

NOV 16 2021

NEW HAMPSHIRE RULEMAKING MANUAL

APPENDIX II-K

COVER SHEET FOR EMERGENCY RULE

ADOPTED RULE	
DOCUMENT #	13290
FILED	11-16-21 @
EFFECTIVE	11-16-21 @
EXPIRES	5-15-22

8:53 AM  
8:53 AM

Document Number 13290 Rule Number Gen 406.01 (a)

1. Agency Name & Address:  
 Genetic Counselors Governing Board  
 The Office of Professional Licensure and Certification  
 7 Eagle Square  
 Concord New Hampshire 03301

5. Date of Filing: November 16, 2021

2. RSA Authority: RSA 328-F:11, I(b)

3. Federal Authority: \_\_\_\_\_

4. Type of Action:  
 Adoption \_\_\_\_\_  
 Amendment X  
 Repeal \_\_\_\_\_

6. Short Title: Genetic Counselors Renewal – Continued Competency for new licensees

7. Contact person for copies and questions:

Name:	Jessica M. Whelehan	Title:	Board Administrator
Address:	Office of Professional Licensure and Certification 7 Eagle Square Concord New Hampshire 03301	Phone #:	603-271-2855
		Fax#:	
		E-mail:	<u>jessica.m.whelehan@oplc.nh.gov</u>

\*\*PLEASE ATTACH THE FOLLOWING, numbered to correspond to the numbers on this sheet (a separate sheet is not required for every item):

- 8. An explanation of the nature of (a) the imminent peril to public health or safety, demonstrating that the emergency rule is necessary to prevent the imminent peril, or (b) the substantial fiscal harm to the state or its citizens which could otherwise occur if the rule were not adopted as an emergency rule.
- 9. A summary of the effect if the rule were not adopted.
- 10. A description of those affected.

\*PLEASE SUBMIT 2 COPIES OF THIS COVER SHEET and all attachments along with 2 copies of the emergency rule to the Office of Legislative Services, Administrative Rules.

\*\*PLEASE SIGN THE FOLLOWING:

I, the adopting authority,\* hereby certify that the attached is an accurate statement explaining why an emergency rule is necessary.

Date: November 16, 2021

Signature: [Handwritten Signature]

Name: Lisa Demers, M.S., CAC

Title: Chair, Genetic Counseling Board  
Certified Genetic Counselor

\*("Adopting authority" is the official empowered by statute to adopt the rule, or a member of the group of individuals empowered by statute to adopt the rule.)

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8. An explanation of the nature of (a) the imminent peril to public health or safety, demonstrating that the emergency rule is necessary to prevent the imminent peril, or (b) the substantial fiscal harm to the state or its citizens which could otherwise occur if the rule were not adopted as an emergency rule.

**Gen 406.01 (a) establishes the minimum continuing competency requirements for a licensed genetic counselor to submit a renewal application in the state of New Hampshire. The existing rule requires 50 hours of continuing professional education or professional activity during the biennium (January 1 of even numbered year through December 31 of odd-numbered year).**

**Gen rules do not specifically address those licensees who have received their initial licensure during their first renewal year, in this case January 1, 2021 through December 31, 2021. More than 60 individuals have received their initial licensure in 2021.**

**Without the enactment of this emergency rule, applicants who have been licensed in their first renewal year will be required to submit 50 hours of continuing education as the Gen rules do not detail any type of proration for these recent licensees. If the licensee does not meet the requirements their renewal application will be denied, therefore there would be imminent peril to health and public safety and substantial fiscal harm to the licensees.**

9. A summary of the effect if the rule were not adopted.

**If this rule were not adopted, licensed genetic counselors who are renewing for the first time in the same year that they received their license would potentially be unable to meet the renewal requirements, resulting in denial of licensure. This would cause unnecessary unemployment for the affected licensees and negatively impact patients across the state of New Hampshire who require a licensed genetic counselor as part of their care.**

10. A description of those affected.

**This rule affects licensed genetic counselor applicants for renewal, business owners who are seeking credentialed licensed genetic counselors, business owners who are currently employing licensed genetic counselors, and members of the public who would be delayed in or unable to secure the services of a licensed genetic counselor.**

**#13290, (eff 11-16-21)**

EMERGENCY RULE, EXPIRES: 5-15-22

CHAPTER Gen 400 CONTINUED STATUS

PART Gen 406 MAINTENANCE OF CONTINUING COMPETENCE

**Amend Gen 406.01(a), effective 10/7/14 (Doc #10687), cited and to read as follows:**

Gen 406.01 Maintenance of Continuing Competence.

(a) Licensees intending to renew their licensure shall maintain continuing competence by completing per biennium 50 hours of continuing professional education or professional activity further described in Gen 405.01(b) through (e). Licensees renewing an initial license issued between January 1, 2021 and December 31, 2021 shall not be required to submit continuing education if renewal occurs in 2021.

**APPENDIX**

RULE	STATE OR FEDERAL STATUTE THE RULE IMPLEMENTS
Gen 406.01(a)	RSA 328-F:11