

**Readopt with amendment Mhp 401.01, effective 1-22-15 (Document #10762), to read as follows:**

Mhp 401.01 Expiration of License.

~~(a)~~ Licenses **issued under this chapter, shall be valid as provided in Plc 304.12.**

~~(b)~~ A renewal license shall be valid for 2 years upon approval of application submitted in a timely manner in accordance with Mhp 401.02.

**Readopt with amendment Mhp 401.02, effective 1-22-15 (Document #10762), as amended effective 7-27-18 (Document #12594), to read as follows:**

Mhp 401.02 Renewal Requirements.

**(a) Plc 308 shall govern licensure renewals.**

(a) (b) A licensee for renewal shall:

Edit. Fix indentation.

(1) Complete, sign, and submit the **information required by Plc 308.06 on the Renewal Application "Universal Application for License Renewal" dated April 2024 that is signed and attested to as provided in Plc 308.08,** ~~form dated June 10, 2014,~~ prior to the date of license expiration; Edit. "required".

Legis. Intent. submit all forms with the FP. this does not apply to the universal forms in Plc 308.

~~(2) Complete, sign and submit the "Attestation to CEUs and Collaboration" form dated June 10, 2014, as supplied by the board;~~

Edit. Insert a comma.

(3) ~~(2)~~ Complete, sign and submit the **"Continuing Education & Collaboration Report Form 200", dated June 10, 2014 revised July 2024;** and

(4) ~~(3)~~ Pay the fee specified by Mhp 304.01 ~~(e)~~ **Plc 1002.29.** Edit/Unclear. Which requirements are meant?

(b) ~~(c)~~ Failure to meet the requirements of Mhp 401.02 **Plc 308** by the prescribed date shall result in the license expiring.

Edit/Unclear. Is this supposed to be Plc 308.01? Avoid broad citations. Use specific citations.

(e) ~~(d)~~ If a license has expired pursuant to Mhp 401.01 **Plc 308** such person shall not practice mental health services until such time that a new license is applied for pursuant to Mhp 302.02 or Mhp 404.01 and ~~granted by the board~~ **issued.** Edit. Insert a comma.

Edit. Use low case.

~~(d)~~ **(e)** The renewal process shall only be available to persons whose current license has not expired.

(e) **(f)** Pursuant to RSA 126-A:5, XVIII-a.(a) and RSA 330-A:10-a, licensees may complete and submit to, as part of their renewal application, the New Hampshire **Division of Public Health Service's "New Hampshire Mental Health Practitioner Licensure Survey", effective July 2018,** issued by the **State Office of Rural Health and Primary Care, Department of Health and Human Services.**

~~(f)~~ **(g)** ~~The board shall provide~~ Licensees **shall be provided** with the opportunity to opt out of the survey. Written notice of the opt-out opportunity shall be provided with the renewal application. The opt out form shall be available on the NH State **Office of Rural Health and Primary Care** website and the board's website, <https://www.oplc.nh.gov/mental-health/index.htm>. Unclear. This link does not work.

~~(g)~~ **(h)** Licensees choosing to opt-out of the survey shall submit a completed NH **Department of Health and Human Services** form "New Hampshire Health Professions Survey Opt-Out Form" **revised 1/1/18,** pursuant to HB 322, Laws of 2017, Ch. 131, to the State Office of Rural Health and Primary Care, Department of Health and Human Services, via ~~one of the following as specified on the form:~~

Edit. For (h) consider: "Licensees choosing to op-out of the survey shall submit a completed NH department of health and human services form pursuant to He-C 801.04." Consider deleting the (1)-(3). He-C 801.04(c)(2) only allows for mailing and faxing.

Edit. Some of the public health survey forms are updated every year. It would be better to insert a citation to the applicable rules unless the intent is for individuals to complete older forms. (This comment applies to (g) as well.) The rule citation is He-C 801. Consider for (f): "licensees may complete and submit, as part of their renewal application, the applicable licensure survey pursuant to He-C 801 issued by the office of rural health and primary care, department of health and human services."

- (1) Mail;
- (2) Email; or
- (3) Fax.

**Edit.** Include a citation to RSA 91-A. He-C 801.05(b) (1) includes RSA 91-A as well as to RSA 126.

(h) ***(i)*** Information contained in the ~~opt-out~~ forms shall be kept confidential in the same accord with the survey form results, pursuant to RSA 126-A:5, XVIII-a.(c).

