

**Senate Executive Departments and Administration  
Committee**  
*Kevin Condict 271-7875*

**HB 85-FN**, relative to temporary licensure for student respiratory therapists.

**Hearing Date:** March 26, 2025

**Time Opened:** 9:01 a.m. **Time Closed:** 9:21 a.m.

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

**Members of the Committee Absent :** None

**Bill 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.

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**Sponsors:**

Rep. C. McGuire

Sen. Carson

Sen. Murphy

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**Who supports the bill:** Rep. Carol McGuire (Merr. 27), Ben Bradley (NHHA), Curtis Howland, and James Gardner.

**Who opposes the bill:** None.

**Who is neutral on the bill:** Dir. Deanna Jurius (OPLC).

**Summary of testimony presented:**

**Representative Carol McGuire, Merrimack 27**

- Rep. McGuire introduced House Bill 85-FN.
- Rep. McGuire said that HB 85 was drafted at the behest of the New Hampshire Hospital Association (NHHA).
- Rep. McGuire explained that the bill creates a temporary license so that student respiratory therapists can work using the skills they have learned while still in training.
- Rep. McGuire said that allowing respiratory therapist students to work in their chosen profession is a good thing.

- Rep. McGuire said the bill was passed unanimously in the House Executive Departments and Administration Committee.
- Sen. Altschiller asked if the temporary license will be paused if the student pauses their program.
  - o Rep. McGuire said that it would.
- Sen. McGough asked what other disciplines, such as registered nurses (RNs), paramedics, or occupational therapists, have a similar temporary license.
  - o Rep. McGuire said she was not aware of anything similar.
- Rep. McGuire said respiratory therapists would be more usefully employed with a license indicating that they have some real-world experience.
- Sen. McGough asked if respiratory therapists do clinical hours as part of their curriculum.
  - o Rep. McGuire said that they do. She pointed to line 22 on page 1, where the bill explains how trainees can employ what they are learning.
- Rep. McGuire explained that training respiratory therapists do not need a license to do the clinical care that is part of their training.

### **Ben Bradley, New Hampshire Hospital Association**

- Mr. Bradley said that the NHHA supports HB 85-FN.
- Mr. Bradley said that the origins of this bill stem directly from Healthforce New Hampshire. He said they reached out to the NHHA to share that many states, including Maine, Vermont, and Massachusetts, allow respiratory therapy students to work under a temporary license. Healthforce NH has seen that students opt to work in other states besides New Hampshire because of this.
- Mr. Bradley stated that respiratory therapists are difficult to recruit. As of October 2024. There was a 21.7 percent vacancy rate for hospital-employed respiratory therapists.
- Mr. Bradley said that if students can be encouraged to work while going to school in New Hampshire then there may be a higher likelihood of them deciding to stay in the state to practice.
- Mr. Bradley stated that barriers need to be removed to help recruit professionals such as respiratory therapists.
- Mr. Bradley explained that the bill adds a new section for a student temporary license and defines the limited scope of being a student working in a healthcare setting under supervision. He emphasized that these students will only be able to practice the skills in which they have shown competence.
- Mr. Bradley said the bill also adds language to distinguish between a student practicing their clinical skills strictly as a student, versus working as a temporary licensed respiratory therapist. The bill also requires that the students show their employer their temporary license.
- Sen. Pearl asked if the students would only be allowed to perform their duties while under the supervision of a respiratory care practitioner or physician.
  - o Mr. Bradley said that is correct.

- Mr. Bradley stated that the bill allows the students to work in a professional environment outside of their clinical hours and get paid for the work they do.
- Sen. McGough asked what would happen if a trainee were to work at a facility that is not their main clinical site. He asked how their license qualifications would be assured. He asked when the student would be eligible to receive their temporary license.
  - o Mr. Bradley said that the Office of Professional Licensure and Certification (OPLC) would be able to answer those questions better.
  - o Mr. Bradley said that students must show various competencies before being allowed to acquire a temporary license.
- Sen. McGough gave a scenario in which a temporary licensee would need to help with airway management after someone enters cardiac arrest. He asked how other healthcare providers are to know that the student is qualified to do that.
  - o Mr. Bradley said that it is his understanding that it is the responsibility of the supervising provider to ensure that the student has proper qualifications and capabilities.
- Mr. Bradley said that through the hiring process, the supervisor continually ensures that students are up to speed and have clearly outlined capabilities.
- Sen. McGough asked if they would have to have the same preceptor at every shift.
  - o Mr. Bradley said that the clarity in this bill is that the student must be supervised by a licensed provider.

**Dee Jurius, Executive Director of the Office of Professional Licensure and Certification**

- Dir. Jurius began by answering Sen. McGough’s question regarding supervision. She said that it would be a business decision by the hospital.
- Dir. Jurius noted that the bill is specific about the term “temporary student license,” because there are already temporary licenses that mean different things within the OPLC.
- Dir. Jurius explained that a temporary license is typically possessed for a short amount of time, usually one hundred and eighty days. She said this temporary respiratory therapy license is different because it will have a two-year duration.
- Dir. Jurius said there was a discussion with the NHHA on how to implement the license, and whether it should be limited to a single renewal. It was determined that the definition ensures that individuals are enrolled in a respiratory care program to be eligible for renewal.
- Sen. Pearl asked about the specifics of the supervision and guidance that the temporary license holder will be under.
  - o Dir. Jurius said that it is slightly different in that there will be students in a respiratory care program that can perform services as part of their clinical hours under supervision and without a license, but that outside of those required hours they can pick up a shift to do more independent work.

- Dir. Jurius said that supervising a student for credit hours is different than supervising a student employee.
- Dir. Jurius said she is certain that the hospitals who requested this bill have thought about how to operationalize and implement the parameters of the bill.
- Sen. McGough asked if there are any other similar healthcare temporary licenses such as this.
  - o Dir. Jurius explained that there are some similar situations but none that are a two-year credential program in this way. She said there are other provisions for people who have completed their training and are allowed to work under a temporary work permit until they take a certifying exam.
- Sen. McGough said those types of licenses are lower-level steppingstones, which enable individuals to work using the skills they have fully attained. He pointed out that the respiratory therapist trainees would not be licensed, as they have passed no boards and obtained no certifications.
- Sen. McGough asked how their student status would be communicated to other staff and family members of patients.
  - o Dir. Jurius stated that it would be a business decision.

**Representative Carol McGuire, Merrimack 27**

- Rep. McGuire said, regarding Sen. McGough’s concerns, that the rules which will be developed for this could be easily crafted to say what a person’s qualifications are on the license. If something like intubation is not listed as a competency for the trainee, then they would not be allowed to perform one. She said this would make it clear what the student is qualified to do.
- Sen. McGough asked how to handle the evolving nature of an individual’s competencies as their training progresses.
  - o Rep. McGuire said it would most likely be done semester by semester or year by year.