

Amendment to HB 1491

1 Amend the title of the bill by replacing it with the following:

2
3 AN ACT relative to occupational licensure and the office of professional licensure and
4 certification.
5

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

7
8 1 New Subparagraph; Office of Professional Licensure and Certification; Health Professions;
9 Veterinarians. Amend RSA 310-A:1-a, I by inserting after subparagraph (z) the following new
10 subparagraph:

11 (aa) Veterinary medicine under RSA 332-B:3.

12 2 Administration of the Office. Amend RSA 310-A:1-d to read as follows:

13 310-A:1-d Administration of the Office of Professional Licensure and Certification.

14 I. The office of professional licensure and certification shall operate under the supervision of
15 the executive director appointed under RSA 310-A:1-b. The office may employ such clerical or other
16 assistants as are necessary for the proper performance of its work, and may make expenditures for
17 any purpose which are reasonably necessary, according to the executive director, for the proper
18 performance of its duties under this chapter. ***The office may contract for the services of***
19 ***investigators, hearing officers, and legal counsel after consulting with the boards,***
20 ***councils, and commissions within the office.***

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

23 (a) Supervision of the division directors;

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

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

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

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

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

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

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

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

10 (2) Such organizational and procedural rules necessary to administer the boards,
11 commissions, ~~[and]~~ councils, **and programs** in the office of professional licensure and certification,
12 including rules governing the administration of complaints and investigations, payment processing
13 procedures, and application procedures;

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

17 (4) ***Rules governing a healthcare professionals prescription drug***
18 ***monitoring program for the boards of medicine, pharmacy, dental examiners, nursing, and***
19 ***veterinary medicine; and***

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

28 3 Fees; Estimated Revenues. Amend RSA 310-A:1-e, I(a) to read as follows:

29 I.(a) The executive director of the office of professional licensure and certification shall
30 assess annual or biennial license, certification, and renewal fees, as well as any necessary
31 administrative fees for each professional regulatory board, council, or commission administered by
32 the office. ***Such fees shall be sufficient to produce estimated revenues up to 125 percent of***
33 ***the total operating expenses for the office, as determined by averaging the operating***
34 ***expenses for the office for the previous 2 fiscal years.***

35 4 Acupuncture; Quorum. Amend RSA 328-G:6 to read as follows:

36 328-G:6 Organization and Meetings. The board shall hold regular meetings at least semi-
37 annually and shall give notice to its members of the time and place for holding all regular and

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1 special meetings. A quorum of the board shall consist of ~~[not less than 3 members]~~ **a majority of**
2 **the members of the board who have been approved by the governor and council.** The board
3 shall biennially elect a chairperson, a vice-chairperson, and a secretary from among its members.

4 5 Acupuncture; Rulemaking. Amend RSA 328-G:7, I-III to read as follows:

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

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

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

11 6 Acupuncture; Rulemaking. Amend RSA 328-G:7, XIV to read as follows:

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

14 (b) Renewal, revocation, or suspension of certification of an acupuncture detoxification
15 specialist.

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

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

18 7 Acupuncture; Licensure. Amend RSA 328-G:9, II(d) to read as follows:

19 (d) Has paid the ~~[\$110]~~ license fee **established by the office of professional licensure**
20 **and certification** and filed the application ~~[established by the board]~~.

21 8 Acupuncture; License Renewal. Amend RSA 328-G:9, IX to read as follows:

22 IX. All licenses issued by the board shall be renewed biennially on or before June 30 or
23 reissued pursuant to rules adopted, and upon payment of ~~[a \$110]~~ **the renewal fee established by**
24 **the office of professional licensure and certification.**

25 9 Acupuncture; Powers of the Board. Amend RSA 328-G:11, I to read as follows:

26 I. The board shall:

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

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

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

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

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

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

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

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

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

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

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

10 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.

11 Repeals; Acupuncture. The following are repealed:

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

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

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

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

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

XIII. The governor may remove any member from the board for neglect of any duty under RSA 330-C:5 or for incompetence, or unprofessional or dishonorable conduct. Any person may file a complaint against a board member or board members with the executive director of the office of professional licensure and certification. Upon receipt of a complaint, the ~~[commissioner]~~ ***executive director*** shall conduct an investigation and take any appropriate action and report his or her

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1 findings to the complainant. The provisions of RSA 4:1 controlling the removal of public officials
2 from office shall be followed in dismissing board members.

3 14 Alcohol and Other Drug Use Professionals; Board; Duties. Amend RSA 330-C:5, VIII to read
4 as follows:

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

8 15 Alcohol and Other Drug Use Professionals; Records; Fees. RSA 330-C:7 and 330-C:8 are
9 repealed and reenacted to read as follows:

10 330-C:7 Records. A true record of all of the board's official acts shall be made and preserved by
11 the board through the office of professional licensure and certification in accordance with the
12 retention policy established by the office. The records shall be public and shall be open to inspection
13 at all reasonable times, except for records compiled in connection with disciplinary investigations
14 and records otherwise exempt from disclosure under RSA 91-A or other applicable statutes.

15 330-C:8 Fees; Charges.

16 I. The board shall charge licensees fees established by the office of professional licensure and
17 certification for the issuance of an initial license or certificate and for the renewal of a license or
18 certificate under this chapter.

19 II. The board may provide for:

20 (a) The administration of examinations required by this chapter.

21 (b) The approval of continuing education programs and program providers.

22 (c) The verification of license status or educational credentials.

23 III. The office of professional licensure and certification may establish administrative
24 charges for services offered pursuant to paragraph II.

25 16 Alcohol and Other Drug Use Professionals; Rulemaking. Amend RSA 330-C:9, I - V-b to read
26 as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

19 Alcohol and Other Drug Use Professionals; Renewals. Amend RSA 330-C:22, II and III to read as follows:

II. Licensees and certification holders shall have a grace period of 30 days after expiration in which to renew retroactively if they otherwise are entitled to have their licenses or certifications renewed and pay to the board the renewal fee and any late fee set by the ~~[board]~~ ***office of professional licensure and certification*** under rules adopted pursuant to RSA 541-A.

III. A suspended license or certification shall be subject to expiration and may be renewed as provided in this chapter, but such renewal shall not entitle the person, while the license or certification remains suspended and until it is reinstated, to engage in the activity, or in any other conduct or activity in violation of the order under which the license or certification was suspended. If a suspended license or certification is reinstated after its expiration, the person, as a condition of reinstatement, shall pay [a] ***any*** reinstatement fee ~~[that shall equal the renewal fee in effect on the~~

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1 ~~last regular renewal date immediately preceding the date of reinstatement, plus any]~~ **and** late fee
2 set by the [board] **office of professional licensure and certification.**

3 20 Alcohol and Other Drug Use Professionals; Reinstatement. Amend RSA 330-C:23, II to read
4 as follows:

5 II. Application for reinstatement of a license or certification which has lapsed shall include
6 payment of a reinstatement fee **established by the office of professional licensure and**
7 **certification** and be made, and granted or denied, in accordance with rules adopted by the board
8 pursuant to RSA 541-A.

9 21 Alcohol and Other Drug Use Professionals; Hearings. Amend RSA 330-C:29, I to read as
10 follows:

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

15 22 Repeals; Alcohol and Other Drug Use Professionals. The following are repealed:

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

17 II. RSA 330-C:5, X, relative to establishing fees.

18 III. RSA 330-C:9, IX, relative to rules for the conduct of hearings.

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

20 23 Allied Health Professionals; Legal Counsel. Amend RSA 328-F:3, II to read as follows:

21 II. The governing boards' chairpersons or their appointees shall make up the board of
22 directors of the office of licensed allied health professionals. [~~The board of directors shall contract for~~
23 ~~the services of investigators and legal counsel retained through the office of professional licensure~~
24 ~~and certification~~]. The board of directors shall have the authority to delegate to the person in the
25 supervisory position matters of administrative and personnel management.

26 24 Allied Health Professionals; Records. Amend RSA 328-F:9 to read as follows:

27 328-F:9 Records of the Boards. A true record of all of each board's official acts shall be made
28 and preserved **in accordance with the retention policy established by the office of**
29 **professional licensure and certification.** The records shall be public and shall be open to
30 inspection at all reasonable times, except for records compiled in connection with disciplinary
31 investigations and records otherwise exempt from disclosure under RSA 91-A or other applicable
32 statutes.

33 25 Allied Health Professionals; Records. RSA 328-F:10 is repealed and reenacted to read as
34 follows:

35 328-F:10 Records of Disciplinary History. Each governing board shall maintain a list of persons
36 against whom the board has taken any disciplinary action in accordance with the retention policy
37 established by the office of professional licensure and certification. This list shall include the name

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1 of the person, the reason for the disciplinary action, the date of the disciplinary action, and the
2 nature of the disciplinary action.

3 26 Allied Health Professionals; Rulemaking. Amend RSA 328-F:11 to read as follows:
4 328-F:11 Rulemaking by the Governing Boards.

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

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

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

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

12 (d) If the governing boards issue conditional licenses or certifications, conditional
13 renewal of licenses or certifications, or conditional reinstatement after lapse or suspension of
14 licenses or certifications, the circumstances under which these are issued and the standards for the
15 imposition of the conditions.

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

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

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

26 ~~(h) Application procedures.~~

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

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

31 (a) The scope of practice.

32 (b) The ethical standards.

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

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

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1 27 Allied Health Professionals; Licenses. Amend RSA 328-F:18, I through the introductory
2 paragraph of RSA 328-F:18, III to read as follows:

3 I. Each governing board shall issue initial licenses and license renewals to applicants who
4 have completed the ~~[required]~~ application procedures ***established by the office of professional***
5 ***licensure and certification*** and have met the eligibility requirements established by the practice
6 act and the rules of the governing board. If a governing board is authorized by its practice act to
7 issue provisional licenses, it shall issue such licenses to applicants who have completed the
8 ~~[required]~~ application procedures ***established by the office of professional licensure and***
9 ***certification*** and have met the eligibility requirements for provisional licensure established by the
10 practice act and the rules of the governing board.

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

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

19 28 Allied Health Professionals; Renewals. Amend RSA 328-F:19, III to read as follows:

20 III. Applicants shall submit completed applications for renewal on or before December 1 of
21 the renewal year. Completed renewal applications submitted between December 2 and December 31
22 of the renewal year shall be accompanied by a late filing fee ***established by the office of***
23 ***professional licensure and certification.*** Licenses shall lapse when completed renewal
24 applications have not been filed by December 31 of the renewal year, and their holders are not
25 authorized to practice until the licenses have been reinstated.

26 29 Allied Health Professionals; Reinstatement. Amend RSA 328-F:20, III and IV to read as
27 follows:

28 III. Complies with any application procedure established by the ~~[governing board]~~ ***office of***
29 ***professional licensure and certification.***

30 IV. Pays the reinstatement fee ***established by the office of professional licensure and***
31 ***certification.***

32 30 Allied Health Professionals; Reinstatement. Amend RSA 328-F:24, III to read as follows:

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

36 31 Repeals; Allied Health. The following are repealed:

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

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

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

3 IV. RSA 328-F:15, relative to establishment of fees.

4 32 Repeals; Genetic Counselors. The following are repealed:

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

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

7 33 Physical Therapists; Powers of the Board. Amend RSA 328-A:3, IV to read as follows:

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

10 34 Physical Therapists; Rules; Animal Physical Therapists. Amend RSA 328-A:4, VIII to read
11 as follows:

12 VIII. Regarding the establishment, criteria, [fees,] and renewal of, [~~and disciplinary~~
13 ~~proceedings for~~] certified animal physical therapists under RSA 328-A:15-b.

14 35 Repeals; Physical Therapists. The following are repealed:

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

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

17 36 Respiratory Care; Rulemaking. Amend RSA 326-E:2, III to read as follows:

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

20 37 Respiratory Care; Rulemaking. Amend RSA 326-E:11, III to read as follows:

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

24 38 Repeals; Respiratory Care. The following are repealed:

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

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

27 39 Speech-language Pathology; Reinstatement. Amend RSA 326-F:7-a, III and IV to read as
28 follows:

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

31 IV. Pays the reinstatement fee ***established by the office of professional licensure and***
32 ***certification.***

33 40 Repeal; Speech-language Pathology. RSA 326-F:5, II, relative to rules for applications, is
34 repealed.

35 41 Barbering, Cosmetology, Esthetics; Board; Quorum. Amend RSA 313-A:2, V to read as
36 follows:

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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 42 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 43 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 44 Barbering, Cosmetology, Esthetics; Rulemaking. Amend the introductory paragraph of RSA
24 313-A:8, II to read as follows:

25 II. The qualifications ~~[of applicants]~~ **and eligibility requirements for licensure,**
26 including the qualifications for satisfactory evidence of:

27 45 Barbering, Cosmetology, Esthetics; Barber License. Amend RSA 313-A:10, I(e) to read as
28 follows:

29 (e) Pay a fee established by the ~~[board]~~ **office of professional licensure and**
30 **certification.**

31 46 Barbering, Cosmetology, Esthetics; Master Barber License. Amend RSA 313-A:10, III(e) to
32 read as follows:

33 (e) Pay a fee established by the ~~[board]~~ **office of professional licensure and**
34 **certification.**

35 47 Barbering, Cosmetology, Esthetics; Cosmetologists License. Amend RSA 313-A:11, I(e) to
36 read as follows:

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1 (e) Pay a fee established by the ~~[board]~~ ***office of professional licensure and***
2 ***certification.***

3 48 Barbering, Cosmetology, Esthetics; Applications. Amend RSA 313-A:16 to read as follows:

4 313-A:16 Applications. Applicants shall make written application to the ~~[secretary of the]~~ board
5 on a form prescribed and supplied by the ~~[board]~~ ***office of professional licensure and***
6 ***certification*** which shall contain satisfactory evidence of the qualifications required of the
7 applicant; and the applicant shall also pay the examination fee.

8 49 Barbering, Cosmetology, Esthetics; Temporary Permit. Amend RSA 313-A:18, I to read as
9 follows:

10 I. Any person eligible to take an examination for a license under this chapter may apply to
11 the board for a permit to professionally operate temporarily pending the holding of such
12 examination. The application shall be accompanied by the payment of a fee established by the
13 ~~[board]~~ ***office of professional licensure and certification*** which shall be credited as the required
14 examination fee.

15 50 Barbering, Cosmetology, Esthetics; Renewals. Amend RSA 313-A:20 to read as follows:

16 313-A:20 Expiration and Renewal of Licenses. Each barber, master barber, barber instructor,
17 apprentice, barbershop, barber school, esthetician, esthetics instructor, esthetics school, esthetics
18 salon, manicurist, apprentice, beauty salon, or manicuring salon license issued under this chapter
19 shall expire on the last day of the birth month of the licensee in the odd year next succeeding its date
20 of issuance. Each cosmetologist, cosmetology instructor, or cosmetology school license issued under
21 this chapter shall expire on the last day of the birth month of the licensee in the even year next
22 succeeding its date of issuance. Any personal license which has expired may be renewed within 6
23 months by payment of the renewal fee and a late fee established by the ~~[board]~~ ***office of***
24 ***professional licensure and certification.*** After 6 months and within 5 years, a personal license
25 may be renewed by paying the renewal fee and a late fee established by the ~~[board]~~ ***office of***
26 ***professional licensure and certification.*** Any school or shop license which has expired may be
27 renewed upon payment of the renewal fee plus a late fee established by the ~~[board]~~ ***office of***
28 ***professional licensure and certification.***

29 51 Barbering, Cosmetology, Esthetics; Apprentices. Amend RSA 313-A:24, II(b) to read as
30 follows:

31 (b) Paying a fee established by the ~~[board]~~ ***office of professional licensure and***
32 ***certification;*** and

33 52 Barbering, Cosmetology, Esthetics; Tanning Facilities. Amend RSA 313-A:29 to read as
34 follows:

35 313-A:29 Registration Fee Required. No person shall operate a tanning facility without paying
36 an annual registration fee established by the ~~[board]~~ ***office of professional licensure and***

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1 ***certification.*** Registration fees received from each tanning facility shall be deposited into the office
2 of professional licensure and certification fund.

