SENATE BILL  576
AN ACT revising the authority of boards and commissions for technical and health professions regulated by the office of professional licensure and certification.

SPONSORS:  Sen. Giuda, Dist 2; Sen. Sherman, Dist 24

COMMITTEE:  Executive Departments and Administration

ANALYSIS

This bill makes changes to the statutory provisions governing the regulatory boards and commissions for technical professions and health professions in order to conform to oversight and administration by the office of professional licensure and regulation.

Explanation:  Matter added to current law appears in bold italics.  
Matter removed from current law appears [in brackets and struckthrough.]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.
AN ACT revising the authority of boards and commissions for technical and health professions regulated by the office of professional licensure and certification.

Be it Enacted by the Senate and House of Representatives in General Court convened:

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

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

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


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

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

(a) Supervision of the division directors;
(b) The performance of the administrative, clerical, and business processing responsibilities of the boards, commissions, and councils;
(c) Employment of such personnel needed to carry out the functions of the boards;
(d) The issuance of a license or certification to any applicant who has met the requirements for licensure or certification and denying a license or certification to applicants who do not meet the minimum qualifications;
(e) Maintenance of the official record of all applicants and licensees in accordance with the retention policy established by the office of professional licensure and certification;
(f) Supervision, coordination, and assistance to the boards, commissions, and councils in rulemaking, pursuant to RSA 541-A;
(g) Maintaining the confidentiality of information, documents, and files in accordance with RSA 91-A;
(h) Establishing by rule, pursuant to RSA 541-A:
(1) All fees authorized by statute for all boards, commissions, and councils, within the office of professional licensure and certification, in consultation with the affected boards, commissions, and councils on a biennial basis in conjunction with the preparation of the biennial budget;

(2) Such organizational and procedural rules necessary to administer the boards, commissions, and programs in the office of professional licensure and certification, including rules governing the administration of complaints and investigations, payment processing procedures, and application procedures;

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

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

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

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

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

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

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

5 Acupuncture; Rulemaking. Amend RSA 328-G:7, I-III to read as follows:
I. **Procedures and forms for application** Eligibility requirements for an acupuncture license.

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

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

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

XIV.(a) **Procedures and forms for application** Eligibility requirements for certification as an acupuncture detoxification specialist.

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

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

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

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

(d) Has paid the $110 license fee **established by the office of professional licensure and certification** and filed the application **established by the board**.

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

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

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

I. The board shall:

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

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

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

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

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

1. The name of the licensee.

2. Current professional office address.

3. The date of issuance and the number of the licensee's license.

4. Whether the licensee is in good standing.
(f) Keep all applications for licensure as a permanent record in accordance with the retention policy established by the office of professional licensure and certification.

(4) (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.

(4) (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.

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

(4) (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.

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

14 Alcohol and Other Drug Use Professionals; Board; Duties. Amend RSA 330-C:5, VIII to read as follows:
VIII. Maintain records of proceedings as required by the laws of New Hampshire and as set forth by the retention policy established by the office of professional licensure and certification.

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

330-C:7 Records. A true record of all of the board’s official acts shall be made and preserved by the board through the 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 investigations and records otherwise exempt from disclosure under RSA 91-A or other applicable statutes.

330-C:8 Fees; Charges.

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

II. The board may provide for:

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

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

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

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

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

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

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

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

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

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

20 Alcohol and Other Drug Use Professionals; Reinstatement. Amend RSA 330-C:23, II to read as follows:
II. Application for reinstatement of a license or certification which has lapsed 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.

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

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

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

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

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

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

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

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

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

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

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

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

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

26 Allied Health Professionals; Rulemaking. Amend RSA 328-F:11 to read as follows:

328-F:11 Rulemaking by the Governing Boards.
I. The governing boards shall adopt rules pursuant to RSA 541-A establishing:

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

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

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

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

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

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

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

(h) Application procedures.

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

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

(a) The scope of practice.

(b) The ethical standards.

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

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

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

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

II. The governing boards shall take no action on an application for any type of license, or reinstate any lapsed or suspended license, until the applicant has completed the application procedures established by the office of professional licensure and certification.

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

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

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

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

III. Complies with any application procedure established by the office of professional licensure and certification.

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

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

III. Governing boards are authorized to conduct disciplinary proceedings in accordance with procedural rules adopted by the office of professional licensure and certification.

31 Repeals; Allied Health. The following are repealed:

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

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

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

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

32 Repeals; Genetic Counselors. The following are repealed:
I. RSA 326-K:7, relative to compensation of the genetic counselors governing board.

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

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

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

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

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

35 Repeals; Physical Therapists. The following are repealed:

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

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

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

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

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

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

38 Repeals; Respiratory Care. The following are repealed:

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

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

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

III. Complies with any reinstatement application procedures established by the board in rules adopted pursuant to RSA 541-A.

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

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

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

V. The board shall hold at least 6 regular meetings each year. Special meetings may be called at such times as the rules of the board may provide. A quorum of the board shall consist of a majority of the members of the board who have been approved by the governor and council. All meetings of the board shall be open to the public, except when the board conducts a nonpublic session under RSA 91-A.
42 Barbering, Cosmetology, Esthetics; Records. Amend RSA 313-A:4 to read as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

313-A:29 Registration Fee Required. No person shall operate a tanning facility without paying an annual registration fee established by the [board] office of professional licensure and certification. Registration fees received from each tanning facility shall be deposited into the office of professional licensure and certification fund.

53 Repeals; Barbering, Cosmetology, Esthetics. The following are repealed:

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

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

III. RSA 313-A:8, I, V, and VIII, relative to rules on applications, fees, and hearings.
54 Body Art; Fees. Amend RSA 314-A:2, II to read as follows:

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

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

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

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

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

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

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

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

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

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 **[$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.

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:

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

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

VII. Rules governing the professional health program shall be implemented through the office of professional licensure and certification pursuant to RSA 310-A:1-d, II(h)(4).
Dentistry; Licensure of Hygienists. Amend RSA 317-A:21, II to read as follows:

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

Repeals; Dentistry. The following are repealed:

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

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

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

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

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


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

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

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

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

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

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

V. Pay the [110] license fee established by the office of professional licensure and certification.

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

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

Repeal; Dieticians. The following are repealed:

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

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

Electrologists; Fees. Amend RSA 314:10, I to read as follows:
I. The fee for an initial biennial license and for renewal of the biennial license issued under this chapter shall be [[$110] established in rules by the office of professional licensure and certification. The executive director shall establish by rule a schedule of fees for applications, examinations, and license replacement.

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

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

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

79 Funeral Directors; Quorum. Amend RSA 325:8 to read as follows:

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

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

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

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

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

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

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

83 Funeral Directors; Licensure. Amend RSA 325:20 to read as follows:
325:20 Licensure. The board shall issue to each applicant successfully passing the examination, where an examination is required, and who otherwise satisfies the board of her or his qualifications, a license, [signed by all the members of the board] entitling her or him to practice or engage in the business in this state as a funeral director, embalmer, or both, as the case may be.

