

Readopt with amendment Mhp 101.01, effective 1-25-11 (Document #9852), as amended effective 2-24-16 (Document #11040), to read as follows:

Mhp 101.01 Purpose and Scope. The rules of this title implement the statutory responsibilities of the New Hampshire board of mental health practice under RSA 330-A which, include, but are not limited to:

(a) Protecting the public receiving mental health services not limited by geographic boundary or technology used;

(b) Determining the qualifications for the licensing of pastoral psychotherapists, independent clinical social workers, clinical mental health counselors, marriage and family therapists, school social workers, licensed social workers, and social work associates;

(c) “Licensee” means a person who possesses a current license pursuant to RSA 330-A;

(d) “Scope of practice” means assessment, diagnosis, consultation, treatment recommendations, and treatment of a person with a diagnosis or a concern specified in the current edition of the Diagnostic and Statistical Manual of the American Psychiatric Association (DSM) and the Diagnostic Coding Manual (ICD-10) in accordance with RSA 330-A:1; and

(e) The procedures for assuring the continuing professional education requirements and other requirements for demonstrating professional competence for the renewal or reinstatement of licenses.

Repeal Mhp 103.02, effective 6-30-21 (Document #13224), and hold such section in reserve as follows:

~~Mhp 103.02 Staff. The board, through the office of professional licensure and certification, shall employ a board administrator and such other staff as is necessary to conduct the board’s daily operations and to fulfill its statutory duties. **RESERVED**~~

Readopt with amendment Mhp 103.05, effective 1-25-11 (Document #9852), to read as follows:

Mhp 103.05 Committees.

(a) The Board may create an advisory committee for each mental health discipline license. The board member of each mental health discipline shall serve as the chair of that advisory committee. The remaining members shall include at least 2 licensees, and no more than 4 licensees in the mental health discipline of that committee.

(b) The committee shall have no independent regulatory or disciplinary authority.

(c) This section shall *not* affect or change the scope of practice of any mental health practice license.

Readopt with amendment Mhp 104.02, effective 1-25-11 (Document #9852), to read as follows:

Mhp 104.02 Custodian of the Records. The executive director of the office of professional licensure and certification shall be the custodian of the board’s records. Plc 103 rules shall govern requests for information and access to records.

APPENDIX I

| RULE | STATUTE IMPLEMENTED |
|---------------------|---|
| Mhp 101.01 | RSA 330-A:3; RSA 330-A:10, IV-VII, XI; RSA 541-A:16, I(a) |
| Mhp 103.02 (repeal) | 2023, 235:27 |
| Mhp 103.05 | RSA 330-A:4, I |
| Mhp 104.02 | RSA 91-A:4; RSA 541-A:16, I(a); RSA 310:4, II(e) |