BOARD OF MENTAL HEALTH PRACTICE

INSTRUCTIONS AND CHECKLIST

APPLICATION INFORMATION FOR LICENSURE AS A MARRIAGE AND FAMILY THERAPIST

Prior to completing the application, it is strongly recommended that all applicants review administrative rules Mhp 100-500 online at [www.oplc.nh.gov/mental-health](http://www.oplc.nh.gov/mental-health) and verify that all educational, exam, and supervision requirements are met. It is also recommended that applicants maintain a copy of their application for their records.

All applicants must pass the national Examination in Marital and Family Therapy distributed by the Association for Marriage & Family Regulatory Boards prior to submitting an application for licensure.

There is a non-refundable application fee of $150.00, which must be in the form of a check or money order payable to the State of New Hampshire. All fees must accompany the completed application. Upon approval of meeting all requirements a letter of notification is mailed to applicants. At that time the license fee ($135.00) will be requested.

Please make sure all of the following information is included when submitting your application packet to the Board office:

1. A completed application booklet, photograph and resume.
2. A completed Summary of Supervised Clinical Experience form.
3. A completed Supervisor’s Confirmation of Clinical Experience form(s) in an envelope that has been signed and sealed by the supervisor. At least one supervisor must also complete a professional reference form.
4. A completed Licensure Verification form from another jurisdiction that has been signed and sealed by the state (if applicable).
5. Three Professional Reference forms that have been signed and sealed by each reference. At least one (1) professional reference form shall be from a supervisor.
6. An official undergraduate and master’s/or doctoral transcript in an envelope that has been sealed by the school.
7. Proof of passing the marriage and family regulatory board exam. If you took the exam in NH less than two years ago it is likely that we have your score at the Board office. If you took it out of state or more than two years ago include a copy of your score in an envelope that has been sealed by the Professional Testing Corporation.
8. Criminal Offender Record Report from each state where the applicant has resided or been licensed within the past 5 years in a sealed envelope.
9. A check or money order in the amount of $150.00, payable to the State of New Hampshire.

All application materials should be submitted to:

NH Board of Mental Health Practice
121 South Fruit Street
Concord, NH 03301

April 23, 2015
APPLICATION FOR LICENSURE FOR:

MARRIAGE AND FAMILY THERAPIST

(TYPE OR PRINT CLEARLY)

(a) PRINT NAME......................................................................................................................................

Type or Print Name exactly as it should appear on the license

Your Full Name if different from (a) above................................................................................................

Street Address...........................................................................................................................................

Mailing Address...........................................................................................................................................

City............................................................................................................................ State........ Zip........ Telephone

List place of current employment (if any) and address:

Place............................................................................................................................................................

Address............................................................................................................................ State........ Zip........ Telephone

Height........ Weight........ Hair Color.............Eye Color.............

Birthplace..........................................................................................................................Date of Birth........

Sex.............Soc Sec No............./........../.............. E-mail ..............................................................

(b) List any other names used (eg maiden name), and dates used.

(c) List all residences used in the previous five years.

(d) List the name(s), address(es), and degree(s) awarded from all colleges/junior colleges attended at either

the undergraduate or graduate level.

College/University Address Degree Dept. Mo/Yr Awarded Major
.................................................................................................................................................................
.................................................................................................................................................................
.................................................................................................................................................................

April 23, 2015
(e) Indicate, by marking the appropriate space, if you have previously taken the examination required by your profession:


(f) If you have indicated in section (e) that you have previously taken the exam, include a copy of your exam score in an envelope that has been sealed by the testing company.

(g) Was any part of your graduate study online, telephonic, or other remote learning? Circle one Yes No


NH Administrative Rules Mhp 306.01 (c)(d) require applicants to complete a minimum of one year of full-time academic graduate study in residence at the institution granting the degree. If your educational experience does not comply with that please refer to NH Administrative Rule Mhp 213.01 Petitions for Waiver.

(h) Was your graduate program in marriage and family therapy approved by the Commission on Accreditation for Marriage and Family Therapy Education (COAMFTE)? Circle one Yes No


If yes, please include a one page verification from your program’s materials, or a letter from your program that states this status.

