



OFFICE OF LEGISLATIVE SERVICES
ADMINISTRATIVE RULES
STATE HOUSE ANNEX
25 CAPITOL STREET, ROOM 234
CONCORD, NH 03301

Rulemaking Notice Form

Notice Number: 2026-68

Rule Number: Nur 400

1. **Agency:** Board of Nursing
c/o Office of Professional
Licensure & Certification
7 Eagle Square
Concord, NH 03301
2. **RSA Authority:** RSA 326-B:9
3. **Federal Authority:** N/A
4. **Action(s):** Adoption, Repeal, Readopt, Readopt w/Amendment
5. **Short Title:** Continued Status
6. **(a) Summary of what the rule says and of any proposed amendments including whether the rule implements a state statute for the first time:**

Nur 400 establishes requirements for continued status of nursing licensees and certificate holders, including renewal, reinstatement, or re-entry after lapse in practice, continuing education, disciplinary sanctions, delegation of nursing tasks and medication administration, retired status, and ongoing competency requirements. The proposal reorganizes and simplifies the chapter by moving renewal to the Office of Professional Licensure and Certification (OPLC) universal renewal application process, requiring proof of basic life support (BLS), advanced cardiovascular life support (ACLS) or cardiopulmonary resuscitation (CPR) for renewal, retaining advance practice registered nurse (APRN) survey/opt-out requirements, repealing detailed licensed nursing assistant (LNA) and medication nursing assistant (MNA) renewal and reinstatement sections, renumbering the retired-status rule, consolidating disciplinary sanctions, preserving most delegation rules with technical edits, allowing limited continuing-education credit for BLS/ACLS/CPR certifications, granting limited continuing-education credit for Board of Nursing meeting attendance, and repealing the standalone competence-to-practice rule. The proposal does not implement a state statute for the first time.

6. **(b) Brief description of the groups affected:**

Groups affected include registered nurses, licensed practical nurses, advanced practice registered nurses, licensed nursing assistants, medication nursing assistants, applicants for renewal or continued licensure/certification, Board of Nursing members, employers and settings that utilize delegated nursing or medication-administration tasks, and the Board of Nursing and OPLC staff responsible for processing renewals, monitoring compliance, and administering discipline.

6. **(c) Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement:**

Rule	Specific State Statute the Rule Implements
Nur 401.01	RSA 326-B:9, XI; RSA 326-B:22; RSA 326-B:46
Nur 401.02	RSA 326-B:9, II; RSA 326-B:22; RSA 326-B:32
Nur 401.03 and Nur 401.04	RSA 326-B:22
Nur 401.05 and Nur 401.06	RSA 326-B:22
Nur 401.05 (formerly Nur 401.07)	RSA 326-B:9, X
Nur 402.01 (formerly Nur 402.04)	RSA 326-B:37, I – III
Nur 403.01 – Nur 403.05	RSA 326-B:31, II and III
Nur 404.01 - Nur 404.07	RSA 326-B:28; RSA 326-B:29
Nur 405.01 (repeal)	RSA 326-B:30

7. **Contact person for copies and questions including requests to accommodate persons with disabilities:**

Name: Chantell Wheeler	Title: Rules Administrator
Address: Office of Professional Licensure & Certification 7 Eagle Square Concord, NH 03301	Phone Number: (603) 271-8311
	FAX Number:
	Email: oplc-rules@oplc.nh.gov

8. **Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified:**

Thursday, April 30, 2026

- Fax
- Email Oplc-rules@oplc.nh.gov
- Other

9. **Public hearing scheduled for:**

Date: Thursday, April 23, 2026

Time: 9:00 AM

Place:

Office of Professional Licensure & Certification
7 Eagle Square
Concord, NH 03301

Electronic Access, if applicable: N/A

10. **Fiscal Impact Statement (Prepared by Legislative Budget Assistant):**

FIS #: 26:053, dated: 2026-03-11

1. Comparison of the costs of the proposed rule(s) to the existing rule(s):

There is no difference in cost when comparing the proposed rules to the existing rules. Not applicable to the various rules that expired April 2024, or the various rules being repealed.

2. Cite the Federal mandate. Identify the impact on state funds:

No federal mandate, no impact on state funds.

3. Cost and benefits of the proposed rule(s):

The fee provision referenced in Nuh 400 is applicable to Plc 1002.33, relative to Application Processing and Licensing Fees for the Professions and Programs Regulated by the Board of Nursing. When comparing the expired rules to the proposed rules there is no additional cost or benefit.

A. To State general or State special funds:

None.

B. To State citizens and political subdivisions:

None.

C. To independently owned businesses:

None.

11. **Statement Relative to Part I, Article 28-a of the N.H. Constitution:**

The proposed rule does not mandate or assign additional responsibilities to political subdivisions of the state. Therefore, it does not violate Part I, Article 28-a of the New Hampshire Constitution.