

Readopt with amendments Plc 302.01, eff. 12-1-24 (doc. #14137), to read as follows:

Plc 302.01 “Application-related fees” means:

- (a) For applications for initial licensure, the application processing and licensing fee specified in Plc 1002, any examination fee required pursuant to Plc 303.03, and any inspection fee specified in Plc 1001.18;
- (b) For applications for renewal licensure, the application processing and licensing fee specified in Plc 1002 and any inspection fee specified in Plc 1001.18; and
- (c) For applications for reinstatement, the application processing and licensing fee specified in Plc 1002, and:
 - (1) If applicable law requires an examination for reinstatement, the examination fee required pursuant to Plc 303.03; and
 - (2) If applicable law requires an inspection for reinstatement, the inspection fee specified in Plc 1001.18.

Adopt new Plc 302.06 and renumber existing Plc 302.06 through Plc 302.10 as Plc 302.07 through Plc 302.11, so that Plc 302.06 reads as follows:

Plc 302.06 “Foreign jurisdiction” means a jurisdiction that is outside of any state of the U.S., the District of Columbia, the Commonwealth of Puerto Rico, a trust territory of the Pacific Islands, or any territory or possession of the United States.

Adopt new Plc 303.03 and renumber existing Plc 303.03 through Plc 303.05 as Plc 303.04 through Plc 303.06, so that Plc 303.03 reads as follows:

Plc 303.03 Evaluation of Foreign Credentials Required.

(a) Except as provided in (b), below, any applicant who is applying for an initial, conditional, or renewal license, or who is applying to have a license reinstated or restored, where any part of the required credentials were issued by or in a foreign jurisdiction, shall submit with the application an evaluation of the applicant’s credentials by a member of:

- (1) The National Association of Credential Evaluation Services (NACES), available at <https://www.naces.org/>; or
- (2) The Association of International Credentials Evaluators (AICE), available at <https://aice-eval.org/>.

(b) If the license that is subject to (a), above, is in the profession of physical therapy, the applicant shall submit with the application an evaluation of the applicant’s credentials by the Foreign Credentialing Commission on Physical Therapy (FCCPT), available at <https://www.fccpt.org/>.

Readopt with amendments Plc 303.03, eff. 5-1-23 (doc. #13606), and renumber as Plc 303.04, to read as follows:

Plc 303.04 Examinations Administered by Third Party Testing Organizations.

(a) If applicable law requires applicants to pass one or more examinations administered by a third party testing organization, whether to test an applicant’s knowledge and skills to practice the profession generally or an applicant’s knowledge of New Hampshire jurisprudence, or both, an individual seeking to obtain a license shall:

- (1) Register directly with the testing organization, including paying any fee(s) required by the testing organization; and

(2) Request the testing organization to transmit the results directly to the licensing bureau.

(b) Any individual seeking reasonable accommodations for disabilities in the administration of the third party testing shall do so through the testing organization.

(c) Any individual seeking to retake an examination administered by a third party testing organization shall apply to retake the examination directly to the testing organization, including paying any fee(s) required by the testing organization, in accordance with the applicable requirements of the applicable board and testing organization.

Readopt with amendments Plc 304.01, eff. 5-3-24 (doc. #13955), to read as follows:

Plc 304.01 Applying for Initial Licensure. Any person who wishes to apply for a New Hampshire license in a regulated profession in which the person is not currently licensed in New Hampshire or in another jurisdiction having substantially similar requirements for licensure and covered in Plc 313 shall:

(a) Submit the following to the licensing bureau using the portal available via www.oplc.nh.gov or, if the portal is not available or if submitting the application via the portal is not practicable for the applicant, by mailing a paper application to the address specified in Plc 103.03:

(1) A completed “Universal Application for Initial License”, dated February 2025, that provides the information required by Plc 304.03 and is signed and attested to as specified in Plc 304.05;

(2) The additional information or documentation specified in Plc 304.04, as applicable;

(3) Any profession-specific addendum or supplement to the universal application identified in profession-specific rules that is signed and attested to in accordance with:

a. The profession-specific rules; or

b. Plc 304.05, if not otherwise specified in profession-specific rules; and

(4) The application-related fees for initial licensure, unless Plc 304.02(a) applies;

(b) If applicable law requires a criminal records check, complete the process established by applicable law and the NHDOS for requesting a criminal records check, accessible via the NHDOS website at <https://www.nh.gov/safety/> or directly at <https://services.dos.nh.gov/chri/cpo/>, including paying any required fee and directing that the results be sent to the licensing bureau, provided that proof of the applicant’s military security clearance may be provided in lieu of the criminal background check if allowed by applicable law; and

(c) If applicable law requires proof of post-high school education, arrange for an official transcript, which shows the relevant degree awarded or training received and the date the degree was awarded or training was completed, to be sent by the issuing institution electronically to the licensing bureau at customersupport@oplc.nh.gov or, if not possible to transmit electronically, by mailing the transcript to the OPLC licensing bureau at the address specified for the OPLC in Plc 103.03.

Readopt with amendments Plc 304.03, eff. 5-3-24 (doc. #13955), to read as follows:

Plc 304.03 Information Required for Initial License Application. On the application form identified in Plc 304.01(a)(1), the applicant shall identify the profession for which the application is being filed and indicate whether the applicant is an individual or an entity, and then provide the following information:

(a) If the applicant is an individual, the following:

(1) The applicant’s full legal name, including any suffix such as “Jr.” or “III”, and any other name(s) the applicant has ever been known by;