**Readopt with amendment Mhp 401.03, effective 1-22-15 (Document #10762), to read as follows:**

Mhp 401.03 Filing Date. An application for license renewal shall be ~~on file in the board office~~ ***submitted to the licensing bureau*** no later than the expiration date of the present license.

**Readopt with amendment Mhp 401.04, effective 1-22-15 (Document #10762), to read as follows:**

Mhp 401.04 Denial of Renewal. License renewal shall be denied if there is a preponderance of the evidence to establish:

- (a) Noncompliance with the continuing education requirements of Mhp 402-04, or the collaboration requirement of Mhp 403.01;
- (b) Failure to furnish complete or accurate information on the renewal license application; or
- (c) That the requirements of RSA 330-A, ***RSA 310:8***, and these rules relative to licensure and qualifications have not been met, or no longer continue to be met.

**Readopt with amendment Mhp 401.05, effective 12-18-21 (Document #13311), to read as follows:**

Mhp 401.05 Inactive Status. ***Plc 307 rules shall govern with regards to inactive status for reserve military called to active duty.***

- ~~(a) Inactive status may be obtained by a license holder who:~~
  - ~~(1) Holds a current NH license with the board;~~
  - ~~(2) Has no disciplinary action or pending disciplinary action;~~
  - ~~(3) No longer engages in mental health practice in New Hampshire;~~
  - ~~(4) Completes and submits the "Request for Inactive Status" form dated June 10, 2014; and~~
  - ~~(5) Pays the fee designated in Mhp 304.01 (e) annually.~~

**Unclear.** This doesn't introduce the paragraphs below. Introductions when read with the subsequent paragraphs should form a complete sentence. Make this (a) and reletter the subsequent paragraphs.

~~(b) Licensees wishing to maintain inactive status shall complete, sign and submit the "Renewal of Inactive Status" form, dated October 15, 2021, and pay the required fee designated in Mhp 304.01 (e).~~

**Edit.** (b).

***(a)*** Licensees in any reserve component of the armed forces of the United States or the national guard called to active duty, may request inactive license status ***by submitting a completed "Request for Inactive Status Military Activation" form dated March 2024 to CustomerSupport@opl.nh.gov.that contains the information required in Plc 307.06.***

**Unclear/Edit.** This highlighted phrase makes it sound as if the form is going to contain information but what is actually happening is that the applicant has to complete the form by supplying the information/ filling it out. Rewrite: "by completing and submitting the "Request for Inactive Status Military Activation" form required by Plc 307.06 to CustomerSupport@opl.nh.gov."

Edit. Delete and reletter "(b)" to "(c)".

Text added to existing rule shown in **bold italic**  
Text deleted from existing rule show in ~~strike through~~

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**Unclear.** This is not an introduction for (1), (b) and (1) when read together should form a complete sentence. Also, there's an introductory sentence after the section's title and (b) doesn't follow it.

~~(d) (b) Licensees wishing to reactivate his or her inactive license shall~~ ***An inactive license may be reactivated within one year of the licensee's release from active status by submitting a written request in accordance with (1), below, together with payment of the application-related fee for renewal and proof of completion of applicable continuing competence requirements if the license term of the license that was put on inactive status has expired.***

Edit. "(d)"

***(1) To request the reactivation of a license that was put on inactive status under Plc 307.06, the licensee shall submit a completed "Request for License Reactivation" form dated March 2024 to CustomerSupport@oplc.nh.gov that provides the information required in Plc 307.07.***

Edit. The highlighted phrase makes it sound as if the application is providing the information when that's not what is happening. Consider: "licensees shall complete and submit the "Request for License Reactivation" form pursuant to Plc 307.07."

~~(1) Complete, sign, and submit the "Reactivation Application" form, dated June 10 supplied by the board;~~

~~(2) Submit documentation of 40 hours of CEs, at least 6 of which shall be in ethics and 3 of which shall be in suicide prevention, intervention, and postvention, taken with prior to the date of the application; and~~

~~(3) Pay the fee specified by Mhp 304.01 (e)~~

**Readopt with amendment Mhp 402.01, effective 12-18-21 (Document #13311), to read as follows:**

**Mhp 402.01 Continuing Education Requirements for Pastoral Psychotherapists, Licensed Independent Clinical Social Workers, School Social Workers, Clinical Mental Health Counselors, and Marriage and Family Therapists.**

Edit. Underline.