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

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

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

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

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

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

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

325:30 Issuance; Term; Renewal. Apprentice licenses shall be issued for a period of one year and shall terminate one year from the date of issuance unless sooner ended by death, resignation, revocation or by ruling or decision of the board. Such licenses may be renewed in the discretion of the board. The fees for an original apprentice license shall be established by the [board] office of professional licensure and certification.

88 Repeal; Funeral Directors. The following are repealed:

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

II. RSA 325:9, I, V, and VIII, relative to rules on applications, fees, and hearings.
III. RSA 325:11, relative to a register of licensees.
IV. RSA 325:12, relative to a board treasurer.
V. RSA 325:33, II, relative to investigations.
VI. RSA 325:39, relative to an account.
VII. RSA 325:42, relative to a special fund.

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

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

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

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

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

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

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

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

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

II. The board shall license each applicant who satisfies the requirements of this chapter. Upon payment of a [no fee] license fee established by the office of professional licensure and certification, the board shall issue to such person a certificate of licensure which shall be evidence of the right to practice as an audiologist. The initial license shall be valid for at least 2 years and expire on June 30. Renewals shall be valid for 2 years from the date of renewal.

94 Hearing Care Providers; License Requirements; Fees. Amend RSA 137-F:13, I(a)-(b) to read as follows:
(a) Make application to the board, upon a form prescribed by the [audiology subcommittee] office of professional licensure and certification.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

100 Massage Therapists and Massage Establishments; License Renewal. Amend RSA 328-B:7 to read as follows:
328-B:7 License Renewal. All licenses issued pursuant to this chapter shall expire on the last day of the birth month of the licensee in the even-numbered year, upon approval of the executive director of the renewal application and submission of the required $110 renewal fee established by the office of professional licensure and certification.

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

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

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

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

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

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

III. The design and content of all forms required under this chapter.

IV. The establishment of all fees required under this chapter.

V. How an applicant shall be examined, including:

(a) Time and place of examination.

(b) The subjects to be tested.

(c) Passing grade.

(d) Disposition of examination papers.

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

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

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

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

X. How licensees shall provide evidence of good professional character and reliability to satisfy the board that they shall faithfully and conscientiously avoid professional misconduct and otherwise adhere to the requirements of this chapter.
XI. Procedures for accepting and responding to written complaints, publicizing the complaint procedure, standards of and procedures for conducting investigations, investigator training requirements, and procedures for conducting disciplinary hearings and alternative dispute resolution under this chapter.

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

XIII. VIII. Standards of care for the practice of telemedicine or telehealth.


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

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

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

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

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

II. All licenses issued by the board shall expire on the last day of the licensee's month of birth in the second year following the year of issuance, or upon such other biennial date as the board may adopt. If the renewal fee is not submitted within 12 months after the expiration date, the licensee's name shall be removed from current status, and application for reinstatement shall be required to return to current status. The board shall charge a [20 percent] late fee established by the office of professional licensure and certification for each month or fraction of a month the renewal is late, up to 12 months, in addition to the renewal fee. Any renewal application received 12 months after the expiration date shall be rejected, unless accompanied by proof of successful completion of the examination required by the board. Licensees shall complete at least 24 hours of board-approved continuing education during each license period in order to maintain his or her license. 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 and to be re-examined for licensure.
Medical Imaging and Radiation Therapy; Hearings. Amend RSA 328-J:18, V to read as follows:

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

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

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

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

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

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

I. Registration eligibility requirements.

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

III. The imposition of administrative fines.

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

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

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

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

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

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

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

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

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

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

113 Repeals; Board of Registration of Medical Technicians. The following are repealed:

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

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

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

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

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

I. To apply for licensure by the board as a physician assistant, an applicant shall file a written application on forms provided by the [board] office of professional licensure and certification and pay an application fee. The applicant to be licensed shall:
115  Physician Assistants; Renewal of Licenses. Amend RSA 328-D:5 to read as follows:
328-D:5  Renewal of Licenses. Every person licensed to practice under this chapter shall apply
to the board for annual renewal of license on forms provided by the [board] office of professional
licensure and certification and shall pay a renewal fee as established by the [board] office of
professional licensure and certification. Applications for renewal shall be filed no later than
December 31 of each year and shall include a photocopy of the applicant's current national
certification card. A license issued under this chapter shall not expire until the board has taken
final action upon the application for renewal.
116  Physician Assistants; Failure to Renew. Amend RSA 328-D:5-a, I to read as follows:
I. Any licensee who fails to apply for renewal under RSA 328-D:5 shall pay double the
renewal fee, provided the licensee applies and pays the renewal fee no later than 90 days after the
expiration date. Any licensee who fails to apply for renewal of his or her license within the 90-day
period after expiration, shall have his or her license lapse. A lapsed license shall be reinstated only
upon payment of a reinstatement fee as established by the [board] office of professional licensure
and certification, and upon showing evidence of professional competence as the board may
reasonably require.
117  Physician Assistants; Rulemaking. Amend RSA 328-D:10, I,(b) to read as follows:
(b) [Form and] Content of the application for licensure.
118  Physician Assistants; Recordkeeping. RSA 328-D:11 is repealed and reenacted to read as
follows:
328-D:11  Recordkeeping. The board shall keep a record of its proceedings under this chapter in
accordance with the retention policy established by the office of professional licensure and
certification.
119  Repeal; Physician Assistants. RSA 328-D:10, I(c) and (d), relative to the board of medicine's
rulemaking authority regarding application procedures and the conduct of hearings for physician
assistants, are repealed.
120  Physicians and Surgeons; Records. Amend RSA 329:8 to read as follows:
329:8  Records. A true record of all of the board's official acts shall be made and preserved [by
the administrator] in accordance with the retention policy established by the office of
professional licensure and certification. The records shall be public and shall be open to
inspection at all reasonable times, except for records compiled in connection with disciplinary
investigations and records otherwise exempt from disclosure under RSA 91-A, RSA 329:18, or other
applicable statutes.
121  Physicians and Surgeons; Qualifications of Licensees. Amend RSA 329:12, I(a) and (b) to
read as follows:
(a) Pay a fee established by the [board] office of professional licensure and
certification.
(b) Submit an application [in a form prescribed by the board] which shall be verified by oath.

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

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

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

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

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

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

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

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

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

329:16-e Neglect to Renew. Any licensee who fails to renew his or her license by June 30 of the year in which the licensee's renewal is set to occur shall be required to pay double the renewal fee if paid within 90 days of the expiration date. Any failure, neglect, or refusal on the part of any person licensed by the board to renew the license as provided in RSA 329:16-a or this section shall automatically lapse such license. Licenses lapsed under this section for nonpayment within 90 days shall not be reinstated except upon payment of a reinstatement fee as established by the [board] **office of professional licensure and certification**, and a showing of such evidence of professional competence as the board may reasonably require.

