



NEW HAMPSHIRE

RULEMAKING REGISTER

OFFICE OF LEGISLATIVE SERVICES

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<u>Proposed Rules</u>			
Notice Form	Rule Number	Agency	Proposed Rule
2024-31	*Puc 400	Public Utilities Commission	Rules for Telephone Utilities
2024-32	Env-Sw 700, Env-Sw 900, Env-Sw 1500, Env-Sw 1700, Env-Sw 1800, and Env-Sw 2000	Department of Environmental Services Solid Waste Programs	Incineration Facilities; Management of Certain Wastes; Waste-Derived Products; Wood Ash Spreading; Toxics in Packaging; and Inspections
2024-33	Emp 410	Department of Employment Security	Aliens
2024-34	He-M 506	Department of Health and Human Services Former Division of Mental Health and Developmental Services	Staff Qualifications and Staff Development Requirements for Developmental Service Agencies
2024-35	He-W 572	Department of Health and Human Services Former Division of Human Services	Ambulance Services
2024-36	He-W 606.02, He-W 606.28, He-W 606.36, and He-W 606.60	Department of Health and Human Services Former Division of Human Services	Verification for Financial Assistance
Special Notice 2023-198	Liq 200	Liquor Commission	Procedural Rules

* Denotes that the rule implements new legislation.

JLCAR

2024 SCHEDULED MEETING DATES AND FILING DEADLINES

The JLCAR has voted to hold its regularly scheduled meetings for January through June on the **third Friday** of the month and for July through December on the **third Thursday** of the month as listed below. The minimum 21-day "deadline" prior to the regular JLCAR meeting is listed for agencies to file final proposals or proposed interim rules" for placement on the JLCAR agenda pursuant to RSA 541-A:12, I and RSA 541-A:19, V. The JLCAR has also scheduled continued meetings as listed below on select Thursdays and Fridays to address items postponed from the prior regular meetings.

Regular Meeting Filing Deadline	Regular Meeting Date	Continued Meeting Date
December 29*	January 19	February 2
January 26	February 16	March 1
February 23	March 15	April 5
March 29	April 19	May 3
April 26	May 17	May 31
May 24	June 21	June 28
June 27	July 18	August 1
July 25	August 15	August 29
August 29	September 19	October 3
September 26	October 17	October 31
October 24	November 21	December 5
December 2**	December 19	None

***NOTE:**

The filing deadlines relate to JLCAR meetings pursuant to RSA 541-A. However, from January through June, if a proposed interim rule is filed with a rulemaking notice for publication in the *Rulemaking Register*, be aware that Thursdays—not Fridays—remain the filing deadline under the *Drafting and Procedure Manual for Administrative Rules* to have the rulemaking notice published the following week. Pursuant to RSA 541-A:19, V, the notice must be published at least 14 days before the regularly scheduled meeting for which the proposed interim rule has been placed on the agenda. Therefore, filing the notice together with the proposed interim rule no later than the Thursday **before** the 21-day statutory deadline would assure that both the 21-day deadline for filing the rule and the 14-day deadline for publication in the *Rulemaking Register* would be met.

****NOTE:**

The 21-day deadline to file for the December 19 meeting falls on Thanksgiving, November 28. Pursuant to RSA 541-A:16, IV, it is automatically extended to Monday, December 2.

However, if a proposed interim rule is filed with a rulemaking notice for publication in the *Rulemaking Register*, be aware that Wednesday, November 27 remains the filing deadline under the *Drafting and Procedure Manual for Administrative Rules* to have the rulemaking notice published the following week. Pursuant to RSA 541-A:19, V, the notice must be published at least 14 days before the regularly scheduled meeting for which the proposed interim rule has been placed on the agenda. Therefore, filing the interim rulemaking notice together with the proposed interim rule no later than Wednesday, November 27 would assure that both the 21-day deadline for filing the rule for the December 19 JLCAR meeting and the 14-day period for notice publication in the *Rulemaking Register* would be met.

