



## **Action Minutes**

**September 16, 2021**

**Members Present:** Senators Reagan, Gray, Ward, and Whitley, and Representatives McGuire, Bershtein, Hatch, Schmidt, 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 in-person at this time, aside from Sen. Reagan, were Senators Gray and Ward, and Representatives McGuire, Bershtein, Hatch, Schmidt, and Tucker.

Sen. Reagan designated Rep. Tucker as an alternate for Sen. Prentiss, who was absent.

2. The Committee discussed the minutes of the Committee meeting on August 19, 2021.

Rep. Hatch 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 2021-32 | BOARD OF LICENSED DIETITIANS<br>Proof of CDR Registration                   |
| (b) FP 2021-38 | BOARD OF LICENSED DIETITIANS<br>Administrative Obligations of Licensees     |
| (c) FP 2021-47 | BOARD OF ARCHITECTS<br>Board Contact Information, Meetings, and Decisions   |
| (d) FP 2021-57 | BOARD OF MEDICAL IMAGING AND RADIATION THERAPY<br>Board Meetings and Quorum |
| (e) FP 2021-60 | ASSESSING STANDARDS BOARD<br>Certification of Assessors                     |
| (f) FP 2021-71 | DEPARTMENT OF SAFETY<br>Commissioner<br>Hardship Registration Fees          |

**3. Committee Conditional Approvals:**

- (a) FP 2021-61                      BOARD OF MEDICAL IMAGING AND RADIATION THERAPY  
Criminal History Records Check, Initial Licensure, and  
Temporary Licensure

Rep. Hatch moved that the Committee approve the Consent Agenda, that is, approve the Final Proposals in Item #2 and conditionally approve the Final Proposal in Item #3 based on the agency's conditional approval request.

Rep. Schmidt seconded.

Adopted.

4. The Committee discussed whether to postpone action on any items to another Committee meeting.

No action to postpone was taken.

5. The Committee discussed Final Proposal 2021-62 from the Department of Health and Human Services (Former Division of Mental Health and Developmental Services, Respite Services). Nicole Burke and Melissa Nemeth testified for the Department.

Rep. McGuire moved that the Committee approve Final Proposal 2021-62.

Rep. Hatch seconded.

Adopted.

6. The Committee discussed Proposed Interim Rule INT 2021-4 from the Department of Health and Human Services (Former Division of Public Health Services, Annual Limits on Intake (ALI) and Derived Air Concentrations (DAC) of Radionuclides For Occupational Exposure; Effluent Concentrations; Concentrations for Release in Sanitary Sewerage. Nicole Burke and Augustinus Ong testified for the Department.

Sen. Whitley arrived in the meeting during the discussion of this item.

Rep. McGuire moved that the Committee approve Proposed Interim Rule INT 2021-4 with a recommendation that the Department develop measures to avoid expiration of rules.

Rep. Schmidt seconded.

Adopted.

7. The Committee discussed Proposed Interim Rule INT 2021-5 from the Office of Professional Licensure and Certification (Fees for the Board of Pharmacy). Executive Director Lindsey Courtney and Jessica Kallipolites testified for the Office.

Rep. McGuire moved that the Committee approve Proposed Interim Rule INT 2021-5.

Rep. Bershtein seconded.

Adopted.

8. The Committee discussed Proposed Interim Rule INT 2021-6 from the Office of Professional Licensure and Certification (Per Diem Compensation; Reimbursable Expenses). Executive Director Lindsey Courtney and Jessica Kallipolites testified for the Office.

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Rep. Schmidt moved that the Committee approve Proposed Interim Rule INT 2021-6 with the understanding that the Office would insert, as an editorial change in the adopted rule, the words “and for reimbursement” immediately after “this part” in the introductory language of Plc 1003.02.

Sen. Ward seconded.

Adopted.

9. The Committee discussed Proposed Interim Rule INT 2021-7 from the Office of Professional Licensure and Certification (Purpose; Applicability; Definitions; Generally-Applicable Fees). Executive Director Lindsey Courtney and Jessica Kallipolites testified for the Office.

Rep. McGuire moved that the Committee approve Proposed Interim Rule INT 2021-7.

Rep. Hatch seconded.

Adopted.

10. The Committee discussed an emergency rule filed in Document #13260, effective September 10, 2021, by the Office of Professional Licensure and Certification (Anesthesia/Sedation Inspection Fees for Dentists). Executive Director Lindsey Courtney and Jessica Kallipolites testified for the Office.

No further action was taken.

11. The Committee discussed the response to the Committee’s preliminary objection to Final Proposal 2021-50 from the Department of Business and Economic Affairs (Joint Promotional Program). Lori Harnois and Brittany Littlefield testified for the Department.

Rep. Hatch moved that the Committee accept the response and approve the rules.

Rep. Tucker seconded.

Adopted.

12. The Committee discussed the continued meeting scheduled for October 7, 2021.

It was the consensus of the Committee to cancel the continued meeting.

13. The Committee discussed adjournment.

The Committee adjourned at the call of the Chair.

The Committee adjourned at 9:54 a.m.