

Amendment to HB 82

1 Amend the bill by replacing section 8 with the following:

2

3 8 Mental Health Practice; Processing License Applications; Criminal History Record Check.

4 Amend RSA 330-A:15-a to read as follows:

5 330-A:15-a Processing License Applications; Criminal History Record Check.

6 ~~[I. License applications shall be processed as follows:~~

7 ~~(a) The board shall either request additional information or documentation within 15~~
8 ~~days or act on an application for licensure as a mental health practitioner within 30 days of receipt~~
9 ~~of a completed application.~~

10 ~~(b) The board shall review complete applications received at least 10 days prior to a~~
11 ~~regularly scheduled meeting at its next regularly scheduled meeting.]~~

12 ~~[II.]~~ **I.** Every applicant for initial licensure shall submit to the ~~[board]~~ **office of**
13 **professional licensure and certification** a criminal history record release form, as provided by
14 the New Hampshire division of state police, department of safety, which authorizes the release of his
15 or her criminal history record, if any, to the ~~[board]~~ **executive director of the office of**
16 **professional licensure and certification or its designee within the office of professional**
17 **licensure and certification. For the purposes of this section, a designee may be the office's**
18 **agency counsel, administrative law judge, director of licensing and board administration,**
19 **licensing service representative, or board administrator.**

20 ~~[III.]~~ **II.** The applicant shall submit with the release form a complete set of fingerprints
21 taken by a qualified law enforcement agency, an authorized employee of the department of safety, or
22 an authorized employee of the office of professional licensure and certification, approved by the
23 commissioner of the department of safety. In the event that the first set of fingerprints is invalid
24 due to insufficient pattern, a second set of fingerprints shall be necessary in order to complete the
25 criminal history records check. If, after 2 attempts, a set of fingerprints is invalid due to insufficient
26 pattern, the ~~[board]~~ **office of professional licensure and certification** may, in lieu of the
27 criminal history records check, accept police clearances from every city, town, or county where the
28 person has lived during the past 5 years.

29 ~~[IV.]~~ **III.** The ~~[board]~~ **office of professional licensure and certification** shall submit the
30 criminal history records release form and fingerprint form to the division of state police which shall
31 conduct a criminal history records check through its records and through the Federal Bureau of
32 Investigation. Upon completion of the records check, the division of state police shall release copies

1 of the criminal history records to the [board] *executive director of the office of professional*
2 *licensure and certification or its designee within the office of professional licensure and*
3 *certification*. The [board] *executive director of the office of professional licensure and*
4 *certification or its designee within the office of professional licensure and certification*
5 shall maintain the confidentiality of all criminal history records information received pursuant to
6 this section.

7 [V.] IV. The applicant shall bear the cost of a criminal history record check.

8
9 Amend the bill by replacing section 22 with the following:

10
11 22 Psychologists; Criminal History Record Checks. Amend RSA 329-B:14-a, I through IV to
12 read as follows:

13 I. Every applicant for initial permanent licensure or reinstatement shall submit to the
14 [board] *office of professional licensure and certification* a criminal history record release form,
15 as provided by the New Hampshire division of state police, which authorizes the release of his or her
16 criminal history record, if any, to the [board] *executive director of the office of professional*
17 *licensure and certification or its designee within the office of professional licensure and*
18 *certification*. *For the purposes of this section, a designee may be the office's agency*
19 *counsel, administrative law judge, director of licensing and board administration,*
20 *licensing service representative, or board administrator*.

21 II. The applicant shall submit with the release form a complete set of fingerprints taken by a
22 qualified law enforcement agency, an authorized employee of the department of safety, or an
23 authorized employee of the office of professional licensure and certification, approved by the
24 commissioner of the department of safety. In the event that the first set of fingerprints is invalid
25 due to insufficient pattern, a second set of fingerprints shall be necessary in order to complete the
26 criminal history records check. If, after 2 attempts, a set of fingerprints is invalid due to insufficient
27 pattern, the [board] *office of professional licensure and certification* may, in lieu of the
28 criminal history records check, accept police clearances from every city, town, or county where the
29 person has lived during the past 5 years.

30 III. The [board] *office of professional licensure and certification* shall submit the
31 criminal history records release form and fingerprint form to the division of state police which shall
32 conduct a criminal history records check through its records and through the Federal Bureau of
33 Investigation. Upon completion of the records check, the division of state police shall release copies
34 of the criminal history records to the [board] *executive director of the office of professional*
35 *licensure and certification or its designee within the office of professional licensure and*
36 *certification*.

