

Readopt with amendment Chapter Sep 300, effective 10-31-18 (Document #12654), to read as follows:

CHAPTER Sep 300 LICENSURE REQUIREMENTS

PART Sep 301 APPLICATION REQUIREMENTS

Sep 301.01 Application Process.

(a) Persons wishing to become licensed as a septic system evaluator in New Hampshire shall complete and submit ***to the licensing bureau an “Application for Licensure as a Septic System Evaluator”*** ~~form provided by the board~~ ***the “Universal Application for Initial Licensure”, dated April 2024,*** containing the information ~~specified in Sep 301.02 in Plc 304.03, the documentation required by Plc 304.04, the signature and attestation specified in Plc 304.05,~~ and shall submit the application fee specified in ~~Sep 301.03 and Sep 301.04~~ ***Plc 1002.49.***

(b) ~~An~~ ***Applications shall be reviewed pursuant to Plc 304.06.*** ~~, which is not signed by the applicant, or is not accompanied by cash, a valid check, or a valid credit card number for the application fee, shall not be accepted for processing and shall be returned to the applicant in accordance with RSA 541-A:29, I.~~

(c) ~~If the application is denied, the applicant shall be provided an opportunity to request a hearing for reconsideration on the deficiency issues identified by the board. Any such request shall be made in writing and received by the board within 30 days of the receipt of the notification of denial. Applicants may challenge the denial of an application for initial licensure by submitting a petition for a rehearing within 30 days of the notification of denial, pursuant to Plc 206.31.~~

(d) ***Plc 304.06 shall govern*** ~~A~~ applications about which there has been no communication from the applicant to the board for one year shall be destroyed.

Sep 301.02 Application for Licensure.

(a) Each applicant for licensure shall provide ***the following information to the licensing bureau,*** ~~or cause to be provided, the following on the “Application for Licensure as a Septic System Evaluator” form supplied by the board:~~

~~(1) The applicant’s name, including any names previously used;~~

~~(2) The applicant’s written signature;~~

~~(3) The applicant’s residence and business addresses and telephone numbers;~~

~~(4) The applicant’s email address;~~

~~(5) The applicant’s date of birth and place of birth;~~

~~(6)~~ ***An indication as to whether the applicant has completed the classroom and field training of a board approved septic evaluator course and, if so:***

a. The date of the course;

- b. Where the course was taken; and
- c. Name of the course provider;

~~(7) An indication as to whether the applicant has ever taken a granite state septic system evaluator course and, if so, the date the course was taken;~~

~~(8) An indication as to whether the applicant currently holds a septic system designer permit and, if so:~~

- ~~a. The permit number; and~~
- ~~b. The total number of evaluations completed;~~

~~(9) An indication as to whether the applicant is actively engaged in the business of septic system evaluations and, if so:~~

- ~~a. The year the applicant began evaluating septic systems; and~~
- ~~b. The total number of evaluations completed;~~

~~(10) The applicant's dated signature below the following attestation:~~

~~I have read the contents hereof and clearly understand that the correctness and truth of my statements certifying that I have completed 25 septic system evaluations as recorded in this application not only to the issuance of the certificate of licensure, as applied for, but also to the retention of said certificate, if issued;~~

~~(11) An indication as to whether the applicant has ever been licensed in any other state as a septic system evaluator;~~

~~(12) The applicant's dates of employment, titles of positions, and name and present address of employer;~~

~~(13) Character of employment including types of work performed and degree of responsibility;~~

~~(14) The name and present address of someone familiar with each position held by the applicant, preferably a person to whom the applicant reported or with whom the applicant was associated;~~

~~(15) The name, address, occupation, and business relationship to the applicant of 3 references that have personal knowledge of the applicant's experience and who will submit a completed reference form to the ~~board~~ ***licensing bureau*** for review which contains the following information:~~

- a. The name of the applicant;
- b. The full name of the reference,
- c. The address of the reference;

- d. The reference's present business or profession;
 - e. An indication as to whether the reference is a certified or practicing septic system evaluator and, if so, the state and applicable certificate number;
 - f. The length of time the reference has known the applicant;
 - g. An explanation of any relationship to the applicant;
 - h. An explanation of any business connection to the applicant;
 - i. Identification of anything the reference knows about the applicant that would reflect adversely on the applicant's integrity or general good character;
 - j. A brief estimate of the applicant as a septic system evaluator;
 - k. An indication as to whether the reference would employ the applicant in a position of trust;
 - l. The name and address of the applicant's firm, if ~~he or she~~ ***the applicant*** is connected to one;
 - m. Whether the reference thinks the applicant is qualified to be placed in a responsible charge of supervision of work;
 - n. The nature of the applicant's individual practice, if ~~he or she~~ ***the applicant*** practices individually;
 - o. Whether the reference recommends the applicant for certification as a septic system evaluator;
 - p. An estimation of how many years of experience the reference believes the applicant to have;
 - q. Any other remarks concerning the applicant; and
 - s. The reference's dated signature below an attestation that the reference knows the person referred to is making application for licensure to the State of New Hampshire as a septic system evaluator;
- (16) Highest grade attended including name of institution, years attended, graduation date;
- ~~(17) A listing of every state in which the applicant holds or has ever held registration or certification, licensure as a septic system evaluator with corresponding number and date of initial registration, certification, or licensure;~~
- ~~(18) Whether the applicant has ever been denied registration, certification, or licensure as a septic system evaluator or disciplined by this board or another septic system evaluator licensing board in any other state and if so, an explanation of the circumstances;~~

~~(19) Whether the registration, certification, or licensure as a septic system evaluator was issued by examination;~~

~~(20) Whether the applicant has ever been convicted of any felony, any misdemeanor, or a violation and if so, the name of the court, the details of the offense and the date of conviction and the sentence imposed;~~

(214) The applicant's social security number required pursuant to RSA 161-B:11, VI-a;

~~(22) The applicant's signed and dated supplementary experience record, including the signed and dated attachments, which lists in detail the applicant's projects or assignments in chronological order by identifying:~~

~~a. The portion of the work the applicant personally did;~~

~~b. The project job title;~~

~~c. The name of the client; and~~

~~d. The location of the portion of the project completed by the applicant;~~

~~(23) The applicant's dated signature below the following pre printed affidavit:~~

~~I have read the contents hereof and clearly understand that the correctness and truth of my statements as recorded in this application are material, not only to the issuance of the certificate of licensure, as applied for, but also to the retention of said certificate, if issued; and~~

(245) The application fee as specified in ***Plc 1002.49*** ~~Sep 301.03 and Sep 301.04.~~

Sep 301.03 Application and Licensure Fees. ***Application processing, examination, and licensing fees shall be governed by Plc 1002.49.***

~~— (a) The application for licensure shall be \$100.00.~~

~~— (b) The examination administration fee shall be \$100.00.~~

~~— (c) The wall display certificate fee for licensees shall be \$50.00.~~

~~— (d) The biennial renewal fee shall be \$100.00.~~

~~— (e) If the renewal is not received by the date of expiration, there shall be a late fee of 20 percent per month.~~

~~— (f) The reinstatement fee after 12 months shall be the renewal fee plus 20 percent per month late fee totaling \$340.00.~~

~~— (g) The fee for verification of licensure shall be \$25.00.~~

~~— (h) The fee for replacement of a lost or mutilated certificate of licensure shall be \$50.00.~~

~~— (i) Course providers shall pay an evaluation fee of \$25.00 each time a course is submitted to the board to be evaluated for pre-licensing education credit.~~

Sep 301.04 Fees. All fees shall be paid in the form of cash, money order, bank draft, check, or credit card number payable to “Treasurer, State of New Hampshire” and are non-refundable. ~~Applicants paying by credit card shall submit a completed “Credit Card Information” form, revised September 2018.~~

PART Sep 302 QUALIFICATION OF APPLICANTS

Sep 302.01 Candidate Requirements.

