



OFFICE OF LEGISLATIVE SERVICES
ADMINISTRATIVE RULES

STATE HOUSE ANNEX
25 CAPITOL STREET, ROOM 234
CONCORD, NH 03301

Rulemaking Notice Form

Notice Number: 2026-124

Rule Number: He-M 526

1. **Agency:** Department of Health and Human Services

Agency Address: Department of Health and Human Services
Bureau of Developmental Services
105 Pleasant Street, Main Bldg.
Concord, NH 03301

2. **RSA Authority:** RSA 171-A:3 and RSA 171-A:20
3. **Federal Authority:**
4. **Action(s):** Readopt w/Amendment, Repeal
5. **Short Title:** Designation of Receiving Facilities for Developmental Services
6. **(a) Summary of what the rule says and of any proposed amendments including whether the rule implements a state statute for the first time:**

He-M 526 outlines the standards and procedures for the designation and operation of receiving facilities for voluntary and involuntary treatment of individuals with intellectual disabilities. He-M 526 is scheduled to expire on July 1, 2026, but is subject to extension pursuant to RSA 541-A:14-a.

The Department of Health and Human Services (Department) is proposing to readopt with amendment He-M 526. The proposed amendments include:

- Amending various provisions of the rule for better clarity, program integrity, and to align the rule with current practices, and making minor substantive and editorial revisions throughout to include updated citations, terminology, grammar, and punctuation;

- Amending He-M 526.01 on the purpose of He-M 526 by updating terminology;
- Amending He-M 526.02 definitions by:
 - Amending the definition of “applicant”, “commissioner”, “designated receiving facility”, “individual”, and “involuntary admission”;
 - Adding the definition of “comprehensive risk assessment”, “days”, “provider agency”, and “service coordination agency”; and
 - Removing the definition of “risk assessment”;
- Amending He-M 526.03 on designation requirements to include the use of the term “individual” and to add additional administrative rule citations;
- Making no revisions to He-M 526.04 on establishment of a state designated receiving facility (DRF);
- Amending He-M 526.05 on designation and redesignation process for a DRF to align with current practices, update terminology, and add additional administrative rule citations;
- Making no revisions to He-M 526.06 on staffing;
- Amending He-M 526.07 on services to be provided to include the use of newly defined terms and making other minor clarifying revisions;
- Removing He-M 526.08 on safety procedures;
- Amending He-M 526.08, formerly He-M 526.09, on denial and revocation of designation to include additional provisions for the denial and revocation of designation surrounding abuse, neglect, or exploitation;
- Amending He-M 526.09, formerly He-M 526.10, on emergency suspension of designation to provide clarity if a provider agency may be permitted to continue to provide services during a suspension period;
- Amending He-M 526.10, formerly He-M 526.11, on hearings to remove the requirement for mandatory hearings on emergency suspension; and
- Amending He-M 526.11, formerly He-M 526.12, on waivers to update the waiver request form to the most recently adopted version, clarify the entities responsible for completing and submitting waivers, and to update contact information for submission.

6. (b) Brief description of the groups affected:

He-M 526 affects receiving facilities who provide voluntary and involuntary treatment of individuals with intellectual disabilities and those individuals.

6. (c) Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement:

RULE	SPECIFIC STATE STATUTES WHICH THE RULE IMPLEMENTS
He-M 526.01 – He-M 526.11	RSA 171-A:3; RSA 171-A:20; and RSA 541-A:22, IV

7. Contact person for copies and questions including requests to accommodate persons with disabilities:

Name: Allyson Raadmae	Title: Administrator- Administrative Rules Unit
Address: Dept. of Health and Human Services Administrative Rules Unit 129 Pleasant Street, 2nd Floor Concord, NH 03301	Phone Number: (603) 271-9604
	FAX Number: (603) 271-5590
	Email: Allyson.E.Raadmae@dhhs.nh.gov

8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified:

Wednesday, August 12, 2026

☒ Fax
☒ Email at allyson.e.raadmae@dhhs.nh.gov
☐ Other

9. Public hearing scheduled for:

Date: Wednesday, August 5, 2026

Time: 12:30 PM

Place: DHHS Brown Building Auditorium, 129 Pleasant Street, Concord, NH 03301

Electronic Access, if applicable: N/A

10. Fiscal Impact Statement (Prepared by Legislative Budget Assistant):

FIS #: 26:097, dated: Tuesday, June 2, 2026

1. Comparison of the costs of the proposed rule(s) to the existing rule(s):
There is no difference in cost between the proposed rules and the existing rules.
2. Cite the Federal mandate. Identify the impact on state funds:
No federal mandate, no impact on state funds.
3. Cost and benefits of the proposed rule(s):
 - A. To State general or State special funds:
None.

B. To State citizens and political subdivisions:
None.

C. To independently owned businesses:
None.

11. Statement Relative to Part I, Article 28-a of the N.H. Constitution:

The proposed rules modify an existing program or responsibility, but do not mandate any fees, duties, or expenditures on the political subdivisions of the state, and therefore do not violate Part I, Article 28-a of the N.H. Constitution.