- (2) The applicant's date of birth by month, day, and year;
- (3) The applicant's social security number or other U.S. taxpayer identification number, as required by RSA 161-B:11, VI-a and 42 U.S.C. 666(a)(13);
- (4) The applicant's home physical address by street name and number, apartment number if applicable, municipality, county, state, zip code, and country if not the U.S., and home mailing address if different;
- (5) The applicant's home or other personal telephone number;
- (6) The applicant's designated email address;
- (7) The name, physical address, and telephone number of the applicant's anticipated office or other place of business, if known;
- (8) Whether the applicant speaks English as the primary language and, if not, the applicant's primary language and other secondary languages;
- (9) Whether the applicant is on active military duty or is a military spouse, and whether the applicant is applying for facilitated licensure;
- (10) The following information, to be used solely for purpose of workforce data analysis, provided that "prefer not to answer" shall be an acceptable response to any or all question(s):
 - a. Applicant's sex;
 - b. Applicant's race or ethnicity, including information regarding Hispanic, Latino/a, or Spanish origin;
 - c. Highest level of education, whether or not related to the profession in which licensure is being sought;
 - d. Where the applicant completed the education program or degree, as applicable, that first qualified the applicant for the license being applied for, provided that if the program or degree was completed on-line, identify where the on-line program was housed;
 - e. Relative to the applicant's employment status, whether the applicant is:
 1. Actively working in a position that requires the license being applied for;
 2. Actively working in a position in the same profession that does not require this license;
 3. Actively working in a position in a different profession;
 4. Not currently working; or
 5. Retired;
 - f. Relative to the applicant's employment plans for the next 2 years, whether the applicant intends to:
 1. Increase hours in a field related to this license;
 2. Decrease hours in a field related to this license;
 3. Seek employment in a field unrelated to this license;
 4. Retire;

5. Continue as is; or
 6. Not sure or plans unknown;
 - g. Identification of the specialty, field, or area of practice in which the applicant spends the most professional time;
 - h. Whether the applicant uses telehealth to deliver services to patients;
 - i. The state in which the applicant's primary practice is located, if applicable;
 - j. The 5-digit zip code of the applicant's primary practice location, if applicable;
 - k. Relative to the applicant's current employment arrangement at their principal practice location, whether the applicant is:
 1. Self-employed or a consultant;
 2. A salaried employee;
 3. An hourly employee;
 4. In temporary employment or Locum Tenens;
 5. Other arrangement; or
 6. Not employed; and
 - l. In the applicant's primary employment or practice, whether the applicant's primary role is that of:
 1. Administrator;
 2. Clinical practitioner;
 3. Faculty or other educator;
 4. Researcher;
 5. Other; or
 6. Not applicable;
- (11) For applicants in any health care field:
- a. Identification of the practice setting at the applicant's primary practice location;
 - b. What population groups the applicant provides services to;
 - c. An estimate of the number of hours per week the applicant spends at their primary practice location; and
 - d. An estimate of the number of hours per week the applicant spends in direct patient care;
- (12) For applicants in any health care field, whether the applicant intends to practice in New Hampshire more than 50% of the time, whether in-person or by telehealth;

(13) If specific training or a specific degree is required by applicable law, the name of the educational institution that provided the training or degree required and the date the training was completed or degree was received; and

(14) Any other profession-specific information required by applicable law, to the extent not otherwise covered by this section;

(b) If the applicant is an entity, the following:

(1) The applicant's full legal name as shown on the document(s) that created the entity and each name under which the applicant does business in New Hampshire;

(2) The type of entity the applicant is, such as a corporation, limited liability corporation, professional association, partnership, or other form;

(3) The entity's date and state of formation;

(4) The employer identification number or other federal tax ID number assigned to the applicant by the U.S. Internal Revenue Service;

(5) The applicant's primary physical address in New Hampshire by street name and number, suite number if any, municipality, county, and zip code, and New Hampshire mailing address if different;

(6) The applicant's main telephone number;

(7) The applicant's designated email address;

(8) The name, telephone number, and email address of the authorized signer and the name, telephone number, and email address of each contact individual, if other than the authorized signer;

(9) Such information as is required by applicable law on partners, officers, directors, and similar individuals having responsibility for or control over the applicant; and

(10) Any additional information required for entities by applicable law;

(c) Identification of each jurisdiction in which the applicant has applied for, holds, or has held a license to practice in the same profession as the license being applied for and, if required by applicable law, any other profession for which the applicant holds or has held a license, and for each, the license number, date initially licensed, date most recently licensed, and the status in each jurisdiction such as in good standing, expired, suspended, revoked, or denied renewal;

(d) If the applicant is applying for an initial license in New Hampshire based on endorsement, and is licensed in more than one other jurisdiction, identification of which jurisdiction the applicant believes has requirements for licensure that are substantially similar to, or greater than, those established by applicable law;

(e) A "yes" or "no" answer to the following questions relating to background and character, subject to the "safe harbor" provisions of Plc 504.03(c):

(1) Whether the applicant is now or has any reason to believe that the applicant will soon be the subject of a disciplinary proceeding, settlement agreement, or consent decree undertaken or issued by a professional licensing board of any jurisdiction;

(2) Whether any malpractice claim has been made against the applicant within the past 10 years;

(3) Whether the applicant has, for disciplinary reasons, been put on administrative leave, been fired for cause other than staff reduction from a position at the applicant's place of employment, or had any privileges limited, suspended, or revoked in any professional setting within the past 10 years;

- (4) Whether the applicant has been denied the privilege of taking an examination required for any professional licensure within the past 10 years;
 - (5) Whether the applicant has committed any act(s) within the past 10 years that would violate the laws or rules that govern the profession for which application is being made;
 - (6) Whether the applicant has ever been found guilty of or entered a plea of no contest to any felony that is related to professional practice;
 - (7) Whether the applicant has been found guilty of or entered a plea of no contest to, within the past 10 years, any felony that is not related to professional practice, or any misdemeanor;
 - (8) Whether the applicant has been the subject of any disciplinary action by any professional licensing authority within the past 10 years;
 - (9) Whether the applicant has, within the past 10 years, been denied a license or other authorization to practice in any jurisdiction; and
 - (10) Whether the applicant has, within the past 10 years, surrendered a license or other authorization to practice issued by any jurisdiction for any reason;
- (f) Whether the applicant has a DEA registration number and, if so, what the number is;
- (g) Whether the applicant stores, administers, or dispenses controlled drugs in a setting that is not regulated under RSA 318 relative to pharmacists and pharmacies and if so, the location of the activity;
- (h) For applicants in any health care profession, whether the applicant has an ownership interest in any diagnostic or therapeutic service(s) or company(ies), and if so the name and address of each company and the specific diagnostic or therapeutic services provided by the company, to comply with RSA 125:25-c; and
- (i) Whether the applicant consents to the disclosure to third parties of:
- (1) For individuals, any or all of the applicant's contact information; or
 - (2) For entities, the entity's designated email address.

Readopt with amendments Plc 304.08, eff. 5-3-24 (doc. #13955), to read as follows:

Plc 304.08 Review of Complete Applications for Initial Licensure; Inspections.

- (a) After determining that an application is complete, the licensing bureau shall review the application to determine whether the applicant meets all criteria specified in applicable law for the license being applied for, provided that:
- (1) If an inspection is required prior to licensure, the licensing bureau shall refer the application to the inspection assignment coordinator for an inspection to be conducted in accordance with the applicable provisions in Plc 400; and
 - (2) If the licensing bureau determines that the technical or professional expertise of the applicable board would be of assistance in determining whether the applicant meets the criteria for licensure, the licensing bureau shall refer the application to the applicable board for review and a recommendation as provided in (c), below.
- (b) Subject to (c), below, the licensing bureau shall make a decision on a complete application for initial licensure within 60 days of determining that an application is complete.
- (c) If an application is referred to the applicable board pursuant to (a)(2), above, then:

- (1) The board chair shall review the application to determine whether a reasonable person having the education and experience of a competent licensee would have any doubt about the applicant's qualifications, provided that if another board member is better qualified than the chair to review the application, the chair shall delegate the review under this section to that board member;
- (2) If the board chair or designee determines that a reasonable person having the education and experience of a competent licensee would believe the applicant is unquestionably qualified, the board chair or designee shall recommend to the licensing bureau that a license be issued;
- (3) If the board chair or designee determines that a reasonable person having the education and experience of a competent licensee would believe the applicant is unquestionably not qualified, the board chair or designee shall recommend to the licensing bureau that a license not be issued, with an explanation of why the applicant is not qualified;
- (4) If the board chair or designee determines that reasonable people having the education and experience of competent licensees could disagree about whether the applicant is qualified, the board chair or designee shall:
 - a. Present the application to the board for discussion and a recommendation, if the next regularly-scheduled board meeting is soon enough that a recommendation can be conveyed to the licensing bureau within 55 days of receiving the application from the licensing bureau; or
 - b. If the next regularly-scheduled board meeting is not soon enough that a recommendation could be conveyed to the licensing bureau within 55 days, either:
 1. Convene a special meeting of the board to obtain a timely recommendation, or request that a special meeting of the board be convened if the review was delegated; or
 2. Present the reasons for and against issuing a license to the licensing bureau in lieu of a recommendation; and
- (5) If the board does not provide a recommendation or reasons for and against issuing the license to the licensing bureau within the specified time period, the licensing bureau shall make a decision without the board's input.

Readopt with amendments Plc 304.09 and Plc 304.10, eff. 12-1-24 (doc. #14134, Interim), to read as follows:

Plc 304.09 Decisions on Applications for Initial Licensure.

- (a) If the applicant has demonstrated that all eligibility criteria specified in applicable law for initial licensure have been met and that none of the grounds for denying initial licensure specified in Plc 311.03 apply, the licensing bureau shall approve the application and issue an initial license to the applicant at the applicant's designated email address, subject to (b), below.
- (b) Any application for a pharmacy license shall be subject to the inspection and licensing issuance or denial described in Ph 305.02, "Site Inspection for Pharmacy Permit", but shall remain subject to this chapter for all other licensing matters.
- (c) If the applicant has not demonstrated that all eligibility criteria specified in applicable law for full initial licensure have been met but applicable law provides for conditional initial licensure and the applicant has demonstrated that all eligibility criteria for conditional initial licensure have been met and that none of the grounds for denying initial licensure specified in Plc 311.03 apply, the licensing bureau shall approve the application and issue a conditional initial license to the applicant at the applicant's designated email address.

(d) If the applicant has not demonstrated that all eligibility criteria specified in applicable law have been met for full initial licensure or for conditional initial licensure, or if any of the grounds for denying initial licensure specified in Plc 311.03 apply, the licensing bureau shall:

- (1) Issue a denial of the application; and
- (2) Inform the applicant by email sent to the applicant's designated email address of the reason(s) for the denial and that the denial shall become final if the applicant does not file a petition for a hearing in accordance with Plc 304.10 within 30 calendar days of receiving the denial, provided that if the last day of the period is not a working day, the deadline shall extend to 4:00 p.m. of the first working day following.

(e) For purposes of determining the date the denial was received, a denial sent to the applicant's designated email address shall be presumed to be received not later than one calendar day after the date the licensing bureau sent the denial.

(f) If the applicant does not file a petition for a hearing within the time period specified in the notice issued pursuant to (d), above, the denial shall become final.

(g) If the application is denied, no application-related fees shall be refunded.

Plc 304.10 Challenging a Denial of Initial Licensure; Challenging License Conditions.

(a) An applicant who wishes to challenge the denial of an application for initial licensure made pursuant to Plc 304.09, or who wishes to challenge any condition(s) included in the license, shall submit a "Petition for Hearing After Initial Denial of Licensure or Issuance of License with Conditions", dated January 2025, to the OPLC hearings clerk at hearingsclerk@oplc.nh.gov or, if filing electronically is impracticable for the petitioner, by mailing it to the attention of the hearings clerk at the OPLC's mailing address as listed in Plc 103.03.

(b) As required by RSA 310:14, I-a, the petition for hearing shall be filed within 30 calendar days of receipt of the denial of licensure, provided that if a petition for hearing is filed more than 31 days after the date of the denial of licensure, the petitioner shall have the burden of proving that the denial was received more than one day after the date the licensing bureau sent the denial.

(c) When a petition for hearing is received, the hearings clerk shall:

- (1) Notify the licensing bureau with information sufficient for the licensing bureau to identify the underlying application; and
- (2) Docket the matter for a hearing before the applicable board.

(d) Upon receipt of notice from the hearings clerk, the licensing bureau shall forward the application file to the hearings clerk.

(e) An applicant who requests a hearing who is on active military duty may request the hearing to be deferred until the applicant is no longer on active duty.

Readopt with amendments Plc 304.12, eff. 5-3-24 (doc. #13955), to read as follows:

Plc 304.12 Duration of Initial Licenses. As provided in RSA 310:8, II, initial licenses issued pursuant to this chapter that are not conditional shall be valid for 2 years from the date of issuance, subject to the following:

(a) Timely and complete application for license renewal by eligible applicants shall continue the validity of the licenses being renewed until final action has been taken on the renewal application; and

(b) Suspension or revocation of the license pursuant to Plc 311 or other applicable law shall cause the license to not be valid unless and until it is restored or reinstated as provided in Plc 312.

Readopt with amendments Plc 304.14, eff. 5-3-24 (doc. #13955), to read as follows:

Plc 304.14 Wall Certificates.

(a) Licenses sent to successful applicants by the licensing bureau shall be in a format that can be printed by the licensee so as to be suitable for framing and posting.

(b) Any licensee who wishes to have a professionally-printed wall certificate to display in an office or other place of business shall submit a written request for the wall certificate to the licensing bureau that:

- (1) Includes:
 - a. The name of the licensee or certificate holder as it appears on the license;
 - b. The license number from the electronically-issued license;
 - c. The profession in which the licensee is licensed;
 - d. Email and telephone contact information; and
 - e. Payment of the fee for wall display certificate specified in Plc 1001.10 made payable to "Treasurer, State of NH"; and
- (2) Is mailed to the OPLC at the address specified in Plc 103.03.

Readopt with amendments Plc 308.01, eff. 5-3-24 (doc. #13955), to read as follows:

Plc 308.01 Applicability; License Expiration.

(a) This part shall apply to any licensee who has not filed a renewal application on or before the May 2024 effective date of this part.

(b) As provided in RSA 310:8, II, all issued licenses shall expire 2 years from the date the license was issued, provided that the filing of a timely and complete application for license renewal by an eligible applicant shall continue the validity of the license being renewed until final action has been taken on the renewal application.

(c) As provided in RSA 310:8, III:

- (1) Applicants shall submit completed applications for renewal, the application-related fees for renewal, and any supporting documents required for that renewal on or before the expiration date of the license;
- (2) A license shall expire if a completed renewal application, application-related fees for renewal, and supporting documents have not been filed on or before the expiration date of the license; and
- (3) The holder of an expired license shall not be authorized to practice unless and until the license has been reobtained in accordance with Plc 312.

Readopt with amendments Plc 308.03, eff. 5-3-24 (doc. #13955), to read as follows:

Plc 308.03 Notification of Pending License Expiration.

(a) As required by RSA 310:8, IV, at least 2 months prior to the expiration of a license, the licensing bureau shall notify, via email sent to the licensee's designated email address, each licensee whose license is

expiring that the license is due to expire.

(b) The licensing bureau shall include the following in the email sent pursuant to (a), above:

- (1) A clear statement that failure to submit a complete application on or before the expiration date shall result in the license expiring; and
- (2) Complete information and instructions for the licensee to renew on-line or, if the renewal application is not yet available on-line, a renewal application.

(c) As provided in RSA 310:8, IV, failure to receive notice shall not relieve any licensee of the obligation to renew their license, comply with the rules of the OPLC, the rules of the applicable board, or RSA 310:8.

(d) If a licensee does not receive information and instructions or an application as provided in (b)(2), above, the licensee shall contact the OPLC at customersupport@oplc.nh.gov to obtain the needed information or an application.

Readopt with amendments Plc 308.05 and Plc 308.06, eff. 5-3-24 (doc. #13955), to read as follows:

Plc 308.05 Application for License Renewal.

(a) If a licensee wishes to renew, the licensee shall submit the information, materials, and fee(s) identified in (b), below, using the portal available at <https://www.oplc.nh.gov>, not more than 60 days prior to the expiration of the license but on or before the expiration date, provided that if the portal is not available or if filing electronically is not practicable for the applicant, the application package shall be submitted by mailing to the address specified in Plc 103.03 so that the package is received by the OPLC on or before the expiration date.

(b) The licensee shall submit the following information, materials, and fee(s):

- (1) The information required by Plc 308.06 on the “Universal Application for License Renewal”, dated February 2025, that is signed and attested to as provided in Plc 308.08;
- (2) Any profession-specific addendum or supplement to the universal application identified in profession-specific rules that is signed and attested to in accordance with:
 - a. The profession-specific rules; or
 - b. Plc 308.08, if not otherwise specified in profession-specific rules;
- (3) Attestation or proof of having met applicable continuing competence requirements, as required by applicable law;
- (4) The supporting documentation identified in Plc 308.07; and
- (5) The application-related fees for renewal, provided that applicants applying for facilitated licensure as active military or a military spouse shall not pay the fee.

Plc 308.06 Information Required for Renewal Applications. The applicant shall provide the following information on the form identified in Plc 308.05(b)(1):

(a) The applicant’s profession and the license number and expiration date of the license;

(b) For individuals, the following:

- (1) The applicant’s full legal name, including any suffix such as “Jr.” or “III”, and any name(s) the applicant has ever been known by;

- (2) The applicant's date of birth by month, day, and year;
- (3) The applicant's social security number or other U.S. taxpayer identification number, as required by RSA 161-B:11, VI-a and 42 U.S.C. 666(a)(13);
- (4) The applicant's designated email address, home physical address, and home mailing address, if different;
- (5) The applicant's home or other personal telephone number;
- (6) The name, location, and telephone number of the applicant's office or other place of business;
- (7) If the applicant routinely practices in more than one location, the name of each such location and, for each:
 - a. The business address and telephone number; and
 - b. Whether the applicant is an employee, a subtenant subletting space, an independent contractor, or the owner of the business;
- (8) Whether the applicant is on active military duty or is a military spouse, and whether the applicant is applying for facilitated licensure;
- (9) The following information, to be used solely for purpose of workforce data analysis, provided that "prefer not to answer" shall be an acceptable response to any or all question(s):
 - a. Highest level of education, whether or not related to the profession in which licensure is being sought;
 - b. Relative to the applicant's employment status, whether the applicant is:
 1. Actively working in a position that requires the license being applied for;
 2. Actively working in a position in the same profession that does not require this license;
 3. Actively working in a position in a different profession;
 4. Not currently working; or
 5. Retired;
 - c. Relative to the applicant's employment plans for the next 2 years, whether the applicant intends to:
 1. Increase hours in a field related to this license;
 2. Decrease hours in a field related to this license;
 3. Seek employment in a field unrelated to this license;
 4. Retire;
 5. Continue as is;
 6. Not sure or plans unknown; or
 7. Prefer not to answer;

- d. Identification of the specialty, field, or area of practice in which the applicant spends the most professional time;
- e. Whether the applicant uses telehealth to deliver services to patients;
- f. The state in which the applicant's primary practice is located, if applicable;
- g. The 5-digit zip code of the applicant's primary practice location, if applicable;
- h. Relative to the applicant's current employment arrangement at their principal practice location, whether the applicant is:
 1. Self-employed or a consultant;
 2. A salaried employee;
 3. An hourly employee;
 4. In temporary employment or Locum Tenens;
 - 5.. Other arrangement; or
 6. Not employed; and
- i. In the applicant's primary employment or practice, whether the applicant's primary role is that of:
 1. Administrator;
 2. Clinical practitioner;
 3. Faculty or other educator;
 4. Researcher;
 5. Other;
 6. Not applicable; or
 7. Prefer not to answer;

(10) For applicants in any health care profession:

- a. Identification of the practice setting at the applicant's primary practice location;
- b. What population groups the applicant provides services to;
- c. An estimate of the number of hours per week the applicant spends at their primary practice location; and
- d. An estimate of the number of hours per week the applicant spends in direct patient care;

(11) For applicants in any health care profession, whether the applicant intends to practice in New Hampshire more than 50% of the time, whether in-person or by telehealth; and

(12) Any other profession-specific information required by applicable law, such as proof of certification by, or registration with, a regional or national credentialing organization, to the extent not otherwise covered by this section;

(c) For entities, the following:

- (1) The applicant's full legal name as shown on the document(s) that created the entity and each name under which the applicant does business in New Hampshire;
- (2) The type of entity the applicant is, such as a corporation, limited liability corporation, professional association, partnership, or other form;
- (3) The entity's date and jurisdiction of formation;
- (4) The employer identification number or other federal tax ID number assigned to the applicant by the U.S. Internal Revenue Service;
- (5) The applicant's primary location address in New Hampshire and New Hampshire mailing address, if different;
- (6) The applicant's main telephone number;
- (7) The applicant's designated email address;
- (8) The name, telephone number, and email address of the authorized signer and the name, telephone number, and email address of each contact individual, if other than the authorized signer;
- (9) Such information as is required by applicable law on partners, officers, directors, and similar individuals having responsibility for or control over the applicant; and
- (10) Any additional information required for entities by applicable law;

(d) Identification of all jurisdictions where the applicant is currently licensed and, for each, the date of most recent licensure and status of the license;

(e) A "yes" or "no" answer to the following questions regarding the applicant's background and character, subject to the "safe harbor" provisions of Plc 504.03(c), provided that "not previously reported" shall not include anything that was not required to be submitted by Plc 304.03(e):

- (1) Whether during the past 27 months or not previously reported, the applicant has been found guilty of or entered a plea of no contest to any felony or misdemeanor;
- (2) Whether during the past 27 months or not previously reported, the applicant has been the subject of any disciplinary action by any professional licensing authority;
- (3) Whether during the past 27 months or not previously reported, the applicant has been denied a license or other authorization to practice in any jurisdiction;
- (4) Whether during the past 27 months or not previously reported, the applicant has surrendered a license or other authorization to practice issued by any jurisdiction in order to avoid or settle disciplinary charges;
- (5) Whether the applicant is now or has any reason to believe that the applicant will soon be the subject of a disciplinary proceeding, settlement agreement, or consent decree undertaken or issued by a professional licensing board of any jurisdiction;
- (6) Whether during the past 27 months or not previously reported, any malpractice claim has been made against the applicant;
- (7) Whether during the past 27 months or not previously reported, the applicant has, for disciplinary reasons, been put on administrative leave, been fired for cause other than staff reductions from a

- position at the applicant's place of employment, or had any privileges limited, suspended or revoked in any professional setting; and
- (8) Whether during the past 27 months or not previously reported, the applicant has committed any act(s) that would violate the laws or rules, or both, that govern the practice of the profession in which the applicant is licensed;
- (f) Whether the applicant has a DEA registration number and, if so, what the number is;
- (g) Whether the applicant stores, administers, or dispenses controlled drugs in a setting that is not regulated under RSA 318 relative to pharmacists and pharmacies, and if so the location of such storage;
- (h) For applicants in any health care field, whether the applicant has an ownership interest in any diagnostic or therapeutic service(s) or company(ies), and if so the name and address of each company and the specific diagnostic or therapeutic services provided by the company, to comply with RSA 125:25-c; and
- (i) Whether the applicant consents to the disclosure to third parties of:
- (1) For individuals, any or all of the applicant's contact information; or
 - (2) For entities, the entity's designated email address.

Readopt with amendments Plc 308.08, eff. 5-3-24 (doc. #13955), to read as follows:

Plc 308.08 Signature and Attestation Required for Renewal Applications.

- (a) The applicant for license renewal, or the duly-authorized individual for an applicant that is an entity, shall sign and date the application, provided that for applications that are submitted electronically, the act of submitting the application shall constitute the signature and the date of submittal shall be the date.
- (b) The signature shall constitute the applicant's attestation that:
- (1) The applicant is not under investigation by any professional licensing board and the applicant's credentials have not been suspended or revoked by any professional licensing board, or a written explanation of each such occurrence is being submitted with the application pursuant to Plc 308.07(a);
 - (2) If required by applicable law, the applicant has completed the survey or opt-out form provided by the Office of Rural Health, department of health and human services;
 - (3) The information and documentation provided are true, complete, and not misleading to the best of the applicant's knowledge and belief;
 - (4) The applicant understands that providing false or misleading information constitutes grounds for denial, suspension, or revocation of a license;
 - (5) The applicant understands that providing false material information constitutes a misdemeanor under RSA 641:3 relative to falsification in official matters; and
 - (6) The applicant understands that if the applicant fails to submit a complete application prior to the expiration of the applicant's current license, the applicant's license shall expire by operation of law, specifically RSA 310:8, III.

Readopt with amendments Plc 308.11 and Plc 308.12, eff. 12-1-24 (doc. #14134, Interim), to read as follows:

Plc 308.11 Review of Complete Renewal Applications; Decisions.

(a) After determining that an application is complete, the licensing bureau shall review the application to determine whether the applicant meets all criteria specified in applicable law for the license renewal being applied for, provided that:

(1) If an inspection is required prior to renewing licensure, the licensing bureau shall refer the application to the inspection assignment coordinator for an inspection to be conducted; and

(2) If the licensing bureau determines that the technical or professional expertise of the applicable board would be of assistance in determining whether the applicant meets the criteria for license renewal, the licensing bureau shall refer the application to the applicable board for review and a recommendation in accordance with the process established in Plc 304.08(c).

(b) Subject to (c) through (e), below, the licensing bureau shall make a decision on a complete application for renewal licensure within 60 days of determining that an application is complete.

(c) If an inspection is required by applicable law before a license can be renewed, the inspector shall conduct the inspection as provided in Plc 405.

(d) If the applicant has demonstrated that all eligibility criteria specified in applicable law for a renewal license have been met and that none of the grounds for refusing to renew a license specified in Plc 311.04 apply, the licensing bureau shall approve the application and renew the license with notification to the applicant at the applicant's designated email address.

(e) If the applicant has not demonstrated that all eligibility criteria specified in applicable law have been met for license renewal or if any of the grounds for refusing to renew a license specified in Plc 311.04 apply, the licensing bureau shall:

(1) Issue a denial of the application; and

(2) Inform the applicant of the reason(s) for the denial and that the denial shall become final if the applicant does not file a request for a hearing in accordance with Plc 308.12 within 30 calendar days of receiving the denial, provided that if the last day of the period is not a working day, the deadline shall extend to 4:00 p.m. of the first working day following.

(f) For purposes of determining the date the denial was received, a denial sent to the applicant's designated email address shall be presumed to be received not later than one calendar day after the date the licensing bureau sent the denial.

(g) If the applicant does not file a request for a hearing within the time period specified in the notice issued pursuant to (e), above, the denial shall become final.

(h) If the application is denied, then:

(1) The licensee shall no longer be authorized to practice as of the date the denial becomes final;

(2) If the person wishes to practice in New Hampshire, a complete application for reinstatement shall be filed, including new application-related fees; and

(3) The application-related fees paid with the renewal application shall not be refunded.

Plc 308.12 Challenging a Denial of Renewal Licensure; Challenging License Conditions.

(a) An applicant who wishes to challenge the denial of an application for renewal licensure made pursuant to Plc 308.11 or who wishes to challenge any condition(s) included in the license shall submit a “Petition for Hearing After Initial Denial of Licensure or Issuance of License with Conditions”, dated January 2025, to the OPLC hearings clerk at Hearingsclerk@oplc.nh.gov.

(b) As required by RSA 310:14, I-a, the petition for hearing shall be filed within 30 calendar days of receipt of the denial of licensure, provided that if a petition for hearing is filed more than 31 days after the date of the denial of licensure, the petitioner shall have the burden of proving that the denial was not received within one day of being sent by the licensing bureau.

(c) Upon receipt of a petition for hearing, the hearings clerk shall:

(1) Notify the licensing bureau with information sufficient for the licensing bureau to identify the underlying application; and

(2) Docket the matter for a hearing before the applicable board.

(d) Upon receipt of a notice from the hearings clerk, the licensing bureau shall forward the application file to the hearings clerk.

(e) An applicant who requests a hearing who is on active military duty may request that the hearing be deferred until the applicant is no longer on active duty.

Readopt Plc 308.15, eff. 2-1-25 (#14183, Interim) to read as follows:

Plc 308.15 Refund of Fees When License Relinquished.

(a) As provided in RSA 310:5, I, a licensee possessing a license in good standing may, if to the best of the licensee’s knowledge the licensee is not the subject of an ongoing investigation or disciplinary action, surrender, or relinquish, their license and receive a pro-rated refund as provided in this section.

(b) To request a pro-rated refund, the licensee shall submit a “Relinquishment of License and Request for Fee Refund” form dated January 2025 to the licensing bureau that:

(1) Contains the information required by (c), below; and

(2) Is signed and attested to in accordance with (d) and (e), below.

(c) The licensee requesting the refund, hereinafter “requestor”, shall provide the following information on the form required by (b), above:

(1) The requestor’s name as shown on the license, the profession, and the license number;

(2) The date the current license was issued;

(3) If the requestor’s designated email address in the OPLC’s records is no longer valid, an updated email address;

(4) If the requestor is an entity, the name, title, and daytime telephone number of the individual who is authorized by the entity to communicate with the OPLC regarding the request; and

(5) An explanation of each reason why the requestor wishes to relinquish the license, including but not limited to:

a. The requestor is retiring, and the profession does not have a “retired” status or has one that the licensee does not wish to use;

- b. The requestor is leaving the profession and has no reasonable expectation of wanting to practice in the profession in the future;
- c. The requestor has moved to another jurisdiction and no longer wishes to maintain licensure in New Hampshire;
- d. The requestor is planning to leave the profession for more than 2 years and does not wish to maintain the license while not practicing; or
- e. The requestor is closing its business and will not be transferring its license to any other person.

(d) The requestor or the requestor's duly-authorized representative shall sign and date the request, provided that for requests that are submitted electronically, the act of submitting the application shall constitute the signature and the date of submittal shall be the date.

(e) The signature shall constitute the requestor's attestation that:

- (1) To the best of the requestor's knowledge and belief, the requestor is not under investigation by any professional licensing board and the requestor's credentials have not been suspended or revoked by any professional licensing board;
- (2) The requestor fully understands that relinquishing the license means the requestor will no longer be authorized to practice in New Hampshire in the profession for which the license was issued;
- (3) The information provided is true, complete, and not misleading to the best of the requestor's knowledge and belief;
- (4) The requestor understands that providing false or misleading information constitutes grounds to deny the requested refund and to suspend or revoke the requestor's license; and
- (5) The requestor understands that knowingly providing false material information constitutes a misdemeanor under RSA 641:3 relative to falsification in official matters.

