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Notable comments

- 404.01.d:
 - The reinstatement requirements here are specific to psychologists, not school psychologists. Reinstatement as a school psychologist has different requirements, including not having the CE and collaboration requirements as professional development requirements are covered via NHED licensure. A separate section may be needed if additional requirements beyond the Universal Application are imposed.
 -

Readopt with amendment Psyc 401.02, effective 5/14/19 (Document #12779), to read as follows:

Psyc 401.02 License Renewal.

(a) A license to practice psychology shall be renewed for 2 years upon approval by the ~~[board]~~ **OPLC** of a complete application submitted prior to the date of license expiration.

(b) Any licensee wishing to renew an existing license shall **complete and** submit ~~[-a “Renewal Application Form” provided by the board with the following:-]~~ **the “Universal Application for License Renewal” as required by Plc 308.05(b)(1).**

~~[(1) Name and license number;~~

~~(2) Residence address and telephone number(s);~~

~~(3) Business address and telephone number(s);~~

~~(4) The name of an employer, if any;~~

~~(5) An e-mail address, if any;~~

~~(6) A statement indicating whether the applicant is actively engaged in the practice of psychology in New Hampshire;~~

~~(7) Disclosure, and explanation where applicable, of the following information regarding the previous 2-year period:~~

~~a. Whether any malpractice claim has been made against the applicant, regardless of whether a lawsuit was filed in relation to the claim;~~

~~b. If the applicant has any complaints pending against a license or certificate in any state or jurisdiction, excluding NH;~~

~~c. If the applicant has been found civilly liable for professional misconduct or committing an ethical violation, or has entered into a settlement agreement to resolve a misconduct or ethical complaint with any state or provincial regulatory authority or board outside of NH since the last renewal of the NH license;~~

~~d. If the applicant has voluntarily surrendered a license to practice psychology in lieu of disciplinary action;~~

~~e. If the applicant has been convicted of a felony or misdemeanor;~~

~~f. If the applicant knows of any reason why he or she might be unable to practice psychology in a competent and ethical manner;~~

~~g. If the applicant has a plan in place to manage his or her clinical records in the event of death or incapacity; and~~

~~h. Whether the applicant is actively practicing a mental health discipline regulated by the board;~~

~~(8) On the board provided “Attestation to CEU’s and Collaboration” form, the applicant’s notarized dated signature, license number, and printed name, which shall verify that the applicant is in compliance with the continuing education requirements of Psyc 402.01 and the interdisciplinary collaboration activities required pursuant to Psyc 403;~~

~~(9) The applicant’s signature which acknowledges:~~

~~a. That the provision of false information in the application is a basis for disciplinary action by the board; and~~

~~b. That the information and documentation provided in the application is true, accurate, complete, and unaltered; and~~

~~(10) The date the applicant signed the application.~~

~~— (e) The filing fee shall be as established by RSA 310-A:1 e, I(a).~~

~~— (d) Pursuant to RSA 126-A:5, XVIII a(a) and RSA 329-B:10 a, licensees shall complete, as part of their renewal application, the applicable New Hampshire division of public health service’s health professions survey issued by the state office of rural health and primary care, department of health and human services, pursuant to He C 801.~~

~~— (e) The board shall provide licensees with the opportunity to opt out of the survey. Written notice of the opt out opportunity shall be provided with the renewal application. The opt out form shall be available on the NH state office of rural health and primary care website at https://www.dhhs.nh.gov/dphs/behs/rhpc/data_center.htm and the board’s website at https://www.oplc.nh.gov/psychologists/licensure_survey.htm.~~

~~— (f) Licensees choosing to opt out of the survey shall complete and submit the “New Hampshire Health Professions Survey Opt Out Form,” effective April 2019, to the state office of rural health and primary care, department of health and human services, via one of the following:~~

~~(1) Mail;~~

~~(2) Email; or~~

~~(3) Fax.~~

~~(g) Information contained in the opt out forms shall be kept confidential in the same accord with the survey form results, pursuant to RSA 126-A:5 XVIII a.(e).]~~

(c) A school psychologist who wishes to renew their license shall:

(1) Complete and submit the “Universal Application for License Renewal” required by Plc 308.05(b)(1); and

(2) Provide a copy of their current New Hampshire Education Department (NHED) license department of education certification;

(d) All applicants for renewal shall pay the application renewal fees described in Plc 1001.08 and Plc 1002.43.