(i) Your signature on this document indicates that you have included an original certified copy of both undergraduate and graduate complete academic transcripts showing dates of attendance, courses taken, grades and class hours earned, programs completed and degrees awarded by colleges and universities in an envelope that has been sealed by the school.

(j) If you have ever held a certificate or license to practice, or have been refused a certificate/license in any state/jurisdiction, please complete the CERTIFICATE/LICENSE VERIFICATION form and forward it to the board(s) or jurisdiction(s) applicable. Correspondence from those board(s) or jurisdiction(s) should be sent back to you in a signed sealed envelope to include with your application. List this information below (attach additional sheets if necessary):

<table>
<thead>
<tr>
<th>Dates held</th>
<th>State or Jurisdiction</th>
<th>Cert/Lic #</th>
<th>Status (Reason if no longer held)</th>
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(k) If you have ever been convicted of a felony or misdemeanor, then attach a separate sheet, including the name of the court, the details of the offense, the date of conviction, and the sentence imposed.

(l) If you have ever been treated for drug or alcohol addiction or abuse, or have ever been hospitalized for any mental or emotional illness, then attach a separate sheet, including details of the treatment, current treatment, and effects of treatment

Continued on page 3

-2-
(m) Have any of the following ever been, or are any currently in the process of being denied, revoked, suspended, reduced, limited, placed on probation, not renewed, or have you ever been withdrawn or failed to proceed with an application for any of the following: (if you answer yes to any of these questions please provide full information on a separate sheet):

1. License or certificate to practice in any state or jurisdiction............. yes[ ] no[ ]
2. Academic appointment................................................................. yes[ ] no[ ]
3. Membership on any hospital medical or allied health provider staff... yes[ ] no[ ]
4. Provider status with any group, health maintenance organization etc. yes[ ] no[ ]
5. Clinical privileges................................................................. yes[ ] no[ ]
6. Privileges or rights on any medical or clinical staff....................... yes[ ] no[ ]
7. Any other institutional affiliation or status.................................... yes[ ] no[ ]
8. Professional society or association membership or fellowship........ yes[ ] no[ ]
9. Professional Office...................................................................... yes[ ] no[ ]
10. Board Certification................................................................. yes[ ] no[ ]
11. Any other type of professional sanction...................................... yes[ ] no[ ]
12. Have any judgments or settlements been made against you in professional liability cases or are there any pending law suits?................. yes[ ] no[ ]
13. Have you ever been convicted of a felony or misdemeanor crime? yes[ ] no[ ]
14. Have you ever had a charge of felony or misdemeanor criminal conduct which has been filed with a court, but has not yet been finally resolved by a dismissal or judgment of "not guilty"?....... yes[ ] no[ ]
15. Have you ever been convicted of a drug or alcohol related offense? yes[ ] no[ ]
16. To your knowledge, have you been the subject of an individual focused review required by a Professional Review Organization (PRO) or a similar agency?......................................................... yes[ ] no[ ]
17. Have you been the subject of a malpractice or civil suit involving the practice of your profession or any other healthcare profession?......... yes[ ] no[ ]
18. Have you ever been charged or convicted of a crime(felony) in any state or country?......................................................... yes[ ] no[ ]
19. Have there been any complaints, charges of violation of any ethical codes, professional misconduct, unprofessional conduct, incompetence or negligence made against you?.......................... yes[ ] no[ ]
20. Do you have any of the above (#19) pending against you?............. yes[ ] no[ ]
21. Have you ever been required to surrender any license/certificate?...... yes[ ] no[ ]
22. Have you ever entered into a consent decree regarding a violation of ethics codes, professional misconduct, unprofessional conduct, incompetence or negligence in any state or country by any licensing board or professional ethics body?........................................... yes[ ] no[ ]
23. Have you ever been previously licensed with this Board? ............... yes[ ] no[ ] (If yes, please provide a written description of the type of work you have been doing since your license expired, whether in NH or elsewhere)

(n) Checks or money order, made out to the TREASURER, STATE OF NEW HAMPSHIRE, must be enclosed with this application (indicate with an “X” the appropriate fee):

[ ] Initial application fee for all applicants............$150.00

If your application for licensure is approved you will be issued a license valid for two years. At the time of approval you will be notified to send $135.00 to cover the license fee.

Continued on page 4 -3-

April 23, 2015
(o) Attach a 2” x 2” passport quality photo taken within 90 days of the date on the application.

ALL OF THE ABOVE STATEMENTS, AND ALL STATEMENTS AND INFORMATION CONTAINED IN THIS APPLICATION ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I ACKNOWLEDGE THAT THE PROVISION OF FALSE INFORMATION IN THE APPLICATION IS A BASIS FOR DENIAL OF THE APPLICATION AND DISCIPLINARY ACTION BY THE BOARD.

I SHALL NOTIFY THE BOARD IN WRITING WITHIN 30 DAYS OF ANY CHANGE IN THE INFORMATION CONTAINED IN THIS APPLICATION, EVEN AFTER THE APPLICATION IS GRANTED, AND I CONSENT TO THE BOARD’S USE OF THE MAILING ADDRESS PROVIDED IN THE APPLICATION FOR ALL PURPOSES UNDER RSA 330-A AND MHP 100-500.

I, _____________________________, HEREBY APPLY FOR LICENSURE AS A/AN

[ ] MARRIAGE AND FAMILY THERAPIST

IN ACCORDANCE WITH RSA 330-A AND MHP 100-500 OF THE NEW HAMPSHIRE BOARD OF MENTAL HEALTH PRACTICE, AND HEREBY CERTIFY THAT I AM THE APPLICANT IDENTIFIED IN THIS APPLICATION AND THAT ALL STATEMENTS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT THE ENCLOSED PHOTOGRAPH IS A TRUE LIKENESS OF MYSELF.

Applicant’s signature _____________________________ Date __________

Attach check here please.

-4-

April 23, 2015
STATE OF NEW HAMPSHIRE
BOARD OF MENTAL HEALTH PRACTICE

SUMMARY OF SUPERVISED CLINICAL EXPERIENCE GRID SHEET

All applicants need to complete this form and submit it with your application for licensure. The hours on this form should match the hours verified on the Supervisor’s Confirmation of Clinical Experience form by present and/or past supervisors.

APPLICANT’S NAME _______________________________________________________

<table>
<thead>
<tr>
<th>START &amp; END DATE OF SUPERVISION</th>
<th>NAME OF FACILITY</th>
<th>NAME OF SUPERVISOR</th>
<th>TOTAL HOURS OF FACE-TO-FACE SUPERVISION</th>
<th>TOTAL HOURS OF CLIENT CONTACT</th>
<th>TOTAL HOURS OF CLINICAL EXPERIENCE</th>
</tr>
</thead>
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</tbody>
</table>

TOTAL HOURS OF SUPERVISED CLINICAL EXPERIENCE

IF YOUR GRADUATE PROGRAM WAS COAMFTE APPROVED, PLEASE BE SURE TO DOCUMENT THE HOURS ON THIS FORM AS WELL AS HAVING YOUR SUPERVISOR COMPLETE THE SUPERVISOR’S CONFIRMATION OF CLINICAL EXPERIENCE FORM INCLUDING TOTAL POST-GRADUATE CLINICAL HOURS. SEE NH ADMINISTRATIVE RULE MHP 306.02 (F)

BY SIGNING BELOW, I CERTIFY THAT THE FOREGOING IS CORRECT TO THE BEST OF MY KNOWLEDGE.

APPLICANT’S SIGNATURE __________________________ DATE __________

April 23, 2015
Supervisor’s Confirmation of Clinical Experience
To be completed by the applicant and forwarded to the supervisor of clinical experience

Request to the Supervisor and Release of Information to the Board

Please send one form to each supervisor and have them return it to you in a signed sealed envelope.

I am applying for licensure as a MARRIAGE AND FAMILY THERAPIST in the State of New Hampshire. The Board of Mental Health Practice requires confirmation of supervised clinical experience. This is your authority to release any information you have in your files, favorable or otherwise.

Applicant’s Name

Address

City________________________ State__________ Zip__________

Signature________________________ Date________________

Summary of Supervised Clinical Experience

Name of Facility________________________________________________________

Address of Facility_____________________________________________________

Applicant’s Title at the time of supervision________________________________

Dates of Supervised Clinical Experience: From: month____ year_____ To: month____ year____

Total Clinical Experience: Hours per Week_____ Number of Weeks____ Total Hours*____

Client Contact Hours: Hours per Week_____ Number of Weeks____ Total Hours*____

Supervision: Total Hours of Individual Supervision________

Total Group Supervision_______

If the supervision took place in New Hampshire was an approved Candidate for Licensure/Supervision Agreement on file in the Board office prior to commencement of the supervision? YES NO

CONTINUED ON NEXT PAGE – PLEASE STAPLE TOGETHER
SUPERVISOR'S CONFIRMATION

Supervisor: Please provide (typed and attached to this form)

1) A description of the supervisory methods and the types of issues dealt with during supervision,
2) A description of the type of work performed by the applicant, and
3) A description of the quality of work performed by the applicant.

(Please Print Clearly)

Name__________________________________________

Title at the time of Supervision____________________

Address________________________________________

Highest degree earned________

Licensed as a/an____________________By (state)_____License#___________

Issue Date_______

Are you an AAMFT Approved Supervisor: YES NO

Other __________________________________________

Phone Number _________________

Signature________________________________________

Date_______________

April 23, 2015
Licensure Verification Form
New Hampshire Board of Mental Health Practice

RELEASE OF INFORMATION FROM OTHER LICENSING AUTHORITIES

I am applying for licensed marriage and family therapist in the State of New Hampshire. The NH Board of Mental Health Practice requires that the following form be completed by each jurisdiction in which I am now or was previously licensed. This constitutes your authority to release any and all information in your files, favorable or otherwise to the NH Board of Mental Health Practice. Please complete the form, put it in a sealed envelope, sign the back of the envelope and RETURN IT TO THE APPLICANT.

Biographic Information:

<table>
<thead>
<tr>
<th>Last Name</th>
<th>First Name</th>
<th>Middle Name</th>
<th>Gen. Suffix</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Mailing Address</th>
<th>City</th>
<th>State</th>
<th>Zip Code</th>
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<tr>
<th>Date of Birth:</th>
<th></th>
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</table>

<table>
<thead>
<tr>
<th>License Number (if known)</th>
<th>Signature</th>
</tr>
</thead>
</table>

The following should be completed by the licensing authority and returned directly to the applicant in a sealed envelope signed across the back.

1. Name of Licensing Authority: ________________________________
2. Full Name of Licensee: ________________________________
3. License Number: ________________________________
4. Is License Current? Yes No  Expiration Date: ____________
5. Is License Restricted? Yes No
6. Previous Disciplinary Action? Yes No
7. Pending Investigations? Yes No

If the answer is yes to questions 5, 6 or 7, please attach supporting information.

Please affix official Board seal here

______________________________________________
Signature/Title

April 23, 2015
Professional Reference Form

TO BE COMPLETED BY APPLICANT AND FORWARDED TO THE REFERENCE:

I am applying for (check one that applies) [ ] Licensed Independent Clinical Social Worker; [ ] Licensed Clinical Mental Health Counselor; [ ] Licensed Marriage and Family Therapist; [ ] Licensed Pastoral Psychotherapist. The New Hampshire Board of Mental Health Practice requires professional references. THIS IS YOUR AUTHORITY TO RELEASE ANY INFORMATION YOU HAVE IN YOUR FILE FAVORABLE OR OTHERWISE. RETURN THIS FORM TO THE APPLICANT IN A SEALED ENVELOPE SIGNED ACROSS THE BACK.

(Please print legibly)
Name_________________________ Address_________________________

Signature_________________________ Date ________

TO BE COMPLETED BY REFERENCE:

Professional relation to applicant_________________________

Length of time you’ve known applicant: From (Mo/Yr)_________ to (Mo/Yr)_________

Please provide a brief description of your knowledge of the applicant’s professional and ethical behavior. ________________________________________________________________

________________________________________________________________________

________________________________________________________________________

Title of applicant’s position and name of organization he/she was employed at when you worked with them_________________________

Brief description of applicant’s duties & responsibilities: ________________________________

________________________________________________________________________

________________________________________________________________________

Area of applicant’s specialties: ________________________________

April 23, 2015
Do you attest and certify that the applicant is an individual of good moral character?
    [ ] Yes      [ ] No

If No, please explain________________________________________________________________________

__________________________________________________________________________________________

If you are aware that the applicant has been or is the subject of any malpractice or civil suit involving the
practice of their profession, or if they have been charged or convicted of a crime in any state or country; the
disposition of which was other than acquittal or dismissal; or if there have been or are any complaints or
charges of violation of the ethical codes, professional misconduct, unprofessional conduct, incompetence or
negligence made or pending against them; or that they have ever been required to surrender their
license/certification or have been found guilty of, or have entered into a consent decree regarding a
violation of ethics codes, professional misconduct, unprofessional conduct, incompetence or negligence in
any state or country by any licensing board or professional ethics body; please clarify those circumstances
and the current status of the applicant below.

__________________________________________________________________________________________

__________________________________________________________________________________________

Quality and extent of your endorsement:
    [ ] Without Reservation      [ ] With Reservation      [ ] No Recommendation

If you checked “With Reservation,” please elaborate________________________________________________________________________

__________________________________________________________________________________________

__________________________________________________________________________________________

THIS FORM IS TO BE RETURNED TO THE APPLICANT IN A SIGNED SEALED ENVELOPE.

Signature of Reference ____________________________ Date ______
(Please Print)
Name______________________________________________
Address____________________________________________________________________________________
Phone Number__________________________Title______________Degree ______
Licensed/Certified (Specialty)________________________________________________________State ______
License Number _________________
Professional Reference Form

TO BE COMPLETED BY APPLICANT AND FORWARDED TO THE REFERENCE:

I am applying for (check one that applies) [ ] Licensed Independent Clinical Social Worker; [ ] Licensed Clinical Mental Health Counselor; [ ] Licensed Marriage and Family Therapist; [ ] Licensed Pastoral Psychotherapist. The New Hampshire Board of Mental Health Practice requires professional references. THIS IS YOUR AUTHORITY TO RELEASE ANY INFORMATION YOU HAVE IN YOUR FILE FAVORABLE OR OTHERWISE. RETURN THIS FORM TO THE APPLICANT IN A SEALED ENVELOPE SIGNED ACROSS THE BACK.

(Please print legibly)
Name_________________________ Address_________________________

Signature_________________________ Date________

TO BE COMPLETED BY REFERENCE:

Professional relation to applicant_________________________

Length of time you’ve known applicant: From (Mo/Yr)_______to (Mo/Yr)________

Please provide a brief description of your knowledge of the applicant’s professional and ethical behavior. __________________________

________________________________________

________________________________________

Title of applicant’s position and name of organization he/she was employed at when you worked with them_________________________

Brief description of applicant’s duties & responsibilities: _________________________

________________________________________

________________________________________

Area of applicant’s specialties: __________________________
Do you attest and certify that the applicant is an individual of good moral character?
[  ] Yes           [  ] No
If No, please explain__________________________________________________________

If you are aware that the applicant has been or is the subject of any malpractice or civil suit involving the practice of their profession, or if they have been charged or convicted of a crime in any state or country; the disposition of which was other than acquittal or dismissal; or if there have been or are any complaints or charges of violation of the ethical codes, professional misconduct, unprofessional conduct, incompetence or negligence made or pending against them; or that they have ever been required to surrender their license/certification or have been found guilty of, or have entered into a consent decree regarding a violation of ethics codes, professional misconduct, unprofessional conduct, incompetence or negligence in any state or country by any licensing board or professional ethics body; please clarify those circumstances and the current status of the applicant below.

______________________________________________________________________________
______________________________________________________________________________
______________________________________________________________________________

Quality and extent of your endorsement:
[  ] Without Reservation   [  ] With Reservation   [  ] No Recommendation
If you checked “With Reservation,” please elaborate________________________________________

______________________________________________________________________________
______________________________________________________________________________

THIS FORM IS TO BE RETURNED TO THE APPLICANT IN A SIGNED SEALED ENVELOPE.

Signature of Reference ________________________________ Date _________
(Please Print)
Name_______________________________
Address____________________________________________________
Phone Number__________________________Title_________________________Degree _________
Licensed/Certified (Specialty)______________________________State _________
License Number _______________________

April 23, 2015
Professional Reference Form

TO BE COMPLETED BY APPLICANT AND FORWARDED TO THE REFERENCE:

I am applying for (check one that applies) [ ] Licensed Independent Clinical Social Worker; [ ] Licensed Clinical Mental Health Counselor; [ ] Licensed Marriage and Family Therapist; [ ] Licensed Pastoral Psychotherapist. The New Hampshire Board of Mental Health Practice requires professional references. THIS IS YOUR AUTHORITY TO RELEASE ANY INFORMATION YOU HAVE IN YOUR FILE FAVORABLE OR OTHERWISE. RETURN THIS FORM TO THE APPLICANT IN A SEALED ENVELOPE SIGNED ACROSS THE BACK.

