

Adopt Ch 403 and renumber existing Ch 403 through Ch 408 as Ch 404 through Ch 409, so that Ch 403 reads as follows:

PART Ch 403 REINSTATEMENT OF LICENSES

Ch 403.01 Licenses Subject to Reinstatement; Board Procedure Related to Reinstatement of Licensure.

- (a) The following licenses shall be subject to reinstatement by the board:
 - (1) Licenses not renewed pursuant to Ch 402.09(b)(1);
 - (2) Licenses suspended for disciplinary reasons as part of a settlement agreement or as part of an order of the board; and
 - (3) Licenses expired pursuant to Ch 402.02(b).
- (b) The reinstatement of licenses suspended pursuant to Ch 402.09(b)(1) shall require:
 - (1) Compliance with application procedure set forth in Ch 403.05; and
 - (2) Meet the appropriate eligibility requirements as set forth in Ch 403.02, Ch 403.03, or Ch 403.04.
- (c) The reinstatement of licenses suspended for disciplinary reasons shall be reinstated in accordance with the terms of the settlement agreement or the disciplinary order of the board, as applicable.
- (d) The reinstatement of licenses lapsed pursuant to Ch 402.02(b) shall require:
 - (1) Compliance with application procedure set forth in Ch 403.05; and
 - (2) Meet the appropriate eligibility requirements as set forth in Ch 403.02, Ch 403.03, or Ch 403.04.

Ch 403.02 Full Reinstatement of Licenses Lapsed For No More Than 70 Days. The board shall fully reinstate licenses lapsed for no more than 70 days if the applicants for reinstatement submit to the board within that 70 days:

- (a) A completed, dated, signed, and notarized reinstatement application form dated Ch 403.05;
- (b) Proof in accordance with Ch 404 and Ch 405 of having completed 20 hours of continuing education in the immediately preceding 2 years.
- (c) Payment of the reinstatement fee set forth by the executive director of the office of professional licensure and certification;
- (d) A written statement that the reinstatement applicant has not provided chiropractic services on a volunteer or paid basis since the date that his or her license ceased to be valid; and
- (e) Submit transcripts as described in Ch 305.03(d), if not previously provided.

Ch 403.03 Full reinstatement of Licenses Lapsed for More Than 70 But Less Than 3 Years. The board shall fully reinstate licenses lapsed for more than 70 days when the applicant has been active in the profession as described in Ch 305.01(b).

- (a) The reinstatement applicants have not violated RSA 316-A;
- (b) The reinstatement applicants have not demonstrated poor moral character as evidenced by:
 - (1) The answers to the “yes-no” questions on the reinstatement application form;
 - (2) Any documents giving a detailed reports of the relevant circumstances related to answers in the affirmative on the application form;
 - (4) Any verifications received by the board in compliance with Ch 403.06(c);
- (c) The reinstatement applicants have paid the reinstatement fee set forth by the executive director of the office of professional licensure and certification; and
- (d) The reinstatement applicants have submitted:
 - (1) A completed, dated, signed, and notarized reinstatement application form dated Ch 403.05;
 - (2) The supporting material described in Ch 403.06.

Ch 403.04 Full reinstatement of Licenses Lapsed for 3 Years or More. The board shall fully reinstate licenses lapsed for more than 3 years when the applicant has not been active in the profession as described in Ch 305.01(b).

- (a) The reinstatement applicants have not violated RSA 316-A;
- (b) The reinstatement applicants have not demonstrated poor moral character as evidenced by:
 - (1) The answers to the “yes-no” questions on the reinstatement application form;
 - (2) Any documents giving a detailed reports of the relevant circumstances related to answers in the affirmative on the application form;
 - (4) Any verifications received by the board in compliance with Ch 403.06(c);
- (c) The reinstatement applicants have paid the reinstatement fee set forth by the executive director of the office of professional licensure and certification;
- (d) The reinstatement applicants have submitted:
 - (1) A completed, dated, signed, and notarized reinstatement application form dated Ch 403.05;
 - (2) The supporting material described in Ch 403.06.

(e) Take and pass the NBCE special purposes examination for chiropractic

Ch 403.05 Reinstatement application Form.

(a) The “Application for Reinstatement of Licensure” form, effective April 29, 2021 shall:

(1) Be supplied by the board; and

(2) Contain the following preprinted statement:

“I herewith apply for a license to practice chiropractic in accordance with RSA 316-A and the rules of the New Hampshire Board of Chiropractic Examiners. I am the applicant identified in the application. I will notify the board in writing within 30 days of any change in the information provided in the application, even after the application has been granted and a license issued. I consent to the board's use for all purposes of the mailing and electronic addresses provided to the board in the application or thereafter. The information provided on the application form and the documentation provided to support the application are, to the best of my knowledge and belief, true, accurate, complete and unaltered. I acknowledge that, pursuant to RSA 641:3, I, the knowing making of a false statement on the application form is punishable as a misdemeanor, and, should I knowingly provide the board with any false, inaccurate, incomplete or altered information or documentation, the board has the authority to deny the application or, after a hearing, to take disciplinary action against any license issued to me.”

(b) The effect of the reinstatement applicant’s notarized signature on the application form shall be:

(1) The applicant’s acknowledgement that knowingly making a false statement on the application form is a misdemeanor under RSA 641:2, I;

(2) The applicant’s certification that:

a. The information provided on all of the parts of the application form and in the documents personally submitted to support the application is complete and accurate to the best of the applicant’s knowledge and belief; and

b. The applicant has read the statutes and administrative rules of the board; and

(3) The applicant’s promise to abide by the statutes and administrative rules of the board.

Ch 403.06 Supporting Materials. The material supporting the reinstatement application shall be:

(a) A detailed report of the relevant circumstances if any of the yes or no answers to the questions on the reinstatement application are in the affirmative;

(b) A written statement that the reinstatement applicant has not engaged as a chiropractor in New Hampshire on a volunteer or paid basis since the date that his or her license ceased to be valid;

(c) An official letter of verification received directly to the board from every state which has issued the applicant a license or other authorization to practice as a chiropractor since the lapse of the New Hampshire license, stating:

- (1) Whether the license or other authorization is or was, during its period of validity, in good standing; and
 - (2) Whether any disciplinary action was taken against the license or other authorization to practice;
- (d) Transcripts as described in Ch 302.07(b), if not previously provided; and

Ch 403.07 Board Procedures for Processing Reinstatement Applications.

(a) If the board, after receiving and reviewing an application for license reinstatement, requires further information or documents to determine the reinstatement applicant's qualification, the board shall:

- (1) So notify the applicant in writing within 30 days; and
- (2) Specify the information or documents it requires.

(b) The board shall issue written approval or denial of the application for license reinstatement within 60 days of the date that the application and supporting documents are submitted and complete.

(c) The reinstatement fee as set forth by the executive director of the office of professional licensure and certification shall be non-refundable.

(d) If the board denies an application for license reinstatement, the board shall include in its notice of denial the information stated in (e) below.

(e) An applicant wishing to challenge the board's denial of an application for license reinstatement shall:

- (1) Make a written request for a hearing of the applicant's challenge; and
- (2) Submit this request to the board:
 - a. Within 60 days of the board's notification of denial; or
 - b. If the applicant is on active military duty outside the United States, within 60 days of the applicant's return to the United States or release from duty, whichever occurs later.

Appendix

Rule	Statute Implemented
Ch 403	RSA 316-A:3, I and XIV