Readopt with amendment Psyc 404.01, effective 11/4/16 (Document #12035-B), to read as follows:

Psyc 404.01 Reinstatement Requirements.

(a) If a license is not renewed, it shall be reinstated upon approval by the [board] **OPLC** of a complete application seeking such reinstatement submitted not later than 6 months after the date of license expiration.

(b) Licensees wishing to reinstate a license that has expired shall **complete and** submit a “[~~Reinstatement Application Form~~] **the Universal Application for License Renewal**”, [supplied by the board, containing the following:] **as required by Plc 308.05(b)(1);**

~~(1) Name;~~

~~(2) Office name;~~

~~(3) Residence and business addresses and telephone numbers;~~

~~(4) Email address;~~

~~(5) Date and place of birth;~~

~~(6) Social security number, as required by NH RSA 161-B:11;~~

~~(7) A list of all states where the applicant holds or ever held a license to practice psychology;~~

~~(8) Disclosure, and explanation where applicable, of the following information:~~

~~a. If any malpractice claim has been made against the applicant, regardless of whether a lawsuit was filed in relation to the claim, or whether a malpractice claim has been settled on the applicant's behalf in the last ten years. If the answer to this question is yes, applicant s shall complete the “Report of Malpractice Claims or Suits Filed” form, described in (d) below;~~

~~b. If the applicant has ever applied for licensure or to sit for an examination, or taken an examination, under a different name;~~

~~c. If the applicant has ever been denied the privilege of taking or finishing an examination, or been accused of cheating or improper conduct during an examination, since the applicant graduated from high school;~~

~~d. If the applicant has ever failed any national licensure examination, or any part of that examination or state board examination, even if the applicant later passed that examination;~~

~~e. If the applicant has been denied a psychology license, certificate, or registration anywhere for any reason;~~

~~f. If the applicant has ever had staff privileges, employment or appointment in a hospital or other healthcare institution denied, limited, suspended or revoked, or if the applicant has ever resigned from a medical staff in lieu of disciplinary action;~~

~~g. If the applicant has any formal disciplinary charges pending or if any disciplinary action has been taken against the applicant by any psychology licensing board, any health care facility, or any psychological professional association;~~

~~h. If the applicant voluntarily surrendered a license to engage in the practice of psychology in lieu of disciplinary action;~~

~~i. If the applicant has ever been a defendant in a criminal proceeding including driving while under the influence or driving while suspended, which has not been annulled by a court, but not including traffic offenses not classified as misdemeanors or felonies;~~

~~j. If the applicant has ever had or currently has a mental illness or other disorder which impaired his or her ability to practice psychology, and if so, the treatment received and the outcome of such treatment;~~

~~k. If the applicant is now, or has been during the last five years, dependent upon alcohol or habituating drugs or undergone treatment for such;~~

~~l. An indication of the applicant's anticipated practice location(s), if known;~~

~~g. Attestation that the licensee has complied with the continuing education requirements of Psyc 402;~~

~~h. Attestation that the licensee has not been found to be abusive towards any child or elderly person by an administrative agency;~~

~~i. A criminal background check processed through the New Hampshire State Police;~~

~~j. A representation that the licensee acknowledges that the provision of false information in the application is a basis for disciplinary action by the board; and~~

~~k. The fee established by RSA 310-A:1-e;]~~

(c) The applicant for reinstatement shall submit the fee required by Plc 1001.08 and Plc 1002.43 with the application for reinstatement;

