#### STATE OF NEW HAMPSHIRE JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES

#### **ROOM 219**

#### 25 CAPITOL STREET

CONCORD, NEW HAMPSHIRE 03301-6312

#### **Action Minutes**

### **February 17, 2023**

Senators Lang, Chandley, Ward, and Gray\*, and Representatives McGuire, Hatch, **Members Present:** Hakken-Phillips\*, Grote\*, Lynn, and Schmidt. (\*) 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 at 9:00 a.m. by Rep. McGuire as Chair.

Members present at this time, aside from Rep. McGuire, were Senators Lang, Ward and Chandley and Representatives Grote, Hatch, Lynn, and Schmidt.

- Rep. McGuire designated Rep. Grote as an alternate for Rep. Layon, who was absent.
- 2. The Committee discussed the minutes of the Committee meeting on January 20, 2023.
  - Sen. Ward moved that the minutes be approved.

Sen. Lang seconded.

Rep. Hatch abstained.

Adopted.

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

#### **CONSENT AGENDA**

| FP 2022-108 | BOARD OF ACUPUNCTURE LICENSING           |
|-------------|--|
|             | Ligance Demoved and Continuing Education |

License Renewal and Continuing Education

Acp 400

FP 2022-127 DEPARTMENT OF HEALTH AND HUMAN SERVICES

Former Division of Human Services

Financial Assistance to Needy Families (FANF) Standard of Need

He-W 658.01

FP 2022-128 DEPARTMENT OF HEALTH AND HUMAN SERVICES

Former Division of Human Services

Applicability of Rules in He-W 600 and Applicability of Federal Statutes and

Regulations

He-W 602.01 and He-W 602.02

FP 2022-201 DEPARTMENT OF HEALTH AND HUMAN SERVICES

Former Division of Human Services

Mileage for Medical Travel and Utility Expenses Incurred Separately

He-W 742.01 and He-W 742.02

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**FP 2022-139** BOARD OF LICENSING FOR FORESTERS

Petitions for Waivers

Fors 218

FP 2022-145 BOARD OF LICENSING FOR FORESTERS

Definitions, Organization, and Public Information

Fors 100

FP 2022-206 CURRENT USE BOARD

Assessment Ranges for Farmland, Forest Land Categories, With and Without

Stewardship, and the Unproductive Land and Wetland Categories Cub 305.02, Cub 305.03, Cub 305.04, Cub 305.05, and Cub 305.06

FP 2022-207 CURRENT USE BOARD

Documented Forest Stewardship Plans

Cub 304.07 and Cub 309.06

**EXP 2022-2** OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION

Repeal of the Former Recreational Therapy Governing Board

Rec 100-500

FP 2022-134 DEPARTMENT OF HEALTH AND HUMAN SERVICES

Former Division of Public Health Services

Intermediate Care Facilities for Individuals with Intellectual Disabilities

He-P 815

FP 2022-194 DEPARTMENT OF HEALTH AND HUMAN SERVICES

Former Division of Public Health Services New Hampshire Shellfish Sanitation Rules

He-P 2150-2159

FP 2022-136 BOARD VETERINARY MEDICINE

Veterinary Nurses, Technicians, and Assistants

Vet 800

Rep. Schmidt moved that the Committee approve the Consent Agenda, that is, approve Final Proposals 2022-108, 2022-127, 2022-128, 2022-201, 2022-139, 2022-145, 2022-206, 2022-207, Proposed Expedited Repeal EXP 2022-2, and conditionally approve Final Proposals 2022-134, 2022-194, 2022-136.

Rep. Lynn seconded.

Adopted.

4. The Committee discussed Final Proposal 2022-164 (Procurement and Plant and Property Rules) from the Department of Administrative Services. No representative from the Department was present.

Sen. Gray and Rep. Hakken-Phillips arrived during the discussion. The Chair appointed Sen. Gray to sit for Sen. Innis and appointed Rep. Hakken-Phillips to sit for Sen. Whitley.

Sen. Lang moved to preliminarily object to Final Proposal 2022-164.

Rep. Hatch seconded.

Adopted.

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5. The Committee discussed Final Proposal 2022-187 from the Department of Health and Human Services (Therapeutic Cannabis Program – Registry Rules). Michael Holt and Allyson Raadmae testified for the Department of Health and Human Services.

Sen. Lang moved to approve.

Rep. Schmidt seconded.

Adopted.

6. The Committee discussed Final Proposal 2022-188 from the Department of Health and Human Services (Hospice House). Allyson Raadmae and Kelly Keefe testified for the Department of Health and Human Services.

Rep. Schmidt moved to approve.

Rep. Lynn seconded.

Adopted.

7. The Committee discussed Final Proposal 2022-199 from the Board of Education (Speech Language Specialist). Julie Shea and Stephen Appleby were present for the Board of Education.

The Board of Education requested a postponement to the March 17 JLCAR meeting.

Sen. Lang moved to postpone.

Rep. Hatch seconded.

Adopted.

8. The Committee discussed Final Proposal 2022-205 from the Board of Education (Criminal History Records Checks for First-Time New Hampshire Applicants and Professional Educator Preparation Program (PEPP) Candidates). Julie Shea and Stephen Appleby testified for the Board of Education.

Sen. Lang moved to approve.

Sen. Gray seconded.

Adopted.

9. The Committee discussed Emergency Rule Doc. #13550 from the Department of Safety (State Police Tow List). David Hilts testified for the Department.

Rep. McGuire recommended a letter be written from JLCAR to the Department of Safety regarding the state of emergency for this rule.

No further action was taken.

10. The Committee discussed Document #13500A&B from the Prescription Drug Affordability Board (Report on Benefits of the Board's Fees).

Sen. Lang moved to recommend a legislative solution regarding the Board's fees.

Rep. Lynn seconded.

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## Adopted.

- 11. The Committee discussed the continued meeting scheduled for March 3, 2023. It was the consensus of the Committee to cancel the continued meeting.
- 12. The Committee discussed adjournment.

By consensus, the Committee adjourned at 9:46.