3 53 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 III. RSA 313-A:8, I, V, and VIII, relative to rules on applications, fees, and hearings.

7 54 Body Art; Fees. Amend RSA 314-A:2, II to read as follows:

8 II. The fee for an initial license and a renewal license shall be ~~[\$110]~~ ***established in rules***
9 ***adopted by the office of professional licensure and certification.*** The license shall be renewed
10 biennially on the last day of the licensee's birth month in odd-numbered years upon payment of the
11 ~~[\$110]~~ renewal fee.

12 55 Body Art; Advisory Board; Compensation. Amend the introductory paragraph of RSA 314-
13 A:14 to read as follows:

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

21 56 Chiropractic; Rulemaking. Amend RSA 316-A:3, IV to read as follows:

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

27 57 Chiropractic; Fees. Amend RSA 316-A:5 to read as follows:

28 316-A:5 Fees. The ~~[board]~~ ***office of professional licensure and certification*** shall establish
29 fees for examination of applicants, for licenses and for renewal of licenses to practice chiropractic,
30 and for transcribing and transferring records and other services. ~~[The fees established by the board~~
31 ~~shall be sufficient to produce estimated revenues equal to 125 percent of the direct operating~~
32 ~~expenses of the board for the previous fiscal year.]~~

33 58 Chiropractic; Board Meetings. Amend RSA 316-A:7 to read as follows:

34 316-A:7 Organization; Meetings. The board shall elect a chairperson ~~[and a secretary-~~
35 ~~treasurer]~~. The board shall meet quarterly and at such other times as the business of the board
36 shall require. ***A quorum shall constitute a majority of the members of the board who have***
37 ***been approved by the governor and council.***

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59 Chiropractic; Fees. Amend RSA 316-A:11, I to read as follows:

I. Each applicant shall pay to the ~~[secretary-treasurer]~~ **office of professional licensure and certification** a fee, established by the ~~[board]~~ **office of professional licensure and certification**, for which the applicant shall be entitled to an examination and to a reexamination, if necessary, within one year.

60 Chiropractic; License Fees. Amend RSA 316-A:14-a and 14-b to read as follows:

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

316-A:14-b License Fees. Each applicant who qualifies under this chapter shall pay a fee for an initial license and for a license renewal ~~[of \$300]~~ **as established in rules by the office of professional licensure and certification**. The initial license and license renewals shall be valid for the terms established under RSA 316-A:19.

61 Chiropractic; Renewals. Amend RSA 316-A:19 and 20 to read as follows:

316-A:19 Initial License and License Renewals. The fee for an initial license and license renewal issued under this chapter shall be ~~[\$300]~~ **as established in rules by the office of professional licensure and certification**. All licenses and renewals issued under the provisions of this chapter shall expire on July 1 in each odd numbered year.

316-A:20 Renewal. Any person holding a chiropractor's license may have the same renewed upon application and payment of the ~~[\$300]~~ renewal fee **established by the office of professional licensure and certification**. Each applicant shall submit satisfactory evidence that the applicant has completed at least 20 hours of continuing education approved by or conducted by the International Chiropractors Association, or the American Chiropractic Association, or the New Hampshire board of chiropractic examiners, or any state-chartered chiropractic school or college, within one year prior to the date of renewal. In the event of failure to comply with the provisions of this section, the applicant shall appear before the board to show cause why the license should not be suspended.

62 Repeals; Chiropractic. The following are repealed:

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

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

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

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

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

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

II. The board shall choose one of its members as its president and one of its members as vice-president. ~~[Five members]~~ ***A majority of the members of the board who have been approved by the governor and council*** shall constitute a quorum. No board action shall be taken without an affirmative vote of the majority of board members present and eligible to participate in the matter in question. Board members shall not be eligible to participate in a vote when the board member has recused himself or herself from participation due to a conflict of interest. The board shall meet once a year and at such other times and places as it may deem proper. A true record of all their official acts shall be made and preserved by the ~~[board's executive director]~~ ***office of professional licensure and certification in accordance with the retention policy established by the office***. The records shall be public and shall be open to inspection at all reasonable times, except for records compiled in connection with disciplinary proceedings, which are subject to RSA 317-A:18.

64 Dentistry; Applications. Amend RSA 317-A:8, I to read as follows:

I. Applications for licensure shall be made to the board in writing or online and shall be accompanied by a fee established in rules adopted under RSA 541-A by the ~~[board]~~ ***office of professional licensure and certification*** and by satisfactory proof that the applicant is a graduate of a school that is recognized by the Commission on Dental Accreditation (CODA). The applicant shall be of good professional character and 18 years of age or older.

65 Dentistry; Renewals. Amend RSA 317-A:13, II to read as follows:

II. Except as provided in RSA 317-A:16, before April 1 in the year of renewal under paragraph I a person licensed to practice dentistry or dental hygiene in this state shall register with the board, apply for license renewal, and pay the fee established in rules adopted by the ~~[board]~~ ***office of professional licensure and certification***. The timelines of submission of renewal applications shall be evidenced by date stamp made at the time of receipt at the board's office if hand delivered, or by postmark if mailed.

66 Dentistry; Penalties. Amend RSA 317-A:15 to read as follows:

317-A:15 Failure to Register; Penalties. Any person licensed by the board under this chapter who fails, neglects, or refuses to register pursuant to RSA 317-A:13 shall be assessed a late biennial registration fee as determined in rules adopted by the ~~[board]~~ ***office of professional licensure and certification***, provided the licensee submits a completed renewal application between April 1 and April 30 of the renewal year. ~~[The payment of the fee may be waived by the board if the board determines that good cause has been shown for the failure to register.]~~ Licenses shall lapse when complete renewal applications have not been received by the board by April 30 of the renewal year. Holders of lapsed active licenses are not authorized to practice until they receive written notification from the board that their licenses have been reinstated.

67 Dentistry; Reinstatement. Amend RSA 317-A:15-a, III to read as follows:

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1 III. Pays the registration fee, late fee, and reinstatement fee ***established in rules by the***
2 ***office of professional licensure and certification.***

3 68 New Paragraph; Dentistry; Professional Health Program. Amend RSA 317-A:16-a by
4 inserting after paragraph VI the following new paragraph:

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

7 69 Dentistry; Licensure of Hygienists. Amend RSA 317-A:21, II to read as follows:

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

14 70 Repeals; Dentistry. The following are repealed:

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

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

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

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

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

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

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

22 71 Dietitians; Board Records. Amend RSA 326-H:9, III to read as follows:

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

27 72 Dietitians; Rules. Amend RSA 326-H:10, I to read as follows:

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

30 73 Dietitians; License Fees. Amend RSA 326-H:12, V to read as follows:

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

33 74 Dietitians; License Renewals. Amend RSA 326-H:14, II to read as follows:

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

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

3 75 Repeal; Dieticians. The following are repealed:

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

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

6 76 Electrologists; Fees. Amend RSA 314:10, I to read as follows:

7 I. The fee for an initial biennial license and for renewal of the biennial license issued under
8 this chapter shall be [~~\$110~~] **established in rules by the office of professional licensure and**
9 **certification**. The executive director shall establish by rule a schedule of fees for applications,
10 examinations, and license replacement.

11 77 Repeal; Electrologists. RSA 314:2-a, IV, relative to compensation for the electrology advisory
12 committee, is repealed.

13 78 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 79 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 80 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 81 Funeral Directors; Fees. Amend RSA 325:12-a to read as follows:

31 325:12-a Fees. The fee for an initial 2-year license and for renewal of a license issued under this
32 chapter shall be [~~\$110 for embalmers and \$300 for funeral directors~~] **established by the office of**
33 **professional licensure and certification**. The [~~board~~] **office of professional licensure and**
34 **certification** shall establish fees for examination of applicants, for apprentices, for funeral home
35 inspections, and for transcribing and transferring records and other services.

36 82 Funeral Directors; Examinations. Amend RSA 325:18 to read as follows:

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1 325:18 Examinations. Examinations of applicants for licensure shall be held at least annually.
2 Any person who desires to engage in funeral directing or embalming shall submit in writing to the
3 board on forms provided by it an application for licensure accompanied by a fee established by the
4 ~~board~~ **office of professional licensure and certification**. The board shall require the applicant
5 to submit to such examinations as it may deem proper.

6 83 Funeral Directors; Licensure. Amend RSA 325:20 to read as follows:

7 325:20 Licensure. The board shall issue to each applicant successfully passing the examination,
8 where an examination is required, and who otherwise satisfies the board of **her or** his qualifications,
9 a license, ~~[signed by all the members of the board,]~~ entitling **her or** him to practice or engage in the
10 business in this state as a funeral director, embalmer, or both, as the case may be.

11 84 Funeral Directors; Interstate Agreements. Amend RSA 325:22-a to read as follows:

12 325:22-a Interstate Agreements. The board may enter into an agreement with the
13 corresponding licensing authority of any other state competent to enter into such agreement which
14 shall permit a nonresident person duly registered and licensed as a funeral director or embalmer in
15 any state signing the agreement with the board to go into the other state for the purpose of handling,
16 embalming, transporting, and burying dead human bodies and directing funerals as though he **or**
17 **she** were licensed under the laws of New Hampshire, except that he **or she** shall not maintain an
18 establishment, advertise, have any agent or agency, or otherwise hold himself **or herself** out as a
19 funeral director or embalmer other than in his **or her** native state; provided that the agreement will
20 set forth that the licensing authority of the state in which the funeral director or embalmer is
21 licensed will assume the responsibility for instituting disciplinary action against any licensed
22 funeral directors or embalmers who may be guilty of unprofessional conduct in the practice of their
23 business in New Hampshire when such is reported by this board and the same to apply to New
24 Hampshire **individuals** licensed ~~[men]~~ **under this chapter**.

25 85 Funeral Directors; Notification. Amend RSA 325:24 to read as follows:

26 325:24 Notices of Expiration. On or before May 15 of each odd-numbered year, the board shall
27 ~~[mail to]~~ **notify** each holder of a license ~~[a notice]~~ of the expiration of **her or** his license and an
28 application for the renewal thereof.

29 86 Funeral Directors; Renewals. Amend RSA 325:25, I to read as follows:

30 I. Every person licensed to practice under this chapter, except as provided in RSA 325:29,
31 shall apply to the board every 2 years for license renewal. The board shall require each licensee to
32 show proof of meeting the continuing education requirement of RSA 325:28-a. Payment shall be
33 made to the ~~[board secretary]~~ **office of professional licensure and certification** of the renewal
34 fee established in RSA 325:12-a.

35 87 Funeral Directors; Apprentices; Term. Amend RSA 325:30 to read as follows:

36 325:30 Issuance; Term; Renewal. Apprentice licenses shall be issued for a period of one year
37 and shall terminate one year from the date of issuance unless sooner ended by death, resignation,

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1 revocation or by ruling or decision of the board. Such licenses may be renewed in the discretion of
2 the board. The fees for an original apprentice license shall be established by the ~~[board]~~ **office of**
3 **professional licensure and certification.**

4 88 Repeal; Funeral Directors. The following are repealed:

5 I. RSA 325:6, relative compensation of board members.

6 II. RSA 325:9, I, V, and VIII, relative to rules on applications, fees, and hearings.

7 III. RSA 325:11, relative to a register of licensees.

8 IV. RSA 325:12, relative to a board treasurer.

9 V. RSA 325:33, II, relative to investigations.

10 VI. RSA 325:39, relative to an account.

11 VII. RSA 325:42, relative to a special fund.

12 89 Hearing Care Providers; Board of Hearing Care Providers. Amend RSA 137-F:3, VII to read
13 as follows:

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

16 90 Hearing Care Providers; Rulemaking. Amend RSA 137-F:6, I and II to read as follows:

17 I. The ~~[form and]~~ content of audiologist license applications and examinations.

18 II. The ~~[form and]~~ content of hearing aid dealer registration applications and examinations.

19 91 Hearing Care Providers; Registration of Hearing Aid Dealers. Amend RSA 137-F:8 to read as
20 follows:

21 137-F:8 Registration of Hearing Aid Dealers Required. No person shall engage in the business
22 of selling or offering for rent hearing aids unless such person is registered in accordance with this
23 chapter and unless the registration of such person is current and valid. The fee for an initial
24 registration under this section ~~[is \$300]~~ **shall be established by the office of professional**
25 **licensure and certification.** This section includes the selling or renting of hearing aids by mail in
26 this state by a person outside the state. Registration certificates shall be renewed biennially on or
27 before June 30 upon payment of a ~~[\$300]~~ renewal fee **established by the office of professional**
28 **licensure and certification.**

29 92 Hearing Care Providers; Application for Registration; Fees. RSA 137-F:9 is repealed and
30 reenacted to read as follows:

31 137-F:9 Application for Registration. An application for a certificate of registration under this
32 chapter shall be filed with the board in such form and detail as required in accordance with rules
33 adopted under RSA 541-A.

34 93 Hearing Care Providers; Audiology Licensure Required. Amend RSA 137-F:11, II to read as
35 follows:

36 II. The board shall license each applicant who satisfies the requirements of this chapter.
37 Upon payment of a ~~[\$300]~~ license fee **established by the office of professional licensure and**

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1 **certification**, the board shall issue to such person a certificate of licensure which shall be evidence
2 of the right to practice as an audiologist. The initial license shall be valid for at least 2 years and
3 expire on June 30. Renewals shall be valid for 2 years from the date of renewal.

4 94 Hearing Care Providers; License Requirements; Fees. Amend RSA 137-F:13, I(a)-(b) to read
5 as follows:

6 (a) Make application to the board, upon a form prescribed by the ~~[audiology~~
7 ~~subcommittee]~~ **office of professional licensure and certification**.

8 (b) Pay to the ~~[board]~~ **office of professional licensure and certification** the
9 appropriate license fee.

10 95 Hearing Care Providers; License Renewal. Amend RSA 137-F:20 to read as follows:

11 137-F:20 License Renewal. A license issued under RSA 137-F:13 shall expire at 12:01 a.m. on
12 July 1 of the odd year next succeeding its date of issuance. Every person licensed under this chapter
13 who wishes to renew a license shall, on or before the expiration date, pay a ~~[\$300]~~ renewal fee
14 **established by the office of professional licensure and certification** to the board. The board
15 shall notify each person licensed under this chapter of the date of expiration of such person's license
16 and the renewal fee required. The notice shall be mailed to such person's last known address as
17 provided to the board at least 60 days in advance of the expiration of such license. Renewals are
18 contingent upon evidence of 20 hours or the equivalent in continuing education units, including, but
19 not limited to, attending professional meetings or completing approved independent studies and
20 regional in-service programs, as determined by the board.

21 96 Hearing Care Providers; Record. RSA 137-F:29 is repealed and reenacted to read as follows:

22 137-F:29 Record. The board shall maintain a record of its proceedings in accordance with the
23 retention policy established by the office of professional licensure and certification.

24 97 Hearing Care Providers; Out-of-State Sales Regulated. Amend RSA 137-F:30, III to read as
25 follows:

26 III. The ~~[board]~~ **office of professional licensure and certification** shall assess fees as
27 established by rules adopted by the ~~[board]~~ **office** pursuant to RSA 541-A for out-of-state hearing aid
28 sales companies.