(d) Submit the following to the OPLC in support of the application for reinstatement as a Psychologist;

~~(9)~~**(1)** Documentation of compliance with the continuing education requirements of Psyc 402.01;

~~(10)~~**(2)** A description of collaboration activities pursuant to Psyc 403;

~~[(11) The applicant's dated signature which acknowledges that he or she releases from liability the State of NH, the board and its agents and representatives, and any person furnishing information, records, or documents;~~

~~[(12) A signed, notarized affidavit stating that the applicant is the person referred to in the application, that he or she has studied the treatment of human ailments for not less than 4 school years, that he or she has received a doctoral degree in psychology, that all the statements in the application are true, and that there are no disciplinary actions pending or brought against the applicant except as disclosed in the application; and~~

~~[(13) A passport-sized photograph of the applicant.]~~

(3) An application for a criminal background check as required by Plc 304.01(b);

(4) A detailed explanation of any of the "yes" answers to the yes or no questions on the "Universal Application for License Renewal" including but not limited to:

1. Relevant court documents;

2. Relevant malpractice claims or suits filed; and

3. Relevant orders, settlements, or disciplinary documents, including the status of compliance with such documents,

(5) Letters of good standing from every state where the applicant holds or has ever held a license to practice;

(c) Submit the following to the OPLC in support of the application for reinstatement as a School Psychologist

~~(4) ?~~

~~[(e) The filing fee established by RSA 310 A:1 e.~~

~~— (d) Applicants for reinstatement who answer "yes" to (b)(4) a. above shall submit a "Report of Malpractice Claims or Suits Filed" form, supplied by the board, for each such claim filed against the applicant, containing the following:~~

~~(1) The name of the claimant;~~

~~(2) The name of the defendant;~~

~~(3) Whether it is a new claim or suit;~~

~~(4) The date the claim or suit was filed or opened;~~

~~(5) The court name;~~

~~(6) The name of the insurance company;~~

~~(7) The docket number;~~

~~(8) The claim number;~~

~~(9) The date of the incident or alleged incident;~~

Commented [NJ1]: Reinstatement as a school psychologist has different requirements, including not having the CE and collaboration requirements as professional development requirements are covered via NHED licensure. A separate section may be needed if additional requirements beyond the Universal Application are imposed.

~~(10) The current legal status of the claim;~~

~~(11) The general nature of the claim; and~~

~~(12) The applicant's dated signature.~~

~~(e) An applicant for reinstatement under this section shall obtain verification from all states where he or she currently holds or has ever held a license to practice psychology, by providing a "Licensure Verification Form", supplied by the board, directly to the licensing entity, containing the following information:~~

~~(1) To be supplied by the applicant:~~

- ~~a. The applicant's name;~~
- ~~b. The applicant's mailing address;~~
- ~~c. The applicant's date of birth;~~
- ~~d. The applicant's license number; and~~
- ~~e. The applicant's signature; and~~

~~(2) To be supplied by the licensing entity:~~

- ~~a. The name of the licensing entity;~~
- ~~b. The full name of the licensee;~~
- ~~c. The license number;~~
- ~~d. An indication of whether the license is current or expired;~~
- ~~e. The license expiration date;~~
- ~~f. An indication of whether the license is restricted and, if so, an explanation of such restrictions on a separate piece of paper;~~
- ~~g. An indication of whether there has ever been disciplinary action taken against the licensee and, if so, an explanation of such action on a separate piece of paper;~~
- ~~h. Whether there are any currently pending investigations against the licensee and, if so, an explanation of such investigations on a separate piece of paper;~~
- ~~i. The official seal of the licensing entity; and~~
- ~~j. The signature and title of the person completing the form.]~~

APPENDIX A

Rule	Specific State Statute the Rule Implements
Psyc 401.02	RSA 329-B:25
Psyc 404.01	RSA 329-B:25