



# NEW HAMPSHIRE RULEMAKING REGISTER

## OFFICE OF LEGISLATIVE SERVICES

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### NOTE: POSSIBLE RULE EXTENSION

If the proposed rules contain existing, regular rules being readopted or readopted with amendments, and are not adopted and effective until after the expiration date(s) of the existing rules(s), then the existing rules will nevertheless continue in effect pursuant to RSA 541-A:14-a until the proposed rules are adopted and effective.

## 2. COMMITTEE (JLCAR)

### CONTINUED MEETING Previously Scheduled for May 1, 2015 Has Been Cancelled

REGULAR MEETING: **Friday, May 15, 2015 9:00 a.m.**  
Rooms 305/307, Legislative Office Building

### JLCAR MEETING DATES AND RELATED FILING DEADLINES MAY-JUNE, 2015

The JLCAR has voted to hold its regularly scheduled meetings for May through June, 2015 on the third Friday of the month. The minimum 14-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 Fridays to address items postponed from the prior regular meetings.

Regular Meeting Filing Deadline	Regular Meeting Date	Continued Meeting Date
May 1	May 15	June 5
June 5	June 19	June 26

Notices of Proposed Rules

<u>Notice Number</u>	<u>Rule Number</u>	<u>Agency and Short Title of Rule</u>	<u>Page No.</u>
2015-72	Lab 1600	Department of Labor Workers Compensation Appeals Advisory Board.	1
2015-73	Sw 300	NH Lottery Commission Rules for Sales Agents.	3
2015-74	Ins 2703	Insurance Department External Review.	5

**JLCAR MEETING DATES AND RELATED FILING DEADLINES  
JULY-DECEMBER, 2015**

The JLCAR has voted to hold its regularly scheduled monthly meetings for July through December, 2015 on the third Thursdays listed below. The minimum 14-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 to address any items postponed from the prior regular meetings.

<b>Regular Meeting Filing Deadline</b>	<b>Regular Meeting Date</b>	<b>Continued Meeting Date</b>
July 2	<b>July 16</b>	August 6
August 6	<b>August 20</b>	September 3
September 3	<b>September 17</b>	October 1
October 1	<b>October 15</b>	November 5
November 5	<b>November 19</b>	December 3
December 3	<b>December 17</b>	None

Notice Number

2015-72

Rule Number

Lab 1600

1. Agency Name & Address: Department of Labor 95 Pleasant St Concord NH 03301	2. RSA Authority:	<b>RSA 281-A:42-aa,V</b>
	3. Federal Authority:	
	4. Type of Action:	
	Adoption	<b>X</b>
	Amendment	
	Repeal	
	Readoption	
	Readoption w/amendment	

5. Short Title: **WORKERS COMPENSATION APPEALS ADVISORY BOARD**

6. (a) Summary of what the rule says and of any proposed amendments:

These rules set forth the purpose, definitions, procedures and duties of the Compensation Appeals Advisory Board. The former rules had expired on 12/22/13 and are being adopted again. Changes from the expired rules include clarification that Board refers to the advisory board, the definition of Candidate, and new questionnaire for the evaluation of CAB members.

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

The Compensation Appeals Advisory Board and the Compensation Appeals Board.

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

Provision of Proposed Rule	Specific State Statute which the Rule is Intended to Implement
Lab 1600	RSA 281-A:42-a RSA 281-A:42-aa

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

Name: **Susan Hines**

Title: **Administrative Secretary**

Address: **95 Pleasant St**

Phone #: **271-3172**

**Concord NH 03301**

Fax#: **271-2581**

E-mail: **Susan.hines@dol.nh.gov**

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

NN 2015-72 Continued

8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **June 12, 2015**

☒ Fax☒ E-mail☐ Other format (specify):

9. Public hearing scheduled for:

Date and Time: **June 5, 2015 at 11:00 am**

Place: **Department of Labor 95 Pleasant St. Concord NH 03301**

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

FIS # 15:065, dated April 10, 2015

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

The previous rules expired in December 2013. The Department has continued to operate under the provisions of the expired rules. There are no costs associated with either the proposed or expired 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:**

**These rules do not create, modify or expand any programs in a way that requires expenditures by political subdivisions. These rules do not violate Part I, Article 28a of the NH Constitution**

Notice Number 2015-73Rule Number Sw 300

1. Agency Name & Address:  <b>New Hampshire Lottery Commission          14 Integra Drive          Concord, NH 03301</b>	2. RSA Authority: <u>RSA 284:21-i, V (a)(5)</u> 3. Federal Authority: _____ 4. Type of Action: Adoption _____ Amendment _____ Repeal _____ Readoption _____ Readoption w/amendment <u>X</u>
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5. Short Title: **Rules for Sales Agents**

6. (a) Summary of what the rule says and of any proposed amendments:

