



OFFICE OF LEGISLATIVE SERVICES
ADMINISTRATIVE RULES

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

Rulemaking Notice Form

Notice Number: 2026-127

Rule Number: He-M 529

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:8-a, I
3. **Federal Authority:**
4. **Action(s):** Adopt, Readopt w/Amendment
5. **Short Title:** Transfers Between Designated Receiving Facilities in the Developmental Services System
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 529 establishes the criteria and procedures for transfers of involuntarily admitted individuals between designated receiving facilities in the developmental services system. He-M 529 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 529. 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 529.02 on definitions by updating the definition of “commissioner”, “DRF administrator”, “guardian”, “individual”, and “involuntary admission”;
- Amending He-M 529.03 on treatment and security transfers to include use of the term “individual” and make other editorial and clarifying revisions;
- Amending He-M 529.04 on transfers to less restrictive settings to include use of the term “individual”, add additional administrative rule citations, and clarify orders must be provided in clear and understandable language and in the individual’s primary language;
- Adding He-M 529.05 on appeal of transfers to allow for the individual to appeal the transfer to the less restrictive setting;
- Amending He-M 529.06, formerly He-M 529.05, on emergency transfers to include use of the term “individual”, clarify orders must be provided in clear and understandable language and in the individual’s primary language, and make other minor terminology revisions; and
- Amending He-M 529.07, formerly He-M 529.06, on waivers to update the waiver request form to the most recently adopted version, clarify the entities responsible for completing and submitting waivers, update contact information for submission.

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

He-M 529 affects designated receiving facilities for developmental services and the individuals who are involuntarily admitted to those facilities and going through the transfer process.

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 529.01 – He-M 529.06	RSA 171-A:8-a; RSA 171-B:15
He-M 529.07	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:**

Thursday, August 20, 2026

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

9. **Public hearing scheduled for:**

Date: Thursday, August 13, 2026

Time: 1:30 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 #: 26:100, dated: Monday, June 8, 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.