NEXT REGULAR MEETING: March 15, 2024

Live Stream Link : <https://youtube.com/live/3lw7aEgotS4?feature=share>

The meetings will be held in-person in rooms 306/308 of the Legislative Office Building.

FINAL PROPOSALS FOR COMMITTEE MEETING ON MARCH 15, 2024

NOTICE NUMBER	RULE NUMBER	AGENCY AND SHORT TITLE OF RULE
2023-97	Rab 301-Rab 303, Rab 305, Rab 307 various, and Rab 308	REAL ESTATE APPRAISER BOARD Apprentice Classification, Certification and License Requirements
2023-150	Soil 300	BOARD OF NATURAL SCIENTISTS Certification Requirements
2023-167	Eng 300	BOARD OF PROFESSIONAL ENGINEERS Licensure Requirements
2023-172	Rko 100 and Rko 200	OFFICE OF THE RIGHT-TO-KNOW OMBUDSMAN Organizational and Procedural Rules
2023-173	Rko 300	OFFICE OF THE RIGHT-TO-KNOW OMBUDSMAN Ethical Standards
2023-174	Saf-C 523	DEPARTMENT OF SAFETY, COMMISSIONER Registration Hearings
2023-184	Saf-C 1600	DEPARTMENT OF SAFETY, COMMISSIONER Explosives
2023-185	Ac 100 various	BOARD OF ACCOUNTANCY Definitions and Organizational Rules
2023-188	Saf-C 7500	DEPARTMENT OF SAFETY, COMMISSIONER Financial Responsibility
2023-204	En 600	DEPARTMENT OF ENERGY Rules for Water Service
2023-205	En 700	DEPARTMENT OF ENERGY Rules for Sewer Utilities
2023-219	He-W 698 and He-W 898	DEPARTMENT OF HEALTH AND HUMAN SERVICES FORMER DIVISION OF HUMAN SERVICES Buy-In of Medicare Part B
2023-249	Ac 200	BOARD OF ACCOUNTANCY Rules of Practice and Procedure
2023-250	Den 404	BOARD OF DENTAL EXAMINERS Revocation, Suspension, Other Sanctions, Non-Disciplinary, and Substance Abuse Recovery Program
2023-255	Ac 504.01 and Ac 504.02	BOARD OF ACCOUNTANCY General Standards of Accounting Principles
2023-259	Ed 1400	BOARD OF EDUCATION Learn Everywhere Program for High School Graduation Credit
2023-268	Puc 1900	PUBLIC UTILITIES COMMISSION Rate Case Expenses
2023-274	Den 200	BOARD OF DENTAL EXAMINERS Rules of Practice and Procedure
2023-276	Plc 300 various parts and sections	OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION Licensure and Discipline of Regulated Professions

2023-290	Fis 1204.02 and Fis 1204.03	FISH AND GAME DEPARTMENT Special Youth Hunting Days for Deer and Turkey
2023-294	Cub 305.02, Cub 305.03, Cub 305.04, Cub 305.05, and Cub 305.06	CURRENT USE BOARD Assessment Ranges for Farmland, Forest Land Categories, With and Without Stewardship, Unproductive Land and Wetland Categories
2023-296	Rev 600	DEPARTMENT OF REVENUE ADMINISTRATION Property Assessment
2023-297	Plc 1600	OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION Registration of Nurse Agencies
2023-301	Rev 1900	DEPARTMENT OF REVENUE ADMINISTRATION Municipal Matters

REVISED OBJECTION RESPONSE FOR COMMITTEE REVIEW ON MARCH 15, 2024		
ROR#	RULE NUMBER	AGENCY AND SHORT TITLE OF RULE
ROR 2023-72	Saf-C 400	DEPARTMENT OF SAFETY, COMMISSIONER Watercraft Safety Rules

PROPOSED EXPEDITED REVISION TO FORM NOTICE FOR COMMITTEE REVIEW ON MARCH 15, 2024		
PROPOSED EXRF #	RULE NUMBER	AGENCY AND SHORT TITLE OF RULE
EXRF 2024-2	Ed 505.08	BOARD OF EDUCATION Bureau of Credentialing Educator Forms

