



Lori A. Shibinette
Commissioner

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Chief Legal Officer

STATE OF NEW HAMPSHIRE
DEPARTMENT OF HEALTH AND HUMAN SERVICES
LEGAL AND REGULATORY SERVICES
BUREAU OF GENERAL COUNSEL – ADMINISTRATIVE RULES UNIT

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February 7, 2022

David K. Alukonis, Director
Office of Legislative Services- Administrative Rules
25 Capitol Street
State House Annex, Room 219
Concord, NH 03301

RE: He-C 1000, “Opioid Abatement Trust Fund and Advisory Commission”

Dear Mr. Alukonis:

Please find attached Rulemaking Notice Form for proposed rules He-C 1000 entitled “Opioid Abatement Trust Fund and Advisory Commission”. Please publish this notice in the **February 17, 2022** edition of the Rulemaking Register.

Thank you for your assistance with this matter.

Sincerely,

A handwritten signature in black ink that reads "Lori Shibinette".

Lori A. Shibinette
Commissioner

Enclosure

APPENDIX II-C

RULEMAKING NOTICE FORM

Notice Number _____

Rule Number _____

He-C 1000

1. Agency Name & Address:
**Dept. of Health & Human Services
 Office of the Commissioner
 129 Pleasant Street, Brown Bldg.
 Concord, NH 03301**

2. RSA Authority: **RSA 126-A:84, V**

3. Federal Authority: _____

4. Type of Action:

Adoption **X**

Repeal _____

Readoption _____

Readoption w/amendment _____

5. Short Title: **Opioid Abatement Trust Fund and Advisory Commission**

6. (a) Summary of what the rule says and of any proposed amendments:

The Department of Health and Human Services (Department) is proposing to adopt He-C 1000 entitled “Opioid Abatement Trust Fund and Advisory Commission”. He-C 1000 contains He-C 1001, entitled “Opioid Abatement Advisory Commission” which describes the Opioid Abatement Advisory Commission (Commission) established under RSA 126-A:85 and their duties. He-C 1000 also contains He-C 1002, entitled “Opioid Abatement Trust Fund” which describes the duties of the Department and the Opioid Abatement Advisory Commission (Commission) relating to the management and distribution of funds from the Opioid Abatement Trust Fund (trust fund) established in RSA 126-A:83. He-C 1002 also establishes the procedure and criteria applicable to all applicants that apply for funding for qualifying opioid abatement projects, as enumerated in RSA 126-A:86, the reporting requirements for funded projects, and the appeals process through which the department and commission accepts and reviews appeals regarding the selection of applicants and disbursement of funds.

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

Groups affected by these rules include the Opioid Advisory Commission, applicants that apply for funding through the Opioid Abatement Trust Fund, specifically not-for-profit entities and charitable organizations, and citizens of the state who are impacted and need substance use disorder treatment services or mental health treatment services.

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

Rule	Specific State or Federal Statute the Rule Implements
He-C 1001.01	RSA 126-A:85
He-C 1001.02	RSA 126-A:83; RSA 126-A:84; RSA 126-A:85
He-C 1001.03	RSA 126-A:85
He-C 1001.04	RSA 126-A:86
He-C 1001.05	RSA 126-A:83-:86; RSA 91-A
He-C 1001.06	RSA 126-A:85; RSA 126-A:86
He-C 1002.01	RSA 126-A:83-:86

He-C 1002.02	RSA 126-A:84
He-C 1002.03	RSA 126-A:83; RSA 126-A:84; RSA 126-A:85; RSA 21-G:36
He-C 1002.04	RSA 126-A:86
He-C 1002.05	RSA 126-A:86; RSA 21-G:36-:38; RSA 91-A:5
He-C 1002.06	RSA 126-A:86
He-C 1002.07	RSA 126-A:84; RSA 126-A:86
He-C 1002.08	RSA 126-A:86
He-C 1002.09	RSA 126-A:86
He-C 1002.10	RSA 21-G:37, VII
He-C 1002.11	RSA 126-A:84
He-C 1002.12	RSA 541-A:31-:36

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

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

TTY/TDD Access: Relay NH 1-800-735-2964
or dial 711 (in NH)

The proposed rules may be viewed and downloaded at:

<http://www.dhhs.nh.gov/oos/aru/comment.htm>

8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **Thursday, March 22, 2022**

Fax E-mail Other format (specify):

9. Public hearing scheduled for:

Date and Time: **Thursday, March 15, 2022 at 2:00pm**

Place: [**DHHS Brown Bldg., Auditorium, 129 Pleasant St., Concord, NH**](#)

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

FIS # 22:010, dated February 3, 2022

1. Comparison of the costs of the proposed rule(s) to the existing rule(s):

Not applicable, as these are new 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):

The proposed rules describe the workings of the Opioid Abatement Trust Fund and Advisory Commission, including the management and distribution of funds. Also addressed are the procedures and criteria for applications for funding for qualifying opioid abatement projects. Any costs or benefits associated with the proposed rules are attributable to RSA 126-A:83-86 and not the rules.

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.