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

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

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

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

XIII. When an investigation of a complaint against a licensee is determined to be unfounded, the board shall dismiss the complaint and explain in writing to the complainant its reason for dismissing the complaint. The board may destroy all information collected during the course of the investigation [after 3 years] in accordance with the retention policy established by the office of professional licensure and certification. The board shall retain a record only noting that an investigation was conducted and that the board determined the complaint to be unfounded. For the purpose of this paragraph, a complaint shall be deemed to be unfounded if it does not fall within the jurisdiction of the board, does not relate to the actions of the licensee, or is determined by the board to be frivolous.
Physicians and Surgeons; Denial or Revocation of License. Amend RSA 329:17-c to read as follows:

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

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

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

Repeal; Physicians and Surgeons. The following are repealed:

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

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

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

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

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

Mental Health Practice; Committees Established; Duties. Amend RSA 330-A:4, I and I-a to read as follows:
I. The board [shall] may create an advisory committee for each mental health discipline it licenses for the purpose of assisting the board in its responsibilities under RSA 330-A:10, II, and RSA 330-A:10, VII-XV. The board member of each mental health discipline shall serve as the chair of that advisory committee. The balance of the membership of each of the advisory committees shall be composed of at least 2 persons and no more than 4 persons licensed in the mental health discipline of that committee.

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

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

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

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

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


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

III. How an applicant shall be examined, including:

(a) Time and place of examination.

(b) The subjects to be tested.

(c) Passing grade.

(d) Disposition of examination papers.

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

V. Ethical standards, as promulgated by the National Association of Social Workers, required to be met by each licensed clinical social worker, and how a license may be revoked for violation of these standards.
VI. Ethical standards, including those promulgated by the American Clinical Mental Health Counselors Association, required to be met by each licensed clinical mental health counselor, and how a license may be revoked for violations of these standards.

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

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

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

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

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

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

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

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

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

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

II. An applicant whose state licensure meets the requirements in paragraph I shall be allowed to practice in this state not more than 30 days after the application is received by the board, pending final approval or denial of the license for other reason by the board. The board shall adopt rules under RSA 330-A:10, I [and I-a] relative to [ensure the timely review and approval of
137 Mental Health Practice; Hearings. Amend RSA 330-A:29, 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 of the hearing shall be taken and preserved. The hearing may be adjourned from time to time.

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

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

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

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

I. RSA 330-A:7, relative to compensation and expenses.
II. RSA 330-A:12, relative to fees.
III. RSA 330-A:13, relative to records and reports.

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

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

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

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

(a) Certifying eligible applicants for certification under this chapter.
(b) [Establishing fees for examination of applicants.
(c) 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.]
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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.

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

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

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

145 Repeals; Midwifery. The following are repealed:

I. RSA 326-D:2, III relative to a definition of commissioner.
II. RSA 326-D:9, relative to a report.
III. RSA 326-D:10, relative to powers and duties of commissioner.

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

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

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

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

I. The board shall:

(a) Insure that doctors of naturopathic medicine serving the public meet minimum standards of proficiency and competency to protect the health, safety and welfare of the public.
(b) Administer and enforce all provisions of this chapter, which pertain to licensees and applicants, and all rules adopted by the board under the authority granted in this chapter.
(c) Maintain a record of its acts and proceedings, including the issuance, refusal, renewal, suspension or revocation of licenses in accordance with the retention schedule established by the office of professional licensure and certification.
(d) Keep all applications for licensure in accordance with the retention policy established by the office of professional licensure and certification.
(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:

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.

(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) The actual cost of collection of statistical data provided to private entities.

(f) The actual costs of collection of statistical data provided to private entities.

152 Nurse Practice Act; Rulemaking Authority. Amend RSA 326-B:9, I and II to read as follows:
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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 shall not be limited to, assessment, education, intervention, drug and alcohol testing, temporary suspension or limitation of clinical privileges, drug addiction counseling, participation in peer support groups, record keeping with respect to success and failure rates, post-treatment assessment and monitoring, and other alternatives approved by the board.

(b) The [board] office of professional licensure and certification may allocate amounts determined by the board from the annual license renewal fees it collects from licensees in each class of nurses licensed by the board, to provide funding for the alternative recovery monitoring program as set forth in subparagraph (a).
(c) [No later than July 1, 2019, the board shall adopt rules under RSA 541-A for the procedures and other matters required to implement this section] Rules governing this program shall be implemented through the office of professional licensure and certification pursuant to RSA 310-A:1-d, II(h)(4).

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

I. RSA 326-B:3, VII, relative to compensation of members of the board of nursing.
II. RSA 326-B:4, XIII, relative to establishing and collecting fees by the board of nursing.
III. RSA 326-B:6, relative to collection and expenditure of funds.

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

II. To establish a schedule of fines.
III. To establish requirements for disciplinary proceedings and criteria for disciplinary actions, including suspending, revoking or placing conditions on a license.
IV. To establish standards and criteria for licensing, application and examination of applicants, and criteria for granting waivers of experience pursuant to RSA 151-A:5, II.
V. To establish criteria for review and approval of educational requirements, including formal educational requirements for licensure or renewal and practical training requirements.

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

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

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

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

IV.] If the board finds that programs of training and instruction conducted within the state are not sufficient in number or content to enable nursing home administrators to meet requirements established pursuant to this chapter, the board may request the department of health and human services to institute and conduct or arrange with others to conduct one or more such programs, and shall make provision for their accessibility to residents of this state. The department of health and human services may approve programs conducted within and without this state as sufficient to meet education and training requirements established pursuant to this chapter. For purposes of this paragraph, the department of health and human services shall have the authority to receive and
162 Nursing Home Administrators; Registration. Amend RSA 151-A:8, II-IV to read as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(c) The board of pharmacy or the board of registration in optometry shall assess the following registration fees for out-of-state contact lens sale companies:

1. $300 for the initial registration.
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.

][H.] 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:

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

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

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

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

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

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

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

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

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

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

VI.(a) The [board] office of professional licensure and certification may contract with other organizations to operate the impaired pharmacist program for pharmacists who are impaired by drug or alcohol abuse or mental or physical illness. This program shall include, but is not limited 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, III to read as follows:

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

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

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

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

I. No research organization shall procure or conduct research operations with prescription drugs by researchers without first having obtained a license from the board. Such license shall expire biennially on June 30 of each odd-numbered year. An application together with a reasonable fee as established by the board **office of professional licensure and certification** shall be filed biennially by June 15 of every odd-numbered year.
III. For any order issued in resolution of a disciplinary proceeding before the board, the board may require that any licensee, permittee, registrant, or certificate holder found guilty of a charge involving any drug law or rule to pay to the board a sum not to exceed the reasonable cost of investigation and prosecution of the proceeding. The sum shall not exceed $5,000. The costs to be assessed shall be fixed by the board and any sums recovered shall be paid to the state treasurer for deposit in the [general fund] office of professional licensure and certification fund.

