

HB 85-FN - AS AMENDED BY THE SENATE

6Feb2025... 0037h
05/15/2025 2180s

2025 SESSION

25-0114
09/06

HOUSE BILL ***85-FN***

AN ACT relative to temporary licensure for student respiratory therapists.

SPONSORS: Rep. C. McGuire, Merr. 27; Sen. Carson, Dist 14; Sen. Murphy, Dist 16

COMMITTEE: Executive Departments and Administration

ANALYSIS

This bill allows for the temporary licensure of student respiratory therapists and authorizes the office of professional licensure and certification, in consultation with the advisory board of respiratory care practitioners, to adopt rules governing this temporary licensure.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Five

AN ACT relative to temporary licensure for student respiratory therapists.

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

1 1 New Paragraph; Respiratory Care Practice; Definitions. Amend RSA 326-E:1 by inserting
2 after paragraph XII the following new paragraph:

3 XIII. "Respiratory care student" means a person who is enrolled in a respiratory care
4 educational program.

5 2 New Paragraph; Respiratory Care Practice; Rulemaking. Amend RSA 326-E:2 by inserting
6 after paragraph VI the following new paragraph:

7 VII. The temporary licensure and scope of practice of student respiratory therapists under
8 RSA 326-E:3-a.

9 3 New Section; Respiratory Care Practice; Temporary Licensure for Student Respiratory
10 Therapists. Amend RSA 326-E by inserting after section 3 the following new section:

11 326-E:3-a Temporary Licensure for Student Respiratory Therapists.

12 I. A student enrolled in a respiratory care educational program may apply for a temporary
13 student license in accordance with rules adopted by the executive director, in consultation with the
14 advisory board, pursuant to RSA 541-A. The student may only apply for licensure if he or she has
15 fulfilled the didactic and clinical practicum educational requirements for his or her first full year.
16 Such license shall only be valid for a maximum of 18 months from the date of issue or 6 months from
17 the date of graduation, whichever is shorter.

18 II. The scope of practice of the student respiratory therapist is limited to those activities for
19 which there is documented evidence of competency and only noncritical care procedures as defined
20 by rule in consultation with and approval by the advisory board, pursuant to RSA 541-A.

21 III. A student who has obtained a temporary student license and who is employed in a
22 healthcare setting may render respiratory care services only under the direct supervision of an on-
23 site licensed respiratory care practitioner for a period of 2 months following the date of hire. After
24 the 2 months of direct supervision have been completed, the student may render respiratory care
25 services under the supervision of an on-site licensed physician, licensed respiratory care practitioner,
26 advanced practice registered nurse, or physician assistant, as defined by rule in consultation with
27 and approval by the advisory board, pursuant to RSA 541-A.

28 4 Respiratory Care Practice; Exemptions from Licensure. Amend RSA 326-E:6, I(a) to read as
29 follows:

1 (a) A person matriculated in an education program approved by the board who is
2 pursuing a degree in respiratory care or respiratory therapy from satisfying supervised clinical
3 education requirements related to the person's respiratory care education while under direct
4 supervision of a respiratory care practitioner or physician. ***Respiratory care services may be***
5 ***performed without a license by a student when these services are related to the clinical***
6 ***aspect of a student's course of study.***

7 5 Respiratory Care Practice; Responsibilities of the Respiratory Care Practitioner. Amend RSA
8 326-E:8, III to read as follows:

9 III. Each licensee shall provide his or her employer with a copy of his or her license,
10 conditional license, ***temporary student license***, current renewal verification or proof of
11 reinstatement of license. This copy shall be available for public review upon request. The employer
12 shall maintain a list of all persons providing respiratory care at his or her facility for review by the
13 executive director upon request.

14 6 Effective Date. This act shall take effect 60 days after its passage.

LBA
25-0114
2/7/25

**HB 85-FN- FISCAL NOTE
AS AMENDED BY THE HOUSE (AMENDMENT #2025-0037h)**

AN ACT relative to temporary licensure for student respiratory therapists.

FISCAL IMPACT:

The Legislative Budget Assistant has determined that this legislation has a total fiscal impact of less than \$10,000 in each of the fiscal years 2026 through 2028.

AGENCIES CONTACTED:

Office of Professional Licensure and Certification