

THE RULE CHANGES ADOPTED BY THE FIRE STANDARDS AND TRAINING COMMISSION AND THE COMMISSIONER OF THE DEPARTMENT OF SAFETY ON JANUARY 9, 2025, REPRESENT A SERIES OF SIGNIFICANT UPDATES AIMED AT IMPROVING RECRUITMENT AND RETENTION IN NEW HAMPSHIRE'S FIRE SERVICE. THESE CHANGES TAKE EFFECT ON JANUARY 10, 2025. BELOW IS A SUMMARY OF THE KEY UPDATES:

1. **ROSTER SUBMISSION CHANGES:**
  - FIRE DEPARTMENTS MUST NOW VALIDATE THEIR ANNUAL ROSTERS THROUGH THE RESPONDNH PLATFORM. IT IS CRUCIAL FOR DEPARTMENTS TO MAINTAIN THEIR ROSTERS WITHIN THIS SYSTEM TO STAY IN COMPLIANCE WITH THE UPDATED RULES.
2. **CLARIFICATION OF BACKGROUND CHECK PROCESS:**
  - THE PROCESS FOR CONDUCTING BACKGROUND CHECKS ON FULL-TIME CAREER FIREFIGHTERS HAS BEEN CLARIFIED AND REORGANIZED.
3. **WORK AUTHORIZATION FOR FULL-TIME FIREFIGHTERS:**
  - THE REQUIREMENT FOR FULL-TIME CAREER FIREFIGHTERS TO BE U.S. CITIZENS HAS BEEN REPLACED. NOW, A VALID FEDERAL UNRESTRICTED EMPLOYMENT AUTHORIZATION IS SUFFICIENT WHEN HIRING FULL-TIME FIREFIGHTERS.
4. **NFPA 1582 STANDARD UPDATE:**
  - THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 1582 STANDARD HAS BEEN UPDATED FROM THE 2013 EDITION TO THE 2022 EDITION, ENSURING THAT FIRE DEPARTMENT MEDICAL STANDARDS ALIGN WITH THE LATEST NATIONAL GUIDELINES.
5. **FIREFIGHTER II CERTIFICATION REQUIREMENT:**
  - THE EDUCATIONAL REQUIREMENT FOR FULL-TIME FIREFIGHTERS IS OUTLINED IN RULE AND DEFINED AS ACHIEVING FIREFIGHTER II CERTIFICATION.
6. **EXTENSION FOR FIREFIGHTER II CERTIFICATION:**
  - NEW HIRES CAN NOW REQUEST AN EXTENSION UP TO TWO YEARS FROM THEIR DATE OF APPOINTMENT TO ATTAIN FIREFIGHTER II CERTIFICATION, PROVIDING MORE FLEXIBILITY FOR MEETING THIS REQUIREMENT.
7. **ELIMINATION OF ACROPHOBIA TEST:**
  - THE ACROPHOBIA (FEAR OF HEIGHTS) TEST REQUIREMENT FOR FULL-TIME FIREFIGHTER HIRES HAS BEEN ELIMINATED, REMOVING A POTENTIAL BARRIER FOR DEPARTMENTS AND CANDIDATES.
8. **RECIPROCITY FOR OUT-OF-STATE ENTRANCE EXAMS:**
  - THERE IS NOW PROVISION FOR RECIPROCITY FOR OUT-OF-STATE ENTRANCE EXAMS, ALLOWING CANDIDATES WHO HAVE PASSED AN EQUIVALENT EXAM ELSEWHERE TO BE CONSIDERED FOR EMPLOYMENT IN NEW HAMPSHIRE.
9. **CHANGES TO LAPSE IN SERVICE PERIOD:**
  - THE PERIOD FOR A LAPSE IN SERVICE HAS BEEN CHANGED FROM 30 DAYS TO 26 MONTHS. THIS ALIGNS WITH THE LENGTH OF THE CANDIDATE PHYSICAL ABILITY TEST (CPAT), GIVING DEPARTMENTS AND CANDIDATES MORE CONSISTENCY IN THE HIRING PROCESS.

THESE CHANGES REFLECT ONGOING EFFORTS TO STREAMLINE HIRING PROCESSES, INCREASE ACCESSIBILITY, AND MAKE THE FIRE SERVICE MORE INCLUSIVE AND ADAPTABLE TO THE CURRENT NEEDS OF THE WORKFORCE.

