

Notice Number 2024-77

Rule Number Occ 200

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| <p>1. Agency Name & Address:</p> <p>Governing Board of Occupational Therapists c/o Office of Professional Licensure & Certification 7 Eagle Square Concord, NH 03301</p> | <p>2. RSA Authority: <u>RSA 541-A:16, I(b)-(d)</u></p> <p>3. Federal Authority: <u>n/a</u></p> <p>4. Type of Action:</p> <p>Adoption _____</p> <p>Repeal _____</p> <p>Readoption _____</p> <p>Readoption w/amendment <u>X</u></p> |
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5. Short Title: **Rules of Practice and Procedure**

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:

The Governing Board of Occupational Therapists (Board) intends to readopt with amendment Occ 200 on rules of practice and procedure to incorporate by reference Plc 200 as adopted by the Executive Director of the Office of Professional Licensure and Certification (OPLC) to replace the incorporation by reference of Ahp 200 of the Office of Allied Health Professionals. The Office of Allied Health Professionals was eliminated pursuant to 2023, 79:277, effective September 1, 2023. OPLC was granted rulemaking authority in RSA 310:6, II to adopt organizational and procedural rules necessary to administer the boards, pursuant to 2023, 235:8, effective July 15, 2023. The Board proposes to adopt rules to incorporate the Plc 200 rules under the authority of RSA 541-A:16, I(b)-(d) to include the investigation and receipt of misconduct complaints, the conduct of adjudicative and non-adjudicative proceedings, and the waiver of substantive and procedural rules.

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

The rule affects the general public, licensed occupational therapists, and individuals seeking licensure as an occupational therapist 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 | STATE STATUTE IMPLEMENTED |
|-------------|----------------------------------|
| Occ 200 | RSA 541-A:6, I(b)-(d) |

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

Name: **Chantell B. Wheeler**
Mailing: **OPLC**
Address: **7 Eagle Square
Concord, NH 03301**

Title: **Rules and Legislative Liaison**
Phone #: **(603) 271-8311**
Fax#: **None**
E-mail: **OPLC-Rules@oplcnh.gov**

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: **Monday, June 24, 2024 at 4:00 p.m.**

Fax

E-mail

Other format (specify):

9. Public hearing scheduled for:

Date and Time: **Monday, June 24, 2024 at 10:00 a.m.**

Physical Location: **OPLC offices at 7 Eagle Square, Concord, NH 03301**

Electronic Access (if applicable): **n/a**

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

FIS # 24:069, dated 05/01/2024

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

There is no difference in costs when comparing the proposed rules to the existing rules.

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:

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 the rule, and the rule does not apply to political subdivisions. The rule does 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.