29 98 Repeal; Hearing Care Providers. The following are repealed:

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

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

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

33 IV. RSA 137-F:6, V, XII, and XIII, relative to the board's rulemaking authority.

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

36 99 Massage Therapists and Massage Establishments; License Issuance. Amend RSA 328-B:6,
37 I(a) to read as follows:

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1 (a) Submits the required application form and [~~\$110~~] licensing fee ***established by the***
2 ***office of professional licensure and certification.***

3 100 Massage Therapists and Massage Establishments; License Renewal. Amend RSA 328-B:7
4 to read as follows:

5 328-B:7 License Renewal. All licenses issued pursuant to this chapter shall expire on the last
6 day of the birth month of the licensee in the even-numbered year, upon approval of the executive
7 director of the renewal application and submission of the required [~~\$110~~] renewal fee ***established***
8 ***by the office of professional licensure and certification.***

9 101 Medical Imaging and Radiation Therapy; Organization and Meeting. Amend RSA 328-J:6
10 to read as follows:

11 328-J:6 Organization and Meetings. The board shall hold meetings at least 2 times per year.
12 Other meetings of the board shall be held at such times and upon such notice as the rules of the
13 board provide. [~~Four members~~] ***A majority of the members of the board who have been***
14 ***approved by the governor and council*** shall constitute a quorum.

15 102 Medical Imaging and Radiation Therapy; Board Responsibilities. Amend RSA 328-J:7 to
16 read as follows:

17 328-J:7 Board Responsibilities; Rulemaking Authority. The board shall adopt rules, pursuant to
18 RSA 541-A, relative to:

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

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

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

22 [~~IV. The establishment of all fees required under this chapter.~~

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

24 (a) Time and place of examination.

25 (b) The subjects to be tested.

26 (c) Passing grade.

27 (d) Disposition of examination papers.

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

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

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

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

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1 ~~[X.] VII.~~ **VII.** How licensees shall provide evidence of good professional character and reliability
2 to satisfy the board that they shall faithfully and conscientiously avoid professional misconduct and
3 otherwise adhere to the requirements of this chapter.

4 ~~[XI. Procedures for accepting and responding to written complaints, publicizing the~~
5 ~~complaint procedure, standards of and procedures for conducting investigations, investigator~~
6 ~~training requirements, and procedures for conducting disciplinary hearings and alternative dispute~~
7 ~~resolution under this chapter.~~

8 ~~XII. Procedures relative to the disclosure to the public of final disciplinary actions by the~~
9 ~~board, including those actions that occur without holding a public hearing. Dismissed complaints~~
10 ~~shall not be made public.~~

11 ~~XIII.] VIII.~~ **VIII.** Standards of care for the practice of telemedicine or telehealth.

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

13 ~~[XV.] X. [Procedures for an educational program review and approval to follow in making~~
14 ~~application for] **Standards for educational program** approval by the board.~~

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

17 103 Medical Imaging and Radiation Therapy; Applications. Amend RSA 328-J:13, I to read as
18 follows:

19 I. Applications for licensure or for a temporary license shall be on forms prescribed and
20 furnished by the ~~[board]~~ **office of professional licensure and certification**, shall contain
21 statements made under oath, showing the applicant's education and a detailed summary of the
22 applicant's technical work. The ~~[board]~~ **office of professional licensure and certification** shall
23 establish fees for application and any examination required under this chapter. If the board denies
24 the issuance of a license or a temporary permit to any applicant, any initial fee deposited shall be
25 retained as an application fee.

26 104 Medical Imaging and Radiation Therapy; License Renewal. Amend RSA 328-J:15, II to read
27 as follows:

28 II. All licenses issued by the board shall expire on the last day of the licensee's month of
29 birth in the second year following the year of issuance, or upon such other biennial date as the board
30 may adopt. If the renewal fee is not submitted within 12 months after the expiration date, the
31 licensee's name shall be removed from current status, and application for reinstatement shall be
32 required to return to current status. The board shall charge a ~~[20 percent]~~ late fee **established by**
33 **the office of professional licensure and certification** for each month or fraction of a month the
34 renewal is late, up to 12 months, in addition to the renewal fee. Any renewal application received 12
35 months after the expiration date shall be rejected, unless accompanied by proof of successful
36 completion of the examination required by the board. Licensees shall complete at least 24 hours of
37 board-approved continuing education during each license period in order to maintain his or her

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1 license. If a licensee fails to renew such license within the 12 months after the date of expiration, it
2 shall become null and void and the licensee shall be required to reapply and to be re-examined for
3 licensure.

4 105 Medical Imaging and Radiation Therapy; Hearings. Amend RSA 328-J:18, V to read as
5 follows:

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

8 106 Medical Imaging and Radiation Therapy; Investigative Costs. Amend RSA 328-J:23 to read
9 as follows:

10 328-J:23 Investigative Costs. For any order issued in resolution of a disciplinary proceeding by
11 the board, where the board has found misconduct sufficient to support disciplinary action, including
12 but not limited to a violation of this chapter or an administrative rule adopted under this chapter,
13 the board may require the registrant who is the subject of such finding to pay the board a sum not to
14 exceed the reasonable cost of investigation and prosecution of the proceeding. This sum shall not
15 exceed \$5,000. This sum may be imposed in addition to any otherwise authorized administrative
16 fines levied by the board as part of the penalty. ~~[The investigative and prosecution costs shall be~~
17 ~~assessed by the board and any sums recovered shall be credited to the board's fund and disbursed by~~
18 ~~the board for any future investigations of complaints and activities that violate this chapter or rules~~
19 ~~adopted under this chapter.]~~

20 107 Repeal; Medical Imaging and Radiation Therapy. RSA 328-J:3, IV, relative to compensation
21 for members of the board of medical imaging and radiation therapy, is repealed.

22 108 Board of Registration of Medical Technicians; Rulemaking. RSA 328-I:4 is repealed and
23 reenacted to read as follows:

24 328-I:4 Rulemaking. The board shall adopt rules, pursuant to RSA 541-A, relative to:

25 I. Registration eligibility requirements.

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

28 III. The imposition of administrative fines.

29 IV. Procedures for the approval or denial of an application.

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

32 109 Board of Registration of Medical Technicians; Initial Registration. Amend RSA 328-I:6, I to
33 read as follows:

34 I. The board may register any person who submits a completed application. The fee for
35 registration under this chapter shall be ~~[\$110]~~ ***established by the office of professional licensure***
36 ***and certification.***

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1 110 Board of Registration of Medical Technicians; Renewal of Registration. Amend RSA 328-I:8
2 to read as follows:

3 328-I:8 Renewal of Registration. Certificates of registration issued under this chapter shall be
4 subject to renewal every 2 years and shall expire unless renewed in the manner prescribed by the
5 board. The fee for renewal of certificates of registration shall be ~~[\$110]~~ **established by the office of**
6 **professional licensure and certification**. Certificates of registration for medical technician shall
7 be renewed upon the payment of the renewal fee.

8 111 Board of Registration of Medical Technicians; Disciplinary Action. Amend RSA 328-I:10,
9 XIII to read as follows:

10 XIII. When an investigation of a complaint against a registrant is determined to be
11 unfounded, the board shall dismiss the complaint and explain in writing to the complainant and the
12 registrant its reason for dismissing the complaint. The board shall destroy all information collected
13 during the course of the investigation ~~[after 6 years. The board shall retain a record only noting that~~
14 ~~an investigation was conducted and that the board determined the complaint to be unfounded]~~ **in**
15 **accordance with the retention policy established by the office of professional licensure and**
16 **certification**. For the purpose of this paragraph, a complaint shall be deemed to be unfounded if it
17 does not fall within the jurisdiction of the board, does not relate to the actions of the registrant, or is
18 determined by the board to be frivolous.

19 112 Board of Registration of Medical Technicians; Investigative Costs. Amend RSA 328-I:14 to
20 read as follows:

21 328-I:14 Investigative Costs. For any order issued in resolution of a disciplinary proceeding by
22 the board, where the board has found misconduct sufficient to support disciplinary action, including
23 but not limited to a violation of this chapter or an administrative rule adopted under this chapter,
24 the board may require the registrant who is the subject of such finding to pay the board a sum not to
25 exceed the reasonable cost of investigation and prosecution of the proceeding. This sum shall not
26 exceed \$5,000. This sum may be imposed in addition to any otherwise authorized administrative
27 fines levied by the board as part of the penalty. ~~[The investigative and prosecution costs shall be~~
28 ~~assessed by the board and any sums recovered shall be credited to the board's fund and disbursed by~~
29 ~~the board for any future investigations of complaints and activities that violate this chapter or rules~~
30 ~~adopted under this chapter.]~~

31 113 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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1 114 Physician Assistants; Conditions for Licensure. Amend the introductory paragraph of RSA
2 328-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:

6 115 Physician Assistants; Renewal of Licenses. Amend RSA 328-D:5 to read as follows:

7 328-D:5 Renewal of Licenses. Every person licensed to practice under this chapter shall apply
8 to the board for annual renewal of license on forms provided by the ~~[board]~~ **office of professional**
9 **licensure and certification** and shall pay a renewal fee as established by the ~~[board]~~ **office of**
10 **professional licensure and certification**. Applications for renewal shall be filed no later than
11 December 31 of each year and shall include a photocopy of the applicant's current national
12 certification card. A license issued under this chapter shall not expire until the board has taken
13 final action upon the application for renewal.

14 116 Physician Assistants; Failure to Renew. Amend RSA 328-D:5-a, I to read as follows:

15 I. Any licensee who fails to apply for renewal under RSA 328-D:5 shall pay double the
16 renewal fee, provided the licensee applies and pays the renewal fee no later than 90 days after the
17 expiration date. Any licensee who fails to apply for renewal of his or her license within the 90-day
18 period after expiration, shall have his or her license lapse. A lapsed license shall be reinstated only
19 upon payment of a reinstatement fee as established by the ~~[board]~~ **office of professional licensure**
20 **and certification**, and upon showing evidence of professional competence as the board may
21 reasonably require.

22 117 Physician Assistants; Rulemaking. Amend RSA 328-D:10, I,(b) to read as follows:

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

24 118 Physician Assistants; Recordkeeping. RSA 328-D:11 is repealed and reenacted to read as
25 follows:

26 328-D:11 Recordkeeping. The board shall keep a record of its proceedings under this chapter in
27 accordance with the retention policy established by the office of professional licensure and
28 certification.

29 119 Repeal; Physician Assistants. RSA 328-D:10, I(c) and (d), relative to the board of medicine's
30 rulemaking authority regarding application procedures and the conduct of hearings for physician
31 assistants, are repealed.

32 120 Physicians and Surgeons; Records. Amend RSA 329:8 to read as follows:

33 329:8 Records. A true record of all of the board's official acts shall be made and preserved ~~[by~~
34 ~~the administrator]~~ **in accordance with the retention policy established by the office of**
35 **professional licensure and certification**. The records shall be public and shall be open to
36 inspection at all reasonable times, except for records compiled in connection with disciplinary

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1 investigations and records otherwise exempt from disclosure under RSA 91-A, RSA 329:18, or other
2 applicable statutes.

3 121 Physicians and Surgeons; Qualifications of Licensees. Amend RSA 329:12, I(a) and (b) to
4 read as follows:

5 (a) Pay a fee established by the ~~[board]~~ **office of professional licensure and**
6 **certification**.

7 (b) Submit an application ~~[in a form prescribed by the board]~~ which shall be verified by
8 oath.

9 122 Physicians and Surgeons; Professionals' Health Program. Amend RSA 329:13-b, V(a) to
10 read as follows:

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

18 123 New Paragraph; Physicians and Surgeons; Professionals' Health Program. Amend RSA
19 329:13-b by inserting after paragraph VI the following new paragraph:

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

22 124 Physicians and Surgeons; Renewal. Amend RSA 329:16-a to read as follows:

23 329:16-a Renewal. Every person licensed to practice under this chapter, except as provided in
24 RSA 329:16-c, shall apply to the board on a biennial basis for renewal of license on forms provided by
25 the ~~[board]~~ **office of professional licensure and certification** and shall pay a renewal fee as
26 established by the ~~[board]~~ **office of professional licensure and certification**. If a person applies
27 to the board for a renewal of license by June 30 of the year in which the licensee's renewal is set to
28 occur, the person's license shall not expire until the board has taken final action upon the application
29 for renewal.

30 125 Physicians and Surgeons; Notice of Renewal. Amend RSA 329:16-d to read as follows:

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

34 126 Physicians and Surgeons; Neglect to Renew. Amend RSA 329:16-e to read as follows:

35 329:16-e Neglect to Renew. Any licensee who fails to renew his or her license by June 30 of the
36 year in which the licensee's renewal is set to occur shall be required to pay double the renewal fee if
37 paid within 90 days of the expiration date. Any failure, neglect, or refusal on the part of any person

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1 licensed by the board to renew the license as provided in RSA 329:16-a or this section shall
2 automatically lapse such license. Licenses lapsed under this section for nonpayment within 90 days
3 shall not be reinstated except upon payment of a reinstatement fee as established by the [board]
4 ***office of professional licensure and certification***, and a showing of such evidence of professional
5 competence as the board may reasonably require.

6 127 Physicians and Surgeons; Reinstatement. Amend RSA 329:16-h to read as follows:

7 329:16-h Reinstatement. Any person whose name has been placed on the inactive list may be
8 restored to active status upon the filing of a written request for reinstatement of license,
9 accompanied by the reinstatement fee as established by the [board] ***office of professional***
10 ***licensure and certification***, proof of satisfaction of continuing medical education requirements
11 established by RSA 329:16-g, and such other evidence of professional competence as the board may
12 reasonably require.

13 128 Physicians and Surgeons; Disciplinary Action. Amend RSA 329:17, V-a to read as follows:

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

33 129 Physicians and Surgeons; Disciplinary Action. Amend RSA 329:17, XIII to read as follows:

34 XIII. When an investigation of a complaint against a licensee is determined to be unfounded,
35 the board shall dismiss the complaint and explain in writing to the complainant its reason for
36 dismissing the complaint. The board may destroy all information collected during the course of the
37 investigation ~~[after 3 years]~~ ***in accordance with the retention policy established by the office***

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1 ***of professional licensure and certification.*** The board shall retain a record only noting that an
2 investigation was conducted and that the board determined the complaint to be unfounded. For the
3 purpose of this paragraph, a complaint shall be deemed to be unfounded if it does not fall within the
4 jurisdiction of the board, does not relate to the actions of the licensee, or is determined by the board
5 to be frivolous.

6 130 Physicians and Surgeons; Denial or Revocation of License. Amend RSA 329:17-c to read as
7 follows:

8 329:17-c Denial or Revocation of License. Upon receipt of an administratively final order from
9 the licensing authority of another jurisdiction which imposes disciplinary sanctions against a
10 licensee of the board, or a person applying for such license, the board may issue an order directing
11 the licensee or applicant to appear and show cause why similar disciplinary sanctions or, in the case
12 of an applicant, license denial or restriction, should not be imposed in the state. In any such
13 proceeding, the decision of the foreign licensing authority may not be collaterally attacked, but the
14 licensee or applicant shall be given the opportunity to demonstrate why a lesser sanction should be
15 imposed. The board may issue any disciplinary sanction or take any action with regard to a license
16 application pursuant to this section otherwise permitted by this chapter, including sanctions or
17 actions which are more stringent than those imposed by the foreign jurisdiction. ~~[The board may~~
18 ~~adopt summary procedures for handling proceedings brought under this chapter, but shall furnish~~
19 ~~the respondent at least 10 days' written notice and a reasonable opportunity to be heard.]~~ The board
20 may require a licensee to suspend practice in this state as a condition of postponing a hearing date
21 established for allegations brought under this section.

22 131 Physicians and Surgeons; Denial or Revocation of License. Amend RSA 329:18, II to read as
23 follows:

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

32 132 Repeal; Physicians and Surgeons. The following are repealed:

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

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

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1 III. RSA 329:9, I, VI, and VII, relative to rulemaking authority regarding applications,
2 hearings, and fees.