186 Repeal; Pharmacy Board. The following are repealed:
I. RSA 318:4, relative to the compensation of pharmacy board members.
II. RSA 315:4-a, I, III, V, VII, VIII, XI, and XI-b, relative to rulemaking on applications, forms and fees.
III. RSA 318:6, relative to the pharmacy board secretary.
IV. RSA 318:11, relative to pharmacy board reports.
V. RSA 318:51-e, I and IV, relative to rules for outsourcing facilities.

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

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

188 Podiatry; Peer Review Committee. Amend RSA 315:2-a to read as follows:
315:2-a Peer Review Committee. The board [shall] may establish a peer review committee consisting of 2 podiatrists appointed by the board and one medical practitioner, appointed by the board subject to the approval of the board of medicine. Each appointee shall serve for a 2-year term.

189 Podiatry; Rulemaking Authority. RSA 315:4 is repealed and reenacted to read as follows:
315:4 Rulemaking Authority. The board shall adopt rules, pursuant to RSA 541-A, relative to:
I. The qualifications of applicants in addition to those requirements set by statute.
II. Eligibility requirements for renewal of licensure, including the requirements for continuing education.
III. Ethical standards required to be met by each holder of any license issued under this chapter and how such license may be revoked for violation of these standards.
IV. The imposition of administrative fines authorized under RSA 315:9, III(f); and
V. Information required by the board in its application relative to the applicant's podiatric competence and professional conduct.
VI. Prescribing controlled drugs pursuant to RSA 318-B:41.

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

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

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

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

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

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

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

I. Every person licensed to practice under this chapter shall apply to the board biennially on
or before June 30 for renewal of license on forms provided by the board and shall pay a [§300]
renewal fee established by the office of professional licensure and certification. As a
condition of renewal of license, each licensee shall show proof of having completed the continuing
education units as required in rules adopted by the board.

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

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

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

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

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

196 Repeals; Podiatry. The following are repealed:
   I. RSA 315:3, relative to compensation of members of the board of podiatry.
   II. RSA 315:15, relative to reports of the board of podiatry.

197 Controlled Drug Prescription Health and Safety Program; Operation. Amend RSA 318-B:33, VI-VII to read as follows:
   VI. The [program administrator] executive director may issue a waiver to a dispenser that is unable to submit prescription information by electronic means. Such waiver may permit the dispenser to submit prescription information by paper form or other means, provided all information required by paragraph IV is submitted in this alternative format and within the established time limit.
   VII. The [program administrator] executive director may grant a reasonable extension to a dispenser that is unable, for good cause, to submit all the information required by paragraph IV within the established time limits.

198 Controlled Drug Prescription Health and Safety Program; Information. Amend RSA 318-B:35 to read as follows:
   318-B:35 Providing Controlled Drug Prescription Health and Safety Information.
   I. The [program administrator] executive director may provide information in the prescription health and safety program upon request only to the following persons:
      (a) By electronic or written request to prescribers, dispensers, and the chief medical examiner and delegates within the state who are registered with the program:
         (1) For the purpose of providing medical or pharmaceutical care to a specific patient;
         (2) For reviewing information regarding prescriptions issued or dispensed by the requester; or
         (3) For the purpose of investigating the death of an individual.
      (b) By written request, to:
         (1) A patient who requests his or her own prescription monitoring information.
         (2) The board of dentistry, the board of medicine, the board of nursing, the board of registration in optometry, the board of podiatry, the board of veterinary medicine, and the pharmacy board; provided, however, that the request is pursuant to the boards' official duties and responsibilities and the disclosures to each board relate only to its licensees and only with respect to those licensees whose prescribing or dispensing activities indicate possible fraudulent conduct.
(3) Authorized law enforcement officials on a case-by-case basis for the purpose of investigation and prosecution of a criminal offense when presented with a court order based on probable cause. No law enforcement agency or official shall have direct access to query program information.

(4) [Repealed.]

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

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

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

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

(3) [Repealed.]

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

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

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

Amend the introductory paragraph of RSA 318-B:38, I to read as follows:

I. There is hereby established an advisory council to carry out the duties under this subdivision. Members of the council shall not [be compensated for serving on the council, or] serve
on the council for more than 1 year term except for the attorney general, or designee, or the commissioner of the department of health and human services, or designee. 3 consecutive 3-year terms. The members of the council shall be as follows:

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

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

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

III. The board [shall] may create a professional's health committee to administer the professional's health program which shall address issues that may impinge on a practitioner's ability to practice. A board member, appointed by the chairperson of the board with the advice and consent of the board, shall chair the professional's health committee. The balance of the membership of the professional's health committee shall be composed of psychologists licensed by the board to a maximum of 12 members.

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

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

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

329-B:12 Establishment of Fees.

[L] The fee for an initial license shall be $300 established by the office of professional licensure and certification. The license shall be renewed biennially on or before June 30 upon payment of a $300 renewal fee established by the office of professional licensure and certification.

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

203 Psychologist; Psychologist License. Amend RSA 329-B:15 to read as follows:
I. The board shall issue a psychologist license to any person who:
    (a) Has passed a satisfactory examination in psychology.
    (b) Has received the doctoral degree based on a program of studies, the content of which was primarily psychological, from a regionally accredited educational institution having a graduate program, or its substantial equivalent in both subject matter and extent of training.
    (c) Has had at least 2 years of satisfactory, supervised experience in the field of psychology.
    (d) Is of good professional character.
    (e) Has paid all fees established and collected by the board office of licensure and certification.
    (f) Has submitted a complete set of fingerprints and a criminal history records release form in accordance with RSA 329-B:14-a.

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

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 [$140] 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.

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

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

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

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

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

213 New Hampshire Veterinary Practice Act; Application for Licensure. Amend RSA 332-B:9 to read as follows:
332-B:9 Application for License; Qualifications. Any person desiring a license to practice veterinary medicine in this state shall make written application to the board. The application shall show that the applicant is 18 years of age or more, a graduate of an AVMA accredited school of veterinary medicine or other veterinary school acceptable to the board, or the holder of an ECFVG certificate or a PAVE certificate, a person of good professional character, and such other information and proof as the board may require by rule. The application shall be accompanied by a fee in the amount established and published by the [board] office of professional licensure and certification.

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

   I. All licenses shall expire biennially on December 31 of each even-numbered year for even-numbered licenses and on December 31 of each odd-numbered year for odd-numbered licenses but may automatically be renewed by filing a renewal application and paying a renewal fee established in rules adopted by the [board] office of professional licensure and certification, subject to paragraph II; except that for licenses which expire December 31, 2011, odd numbered licenses shall be issued for 2 years and even numbered licenses shall be issued for one year, and the board shall charge fees accordingly. Not later than one month prior to the expiration date, the board shall mail a notice to licensed veterinarians that their license will expire on December 31 and provide them with a license renewal application. Persons previously licensed who allow their license to lapse shall be required to file a reinstatement application containing such information as required by the board. Persons who have allowed their license to lapse more than 5 years shall apply for reinstatement of licensure in accordance with RSA 332-B:17.

