

## RULEMAKING NOTICE FORM

Notice Number _____	Rule Number <u>Plc 1002</u>														
<b>1. Agency Name &amp; Address:</b>  <b>Office of Professional Licensure &amp; Certification 7 Eagle Square Concord, NH 03301</b>	<table style="width: 100%; border-collapse: collapse;"><tr><td style="width: 60%;"><b>2. RSA Authority:</b></td><td style="border-bottom: 1px solid black; text-align: center;"><b>RSA 310:6, I</b></td></tr><tr><td><b>3. Federal Authority:</b></td><td style="border-bottom: 1px solid black; text-align: center;"><b>n/a</b></td></tr><tr><td><b>4. Type of Action:</b></td><td></td></tr><tr><td style="padding-left: 20px;">Adoption</td><td style="border-bottom: 1px solid black; text-align: center;"><b>X</b></td></tr><tr><td style="padding-left: 20px;">Repeal</td><td style="border-bottom: 1px solid black;"></td></tr><tr><td style="padding-left: 20px;">Readoption</td><td style="border-bottom: 1px solid black;"></td></tr><tr><td style="padding-left: 20px;">Readoption w/amendment</td><td style="border-bottom: 1px solid black; text-align: center;"><b>X</b></td></tr></table>	<b>2. RSA Authority:</b>	<b>RSA 310:6, I</b>	<b>3. Federal Authority:</b>	<b>n/a</b>	<b>4. Type of Action:</b>		Adoption	<b>X</b>	Repeal		Readoption		Readoption w/amendment	<b>X</b>
<b>2. RSA Authority:</b>	<b>RSA 310:6, I</b>														
<b>3. Federal Authority:</b>	<b>n/a</b>														
<b>4. Type of Action:</b>															
Adoption	<b>X</b>														
Repeal															
Readoption															
Readoption w/amendment	<b>X</b>														
<b>5. Short Title:   Application Processing [<del>Examination, Initial Inspection,</del>] and Licensing Fees Specific To Each Profession</b>															
<p><b>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:</b></p> <p><b>The Executive Director of the Office of Professional Licensure and Certification (OPLC) is proposing to readopt with amendments Plc 1002, Application Processing, Examination, Initial Inspection, and Licensing Fees Specific To Each Profession, with amendments to:</b></p> <ul style="list-style-type: none"><li>• <b>Delete “Examination” and “Initial Inspection” from the heading, to reflect that those fees are no longer in Plc 1002;</b></li><li>• <b>Revise the fee tables to reflect a 10% increase to better meet the requirement in RSA 310:5, I for fees to “be sufficient to produce estimated revenues up to 125 percent of the total operating expenses for the office, as determined by averaging the operating expenses for the office for the previous 2 fiscal years”;</b></li><li>• <b>Revise the fee tables to equalize the application fees for initial and renewal applications;</b></li><li>• <b>Remove fees for inspections required for initial licensure, as they are being added to Plc 1001 in a separate rulemaking;</b></li><li>• <b>Remove fees for examinations, as they are covered by Plc 313.03 now that the OPLC no longer directly administers any examinations;</b></li><li>• <b>Add fee tables for the State Board of Auctioneers, the Boxing and Wrestling Commission, Voluntary Certification of Community Health Workers, Voluntary Certification of Doulas and Lactation Support Providers, Registration of Nurse Agencies, and Registration of Professional Bondsmen; and</b></li><li>• <b>Correct and adjust the existing language as needed.</b></li></ul> <p><b>The Executive Director met or corresponded with each board to discuss fees and options available for the calculations over the course of several months in calendar year 2024.</b></p>															
<p><b>6. (b)   Brief description of the groups affected:</b></p> <p><b>The proposed rules will affect any individual who holds or wishes to hold a license to practice a regulated profession and any business organization that holds or wishes to hold a certificate of authority to practice a regulated profession.</b></p>															