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

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

5 133 Mental Health Practice; Committees Established; Duties. Amend RSA 330-A:4, I and I-a to
6 read as follows:

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

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

20 134 Mental Health Practice; Organization and Meetings. Amend RSA 330-A:9, I to read as
21 follows:

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

26 135 Mental Health Practice; Board; Responsibilities and Rulemaking Authority. RSA 330-A:10
27 is repealed and reenacted to read as follows:

28 330-A:10 Board; Responsibilities and Rulemaking Authority. The board shall adopt rules,
29 pursuant to RSA 541-A, relative to:

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

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

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

34 (a) Time and place of examination.

35 (b) The subjects to be tested.

36 (c) Passing grade.

37 (d) Disposition of examination papers.

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

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

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

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

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

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

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

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

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

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

33 XIV. Requirements to be met by licensees relative to the disclosure of information to
34 patients and the general public concerning the nature of mental health care and the responsibilities
35 of mental health practitioners to clients in RSA 330-A:15.

36 XV. Procedures and mechanisms for providing interdisciplinary collaboration among the
37 mental health disciplines.

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1 136 Mental Health Practice; Applicants From Other States. Amend RSA 330-A:26, II to read as
2 follows:

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

9 137 Mental Health Practice; Hearings. Amend RSA 330-A:29, IV to read as follows:

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

13 138 Mental Health Practice; Expirations, Renewals, Reinstatements, and Inactive Status.
14 Amend RSA 330-A:31, I and II to read as follows:

15 I. Licenses shall be valid for a period of 2 years and shall become invalid on the expiration
16 date unless renewed. It shall be the duty of the board to notify every person licensed by the board
17 under this chapter of the date of expiration of the license and the amount of the fee that shall be
18 required for its renewal for 2 years. Such notice shall be mailed at least 2 months in advance of the
19 date of expiration of such license. Renewal shall be conditional upon filing a timely and complete
20 renewal application and payment of the fee as set by the [~~board~~] **office of professional licensure**
21 **and certification.**

22 II. If a license is not renewed it may be reinstated not later than 6 months after the date of
23 license expiration upon payment of the fee **established by the office of professional licensure**
24 **and certification** and compliance with rules adopted by the board. A license may be placed on
25 inactive status pursuant to rules adopted by the board.

26 139 Repeal; Mental Health Practice. The following are repealed:

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

28 II. RSA 330-A:12, relative to fees.

29 III. RSA 330-A:13, relative to records and reports.

30 140 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.**

35 141 Midwifery; Powers and Duties of the Council. Amend RSA 326-D:4, I to read as follows:

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

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

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

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

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

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

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

326-D:5 Rulemaking.

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

(a) Qualifications for the practice of midwifery.

(b) The teaching of midwifery.

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

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

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

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

(g) Standards for reciprocity.

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

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

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

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

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

143 Midwifery; Certification. Amend RSA 326-D:6, I and II to read as follows:

I. No person shall practice midwifery in this state without first obtaining certification from the council. The council shall certify for the practice of midwifery any person applying for such certification who meets the qualifications adopted under RSA 326-D:5, I(a) and who submits a ~~[\$110]~~ certification fee **established by the office of professional licensure and certification**.

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1 II. Certification issued under this chapter shall be subject to renewal every 2 years and shall
2 expire unless renewed in accordance with rules adopted by the council and upon payment of a [\$110]
3 renewal fee ***established by the office of professional licensure and certification.***

4 144 Midwifery; Certificate of Renewal; Continuing Education. Amend RSA 326-D:11 to read as
5 follows:

6 326-D:11 Certificate Renewal; Continuing Education. Every person certified under this chapter
7 shall apply to the council for certificate renewal every 2 years. Renewals of certificates shall be
8 contingent upon presentation of satisfactory evidence to the council of having met the continuing
9 education requirements established by the council pursuant to RSA 326-D:5, I(e) and shall be
10 accompanied by the renewal fee established [~~pursuant to RSA 326-D:4, I(b)~~] ***by the office of***
11 ***professional licensure and certification.*** All certificates shall automatically lapse 2 years after
12 the date of issuance unless a timely and complete renewal application has been filed with the
13 council. In no event shall a certificate, for which a timely and complete application for renewal has
14 been submitted, expire before the council has taken final action upon the application.

15 145 Repeals; Midwifery. The following are repealed:

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

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

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

19 146 Naturopathic Health Care Practice; Naturopathic Board of Examiners. Amend RSA 328-
20 E:7, V to read as follows:

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

24 147 Naturopathic Health Care Practice; Powers and Duties of the Board. RSA 328-E:8 is
25 repealed and reenacted to read as follows:

26 328-E:8 Powers and Duties of the Board.

27 I. The board shall:

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

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

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

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

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

(f) 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.

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

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

(i) Annually compile and publish a directory.

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

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

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

148 Naturopathic Health Care Practice; Qualification for Licensure. Amend RSA 328-E:9, I (g) to read as follows:

(g) File an application and pay the ~~[\$300]~~ license fee ***established by the office of professional licensure and certification.***

149 Naturopathic Health Care Practice; License Renewal and Continuing Education. Amend RSA 328-E:13, I to read as follows:

I. The license to practice naturopathic medicine shall be renewed biennially. A fee in the amount ~~[of \$300]~~ ***established by the office of professional licensure and certification*** shall accompany the application for renewal.

150 Repeals; Naturopathic Health Care. The following are repealed:

I. RSA 328-E:7, VI, relative to the board serving without pay.

II. RSA 328-E:15, relative to administration.

151 Nurse Practice Act; Fees; Charges. Amend RSA 326-B:8 to read as follows:

326-B:8 Fees; Charges.

I. The board shall charge fees ***established by the office of professional licensure and certification*** or the issuance, renewal, and reinstatement of all licenses, specialty licenses, and specialty certificates authorized by this chapter.

II. The board may provide the following services and make administrative charges ***established by the office of professional licensure and certification*** for:

(a) The administration of examinations required by this chapter.

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(b) Verification of licensure status.

(c) ~~[The sale of lists of licensees who have given their written authorization to have their names included on such lists.~~

~~(d)~~ The actual costs of a criminal conviction record check required pursuant RSA 326-B:15.

~~(e)~~ **(d)** The actual cost of collection of statistical data provided to private entities.

~~(f)~~ **(e)** Site visits associated with nursing education programs under RSA 326-B:32.

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

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

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

153 Nurse Practice Act; Fees; Licensure; All Applicants. Amend RSA 326-B:16, I to read as follows:

I. Submit a completed application and fees as established by the ~~[board]~~ **office of professional licensure and certification**.

154 Nurse Practice Act; Fees; License Renewal; All Licensees. Amend RSA 326-B:22, II(a) to read as follows:

(a) By midnight on his or her date of birth in the renewal year submit a completed application and fees as established by the ~~[board]~~ **office of professional licensure and certification**;

155 Nurse Practice Act; License Reinstatement. Amend RSA 326-B:23, III to read as follows:

III. Application for reinstatement of a license which has lapsed under this section shall include payment of a reinstatement fee **established by the office of professional licensure and certification** and be made, and granted or denied, in accordance with rules adopted by the board pursuant to RSA 541-A.

156 Nurse Practice Act; Certificate of Medication Administration for Licensed Nursing Assistants. Amend RSA 326-B:27, I(c) to read as follows:

(c) Has paid the certification fee **established by the office of professional licensure and certification**.

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

VI.(a) The ~~[board]~~ **office of professional licensure and certification** shall contract with other organizations to operate the alternative recovery monitoring program for licensees who are impaired by substance use disorder or mental or physical illness. This program may include, but

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1 shall not be limited to, assessment, education, intervention, drug and alcohol testing, temporary
2 suspension or limitation of clinical privileges, drug addiction counseling, participation in peer
3 support groups, record keeping with respect to success and failure rates, post-treatment assessment
4 and monitoring, and other alternatives approved by the board.

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

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

13 158 Repeals; Nurse Practice Act. The following are repealed:

14 I. RSA 326-B:3, VII, relative to compensation of members of the board of nursing.

15 II. RSA 326-B:4, XIII, relative to establishing and collecting fees by the board of nursing.

16 III. RSA 326-B:6, relative to collection and expenditure of funds.

17 159 Nursing Home Administrators; Rulemaking. RSA 151-A:4-a, II-VII are repealed and
18 reenacted to read as follows:

19 II. To establish a schedule of fines.

20 III. To establish requirements for disciplinary proceedings and criteria for disciplinary
21 actions, including suspending, revoking or placing conditions on a license.

22 IV. To establish standards and criteria for licensing, application and examination of
23 applicants, and criteria for granting waivers of experience pursuant to RSA 151-A:5, II.

24 V. To establish criteria for review and approval of educational requirements, including
25 formal educational requirements for licensure or renewal and practical training requirements.

26 160 Nursing Home Administrators; Qualifications for Admission to Examination. Amend the
27 introductory paragraph of RSA 151-A:5 to read as follows:

28 151-A:5 Qualifications for Admission to Examination. The board shall admit to examination for
29 licensure as a nursing home administrator any candidate who pays a ~~[\$300]~~ licensing fee
30 **established by the office of professional licensure and certification** and submits evidence of
31 good moral character and suitability prescribed by the board and evidence that the candidate is at
32 least 21 years old and has completed preliminary education satisfactory to the board; provided:

33 161 Nursing Home Administrators; Licenses. Amend RSA 151-A:7, III and IV to read as
34 follows:

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

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

11 162 Nursing Home Administrators; Registration. Amend RSA 151-A:8, II-IV to read as follows:

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

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

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

24 163 Nursing Home Administrators; Reciprocity. Amend the introductory paragraph of RSA 151-
25 A:9 to read as follows:

26 151-A:9 Reciprocity. The board, subject to the provisions of this chapter and the rules and
27 regulations of the board promulgated thereunder prescribing the qualifications for nursing home
28 administrator license, may endorse a nursing home administrator license issued by the proper
29 authorities of any other state upon payment of a reasonable fee as established by the ~~[board]~~ ***office***
30 ***of professional licensure and certification*** and upon submission of evidence satisfactory to the
31 board that:

32 164 Repeal; Nursing Home Administrators. The following are repealed:

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

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

3 165 Ophthalmic Dispensing; Application and Registration Fees. Amend RSA 327-A:7 to read as
4 follows:

5 327-A:7 Application and Registration Fees. Every application for a certificate of registration for
6 ophthalmic dispensing shall be accompanied by a non-refundable registration fee ~~[of \$110]~~
7 ***established by the office of professional licensure and certification.*** Upon approval of the
8 application by the executive director, the applicant shall be issued a certificate of registration for
9 ophthalmic dispensing, which shall be renewed biennially on or before June 30 upon payment of the
10 renewal fee. The fee for renewal of any certificate of registration shall be ~~[\$110]~~ ***established by the***
11 ***office of professional licensure and certification.***

12 166 Ophthalmic Dispensing; Rulemaking. Amend RSA 327-A:12, I and II to read as follows:

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

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

18 167 Optometry; Licenses; Qualifications. Amend RSA 327:6 to read as follows:

19 327:6 Licenses; Qualifications. No person, except as otherwise provided in this chapter, shall
20 practice optometry without a license. The board shall not issue a license to any applicant until the
21 person has passed an examination approved by the board, and has presented satisfactory evidence in
22 the form of affidavits properly sworn to, that the person is over 18 years of age and of good moral
23 character, has completed a minimum of 2 years at a college of arts and sciences and has graduated
24 from a school or college of optometry approved by the board, maintaining a minimum of 4 years in
25 optometric training. Persons who submit an application which demonstrates that they meet the
26 eligibility requirements of this chapter and any rules adopted by the board pursuant to RSA 541-A,
27 and pay the ~~[\$300]~~ licensing fee ***established by the office of professional licensure and***
28 ***certification,*** shall be licensed by the board.

29 168 Optometry; Renewal of Licenses. Amend RSA 327:13, I to read as follows:

30 I. All licenses issued under this chapter shall be renewed biennially on or before June 30
31 upon payment of a ~~[\$300]~~ license renewal fee ***established by the office of professional licensure***
32 ***and certification.***

33 169 Optometry; Contact Lens Prescriptions to be Provided to Patient. Amend RSA 327:25-a,
34 IV(c) to read as follows:

35 (c) The board of pharmacy or the board of registration in optometry shall assess ~~[the~~
36 ~~following]~~ ***the*** registration fees for out-of-state contact lens sale companies[;

37 ~~(1) \$300 for the initial registration.~~

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(2) ~~—\$150 for an annual registration renewal]~~ ***established by the office of professional licensure and certification.***

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

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

II. How an applicant shall be examined including:

(a) Time and place of examination, and

(b) Passing grade;

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

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

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

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

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

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

171 Repeal; Optometry. The following are repealed.

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

II. RSA 327:5, relative to compensation.

III. RSA 327:5-a, relative to fees.

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

172 Pharmacy Board; Fees. Amend RSA 318:6-a to read as follows:

318:6-a Fees; ***Restoration.***

~~[I. The board shall establish fees for examination of applicants, for licenses and for renewal of licenses to practice pharmacy, for licensed advanced pharmacy technicians, for registration and certification of pharmacy technicians, and for transcribing and transferring records and other services.~~

~~II.]~~ The fee for restoration of a suspended, revoked, or voluntarily surrendered license, registration, or certification under this chapter shall not include the assessment of charges or renewal fees for the period in which the licensee, registrant, or certificate holder was not permitted to practice in this state.

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

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1 318:9-a Inspectional Services. The pharmacy board ***through the office of professional***
2 ***licensure and certification*** shall provide inspectional services under this chapter and RSA 318-
3 B:25 to the board of medicine, the board of veterinary medicine, the board of podiatry, the board of
4 registration in optometry, the board of dental examiners, the board of nursing, and the naturopathic
5 board of examiners.

6 174 Pharmacy Board; Application Fee for Pharmacist License. Amend RSA 318:23 to read as
7 follows:

8 318:23 Application Fee for Pharmacist License. Each person applying for a license to practice
9 the profession of pharmacy in this state by way of examination shall pay a reasonable application fee
10 to be established by the ~~[pharmacy board]~~ ***office of professional licensure and certification***.
11 This fee shall include the cost of investigating the applicant's qualifications to become a pharmacist
12 in this state.

13 175 Pharmacy Board; Renewal Of License. Amend RSA 318:25, II to read as follows:

14 II. Pay a reasonable fee established by the ~~[board]~~ ***office of professional licensure and***
15 ***certification***;

16 176 Pharmacy Board; Neglect to Renew. Amend RSA 318:26 to read as follows:

17 318:26 Neglect to Renew. Any failure, neglect or refusal on the part of any person licensed by
18 the board to renew his license as provided in RSA 318:25 shall cause the license to lapse. Licenses
19 lapsed under this section shall not be restored except upon payment of a restoration fee as
20 established by the ~~[board]~~ ***office of professional licensure and certification***, and a showing of
21 evidence, as the board may require, demonstrating professional competence.

22 177 Pharmacy Board; Change in Name, Employment or Residence. Amend RSA 318:26-a to
23 read as follows:

24 318:26-a Change in Name, Employment, or Residence. Any pharmacist, licensed advanced
25 pharmacy technician, or pharmacy technician who changes his or her name, place or status of
26 employment, or residence shall notify the board in writing within 15 days. For failure to report such
27 a change within 15 days, the board may suspend the pharmacist's license, the advanced pharmacy
28 technician's license, or the pharmacy technician's registration. Reinstatement shall be made only
29 upon payment of a reasonable fee as established by the ~~[board]~~ ***office of professional licensure***
30 ***and certification***.

