



Action Minutes

March 18, 2022

Members Present: Senators Reagan, Gray, Ward, and Prentiss, and Representatives McGuire, Bershtein, Hatch, Schmidt, Schuett*, and Tucker*. (*) Indicates alternate member.

(**) Part 1, Article 28-a of the N.H. Constitution was not an issue in the Committee's discussions or decisions in this meeting.

1. The meeting was convened as an in-person meeting at 9:00 a.m. by Sen. Reagan as Chair.

Members present at this time, aside from Sen. Reagan, were Senators Gray, Ward, and Prentiss, and Representatives McGuire, Bershtein, Schmidt, Schuett, and Tucker.

Sen. Reagan designated Rep. Schuett for Rep. Hatch and Rep. Tucker for Rep. Lang.

2. The Committee discussed the minutes of the Committee meeting on February 18, 2022.

Rep. McGuire moved that the minutes be approved.

Rep. Schmidt seconded.

Adopted.

3. The Committee discussed the following items on the Consent Agenda:

CONSENT AGENDA

2. Committee Approval of Final Proposals:

- | | |
|-----------------|---|
| (a) FP 2021-98 | N.H. PHARMACY BOARD
Registered Pharmacy Technician Duties and Qualifications |
| (b) FP 2021-111 | DEPARTMENT OF HEALTH AND HUMAN SERVICES
Division of Elderly and Adult Services
Older Americans Act Services (Title III) |
| (c) FP 2021-118 | DEPARTMENT OF ENVIRONMENTAL SERVICES
Solid Waste Programs
Amendments to Composting Facility Requirements |
| (d) FP 2021-119 | DEPARTMENT OF ENVIRONMENTAL SERVICES
Solid Waste Programs
Amendments to Composting Facility Requirements |
| (e) FP 2021-123 | DEPARTMENT OF HEALTH AND HUMAN SERVICES
Former Division of Human Services
Healthcare Associated Infections Reporting |

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- (f) FP 2021-127 DEPARTMENT OF HEALTH AND HUMAN SERVICES
Division of Family Assistance
Physical Therapy, Occupational Therapy and Services For Individuals
With Speech, Hearing, and Language Disorders
- (g) FP 2021-138 CURRENT USE BOARD
Assessment Ranges for Forest Land Categories,
With and Without Stewardship
- (h) INT 2022-3 BOARD OF EDUCATION
Criminal History Record Check for New Applicants and PEPP Candidates
- (i) EXRF 2022-2 DEPARTMENT OF HEALTH AND HUMAN SERVICES
Commissioner
Expedited Revisions to the New Hampshire Health Professions
Survey Opt-Out Form, the New Hampshire Alcohol and Drug
Counselor Licensure Survey, the New Hampshire Psychologist
Licensure Survey, and the New Hampshire Physician Licensure Survey
- (j) EXRF 2022-3 DEPARTMENT OF HEALTH AND HUMAN SERVICES
Commissioner
Expedited Revisions to the New Hampshire APRN Licensure Survey and the
New Hampshire Mental Health Practitioner Licensure Survey

3. Committee Conditional Approvals:

- (a) INT 2022-1 DEPARTMENT OF HEALTH AND HUMAN SERVICES
Former Division of Human Services
Deemed Income for Financial and Medical Assistance
- (b) INT 2022-2 BOARD OF MEDICINE
Waiver of Electronic Prescription Requirement
(JLCAR Deadline May 25, 2022.)

Rep. McGuire moved that the Committee approve the Consent Agenda, that is, approve the Final Proposals, Interim Rule, and Expedited Revision to Forms in Item #2, and conditionally approve the Interim Rules in Item #3, based on the agencies' conditional approval requests.

Rep. Schmidt seconded.

Adopted.

- 4. Rep. McGuire moved to postpone Item #9 regarding Objection Response 2021-104 from the Department of Agriculture, Markets, and Food (Transfer of Animals and Birds) to the next regularly scheduled meeting.

Rep. Schmidt seconded.

Adopted.

- 5. The Committee discussed Final Proposal 2021-122 from the N.H. Pharmacy Board (Application to Operate a Non-Resident Mail-Order Pharmacy). Lindsey Courtney, Executive Director, and Tina Kelley of the Office of Professional Licensure and Certification testified for the Board.

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Rep. McGuire moved that the Committee conditionally approve Final Proposal 2021-122 based on the Board's conditional approval request.

Sen. Gray seconded.

Adopted.

6. The Committee discussed an Emergency Rule filed in Document #13347, effective February 28, 2022, by the Board of Nursing (Renewal and Reinstatement Requirements for Nursing Licenses). Lindsey Courtney, Executive Director of the Office of Professional Licensure and Certification testified for the Board.

No action was taken.

7. The Committee discussed Final Proposal 2021-17 from the Police Standards and Training Council (Annual In-Service Training). No one testified for the Council.

Rep. McGuire moved that the Committee conditionally approve Final Proposal 2021-17 based on the Council's conditional approval request and amended conditional approval request.

Rep. Hatch seconded.

Adopted.

8. The Committee discussed an Emergency Rule filed in Document #13350, effective March 16, 2022, by the Department of Health and Human Services, Former Division of Mental Health and Developmental Services (Process for Involuntary Emergency Admission). Allyson Zinno of Department of Health and Human Services testified for the Department.

No action was taken.

9. The Committee discussed adjournment.

The Committee adjourned at the call of the Chair.

The Committee adjourned at 9:22 a.m.