**RULEMAKING NOTICE FORM - Page 2**

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

<b>Rule</b>	<b>State Statute(s) Implemented</b>
Plc 1002	RSA 310:5, I

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

Name:	<b>Gretchen Hamel</b>	Title:	<b>Program Specialist IV</b>
Mailing Address:	<b>OPLC 7 Eagle Square Concord, NH 03301</b>	Phone #:	<b>Please contact via email</b>
		Fax #:	<b>[discontinued]</b>
		E-mail:	<b><a href="mailto:Gretchen.R.Hamel1@oplc.nh.gov">Gretchen.R.Hamel1@oplc.nh.gov</a></b>

The rules can be reviewed on-line at  
<https://www.oplc.nh.gov/oplc-laws-and-rules>

TTY/TDD Access: Relay NH 1-800-735-2964  
or dial 711 (in NH)

8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **4:00 PM on Friday, May 2, 2025**

Please submit comments to [OPLC-Rules@oplc.nh.gov](mailto:OPLC-Rules@oplc.nh.gov)

☐ Fax

☒ E-mail

☐ Other format (specify):

9. Public hearing scheduled for:

Date and Time:	<b>Tuesday, April 22, 2025 at 2:00 PM</b>
Physical Location:	<b>Office of Professional Licensure &amp; Certification, 7 Eagle Square, Concord, NH 03301</b>
Electronic Access (if applicable):	<b>Not applicable</b>

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

FIS # 25:038 , dated 03/14/2025

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

When compared to the existing rules the proposed rules will increase state revenue, increase costs to certain citizens of the state and to certain independently owned businesses. Not applicable to Plc 1002.52 through Plc 1002.56 which are new sections.

**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 Office of Professional Licensure and Certification (OPLC) states the proposed rules revise the fee tables to reflect amounts that better meet the requirement in RSA 310:5, I for fees to "be sufficient to produce estimated revenues up to 125 percent of the total operating expenses for the office. Fees for inspections for initial licensure and fees for examinations being deleted as they are addressed in other rules (Plc 1001 and Plc 313.03). The OPLC provided a detailed comparison of the proposed fees to the existing fees for initial and renewal applications. This comparison includes an estimate of the number of each application/fee received in a 24-month period multiplied by the change in each fee to arrive at an estimate of the dollar impact of each change over a 24-month period. *This detailed comparison is included as an attachment to this*

### RULEMAKING NOTICE FORM - Page 3

*fiscal impact statement and is a document provided by the OPLC.* The OPLC states the proposed fees are a 10% increase and the proposed rules will result in an estimated net increase in fees paid by licensees and fee revenue received by the OPLC Fund of approximately \$2.5 million over a biennium.

New sections Plc 1002.52 through Plc 1002.57 add the following fees:

Category (# of Licensees)	Old Fee	New Fee	Increase
Auctioneer (264)	\$200	\$220	\$5,280
Auctioneer Cert. of Authority (72)	\$0	\$100	\$7,200
Boxing and Wrestling – Managers (Unknown, zero in the past year with the previous agency)	Unknown	\$22	Unknown
Boxing and Wrestling – Promoters (15 last year)	\$100	\$100	\$0
Boxing fighter, cornerman, timekeeper or scorekeeper (348)	\$20	\$22	\$698
Boxing Referee, judge (14)	\$100	\$110	\$140
Voluntary cert. of Community Health Workers	New	\$160	Unknown
Voluntary cert. of Doulas and Lactation Consultants (Unknown)	New	\$160	Unknown
Registration of Nurse Agencies (Unknown)	\$0	\$160	Unknown
Professional Bondsman (Unknown)	New	\$160	Unknown

The OPLC does not have information on the number of licenses or renewals for boxing and wrestling managers, doulas and lactation support providers, nurse agencies or professional bondsman.

**A. To State general or State special funds:**

There will be no cost or benefit to the state General Fund. Biennial revenue to the OPLC fund will increase by approximately \$2.5 million as described in #3 above.

**B. To State citizens and political subdivisions:**

Citizens of the state who are licensed professionals or who wish to be become licensed in these professions will experience a cost increase. There will be no fiscal impact on political subdivisions.

**C. To independently owned businesses:**

Independently owned businesses that hold a certificate of authority or that wish to obtain a certificate of authority will experience a cost increase.

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

**The rules do not apply to political subdivisions. The rules thus 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 do not violate Part I, Article 28-a of the N.H. Constitution.**