NOTICE OF ADOPTED RULES			
DOCUMENT # (FINAL PROPOSAL)	RULE NUMBER	AGENCY PROPOSED RULE	EFFECTIVE EXPIRES
13860 (FP 2023-234)	Ch 200	BOARD OF CHIROPRACTIC EXAMINERS Rules of Practice and Procedure <i>(As practice and procedure rules they do not expire except pursuant to RSA 541-A:17, II.)</i>	4/1/2024
13861 (FP 2023-224)	Diet 200	BOARD OF LICENSED DIETITIANS Rules of Practice and Procedure <i>(As practice and procedure rules they do not expire except pursuant to RSA 541-A:17, II.)</i>	4/2/2024
13862 (FP 2023-178)	Psyc 301.01, Psyc 303.03, and Psyc 304	BOARD OF PSYCHOLOGISTS Definitions, Application Process for Those Licensed in Another State, and Telepass License	4/2/2024 4/2/2034
13864 (FP 2023-164)	Env-Sw 1000	DEPARTMENT OF ENVIRONMENTAL SERVICES SOLID WASTE PROGRAMS Universal Solid Waste Facility Requirements	2/6/2024 2/6/2034
13865 (FP 2023-165)	Env-Sw 1200	DEPARTMENT OF ENVIRONMENTAL SERVICES SOLID WASTE PROGRAMS Permit-By-Notification Solid Waste Facility Requirements	2/6/2024 2/6/2034
13866 (FP 2023-203)	Elec 300 various	ELECTRICIANS' BOARD Licensing Requirements	4/6/2024 4/6/2034
13867 (FP 2023-233)	Rev 1800	DEPARTMENT OF REVENUE ADMINISTRATION Conservation Restriction Assessment	2/8/2024 2/8/2034
13868 (FP 2023-235)	Alc 200	BOARD OF LICENSING FOR ALCOHOL AND OTHER DRUG USE PROFESSIONALS Rules of Practice and Procedure <i>(As practice and procedure rules they do not expire except pursuant to RSA 541-A:17, II.)</i>	4/8/2024
VOIDED 13869 (FP 2023-83)	Acp 200	BOARD OF ACUPUNCTURE LICENSING Rules of Practice and Procedure	
13870 (FP 2023-226)	Spe 200	GOVERNING BOARD OF SPEECH-LANGUAGE PATHOLOGISTS AND HEARING CARE PROVIDERS Rules of Practice and Procedure <i>(As practice and procedure rules they do not expire except pursuant to RSA 541-A:17, II.)</i>	2/15/2024
13871 (FP 2023-227)	Hcp 200	GOVERNING BOARD OF SPEECH-LANGUAGE PATHOLOGISTS AND HEARING CARE PROVIDERS Repeal of Rules of Practice and Procedure	2/15/2024