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

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

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

   I. RSA 332-B:3, III, relative to compensation of members of the veterinary medicine board.
   II. RSA 332-B:7, III, relative to the power of the board of veterinary medicine to set certain fees.
   III. RSA 332-B:7, V-a, relative to the power of the board of veterinary medicine to compensate board counsel, assistants, and investigators.
   IV. RSA 332-B:7-a, I, III, and VII-IX, relative to certain rulemaking authority of the board of veterinary medicine.
Amend the introductory paragraph of RSA 332-G:12, I to read as follows:

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

Amend RSA 332-G:13, XIII to read as follows:

XIII. The office of professional licensure and certification shall establish an annual reporting requirement for the boards and commissions within the office of the (a) number of applicants petitioning each board or commission, (b) the numbers of each board's or commission's approvals and denials, (c) the type of offenses for which each board or commission approved or denied the petitions, and (d) other data the office determines. The office will compile and publish annually a report on a searchable public website.

Amend RSA 332-G:14, III to read as follows:

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

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

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

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

(d) A completed application.

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

(f) Other information specifically required by the board.

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

Amend RSA 310-A:3, V and VI to read as follows:
V. 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 a chairperson, vice-chairperson, and secretary. [Three members] A majority of the members of the board who have been approved by the governor and council shall constitute a quorum.

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

[1] The name, age, and residence of each applicant.
[5] Whether or not an examination was required.
[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) 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.]

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

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

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

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

223 Professional Engineers; Certificates; Seals. Amend RSA 310-A:18 to read as follows:
310-A:18 Certificates; Seals. The board shall issue a license, upon payment of the registration 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 and the secretary of the board under seal 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 professional engineer while the license remains valid. Each licensee shall upon licensure obtain a seal of the design authorized by the board, bearing the registrant's name and the legend, "Licensed Professional Engineer." All papers or documents involving the practice of engineering under this subdivision, when issued or filed for public record, shall be dated and bear the signature and seal of the licensed professional engineer who prepared or had responsibility for and approved them. It shall be a class B misdemeanor for the licensee to stamp or seal any documents with such seal after the license of the licensee has expired or has been revoked, unless such license shall have been renewed or reissued.

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

310-A:21 License Expiration and Renewals. 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 board shall cause notification of the impending license expiration to be sent to each licensee at least one month prior to the expiration of the license. If the renewal fee is not submitted within 12 months after the expiration date, the licensee's name shall be removed from current status, and application for reinstatement shall be required to return to current status. The [board] office of professional licensure and certification shall charge a 20 percent reinstatement fee for each month or fraction of a month the renewal is late, up to 12 months, in addition to the renewal fee. If a professional engineer is 70 years or older at time of renewal, and the professional engineer has held an engineering license continuously for the 10-year period immediately preceding the renewal, the [board] office of professional licensure and certification may waive the renewal fee in accordance with rules adopted by the [board] office of professional licensure and certification.

225 Repeal; Professional Engineers. The following are repealed:
I. RSA 310-A:3, IV, relative to compensation for members of the board of engineers.
II. RSA 310-A:3, VII, relative to the roster of professional engineers published by the secretary of state.
III. RSA 310-A:6, I(a), (e), (h), (j), and (k), relative to certain rulemaking authority of the board of engineers.
IV. RSA 310-A:7, relative to fees adopted by the board of engineers.

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

V. 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 of the board who have
been approved by the governor and council shall constitute a quorum.

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

[(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) Whether or not an examination was required.
(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) 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.]

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

(d) [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;

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

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

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

310-A:44 Certificates; Seals. The board shall issue a license upon payment of the registration
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 and the secretary of the board under seal 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 architect while the license remains valid. Each licensee shall upon
licensure obtain a seal of the design authorized by the board, bearing the registrant's name and the
legend, "Licensed Architect." All papers or documents involving the practice of a profession under
this subdivision, when issued or filed for public record, shall be dated and bear the signature and
seal of the licensed professional who prepared or had responsibility for and approved them. It shall
be a class B misdemeanor for the licensee to stamp or seal any documents with such seal after the
license of the licensee has expired or has been revoked, unless such license shall have been renewed,
reinstated, or reissued.

230 Board of Architects; Expiration and Renewals. Amend RSA 310-A:46 to read as follows:
310-A:46 Expiration and Renewals. 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 board
shall cause notification of the impending license expiration to be sent to each licensee at least one
month prior to the expiration date of the license. If the renewal fee is not submitted within 12
months after the expiration date of the license, the licensee's name shall be removed from the
mailing list and roster. An application for reinstatement shall be required to return to active
status. The office of professional licensure and certification 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.

231 Repeal; Board of Architects. The following are repealed:
I. RSA 310-A:29, IV, relative to compensation for members of the board of architects.
II. RSA 310-A:29, VII, relative to the roster of architects published by the secretary of state.
III. RSA 310-A:32, I(a), (e), (h), (j), and (k), relative to certain rulemaking authority of the
board of architects.
IV. RSA 310-A:33, relative to the authority of the board of architects to set fees.

232 Board of Land Surveyors; Establishment. Amend RSA 310-A:55, V and VI to read as
follows:
V. The board shall hold at least 4 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 elect or appoint a chairperson, vice-chairperson,
and secretary. The secretary may or may not be a member of the board. A majority of the members of the board who have been approved by the governor and council
shall constitute a quorum.
VI.(a) The board shall keep a record of its proceedings and a register of all applications for
licensure[... which shall show] in accordance with the retention policy established by the office
of professional licensure and certification.
   
   [(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) Whether or not an examination was required.]
   [(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) 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 July 31
of each even numbered year, 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.]

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

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

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

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

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

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

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

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

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

310-A:68 Expiration and Renewals. 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 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. The failure on the part of any licensee to renew the license in the month of expiration as required above shall not deprive such person of the right of renewal, provided that the [board] **office of professional licensure and certification** shall charge a 20 percent reinstatement fee for each month or fraction of a month the renewal is late. 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 and to be reexamined for licensure as required in this section.

238 Repeal; Land Surveyors. The following are repealed:

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

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

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

IV. RSA 310-A:60, relative to the authority of the board of land surveyors to set certain fees.

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

V. 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. A quorum of the board shall consist of [at least 4 members] **a majority of the members of the board who have been approved by the governor and council.**

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

[(1) The name 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) Whether or not an examination was required.

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

(7) Whether a certificate of registration was granted.

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

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

(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 in evidence with the same force and effect as if the original were produced. [Biennially, as of December 31 of each even numbered year, 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.]

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

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

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

I. Application for certification shall be [on forms prescribed and furnished by the board] made using the method prescribed and furnished by the office of professional licensure and certification. [Such forms] Applications shall include the applicant's educational background, including transcripts from educational institutions attended, a detailed work experience history, and such other information as the board may by rule require. All applications shall be signed under oath by the applicant.

