

June 27, 2024  
2024-2340-EBA  
09/08

Enrolled Bill Amendment to HB 1095

The Committee on Enrolled Bills to which was referred HB 1095

AN ACT                   relative to the administration of occupational boards by the office of professional licensure and certification.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

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Explanation to Enrolled Bill Amendment to HB 1095

This enrolled bill amendment makes technical and grammatical corrections to the bill.

Enrolled Bill Amendment to HB 1095

Amend RSA 313-A:8, XII-XIII as inserted by section 18 of the bill by replacing it with the following:

XII. The criteria for granting exemptions under RSA 313-A:10, II; 313-A:11, II; and 313-A:12, II;

XIII. A schedule of administrative fines for violations of this chapter under RSA 313-A:22, III(e) and (f); and

Amend RSA 316-A:20, II as inserted by section 41 of the bill by replacing line 4 with the following:

***licensure and certification on behalf of the*** New Hampshire board of chiropractic examiners, or

Amend the bill by replacing section 90 with the following:

90 Deny or Refuse to Renew License; Grounds. Amend RSA 325-A:11 to read as follows:

325-A:11 Deny or Refuse to Renew License; Grounds. The ~~[board]~~ ***office of professional licensure and certification*** may deny or refuse to renew a license under this chapter or take

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disciplinary action against a crematory authority licensed under this chapter as provided in RSA 325-A:12 on any of the following grounds:

- I. Violation of this chapter or rules adopted and pursuant to this chapter;
- ~~[II. Conviction of any crime involving moral turpitude;]~~
- ~~[III.]~~ **II.** Conviction of a misdemeanor or felony under state law, federal law, or the law of another jurisdiction which, if committed within this state, would have constituted a misdemeanor or felony and which has a rational connection with the fitness or capacity of the crematory authority to operate a crematory;
- ~~[IV.]~~ **III.** Conviction of a violation pursuant to RSA 325-A:15;
- ~~[V.]~~ **IV.** Obtaining a license as a crematory authority by false representation or fraud;
- ~~[VI.]~~ **V.** Misrepresentation or fraud in the operation of a crematory; or
- ~~[VII.]~~ **VI.** Failure to allow access by an agent or employee of the ~~[board]~~ **office** to a crematory operated by the crematory authority for the purposes of inspection, investigation, or other information collection activities necessary to carry out the duties of the **office or** board.

Amend RSA 402-N:5, II as inserted by section 136 of the bill by replacing line 2 with the following:

Such rules shall include procedures for addressing complaints, provisions for enforcement, ~~[the~~

Amend RSA 310-A:104, V as inserted by section 189 of the bill by replacing lines 3-5 with the following:

board ***in accordance with rules adopted under RSA 541-A. The board may adopt rules requiring an*** ~~[The]~~ applicant ~~[shall be required]~~ to pass an ***examination*** ~~[oral or written exam, or otherwise meet the approval of the board].~~

Amend the bill by replacing section 248 with the following:

248 Deny or Refuse to Renew License; Grounds. Amend RSA 325-A:11 to read as follows:

325-A:11 Deny or Refuse to Renew License; Grounds. The ~~[board]~~ ***office of professional licensure and certification*** may deny or refuse to renew a license under this chapter or take disciplinary action against a crematory authority licensed under this chapter as provided in RSA 325-A:12 on any of the following grounds:

- I. Violation of this chapter or rules adopted and pursuant to this chapter;
- ~~[II. Conviction of any crime involving moral turpitude;]~~
- ~~[III.]~~ **II.** Conviction of a misdemeanor or felony under state law, federal law, or the law of another jurisdiction which, if committed within this state, would have constituted a misdemeanor or

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felony and which has a rational connection with the fitness or capacity of the crematory authority to operate a crematory;

~~[IV.]~~ **III.** Conviction of a violation pursuant to RSA 325-A:15;

~~[V.]~~ **IV.** Obtaining a license as a crematory authority by false representation or fraud;

~~[VI.]~~ **V.** Misrepresentation or fraud in the operation of a crematory; or

~~[VII.]~~ **VI.** Failure to allow access by an agent or employee of the ~~[board]~~ **office** to a crematory operated by the crematory authority for the purposes of inspection, investigation, or other information collection activities necessary to carry out the duties of the **office or** board.

Amend the bill by replacing section 253 with the following:

253 Office of Professional Licensure and Certification; Complaints and Investigations. Amend RSA 310:9, V(a) to read as follows:

(a) Retain qualified experts according to criteria established by the relevant board. ***If the board has not established criteria, or under extraordinary circumstances, the executive director may retain qualified experts*** ~~[or]~~ who have sufficient knowledge on appropriate statutes or professions and their practices.

Amend the bill by replacing section 263 with the following:

263 New Hampshire Veterinary Practice Act; License Required and Exceptions. Amend the introductory paragraph of RSA 332-B:2 to read as follows:

332-B:2 License Required and Exceptions. Except as provided in RSA 332-B:9, no person may practice veterinary medicine in the state who is not a licensed veterinarian, or the holder of a valid temporary permit issued by the ~~[board]~~ **office of professional licensure and certification**. This chapter shall not be construed to prohibit: