

**Adopt Plc 308.15 as an Interim rule, 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 rule.

(b) To request a pro-rated refund, the licensee shall submit a "Relinquishment of License and Request for Fee Refund" form dated December 2024 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- (3) If the requestor's designated email address in the OPLC's records is no longer valid, an updated email address;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.

**APPENDIX A: STATE STATUTE IMPLEMENTED**

<b>Rule(s)</b>	<b>State Statute Implemented</b>
Plc 308.15	RSA 310:5, I