



## **Action Minutes**

**May 15, 2026**

**Members Present:** Senators Lang, and Long, and Representatives Layon, Hakken-Phillips\*, Lynn, McGuire, 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 Sen. Lang as Chair.

Members present at this time, aside from Senator Lang, were Senator Long, and Representatives Layon, Hakken-Phillips, Lynn, and Schmidt.

2. Sen. Lang designated Rep. Hakken-Phillips as an alternate for Rep. Grote, who was absent.
3. The Committee discussed the minutes of the Committee meeting on April 17, 2026.

Sen. Long moved to approve the minutes.

Rep. Layon seconded.

Adopted.

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

### **CONSENT AGENDA**

<b>FP 2025-228</b>	BOARD OF MEDICINE Fees, Requirements for Re-Entry to Practice Med 306 and Med 307
<b>FP 2025-235</b>	BOARD OF EDUCATION Physical Education Teacher Credential Ed 507.16
<b>FP 2025-239</b>	BOARD OF EDUCATION Health Education Teacher Ed 507.15
<b>FP 2026-28</b>	BOARD OF EDUCATION Special Education Teacher Licensure Ed 507.40
<b>FP 2025-259</b>	DEPARTMENT OF EMPLOYMENT SECURITY Trade, Business, and Workforce Transfer Report Emp 303.15

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- FP 2026-27** DEPARTMENT OF HEALTH AND HUMAN SERVICES  
FORMER DIVISION OF HUMAN SERVICES  
Adult Standard Disregard, Post-Eligibility Computation of Cost of Care for Nursing Facility Care, Adult Employment Expense Disregard, and Allocated Income  
He-W 854.16, He-W 854.17, He-W 854.18, and He-W 854.21
- FP 2026-29** DEPARTMENT OF HEALTH AND HUMAN SERVICES  
FORMER DIVISION OF HUMAN SERVICES  
Ambulance Services- Covered Services, Documentation, and Payment for Services  
He-W 572.04, He-W 572.07, He-W 572.10
- FP 2026-31** DEPARTMENT OF HEALTH AND HUMAN SERVICES  
FORMER DIVISION OF HUMAN SERVICES  
Pharmaceutical Services- Prescription Co-Payment  
He-W 570.13
- FP 2026-45** DEPARTMENT OF ENVIRONMENTAL SERVICES  
WATER QUALITY AND QUANTITY PROGRAMS  
Sewer Connection Permit  
Env-Wq 703.07
- EXRF 2026-2** OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION  
Universal Application for Initial Licensure  
Plc 304.01
- FP 2025-215** PUBLIC UTILITIES COMMISSION  
Competitive Natural Gas Supplier and Aggregator Rules  
Puc 3000
- FP 2025-257** DEPARTMENT OF EMPLOYMENT SECURITY  
Notice of Employment  
Emp 303.01
- FP 2025-293** BOARD OF DENTAL EXAMINERS  
Description of Board  
Den 102
- FP 2026-59** DEPARTMENT OF HEALTH AND HUMAN SERVICES  
FORMER DIVISION OF HUMAN SERVICES  
Durable Medical Equipment, Prosthetic and Orthotic Devices, and Medical Supplies  
He-W 571

Representative McGuire arrived during the discussion.

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Rep. Schmidt moved that the Committee approve the Consent Agenda, that is, approve Final Proposals 2025-228, 2025-235, 2025-239, 2026-28, 2025-259, 2026-27, 2026-29, 2026-31, and 2026-45, and Expedited Revision to Form 2026-2; and conditionally approve Final Proposals 2025-215, 2025-257, 2025-293, and 2026-59, based on the agencies' Conditional Approval Requests or amended Conditional Approval Requests.

Rep. Layon seconded.

Adopted.

5. The Committee discussed Final Proposal 2025-220 from the Department of Energy (Distributed Energy Resources Interconnection Procedures).

Sen. Lang informed the Committee that based on representations made by the Department he had informed stakeholders that Final Proposal 2025-220 was going to be discussed at the June 19 Committee meeting.

Sen. Lang made a motion to postpone the hearing on Final Proposal 2025-220 until the June 19, 2026, Committee meeting.

Rep. Layon seconded.

Adopted.

6. The Committee discussed Final Proposal 2025-240 from the Department of Health and Human Services, former Division of Human Services (Citizenship, Verification of Educational Income, Allowable Deductions, and In and Out Medicaid). Nicole Valanzola, Rules Coordinator, and Jillian Landry, Division of Medicaid Services, testified on behalf of the Department.

Rep. Layon moved to approve Final Proposal 2025-240.

Rep. Lynn seconded.

Adopted.

7. The Committee discussed Final Proposal 2025-265 from the Department of Health and Human Services, former Division of Human Services (In and Out Medical Assistance). Nicole Valanzola, Rules Coordinator, and Jillian Landry, Division of Medicaid Services, testified on behalf of the Department.

Rep. Lynn moved to conditionally approve Final Proposal 2025-265 based on the Department's written conditional approval request.

Rep. Schmidt seconded.

Adopted.

8. The Committee discussed Final Proposal 2026-33 from the Department of Health and Human Services, former Division of Human Services (Service Limits, Co-Payments, and Non-Covered Services). Allyson Raadmae, Administrator for the Administrative Rules Unit, and Sara Morris, Division of Medicaid Services, testified on behalf of the Department.

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Rep. Hakken-Phillips moved to conditionally approve Final Proposal 2026-33 based on the Department's written conditional approval request.

Rep. Layon seconded.

Adopted.

