



STATE OF NEW HAMPSHIRE
JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES
ROOM 219
25 CAPITOL STREET
CONCORD, NEW HAMPSHIRE 03301-6312

Action Minutes

July 16, 2026

Members Present: Senators Lang, Long, Reardon, and Ward, and Representatives Layon, Hakken-Phillips, Lynn, McGuire, Schmidt, and Slottje*. (*) 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 Senators Long, Reardon, and Ward, and Representatives Hakken-Phillips, Lynn, McGuire, Schmidt, and Slottje.

2. Sen. Lang designated Rep. Slottje as an alternate for Sen. Innis, who was absent.
3. The Committee discussed the minutes of the Committee meeting on June 19, 2026.

Sen. Reardon moved to approve the minutes.

Rep. Hakken-Phillips seconded.

Adopted.

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

CONSENT AGENDA

FP 2026-7	BOARD OF HOME INSPECTORS Ethical Standards and Professional Conduct Home 500
FP 2026-8	BOARD OF HOME INSPECTORS Definitions, Organization, and Public Information Home 102-Home 106
FP 2026-74	BOARD OF PSYCHOLOGISTS Continuing Education Requirements Psyc 402.02 and Psyc 402.03
FP 2026-79	DEPARTMENT OF HEALTH AND HUMAN SERVICES FORMER DIVISION OF HUMAN SERVICES Disqualifications for Voluntary Quit He-W 734.01

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FP 2026-80	DEPARTMENT OF HEALTH AND HUMAN SERVICES FORMER DIVISION OF HUMAN SERVICES Definitions for Supplemental Nutrition Assistance Program A-E He-W 701.01
FP 2026-81	DEPARTMENT OF HEALTH AND HUMAN SERVICES FORMER DIVISION OF HUMAN SERVICES Verification Requirements He-W 724.01
FP 2026-87	DEPARTMENT OF HEALTH AND HUMAN SERVICES FORMER DIVISION OF HUMAN SERVICES Adult Employment Expense Disregard He-W 654.18
FP 2026-95	DEPARTMENT OF HEALTH AND HUMAN SERVICES FORMER DIVISION OF HUMAN SERVICES Excluded Income He-W 740.01
FP 2026-96	DEPARTMENT OF HEALTH AND HUMAN SERVICES FORMER DIVISION OF HUMAN SERVICES Utility Expenses Incurred Separately He-W 742.02
FP 2026-86	BANKING DEPARTMENT Organizational Rules Ban 100
FP 2026-100	ASSESSING STANDARDS BOARD Powers and Duties of the Board Asb 102.02
EXIR 2026-1	GOVERNING BOARD OF PHYSICAL THERAPISTS Physical Therapy Compact Phy 307.01
EXRF 2026-3	DEPARTMENT OF HEALTH AND HUMAN SERVICES BUREAU OF AGING AND ADULT SERVICES Licensed Nursing Assistant Training Reimbursement He-E 804.03
FP 2025-223	BOARD OF VETERINARY MEDICINE Training and Scope of Activity for Non-Veterinarians Vet 800 various
FP 2025-272	DEPARTMENT OF HEALTH AND HUMAN SERVICES FORMER DIVISION OF HUMAN SERVICES Employment Support Services He-W 655 various

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FP 2025-284	BOARD OF DENTAL EXAMINERS Temporary Licensing, Supervision, and Qualifications Den 300 various, Den 400 various
FP 2025-300	INSURANCE DEPARTMENT Minimum Standards for Medicare Supplemental Policies Issued Prior to Adoption of Insurance Regulation 1905 Ins 1902
FP 2026-5	BOARD OF NATURAL SCIENTISTS Continued Status Soil 400
FP 2026-6	BOARD OF HOME INSPECTORS Licensure Requirements Home 300
FP 2026-50	DEPARTMENT OF ENVIRONMENTAL SERVICES SOLID WASTE PROGRAMS Per- and Polyfluoroalkyl Substances Products Control Program Env-Sw 2300
FP 2026-82	DEPARTMENT OF HEALTH AND HUMAN SERVICES FORMER DIVISION OF PUBLIC HEALTH SERVICES Laboratory Fee Schedule He-P 2205

Rep. Lynn moved that the Committee approve the Consent Agenda, that is, approve Final Proposals 2026-7, 2026-8, 2026-74, 2026-79, 2026-80, 2026-81, 2026-87, 2026-95, 2026-96, 2026-86, and 2026-100, Expedited Incorporation by Reference 2026-1, and Expedited Revision to Form 2026-3; and conditionally approve Final Proposals 2025-223, 2025-272, 2025-284, 2025-300, 2026-5, 2026-6, 2026-50, and 2026-82, based on the agencies' Conditional Approval Requests, amended Conditional Approval Requests, or revised amended Conditional Approval Requests.

Sen. Reardon seconded.

Adopted.

5. The Committee discussed Final Proposal 2026-11 from the Department of Safety, Commissioner (Readoption of Various Motor Vehicle Inspection Rules). John Marasco, Director of the New Hampshire Division of Motor Vehicles, and Melissa Reilly, Deputy Director, testified on behalf of the Department.

The Department requested a postponement of the hearing on Final Proposal 2026-11 to give the Department time to incorporate newly effective law into the rulemaking proposal, including issuing a special notice, and holding another public hearing.

Rep. Layon arrived during the discussion.