31 178 Pharmacy Board; Impaired Pharmacist Program. Amend RSA 318:29-a, VI to read as
32 follows:

33 VI.(a) The ~~[board]~~ ***office of professional licensure and certification*** may contract with
34 other organizations to operate the impaired pharmacist program for pharmacists who are impaired
35 by drug or alcohol abuse or mental or physical illness. This program shall include, but is not limited
36 to, education, intervention and post-treatment monitoring.

(b) The ~~[board]~~ **office of professional licensure and certification** may allocate an amount determined by the ~~[board]~~ **office of professional licensure and certification** from each pharmacist biennial license renewal fee it collects to provide funding for the impaired pharmacist program as set forth in subparagraph VI(a).

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

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

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

180 Pharmacy Board; Permit; Fees. Amend RSA 318:38, II and III to read as follows:

II. All pharmacy permits shall expire when there is a change of ownership of the pharmacy or at midnight on December 31 biennially in each odd-numbered year **for odd-numbered licenses or on December 31 of each even-numbered year for even-numbered licenses**. Every pharmacy that wishes to continue to operate as such shall renew its permit no later than December ~~[15 biennially in odd-numbered years]~~ **31 of the renewal year according to license number** or immediately when the permit expires for any other reason. It shall be deemed a violation of the provisions of this chapter for any pharmacy to be open or operated beyond the expiration date of its permit.

III. All applicants for a pharmacy permit shall pay a reasonable fee as established by the ~~[board]~~ **office of professional licensure and certification** for each original pharmacy permit and for each renewal thereof.

181 Pharmacy Board; Possession and Sale of Drugs and Devices for Administration; Wholesalers. Amend RSA 318:51-a, I to read as follows:

I. No person shall manufacture legend drugs or controlled drugs as that term is defined in RSA 318-B:1, VI and no person as a wholesaler, distributor, or reverse distributor shall supply the same without first having obtained a license to do so from the ~~[board]~~ **office of professional licensure and certification**. Such license shall expire biennially on June 30 of every even-numbered year. An application together with a reasonable fee as established by the board shall be filed biennially by midnight on June 30 of every even-numbered year.

182 Pharmacy Board; Possession and Sale of Drugs and Devices for Administration; Licensing of Limited Retail Drug Distributors. Amend RSA 318:51-b, I to read as follows:

I. No person shall operate as a limited retail drug distributor, as defined in RSA 318:1, VII-a, without first having obtained a license to do so from the board. Such license shall expire biennially on June 30 of each odd-numbered year. An application together with a reasonable fee as

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1 established by the ~~[board]~~ **office of professional licensure and certification** shall be filed
2 biennially by midnight June 15 of every odd-numbered year.

3 183 Pharmacy Board; Possession and Sale of Drugs and Devices for Administration;
4 Outsourcing. Amend RSA 318:51-c, I to read as follows:

5 I. No person shall compound legend drugs or controlled drugs, as defined in RSA 318-B:1,
6 VI, and no person acting as or employed by an outsourcing facility shall supply such drugs, without
7 first having obtained a license from the board. Such license shall expire biennially on June 30 of
8 each odd-numbered year. An application together with a fee established by the ~~[board]~~ **office of**
9 **professional licensure and certification** shall be filed biennially by June 15 of every odd-
10 numbered year.

11 184 Pharmacy Board; Possession and Sale of Drugs and Devices for Administration; Licensure
12 of Research Organizations. Amend RSA 318:51-f, I to read as follows:

13 I. No research organization shall procure or conduct research operations with prescription
14 drugs by researchers without first having obtained a license from the board. Such license shall
15 expire biennially on June 30 of each odd-numbered year. An application together with a reasonable
16 fee as established by the ~~[board]~~ **office of professional licensure and certification** shall be filed
17 biennially by June 15 of every odd-numbered year.

18 185 Pharmacy Board; Penalties. Amend RSA 318:55, III to read as follows:

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

25 186 Repeal; Pharmacy Board. The following are repealed:

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

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

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

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

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

32 187 Podiatry; Requirements; Cross Reference Change. Amend RSA 315:2, II to read as follows:

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

36 188 Podiatry; Peer Review Committee. Amend RSA 315:2-a to read as follows:

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1 315:2-a Peer Review Committee. The board [~~shall~~] **may** establish a peer review committee
2 consisting of 2 podiatrists appointed by the board and one medical practitioner, appointed by the
3 board subject to the approval of the board of medicine. Each appointee shall serve for a 2-year term.

4 189 Podiatry; Rulemaking Authority. RSA 315:4 is repealed and reenacted to read as follows:

5 315:4 Rulemaking Authority. The board shall adopt rules, pursuant to RSA 541-A, relative to:

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

7 II. Eligibility requirements for renewal of licensure, including the requirements for
8 continuing education.

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

11 IV. The imposition of administrative fines authorized under RSA 315:9, III(f); and

12 V. Information required by the board in its application relative to the applicant's podiatric
13 competence and professional conduct.

14 VI. Prescribing controlled drugs pursuant to RSA 318-B:41.

15 190 Podiatry; Records and Reports. Amend RSA 315:5 to read as follows:

16 315:5 Records and Reports.

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

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

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

29 191 Podiatry; Licenses. Amend RSA 315:8, I to read as follows:

30 I. The board shall issue a license to applicants who have submitted a complete application,
31 paid a [~~\$300~~] license fee ***established by the office of professional licensure and certification,***
32 achieved a satisfactory examination score, and satisfied all other criteria of competence and
33 professional character required by this chapter.

34 192 Podiatry; License Renewal; Inactive Status. Amend RSA 315:11, I to read as follows:

35 I. Every person licensed to practice under this chapter shall apply to the board biennially on
36 or before June 30 for renewal of license on forms provided by the board and shall pay a [~~\$300~~]
37 renewal fee ***established by the office of professional licensure and certification.*** As a

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1 condition of renewal of license, each licensee shall show proof of having completed the continuing
2 education units as required in rules adopted by the board.

3 193 Podiatry; Neglect to Renew. Amend RSA 315:12 to read as follows:

4 315:12 Neglect to Renew. Any licensee who fails to renew his or her license by June 30 of the
5 year in which the licensee's renewal is set to occur, shall be required to pay double the renewal fee if
6 paid within 90 days of the expiration date. Any failure, neglect, or refusal on the part of any person
7 licensed by the board to renew the license as provided in RSA 315:11 or this section shall
8 automatically result in the lapse of the license. Licenses lapsed under this section for nonpayment
9 within 90 days shall not be reinstated except upon payment of a reinstatement fee as established in
10 rules adopted by the ~~[board]~~ **office of professional licensure and certification**, and a showing of
11 such evidence of professional competence as the board may reasonably require.

12 194 Podiatry; Notice of Expiration. Amend RSA 315:13 to read as follows:

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

17 195 Podiatry; Reinstatement. Amend RSA 315:13-a to read as follows:

18 315:13-a Reinstatement. Any person who has not renewed his or her license within 90 days of
19 the expiration date shall only have his or her license restored upon the filing of a reinstatement
20 application, accompanied by the reinstatement fee as established by the ~~[board]~~ **office of**
21 **professional licensure and certification**, proof of satisfaction of continuing podiatric education
22 requirements established by ~~[RSA 315:4, V]~~ **RSA 315:4, II**, and such other evidence of professional
23 competence as the board may reasonably require.

24 196 Repeals; Podiatry. The following are repealed:

25 I. RSA 315:3, relative to compensation of members of the board of podiatry.

26 II. RSA 315:15, relative to reports of the board of podiatry.

27 197 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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1 198 Controlled Drug Prescription Health and Safety Program; Information. Amend RSA 318-
2 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.

16 199 Controlled Drug Prescription Health and Safety Program; Advisory Council Established.
17 Amend the introductory paragraph of RSA 318-B:38, I to read as follows:

18 I. There is hereby established an advisory council to carry out the duties under this
19 subdivision. Members of the council shall not ~~[be compensated for serving on the council, or]~~ serve
20 on the council for more than ~~[one 5-year term except for the attorney general, or designee, or the~~
21 ~~commissioner of the department of health and human services, or designee]~~ **3 consecutive 3-year**
22 **terms**. The members of the council shall be as follows:

23 200 Psychologists; Committees Established; Duties. Amend RSA 329-B:4, I-III to read as
24 follows:

25 I. The board ~~[shall]~~ **may** create an advisory committee for the purpose of assisting the board
26 in its responsibilities under RSA 329-B:10. A board member shall be appointed by the board to chair
27 the advisory committee. The balance of the membership of the advisory committee shall be
28 composed of psychologists licensed by the board to a maximum of 4 members.

29 II. The board ~~[shall]~~ **may** create a committee for professional conduct investigations for the
30 purpose of assisting the board in its responsibilities under RSA 329-B:22 and RSA 329-B:23. A
31 board investigator, appointed by the chairperson of the board with the advice and consent of the
32 board, shall chair the professional conduct investigation committee. The balance of the membership
33 of the professional conduct investigation committee shall be composed of psychologists licensed by
34 the board to a maximum of 12 members.

35 III. The board ~~[shall]~~ **may** create a professional's health committee to administer the
36 professional's health program which shall address issues that may impinge on a practitioner's ability
37 to practice. A board member, appointed by the chairperson of the board with the advice and consent

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1 of the board, shall chair the professional's health committee. The balance of the membership of the
2 professional's health committee shall be composed of psychologists licensed by the board to a
3 maximum of 12 members.

4 201 Psychologists; Organization and Meetings. Amend RSA 329-B:9, I to read as follows:

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

9 202 Psychologists; Establishment of Fees. Amend RSA 329-B:12 to read as follows:

10 329-B:12 Establishment of Fees.

11 ~~[I.]~~ The fee for an initial license shall be ~~[\$300]~~ ***established by the office of professional***
12 ***licensure and certification.*** The license shall be renewed biennially on or before June 30 upon
13 payment of a ~~[\$300]~~ renewal fee ***established by the office of professional licensure and***
14 ***certification.***

15 ~~[II. The board shall establish fees applicable to psychologists for review of applicants;~~
16 ~~reinstatement of license; inactive license status; reactivation of an inactive license; examination of~~
17 ~~applicants; transcribing and transferring records; and other services, including investigations and~~
18 ~~hearings conducted under this chapter.]~~

19 203 Psychologist; Psychologist License. Amend RSA 329-B:15 to read as follows:

20 329-B:15 Psychologist License.

21 I. The board shall issue a psychologist license to any person who:

22 (a) Has passed a satisfactory examination in psychology.

23 (b) Has received the doctoral degree based on a program of studies, the content of which
24 was primarily psychological, from a regionally accredited educational institution having a graduate
25 program, or its substantial equivalent in both subject matter and extent of training.

26 (c) Has had at least 2 years of satisfactory, supervised experience in the field of
27 psychology.

28 (d) Is of good professional character.

29 (e) Has paid all fees established and collected by the ~~[board]~~ ***office of licensure and***
30 ***certification.***

31 (f) Has submitted a complete set of fingerprints and a criminal history records release
32 form in accordance with RSA 329-B:14-a.

33 II. Examinations for applicants under this chapter shall be held by the board at least once
34 each year. The board shall determine the subject and scope of the examination, which may be
35 written, oral, or both. If an applicant fails the first examination, the applicant may be admitted to a
36 subsequent examination upon the payment of an additional fee in the amount established by the
37 ~~[board]~~ ***office of licensure and certification.***

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204 Psychologists; Complaints. Amend RSA 329-B:23, I to read as follows:

I. Any complaint not dismissed or settled informally shall be heard by the board. Such hearing shall be an open public hearing. Any member of the board shall have the authority to preside at such a hearing and to issue oaths or affirmations to witnesses. ***Dismissed complaints shall not be made public.***

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

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

206 Repeals; Psychologists. The following are repealed:

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

II. RSA 329-B:10, I, IV, VI, XII, and XVI.

III. RSA 329-B:11, relative to receipts and disbursements from the board of psychology.

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

207 Reflexologists, Structural Integrators, and Asian Bodywork Therapists; Practitioner license Issuance. Amend RSA 328-H:8, I(c) to read as follows:

(c) Makes payment of the ~~[\$110]~~ license fee ***established by the office of professional licensure and certification;***

208 Reflexologists, Structural Integrators, and Asian Bodywork Therapists. Amend RSA 328-H:9, II to read as follows:

II. All licenses issued pursuant to this chapter shall be renewed biennially on or before June 30 upon approval by the executive director of the renewal application and submission of the required ~~[\$110]~~ renewal fee ***established by the office of professional licensure and certification.***

209 Reflexologists, Structural Integrators, and Asian Bodywork Therapists; Fund. Amend RSA 328-H:15 to read as follows:

328-H:15 Administrative Fines. The executive director, after notice and an opportunity for a hearing, pursuant to rules adopted under RSA 541-A, may impose an administrative fine not to exceed \$2,000 for each offense upon any person who violates any provision of this chapter or rules adopted pursuant to it. Rehearings and appeals from a decision of the executive director shall be in accordance with RSA 541. Any administrative fine imposed under this section shall not preclude the imposition of further penalties or administrative actions under this chapter. The executive director shall adopt rules in accordance with RSA 541-A relative to administrative fines which shall be scaled to reflect the scope and severity of the violation. The sums obtained from the levying of administrative fines under this chapter shall be forwarded to the state treasurer to be deposited into the ~~[general fund]~~ ***office of professional licensure and certification fund.***

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1 210 Repeal; Reflexologists, Structural Integrators, and Asian Bodywork Therapists. RSA 328-
2 H:6, II, relative to the compensation of members of the advisory board, is repealed.

3 211 New Hampshire Veterinary Practice Act; Meetings and Duties. Amend RSA 332-B:5 to read
4 as follows:

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

16 212 New Hampshire Veterinary Practice Act; Revenues. Amend RSA 332-B:6 to read as follows:

17 332-B:6 Revenues. All revenues received by the board shall be deposited in the ~~[general]~~ **office**
18 **of professional licensure and certification** fund.

19 213 New Hampshire Veterinary Practice Act; Application for Licensure. Amend RSA 332-B:9 to
20 read as follows:

21 332-B:9 Application for License; Qualifications. Any person desiring a license to practice
22 veterinary medicine in this state shall make written application to the board. The application shall
23 show that the applicant is 18 years of age or more, a graduate of an AVMA accredited school of
24 veterinary medicine or other veterinary school acceptable to the board, or the holder of an ECFVG
25 certificate or a PAVE certificate, a person of good professional character, and such other information
26 and proof as the board may require by rule. The application shall be accompanied by a fee in the
27 amount established and published by the ~~[board]~~ **office of professional licensure and**
28 **certification.**

29 214 New Hampshire Veterinary Practice Act; License Expiration and Renewal. Amend RSA
30 332-B:13, I to read as follows:

31 I. All licenses shall expire biennially on December 31 of each even-numbered year for even-
32 numbered licenses and on December 31 of each odd-numbered year for odd-numbered licenses but
33 may automatically be renewed by filing a renewal application and paying a renewal fee established
34 in rules adopted by the ~~[board]~~ **office of professional licensure and certification**, subject to
35 paragraph II; except that for licenses which expire December 31, 2011, odd numbered licenses shall
36 be issued for 2 years and even numbered licenses shall be issued for one year, and the board shall
37 charge fees accordingly. Not later than one month prior to the expiration date, the board shall mail

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1 a notice to licensed veterinarians that their license will expire on December 31 and provide them
2 with a license renewal application. Persons previously licensed who allow their license to lapse shall
3 be required to file a reinstatement application containing such information as required by the board.
4 Persons who have allowed their license to lapse more than 5 years shall apply for reinstatement of
5 licensure in accordance with RSA 332-B:17.