(f) Upon receipt of a request for fee refund, the licensing bureau shall:

- (1) Contact the enforcement division to determine whether the requestor is the subject of an ongoing investigation or disciplinary action; and
- (2) If the requestor is not the subject of an ongoing investigation or disciplinary action, then:
 - a. Determine how much of the license term remains; and
 - b. Forward the information gathered to the OPLC finance office.

(g) If the requestor is the subject of an ongoing investigation or disciplinary action, the licensing bureau shall deny the request for refund in writing sent to the requestor's designated email address that explains the reason(s) for the denial.

(h) The finance office shall calculate the amount of the refund by:

- (1) Determining what percentage of the license period is remaining;
- (2) Determining what fee the licensee paid for the current license;
- (3) Calculating the amount of the refund by:
 - a. Subtracting \$25 to cover costs of processing the request; and

b. Multiplying the result by the percentage of the licensing period remaining; and

(4) Applying (j) and (k), below, if applicable.

(i) After a determination is made in accordance with (h), above, the director of operations shall approve the request and direct the finance office to issue the refund.

(j) No refund request shall be accepted within the first 90 days of a license period, provided that a licensee may request a waiver of the time limit in accordance with Plc 211 if the request arises from circumstances beyond the licensee's control that could not be reasonably anticipated when the license was initially issued or renewed.

(k) No refund shall exceed 90% of the applicable application fee.

Readopt Plc 311.07, eff. 12-1-24 (doc. #14134, Interim), to read as follows:

Plc 311.07 Misconduct. Misconduct shall be:

(a) Any conduct identified in RSA 310:12, I, reprinted in Appendix B, or the applicable board's practice act, or both, as professional misconduct;

(b) Knowingly, recklessly, or negligently providing inaccurate material information to the OPLC or applicable board or failing to provide complete and truthful material information upon inquiry by an authorized representative of the OPLC or applicable board, including during the process of applying for an initial license, a license renewal, or the reinstatement of a license;

(c) Willfully or repeatedly violating:

(1) Any applicable ethical or professional standard specified in Plc 309;

(2) Any provision of the applicable board's practice act; or

(3) Any provision of the rules that apply to the regulated profession, whether in title Plc or a profession-specific title;

(d) Engaging in the practice of a regulated profession despite actual or potential inability to render care with reasonable skill and safety by reason of any impairment, including but not limited to physical or mental illness or use of alcohol, drugs, or any other substance that adversely affects human health or critical thinking skills;

(e) Being subject to final disciplinary action that results in revocation of a license or any credential required for licensure by:

(1) A regulatory authority in another domestic or foreign jurisdiction; or

(2) The applicable credentialing organization; and

(f) Practicing a regulated profession without a current license.

Readopt with amendment Plc 311.13, eff. 5-3-24 (doc. #13955), to read as follows:

Plc 311.13 Conditions of License Suspension or Revocation.

(a) If a license is suspended, the licensee shall prepare and submit a plan of correction to address each violation that provided a basis for the disciplinary proceeding.

(b) The applicable board shall review the submitted plan of correction and:

- (1) Approve the plan, if it:
 - a. Addresses each violation that provided a basis for the disciplinary proceeding; and
 - b. Identifies one or more specific actions that the license shall take and specifies a deadline for taking each action that is reasonable based on the nature of the action to be taken; or
 - (2) Return the plan to the licensee for revision and resubmission if the plan does not meet the requirements for approval specified in (1), above.
- (c) A licensee whose license was suspended may request the license to be restored as provided in Plc 312.04.
- (d) If a license is revoked, any subsequent application for licensure shall include a plan of correction that addresses each violation that provided a basis for the disciplinary proceeding and meets the criteria for approval specified in (b)(1), above.
- (e) An individual whose license has been revoked and who wishes to reobtain a New Hampshire license shall apply for initial licensure in accordance with Plc 312.05.
- (f) A license shall not be granted to an individual who previously held a license but whose license was revoked unless and until the individual has complied with the requirements on which the revocation was based and has paid the costs associated with the revocation, if imposed pursuant to RSA 310:12, V or other applicable law.

Readopt with amendment Pls 311.16, eff. 5-3-24 (doc. #13955), to read as follows:

Plc 311.16 Rehearings and Appeals.

- (a) As provided in RSA 310:14, I and II, any person who has been refused a license by the applicable board or who has been disciplined by the applicable board shall have the right to request or petition for rehearing within 30 days after the original final decision.
- (b) A petition for rehearing shall be filed and considered as provided in Plc 206.31 and Plc 206.32 relative to petitions for rehearing.
- (c) As provided in RSA 310:14, III, "Appeals from a decision on rehearing shall be by appeal to the supreme court pursuant to RSA 541, except as specified in RSA 674:34 or other applicable statutes."
- (d) As also provided in RSA 310:4, III, no sanction shall be stayed by the applicable board during an appeal.

Readopt with amendments Plc 312.01, eff. 5-3-24 (doc. #13955), to read as follows:

Plc 312.01 Practice Prohibited After License Expiration, Suspension, or Revocation.

- (a) An individual licensee who fails to timely file a complete application to renew a license shall not practice in New Hampshire unless and until a license is obtained in accordance with this part and any other provisions of applicable law.
- (b) Any entity for which a complete application to renew is not timely filed shall not operate as a licensed entity in New Hampshire unless and until a license has been obtained in accordance with this part and any other provisions of applicable law.
- (c) Any person whose license is suspended shall not practice in New Hampshire unless and until a license is restored as specified in Plc 312.04.

(d) Any person whose license is revoked shall not practice in New Hampshire unless and until a license is reinstated by applying for initial licensure as specified in Plc 312.05.

Readopt with amendments Plc 312.04, eff. 12-1-24 (doc. #14134, Interim), to read as follows:

Plc 312.04 Restoration of Suspended Licenses.

(a) Any license that has been suspended shall be subject to restoration within 30 days of the end of the specified suspension term or within one year of expiration of the suspended license, whichever is later.