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

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

243 Repeals; Natural Scientists. The following are repealed:

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

II. RSA 310-A:82, I and V, relative to certain rulemaking authority of the board of natural scientists.
III. RSA 310-A:92, relative to the authority of the board of natural scientists to set fees.

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

V. 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 have been approved by the governor and council shall constitute a quorum.

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

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

[(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) Whether or not an examination was required.  
(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.]

(c) 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 of each even-numbered year, 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.]

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

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

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

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

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

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

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

310-A:110 Failure to Renew. Failure to remit the biennial renewal fee when due or failure to submit proof of required continuing education shall automatically cancel the license. If properly renewed, a license shall remain in effect continuously from the date of issuance, unless suspended or revoked by the board for just cause. A person whose license is cancelled for such failure may reinstate such license by paying, within one year of cancellation, all fees due, plus a late fee as established by the [board] office of professional licensure and certification, provided continuing education requirements have been met.

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

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

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

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

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

V. 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 a chairperson, vice-chairperson, and secretary. [Three members] A majority of members of the board who have been approved by the governor and council shall constitute a quorum.

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

(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 or permit was granted.
(h) The date of the action of the board.
(i) Such other information as may be deemed necessary by the board.

VII. 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.]

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

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

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

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

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

310-A:130 Certificates; Seals. The board shall issue a license, upon payment of the licensing fee established by the [board] office of professional licensure and certification, to any applicant who 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 and the secretary of the board under seal 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 professional geologist while the license remains valid. Each licensee shall upon licensure obtain a seal of the design authorized by the board, bearing the registrant’s name and the legend, “Licensed Professional Geologist.” All papers or documents involving the practice of geology affecting public health, safety, and welfare, under this subdivision, when issued or filed for public record, shall be dated and bear the signature and seal of the licensed professional geologist who prepared or had responsibility for and approved them.

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

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

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

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

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

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

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

V. 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 of the board who have been approved by the governor and council shall constitute a quorum.

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

[(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) Whether or not an examination was required.]

[(6) Whether the applicant was rejected and the reasons for such rejection.]

[(7) Whether a license was granted.]
(9) The date of the action of the board.

(10) Such other information as may be deemed necessary by the board.

(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 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.]

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

(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;

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

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

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

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

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

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

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

310-A:152 Certificates; Seals. 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 and the secretary of the board under seal 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 landscape architect while the license remains valid. Each licensee shall
upon licensure obtain a seal of the design authorized by the board, bearing the registrant's name and
the legend, "licensed landscape architect." All papers or documents involving the practice of
landscape architecture under this subdivision, when issued or filed for public record, shall be dated
and bear the signature and seal of the licensed professional who prepared or had responsibility for
and approved them. It shall be a class B misdemeanor for the licensee to stamp or seal any
documents with such seal after the license of the licensee has expired or has been revoked, unless
such license shall have been renewed, reinstated, or reissued.

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

II. If the renewal fee is not submitted within 12 months after the expiration date of the
license, the licensee's name shall be removed from the mailing list [and roster]. The board, pursuant
to rules adopted under RSA 310-A:143, 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.

263 Repeal; Landscape Architects. The following are repealed:

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

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

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

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

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

310-A:163 Board.

I. There is hereby established a board of court reporters. The board shall consist of 5
members who shall be citizens of the United States and residents of this state appointed by the
governor and council, 3 of whom shall be court reporters, one of whom shall be a public member and
one of whom shall be admitted to practice law in the state of New Hampshire. The public member of
the board shall be a person who is not, and never was, a member of the court reporting profession or
the spouse of any such person, and who does not have and never has had, a material financial
interest in either the provision of court reporting services or an activity directly related to court
reporting, including the representation of the board or profession for a fee at any time during the 5
years preceding appointment. Each court reporter member shall have actively practiced court
reporting for the chief means of livelihood for at least 10 years prior to appointment and shall have held a responsible position in charge of such work for at least 5 years prior to appointment, which may include the teaching of court reporting. Members shall be appointed for 5-year terms, except that no more than one appointed member's term may expire in any one calendar year. Appointments for terms of less than 5 years may be made in order to comply with this limitation. No appointed member shall be eligible to serve more than 2 full consecutive terms, provided that, for this purpose only, a period actually served which exceeds 1/2 of the 5-year term shall be deemed a full term. Upon expiration of a member's term, the member shall serve until a successor is qualified and appointed. The successor's term shall be 5 years from the date of expiration of the predecessor's appointment, regardless of the date of the successor's appointment. Vacancies occurring prior to the expiration of a specific term shall be filled by appointment for the unexpired term. The governor and council may remove a board member for cause. [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.]

II. 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 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.
[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.
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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.

(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 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.

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 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 executive director of the office of professional licensing and certification a report of the transactions of the preceding biennium, and a complete statement of the receipts and expenditures of the board.

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

X.] IX. 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.

274 Septic System Evaluators; Rulemaking. Amend RSA 310-A:207, 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 the requirements of this subdivision, including the qualifications for satisfactory evidence of good professional character.

(ω) Procedure for auditing applicants and license holders.
[(d) (c)] 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)] (d) 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.

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

[(h)] (e) Procedures for approving education courses for eligibility for licensure and for a continuing education program.

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

[(j)] (g) The design of an official seal.

[(k)] (h) The establishment of administrative fines which may be levied in the administration of this subdivision.

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

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

276 Septic System Evaluators; Issuance of Licenses. Amend RSA 310-A:213 to read as follows:

310-A:213 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 license holder, 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 certified septic system evaluator while the license remains valid. It shall be a class B misdemeanor for the license holder to perform septic system evaluations after the license of the evaluator has expired or has been revoked, unless such license shall have been renewed, reinstated, or reissued.

277 Repeal; Septic System Evaluators. RSA 310-A:208, relative to licensing and fees for septic system evaluators, is repealed.

278 Board of Accountancy. Amend RSA 309-B:4, III-VIII to read as follows:

III. [Each member of the board shall be paid $100 for each day or portion of a day spent in the discharge of official duties and shall be reimbursed for actual and necessary expenses incurred in the discharge of official duties.
IV. The [board] **office of professional licensure and certification** shall establish fees for examination of applicants, for licenses, for certificates of authorization, for reissuance of licenses, for renewal and reinstatement of licenses and certificates to practice under this chapter, for late renewals, for verification of licensure or examination, and for transcribing and transferring records and other services. All moneys collected by the [board] **office of professional licensure and certification** from fees authorized under this chapter shall be received and accounted for by the [board] **office of professional licensure and certification**, shall be deposited in the [state treasury] **office of professional licensure and certification fund established in RSA 310-A:1-e.** Administration expenses shall be limited to the funds collected and may include, but shall not be limited to, the costs of conducting investigations and of taking testimony and procuring the attendance of witnesses before the board or its committees; all legal proceedings taken under this chapter for the enforcement of this chapter; and educational programs for the benefit of the public or licensees and their employees.

