

Amendment to SB 277-FN

1 Amend the bill by replacing all after the enacting clause with the following:

2
3 1 Office of Professional Licensure and Certification; Emergency Licenses Converted. RSA 310-
4 A:1-i is repealed and reenacted to read as follows:

5 310-A:1-i Emergency Licenses Process. Notwithstanding any other law to the contrary, the
6 office of professional licensure and certification may issue emergency licenses to the following
7 applicants:

8 I. Any medical provider previously licensed in New Hampshire in the last 3 years whose
9 license is no longer active, subject to the following:

10 (a) The medical provider's license was in good standing prior to being placed in inactive
11 or lapsed status.

12 (b) A medical provider shall be required to present evidence that they are current with
13 continuing education pursuant to the applicable statute as a condition of licensure.

14 II. Any medical provider previously licensed to practice in another jurisdiction within the
15 last 3 years whose license is no longer active, subject to the following:

16 (a) The medical provider's license was in good standing in another United States
17 jurisdiction prior to being placed in inactive or lapsed status; and

18 (b) The medical provider presents evidence to the office of professional licensure and
19 certification that the medical provider was licensed and in good standing immediately prior to the
20 change in licensure status.

21 (c) A medical provider shall be required to present evidence that they are current with
22 continuing education pursuant to the applicable statute as a condition of licensure.

23 III. Any fellow enrolled in a New Hampshire program accredited by the Accreditation
24 Council for Graduate Medical Education to practice within the fellow's core specialty, subject to the
25 following:

26 (a) The fellow is American Board of Medical Specialties (ABMS) or American
27 Osteopathic Association (AOA) board-eligible or certified in the core specialty.

28 (b) The fellow is appointed to the medical staff at a sponsoring institution and will
29 engage in practice consistent with the policies and procedures of the sponsoring institution and its
30 participating sites.

31 (c) The time spent in core specialty service is limited to 20 percent of the fellow's annual
32 education time in any academic year.

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1 (d) A fellow seeking to practice under this paragraph shall provide the office of
2 professional licensure and certification with appropriate evidence that the required qualifications
3 have been met.

4 IV. Senior nursing students, who are scheduled to graduate within 5 months from the date
5 of application, from a board of nursing approved registered nursing or practical nursing program,
6 subject to the following:

7 (a) The individual is employed by, or providing health care services at the direction of, a
8 licensed health care facility or a licensed health care provider.

9 (b) The individual is directly supervised while providing health care services.

10 (c) The health care services are being provided in response to the COVID-19 pandemic.

11 V. Any provider seeking an emergency license under this section shall submit his or her
12 request on a form adopted by the office of professional licensure and certification for such purpose.

13 VI. In this section, an applicant in good standing shall include medical providers who are
14 subject to nondisciplinary conditions, but shall not include medical providers whose licenses have
15 been revoked, canceled, surrendered, suspended, denied, or subject to disciplinary restrictions.

16 VII. A license issued pursuant to this section on or before January 31, 2022 shall be
17 converted to a permanent, single state license as of the effective date of this section. For the purpose
18 of license renewal, the date of original license issuance shall be used.

19 VIII. Emergency licenses issued during the COVID-19 pandemic pursuant to the governor's
20 executive order 2020-04 on or before January 31, 2022 shall not be deemed to have lapsed upon
21 expiration of the state of emergency and shall be converted to a permanent license under this section
22 on the effective date of this section.

23 IX. All individuals licensed under this section shall be subject to the jurisdiction of the state
24 licensing body for that profession.

25 X. The office of professional licensure and certification may issue guidance relative to the
26 emergency licensing process established in this section, which may include guidance concerning the
27 appropriate supervision of nursing students. Any guidance shall be posted on the board's website.

28 2 Emergency or Temporary Health Care Licenses. Amend 2021, 121:8 to read as follows:

29 121:8 Emergency or Temporary Healthcare [~~Licenses~~] **Licenses**. Healthcare workers issued
30 emergency or temporary licenses during the COVID-19 pandemic ***on or before January 31, 2022***,
31 including but not limited to those recruited for youth camps, organized recreation, and community-
32 sponsored recreation, and who meet the requirements for such licensure, shall be allowed to continue
33 in their professional capacity for so long as the emergency or temporary license remains valid. The
34 office of professional licensure and certification shall continue to offer and issue emergency or
35 temporary licenses for healthcare workers; provided that any emergency or temporary licenses
36 issued during the COVID-19 pandemic or in response to conditions occurring immediately thereafter
37 shall expire no later than [~~January 31, 2022~~] ***June 30, 2023***.

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- 1 3 Repeal. RSA 310-A:1-i, relative to the emergency license process, is repealed.
- 2 4 Effective Date.
- 3 I. Section 3 of this act shall take effect June 30, 2023.
- 4 II. The remainder of this act shall take effect upon its passage.

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AMENDED ANALYSIS

This bill extends the expiration date for the emergency licensing process and the emergency or temporary licensing of health care workers enacted in SB155-FN (2021), converts the temporary or emergency licenses issued to permanent licenses, and extends the repeal dates of those provisions.