

Senate Executive Departments and Administration Committee

Ben Mickens 271-1403

HB 1472, relative to the suspension period in cases involving the administrative appeals unit relative to licensure or certification concerning lead paint poisoning prevention.

Hearing Date: March 11, 2026

Time Opened: 9:52 a.m.

Time Closed: 10:12 a.m.

Members of the Committee Present: Senators Pearl, McGough, Gannon and Reardon

Members of the Committee Absent : Senator Altschiller

Bill Analysis: This bill allows for individuals or educational programs licensed or certified to perform various lead abatement, inspection, or educational functions to reapply for a license or certificate 2 years after their initial notice of revocation.

Sponsors:

Rep. D. Kelley

Rep. Aldrich

Rep. Bailey

Rep. Sirois

Rep. DeRoy

Who supports the bill: Representative Diane Kelley, Sabrina Rahme (NH Lead Professionals Association), Debbie Valente, Scott Burns, Judith Ackerson, Kenneth Ackerson, William Yacopucci, and Tami Lanzillo Zeimetz.

Who opposes the bill: Cory Stone and Marjorie Boyer.

Who is neutral on the bill: No one.

Summary of testimony presented in support:

Representative Dianne Kelley

- Representative Kelly explained that HB 1472 seeks to address concerns around licensure suspension.
- Representative Kelly stated the intent of the bill to allow for the licensee to reapply within two years of an initial decision.
- Representative Kelly explained that the current process in which a person who has had their license revoked is taking multiple years and could result to more

than 5 years without practice. She explained that these people often prefer to change their line of work rather than waiting for a decision.

Senator Pearl asked if this is already in law and the intent of the bill is to codify this process.

Representative Kelley responded that the intent of HB 1472 is to have people who have had their license revoked be able to serve this 2-year period while the appeal is still in the system, rather than after the appeal is completed.

Debbie Valente

- Ms. Valente stated that this bill makes the punishment fit the crime, and is meant to address an overarching issue not one specific case.
- Ms. Valente explained that the essence of the bill was to allow time served to count in your favor when applying for an appeal.
- Ms. Valente gave her account of her experience in the revocation and appeals process.
- Ms. Valente stated that her appeal has been in the system for almost 3 years, which has had major implications on work needs.
- She further explicated that the industry is already short on professionals and the court system is hindering that further.

Senator Pearl asked about any issues leading up to licensure revocation.

Ms. Valente responded that her two fines for filing reports late were considered her first two strikes.

Senator Pearl asked if that process was timely.

Ms. Valente answered that these appeals lasted a year and a half before a decision was made.

Summary of testimony presented in opposition: None.

Neutral Information Presented:

Colleen Smith and Knatalie Vetter of the Department of Health and Human Services

Senator Pearl asked what the process is for an appeal.

Ms. Vetter explained that once an appeal is filed it goes to the appeals unit where both the department and the license holder will make their case, the unit will deliberate and provide a ruling.

Senator Pearl asked if there are any time restrictions on the appeal unit to come up with a ruling.

Ms. Vetter explained that this is up to the discretion of the appeal unit and DHHS does not have authority to speed it up. There are only rules on the time frame to file an appeal.

Senator Pearl asked if it is true that the board has only revoked 1 license in the past 18 years and if there have been other appeals that have gone to the appeal unit that have not resulted in revocation.

Ms. Vetter responded that there has only been one revocation and there are appeals for fines and license denial among other things.

Senator Pearl asks what the typical time frame for those decisions are.

Ms. Vetter explained that speed of this process depends on the complexity of the appeal however it could take some time.

Senator Pearl asked if the more than 2 years total that Ms. Valente has experienced is typical.

Ms. Vetter explained that the department does not see enough appeals to make a judgment on the average length of appeals.

Senator Reardon asks if once the appeals unit takes over, their office has no further authority over the case.

Ms. Vetter stated this was correct. Additionally, the appeals board will meet with the department before the hearing and ask if they would like to settle. She added that after the hearing has begun, they have no say in the matter.

Senator Reardon asked if the appeals unit hears only appeals on this program or all programs in DHHS.

Ms. Vetter responded that they hear all appeals in DHHS.

Senator Pearl asked if the bill as written could allow the license holder who is waiting for their appeal to also be applicant for relicensing.

Ms. Vetter stated this was possible.

Ms. Smith added that the department has tools that would help address this possible situation.

Senator Pearl asked if it would be reasonable to assume then that a person waiting on a decision would immediately be denied a new licensure.

Ms. Smith stated it was possible.

Ms. Vetter responded that this is their interpretation of the department rules.