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

VI. The board may employ investigators and such other personnel as it deems necessary through the **office of professional licensure and certification** for enforcement under this chapter. It may appoint such committees or persons to advise or assist it in such enforcement, as it may see fit. It may retain its own counsel retained through the **office of professional licensure and certification** to advise and assist it, in addition to such advice and assistance as is provided by the department of justice.

VII. The board shall have the power to take any action necessary and proper to carry out the purposes of this chapter, including the power to sue and be sued in its official name as an agency of this state; to issue subpoenas to compel the attendance of witnesses and the production of documents; and to administer oaths, to take testimony, to cooperate with the appropriate authorities in other states in investigations and enforcement concerning violations of this chapter and comparable laws of other states, and to receive evidence concerning all matters within its jurisdiction. In case of disobedience of a subpoena, the board may invoke the aid of any court of this state in requiring the attendance and testimony of witnesses and the production of documentary evidence. 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.
VIII. VI. The board shall adopt rules, pursuant to RSA 541-A, governing its administration, the enforcement of this chapter and the conduct of licensees. Such rules shall include, but not be limited to:

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

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

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

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

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

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

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

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

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

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

(k) Rules for records retention, outsourcing disclosures, and the severance of connections.

279 Board of Accountancy; Qualifications for a Certificate as a Certified Public Accountant. Amend RSA 309-B:5, I to read as follows:

I. The certificate of "certified public accountant" shall be granted to persons of good character who meet the education, experience, and examination requirements of this section, who make application therefor pursuant to RSA 309-B:7, and who pay the fees prescribed by the office of professional licensure.

280 Board of Accountancy; Qualifications for a Certificate as a Certified Public Accountant. Amend RSA 309-B:5, VIII to read as follows:

VIII. The board may charge, or provide for a third party administering the examination to charge, each applicant a fee in an amount prescribed by the office of professional licensure and certification by rule, for each section of the examination or reexamination taken by the applicant.
Board of Accountancy; Issuance and Renewal of Certificates. Amend RSA 309-B:7, III-a and IV to read as follows:

III-a. [(a)] As an alternative to the requirements of paragraph III, a certificate holder licensed by another state who establishes his or her principal place of business in this state shall request the issuance of a certificate from the board prior to establishing such principal place of business. The board shall issue a certificate to such person who obtains from the NASBA National Qualification Appraisal Service verification that such individual's CPA qualifications are substantially equivalent to the CPA licensure requirements of the AICPA/NASBA Uniform Accountancy Act.

[(b) An application under this paragraph may be made through the NASBA Qualification Appraisal Service.]

IV. The board, through the office of professional licensure and certification, may charge a fee to any licensee of another state receiving a reciprocal certificate under this section, in accordance with rules adopted by the [board] office of professional licensure and certification.

Board of Accountancy; Issuance and Renewal of Certificates. Amend RSA 309-B:7, VIII to read as follows:

VIII. The board shall charge a fee for each application for initial issuance or renewal of a certificate under this section in an amount prescribed by the [board] office of professional licensure and certification by rule.

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.

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.

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.

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, and at least one of whom shall be a public member] a majority of the members of the board appointed by the governor and council.

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;

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

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

[VIII.] Procedures and policy for the investigation of complaints against licensees or registrants;

[IX.] VIII. Procedures for the conduct of hearings consistent with the requirements of due process; and

[X.] VI. Matters related to the proper administration of this chapter.

287 Electricians; Examination for License. Amend RSA 319-C:8 to read as follows:

319-C:8 Examinations for License. Each applicant for licensure shall present to the board forms furnished by the board, a written application for examination and license, containing such information as the board may require, accompanied by the required application fee established by the [board] office of professional licensure and certification. Proctored examinations shall be written, written and oral, oral, or computerized as approved by the board, and shall be of a thorough and practical character. They shall include such provisions of the National Electrical Code as the board may deem appropriate. Any person failing to pass his or her first examination may be
reexamined at any subsequent examination meeting of the board or by an examination entity approved by the board, and thereafter may be examined as often as he or she may desire upon submitting the written application for examination and license and payment of the required application fee as set forth in this chapter.

288 Electricians; Renewal of Licenses. Amend RSA 319-C:9, I to read as follows:

I. Notwithstanding any outstanding license to the contrary, all licenses issued by the board shall be valid for 3 years and expire on the last day of the month of the licensee's birth, but may be renewed without additional fees during the following month, retroactive to the first day of the month. Upon payment of the normal renewal fee and a late fee, licenses which have been expired for at least one month shall be permitted to be renewed within one year after the date of expiration. The fees for renewal and late renewal of a license issued under this chapter shall be established by the [board] office of professional licensure and certification.

289 Electricians; Records. Amend RSA 319-C:13 to read as follows:

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

290 Repeal; Electricians. RSA 319-C:6-b, relative to fees for licensure as an electrician, is repealed.

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

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

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

328-C:8 Rulemaking Authority.

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

(a) The eligibility requirements [and application procedures] 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.

(c) Content of training programs and training equivalents allowed under RSA 328-C:5, III.

(d) Content of internships and duration and content of internship equivalents allowed under RSA 328-C:5, III.

(e) The ethical standards and standards of practice for family mediators certified in New Hampshire.
[46] (e) Procedures for the reporting of activities conducted by certified family mediators and certified family mediator training programs.

[47] (g) Procedures for processing complaints.

(b) (f) Disciplinary [procedures,] penalties[,] and sanctions for certified family mediators and martial mediator training programs, as provided under RSA 328-C:7

(i) Fees for applications, certification, renewal of certification, and reinstatement of certification.

(5) (g) Reporting requirements for certified training programs.

II. The board may adopt rules for family mediators and family mediator training programs, pursuant to RSA 541-A, relative to the following:

(a) the] application [process,] requirements[,] and criteria for temporary renewal of certification and conditional certification.

[48] (b) Fees for temporary renewal of certification and conditional certification and for the filing of requests for information not governed by RSA 91-A, the filing of complaints and petitions, and the processing of changes to information of record.

(c) Procedures for informal resolution or referral of complaints.

293 Repeal; Family Mediators. The following are repealed:

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[,] and criteria[,] 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[,] and sanctions for certified guardians ad litem, which penalties[,] and sanctions[,] and penalties] 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[,] 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[,] and criteria[,] 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:
I. The board shall adopt rules, pursuant to RSA 541-A, relative to the following:

(a) The application 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.

(c) Eligibility requirements and criteria for certification, recertification, reinstatement, and renewal of certification.

(d) Training requirements.

(e) Educational and continuing educational requirements.

(f) Fees for certification, recertification, reinstatement, and renewal of certification.

(g) 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.

(i) Procedures for processing complaints and addressing disciplinary issues handled by the board under this chapter.

