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: 2026-229

Rule Number: Mid 300

1. **Agency:** Midwifery Council

   Agency Address: Midwifery Council
   c/o Office of Professional Licensure and Certification,
   7 Eagle Square,
   Concord, NH 03301
2. **RSA Authority:** RSA 326-D:5, I(d)
3. **Federal Authority:** N/A
4. **Action(s):** Adoption, Repeal, Readopt w/Amendment
5. **Short Title:** Certification Requirements
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:**

   Chapter Mid 300 governs the certification requirements and application process for applicants seeking certification. The Midwifery Council (Council) proposes to readopt with amendment Mid 301.01 on definitions to provide clarity and remove redundancy, and Mid 302.01 on application process to implement RSA 310:4, II, effective July 15, 2023.

   The Council proposes to repeal Mid 302.02 through Mid 302.04 rules on application review and forms. RSA 310:4, II grants the executive director of the office of professional licensure and certification (OPLC) the responsibility for the examination, processing and approval or denial of an application for licensure, certification, or registration for all license types governed by the office or a board listed in RSA 310:2, based on set objective standards developed by the boards.

The Council proposes to adopt Mid 302.03 on certification by endorsement to reference Plc 313 rules. RSA 310:17 states that the office shall issue licenses to professionals who present evidence of an active license in good standing from another jurisdiction, in accordance with rules adopted by the executive director under RSA 541-A. The Council proposes to readopt Mid 302.05 rules on required documentation with amendment, and renumber as Mid 302.02. The Council proposes to repeal the requirement for applicants to provide a copy of their high school diploma and photographic identification with their application for initial license.

The Council proposes to readopt with amendment Mid 303 on qualifications to update citations and references, and to provide clarity.

The Council proposes to readopt with amendment Mid 304 on examinations to update citations and references, and to provide clarity.

The Council proposes to repeal Mid 306 of license duration and fees. License duration is governed by RSA 310:8. RSA 310:5 governs fees and funding.

X **Does this rule implement a state statute for the first time?**

If yes, please explain:

Mid 300 rules are proposed to implement the following statutes for the first time:

Laws of 2023, 212:23(II), effective October 3, 2023.

Laws of 2023, 235:8, effective July 15, 2023, now RSA 310.

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

These rules affect the general public and applicants seeking certification as a midwife in New Hampshire.

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**
Mid 301.01	RSA 541-A:16, I(b)
Mid 302.01	RSA 326-D:4, I(a); RSA 326-D:5, I(d)
Mid 302.02 – Mid 302.04 (repeal)	
Mid 302.02 (formerly Mid 302.05)	RSA 326-D:5, I(d)
Mid 302.03	RSA 310:17
Mid 303.01	RSA 326-D:4, I(a); RSA 326-D:5, I(a); RSA 326-D:7
Mid 303.02	RSA 326-D:5, I(a); RSA 326-D:7, V and VI

Mid 304.01	RSA 326-D:7, VII and VIII
Mid 305 (repeal)	
Mid 306.01 (repeal)	
Mid 306.02 (repeal)	
Mid 306.03 (repeal)	

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

Name: Chantell Wheeler	**Title:**
Address: Office of Professional Licensure and 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:**

   Wednesday, February 24, 2027

   _ **Fax**

   X **Email** OPLC-Rules@oplc.nh.gov

   _ **Other**

9. **Public hearing scheduled for:**

   Date: Wednesday, February 17, 2027

   Time: 2:10 PM

   Place: Office of Professional Licensure and Certification,
   7 Eagle Square,
   Concord, NH 03301

   Electronic Access, if applicable: N/A

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

    FIS #: 26:226, dated: Wednesday, October 7, 2026

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 Mid 302.03, which is a new rule, 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 referenced in Mid 300 rules is applicable to Plc 1002.30, relative to application processing and licensing fees for the profession regulated by the Midwifery Council. Additionally, the exam fee referenced is applicable to Plc 1004.13, relative to jurisprudence examination fees for midwifery.

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:**

There are no costs associated with these rules, and these rules do not apply to political subdivisions. These rules do not mandate or assign any new, expanded, or modified programs or responsibilities to any political subdivision in such a way as to necessitate additional local expenditures, and so does not violate Part I, Article 28-a of the N.H. Constitution.