

EMS License Waiver Requirements

If you are an EMS Unit leader who is applying for a waiver for one of your members, or EMS Unit license, please be aware that there are Administrative Rules that address this specifically:

Saf-C 5903.08 Waivers of Unit and Provider License Applications.

- (a) Pursuant to RSA 153-A:10, VI and RSA 153-A:11, V applicants for a unit or provider license may request a waiver of licensure from the commissioner for good cause.
- (b) For this section, "good cause" shall include:
 - (1) Evidence of a prior good faith effort to comply with each requirement for which a waiver is requested;
 - (2) A statement documenting why the unit or provider cannot comply with each requirement for which a waiver is requested, including any financial or other significant hardship resulting from efforts to comply;
 - (3) A statement and supporting documentation that non-compliance with each requirement for which a waiver has been requested shall not prevent the unit or provider from providing adequate care to patients;
 - (4) Reasons why non-compliance with each requirement for which the waiver has been requested is not possible for a given period of time; and
 - (5) A plan for compliance with each requirement within the period requested on the waiver application.
- (c) Requests for waivers shall be submitted in writing to the commissioner.
- (d) The waiver request application from the unit or provider applicant shall include:
 - (1) The full name of the applicant;
 - (2) Current mailing address;
 - (3) Telephone number(s);
 - (4) The specific rule for which the waiver is requested;
 - (5) The reason for requesting the waiver;
 - (6) The hardship that would occur if the waiver was not approved;
 - (7) A plan of compliance with the rule to be waived and the date of compliance; and
 - (8) The signature of the applicant.
- (e) The commissioner shall issue a written approval or denial of a waiver request to the applicant within 60 days of receipt of the request.
- (f) Upon a finding of good cause, the commissioner shall approve a waiver of licensure.
- (g) A waiver of licensure shall be considered as a fulfillment of the licensing requirements only for the period specified in the waiver.
- (h) The commissioner shall deny the waiver request if, after reviewing the material submitted in (d) above, it is determined that:
 - (1) Granting the request shall result in the waiver circumventing the rule for which the waiver was requested;
 - (2) The unit or provider shall be unable to meet the needs of the patient(s) or community; or
 - (3) The health or safety of the patient(s) or community shall be jeopardized.
- (i) A decision by the commissioner to deny a waiver request shall be final.

The waiver request must be written on Department/Company letterhead (by the PRIMARY service for the Provider) addressed to the Commissioner of Safety and submitted to the EMS Bureau Chief for consideration.

John J. Barthelmes, Commissioner
c/o NH DOS, FST&EMS, Bureau of EMS – **WAIVER REQUEST**
33 Hazen Drive
Concord, NH 03305

A copy of the approved waiver will be sent directly to the EMS license holder and a copy will be sent to the authorized official that authored the request.

Completed Provider/Unit applications **must** accompany the waiver request for each applicant.