

Amendment to SB 133-FN

1 Amend the bill by replacing section 1 with the following:

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3 1 Sponsorship. This act consists of the following proposed legislation:

4 Part I: LSR 21-0964, relative to the definition of "licensing agency" for purposes of licensing
5 places of assembly, sponsored by Sen. Carson, Prime/Dist 14.

6 Part II: LSR 21-0506, repealing the emergency medical services personnel licensure
7 interstate compact, sponsored by Sen. Rosenwald, Prime/Dist 13, Sen. Cavanaugh, Dist 16; Sen.
8 Carson, Dist 14; Rep. Goley, Hills. 8; Rep. Milz, Rock. 6; Rep. O'Brien, Hills. 36; Rep. S. Pearson,
9 Rock. 6.

10 Part III: LSR 21-0207, relative to hearings of the New Hampshire board of nursing,
11 sponsored by Sen. Ward, Prime/Dist 8.

12 Part IV: LSR 21-0838, relative to membership of the professional standards board,
13 sponsored by Sen. Kahn, Prime/Dist 10; Sen. Prentiss, Dist 5.

14 Part V: LSR 21-0846, adopting the Audiology and Speech-Language Pathology Compact and
15 the Occupational Therapy Licensure Compact, sponsored by Sen. Sherman, Prime/Dist 24; Sen.
16 Soucy, Dist 18; Sen. Carson, Dist 14; Rep. March, Carr. 8.

17 Part VI: LSR 21-0859, relative to the licensure and regulation of music therapists, sponsored
18 by Sen. Avar, Prime/Dist 12; Sen. Watters, Dist 4; Sen. Carson, Dist 14; Sen. Reagan, Dist 17; Sen.
19 Kahn, Dist 10; Sen. Sherman, Dist 24; Sen. Prentiss, Dist 5; Sen. Perkins Kwoka, Dist 21; Rep.
20 McGhee, Hills. 27.

21 Part VII: LSR 21-0899, relative to the authority of the office of professional licensure and
22 certification for administration, rulemaking, and enforcement of investigations, hearings, and
23 appeals, sponsored by Sen. Reagan, Prime/ Dist 17, Sen. Carson, Dist 14; Sen. French, Dist 7; Sen.
24 Kahn, Dist 10; Sen. Prentiss, Dist 5; Sen. Rosenwald, Dist 13; Sen. Bradley, Dist 3; Sen.
25 D'Allesandro, Dist 20; Sen. Ward, Dist 8; Sen. Soucy, Dist 18; Sen. Giuda, Dist 2; Rep. Spillane,
26 Rock. 2; Rep. McGuire, Merr. 29; Rep. Seaworth, Merr. 20.

27 Part VIII: LSR 21-0928, relative to skilled professional medical personnel, sponsored by Sen.
28 Ward, Prime/Dist 8.

29 Part IX: LSR 21-0973, relative to temporary licensure of certain licensed nursing assistants,
30 sponsored by Sen. Hennessey, Dist 1; Sen. Rosenwald, Dist 13; Rep. Dostie, Coos 1; Rep. Thompson,
31 Coos 1.

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Part X: LSR 21-1011, relative to the revocation of licensure for licensed emergency medical service units and emergency medical service vehicles, sponsored by Sen. Prentiss, Prime/Dist 5; Rep. Merchant, Sull. 4; Rep. Goley, Hills. 8; Rep. McGuire, Merr. 29.

Part XI: LSR 21-1050, relative to schools for barbering, cosmetology, and esthetics, sponsored by Sen. Reagan, Prime/Dist 17; Sen. Rosenwald, Dist 13; Sen. Prentiss, Dist 5; Sen. Carson, Dist 14; Sen. Bradley, Dist 3; Sen. D'Allesandro, Dist 20; Sen. Gannon, Dist 23; Rep. McGuire, Merr. 29; Rep. Roy, Rock. 32; Rep. Harrington, Straf. 3.

