

Readopt with amendment Lsa 401.01 through Lsa 401.06, effective 9/30/14 (Document #10679), to read as follows:

Lsa 401.01 Expirations and Renewals. Pursuant to RSA 310-A:1-h, licenses shall be renewed by written application prior to the expiration date and by payment of the prescribed renewal fee. The board through OPLC shall notify each landscape architect at least 60 days prior to expiration of their license. If properly renewed, a license shall remain in effect continuously from the date of issuance, unless suspended or revoked by the board.

Lsa 401.02 Renewal of License. Any licensee wishing to renew a license shall submit:

- (a) The renewal application supplied by the board as described in Lsa 401.03; and
- (b) The fee specified in Plc 1002.22.

Lsa 401.03 Renewal Application. The applicant shall supply the following information on the Landscape Architect Application for Renewal Form”:

- (a) The applicant’s full legal name;
- (b) The applicant’s e-mail address;
- (c) The applicant’s home mailing address;
- (d) The applicant’s home physical address if different from the mailing address;
- (e) The applicant’s home phone or cellphone number;
- (f) The applicant’s business name, address, and telephone number, if applicable;
- (g) Yes or no to the question “Have you ever been convicted of a felony or misdemeanor which has not been annulled or previously reported?”. If the answer is yes provide the name of the court(s), a detailed explanation of the offense(s), the date of conviction(s), and the sentence(s) imposed;
- (h) Yes or no to the question “Have you ever lost or been denied registration or licensure as a landscape architect or been disciplined by another licensing board in any other state or jurisdiction which has not been previously reported?” If yes, provide a detailed explanation of the circumstances and attach the settlement agreement or order;
- (i) Yes or no to the question “Have you completed 30 hours of continuing education that meets the requirements set forth in Lsa 403?”. If the answer is no provide a detailed explanation of the no answer;
- (j) The applicant’s signature and date of signing below the following attestation:

“I attest that the information contained in this form is true and correct to the best of my knowledge and believe and acknowledge that the provision of false information in the application is a basis for disciplinary action by the board. In addition, I have read and understand the rules that govern the practice of landscape architecture and if my license is renewed, I will abide by them including the ethical and professional standards.”

Lsa 401.04 Denial of Renewal. Renewal shall be denied if, after notice and an opportunity for hearing, the board finds:

- (a) Noncompliance with the continuing education requirements of Lsa 403.01;
- (b) Any unethical act for which discipline shall be imposed under Lsa 500;
- (c) Reasons for which an initial application could be denied; or
- (d) Failure to furnish complete or accurate information on an initial or renewal license application.

Lsa 401.05 Reinstatement. A landscape architect whose license to practice landscape architecture in this state has been allowed to lapse for a period of 12 months or more shall:

(a) File an “Application for Reinstatement of Licensure as a Landscape Architect” with the board that shall include the following:

- (1) The applicant’s full legal name;
- (2) All names the applicant has ever been know by;
- (3) The applicant’s e-mail address;
- (4) The applicant’s home mailing address;
- (5) The applicant’s home physical address if different from the mailing address;
- (6) The applicants home phone or cellphone number;
- (7) The applicant’s business name, address, and telephone number, if applicable;
- (8) Yes or no to the question “Have you practiced as a landscape architect in New Hampshire since your license ceased to be valid?”;
- (9) Yes or no to the question “Have you ever been convicted of a felony or misdemeanor which has not been annulled or previously reported?”. If the answer is yes provide the name of the court(s), a detailed explanation of the offense(s), the date of conviction(s), and the sentence(s) imposed;
- (10) Yes or no to the question “Have you ever lost or been denied registration or licensure as a landscape architect or been disciplined by another licensing board in any other state or jurisdiction which has not been previously reported?”. If yes, provide a detailed explanation of the circumstances and attach the settlement agreement or order;
- (11) List 3 references who are landscape architects, are unrelated to the applicant, are in good standing having a personal knowledge of the applicant’s experience, providing the following information:
 - a. The full name of the landscape architect;
 - b. The landscape architect’s complete addresses;

- c. Phone number;
- d. The landscape architect's occupation and license number; and
- e. The landscape architect's business relationship with applicant; and

(12) The applicant's signature and date below the following attestation:

"I attest that the information contained in this form is true and correct to the best of my knowledge and believe and acknowledge that the provision of false information in the application is a basis for disciplinary action by the board. In addition, I have read and understand the rules that govern the practice of landscape architecture and if my license is renewed, I will abide by them including the ethical and professional standards.";

(b) Submit with the application documentation that the showing the applicant has complied with the continuing education requirements of Lsa 403; and

(c) Applicants shall submit with the application the reinstatement fee as specified in Plc 1002.22.

Readopt Lsa 401.06, effective 9/30/14 (Document #10679), to read as follows:

Lsa 401.06 Denial of Reinstatement. Reinstatement shall be denied if, after notice and an opportunity for hearing, the board finds:

- (a) Noncompliance with the continuing education requirements of Lsa 403.01;
- (b) Any unethical act for which discipline shall be imposed under Lsa 500;
- (c) Reasons for which an initial application could be denied; or
- (d) Failure to furnish complete or accurate information on an initial, renewal license, or reinstatement application.

Readopt with amendment Lsa 403.02, effective 9/30/14 (Document #10679), to read as follows:

Lsa 403.02 Reinstatement. An applicant may bring an inactive license to active status by obtaining 30 continuing education hours within the immediately preceding 24 months.

Readopt with amendment Lsa 403.04 through Lsa 403.08, effective 9/30/14 (Document #10679), to read as follows:

Lsa 403.04 Continuing Education Hour Credits Continuing education hours shall be credited per renewal cycle as follows:

- (a) A maximum of 6 continuing education hours shall apply to activity on a state or national board of licensure;

(b) Courses or programs awarded one college semester hour of credit shall equal 45 continuing education hours based on course credit established by the college or university;

(c) Courses or programs awarded one college quarter hour shall equal 30 continuing education hours;

(d) Courses or programs awarded one continuing education unit shall equal 10 continuing education hours;

(e) Credit shall be awarded for one hour of continuing education in course work, seminars, or professional technical presentations made at meetings, conventions, or conferences for each hour of attendance. Attendance at qualifying programs presented at professional or technical society meetings shall earn continuing education hour units for the actual time of each program;

(f) Teaching or instructing qualifying courses or seminars or making presentations at technical meetings shall earn continuing education hours credit at twice that of participants. Teaching credit shall be valid for teaching a course or seminar for the first time only. Teaching credit shall not apply to full-time faculty;

(g) Each published landscape architecture textbook shall equal 30 continuing education hours;

(h) Each published landscape architecture paper or article shall equal 2 continuing education hours with a maximum of 6 continuing education hours;

(i) Active participation in professional or technical societies shall equal 4 continuing education hours and shall require that a registrant serve as an officer or actively participate in a committee of the organization;

(j) Credit awarded for one patent shall equal 10 continuing education hours;

(k) Continuing education credits shall not be recognized for any repeat program attended or completed; and

(l) Active participation as a member or alternative of a planning board, zoning board of adjustment, or conservation commission shall equal a maximum of 6 continuing education hours.

Lsa 403.05 Record Keeping.

(a) The responsibility of maintaining records to be used to support continuing education credits claimed shall be the responsibility of the licensee.

(b) Records required to show completion of continuing education shall be one of the following:

(1) Verifying documentation or certification from the course provider, showing the type of activity claimed, sponsoring organization, and continuing education hours credits earned;

(2) Transcripts issued by Council of Landscape Architectural Registration Boards (CLARB) showing a listing of the courses taken by the applicant for renewal and the continuing education hours earned; or

(3) Transcripts issued by an accredited educational institution showing the applicant for renewals name, the course taken, and number of credits attributed to the course.

(c) The licensee shall retain the records described in (b) above for a period of no less than 4 years. Such documentation shall be made available to the board for random audit or verification purposes. Documentation shall support continuing education hours claimed on the renewal form. Failure to provide documentation for audit verification shall result in disciplinary action.

(d) Not less than 3% of the licensees shall be randomly selected each year by the board to verify the licensees are in compliance with Lsa. 403.01.

Lsa 403.06 Exemptions. A licensee shall be exempt from the continuing education educational requirements if the licensee can establish, through the documentation required in Lsa 403.07, any of the following:

(a) A licensee is serving on temporary active duty in the armed forces of the United States for a period of time exceeding 120 consecutive days in a year; or

(b) Licensee is experiencing a disability, illness, or other extenuating circumstances which would prevent the licensee from completing the required continuing education hours.

Lsa 403.07 Waiver of Continuing Education Requirements or Extension of Deadline.

(a) A licensee who wishes to request a waiver of the continuing education requirements or an extension of the deadline shall do so by submitting the request as follows:

(1) The applicant for renewal files a request for a waiver or extension at least 30 days before the expiration of their license; or

(2) The applicant for renewal who submits the request listed in (a)(1) above less than 30 days prior to the expiration of the license shall submit a detailed written explanation, in addition to the required documentation, showing good cause, that includes serious accident, illness, or other circumstances beyond the control of the licensee, which actually prevented the licensee from requesting waiver at least 30 days prior to the license expiration date; and

(3) Provides one of the following types of documentation:

a. For an individual experiencing a disability or illness the relevant supporting documentation from the licensee's physician or medical professional that indicates that the applicant for renewal was incapacitated to such a degree that they could not have completed the continuing education requirements;

b. For an individual requesting a waiver of circumstances beyond the control of the licensee and not listed in a. above, documentation showing that the applicant for license renewal could not have reasonably completed the continuing education requirements; or

c. For an individual who is on active military duty, documentation showing that the applicant for license renewal was on active military duty for at least 120 consecutive days during the year immediately preceding year.

(b) A waiver of all or part of the continuing education requirement shall be granted provided the waiver petition meets the following criteria:

- (1) The individual experiencing a disability or illness is incapacitated to a degree that completing the continuing education requirements is not possible;
- (2) The circumstances beyond the control of the licensee continues past the renewal date and could not be completed even if an extension was granted; or
- (3) The individual remains on active military duty past the expiration of their license.

(c) A waiver of the deadline for all or part of the continuing education shall be granted provided the petition meets the following criteria:

- (1) The individual experiencing a disability or illness has been rehabilitated sufficient to complete all or part of the continuing education required within 3 months of the date the license was set to expire;
- (2) The circumstances beyond the control of the licensee have been rectified and the licensee can complete all or part of the continuing education required within 3 months of the date the license was set to expire; or
- (3) The individual has been discharged from active military duty and is able to complete all or part of the continuing education required within 3 months of the date the license was set to expire.

(d) The board shall not waive or grant an extension of continuing education requirements for 2 consecutive renewal periods.

Lsa 403.08 Noncompliance. Failure of a licensee to submit documentation of continuing education required by Lsa 403.03, when requested to do so per Lsa 403.05(d), shall result in the issuance of a notice of hearing to the licensee to determine if there has been a violation of the board's rules and laws.

APPENDIX

RULE	STATUTE
Lsa 401.01	RSA 310-A:143, I (d); RSA 310-A:154
Lsa 401.02	RSA 310-A:143, I (d); RSA 310-A:154
Lsa 401.03	RSA 310-A:143, I (d); RSA 310-A:154
Lsa 401.04	RSA 310-A:143, I (d); RSA 310-A:154
Lsa 401.05	RSA 310-A:143, I (d); RSA 310-A:154
Lsa 401.06	RSA 310-A:143, I (d); RSA 310-A:154
Lsa 403.02	RSA 310-A:143, I (d); RSA 310-A:154
Lsa 403.04 through Lsa 403.08	RSA 310-A:143, I (d); RSA 310-A:154