6 215 New Hampshire Veterinary Practice Act; Hearing, Decisions, and Appeals. Amend RSA
7 332-B:16, I to read as follows:

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

12 216 Repeal; Veterinary Practice Act. The following are repealed:

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

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

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

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

20 217 General Administration of Regulatory Boards and Commissions; Reciprocity Information.
21 Amend the introductory paragraph of RSA 332-G:12, I to read as follows:

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

32 218 General Administration of Regulatory Boards and Commissions; Petition for Review of a
33 Criminal Record. Amend RSA 332-G:13, XIII to read as follows:

34 XIII. The office of professional licensure and certification shall establish an annual reporting
35 requirement ***for the boards and commissions within the office*** of the (a) number of applicants
36 petitioning each board or commission, (b) the numbers of each board's or commission's approvals and
37 denials, (c) the type of offenses for which each board or commission approved or denied the petitions,

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1 and (d) other data the office determines. The office will compile and publish annually a report on a
2 searchable public website.

3 219 General Administration of Regulatory Boards and Commissions; Reciprocal and Temporary
4 Licenses. Amend RSA 332-G:14, III to read as follows:

5 III. A person applying for a temporary license *from a board or commission within the*
6 *office of professional licensure and certification* shall present to the office of professional
7 licensure and certification:

8 (a) A current equivalent license from another jurisdiction in the United States.

9 (b) A statement of good standing from the licensing authority.

10 (c) Authorization for a criminal history records check, if required.

11 (d) A completed application.

12 (e) A certification that the person has committed no acts or omissions which are grounds
13 for disciplinary action in another jurisdiction, or, if such acts have been committed, would be
14 grounds for disciplinary action.

15 (f) Other information specifically required by the board.

16 (g) Payment of a fee[~~, not to exceed \$100~~] *established by the office of professional*
17 *licensure and certification*.

18 220 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.~~]

4 221 Board of Engineers; Rulemaking Authority. Amend RSA 310-A:6, I(d) to read as follows:

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

7 222 Professional Engineers; Applications. Amend RSA 310-A:16 to read as follows:

8 310-A:16 Applications. Applications for licensure or for a temporary permit shall be [~~on forms~~
9 ~~prescribed and furnished by the board~~] **made using the format prescribed by the office of**
10 **professional licensure and certification**, shall contain statements made under oath, showing the
11 applicant's education and a detailed summary of the applicant's technical work, and shall contain
12 not less than 5 references, of whom at least 3 shall be licensed professional engineers having
13 personal knowledge of the applicant's professional experience. The [~~board~~] **office of professional**
14 **licensure and certification** shall establish fees for application and any examination required
15 under this subdivision. If the board denies the issuance of a license or a temporary permit to any
16 applicant, any initial fee deposited shall be retained as an application fee.

17 223 Professional Engineers; Certificates; Seals. 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~~] **office of professional licensure and certification**, to any applicant
20 who, in the opinion of the board, has satisfactorily met all the requirements of this subdivision.
21 Licenses shall show the full name of the licensee, have a serial number, and be signed by the
22 chairperson and the secretary of the board under seal of the board. The issuance of a license by the
23 board shall be prima facie evidence that the person named in the license is entitled to all the rights
24 and privileges of a licensed professional engineer while the license remains valid. Each licensee
25 shall upon licensure obtain a seal of the design authorized by the board, bearing the registrant's
26 name and the legend, "Licensed Professional Engineer." All papers or documents involving the
27 practice of engineering under this subdivision, when issued or filed for public record, shall be dated
28 and bear the signature and seal of the licensed professional engineer who prepared or had
29 responsibility for and approved them. It shall be a class B misdemeanor for the licensee to stamp or
30 seal any documents with such seal after the license of the licensee has expired or has been revoked,
31 unless such license shall have been renewed or reissued.

32 224 Professional Engineers. Amend RSA 310-A:21 to read as follows:

33 310-A:21 License Expiration and Renewals. All licenses issued by the board shall expire on the
34 last day of the month of the licensee's birth in the year 2 years following the year of issuance. The
35 board shall cause notification of the impending license expiration to be sent to each licensee at least
36 one month prior to the expiration of the license. If the renewal fee is not submitted within 12
37 months after the expiration date, the licensee's name shall be removed from current status, and

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1 application for reinstatement shall be required to return to current status. The ~~[board]~~ **office of**
2 **professional licensure and certification** shall charge a 20 percent reinstatement fee for each
3 month or fraction of a month the renewal is late, up to 12 months, in addition to the renewal fee. If
4 a professional engineer is 70 years or older at time of renewal, and the professional engineer has
5 held an engineering license continuously for the 10-year period immediately preceding the renewal,
6 the ~~[board]~~ **office of professional licensure and certification** may waive the renewal fee in
7 accordance with rules adopted by the ~~[board]~~ **office of professional licensure and certification**.

8 225 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), (h), (j), and (k), relative to certain rulemaking authority of the
13 board of engineers.

14 IV. RSA 310-A:7, relative to fees adopted by the board of engineers.

15 226 Board of Architects; Establishment. Amend RSA 310-A:29, V and VI to read as follows:

16 V. 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. ~~[Three members]~~ **A majority of the members of the board who have**
20 **been approved by the governor and council** shall constitute a quorum.

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

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

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

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

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

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

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

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

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

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

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

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1 227 Board of Architects; Rulemaking Authority. Amend RSA 310-A:32, I(d) to read as follows:

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

4 228 Board of Architects; Applications. Amend RSA 310-A:42 to read as follows:

5 310-A:42 Applications. Applications for licensure shall be ~~[on forms prescribed and furnished by~~
6 ~~the board]~~ ***made using the method prescribed by the office of professional licensure and***
7 ***certification***, shall contain statements made under oath, showing the applicant's education and a
8 detailed summary of the applicant's technical work, and shall contain not less than 5 references, of
9 whom at least 3 shall be licensed architects having personal knowledge of the applicant's
10 professional experience. The ~~[board]~~ ***office of professional licensure and certification*** shall
11 establish fees for application and any examination required under this subdivision. Should the
12 board deny the issuance of a license to any applicant, any initial fee deposited shall be retained as an
13 application fee.

14 229 Board of Architects; Certificates; Seals. Amend RSA 310-A:44 to read as follows:

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

29 230 Board of Architects; Expiration and Renewals. Amend RSA 310-A:46 to read as follows:

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

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1 *licensure and certification* shall charge up to a 20 percent late fee for each month or fraction of a
2 month the renewal is late, up to 12 months, in addition to the renewal fee.

3 231 Repeal; Board of Architects. The following are repealed:

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

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

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

8 IV. RSA 310-A:33, relative to the authority of the board of architects to set fees.

9 232 Board of Land Surveyors; Establishment. Amend RSA 310-A:55, V and VI to read as
10 follows:

11 V. The board shall hold at least 4 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 elect or appoint a chairperson, vice-chairperson,
14 and secretary. The secretary may or may not be a member of the board. ~~[Three members]~~ **A**
15 **majority of the members of the board who have been approved by the governor and council**
16 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 July 31~~
32 ~~of each even-numbered year, the board shall submit to the governor a report of the transactions of~~
33 ~~the preceding biennium, and a complete statement of the receipts and expenditures of the board.]~~

34 233 Land Surveyors; Rulemaking Authority. Amend RSA 310-A:58, IV to read as follows:

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

37 234 Land Surveyors; Rulemaking Authority. Amend RSA 310-A:58, VI-a to read as follows:

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

5 235 Land Surveyors; Application. Amend RSA 310-A:65 to read as follows:

6 310-A:65 Application. Applications for licensure shall be ~~[on forms]~~ ***made on the format***
7 prescribed and furnished by the ~~[board]~~ ***office of licensure and certification***, shall contain
8 statements made under oath, showing the applicant's education and detailed summary of the
9 applicant's technical work, and shall contain not less than 5 references, of whom 3 shall be land
10 surveyors having personal knowledge of the applicant's land surveying experience. All applications
11 shall be accompanied by a fee established by the ~~[board]~~ ***office of professional licensure and***
12 ***certification***.

13 236 Land Surveyors; Examinations. Amend RSA 310-A:66, II to read as follows:

14 II. Examinations shall be held as the board shall determine. The scope of the examination
15 and the method of procedure shall be prescribed by the board. A candidate failing an examination
16 may apply for reexamination at the expiration of 6 months. Subsequent examination will be granted
17 upon payment of the fee to be determined by the ~~[board]~~ ***office of professional licensure and***
18 ***certification***. A candidate failing the examination 3 consecutive times shall be required to furnish
19 evidence of additional experience, study, or education credits acceptable to the board before being
20 allowed to take the examination again.

21 237 Land Surveyors; Expiration and Renewals. Amend RSA 310-A:68 to read as follows:

22 310-A:68 Expiration and Renewals. All licenses issued by the board shall expire on the last day
23 of the month of the licensee's birth in the year 2 years following the year of issuance. The secretary
24 of the board shall notify every licensee of the date of the expiration of the license and the amount of
25 the fee that shall be required for its renewal for 2 years. Such notice shall be mailed at least one
26 month in advance of the date of expiration. Renewal may be effected at any time during the month
27 of expiration by the payment of the fee established by the ~~[board]~~ ***office of professional licensure***
28 ***and certification*** and submission of evidence satisfactory to the board showing fulfillment of
29 continuing education requirements. The failure on the part of any licensee to renew the license in
30 the month of expiration as required above shall not deprive such person of the right of renewal,
31 provided that the ~~[board]~~ ***office of professional licensure and certification*** shall charge a 20
32 percent reinstatement fee for each month or fraction of a month the renewal is late. If a licensee
33 fails to renew such license within the 12 months after the date of expiration, it shall become null and
34 void and the licensee shall be required to reapply and to be reexamined for licensure as required in
35 this section.

36 238 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.

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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, V, and VIII, relative to certain rulemaking authority of the board of
4 land surveyors.

5 IV. RSA 310-A:60, relative to the authority of the board of land surveyors to set certain fees.
6 239 Board of Natural Scientists; Establishment. Amend RSA 310-A:81, V and VI to read as
7 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 or appoint a chairperson, vice-
11 chairperson, and secretary. A quorum of the board shall consist of ~~[at least 4 members]~~ **a majority**
12 **of the members of the board who have been approved by the governor and council.**

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

16 ~~(1) The name 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 certificate of registration 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 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.]~~

31 240 Board of Natural Scientists; Rulemaking Authority. Amend RSA 310-A:82, IV to read as
32 follows:

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

35 241 Natural Scientists; Certification Procedure. Amend RSA 310-A:86, I to read as follows:

36 I. Application for certification shall be ~~[on forms prescribed and furnished by the board]~~
37 **made using the method prescribed and furnished by the office of professional licensure and**

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1 **certification.** ~~[Such forms]~~ **Applications** shall include the applicant's educational background,
2 including transcripts from educational institutions attended, a detailed work experience history, and
3 such other information as the board may by rule require. All applications shall be signed under oath
4 by the applicant.

5 242 Natural Scientists; Failure to Renew. Amend RSA 310-A:90 to read as follows:

6 310-A:90 Failure to Renew. Failure to remit the biennial renewal fee when due shall
7 automatically cancel the certification. If properly renewed, a certification shall remain in effect
8 continuously from the date of issuance, unless suspended or revoked by the board for just cause. A
9 person whose certification is cancelled for such failure may reinstate such certification by paying,
10 within one year of cancellation, all fees due, plus a late fee as established by the ~~board~~ **office of**
11 **professional licensure and certification.**

12 243 Repeals; Natural Scientists. The following are repealed:

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

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

17 III. RSA 310-A:92, relative to the authority of the board of natural scientists to set fees.

18 244 Board of Foresters; Establishment. Amend RSA 310-A:100, 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 or appoint a chairperson, vice-
22 chairperson, and secretary. ~~[Four members]~~ **A majority of the members of the board have been**
23 **approved by the governor and council** shall constitute a quorum.

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

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

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) Whether or not an examination was required.~~

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.]~~

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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.]~~

7 245 Board of Foresters; Rulemaking. Amend RSA 310-A:102, IV to read as follows:

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

9 246 Board of Foresters; Applications; Fees. Amend RSA 310-A:105 to read as follows:

10 310-A:105 Applications; Fees. Applications for licensing shall be made ~~[on forms prescribed and~~
11 ~~furnished by the board,]~~ **using the method prescribed by the office of professional licensure**
12 **and certification** and shall contain statements made under oath as to citizenship, residence, the
13 applicant's education, a detailed summary of the applicant's technical experience, and shall contain
14 the names of not less than 5 references, 3 or more of whom shall be individuals having personal or
15 professional knowledge of the applicant's forestry experience. The fee for a license as a forester shall
16 be fixed by the ~~[board]~~ **office of professional licensure and certification**. One-half of the fee
17 shall accompany the application, the balance to be paid before the issuance of the license. Should
18 the applicant fail to remit the remaining balance within 30 days after being notified by certified
19 mail, return receipt requested, that the application has been accepted, the applicant shall forfeit the
20 right to have the license issued and the applicant may be required to again submit an original
21 application and pay an original fee on such application. Should the board deny the issuance of a
22 license to any applicant, the fee deposited shall be retained by the ~~[board]~~ **office of professional**
23 **licensure and certification** as an application fee.

24 247 Board of Foresters; Examination; Re-Examination; Fee. Amend RSA 310-A:106 to read as
25 follows:

26 310-A:106 Examination; Re-Examination; Fee. The methods and procedure for written and oral
27 examinations shall be prescribed by the board. A candidate failing an examination may apply for re-
28 examination at the expiration of 6 months and shall be entitled to one re-examination without
29 payment of an additional fee. Subsequent re-examinations may be granted upon payment of a fee to
30 be fixed by the ~~[board]~~ **office of professional licensure and certification**.

31 248 Board of Foresters; Failure to Renew. Amend RSA 310-A:110 to read as follows:

32 310-A:110 Failure to Renew. Failure to remit the biennial renewal fee when due or failure to
33 submit proof of required continuing education shall automatically cancel the license. If properly
34 renewed, a license shall remain in effect continuously from the date of issuance, unless suspended or
35 revoked by the board for just cause. A person whose license is cancelled for such failure may
36 reinstate such license by paying, within one year of cancellation, all fees due, plus a late fee as

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1 established by the ~~board~~ **office of professional licensure and certification**, provided continuing
2 education requirements have been met.

3 249 Repeal; Board of Foresters. The following are repealed:

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

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

8 III. RSA 310-A:116, relative to fees established by the board of foresters.

9 250 Board of Professional Geologists. Amend RSA 310-A:120, V-VII to read as follows:

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

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

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

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

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

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

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

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

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

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

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

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

32 251 Board of Professional Geologists; Continuing Education. Amend RSA 310-A:127, I to read
33 as follows:

34 I. Applications for licensure shall be ~~[on forms prescribed and furnished by the board,]~~ **made**
35 **using the method prescribed and furnished by the office of professional licensure and**
36 **certification. Applications** shall contain statements made under oath, showing the applicant's
37 education and a detailed summary of the applicant's technical work, and shall contain not less than

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1 5 references, of whom at least 3 shall be professional geologists having personal knowledge of the
2 applicant's professional experience.

3 252 Board of Professional Geologists; Examinations. Amend RSA 310-A:129 to read as follows:

4 310-A:129 Examinations. Written technical examinations in geology shall be held at least
5 annually as the board shall determine. The scope of the technical and professional examination and
6 the methods of procedure shall be prescribed by the board. A candidate failing an examination may
7 apply for reexamination upon payment of an additional fee determined by the ~~[board]~~ **office of**
8 **professional licensure and certification** and shall be reexamined on the next regularly
9 scheduled examination date. A candidate failing the examination 3 consecutive times shall be
10 required to furnish evidence of additional experience, study, or education credits acceptable to the
11 board before being allowed to proceed with the examination.

