in FY 2021 and in odd numbered fiscal years thereafter, however the bill as amended will restore the lost revenue as indicated:

	<u>FY 2020</u>	<u>FY 2021</u>	<u>FY 2022</u>	<u>FY 2023</u>
Permit fees prior to Chapter 264:7, 2019	\$785,000	\$785,000	\$785,000	\$785,000
Current Law	\$785,000	\$0	\$785,000	\$0
HB 1491 as amended	-	\$392,250	\$392,250	\$392,250
HB 1491 as amended with contingent rule change		\$785,000	\$785,000	\$785,000

**Section 308-311 (temporary licensing process)**

OPLC indicates the cost of implementing a temporary licensing process is indeterminable. At present, OPLC does not have fees for temporary licensure, but would have an indeterminable amount of expense as a result of staffing allocation to the processing.

**Sections 313-317 (relative to the controlled drug prescription health and safety program)**

The bill as amended authorizes the Department of Health and Human Services to access information from the controlled drug prescription health and safety program under certain circumstances. The Office of Professional Licensure and Certification states that its current vendor provides such information free of charge as part of the current contract, which expires on 6/30/20. Should the same vendor win the bid for the next contract, there will be no cost. Should a different vendor win the next contract, the potential exists that there may be an additional cost to allowing the Department of Health and Human Services to access the data. The Department of Health and Human Services states this provision will have no fiscal impact on the Department.

**Section 321 (special marriage officiant license)**

This bill as amended would authorize the Secretary of State to issue a special marriage officiant license to temporarily authorize an individual to solemnize a marriage in this state. The legislation requires completion of a registration form and submission of an \$85 fee, \$80 which is to be forwarded to the Department of Health and Human Services for deposit in the fund for domestic violence programs established in RSA 173-B:15, and \$5 to be retained by the Secretary of State for administrative costs associated with the issuance of the license.

The Department of Health and Human Services states the number of licenses that would be requested is unknown. No additional staff would be needed to forward the funds for deposit in

the fund for domestic violence programs but the task would require a re-allocation of existing staff time for this purpose within the current budget.

The Secretary of State's Office previously submitted information assuming that the individuals obtaining the proposed license would be the same ones who obtain on-line ordained minister credentials to qualify for the special marriage solemnization license issued to ordained ministers. The fee for that license is \$25. It is estimated that 985 individuals apply for the existing license annually, generating approximately \$24,625 per year (985 x \$25). This revenue currently goes to the general fund. The Secretary of State assumes under the bill, the same number of applicants (985) will now pay \$85 and will generate \$83,725 (985 x \$85 = \$83,725). Of this amount, \$78,800 (985 x \$80 = \$78,800) would go to the domestic violence fund. The Secretary of State assumes \$4,925 (985 x \$5 = \$4,925) would be retained by the Secretary of State for deposit into the general fund.

	Type of License	
	Ordained Minister Online	Proposed Marriage Officiant
License Fee	\$25	\$85
Estimated Annual Number of Applicants	985	985
Annual Revenue to General Fund	\$24,625	\$4,925
Annual Revenue to Domestic Violence Fund	\$0	\$78,800
<b>Total Annual Revenue</b>	<b>\$24,625</b>	<b>\$83,725</b>

Total Projected Annual Revenue	\$83,725
Less Current Total Annual Revenue	<u>\$24,625</u>
<b>Net Projected Annual Revenue</b>	<b>\$59,100</b>

**AGENCIES CONTACTED:**

Office of Professional Licensure and Certification, Department of Health and Human Services,  
and Department of State

**Senate Executive Departments and Administration  
Committee**

*Cameron Lapine 271-3091*

**HB 1491**, relative to allied health professional temporary licensure.

**Hearing Date:** June 9, 2020

**Members of the Committee Present:** Senators Carson, Cavanaugh, Rosenwald, Chandley and Reagan

**Members of the Committee Absent :** None

**Bill Analysis:** This bill expands the professions in the allied health governing boards which grant temporary licensure to licensees from other states.

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**Sponsors:**

Rep. P. Schmidt

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**Who supports the bill:** Representative Peter Schmidt (Strafford – District 19), Representative Renny Cushing (Rockingham – District 21), Senator Jay Kahn (Senate District 10), Representative Dianne Schuett (Merrimack – District 20), Tereze Stokes, Beverly Cotton, Melissa O'Brien, Theodore Smith, Cassandra Snow and Lindsey Courtney.

**Who opposes the bill:** Tyler Clark.

**Who is neutral on the bill:** Paul Kidder, Brian Moran, Henry Veilleux, Tristin Craigie, Former Representative James Phinizy, Annika Stanley-Smith, Chryssa Alexis, Christian Citarella, and Paul Sanderson.

**Summary of testimony presented in support:**

*Senator Sharon Carson*

*Senate District 14*

- Senator Carson introduced the bill on behalf of its prime sponsor, Representative Peter Schmidt.