Part XII: LSR 21-0277, relative to telemedicine provided by out of state psychologists, sponsored by Sen. Reagan, Prime/Dist 17; Sen. Carson, Dist 14; Sen. Bradley, Dist 3; Sen. Prentiss, Dist 5; Sen. French, Dist 7; Sen. Giuda, Dist 2; Sen. Hennessey, Dist 1; Sen. D'Allesandro, Dist 20; Rep. Spillane, Rock. 2; Rep. Tudor, Rock. 1.

Part XIII: LSR 21-1049, establishing program rules within the department of health and human services for sanitary production and distribution of food, sponsored by Sen. Giuda, Prime/Dist 2; Sen. Gannon, Dist 23.

Amend the bill by deleting Part II and renumbering Parts III through XIV, and the Part references in each Part's effective date, to be Parts II through XIII, respectively.

Amend Part V of the bill by replacing section 2(A) of RSA 326-F:15 with the following:

A. "Active duty military" means full-time duty status in the active uniformed service of the United States, including members of the National Guard and Reserve on active duty orders pursuant to 10 U.S.C. Chapter 1209 and 10 U.S.C Chapter 1211.

Amend the bill by replacing Part XIII with the following:

PART XIII

Relative to certified food protection managers.

1 New Section; Food Service Licensure; Certified Food Protection Manager. Amend RSA 143-A by inserting after RSA 143-A:11 the following new section:

143-A:11-a Certified Food Protection Manager

I. Each food service establishment licensed by the state under RSA 143-A:6 shall:

(a) Have a person in charge and present during all hours of operation trained as a certified food protection manager by a program approved by the Conference for Food Protection or other equivalent industry standards program.

(b) The requirement in RSA 143-A:11-a, I(a) shall not apply under these conditions:

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1 (1) Food establishments having at least one certified food protection manager on
2 staff shall not be required to have the certified food protection manager present when no food
3 preparation is taking place;

4 (2) Food establishments having at least one certified food protection manager on
5 staff shall not be required to have the certified food protection manager present when food
6 preparation is limited to reheating commercially prepared food or ready to eat food; or

7 (3) Food establishments having 5 food employees or less on duty are required to have
8 only one certified food protection manager on staff who is available, although not required to be
9 present, during all hours of operation.

10 II. This section shall not apply to any food service establishment exempt from licensure or
11 inspection under RSA 143-A:5.

12 III. This section shall not apply to food establishments licensed under RSA 143-A:6 as food
13 processing plants, cold storage or refrigerating warehouses; retail stores with no food preparation or
14 limited to self service foods, servicing areas, bed and breakfasts, lodging facilities serving continental
15 breakfasts, home delivery services of packaged frozen food; pushcarts and other mobile food units,
16 those serving packaged food and non-potentially hazardous unwrapped foods only;
17 wholesalers/distributors; on-site vending machines, bars/lounges without a food preparation area;
18 arena/theater concessions serving non-potentially hazardous; sellers of pre-packaged frozen meat or
19 poultry that is processed in a USDA-inspected plant; homestead food operations.

20 2 Effective Date. Part XIII of this act shall take effect upon its passage.

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AMENDED ANALYSIS

This bill adopts legislation relative to:

- I. Licensing places of assembly.
- II. Repealing the emergency medical services personnel licensure interstate compact.
- III. Hearings at the board of nursing.
- IV. Membership of the professional standards board.
- V. Adopting the Audiology and Speech-Language Pathology Compact and the Occupational Therapy Licensure Compact.
- VI. Licensure and regulation of music therapists.
- VII. The authority of the office of professional licensure and certification for administration, rulemaking, and enforcement of investigations, hearings, and appeals.
- VIII. Skilled professional medical personnel.
- IX. Temporary licensure of certain licensed nursing assistants.
- X. The revocation of licensure for licensed emergency medical service units and emergency medical service vehicles.
- XI. Schools for barbering, cosmetology, and esthetics.
- XII. Telemedicine provided by out of state psychologists.
- XIII. Sanitary production and distribution of food.