**This is a readoption with amendment of the rules governing sales agents. The Lottery Commission's rules for sales agents govern agents who wish to sell lottery tickets and cover application procedures, criteria for reviewing applications, appeal rights, and the formula for handling funds. The rules include licensing requirements and specific information relative to application review. The amendments include what is required for the application procedure, including completion and submittal of the "Sales Retailer Application"; Retailer Agreement for Sale of New Hampshire Lottery Tickets"; "Board of Directors Member Listing"; "State of New Hampshire Alternate W-9 Form"; "Criminal Record Release Authorization Form"; and "Authorization Agreement for Variable Withdrawals (ACH-Automated Clearing House Debits)". The rules also state requirements for dedicated electrical circuits at retailer locations and site surveys for new locations.**

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

**Any person, business or corporation wishing to become a sales agent of the lottery commission.**

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

Provision of the Proposed Rules	Specific State or Federal Statutes or Regulations which the Rule is Intended to Implement
Sw 300	RSA 284:21-i, V (a)(5)

## NN 2015-73 Continued

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

Name: **Diane Campbell** Title: **Administrative Assistant I**  
Address: **NH Lottery Commission** Phone #: **603-271-7107**  
**14 Integra Drive** Fax#: **603-271-1160**  
**Concord, NH 03301** E-mail: **diane.campbell@lottery.nh.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: **May 22, 2015 @ 4:00 p.m.**

☒ Fax ☒ E-mail ☐ Other format (specify):

9. Public hearing scheduled for:

Date and Time: **May 22, 2015 @ 9:35 a.m.**

Place: **NH Lottery Commission, 14 Integra Drive, Concord, NH 03301**

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

FIS # 15:074 , dated 4/17/15

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.

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:

**This readoption with amendment is not in conflict with Part I, Article 28-a of the N.H. Constitution. The readoption has no impact on any political subdivision, including any municipality or county government.**



Notice Number 2015-74

Rule Number

Ins 2703

1. Agency Name &amp; Address:

**N.H. Insurance Department**  
**21 South Fruit Street, Suite 14**  
**Concord, NH 03301**

2. RSA Authority: 400-A:15, I.; 420-J:12

3. Federal Authority:

4. Type of Action:

Adoption \_\_\_\_\_

Amendment \_\_\_\_\_

Repeal \_\_\_\_\_

Readoption \_\_\_\_\_

Readoption w/amendment   X  5. Short Title: **Part Ins 2703 External Review**

6. (a) Summary of what the rule says and the effect of the rule on those regulated:

**This proceeding is a readoption of existing Ins 2703 with amendments. Ins 2703 contains grievance procedure criteria and standards for all health carriers conducting managed care. The rule delineates a covered persons right to external appeal and the notice of that right; sets standards for the conduct of standard external review and expedited reviews; provides requirements for independent review organization accreditation; and delineates external review reporting requirements. The existing rule is being amended to delete the cost threshold requirement for external review; enable the filing of an expedited external review while an internal review is in process; require that independent review organizations provide evidence of accreditation thereby making the inclusion of existing certification criteria provisions unnecessary, and providing for the Commissioner's periodic review of that accreditation.**

**The existing rules are scheduled to expire 05/01/15 but are subject to extension pursuant to RSA 541-A:14-a.**

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

**Groups affected include all licensed health carriers.**

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>STATUTE</b>
Ins 2703.01	RSA 420-J:3; RSA 420-J:5-a through 5-e
Ins 2703.02	RSA 420-J:1; RSA 420-J:2
Ins 2703.03	RSA 420-J:5-a
Ins 2703.04	RSA 420-J:5
Ins 2703.05	RSA 420-J:5-b
Ins 2703.06	RSA 420-J:5-c
Ins 2703.07	RSA 420-J:5-d
Ins 2703.08	RSA 420-J:5-e
Ins 2703.09	RSA 420-J:5-e

NN 2015-74 Continued

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

Name:	<b>Jennifer Patterson</b>	Title:	<b>LAH Attorney</b>
Address:	<b>N.H. Insurance Department 21 South Fruit Street, Suite 14 Concord, NH 03301</b>	Phone #:	<b>271-2261</b>
		Fax#:	<b>271-1406</b>
		E-mail:	<b>jennifer.patterson@ins.nh.gov</b>
		TTY/TDD Access:	<b>Relay NH 1-800-735-2964 or dial 711 (in NH)</b>

8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **June 5, 2015**

☒ Fax ☒ E-mail ☐ Other format (specify):

9. Public hearing scheduled for:

Date and Time: **May 28, 2015 -- 1:00 p.m.**

Place: **N.H. Insurance Department, 21 So. Fruit St., Ste. 14, Concord, NH**

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

FIS # 15:072, dated 04/16/15

**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.  
Any costs associated with the proposed rules are attributable to RSA 420-J.

**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):**

Any costs associated with the proposed rules are attributable to RSA 420-J.

**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: **This rule does not mandate any new, expanded or modified program or responsibility to any political subdivision and thus does not necessitate additional local expenditures by the political subdivision.**