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,

Lori A. Shabinette
Commissioner

Enclosure
APPENDIX II-C

RULEMAKING NOTICE FORM

Notice Number ___________________________ Rule Number ___________________________

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 ____________
   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:

<table>
<thead>
<tr>
<th>Rule</th>
<th>Specific State or Federal Statute the Rule Implies</th>
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<tbody>
<tr>
<td>He-C 1001.01</td>
<td>RSA 126-A:85</td>
</tr>
<tr>
<td>He-C 1001.02</td>
<td>RSA 126-A:83; RSA 126-A:83; RSA 126-A:84; RSA 126-A:85</td>
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<td>He-C 1001.03</td>
<td>RSA 126-A:85</td>
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<td>He-C 1001.04</td>
<td>RSA 126-A:86</td>
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<tr>
<td>He-C 1001.05</td>
<td>RSA 126-A:83-:86; RSA 91-A</td>
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<tr>
<td>He-C 1001.06</td>
<td>RSA 126-A:85; RSA 126-A:86</td>
</tr>
<tr>
<td>He-C 1002.01</td>
<td>RSA 126-A:83-:86</td>
</tr>
</tbody>
</table>
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 Administrative Rules Unit  
129 Pleasant Street, 2nd Floor  
Concord, NH 03301

Phone #: (603) 271-9604  
Fax#: (603) 271-5590  
E-mail: Allyson.E.Zinno@dhh.s.nh.gov  
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.