**Summary of testimony presented in opposition:** None.

**Neutral Information Presented:** None.

cml

Date Hearing Report completed: June 13, 2020

# Voting Sheets

**Senate Executive Departments and  
Administration Committee  
EXECUTIVE SESSION RECORD  
2021 Session**

Bill # SB 58

Hearing date: 1-27-21

Executive Session date: 3-3-21

Motion of: Amendment 0316s Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Carson, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Reagan, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Ricciardi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Cavanaugh	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Prentiss	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: OTPA Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Carson, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Reagan, Vice Chair	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Ricciardi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Cavanaugh	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Prentiss	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: Consent Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Carson, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Reagan, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Ricciardi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Cavanaugh	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Prentiss	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Reported out by: Sen. Carson

Notes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE  
FOR THE CONSENT CALENDAR

Thursday, March 4, 2021

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, the committee recommends that the Bill

OUGHT TO PASS WITH AMENDMENT

BY A VOTE OF: 5-0

AMENDMENT # 0617s

Senator Sharon Carson  
For the Committee

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 certification (OPLC). Since its creation, OPLC has been working towards achieving its mission of protecting the public and providing oversight and administrative support for the many licensing boards, councils, and commissions in New Hampshire. OPLC has been stymied in those pursuits by statute that is often in conflict with other statute. SB 58 is part of a multi-year, multi-bill effort to give OPLC the tools it needs to accomplish its mission. The Committee Amendment adds language covering background checks for the electrician license applicants and clarifies quorum requirements.

Cameron Lapine 271-2104



FOR THE 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, Vote 5-0.

Senator Sharon Carson for the committee.

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 certification (OPLC). Since its creation, OPLC has been working towards achieving its mission of protecting the public and providing oversight and administrative support for the many licensing boards, councils, and commissions in New Hampshire. OPLC has been stymied in those pursuits by statute that is often in conflict with other statute. SB 58 is part of a multi-year, multi-bill effort to give OPLC the tools it needs to accomplish its mission. The Committee Amendment adds language covering background checks for the electrician license applicants and clarifies quorum requirements.

## General Court of New Hampshire - Bill Status System

**Docket of SB58**

Docket Abbreviations

**Bill Title:** relative to the administration of occupational regulation by the office of professional licensure and certification.

*Official Docket of SB58.:*

<b>Date</b>	<b>Body</b>	<b>Description</b>
1/19/2021	S	<b>Introduced</b> 01/06/2021 and Referred to Executive Departments and Administration; <b>SJ 3</b>
1/20/2021	S	Remote <b>Hearing:</b> 01/27/2021, 10:00 am; Links to join the hearing can be found in the Senate Calendar; <b>SC 8</b>
3/4/2021	S	Committee Report: Ought to Pass with Amendment <b>#2021-0617s</b> , 03/11/2021; Vote 5-0; CC; <b>SC 14</b>
3/11/2021	S	Sen. Cavanaugh moved that SB 58 was Removed from the Consent Calendar; 03/11/2021; <b>SJ 7</b>
3/11/2021	S	Sen. Cavanaugh Moved to divide the Question on Committee Amendment <b>#2021-0617s</b> , Section 1, RSA 310-A:1-d, II(h)(2), Section 164, RSA 319-C:6, and Section 178; and then Sections 166 and 178; 03/11/2021; <b>SJ 7</b>
3/11/2021	S	The Chair ruled the Question Divisible; 03/11/2021; <b>SJ 7</b>
3/11/2021	S	Committee Amendment <b>#2021-0617s</b> , Section 1, RSA 310-A:1-d, II(h)(2), Section 164, RSA 319-C:6, and Section 178, <b>RC 19Y-5N, AA</b> ; 03/11/2021; <b>SJ 7</b>
3/11/2021	S	Committee Amendment <b>#2021-0617s</b> , Sections 166 and 178, <b>RC 12Y-12N, AF</b> ; 03/11/2021; <b>SJ 7</b>
3/11/2021	S	Sen. Soucy Moved Reconsideration on Committee Amendment <b>#2021-0617s</b> Sections 166 and 178, <b>RC 24Y-0N, MA</b> ; 03/11/2021; <b>SJ 7</b>
3/11/2021	S	Committee Amendment <b>#2021-0617s</b> , Sections 166 and 178, <b>RC 10Y-14N, AF</b> ; 03/11/2021; <b>SJ 7</b>
3/11/2021	S	<b>Ought to Pass with Amendment</b> 2021-0617s Section 1, RSA 310-A:1-d, II(h)(2), Section 164, RSA 319-C:6, and Section 178, <b>RC 24Y-0N, MA</b> ; OT3rdg; 03/11/2021; <b>SJ 7</b>
3/17/2021	H	Introduced (in recess of) 02/25/2021 and referred to Executive Departments and Administration <b>HJ 4 P. 50</b>
4/2/2021	H	Public Hearing: 04/15/2021 01:30 pm Members of the public may attend using the following link: To join the webinar: <a href="https://zoom.us/j/99594447166">https://zoom.us/j/99594447166</a> / Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.
4/21/2021	H	Subcommittee Work Session: 05/06/2021 10:00 am Members of the public may attend using the following link: To join the webinar: <a href="https://zoom.us/j/99880150800">https://zoom.us/j/99880150800</a>
5/10/2021	H	Subcommittee Work Session: 05/18/2021 09:30 am Members of the public may attend using the following link: To join the webinar: <a href="https://zoom.us/j/97887037548">https://zoom.us/j/97887037548</a>
5/5/2021	H	==TIME CHANGE== Executive Session: 05/18/2021 10:30 am Members of the public may attend using the following link: To join the webinar: <a href="https://zoom.us/j/97887037548">https://zoom.us/j/97887037548</a> / Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.

