

JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES

REGULAR MEETING

TENTATIVE AGENDA

SEPTEMBER 21, 2023 - 9:00 a.m.

ROOMS 306/308 LEGISLATIVE OFFICE BUILDING

[LIVE LINK: https://youtube.com/live/k3_lf7yvu38?feature=share](https://youtube.com/live/k3_lf7yvu38?feature=share)

JLCAR MEMBERS

SENATE MEMBERS	HOUSE MEMBERS
Sen. Timothy Lang, Vice-Chair Sen. Shannon Chandley Sen. Dan Innis Sen. Ruth Ward Sen. Rebecca Whitley Alternates: Sen. Kevin Avard Sen. Sharon Carson Sen. James Gray Sen. Rebecca Perkins Kwoka Sen. Suzanne Prentiss	Rep. Carol M. McGuire, Chair Rep. Jaci Grote Rep. Erica Layon Rep. Robert Lynn Rep. Peter B. Schmidt Alternates: Rep. Fred Doucette Rep. Sallie Fellows Rep. Mary Hakken-Phillips Rep. Wayne MacDonald

The order specified for agenda items listed below are only tentative. The Committee may change the order.

TO ACCESS MEETING PACKETS, PLEASE CLICK ON THIS LINK:

[JLCAR PACKETS](#)

1 CONVENE, SEATING OF ALTERNATES, AND REVIEW MINUTES

2 CONSENT AGENDA

Board of Education

- (a) FP 2023-37 Special Education - 21 Inclusive
APPROVED Ed 1100 various
(JLCAR Deadline October 2, 2023)

Board of Septic System Evaluators

- (b) FP 2023-46 Definitions, Organization, and Public Information
APPROVED Sep 100
(JLCAR Deadline October 16, 2023)
- (c) FP 2023-47 Rules of the Practice and Procedure
APPROVED Sep 200
(JLCAR Deadline October 16, 2023)

Public Utilities Commission

- (d) FP 2023-90 Alternative Regulation
APPROVED Puc 206
(JLCAR Deadline September 29, 2023)

Department of Health and Human Services

Former Division of Human Services

- (e) FP 2023-91 Collection Action on Claims
APPROVED He-W 708.01
(JLCAR Deadline October 6, 2023)
- (f) FP 2023-140 Erroneously Paid Assistance
APPROVED He-W 692.02 and He-W 692.03
(JLCAR Deadline October 9, 2023)
- (g) FP 2023-147 Case Decisions and Notices for Financial and Medical Assistance
APPROVED He-W 604.01, He-W 604.02, and He-W 604.03; He-W 804.01, He-W 804.02, and He-W 804.03
(JLCAR Deadline October 30, 2023)
- (h) FP 2023-148 Standard of Need for Adult Categories of Financial and Medical Assistance
APPROVED He-W 658.02, He-W 658.03, and He-W 858.03
(JLCAR Deadline October 30, 2023)

(i) FP 2023-151 Reimbursement of Financial and Medical Assistance
APPROVED He-W 690.01 and He-W 890.01
(JLCAR Deadline October 20, 2023)

(j) FP 2023-158 Use of Money Payments
APPROVED He-W 608.01
(JLCAR Deadline October 30, 2023)

Department of Health and Human Services

Former Division of Mental Health and Developmental Services

(k) FP 2023-110 Complaint Resolution Procedures for Family-Centered Early Supports and Services
APPROVED He-M 203.02, He-M 203.05, and He-M 203.12
(JLCAR Deadline October 23, 2023)

Department of Environmental Services

Wetlands Programs

(l) FP 2023-130 Coastal Lands and Tidal Waters/Wetlands
APPROVED Env-Wt 600 various
(JLCAR Deadline October 30, 2023)

Insurance Department

(m) FP 2023-139 Group Coordination of Benefits
APPROVED Ins 1904
(JLCAR Deadline October 9, 2023)

Department of Health and Human Services

Commissioner

(n) FP 2023-155 NH Residential Child Care Licensing Rules – Homeless Youth Program
APPROVED He-C 4001.28
(JLCAR Deadline October 30, 2023)

Department of Environmental Services

Cross-Program Rules

(o) FP 2023-157 Administrative Fines
APPROVED Env-C 600
(JLCAR Deadline October 30, 2023)

Liquor Commission

(p) EXRF 2023-8 Initial License Application
APPROVED Liq 702.02(a)
(No JLCAR Deadline)

Preliminary Objection Response

Real Estate Appraiser Board

(q) OR 2023-61 Continued Status
APPROVED Rab 400
(JLCAR Deadline December 5, 2023)

Conditional Approval Requests

Department of Employment Security

(r) FP 2023-36 Failure to Report for Employment Services
CONDITIONAL Emp 501.14
APPROVAL (JLCAR Deadline September 29, 2023)

Board of Landscape Architects

(s) FP 2023-88 Continued Status
CONDITIONAL Lsa 400 various
APPROVAL (JLCAR Deadline October 9, 2023)

Board of Education

(t) FP 2023-95 School Facility Approvals
CONDITIONAL Ed 318.08, Ed 318.13, and Ed 320
APPROVAL (JLCAR Deadline October 20, 2023)