**Readopt with amendment Fire 101.18, effective 6-28-17 (Document #12225-A), to read as follows:**

Fire 101.18 “Mental health condition” means a condition defined in the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association, Fifth Edition, Text Revision (DSM-5-TR)(2022), available as provided in Appendix B, diagnosed by a psychologist or psychiatrist, based upon mental status examination or psychological testing.

**APPENDIX A**

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

**APPENDIX B**

<b>Rule</b>	<b>Title</b>	<b>Obtain at:</b>
Fire 101.18	Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association, Fifth Edition, Text Revision (DSM-5-TR) (2022)	American Psychiatric Association Publishing 800 Maine Avenue, S.W. Suite 900 Washington, DC 20024 Phone: 1-800-368-5777 Web site: www.appi.org  Ordering and pricing options: Hardcover - 220.00-for non-APA members and 176.00 for members; Softcover - 170.00-for non-APA members and 136.00 for members; eBook - \$136.00 for non-APA members and \$108.80 for members.

**Readopt with amendment Fire 602, effective 6-28-17 (Document #12225-B), to read as follows:**

**PART Fire 602 NOTIFICATION REQUIREMENTS OF ALL FIRE SERVICE PERSONNEL**

**Fire 602.01 Annual Submittal of Fire Department Roster of Fire Service Personnel.**

(a) Fire departments shall validate with the commission their current roster of all fire service personnel under their service profile on [www.respondnh.org](http://www.respondnh.org) by December 31<sup>st</sup> of each calendar year.

(b) The roster shall contain the following information for each person comprising the fire department's fire service personnel:

- (1) Full legal name;
- (2) Primary and secondary job roles;
- (3) Date of birth; and
- (4) Fire service status.

**Readopt with amendment Fire 701, effective 6-28-17 (Document #12225-B), to read as follows:**

Fire 701.01 Full-time Career Fire Service Personnel Entrance Requirement.

(a) Fire departments, state agencies, or private corporations providing fire or rescue services to the general public and hiring full-time career fire service personnel employees shall have minimum entrance requirements as follows:

- (1) The candidate shall have a high school diploma or high school equivalency certificate, general education development;
- (2) The candidate shall be at least 18 years of age; and
- (3) The candidate shall be either a United States citizen or shall have the unrestricted right to work in the United States based upon the candidate's valid immigration status, including, if necessary for the candidate's status type, a valid Federal unrestricted employment authorization document.

(b) Before the candidate is employed, the hiring authority shall conduct or cause to be conducted a background check to include at a minimum the existence of a criminal history record and motor vehicle violation history record in New Hampshire.

(c) The candidate shall not be employed if the candidate;

- (1) Has been discharged from the military service under other than honorable conditions, where the circumstances, in the opinion of a reasonable person, would cast doubt on the candidate's fitness as a fire service personnel;
- (2) Has been convicted of a felony under federal law, or the law of this or any other state, province, territory, or country, unless the candidate has been pardoned or the conviction annulled;
- (3) Has been convicted of a misdemeanor by a civilian or military court and for which the candidate has not received a pardon or annulment, which offense of the underlying circumstances surrounding the commission thereof was such that it would cause a reasonable person to doubt the candidate's character, honesty, or ability;
- (4) Has been convicted in a civilian or military court of more than one misdemeanor or violations for which the candidate has not received a pardon or annulment, and which would indicate to a reasonable person a pattern of disregard for the law;
- (5) Has a history of illegal drug use, illegal drug manufacture, transport for sale, or sale of a controlled substance that would cast doubt on the candidate's ability to perform as a firefighter;

(6) Has had fire certifications revoked from jurisdictions other than the state of New Hampshire;

(7) Suffers from mental health condition which would affect the candidate's ability to perform fire fighting duties;

(8) Has been discharged or allowed to resign in lieu of termination with other employers for reasons of moral character or moral turpitude for acts or omissions of conduct that would cause a reasonable person to doubt the candidate's honesty or integrity; or

(9) Is found to have a general character and reputation in the community that a reasonable person would doubt that the candidate would conduct themselves with honesty and integrity.

(d) After written authorization is received from a physician, the candidate shall pass the physical ability test described in Fire 702, unless the candidate has been placed in layoff status due to a reduction in force and the current appointment is by the same hiring authority.

(e) The candidate shall complete a pre-employment medical evaluation as outlined in NFPA 1582 "Standard on Comprehensive Occupational Medical Program for Fire Departments" (2022 Edition), available as provided in Appendix B. Based on the medical evaluation, the hiring authority shall determine the candidate's ability to successfully and safely perform essential job tasks, as listed in NFPA 1582 "Standard on Comprehensive Occupational Medical Program for Fire Departments" (2022 Edition), available as provided in Appendix B, without posing a significant safety or health risk to themselves, members, or civilians.