(a) Each licensee shall complete 40 approved continuing education hours (CEs) every 2 years.

***(1) Of the 40 required CEs, board approved supervisors shall complete at least 6 CEs in clinical supervision from Category A.***

(b) At least 30 of the 40 CEs shall be completed from Category A as described in Mhp 402.02(a)-(d).

(c) At least 6 of the 40 CEs shall be completed in ethics and shall be from Category A.

(d) At least 3 of the 40 CEs shall be completed in suicide prevention, in accordance with **RSA 330-A:10, XIV** and shall be from Category A.

(e) No more than 10 CEs shall be from Category B as described in Mhp 402.02(e).

(f) **When requested to do so by the board, the licensee shall be responsible for proving attendance at or participation in any continuing education hours submitted for license renewal.**

(g) Licensed members of the board ~~and licensed members of the professional conduct investigation (PCI) committee~~ shall receive 6 CEs per year to meet Mhp 402.01(c).

Edit. "shall prove".

**Adopt Mhp 402.02 and Mhp 402.03, and renumber the existing Mhp 402.02 and Mhp 402.03 as Mhp 402.04 and 402.05, so that Mhp 402.02 and Mhp 402.03 read as follows:**

**Mhp 402.02 Continuing Education Requirements for Licensed Social Workers.**

Edit/Unclear. If there's a rule that describes what a licensee needs to present to prove attendance, please insert the citation. "pursuant to..."

**Unclear.** It is unclear what procedures apply or what the triggering event is that would cause the board to make this request. If there are rules that apply, cite them. Otherwise, there needs to be criteria that explains when the board will make this request.

**Unclear.** (a) is not an introduction for (1). Also, do not have solitary paragraphs- so delete (1) and move it up to (a).

**Edit.** Incorrect citation. It's RSA 330-A:10, XI.

**Unclear.** It is unclear what procedures apply or what the triggering event is that would cause the board to make this request. If there are rules that apply, cite them. Otherwise, there needs to be criteria that explains when the board will make this request. This comment applies to Mhp 402.03(f) too.

Text added to existing rule shown in ***bold italic***  
Text deleted from existing rule show in ~~strike through~~

- (a) Each licensee shall complete 30 approved continuing education hours (CEs) every 2 years.
- (b) At least 24 of the 30 CE's shall be completed from Category A as described in Mhp 402.04(a)-
- (d).
- (c) At least 3 of the 30 CE's shall be completed in ethics and shall be from Category A.
- (d) At least 3 of the 30 CE's shall be completed in suicide prevention, in accordance with **RSA 330-A:10, XIV** and shall be from Category A.
- (e) No more than 6 CE's shall be from Category B as described in Mhp 402.04(e).
- (f) **When requested to do so by the board,** the licensee **shall be responsible for proving** attendance at or participation in any continuing education hours submitted for license renewal.

**Edit.** Incorrect citation. It's RSA 330-A:10, XI.

**Edit.** "shall prove" and insert the rule that describes what is acceptable proof.

**Edit.** Delete extra space.

Mhp 402.03 Continuing Education Requirements for Social Worker Associate.

- (a) Each licensee shall complete 10 approved continuing education hours (CEs) every 2 years.
- (b) At least 6 of the 10 CE's shall be completed from Category A as described in Mhp 402.04(a)-(d).
- (c) At least 3 of the 10 CE's shall be completed in ethics and shall be from Category A.
- (d) At least 3 of the 10 CE's shall be completed in suicide prevention, in accordance with **RSA 330-A:10, XIV** and shall be from Category A.
- (e) No more than 4 CE's shall be from Category B as described in Mhp 402.04(e).
- (f) **When requested to do so by the board,** the licensee **shall be responsible for proving** attendance at or participation in any continuing education hours submitted for license renewal.
- (g) Licensed members of the board shall receive 6 CE's per year to meet Mhp 402.01(c).

**Edit.** Incorrect citation. It's RSA 330-A:10, XI.

**Readopt with amendment and renumber Mhp 402.02, effective 12-18-21 (Document #13311), as Mhp 402.04 to read as follows:**

Mhp 402.02 **4** Approved Continuing Education.

- (a) Category A CE's ~~may be earned by:~~
  - (1) Participation in seminars, workshops, or live, interactive webinars;
  - (2) Participation in home study courses **is limited to:**
    - a. Up to a maximum of 20 CE's **for pastoral psychotherapists, licensed independent clinical social workers, school social workers, clinical mental health counselors, and marriage and family therapists;**
    - b. **Up to a maximum of 6 CE's for licensed social workers;**
    - c. **Up to a maximum of 4 CE's social work associates;**

**Unclear.** "shall". Are there other ways to earn this credit beyond what is listed here? If not, this should be "shall".

**Edit.** "which shall be limited to:"

**Edit.** Fix indentation.

**Edit/Unclear.** Need to pick one way of saying CE's. Above it is CE's. Here it's CE's which is possessive and doesn't make sense. Be consistent.

Text added to existing rule shown in ***bold italic***  
Text deleted from existing rule show in ~~strike~~

Edit. Delete. Do not use multiple conjunctions because that will make the rule unclear as it will create multiple interpretations.

Edit. Fix indentation.

(3) Preparation of a seminar, workshop, or live, interactive webinar which shall count as 10 CEs; ~~or~~

(4) Completion of graduate level coursework ***by pastoral psychotherapists, licensed independent clinical social workers, clinical mental health counselors, marriage and family therapists, and school social workers; or bachelor level coursework for licensed social workers, and social work associates;***

(5) Publication of a peer reviewed professional book which shall count as 10 CEs; and

(6) ~~Each P-~~publication of an article in a peer reviewed professional journal which shall count as 6 CEs ~~per year.~~

Edit. Insert a comma.

(b) Category A seminars, workshops, on-line ~~and~~ home study or other CEs shall be approved by one of the following groups, ***or their successor organization:***

(1) American Psychological Association;

(2) National Association of Social Workers;

(3) National Board for Certified Counselors;

(4) American Association for Marriage and Family ~~therapy;~~

Edit. Capitalize.

(5) American Counseling Association;

(6) American Medical Association;

(7) American Mental Health Counselors Association; or

(8) Association of Social Work Boards.

Edit. Insert a comma. "college, university, or theological school."

(c) Category A graduate academic coursework shall include graduate courses from a department of psychology, social work, counseling, marriage and family therapy, or any other department in the behavioral sciences at a regionally accredited school, ~~college or university or theological school.~~ Each semester hour of course credit shall count as equivalent to 6 CEs. ~~Quarter hours shall equate to 4 CEs.~~

(d) Category A CEs may be obtained by licensees for the teaching of ~~such course in (c), as follows:~~ ***academic coursework at the baccalaureate or graduate level from a department of psychology, social work, counseling, marriage and family therapy, or any other department in the behavioral sciences at a regionally accredited school, college or university or theological school. Each semester hour of course credit shall count as equivalent to 6 CEs. Quarter hours shall equate to 4 CEs.***

Edit/Unclear. (d) does not introduce (1) & (2). When read together they are supposed to be a complete sentence. Insert a new (e) and introduce (1) & (2). Don't insert the introductory sentence in (d) because there will be too many requirements in it if you do so.

(1) Preparation of a syllabus and teaching of a new course shall count as equivalent to 10 CEs; and

(2) Thorough updating of a course, including preparation of a new syllabus, review of the literature, preparation of reading lists and course assignments shall count as equivalent to 5 CEs.

(e) Category B credits ***may*** be earned through:

Unclear. "shall". Are there other ways to earn this credit beyond what is listed here? If not, this should be "shall".

Unclear. There are colleges that award quarter hour credits rather than semester hour credits. However, is this what is meant here- that an hour of semester credit is 6 CEs credit? And that quarter hours equate to 4 CE credits?



Text added to existing rule shown in ***bold italic***  
Text deleted from existing rule show in ~~strikethrough~~

- (1) Participation in mental health seminars or workshops not meeting the requirements of Category A;
- (2) Publication of professional books ***which shall count as 6 CEs***; and
- (3) Publication of articles in professional journals not to exceed 5 ~~hours~~-***CEs*** per year.

**Readopt with amendment and renumber Mhp 402.03, effective 1-22-15 (Document #10762), as Mhp 402.05 to read as follows:**

Mhp 402.03 ~~5~~ Failure to Satisfy Continuing Education Requirements.

(a) An applicant for license renewal who has not completed ~~40~~ ***the required CEU's*** in the preceding biennium shall file a petition with the board no less than 60 days prior to the license expiration requesting a waiver of Mhp 402.01;

Unclear/Edit. This is a third abbreviation for the same term. Need to be consistent. Also this shouldn't be possessive.

Edit. Delete and replace with a period.

(b) The waiver shall be granted if good cause is demonstrated in that:

Unclear. How long will the waiver be in place? For the time period requested? Or indefinitely? For the applicable year?

- (1) Adherence to the rule would be unduly burdensome to the petitioner for reasons of health, disability, family emergency, or extreme financial hardship;
- (2) Waiver of the rule would be consistent with the statutes and rules of the board;
- (3) Waiver of the rule would not injure third persons; and
- (4) Waiver is necessary due to factors outside the control of the petitioner.

**Readopt with amendment Mhp 403.01, effective 1-22-15 (Document #10762), to read as follows:**

Mhp 403.01 Collaboration.

(a) Each licensee shall complete 40 hours of collaboration every 2 years.

(b) The licensee shall be responsible for documenting clinical collaboration hours ~~submitted~~ ***required*** for license renewal.

Edit. Delete extra period.

**Readopt with amendment Mhp 404.01, effective 12-18-21 (Document #13311), to read as follows:**

Mhp 404.01 Reinstatement Requirements.

(a) ~~An~~ Applicants wishing to reinstate his or her license ***seeking reinstatement of a license that has been expired for more than one year shall:***

- (1) Complete, sign and submit the "Reinstatement Application" form, dated June 10, 2014, no later than 6 months after the date of license expiration ***Apply for initial licensure as provided in Plc 304;***
- (2) Attach documentation of ~~40~~ ***the required*** hours of CEs, ***as described in Mhp 402 specific to the the license type for which the applicant is seeking reinstatement,*** at least 6 of which shall be in ethics and at least 3 of which shall be in suicide prevention, intervention, and ~~postvention~~, taken within 2 years prior to the date of reinstatement; and

Edit. Semicolon rather than colon.

Text added to existing rule shown in ***bold italic***  
Text deleted from existing rule show in ~~strike through~~

(3) Pay the fee specified by ~~Mhp 304.01 (h)~~ ***Plc 1002.29.***

***(b) Applicants seeking reinstatement of an expired license not more than one year after the date the license expired shall:***

**Edit.** Don't have solitary subparagraphs. Move this up to (b) and renumber a. & b. to (1) and (2). Also fix the indentation.

***(1) Complete the process for renewing a license specified in Plc 308, including demonstrating that the applicant has:***

***a. Met all continuing competence requirements; and***

***b. Retained or re-obtained the certification(s) or other credential(s) required for licensure,***

***if any.***

**Readopt with amendment Mhp 404.02, effective 1-22-15 (Document #10762), to read as follows:**

Mhp 404.02 Denial of Reinstatement. License reinstatement shall be denied if, after notice and an opportunity for hearing, there is a preponderance of the evidence to establish:

**Edit.** Spacing is off. Choose align left.

(a) **Noncompliance with the continuing education requirement of Mhp 402 or collaboration requirement of Mhp 403.**

**Edit.** Delete and replace with a semicolon.

(b) Failure to furnish complete or accurate information on the ~~reinstatement~~ license application **as described in ~~Plc 312~~**; or

**Edit.** "required".

(c) That the requirements of RSA 330-A and these rules relative to licensure and qualifications have not been, or no longer continue to be met.

#### APPENDIX I

Rule	Specific State Statute Implemented
Mhp 401.01	RSA 310:8, II
Mhp 401.02	RSA 330-A:31, I; RSA 310:8, III
Mhp 401.03 and Mhp 401.04	RSA 310:8, III
Mhp 401.05	RSA 310:8, V
Mhp 402.01 through Mhp 402.05	RSA 330-A:10, XI
Mhp 403.01	RSA 330-A:10, XVI
Mhp 404.01 and Mhp 404.02	RSA 310:8, III