(Please print legibly)
Name______________________________ Address____________________

Signature_________________________ Date_______

TO BE COMPLETED BY REFERENCE:

Professional relation to applicant___________________________

Length of time you’ve known applicant: From (Mo/Yr)________to (Mo/Yr)________

Please provide a brief description of your knowledge of the applicant’s professional and ethical behavior. __________________________________________________________

________________________________________________________________________

Title of applicant’s position and name of organization he/she was employed at when you worked with___________________________

Brief description of applicant’s duties & responsibilities: ____________________________

________________________________________________________________________

Area of applicant’s specialties: ________________________________________________
Do you attest and certify that the applicant is an individual of good moral character?
[ ] Yes [ ] No
If No, please explain__________________________________________________________

If you are aware that the applicant has been or is the subject of any malpractice or civil suit involving the practice of their profession, or if they have been charged or convicted of a crime in any state or country; the disposition of which was other than acquittal or dismissal; or if there have been or are any complaints or charges of violation of the ethical codes, professional misconduct, unprofessional conduct, incompetence or negligence made or pending against them; or that they have ever been required to surrender their license/certification or have been found guilty of, or have entered into a consent decree regarding a violation of ethics codes, professional misconduct, unprofessional conduct, incompetence or negligence in any state or country by any licensing board or professional ethics body; please clarify those circumstances and the current status of the applicant below.

____________________________________________________________________________
____________________________________________________________________________

Quality and extent of your endorsement:
[ ] Without Reservation [ ] With Reservation [ ] No Recommendation
If you checked “With Reservation,” please elaborate______________________________________
____________________________________________________________________________

THIS FORM IS TO BE RETURNED TO THE APPLICANT IN A SIGNED SEALED ENVELOPE.
Signature of Reference ___________________________ Date ________
(Please Print)
Name_______________________________
Address_______________________________
Phone Number____________________Title________________Degree ______
Licensed/Certified (Specialty)________________________State ______
License Number _________________
Dear Applicant,

Pursuant to New Hampshire RSA 332-G:7, each board supported by the New Hampshire Office of Professional Licensure and Certification (OPLC) shall:

1. "Upon presentation of satisfactory evidence with an application for licensure, certification, or registration, accept education, training, or service completed by an individual as a member of the armed forces, as defined in RSA 21:50, II, toward the qualifications required to receive the license, certificate, or registration in question."

   RSA 21:50, II - "Armed forces" means the United States Army, Army Reserve, Navy, Naval Reserve, Marine Corps, Marine Corps Reserve, Air Force, Air Force Reserve, Coast Guard, Coast Guard Reserve, Army National Guard, and the Air National Guard. "Armed forces" also includes other components, but is limited to those components and active duty periods described in 38 C.F.R. 3.7.

OR

2. "Notwithstanding any general or special law to the contrary, each of the boards or commissions under this title authorized to conduct licensure, certification, or registration, and examinations therefor, shall upon the presentation of satisfactory evidence by an applicant before the board or commission, facilitate the issuance of a license or certification for a person: (i) who is certified or licensed in a state other than New Hampshire; (ii) whose spouse is a member of the armed forces in the United States; (iii) whose spouse is the subject of a military transfer to New Hampshire; and (iv) who left employment to accompany a spouse to New Hampshire. The procedure shall include, but not be limited to, facilitating the issuance of a license, certificate, or registration if, in the opinion of the board or commission, the requirements for licensure, certification, or registration of such other state are substantially equivalent to the requirements for licensure, certification, or registration in New Hampshire."

Please place a check mark in all that apply below:

☐ I am eligible for consideration as defined in paragraph #1 above.

☐ I am not eligible for consideration as defined in paragraph #1 above.

☐ I am eligible for consideration as defined in paragraph #2 above.

☐ I am not eligible for consideration as defined in paragraph #2 above.