12 253 Board of Professional Geologists; Certificates; Seals. Amend RSA 310-A:130 to read as
13 follows:

14 310-A:130 Certificates; Seals. The board shall issue a license, upon payment of the licensing fee
15 established by the ~~[board]~~ **office of professional licensure and certification**, to any applicant
16 who has satisfactorily met all the requirements of this subdivision. Licenses shall show the full
17 name of the licensee, have a serial number, and be signed by the chairperson and the secretary of
18 the board under seal of the board. The issuance of a license by the board shall be prima facie
19 evidence that the person named in the license is entitled to all the rights and privileges of a licensed
20 professional geologist while the license remains valid. Each licensee shall upon licensure obtain a
21 seal of the design authorized by the board, bearing the registrant's name and the legend, "Licensed
22 Professional Geologist." All papers or documents involving the practice of geology affecting public
23 health, safety, and welfare, under this subdivision, when issued or filed for public record, shall be
24 dated and bear the signature and seal of the licensed professional geologist who prepared or had
25 responsibility for and approved them.

26 254 Board of Professional Geologists; License Expiration and Renewals. Amend RSA 310-A:132,
27 II to read as follows:

28 II. Failure to remit the renewal fee when due shall automatically suspend the license. A
29 person whose license is canceled for such failure may reinstate the license by paying, within one year
30 of suspension, all fees due, plus a late fee as established by the ~~[board]~~ **office of professional**
31 **licensure and certification**.

32 255 Repeal; Board of Professional Geologists. The following are repealed:

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

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

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

3 256 Board of Landscape Architects; Establishment. Amend RSA 310-A:142, V and VI to read as
4 follows:

5 V. The board shall hold at least 3 regular meetings each year and special meetings at such
6 times as it may deem necessary. Notice of all meetings shall be given in such a manner as rules
7 adopted by the board may provide. The board shall biennially elect or appoint a chairperson, vice-
8 chairperson, and secretary. ~~[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.]~~

27 257 Board of Landscape Architects; Rulemaking Authority. Amend RSA 310-A:143, I(d) to read
28 as follows:

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

32 258 Board of Landscape Architects; Rulemaking. Amend RSA 310-A:143, I(j) to read as follows:

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

34 259 Board of Landscape Architects; Applications. Amend RSA 310-A:149, I to read as follows:

35 I. Applications for licensure shall be ~~[on forms prescribed and furnished by the board,]~~ ***made***
36 ***using the method prescribed and furnished by the office of professional licensure and***
37 ***certification. Applications*** shall contain statements made under oath, showing the applicant's

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1 education and a detailed summary of the applicant's technical work, and shall contain not less than
2 5 references, of whom at least 3 shall be licensed landscape architects having personal knowledge of
3 the applicant's professional experience. The ~~[board]~~ **office of professional licensure and**
4 **certification** shall establish fees for application and any examination required under this
5 subdivision. Should the board deny the issuance of a license to any applicant, any initial fee
6 deposited shall be retained as an application fee.

7 260 Board of Landscape Architects; Examinations. Amend RSA 310-A:151 to read as follows:

8 310-A:151 Examinations. Written technical examination in landscape architecture shall be held
9 at least annually as the board shall determine. The scope of the technical and professional
10 examination and the methods of procedure shall be prescribed by the board. A candidate failing an
11 examination may apply for reexamination upon payment of an additional fee determined by the
12 ~~[board]~~ **office of professional licensure and certification** and shall be reexamined on the next
13 regularly scheduled examination date.

14 261 Board of Landscape Architects; Certificates; Seals. Amend RSA 310-A:152 to read as
15 follows:

16 310-A:152 Certificates; Seals. The board shall issue a license upon payment of the license fee
17 established by the ~~[board]~~ **office of professional licensure and certification**, to any applicant
18 who, in the opinion of the board, has satisfactorily met all the requirements of this subdivision.
19 Licenses shall show the full name of the licensee, have a serial number, and be signed by the
20 chairperson and the secretary of the board under seal of the board. The issuance of a license by the
21 board shall be prima facie evidence that the person named in the license is entitled to all the rights
22 and privileges of a licensed landscape architect while the license remains valid. Each licensee shall
23 upon licensure obtain a seal of the design authorized by the board, bearing the registrant's name and
24 the legend, "licensed landscape architect." All papers or documents involving the practice of
25 landscape architecture under this subdivision, when issued or filed for public record, shall be dated
26 and bear the signature and seal of the licensed professional who prepared or had responsibility for
27 and approved them. It shall be a class B misdemeanor for the licensee to stamp or seal any
28 documents with such seal after the license of the licensee has expired or has been revoked, unless
29 such license shall have been renewed, reinstated, or reissued.

30 262 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.

36 263 Repeal; Landscape Architects. The following are repealed:

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

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

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

7 IV. RSA 310-A:144, relative to the authority of the board of landscape architects to establish
8 fees.

9 264 Court Reporters; Board; Rulemaking. Amend RSA 310-A:163 and 310-A:164 to read as
10 follows:

11 310-A:163 Board.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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~~[VIII. Procedures for the conduct of hearings consistent with the requirements of due process.~~

~~IX.] VI.~~ The design of an official seal.

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

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

266 Court Reporters; Term of License. Amend RSA 310-A:173 to read as follows:

310-A:173 Term of License; Renewal. The term of licensure under this subdivision shall be every 2 years. All licenses issued by the board shall expire on the last day of the month of the licensee's birth in the year 2 years following the year of issuance. The secretary of the board shall notify every licensee of the date of the expiration of the license and the amount of the fee that shall be required for its renewal for 2 years, such amount to be not less than \$200. Such notice shall be mailed at least one month in advance of the date of expiration. Renewal may be effected at any time during the month of expiration by the payment of the fee established by the ~~[board]~~ **office of professional licensure and certification** and submission of evidence satisfactory to the board showing fulfillment of continuing education requirements. If a licensee fails to renew such license within the 12 months after the date of expiration, it shall become null and void and the licensee shall be required to reapply for licensure. ~~[The board, pursuant to rules adopted under RSA 310-A:171, shall charge up to a 20 percent late fee for each month or fraction of a month the renewal is late, up to 12 months, in addition to the renewal fee.]~~

267 Repeal; Court Reporters. RSA 310-A:171, relative to fees for court reporters, is repealed.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

~~[(c)] (b) [Procedures for auditing applicants and licensees.~~

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

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

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

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

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

~~[(i)] (e) How an applicant shall be examined, including the form of the examination.~~

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

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

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

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

271 Home Inspectors; Issuance of Licenses. Amend RSA 310-A:193 to read as follows:

310-A:193 Issuance of Licenses. The board shall issue a license upon payment of the license fee established by the ~~[board]~~ ***office of professional licensure and certification***, to any applicant who, in the opinion of the board, has satisfactorily met all the requirements of this subdivision. Licenses shall show the full name of the licensee, have a serial number, and be signed by the chairperson or the secretary of the board. The issuance of a license by the board shall be prima facie evidence that the person named in the license is entitled to all the rights and privileges of a licensed home inspector while the license remains valid. It shall be a class B misdemeanor for the licensee to perform home inspections after the license of the licensee has expired or has been revoked, unless such license shall have been renewed, reinstated, or reissued.

272 Repeal; Home Inspectors. RSA 310-A:188, relative to rules and fees for the licensing of home inspectors, is repealed.

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

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

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

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

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

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

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

~~(5) Proof of passing the septic system evaluator exam.~~

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

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

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

~~(9) Such other information as may be deemed necessary by the board]~~ ***in accordance with the retention policy established by the office of professional licensure and certification.***

(b) The records of the board shall be prima facie evidence of the proceedings of the board, 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 executive director of the office of professional licensing~~
3 ~~and certification a report of the transactions of the preceding biennium, and a complete statement of~~
4 ~~the receipts and expenditures of the board.~~

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

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

13 274 Septic System Evaluators; Rulemaking. Amend RSA 310-A:207, I to read as follows:

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

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

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

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

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

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

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

26 ~~(g) Procedures for the conduct of hearings consistent with the requirements of due~~
27 ~~process.~~

28 ~~(h)]~~ **(e)** Procedures for approving education courses for eligibility for licensure and for a
29 continuing education program.

30 ~~(i)]~~ **(f)** How an applicant shall be examined, including the time, place, type, and form of
31 the examination.

32 ~~(j)]~~ **(g)** The design of an official seal.

33 ~~(k)]~~ **(h)** The establishment of administrative fines which may be levied in the
34 administration of this subdivision.

35 275 Septic System Evaluators; License Applications. Amend RSA 310-A:211, I to read as
36 follows:

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

4 276 Septic System Evaluators; Issuance of Licenses. Amend RSA 310-A:213 to read as follows:

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

14 277 Repeal; Septic System Evaluators. RSA 310-A:208, relative to licensing and fees for septic
15 system evaluators, is repealed.

16 278 Board of Accountancy. Amend RSA 309-B:4, III-VIII to read as follows:

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

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

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

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

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

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

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

23 (b) ~~[Rules of procedure governing the conduct of investigations and hearings by the~~
24 ~~board.]~~

25 ~~(e)]~~ Rules specifying the educational and experience qualifications required for all
26 licensees, and the continuing professional education required for renewal of certificates or
27 registrations.

28 ~~[(d)]~~ **(c)** Rules of professional conduct directed to controlling the quality and integrity of
29 the practice of public accountancy by licensees, including, but not limited to, matters relating to
30 independence, integrity, objectivity, competence, technical standards, responsibilities to the public,
31 and responsibilities to clients.

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

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

35 ~~[(g)]~~ **(f)** Rules regarding peer review as required under this chapter. Such rules shall
36 include conduct and cost parameters to ensure that charges for the off-site peer review process are
37 not excessive.

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1 ~~[(h)] The establishment of all fees required under this chapter.~~

2 ~~[(i)]~~ **(g)** The establishment of administrative fines for violations of this chapter.

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

4 ~~[(k)]~~ **(i)** Rules for records retention, outsourcing disclosures, and the severance of
5 connections.

6 279 Board of Accountancy; Qualifications for a Certificate as a Certified Public Accountant.
7 Amend RSA 309-B:5, I to read as follows:

8 I. The certificate of "certified public accountant" shall be granted to persons of good
9 character who meet the education, experience, and examination requirements of this section, who
10 make application therefor pursuant to RSA 309-B:7, and who pay the fees prescribed by the ~~[board]~~
11 **office of professional licensure**.

12 280 Board of Accountancy; Qualifications for a Certificate as a Certified Public Accountant.
13 Amend RSA 309-B:5, VIII to read as follows:

14 VIII. The board may charge, or provide for a third party administering the examination to
15 charge, each applicant a fee in an amount prescribed by the ~~[board]~~ **office of professional**
16 **licensure and certification** by rule, for each section of the examination or reexamination taken by
17 the applicant.

18 281 Board of Accountancy; Issuance and Renewal of Certificates. Amend RSA 309-B:7, III-a and
19 IV to read as follows:

20 III-a. ~~[(a)]~~ As an alternative to the requirements of paragraph III, a certificate holder
21 licensed by another state who establishes his or her principal place of business in this state shall
22 request the issuance of a certificate from the board prior to establishing such principal place of
23 business. The board shall issue a certificate to such person who obtains from the NASBA National
24 Qualification Appraisal Service verification that such individual's CPA qualifications are
25 substantially equivalent to the CPA licensure requirements of the AICPA/NASBA Uniform
26 Accountancy Act.

27 ~~[(b)] An application under this paragraph may be made through the NASBA~~
28 ~~Qualification Appraisal Service.]~~

29 IV. The board, **through the office of professional licensure and certification**, may
30 charge a fee to any licensee of another state receiving a reciprocal certificate under this section, in
31 accordance with rules adopted by the ~~[board]~~ **office of professional licensure and certification**.

32 282 Board of Accountancy; Issuance and Renewal of Certificates. Amend RSA 309-B:7, VIII to
33 read as follows:

34 VIII. The board shall charge a fee for each application for initial issuance or renewal of a
35 certificate under this section in an amount prescribed by the ~~[board]~~ **office of professional**
36 **licensure and certification** by rule.

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

XV. The board may contract with the NASBA Qualification Appraisal Service to assess any applications made under this section.

284 Board of Accountancy; Firm Permits to Practice. Amend RSA 309-B:8, V to read as follows:

V. The board shall charge a fee for each application for initial issuance or renewal of a permit under this section in an amount prescribed by the ~~board~~ **office of professional licensure and certification** by rule.

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

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

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

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

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

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

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

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

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

(b) Good professional character;

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

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

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

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

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

7 ~~[VII. Procedures and policy for the investigation of complaints against licensees or~~
8 ~~registrants;~~

9 ~~VIII. Procedures for the conduct of hearings consistent with the requirements of due~~
10 ~~process; and]~~

11 ~~[IX.]~~ **VI.** Matters related to the proper administration of this chapter.

12 287 Electricians; Examination for License. Amend RSA 319-C:8 to read as follows:

13 319-C:8 Examinations for License. Each applicant for licensure shall present to the board~~[on~~
14 ~~forms furnished by the board, a written]~~ **an** application for examination and license, containing such
15 information as the board may require, accompanied by the required application fee established by
16 the ~~[board]~~ **office of professional licensure and certification**. Proctored examinations shall be
17 written, written and oral, oral, or computerized as approved by the board, and shall be of a thorough
18 and practical character. They shall include such provisions of the National Electrical Code as the
19 board may deem appropriate. Any person failing to pass his or her first examination may be
20 reexamined at any subsequent examination meeting of the board or by an examination entity
21 approved by the board, and thereafter may be examined as often as he or she may desire upon
22 submitting the written application for examination and license and payment of the required
23 application fee as set forth in this chapter.

24 288 Electricians; Renewal of Licenses. Amend RSA 319-C:9, I to read as follows:

25 I. Notwithstanding any outstanding license to the contrary, all licenses issued by the board
26 shall be valid for 3 years and expire on the last day of the month of the licensee's birth, but may be
27 renewed without additional fees during the following month, retroactive to the first day of the
28 month. Upon payment of the normal renewal fee and a late fee, licenses which have been expired for
29 at least one month shall be permitted to be renewed within one year after the date of expiration.
30 The fees for renewal and late renewal of a license issued under this chapter shall be established by
31 the ~~[board]~~ **office of professional licensure and certification**.

32 289 Electricians; Records. Amend RSA 319-C:13 to read as follows:

33 319-C:13 Records. The board shall keep a record of the name and residence of all persons
34 licensed under this chapter **in accordance with the retention policy established by the office of**
35 **professional licensure and certification**, and said record or duplicate thereof shall be open for
36 inspection during office hours.

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1 290 Repeal; Electricians. RSA 319-C:6-b, relative to fees for licensure as an electrician, is
2 repealed.

3 291 Family Mediators; Board. Amend RSA 328-C:4, II(a) to read as follows:

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

7 292 Family Mediators; Rulemaking. Amend RSA 328-C:8 to read as follows:

8 328-C:8 Rulemaking Authority.

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

11 (a) The eligibility requirements ~~[and application procedures]~~ for certification, renewal of
12 certification, 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.~~

15 ~~(c)~~ (e) Content of training programs and training equivalents allowed under RSA 328-C:5,
16 III.

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

19 ~~(e)~~ (d) The ethical standards and standards of practice for family mediators certified in
20 New Hampshire.

21 ~~(f)~~ (e) Procedures for the reporting of activities conducted by certified family mediators
22 and certified family mediator training programs.

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

24 ~~(h)~~ (f) Disciplinary ~~[procedures]~~ penalties~~[;]~~ and sanctions for certified family
25 mediators and martial mediator training programs, as provided under RSA 328-C:7

26 ~~(i) Fees for applications, certification, renewal of certification, and reinstatement of~~
27 ~~certification.~~

28 ~~(j)~~ (g) Reporting requirements for certified training programs.