(f) The candidate shall be orally interviewed by the hiring authority to determine the candidate's ability to communicate and how the candidate represents themselves to others.

Fire 701.02 Full-time Career Fire Service Personnel Level of Training Required.

(a) Full-time career fire service personnel shall, prior to completion of their first year of appointment, be certified to any edition of the NFPA professional qualification for firefighters at the Firefighter II level or equivalent.

(b) The commission shall grant an extension to the time limit set forth in Fire 701.02(a) for the completion of the training program upon receipt of a written request from the hiring authority setting forth the reasons therefor for good cause shown, provided that:

(1) Extensions of the time limit for completion of the training program shall not exceed 2 years from the original date of appointment; and

(2) For the purposes of this section, good cause shall include the unavailability of such a program, or a firefighter being unable to complete the training within the prescribed period due to:

- a. Illness;
- b. Injury;
- c. Military service;

- d. Special duty assignments made in the public interest; or
- e. Other reasons outside of the firefighter's control.

(c) The requirements of Fire 701.02(a) shall not apply when a full-time career fire service personnel:

- (1) Has previously met the requirements of Fire 701.02(a); and
- (2) Is placed in lay off status due to a reduction in force.

**Repeal Fire 702.02, effective 6-28-17 (Document #12225-B), to read as follows:**

~~Fire 702.02 Acrophobia Test. Full-time career fire service personnel shall, within one year of original appointment, complete an acrophobia test. The firefighter, without stopping for more than 30 seconds, shall climb up and down an unsupported aerial ladder at an angle of at least 65 degrees but not more than 75 degrees for a distance of 100 feet as measured from the tip of the ladder to the ground.~~

**Readopt with amendment Fire 703, effective 6-28-17 (Doc #12225-B), to read as follows:**

PART Fire 703 TRANSFERS/LAPSE IN SERVICE

Fire 703.01 Transfers.

(a) Any full-time career fire service personnel, as defined in Fire 101.16, and employed by a New Hampshire fire department, as defined in Fire 101.14, may transfer employment to another fire department. Said hiring shall meet Fire 701.01(a), Fire 701.01(b), Fire 701.01(c), Fire 701.01(d), Fire 701.01(f), and Fire 701.02. The individual shall have previously completed the requirements of Fire 702.01 or the physical ability test in effect at the time of original appointment.

(b) Any full-time career fire service personnel that is placed in lay off status due to a reduction in force shall have up to 26 months from the date of lay off to transfer to another fire department.

(c) Any full-time career fire service personnel, as defined in Fire 101.16, and employed by a legally constituted municipal or privately incorporated entity that provides services such as, but not limited to, fire suppression, fire prevention, rescue, hazardous materials, emergency medical care, fire investigation, and fire or building inspections in any state, county, municipality, organized fire district, or area may transfer employment to a New Hampshire fire department. Said hiring shall meet Fire 701.01(a), Fire 701.01(b), Fire 701.01(c), Fire 701.01(d), Fire 701.01(e), Fire 701.01(f), and Fire 701.02. The individual shall have previously completed the requirements of Fire 702.01 or the job-related physical ability and performance test in effect at the time of original appointment upon approval by the commission.

Fire 703.02 Lapse in Service.

(a) The employment eligibility for a full-time career fire service personnel shall lapse if the employee terminates employment and is not employed as a fire service personnel within a period of 26 months after such termination.

(b) If the person who has lapsed is re-employed as a full-time career fire service personnel after their employment eligibility has lapsed, the hiring authority shall follow the hiring requirements outlined in Fire 701.01 and Fire 701.02.

**APPENDIX A**

<b>RULE</b>	<b>STATUTE</b>
Fire 602	RSA 21-P:28, I(c)
Fire 701	RSA 21-P:25, I; RSA 21-P:28, I(a); RSA 21-P:29, I
Fire 703	RSA 21-P:25, I; RSA 21-P:28, I(a)

**APPENDIX B**

<b>Rule</b>	<b>Title</b>	<b>Obtain at:</b>
Fire 701.01(e)	National Fire Protection Association (NFPA) 1582, "Standard on Comprehensive Occupational Medical Program for Fire Departments," 2022 Edition	National Fire Protection Association One Batterymarch Park Quincy, MA 02269 Phone: 1-800-344-3555 Web site: <a href="http://www.nfpa.org">www.nfpa.org</a>  Ordering and pricing options: Print - \$78.00; Digital access with NFPA LiNK® – Plans starting at \$11.99/month