Public Utilities Commission

- (u) FP 2023-112 Rules for Gas Service
- CONDITIONAL Puc 500
- APPROVAL (JLCAR Deadline October 30, 2023)

Department of Environmental Services

Wetlands Programs

- (v) FP 2023-129 Wetlands Project-Specific Requirements
- CONDITIONAL Env-Wt 500 various
- APPROVAL (JLCAR Deadline October 30, 2023)
- (w) FP 2023-131 Wetlands Compensatory Mitigation
- CONDITIONAL Env-Wt 800 various
- APPROVAL (JLCAR Deadline October 30, 2023)
- (x) FP 2023-132 Wetlands Permits and Other Authorizations; Conditions Applicable to All Work in Wetlands
- CONDITIONAL Jurisdictional Areas
- APPROVAL Env-Wt 300 various
- (JLCAR Deadline October 30, 2023)

Department of Health and Human Services

Former Division of Human Services

- (y) FP 2023-145 Age Requirements for Financial and Medical Assistance
- CONDITIONAL He-W 632.01 and He-W 832.01
- APPROVAL (JLCAR Deadline October 20, 2023)

Department of Environmental Services

Cross-Program Rules

- (z) FP 2023-153 Certification of Wastewater Treatment Plant Operators
- AMENDED Env-Wq 304
- CONDITIONAL (JLCAR Deadline October 24, 2023)
- APPROVAL

3 REGULAR AGENDA

Board of Landscape Architects

- (a) FP 2023-12 Licensure Requirements
- POSTPONED TO Lsa 300 various
- OCTOBER (JLCAR Deadline October 9, 2023-Waiver Requested)

Board of Medicine

- (b) FP 2023-27 Physician Assistants
- AMENDED Med 600 various
- CONDITIONAL (JLCAR Waiver Received, JLCAR Deadline September 21, 2023)
- APPROVAL

Pease Development Authority

- (c) FP 2023-80 State-Owned Commercial Piers and Associated Facilities
- AMENDED Pda 600
- CONDITIONAL (JLCAR Deadline October 17, 2023)
- APPROVAL

Department of Health and Human Services

Former Division of Public Health Services

- (d) FP 2023-82 Use of Radionuclides in the Healing Arts
- POSTPONED TO He-P 4035 various
- OCTOBER (JLCAR Deadline October 6, 2023-Waiver Requested)

Department of Health and Human Services

Former Division of Mental Health and Developmental Services

- (e) FP 2023-111 Family-Centered Early Supports and Services
- AMENDED He-M 510
- CONDITIONAL (JLCAR Deadline October 30, 2023)
- APPROVAL

Department of Environmental Services

Hazardous Waste Programs

- (f) FP 2023-137 Fines Relating to Hazardous Waste Management
POSTPONED TO Env-Hw 904
OCTOBER (JLCAR Deadline October 30, 2023)

Department of Health and Human Services

Former Division of Human Services

- (g) FP 2023-149 Quality Control Reviews of Eligibility for Financial and Medical Assistance
POSTPONED TO He-W 685.01 and He-W 885.01
OCTOBER (JLCAR Deadline October 30, 2023)

Fish and Game Department

- (h) FP 2023-156 Interference with Hunting, Trapping, or Fishing
APPROVED Fis 2100
(JLCAR Deadline October 2, 2023)

Office of Professional Licensure and Certification

- (i) INT 2023-5 License by Endorsement
AMENDED Plc 302.19 and Plc 313
CONDITIONAL (JLCAR Deadline December 6, 2023)
APPROVAL

Preliminary Objection Response

Department of Health and Human Services

Commissioner

- (j) OR 2023-89 Foster Family Care Licensing Requirements
He-C 6446.06, He-C 6446.14, and He-C 6446.15
REVISED OBJECTION (JLCAR Deadline October 20, 2023)

Board of Professional Engineers

- (k) OR 2023-116 Continued Status
NOT YET RECEIVED Eng 400
(JLCAR Deadline December 5, 2023)

Department of Agriculture, Markets, and Food

- (l) OR 2023-135 Land Evaluation
NOT YET RECEIVED Agr 705.02
(JLCAR Deadline November 21, 2023)

4 OTHER BUSINESS

OLS Rulemaking Forms. **APPROVED**
Memorandum from the Mechanical Licensing Board.
Memorandum from the Real Estate Appraisal Board.

NOTES:

JLCAR Deadlines Noted in Agenda

For OR's and ROR's: Deadline is for sponsoring a joint resolution.

For FP's: Deadline is for approval, conditional approval, or preliminary objection. Otherwise, rule is automatically approved.

For INT's: Deadline is for approval or conditional approval. Otherwise, agency cannot adopt the interim rule.

Definitions

FP - Final Proposal	INT - Interim Rule
OR - Preliminary Objection Response	EXP - Expedited Rule
ROR - Revised Objection Response	EXRF - Expedited Revisions to Forms
ER - Emergency Rule	EXIR - Expedited Amendment to Incorporation by Reference