13872 (FP 2023-144)	Spe 602.01 and Spe 607.01	GOVERNING BOARD OF SPEECH-LANGUAGE PATHOLOGISTS AND HEARING CARE PROVIDERS Definitions and Direction and Supervision of Speech-Language Assistants	3/9/2024 3/9/2034
13873 (FP 2023-162)	Ins 305	INSURANCE DEPARTMENT Suitability in Annuity Transactions	2/16/2024 2/16/2034
13874 (FP 2023-248)	Fis 1100 various	FISH AND GAME DEPARTMENT Licenses and Permits	2/23/2024 2/23/2034
13875 (FP 2023-225)	He-W 606 various and He-W 806 various	DEPARTMENT OF HEALTH AND HUMAN SERVICES FORMER DIVISION OF HUMAN SERVICES Verification for Financial and Medical Assistance	2/21/2024 2/21/2034
13876 (FP 2023-252)	He-W 841.03	DEPARTMENT OF HEALTH AND HUMAN SERVICES FORMER DIVISION OF HUMAN SERVICES Elimination of Premiums for the Medicaid for Employed Adults with Disabilities (MEAD) Category of Medical Assistance	2/21/2024 2/21/2034
13877 (FP 2023-240)	He-W 672.02	DEPARTMENT OF HEALTH AND HUMAN SERVICES FORMER DIVISION OF HUMAN SERVICES Initiation of Adult Category Financial Assistance	2/21/2024 2/21/2034
13878 (FP 2023-253)	He-W 608.02	DEPARTMENT OF HEALTH AND HUMAN SERVICES FORMER DIVISION OF HUMAN SERVICES Prohibited Use of Money Payments	2/21/2024 2/21/2034
13879 (FP 2023-257)	He-W 506.04	DEPARTMENT OF HEALTH AND HUMAN SERVICES FORMER DIVISION OF HUMAN SERVICES Medicaid Care Management (MCM) – Covered Services	2/21/2024 2/21/2034
13880 (FP 2023-258)	He-W 570.04	DEPARTMENT OF HEALTH AND HUMAN SERVICES FORMER DIVISION OF HUMAN SERVICES Pharmaceutical Services – Covered Items	2/21/2024 2/21/2034
13881 (FP 2023-163)	Saf-C 2100	DEPARTMENT OF SAFETY, COMMISSIONER Nonresident Pistol/Revolver License	2/20/2024 2/20/2034
13882 (FP 2023-175)	Ph 200	NH PHARMACY BOARD Rules of Practice and Procedure <i>(As practice and procedure rules they do not expire except pursuant to RSA 541-A:17, II.)</i>	2/22/2024
13883 (FP 2023-256)	He-P 2300 various	DEPARTMENT OF HEALTH AND HUMAN SERVICES FORMER DIVISION OF PUBLIC HEALTH SERVICES Sanitary Production and Distribution of Food	2/22/2024 2/22/2034

13884 (FP 2023-177)	He-W 521	DEPARTMENT OF HEALTH AND HUMAN SERVICES FORMER DIVISION OF HUMAN SERVICES General Payment Information	2/22/2024 2/22/2034
13885 (FP 2023-251)	Plc 800	OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION Ophthalmic Dispensing	4/15/2024 4/15/2034
13886 (FP 2023-102)	Nur 300 various	BOARD OF NURSING Licensure Requirements	4/22/2024 4/22/2034
13887 (FP 2023-208)	Puc 600	PUBLIC UTILITIES COMMISSION Rules for Water Service	4/22/2024 4/22/2034
13888 (FP 2023-254)	He-W 656.03	DEPARTMENT OF HEALTH AND HUMAN SERVICES FORMER DIVISION OF HUMAN SERVICES Jointly Owned Resources	2/24/2024 2/24/2034
13889 (FP 2023-209)	Puc 700	PUBLIC UTILITIES COMMISSION Rules for Sewer Utilities	4/22/2024 4/22/2034
13890 (FP 2023-222)	Eng 200	BOARD OF PROFESSIONAL ENGINEERS Rules of Practice and Procedure <i>(As practice and procedure rules they do not expire except pursuant to RSA 541-A:17, II.)</i>	2/24/2024
13891 (EXEMPT)	Fis 601.11 and Fis 612.02	FISH AND GAME DEPARTMENT Lobster and Jonah Crab Electronic Tracking	EXEMPT
13892 (FP 2023-169)	Emp 404 various	DEPARTMENT OF EMPLOYMENT SECURITY Job Training Program	2/23/2024 2/23/2034

NOTICE OF DECLARATORY RULING		
DOCUMENT#	RULE NUMBER	AGENCY AND SHORT TITLE OF RULE
13863	Plc 210	OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION DECLARATORY RULING-Issued pursuant to Plc 210 and under RSA 310:4, II(c), RSA 310:6, V, and RSA 332-G:14, IV. Concerning whether RSA 310:6, V on temporary licensure may be applied retroactively as a remedial statute by the Office of Professional Licensure and Certification (OPLC) to extend the Petitioner's temporary license to practice medicine, which was issued by the OPLC prior to July 1, 2023 under the former RSA 310-A:1-f, and whose temporary license expired. (Please see complete summary in the filing history.) (eff 2-2-2024)