29 II. The board may adopt rules for family mediators and family mediator training programs,
30 pursuant to RSA 541-A, relative to the ~~[following]~~:

31 ~~(a) the~~ application ~~[process]~~ requirements~~[;]~~ and criteria for temporary renewal of
32 certification and conditional certification.

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

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

37 293 Repeal; Family Mediators. The following are repealed:

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

II. RSA 328-C:11, relative to fees established by the family mediator board.

294 Guardians ad Litem Board; Duties. Amend RSA 490-C:4, I(c) to read as follows:

(c) Establish requirements^[7] **and** criteria^[7] ~~and fees~~ for the certification, recertification, reinstatement, and renewal of certification of guardians ad litem.

295 Guardians ad Litem Board; Duties. Amend RSA 490-C:4, I(f) to read as follows:

(f) Establish disciplinary ~~procedures,~~ penalties^[7] and sanctions for certified guardians ad litem, which penalties^[7] **and** sanctions^[7] ~~and procedures~~ may include revocation of certification, suspension of certification, the imposition of supplemental training requirements or supervised training requirements, supplemental education, fines, written reprimand, and treatment and counseling, including but not limited to treatment and counseling for alcohol and substance abuse. Disciplinary ~~procedures,~~ penalties^[7] and sanctions may be established for and applied to formerly certified guardians ad litem claimed to have engaged in acts or omissions prohibited when certified.

296 Guardians ad Litem Board; Duties. Amend RSA 490-C:4, II(c) to read as follows:

(c) Establish requirements^[7] **and** criteria^[7] ~~and fees~~ for the conditional certification or temporary certification of guardians ad litem or both, including procedures and requirements regarding the circumstances and manner in which individuals may be temporarily or conditionally certified, the term and duration of conditional or temporary certification, and the ethical standards and standards of practice applicable to persons so certified.

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

490-C:5 Rulemaking Authority.

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

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

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

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

~~[(d)]~~ (c) Training requirements.

~~[(e)]~~ (d) Educational and continuing educational requirements.

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

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

~~[(h)]~~ Procedures for conducting investigations and hearings conducted by the board under this chapter.

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

3 ~~(j)]~~ **(f)** Disciplinary [~~procedures,~~] penalties[~~;~~] and sanctions for certified guardians ad
4 litem, which penalties[~~;~~] **and** sanctions[~~;~~ ~~and procedures~~] may include revocation of certification,
5 suspension of certification, the imposition of supplemental training requirements or supervised
6 training requirements, supplemental education, fines, written reprimand, and treatment and
7 counseling, including but not limited to treatment or counseling for alcohol or substance abuse.
8 Disciplinary [~~procedures,~~] penalties[~~;~~] and sanctions may be established for and applied to formerly
9 certified 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 ~~(c)]~~ Procedures for the reporting of activities conducted by guardians ad litem appointed
20 in New Hampshire.

21 ~~(d)]~~ **(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 ~~[(e) Procedures for informal resolution or referral of complaints.~~

25 ~~(f)]~~ **(d)** 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 ~~[(g)]~~ **(e)** 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[~~;~~] **and** sanctions[~~;~~ ~~and procedures~~] may include, but need not be limited to, those listed in
31 RSA 490-C:4, I(f).

32 ~~[(h)]~~ **(f)** 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.

35 298 Board of Manufactured Housing; Quorum. Amend RSA 205-A:26, I to read as follows:

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]~~.

4 299 Board of Manufactured Housing; Meetings and Records. Amend RSA 205-A:29 to read as
5 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*.

10 300 Real Estate Appraisers; Licensure or Certification Process. Amend RSA 310-B:5, I and II to
11 read as follows:

12 I. Applications for original license or certification, renewal license or certification and
13 examinations shall be made ~~[in writing to the board on forms approved by the board]~~ *using the*
14 *method prescribed and furnished by the office of professional licensure and certification*.

15 II. Appropriate fees, as fixed by the ~~[board]~~ *office of professional licensure and*
16 *certification* under rules established pursuant to RSA 541-A, shall accompany all applications for
17 original license, certification, renewal license, renewal certification, reciprocal license, and reciprocal
18 certification. An annual federal registration fee shall be collected by the board for transmittal to the
19 federal government under Title XI.

20 301 Real Estate Appraisers; Registration of Appraisal Management Companies. Amend RSA
21 310-B:12-b, I(a) to read as follows:

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

25 302 Real Estate Appraisers; Appraisal Management Company Fee. Amend RSA 310-B:12-e to
26 read as follows:

27 310-B:12-e Appraisal Management Company Fee.

28 I. The ~~[board]~~ *office of professional licensure and certification* shall establish by rule
29 or regulation a processing fee to be paid by each appraisal management company seeking
30 registration under this chapter that is sufficient for the administration of the registration process.

31 II. A similar processing fee may be charged by the ~~[board]~~ *office of professional licensure*
32 *and certification* in connection with the renewal of any registrations.

33 303 Real Estate Appraisers; License or Certificate. Amend RSA 310-B:16 to read as follows:

34 310-B:16 License or Certificate.

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

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1 ~~II.]~~ Each licensed or certified real estate appraiser shall place such appraiser's license or
2 certificate number adjacent to or immediately below the appraiser's signature whenever the
3 appraiser's signature is used in an appraisal report or in a contract or other instrument used by the
4 license or certificate holder in conducting real estate appraisal activities.

5 304 Real Estate Appraisers; Receipts and Disbursements. Amend RSA 310-B:21 to read as
6 follows:

7 310-B:21 Receipts and Disbursements.

8 I. The ~~[board]~~ ***office of professional licensure and certification*** shall receive and
9 account for all moneys derived under the provisions of this chapter. Under no circumstances shall
10 the total amount of payments exceed the fees collected under this chapter.

11 I-a. All moneys collected as administrative penalties through enforcement actions or
12 settlements under this chapter shall be credited to the real estate appraisers fund and disbursed by
13 the board for the investigation of complaints and activities ~~[that violate this chapter or rules adopted~~
14 ~~by the board.~~

15 ~~II. The board shall reimburse the general fund for moneys appropriated for the purposes of~~
16 ~~this chapter as soon as such funds are available.~~

17 ~~III.]~~ ***II.*** Revenues in excess of budget estimates may be expended with the prior approval of
18 the legislative fiscal committee and the governor and council.

19 305 Real Estate Appraisers; Rulemaking. Amend RSA 310-B:24 to read as follows:

20 310-B:24 Rulemaking Authority. The board shall adopt rules pursuant to RSA 541-A, relative
21 to:

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

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

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

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

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

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

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

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

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

4 ~~[VIII. The conduct of investigations and procedures for the conduct of hearings consistent~~
5 ~~with the requirements of RSA 541-A.~~

6 ~~VIII-a.]~~ **VII.** Establishing continuing education and experience requirements which comport
7 with criteria set forth by the board.

8 ~~[IX.]~~ **VIII.** The requirements for public requests for information.

9 ~~[X.]~~ **IX.** The conditions and requirements for granting a waiver to any rule adopted by the
10 board.

11 306 Repeal; Real Estate Appraisers. The following are repealed:

12 I. RSA 310-B:20, relative to fees for licensure or certification of appraisal management
13 companies.

14 II. RSA 310-B:22, relative to a roster of licensed or certified real estate appraisers.

15 307 Repeal; Distribution of Publications. RSA 332-H, relative to the distribution of publications
16 by licensing commissions and boards, is repealed.

17 308 Findings; Temporary Licensing. On March 23, 2020, Governor Sununu required the office
18 of professional licensure and certification to establish a system to process a provisional license for an
19 out-of-state medical provider who presents to the office of professional licensure and certification
20 evidence that they are licensed in good standing in another jurisdiction.

21 309 New Section; Office of Professional Licensure and Certification. Temporary Licensing
22 Process. Amend RSA 310-A by inserting after section 1-e the following new section:

23 310-A:1-f Temporary Licensing Process; Rulemaking. Notwithstanding any other state law to
24 the contrary, the office of professional licensure and certification shall be authorized to issue
25 temporary licenses to out-of-state health care professionals who present evidence of an active license
26 in good standing from another jurisdiction, in accordance with rules adopted by executive director of
27 the office of professional licensure and certification under RSA 541-A. The rules shall contain the
28 following provisions:

29 I. Health care professionals shall be defined as those individuals licensed by the boards,
30 councils, and commissions within the division of health professions as set forth in RSA 310-A:1-a, II,
31 with the exception of those licensed pursuant to RSA 314, RSA 314-A, RSA 313, RSA 328-B, and
32 RSA 328-H.

33 II. The temporary licenses shall be valid for 120 days, or until the board, council, or
34 commission takes action on an application for full licensure, whichever happens first.

35 III. All individuals licensed under this section shall be subject to the jurisdiction of the state
36 licensing body for that profession.

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1 310 Findings; Electronic Signatures. On May 19, 2020, in response to the COVID-19 State of
2 Emergency, Governor Sununu issued Exhibit H to Emergency Order #29. Exhibit H requires all
3 boards, councils, or commissions administered by the office of professional licensure and certification
4 to accept electronic signatures or scans of signed documents in addition to original signatures.

5 311 New Paragraph; Electronic Signatures. Amend RSA 310-A:1-d by inserting after paragraph
6 II the following new paragraph:

7 III. Notwithstanding any other provisions of law to the contrary, for the performance of the
8 administrative, clerical, and business processing responsibilities under paragraph II(b), all boards,
9 councils, or commissions shall accept electronic signatures and scans of signed documents in
10 addition to original signatures.

11 312 Allied Health Professionals; Temporary Licensure. Amend the introductory paragraph of
12 RSA 328-F:18, VI to read as follows:

13 VI. Occupational therapists, occupational therapist assistants, recreational therapists,
14 speech pathologists, respiratory care practitioners, **athletic trainers, genetic counselors**, physical
15 therapists, and physical therapist assistants from the states of Connecticut, Rhode Island,
16 Massachusetts, Maine, New York, and Vermont, who are currently licensed, shall be eligible for
17 temporary licensure for 120 days while the person makes application for licensure to the respective
18 governing board under this chapter. **Temporary licensure shall not apply to an allied health**
19 **governing board that is a member of an interstate licensure compact.** An applicant for
20 temporary licensure to practice, who is currently licensed or certified in Connecticut, Rhode Island,
21 Massachusetts, Maine, New York, or Vermont, shall:

22 313 Controlled Drug Prescription Health and Safety Program; Definitions. Amend RSA 318-
23 B:31, IV to read as follows:

24 IV. "Dispenser" means a person or entity who is lawfully authorized to deliver a schedule II-
25 IV controlled substance, **and conduct medication reconciliation**, but does not include:

26 (a) A licensed hospital pharmacy **under RSA 318** that dispenses less than a 48-hour
27 supply of a schedule II-IV controlled substance from a hospital emergency department or that
28 dispenses for administration in the hospital;

29 (b) A practitioner, or other authorized person who administers such a substance;

30 (c) A wholesale distributor of a schedule II-IV controlled substance or its analog;

31 (d) A prescriber who dispenses less than a 48-hour supply of a schedule II-IV controlled
32 substance from a hospital emergency department to a patient; ~~[or]~~

33 (e) A veterinarian who dispenses less than a 48-hour supply of a schedule II-IV
34 controlled substance to a patient; **or**

35 (f) **A practitioner who neither prescribes nor dispenses and who is not actively**
36 **working as a pharmacist within a New Hampshire licensed pharmacy licensed under RSA**
37 **318 or New Hampshire health care facility licensed under RSA 151.**

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1 314 New Paragraph; Controlled Drug Prescription Health and Safety Program Established.
2 Amend RSA 318-B:32 by inserting after paragraph I the following new paragraph:

3 I-a. The office may enter into agreements or contracts to facilitate the confidential sharing of
4 information relating to the prescribing and dispensing of schedule II-IV controlled substances, by
5 practitioners within the state and to establish secure connections between the program and a
6 practitioner's electronic health record keeping system. The electronic health record keeping system
7 may allow for the query and retrieval of program information for display and retention in the
8 patient's medical information; provided that nothing in this section shall allow the electronic health
9 record keeping system owner or license holder to perform data queries unrelated to individuals
10 under the practitioner's care. The electronic health record keeping system owner or license holder
11 shall be responsible for ensuring that only authorized individuals have access to program
12 information.

13 315 New Paragraph; Controlled Drug Prescription Health and Safety Program; Confidentiality.
14 Amend RSA 318-B:34 by inserting after paragraph II the following new paragraph:

15 II-a. A practitioner who intends to request and use information from the program about a
16 patient shall post a sign that can be easily viewed by the public that discloses to the public that the
17 practitioner may access and use information contained in the program. In lieu of posting a sign, the
18 practitioner may provide such notice in written material provided to the patient.

19 316 Providing Controlled Drug Prescription Health and Safety Information. Amend RSA 318-
20 B:35, I(a)(2) and (3) to read as follows:

21 (2) For reviewing information regarding prescriptions issued or dispensed by the
22 requester; ~~[or]~~

23 (3) For the purpose of investigating the death of an individual; **or**

24 **(4) For the purpose of administering RSA 318:29-a, VI, RSA 326-B:36-a, RSA**
25 **329:13-b, and other participating health professional boards.**

26 317 Repeal. RSA 318-B:35, I(b)(5), relative to a practitioner or consultant retained by the office
27 of professional licensure and certification to review certain information, is repealed.

28 318 Repeal. RSA 328-F:18-a, V, relative to conditional licensure as an allied health professional
29 pending results of a criminal history records check, is repealed.

30 319 Places of Assembly; Definition of Licensing Agency. Amend RSA 155:17, II to read as
31 follows:

32 II. "Licensing agency" shall mean the chief of the fire department, the firewards or
33 engineers, if any, otherwise the selectmen of the town or the commissioners of village district as the
34 case may be, **or the state fire marshal, as he or she deems necessary, in consultation with the**
35 **local licensing agency, if any.**

36 320 Places of Assembly; License Required. Amend RSA 155:18 to read as follows:

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1 155:18 License Required. No person shall own or operate a place of assembly within this state
2 unless licensed so to do by the licensing agency of the **state**, city, town, or village district where said
3 place of assembly is located, including assemblies occurring on state waters or ice formed on state
4 waters, in accordance with the regulations herein promulgated. In the application of this act to
5 existing places of assembly the licensing agency may modify such of its provisions as would require
6 structural changes if in his or her opinion adequate safety may be obtained otherwise and provided
7 that a permanent record is kept of such modifications and the reasons therefor.

8 321 New Section; Solemnization of Marriage; Special Marriage Officiant License. Amend RSA
9 457 by inserting after section 32-a the following new section:

10 457:32-b Special Marriage Officiant License.

11 I. The secretary of state may issue a special marriage officiant license, which shall
12 temporarily authorize an individual to solemnize a marriage in this state. Any individual who
13 applies for the special marriage officiant license shall register with the secretary of state, complete
14 the registration form prescribed by the secretary of state, and submit an \$85 fee to the department of
15 state. The secretary of state shall forward \$80 of the fee to the department of health and human
16 services for deposit in the fund for domestic violence programs, established in RSA 173-B:15, and
17 shall retain the remainder of the fee for administrative costs associated with issuance of the license.

18 II. Upon registration as a special marriage officiant, the individual shall be authorized to
19 solemnize only the civil marriage designated on the registration form and shall receive proof of such
20 authority from the secretary of state. The individual's authority to solemnize the marriage shall
21 expire at the same time as the corresponding license.

22 322 Effective Date.

23 I. Sections 2, 180, 308-311, and 314-317 of this act shall take effect upon its passage.

24 II. Sections 312, 313, and 318-321 of this act shall take effect 60 days after its passage.

25 III. The remainder of this act shall take effect September 1, 2020.

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2020-1423s

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.