9. The Committee discussed Final Proposal 2025-304 from the Department of Health and Human Services, Bureau of Aging and Adult Services (Choices for Independence Program – Waivers and Target Case Management Services). Attorney Brian Clark, General Counsel for the Bureau of Aging and Adult Services, and Nicole Valanzola, Rules Coordinator, testified on behalf of the Department.

Rep. McGuire left the room during Committee staff comments.

Sen. Lang informed the Committee that he had met with Carolyn Virtue of Granite Case Management to discuss concerns Ms. Virtue had with the Department's written Conditional Approval request.

Carolyn Virtue, representing Granite Case Management, provided written testimony and testified before the Committee.

Rep. McGuire returned during Ms. Virtue's testimony.

Brian Clark, Nicole Valanzola, and Kristina Ickes, Administrator for the Long-Term Care Program, testified on behalf of the Department in response to Ms. Virtue's testimony.

Based on Committee discussion and public testimony, Rep. Layon moved to postpone action on Final Proposal 2025-304 to the June 19, 2026, Committee meeting, and request a waiver of the June 15, 2026, Committee action deadline, to allow the Department additional time to address Committee concerns and clarify references identified in Department testimony.

Rep. Lynn seconded.

Adopted.

10. The Committee discussed Final Proposal 2026-11 from the Department of Safety, Commissioner (Readoption of Various Motor Vehicle Inspection Rules).

Committee staff informed the Committee that the Department requested postponement of the hearing to give the Department an opportunity to amend the rule based on comments from Committee staff.

Rep. Layon moved to postpone action on Final Proposal 2026-11 to the June 19, 2026, Committee meeting and request a waiver of the June 8, 2026, Committee action deadline.

Rep. Lynn seconded.

Adopted.

11. The Committee discussed Final Proposal 2026-21 from the Board of Education (School Psychologist). Director Stephen Appleby, and Julie Shea, Administrative Rules Coordinator, testified on behalf of the Board.

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The Board made an oral conditional approval request to address Committee and Committee staff comments.

Rep. Layon moved to approve Final Proposal 2026-21 based on the Board's oral conditional approval request.

Rep. Schmidt seconded.

Adopted.

12. The Committee discussed Final Proposal 2026-50 from the Department of Environmental Services, Solid Waste Programs (Per- and Polyfluoralkyl Substances Products Control Program). Aron Johnson, Legal Coordinator, and Ann Astarita, Pollution Prevention Program, testified on behalf of the Department.

The Department made an oral conditional approval request to address Committee staff comments.

Committee staff raised concerns about lack of parameters around the Department's authority to request certificates of compliance and the possibility the rule would not be applied uniformly.

Based on Committee discussion and Department testimony, Rep. Layon moved to postpone action on Final Proposal 2026-50 to the June 19, 2026, Committee meeting to allow the Department additional time to consider Committee comments.

Rep. Lynn seconded.

Adopted.

13. The Committee discussed Final Proposal 2026-61 from the Department of Business and Economic Affairs (Joint Promotional Program (JPP)). Michelle Cruz, Director of Travel and Tourism, testified on behalf of the Department.

Committee staff raised concerns stemming from the Department's written conditional approval request pertaining to incomplete applications, Department requests for additional information, and potential violations of RSA 541-A:29 and agency obligations to act on applications in a timely manner.

Based on Committee discussion and Department testimony, Sen. Lang moved to postpone action on Final Proposal 2026-61 to the June 19, 2026, and request a waiver of the June 15, 2026, Committee action deadline, to allow the Department additional time to address concerns raised by the Committee and Committee staff.

Rep. Layon seconded.

Adopted.

14. The Committee discussed Interim Rules 2026-6 (Scope, Exemptions, and General Provisions), 2026-7 (Use of Radiation Machines: Administrative Requirements), 2026-8 (Use of Radiation Machines: General Requirements for All Diagnostic and Veterinary X-Ray Systems), 2026-10 (Specific Licenses for Broad Scope for Other than Human Use), and 2026-11 (Use of Radiation Machines: Therapeutic Radiation Machines), from the Department of Health and Human Services, former Division of Public Health Services, together as the subject matter and Committee staff comments were of a similar nature. Nicole Valanzola, Rules Coordinator, testified on behalf of the Department.

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Rep. McGuire moved to approve Interim Rules 2026-6, 2026-7, 2026-8, 2026-10, and 2026-11, based on the Department's written conditional approval requests, submitted for each rule respectively.

Rep. Layon seconded.

Adopted.

15. The Committee discussed Interim Rule 2026-9 (Specific Licenses for Manufacture or Transfer of Certain Items Containing Byproduct Material), from the Department of Health and Human Services, former Division of Public Health Services. Nicole Valanzola, Rules Coordinator, testified on behalf of the Department.

Committee staff raised concerns that the proposed rule referenced He-P 4093, which is currently expired. The Department testified that it is in the process of drafting He-P 4093.

Sen. Lang moved to approve Interim Rule 2026-9 as proposed.

Rep. Layon seconded.

Adopted.

16. The Committee discussed Emergency Rule 14570 from the Department of Agriculture, Markets, and Food (Importation of Bovines and Domestic Animals). The Committee took no action.
17. The Committee discussed Emergency Rule 14574 from the Office of Professional Licensure and Certification (Substantially Similar Requirements for the Professions Regulated by the Electrician's Board). The Committee took no action.
18. Rep. Layon recognized that it was Director Osterhoudt's birthday. The Committee agreed by consensus that they would not sing "Happy Birthday" on the record.
19. Sen. Lang adjourned the meeting at 10:34 a.m.