(j) Disciplinary penalties and sanctions for certified guardians ad litem, which penalties and sanctions 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 or counseling for alcohol or substance abuse. Disciplinary penalties and sanctions may be established for and applied to formerly certified guardians ad litem who engaged in acts or omissions prohibited when certified.

II. The board may adopt rules, pursuant to RSA 541-A, relative to the following:

(a) The application or certification requirements and criteria for temporary or conditional certification or both, including but not limited to procedures and requirements regarding the circumstances and manner in which individuals may be temporarily or conditionally certified or both, the term and duration of conditional or temporary certification or both, and the ethical standards and standards of practice applicable to persons so certified.

(b) Fees for temporary or conditional certification or both, and for the filing of requests for information, the filing of complaints or petitions, the processing of changes to information of record, the provision of training, and the provision of course material.

(c) Procedures for the reporting of activities conducted by guardians ad litem appointed in New Hampshire.
[(c)] (c) The administration of oaths or affirmations, the preservation of testimony, and
the issuance of subpoenas for witnesses and for documents, on the approval of the attorney general,
relative to investigations, adjudicatory hearings, or other proceedings held by the board.

[(e)] Procedures for informal resolution or referral of complaints.

[(d)] (d) Procedures and requirements relating to the resignation or surrender of
certification, including but not limited to the circumstances or conditions under which a certified
guardian ad litem may resign or surrender his or her certification.

[(e)] (e) Disciplinary [procedures] penalties[,] and sanctions for conditionally or
temporarily certified guardians ad litem or both and persons formerly certified by the board, which
penalties[,] and sanctions[,] may include, but need not be limited to, those listed in
RSA 490-C:4, I(f).

[(f)] (f) Procedures and requirements relative to maintenance or disclosure of
confidential information received by, or used in investigations or in hearings, proceedings, or other
activities or matters before the board.

298 Board of Manufactured Housing; Quorum. Amend RSA 205-A:26, I to read as follows:

I. A majority of the members of the board who have been appointed by the governor
and council shall constitute a quorum [to conduct hearings, and a vote of at least 4 members
present and voting in favor shall be required to adopt and approve any matter under consideration].

299 Board of Manufactured Housing; Meetings and Records. Amend RSA 205-A:29 to read as
follows:

205-A:29 Meetings and Records. The board shall hold meetings in Concord, New Hampshire or
in any other location deemed appropriate by the board. The records of the board shall be maintained
at the office of the board of manufactured housing consistent with the retention policy
established by the office of professional licensure and certification.

300 Real Estate Appraisers; Licensure or Certification Process. Amend RSA 310-B:5, I and II to
read as follows:

I. Applications for original license or certification, renewal license or certification and
examinations shall be made [in writing to the board on forms approved by the board] using the
method prescribed and furnished by the office of professional licensure and certification.

II. Appropriate fees, as fixed by the board of professional licensure and
certification under rules established pursuant to RSA 541-A, shall accompany all applications for
original license, certification, renewal license, renewal certification, reciprocal license, and reciprocal
certification. An annual federal registration fee shall be collected by the board for transmittal to the
federal government under Title XI.

301 Real Estate Appraisers; Registration of Appraisal Management Companies. Amend RSA
310-B:12-b, I(a) to read as follows:
(a) An applicant for registration as an appraisal management company in this state shall submit to the board an application [on a form or forms prescribed by the board] using the method prescribed and furnished by the office of professional licensure and certification.

302 Real Estate Appraisers; Appraisal Management Company Fee. Amend RSA 310-B:12-e to read as follows:

310-B:12-e Appraisal Management Company Fee.

I. The office of professional licensure and certification shall establish by rule or regulation a processing fee to be paid by each appraisal management company seeking registration under this chapter that is sufficient for the administration of the registration process.

II. A similar processing fee may be charged by the office of professional licensure and certification in connection with the renewal of any registrations.

303 Real Estate Appraisers; License or Certificate. Amend RSA 310-B:16 to read as follows:

310-B:16 License or Certificate.

[I. A license or certificate issued under authority of this chapter shall bear the signature of the board chairperson or a designee who is a member of the board and a license or certificate number assigned by the board.

II. Each licensed or certified real estate appraiser shall place such appraiser's license or certificate number adjacent to or immediately below the appraiser's signature whenever the appraiser's signature is used in an appraisal report or in a contract or other instrument used by the license or certificate holder in conducting real estate appraisal activities.

304 Real Estate Appraisers; Receipts and Disbursements. Amend RSA 310-B:21 to read as follows:

310-B:21 Receipts and Disbursements.

I. The office of professional licensure and certification shall receive and account for all moneys derived under the provisions of this chapter. Under no circumstances shall the total amount of payments exceed the fees collected under this chapter.

I-a. All moneys collected as administrative penalties through enforcement actions or settlements under this chapter shall be credited to the real estate appraisers fund and disbursed by the board for the investigation of complaints and activities that violate this chapter or rules adopted by the board.

II. The board shall reimburse the general fund for moneys appropriated for the purposes of this chapter as soon as such funds are available.

III. Revenues in excess of budget estimates may be expended with the prior approval of the legislative fiscal committee and the governor and council.

305 Real Estate Appraisers; Rulemaking. Amend RSA 310-B:24 to read as follows:

310-B:24 Rulemaking Authority. The board shall adopt rules pursuant to RSA 541-A, relative to:
I. The application procedure and eligibility requirements for the issuance of any initial license or certificate issued under this chapter, including the issuance of such licenses to applicants holding a currently valid license or other authorization to practice in another jurisdiction.

I-a. The application eligibility requirements for the issuance of any temporary practice permit issued under this chapter.

II. Design and content of all forms required under this chapter.

III. How an applicant shall be examined.

IV. The criteria for renewal of a license or certificate shall be renewed.

V. Ethical standards required to be met by each holder of a license or certificate issued under this chapter and how such license or certificate may be revoked for violation of these standards.

VI. Establishing all fees required under this chapter, subject to RSA 332-G.

VII. Standards for appraisal education programs and the issuance of evidence indicating satisfactory completion of such program.

VII-a. VI. The registration and supervision of appraisal management companies under RSA 310-B:16-a[, including the establishment of fees for annual registration and for renewal of registration].

VIII. The conduct of investigations and procedures for the conduct of hearings consistent with the requirements of RSA 541-A.

VIII-a. VII. Establishing continuing education and experience requirements which comport with criteria set forth by the board.

IX. VIII. The requirements for public requests for information.

X. IX. The conditions and requirements for granting a waiver to any rule adopted by the board.

306 Repeal; Real Estate Appraisers. The following are repealed:

I. RSA 310-B:20, relative to fees for licensure or certification of appraisal management companies.

II. RSA 310-B:22, relative to a roster of licensed or certified real estate appraisers.

307 Repeal; Distribution of Publications. RSA 332-H, relative to the distribution of publications by licensing commissions and boards, is repealed.

308 Effective Date. This act shall take effect 60 days after its passage.