(b) An individual whose license was suspended who wishes to have the license restored shall:

(1) If the request is made withing 30 days of the termination of the suspension period and before the expiration date of the suspended license, submit a written request to the licensing bureau that demonstrates compliance with all conditions of the suspension order and plan of correction, including completing any additional continuing competence activities and paying any monetary penalties imposed, but not paying any additional application or restoration fee; or

(2) If the request is made within 30 days of the termination of the suspension period and after the expiration date of the suspended license but within one year of the expiration date:

- a. Submit an application for reinstatement of licensure in accordance with Plc 312.02, including paying the application-related fees and demonstrating all requirements for reinstatement have been met;
- b. Pay all monetary penalties imposed, if any;
- c. Pay the costs associated with the suspension, if imposed pursuant to RSA 310:12, V or other applicable law; and
- d. Demonstrate that all conditions imposed in the suspension order have been met.

(c) Restored licenses shall be:

(1) Fully restored, without conditions or limitations; or

(2) Conditionally restored, with conditions or limitations specified pursuant to Plc 311.06, provided that no conditions or limitations shall be imposed without prior notice to the licensee and an opportunity for the licensee to be heard on the proposed conditions or limitations.

(d) Any person whose license was suspended who does not apply for restoration within the time period specified in (a), above, who wishes to be licensed in New Hampshire shall apply for initial licensure in accordance with Plc 304.

Readopt with amendment Plc 312.05, eff. 5-3-24 (doc. #13955), to read as follows:

Plc 312.05 Application After Revocation of License.

(a) Any person whose license was revoked who wishes to practice in New Hampshire shall:

(1) Submit an application for initial licensure in accordance with Plc 304, including demonstrating that the applicant:

- a. Holds any certification(s) or other credential(s) required for licensure; and
- b. Has met the continuing competence requirements specified in Plc 308.03 for the 2-year period prior to applying;

(2) If required by applicable law, obtain a criminal records check using the process established by the NHDOS for requesting a criminal records check, accessible via the NHDOS website at <https://www.nh.gov/safety/> or directly at <https://services.dos.nh.gov/chri/cpo/>, including paying any required fee and directing that the results be sent to the OPLC; and

(3) Demonstrate that:

- a. All conditions imposed in the revocation order have been met;
- b. All monetary penalties imposed have been paid; and
- c. Any waiting period established by applicable law has been in met.

(b) If the licensing bureau makes a preliminary determination based on the information submitted by the applicant that the applicant does not qualify for a license or does not qualify for an unrestricted license, the licensing bureau shall refer the matter to the applicable board, which shall initiate a licensing proceeding pursuant to RSA 310:11 and Plc 200 to determine whether to deny the application or to reinstate the license with conditions.

(c) No license shall be granted to an individual who previously held a license whose license was revoked unless and until the individual has:

- (1) Satisfied the terms of the revocation order;
- (2) Paid all outstanding administrative and civil penalties imposed, if any, whether or not related to the revocation; and
- (3) Paid any costs associated with the revocation that were imposed pursuant to RSA 310:12, V or other applicable law.

Readopt with amendment Plc 313.01, eff. 5-3-24 (doc. #13954), to read as follows:

Plc 313.01 Purpose; Basic Qualification.

(a) The purpose of the rules in Plc 313 is to implement Laws of 2023, ch. 111, effective August 27, 2023, now codified as RSA 310:17, relative to issuing licenses to applicants who are not currently licensed in New Hampshire but are licensed in another jurisdiction that has substantially similar requirements as defined in Plc 302.09.

(b) To qualify for licensure under this part, an individual shall hold a license that:

- (1) Is from a jurisdiction having substantially similar requirements;
- (2) Is not temporary;
- (3) Is not encumbered by any conditions, limitations, or restrictions; and
- (4) Is active and not currently suspended, revoked, or surrendered.

Readopt with amendment Plc 313.45, eff. 5-3-24 (doc. #13954), to read as follows:

Plc 313.45 Substantially Similar Requirements for the Profession Regulated by the Board of Registration in Optometry.

(a) For purposes of obtaining a license by endorsement to practice optometry as regulated by the board of registration in optometry, the current requirements of the licensing jurisdiction shall be as follows:

- (1) Graduate from a school or college of optometry; and

(2) Pass parts I, II, and III of the National Board of Examiners in Optometry examination.

(b) Individuals applying to be registered to practice optometry also shall pass a New Hampshire jurisprudence exam.

Readopt with amendments Plc 313.49, eff. 5-3-24 (doc. #13954), to read as follows:

Plc 313.49 Substantially Similar Requirements for the Profession Regulated by the Board of Professional Engineers.

(a) For purposes of obtaining a license by endorsement to practice as a professional engineer, as regulated by the board of professional engineers, the current requirements of the licensing jurisdiction shall be as follows:

(1) Hold either:

- a. A 4-year degree from an EAC/ABET-accredited program; or
- b. A degree from a program that is not EAC/ABET accredited together with an NCEES evaluation of the program;

(2) Have not less than 4 years of progressive engineering experience under the supervision of a licensed professional engineer; and

(3) Pass the following examinations from the NCEES:

- a. Fundamentals of Engineering; and
- b. Principles and Practice.

(b) Individuals applying for licensure as a professional engineer also shall pass a New Hampshire jurisprudence exam.

APPENDIX A: STATE STATUTES IMPLEMENTED

Rule(s)	State Statute(s) Implemented
Plc 302.01, Plc 302.06 [new]	RSA 310:2
Plc 303.03 [new], Plc 303.04	RSA 310:4, II(c)
Plc 304.01, Plc 304.03, Plc 304.08, Plc 304.09, Plc 304.10, Plc 304.12, Plc 304.14	RSA 310:4, II(c)
Plc 308.01, Plc 308.03, Plc 308.05, Plc 308.06, Plc 308.08, Plc 308.11, Plc 308.12, Plc 308.15	RSA 310:8; RSA 310:5, I
Plc 311.07, Plc 311.13, Plc 311.16	RSA 310:10; RSA 310:12
Plc 312.01, Plc 312.04, Plc 312.05	RSA 310:8, III
Plc 313.01	RSA 310:17
Plc 313.45	RSA 310:17; RSA 327:6; RSA 327:31, I
Plc 313.49	RSA 310:17; RSA 310-A:6, I(b); RSA 310-A:12-13