5/25/2021	H	Committee Report: Ought to Pass with Amendment #2021-1531h (Vote 18-0; CC) <b>HC 26</b> P. 6
6/3/2021	H	Amendment #2021-1531h: AA VV 06/03/2021 <b>HJ 8</b> P. 8
6/3/2021	H	<b>Ought to Pass with Amendment</b> 2021-1531h: MA VV 06/03/2021 <b>HJ 8</b> P. 8
6/10/2021	S	Sen. Carson Moved to Concur with the House Amendment, MA, VV; 06/10/2021; <b>SJ 19</b>
7/12/2021	H	Enrolled Bill Amendment #2021-2056e: AA VV (in recess of) 06/24/2021
7/13/2021	S	Enrolled Bill Amendment #2021-2056e Adopted, VV, (In recess of 06/24/2021); <b>SJ 20</b>
7/23/2021	H	Enrolled (in recess of) 06/24/2021
7/21/2021	S	Enrolled Adopted, VV, (In recess 06/24/2021); <b>SJ 20</b>
8/16/2021	S	Signed by the Governor on 08/10/2021; Chapter 0197
8/16/2021	S	I. Sections 20 & 123 Effective 07/01/2021 at 12:01am
8/16/2021	S	II. Remainder Effective 07/01/2021

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 NH House

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 NH Senate
 

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# Other Referrals

July 6, 2021  
2021-2056-EBA  
12/08

Enrolled Bill Amendment to SB 58

The Committee on Enrolled Bills 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 as amended ought to pass.

FOR THE COMMITTEE

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Explanation to Enrolled Bill Amendment to SB 58

This enrolled bill amendment incorporates RSA changes made by HB2 FN-A-LOCAL of the 2021 regular legislative session.

Enrolled Bill Amendment to SB 58

Amend RSA 328-F:18, IV as inserted by section 20 of the bill by replacing it with the following:

IV. Initial licenses, certifications, and registrations, including conditional licenses, certifications, and registrations that are the first license, certificate, or registration issued to the individual or hearing aid dealer, and provisional licenses, certifications, and registrations shall be:

~~(a) Signed and dated by the chairperson of the governing board issuing them or his or her designee.~~

~~(b)~~ numbered consecutively and recorded.

Amend RSA 332-G:12, I as inserted by section 123 of the bill by replacing lines 1 and 2 with the following:

I. All boards or commissions *shall grant a license to an individual certified or licensed in another state if it*

**ENROLLED BILL AMENDMENT TO SB 58**

**- Page 2 -**

Amend the bill by replacing section 183 with the following:

**183 Effective Date.**

- I. Sections 20 and 123 of this act shall take effect July 1, 2021, at 12:01 a.m.
- II. The remainder of this act shall take effect July 1, 2021.

**Senate Inventory Checklist for Archives**

Bill Number: SB 58

Senate Committee: ED+A

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

Final docket found on Bill Status

**Bill Hearing Documents: {Legislative Aides}**

- Bill version as it came to the committee
- All Calendar Notices
- Hearing Sign-up sheet(s)
- Prepared testimony, presentations, & other submissions handed in at the public hearing
- Hearing Report
- Revised/Amended Fiscal Notes provided by the Senate Clerk's Office

**Committee Action Documents: {Legislative Aides}**

All amendments considered in committee (including those not adopted):

2021 - amendment # 0147s      2021 - amendment # 0316s  
2021 - amendment # 0212s      2021 - amendment # 0617s

- Executive Session Sheet
- Committee Report

**Floor Action Documents: {Clerk's Office}**

All floor amendments considered by the body during session (only if they are offered to the senate):

\_\_\_ - amendment # \_\_\_\_\_      \_\_\_ - amendment # \_\_\_\_\_  
 \_\_\_ - amendment # \_\_\_\_\_      \_\_\_ - amendment # \_\_\_\_\_

**Post Floor Action: (if applicable) {Clerk's Office}**

- Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):
- Enrolled Bill Amendment(s) 2056
- Governor's Veto Message

**All available versions of the bill: {Clerk's Office}**

as amended by the senate       as amended by the house  
 final version

Completed Committee Report File Delivered to the Senate Clerk's Office By:

Cameron M. Zappie  
 Committee Aide

7/16/21  
 Date

Senate Clerk's Office \_\_\_\_\_