(a) Candidates for licensure shall meet the requirements established by RSA 310-A:210 before a license shall be granted. ~~The board shall require documentation of the applicant’s education and work experience to help determine competency if the application is unclear, contradictory, or incomplete.~~

(b) The candidate shall have committed no ~~misconduct~~ ***ethical violations*** of as set forth in RSA 310-A:205 ***and no misconduct pursuant to RSA 310-A:216, II***. The ~~board~~ ***licensing bureau*** shall consider all available evidence for all candidates for licensure, prior to granting a license.

(c) Qualifications shall be as follows:

(1) Candidates shall have successfully completed:

- a. A board-approved pre-licensing education program; and
- b. A board-approved pre-licensing fieldwork program;

(2) Candidates shall be at least 18 years of age; and

(3) Candidates shall be of good moral and professional character, as evidenced by the answers to questions on the application form and any attachments.

Sep 302.02 Denial of Application. An application shall be denied if, after notice and an opportunity for hearing, there is a finding that:

(a) The applicant, or someone acting on the applicant's behalf, has submitted false information to the ~~board~~ ***licensing bureau*** in connection with the application;

(b) There is evidence of past disciplinary action taken by another licensing body or a professional society or association, which indicates the applicant cannot be relied upon to practice competently and honestly, or adhere to the standards of conduct required by Sep 500 and RSA 310-A:205;

(c) There is evidence of conviction of a felony or misdemeanor which indicates the applicant cannot be relied upon to practice competently and honestly, or adhere to the ethical standards required by Sep 500;

(d) There is evidence of behavior that would violate the ethical and professional standards of Sep 500, Sep 600, and RSA 310-A:205, which indicates the applicant cannot be relied upon to practice competently and honestly, or adhere to the ethical and professional standards required by Sep 500, Sep 600, and RSA 310-A:205;

(e) The applicant failed to meet the educational and experience requirements of Sep 302 and RSA 310-A:210;

(f) The applicant failed to submit the documentation required by Sep 301.02;

(g) The applicant failed to submit the fee required ~~by Sep 301.03 and Sep 301.04~~ ***pursuant to Plc 1002.49***; or

(h) The applicant failed to successfully pass the examinations required per Sep 303.01.

Sep 302.03 Approval of Pre-Licensing Education Courses.

(a) Applicants for approval of pre-licensing courses shall submit the following:

(1) A course outline describing content and course hours to be taught, at least 3 months prior to the implementation of the course on subject areas approved by the board, including:

a. RSA 310-A; and

b. Sep 100-600;

(2) Documentation that substantiates the following:

a. How the program curriculum reflects current practice standards; and

b. The organization of the curriculum including:

1. The content of each of the courses;

2. The goals and objectives of each of the courses;

3. The total number of hours of classroom instruction;

4. Credentials of the instructor(s);

5. Expected student outcomes;

6. Curricular organization;

7. Course and unit objectives; and

8. The processes used to evaluate the progress of the students. ~~;~~ ~~and~~

~~(3) The fee required pursuant to Sep 301.03(i).~~

~~—(b) If necessary to make effective the permission described in Sep 302.03 (c), written permission shall be required from the program's sponsoring institution for the board to visit the program site for the purpose of assessing the program's compliance with the requirements for board approval; and~~

Sep 302.04 Approval of Pre-Licensing Fieldwork Programs. A pre-licensing fieldwork program shall meet the following requirements:

(a) Formal pre-licensing fieldwork programs shall:

- (1) Require candidates to complete at least ~~3~~ ***5 different*** evaluations ***during the program, in addition to 10 evaluations supervised by a New Hampshire licensed evaluator.***
- (2) Require candidates to evaluate at least ~~2~~ ***3*** different types of septic systems; and
- (3) Evaluate students on a pass or fail basis; or

(b) Informal pre-licensing fieldwork programs shall require candidates for licensure to complete at least 25 septic evaluations ***of 5 different septic system types***, under the supervision of a ***New Hampshire*** licensed septic system evaluator, provided that the applicant provides copies of the inspection reports that are signed by the supervisor with ~~his or her~~ ***their*** application for licensure.