Sen. Ward made a motion to postpone the hearing on Final Proposal 2026-11 until the October 15, 2026, Committee meeting and to request a waiver of the Committee's statutory deadline.

Rep. Schmidt seconded.

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Adopted.

6. The Committee discussed Final Proposal 2026-47 from the Board of Acupuncture Licensing (License Renewal and Continuing Education).

Rep. Layon made a motion to postpone the hearing on Final Proposal 2026-47 until the August 20, 2026, Committee meeting.

Rep. Hakken-Phillips seconded.

Adopted.

7. The Committee discussed Final Proposal 2025-234 and Final Proposal 2026-78 from the New Hampshire Insurance Department (Claims Settlement; Medical Utilization Review Entities). Attorney Brenda Golden-Hallisey, and Attorney Emily Doherty testified on behalf of the Department.

Committee staff identified potential grounds for objection to the rule based on a lack of clarifying language in both proposals pertaining to the duration of waivers granted by the Department.

Rep. Layon commented that the Committee was looking for consistency in application of the rules.

Sen. Lang noted that applicants for waivers needed to identify the reason for and purpose of a waiver request, as well as the desired outcome, and the same parameters should be placed on the commissioner of an agency.

Rep. McGuire made a motion to request a waiver of the Committee's statutory deadline to act on Final Proposal 2025-234, and to postpone the hearing on Final Proposal 2025-234 and Final Proposal 2026-78 until the August 20, 2026, Committee meeting.

Rep. Layon seconded.

Adopted.

8. The Committee discussed Final Proposal 2026-90 from the Department of Health and Human Services, Former Division of Human Services (Eligibility Certification Periods for Supplemental Nutrition Assistance). Attorney Brian Clark, General Counsel for the Bureau of Aging and Adult Services, and Nicole Valanzola, Rules Coordinator, testified on behalf of the Department.

Committee staff informed the Committee that there was a discrepancy between a definition in the proposal and a federal definition on which the rule was dependent for rulemaking authority. Committee staff explained that the Department had authority to deviate from the federal regulation as part of a demonstration program.

Attorney Clark further explained that the federal regulations had not yet caught up to changes in federal law, and that the demonstration program was authorized by state statute.

Rep. Lynn made a motion to approve Final Proposal 2026-90.

Rep. Layon seconded.

Adopted.

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9. The Committee discussed Interim Rule 2026-13 from the Department of Health and Human Services, former Division of Mental Health and Developmental Services (Rights of Persons in State Mental Health Facilities). Attorney Rosemary Wiant, and Nicole Valanzola, Rules Coordinator, testified on behalf of the Department.

Rep. McGuire made a motion to conditionally approve Final Proposal 2026-13 based on the Department's written conditional approval request.

Rep. Layon seconded.

Adopted.

10. The Committee discussed Final Proposal 2025-241 from the Mechanical Licensing Board (Professional Standards, Applications for the Voluntary Certification of Heating Equipment Installers, and Fees). Chantell Wheeler, Rules Coordinator for the Office of Professional Licensure and Certification, and Robert Chebook, Board Member, testified on behalf of the Board.

Rep. Layon made a motion to conditionally approve Final Proposal 2025-241 based on the Board's written conditional approval request.

Rep. Lynn seconded.

Adopted.

11. The Committee discussed Final Proposal 2026-3 from the Mechanical Licensing Board (Jurisprudence Examination). Robert Chebook, Board Member, testified on behalf of the Board.

Bob Scully, representing the Propane Gas Association of New England, testified in opposition to the rule as proposed.

Rob Stengar, representing Simple Energy Partners, LLC, testified in opposition to the rule as proposed.

Leslie Anderson, representing the Propane Gas Association of New England, testified in opposition to the rule as proposed.

Ryan Jackson, representing D.F. Richard Energy, testified in opposition to the rule as proposed.

John Cocarus, representing Palmer Gas and Oil, testified in opposition to the rule as proposed.

Evan Bonney, representing Eastern Propane Gas, Inc., testified in opposition to the rule as proposed.

Representative Kelly Potenza, representing herself, testified in opposition to the rule as proposed.

Tedd Evans, representing Plumbing Education Services, testified in favor of the rule as proposed.

Robert Chebook, representing the Board, testified in response to public testimony.

James LeClair, representing Eastern Propane, and Gary Haines, representing Propane Gas Association of New England, submitted pink cards signaling opposition to the rule as proposed.

Sen. Reardon commented that she believed the examination created a barrier to licensure.

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Rep. McGuire suggested the Board clarify the language of the rule to clarify requirements for potential applicants, suggesting a possible exemption for testing for those trained on NH statutes and regulations.

Rep. Lynn recommended the Board hold another public hearing on the proposal to address stakeholder concerns.

Rep. Layon made a motion to request a waiver of the Committee's statutory deadline to act on Final Proposal 2026-3, and to postpone the hearing on Final Proposal 2026-3, until the October 15, 2026, Committee meeting.

Sen. Reardon seconded.

Adopted.

12. The Committee discussed HB 1268. Rep. Layon noted that HB 1268 modified the structure and administration of home education programs, that the rules for which the State Board of Education no longer has statutory authority are not enforceable, and that the Board would be undertaking rulemaking to repeal the applicable rules pursuant to RSA 541-A:19-a.
13. Sen. Lang adjourned the meeting at 10:48 a.m.