STATE OF NEW HAMPSHIRE

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

Rulemaking Notice Form

Notice Number: 2026-110

Rule Number: He-M 1001

1. **Agency:** Department of Health and Human Services

   Agency Address: Department of Health & Human Services
   Bureau of Developmental Services
   105 Pleasant Street, Main Bldg.
   Concord, NH 03301

2. **RSA Authority:** RSA 126-A:19-20; RSA 171-A:3 & 18, IV

3. **Federal Authority:** 42 CFR 441.301

4. **Action(s):** Readopt, Readopt w/Amendment

5. **Short Title:** Certification Standards for Developmental Services Community Residences

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:**

   He-M 1001 defines the standards and procedures for the certification of community residences in the state of New Hampshire for persons with a developmental disability or acquired brain disorder and establishes minimum standards governing the operation and continued certification of such residences. Various provisions specifically, He-M 1001.02 and He-M 1001.11 through He-M 1001.23, are emergency rules scheduled to expire on September 22, 2026.

   The Department of Health and Human Services (Department) is proposing to readopt and readopt with amendment He-M 1001. The proposed amendments include:

   • Updating various provisions of the rule for better clarity, program integrity, and to be consistent with language used in other rules, and making minor substantive and editorial revisions throughout to include updated citations, terminology, acronyms, grammar, and punctuation;

• Amending He-M 1001.01 on the purpose of He-M 1001 by clarifying that this rule applies to any community residences in the State of New Hampshire;

• Updating He-M 1001.02 on definitions by amending the definition of “community residence”, “inspection”, “plan of correction”, and “state monitoring”;

• Amending He-M 1001.03 on administrative requirements by clarifying that the provider agency shall maintain the liability insurance for the certified community residence and clarifying language on individuals’ rights;

• Amending He-M 1001.06 on health and safety by clarifying who shall develop the emergency plan for the community residence;

• Amending He-M 1001.07 on behavioral support by adding reference to He-M 310.11 on behavior change program;

• Amending He-M 1001.09 on quality assurance by clarifying language on visits;

• Amending He-M 1001.10 on certification by removing the eligibility for reimbursement language as those requirements are set forth in He-M 504 and He-M 517, updating what should be found on the issued certificate, and by making other minor clarifying revisions;

• Amending He-M 1001.11 on initial certification process by updating terminology;

• Amending He-M 1001.12 on renewal certification process by updating terminology and making other minor clarifying revisions;

• Amending He-M 1001.14 on inspections and plans of corrections by adding that a written inspection report shall be sent to the provider agency, residence administrator, service coordinator, and area agency, and updating terminology and citations;

• Amending He-M 1001.15 on complaints by making a minor editorial revision;

• Amending He-M 1001.16 on denial of certification by citing the specific laws and rules that must be complied with to prevent an application for certification denial;

• Amending He-M 1001.17 on administrative remedies by citing the specific laws and rules that must be complied with, adding the imposition of a fine as an administrative remedy, and making other clarifying and terminology revisions;

• Amending He-M 1001.18 on enforcement actions and hearings by adding fines that can be collected by the Department and the requirements that correspond to the collection of those fines, clarifying the criteria for denial, withdrawal, or immediate suspension of a certification and eligibility for reapplication;

• Amending He-M 1001.19 on withdrawal of certification by updating terminology, specifying the applicable laws and regulations the certificate holder must be incompliance with, and making other minor clarifying revisions;

• Amending He-M 1001.20 on immediate suspension of certification by updating the term “revoke” with “withdraw”; and

• Amending He-M 1001.23 on required forms by updating the edition dates of the incorporated forms and making minor clarifying revisions.

No revisions are being made to He-M 1001.04 on qualifications for service provision, He-M 1001.05 on individual services, He-M 1001.08 on individual records, He-M 1001.13 on emergency certification process, He-M 1001.21 on appeals, and He-M 1001.22 on waivers.

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

He-M 1001 affects provider agencies, area agencies, and providers of residential services. Residents of community residences are also affected including, among others, persons with developmental disabilities or acquired brain disorders who receive services from the community residences funded by the state of NH and certified by the Department.

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 Which the Rule Implements**
He-M 1001.01 – He-M 1001.05	RSA 126-A:19 and 20
He-M 1001.06	RSA 126-A:19 and 20; and RSA 126-A:4, IV
He-M 1001.07- He-M 1001.23	RSA 126-A:19 and 20

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

Name: Allyson Raadmae	**Title:** Administrator- Administrative Rules Unit
Address: Dept. of Health and Human Services Administrative Rules Unit 129 Pleasant Street, 2nd Floor Concord, NH 03301	**Phone Number:** (603) 271-9604
	FAX Number: (603) 271-5590
	Email: Allyson.E.Raadmae@dhhs.nh.gov

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

Friday, July 10, 2026

X **Fax**
X **Email** at Allyson.E.Raadmae@dhhs.nh.gov
_ **Other**

9. **Public hearing scheduled for:**

Date: Thursday, July 2, 2026
Time: 2:00 PM
Place: DHHS Main Building
Chapel, 105 Pleasant Street
Concord, NH 03301

Electronic Access, if applicable: N/A

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

FIS #: 26:082, dated: Monday, May 11, 2026

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

Compared to the existing rules, the proposed rules will have an indeterminable impact on state general fund revenues and on costs incurred by independently owned businesses.

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):

A. To State general or State special funds:

The Department of Health and Human Services notes that any cost or benefit to the state general fund would only be insofar as a licensee is or has been in non-compliance with the rule and an administrative fine is issued.

B. To State citizens and political subdivisions:

None.

C. To independently owned businesses:

The Department notes the following:

• Noncompliance may result in an administrative fine being issued, posing an indeterminable cost to independently owned businesses.

• Community residences may see indeterminable costs associated with the updated administrative requirements found in He-M 1001.03.

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

The proposed rule modifies an existing program or responsibility, but does not mandate any fees, duties, or expenditures on the political subdivisions of the state, and therefore does not violate Part I, Article 28-a of the N.H. Constitution.