

**RULEMAKING NOTICE FORM**

Notice Number \_\_\_\_\_

Rule Number Fire 101.18

<p>1. Agency Name &amp; Address:</p> <p><b>Fire Standards &amp; Training Commission and Department of Safety 33 Hazen Drive Concord, NH 03305</b></p>	<p>2. RSA Authority: <u><b>RSA 21-P:27, I(b); RSA 541-A:16, I(a)</b></u></p> <p>3. Federal Authority: <u>N/A</u></p> <p>4. Type of Action:</p> <p>Adoption _____</p> <p>Repeal _____</p> <p>Readoption _____</p> <p>Readoption w/amendment <u><b>X</b></u></p>
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5. Short Title: **Definition of a Mental Health Condition**

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:

**The Fire Standards and Training Commission, jointly with the Department of Safety (Department), is proposing to readopt with amendment Fire 101.18 to change the defined term “mental health disorder” to “mental health condition” and to incorporate by reference the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association, Fifth Edition, Text Revision (2022), updated from the (2013) revision.**

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

**Those groups affected by the rules include candidates for full-time career fire fighters; fire departments of the state, political subdivisions or private fire departments providing fire services to the general public; the New Hampshire Fire Standards and Training Commission; and the Division of Fire Standards & Training and Emergency Medical Services, Department of Safety.**

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

<b>RULE</b>	<b>STATUTE</b>
Fire 101.18	RSA 21-P:25, I; RSA 21-P:28, I(a); RSA 541-A:7

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

Name:	<b>David M. Hilts, Esq.</b>	Title:	<b>Senior Staff Attorney</b>
Mailing Address:	<b>Department of Safety 33 Hazen Drive Concord, NH 03305</b>	Phone #:	<b>603-227-4032</b>
		Fax#:	<b>(603) 271-1033</b>
		E-mail:	<b>Rules@dos.nh.gov</b>
		TTY/TDD Access:	<b>Relay NH 1-800-735-2964 or dial 711 (in NH)</b>

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8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **Thursday, September 5, 2024 at 10:30 a.m. or end of public hearing, whichever is later.**

Fax

E-mail

Other format (specify): First Class Mail or in hand at the public hearing

9. Public hearing scheduled for:

Date and Time: **September 5, 2024 at 9:30 a.m.**  
Physical Location: **Richard M. Flynn Fire Academy Dormitory  
90 Smokey Bear Blvd  
Concord, NH 03301**  
Electronic Access (if applicable): **N/A**

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

FIS # 24:106 Revised, dated July 2, 2024

Fiscal Impact Statement for Department of Safety rules governing Definition of a Mental Health Condition Rule. [Fire 101.18]

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

There is no difference in costs when comparing the proposed rules to 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:

**This proposal does not create a new program or responsibility, and it does not expand or modify an existing program or responsibility or mandate or assign a program or responsibility to any political subdivision in such a way as to increase the costs a political subdivision must pay. Therefore, this proposal does not violate Part I, Article 28-a of the N.H. Constitution.**