PART Sep 303 EXAMINATIONS

Sep 303.01 Examinations. Candidates for licensure shall have successfully passed the exam as administered by the board-approved pre-licensing education provider.

PART Sep 304 RECIPROCITY

Sep 304.01 Reciprocity.

(a) Candidates for licensure who are licensed or registered in another state shall be eligible for licensure by reciprocity pursuant to RSA 310-A:214 ***and RSA 310:17***, provided that the candidate's current state of licensure ~~grants reciprocity to residents of this state and~~ has licensure, registration, or certification requirements that are substantially equivalent to or higher than those of this state, ***pursuant to Plc 313.55.***

~~—(b) Candidates applying for licensure under this section shall bear the burden of demonstrating to the that the licensure, certification, or registration requirements maintained by their current state are substantially equivalent to or higher than those of this state.~~

(eb) Candidates applying for licensure under this section shall complete and submit the ***“Application for Licensure as a Septic System Evaluator”*** form specified by Sep 301.02 and pay the fee pursuant to Sep 301.03 (a). ***“Universal Application for Initial Licensure”***, dated April 2024 that provides the information required by Plc 304.03, the documentation specified in Plc 304.04, and that is signed and attested to as specified in Plc 304.05. The verification of licensure or examination shall be obtained by the candidate for licensure and submitted to the ~~board~~ ***licensing bureau*** directly from the verifying state for approval.

PART Sep 305 CREDENTIALS

Sep 305.01 License. An applicant for licensure as a septic system evaluator, who has satisfactorily met all the requirements of RSA 310-A and who has paid all ~~of~~ the fees, shall be issued a license by the ~~board~~***licensing bureau***. The licensee shall be issued a license authorizing the practice of septic system evaluations that shall show the full name of the licensee; ***and*** shall have a serial number; ~~and shall be signed by members of the board.~~

Sep 305.02 Pocket Cards. Biennially, the board shall issue a licensure card, numbered to correspond with the septic system evaluator's assigned number to each licensed septic system evaluator upon renewal of the license. The card shall certify that the septic system evaluator holds a license in good standing and is authorized to practice as a septic system evaluator to the date of expiration as shown on the card.

Sep 305.03 Licensed Septic System Evaluator Seal, Stamp, and License Number.

(a) Upon issuance ~~by the board~~ of a license to an applicant as a licensed septic system evaluator, the licensee shall acquire an impression type seal or rubber stamp of the design described in (b) below. This seal shall bear the licensee's name and number as shown on the license.

(b) The seal shall consist of 2 concentric circles with the outer circle having a diameter of 1- 9/16 inches and the inner circle diameter of 15/16 inches. In the space between the circles, the top shall be the words "Licensed Septic System Evaluator " and at the bottom "State of New Hampshire." In the space inside the inner circle shall be the full name of the licensee over an image of a probe and a shovel and the license number written under the image.

(c) The stamping or sealing of any documents by the licensee with the licensee's seal after the license has expired, has been suspended, revoked, or surrendered voluntarily shall be a violation of these rules. The stamping or sealing of any documents by the licensee not prepared by the licensee personally or under the licensee's direct supervision shall be a violation of these rules.

APPENDIX I

Rule	Specific State Statute the Rule Implements
Sep 301.01	RSA 310-A:207, I(a)
Sep 301.02	RSA 310-A:207, I(a); RSA 310-A:211
Sep 301.03	RSA 310:5, I; RSA 310-A:208
Sep 301.04	RSA 310:5, I; RSA 310-A:208
Sep 302.01	RSA 310-A:207, I(a); RSA 310-A:210
Sep 302.02	RSA 310-A:207, I(a); RSA 310:4, II(c)
Sep 302.03	RSA 310-A:207, I(f)
Sep 302.04	RSA 310-A:207, I(f)
Sep 303.01	RSA 310-A:207, I(g), II
Sep 304.01	RSA 310:17; RSA 310-A:214
Sep 305.01	RSA 310-A:213
Sep 305.02	RSA 310-A:213
Sep 305.03	RSA 310-A:207, I(h); RSA 310-A:213