

CHAPTER 162
HB 85-FN - FINAL VERSION

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

CHAPTER 162
HB 85-FN - FINAL VERSION

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

25-0114
09/06

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:

1 162:1 New Paragraph; Respiratory Care Practice; Definitions. Amend RSA 326-E:1 by inserting after
2 paragraph XII the following new paragraph:

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

5 162:2 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 RSA
8 326-E:3-a.

9 162:3 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 student
13 license in accordance with rules adopted by the executive director, in consultation with the advisory board,
14 pursuant to RSA 541-A. The student may only apply for licensure if he or she has fulfilled the didactic and
15 clinical practicum educational requirements for his or her first full year. Such license shall only be valid for
16 a maximum of 18 months from the date of issue or 6 months from the date of graduation, whichever is
17 shorter.

18 II. The scope of practice of the student respiratory therapist is limited to those activities for which
19 there is documented evidence of competency and only non-critical care procedures as defined by rule in
20 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 healthcare
22 setting may render respiratory care services only under the direct supervision of an on-site licensed
23 respiratory care practitioner for a period of 2 months following the date of hire. After the 2 months of direct
24 supervision have been completed, the student may render respiratory care services under the supervision
25 of an on-site licensed physician, licensed respiratory care practitioner, advanced practice registered
26 nurse, or physician assistant, as defined by rule in consultation with and approval by the advisory board,
27 pursuant to RSA 541-A.

28 162:4 Respiratory Care Practice; Exemptions from Licensure. Amend RSA 326-E:6, I(a) to read as
29 follows:

30 (a) A person matriculated in an education program approved by the board who is pursuing a
31 degree in respiratory care or respiratory therapy from satisfying supervised clinical education
32 requirements related to the person's respiratory care education while under direct supervision of a

CHAPTER 162
HB 85-FN - FINAL VERSION

- Page 2 -

1 respiratory care practitioner or physician. *Respiratory care services may be performed without a license*
2 *by a student when these services are related to the clinical aspect of a student's course of study.*

3 162:5 Respiratory Care Practice; Responsibilities of the Respiratory Care Practitioner. Amend RSA
4 326-E:8, III to read as follows:

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

9 162:6 Effective Date. This act shall take effect 60 days after its passage.

Approved: July 15, 2025

Effective Date: September 13, 2025