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1 IV. The ~~[board]~~ *executive director of the office of professional licensure and*
2 *certification or its designee within the office of professional licensure and certification*
3 shall review the criminal record information prior to making a licensing decision and shall maintain
4 the confidentiality of all criminal history records received pursuant to this section.

5
6 Amend RSA 315:8, I-a(b) as inserted by section 31 of the bill by replacing it with the following:

7
8 (b) A person holding a training license shall be subject to ***discipline in accordance***
9 ***with this chapter and RSA 310*** ~~[the disciplinary provisions of RSA 315:9]~~ and such additional
10 professional character and competency requirements as the board may require by rule.

11
12 Amend the bill by replacing section 39 with the following:

13
14 39 Electricians; Examinations for License. Amend RSA 319-C:8 to read as follows:

15 319-C:8 Examinations for License. Each applicant for licensure shall present to the office, a
16 written application for examination and license, containing such information as the ~~[board may~~
17 ~~require]~~ ***law requires***, accompanied by the required application fee established by the office.
18 Proctored examinations shall be written, written and oral, oral, or computerized as approved by the
19 board~~[, and shall be of a thorough and practical character]~~. They shall include such provisions of the
20 National Electrical Code as the board may deem appropriate. Any person failing to pass his or her
21 ~~[first]~~ examination may, ***at his or her own expense***, be reexamined by an examination entity
22 approved by the board, and thereafter may be examined as often as he or she may desire ~~[upon~~
23 ~~submitting the written application for examination and license and payment of the required~~
24 ~~application fee as set forth in this chapter]~~. ***However, an applicant who has not passed the***
25 ***examination within one year of the office receiving his or her application and desires to be***
26 ***reexamined shall submit to the office a new written application for examination and***
27 ***license and the required application fees.***

28
29 Amend the bill by replacing all after section 41 with the following:

30
31 42 Manufactured Housing Installation Standards; Expiration and Renewal. Amend RSA 205-
32 D:11, I to read as follows:

33 I. All licenses issued by the ~~[board]~~ ***office*** shall expire ***in accordance with RSA 310*** ~~[on~~
34 ~~the last day of the month of the licensee's birth in the third year following the year of issuance, but~~
35 ~~may be renewed during the following month, retroactive to the first day of the month. Upon failure~~
36 ~~to pay the renewal fee within the required period, a licensee may renew his or her license by~~

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1 ~~submitting the required fee plus \$10 before the last day of the second month following the month of~~
2 ~~his or her birth].~~

3 43 Manufactured Housing Installation Standards; Fees. Amend RSA 205-D:12, I to read as
4 follows:

5 I. The ~~board~~ **office** may establish, pursuant to RSA 541-A, fees for licensure, license
6 renewal, training, inspections, and issuance of the manufacturer's warranty seal ***in accordance***
7 ***with RSA 310***. ~~[The fees established by the board shall be sufficient to produce estimated revenues~~
8 ~~equal to 125 percent of the direct operating expenses of the board budgeted for the biennium in~~
9 ~~which they will apply.]~~

10 44 Medical Imaging and Radiation Therapy; Licensure. Amend RSA 328-J:11 to read as follows:
11 328-J:11 Licensure; Medical Imaging Professionals and Radiation Therapists.

12 The executive director, in consultation with the board, shall issue ~~[licenses]~~ ***a license*** to
13 individuals ***in this section according to the requirements in this section. The license issued***
14 ***under this section shall be valid for the modality or modalities for which the licensee has***
15 ***achieved the required credentials*** ~~[who meet the following qualifications]:~~

16 I. Limited x-ray machine operator license. To qualify for a license as a limited x-ray
17 machine operator, an applicant shall meet the following requirements:

18 (a) Be at least 18 years of age;

19 (b) Have obtained a high school diploma or have passed an approved equivalency test;

20 (c) Successfully complete a course of study in limited x-ray machine operation approved
21 by the executive director; and

22 (d) Pass an examination in limited x-ray machine operation approved by the board. To
23 assess an applicant's competence in limited x-ray machine operation the board may use:

24 (1) The American Registry of Radiologic Technologist limited x-ray machine operator
25 examination for limited bone density, chest, extremities, podiatric, skull/sinus, and podiatric
26 radiography;

27 (2) The American Chiropractic Registry of Radiologic Technologists examination in
28 spine radiography;

29 (3) The American Society of Podiatric Medical Assistants examination in podiatric
30 radiography;

31 (4) The International Society for Clinical Densitometry examination in clinical bone
32 densitometry technology; or

33 (5) A certification organization recognized by the executive director.

34 II. Magnetic resonance technologist license. To qualify for a license as a magnetic resonance
35 technologist, an applicant shall meet the following requirements:

36 (a) ~~[Be at least 18 years of age;~~

37 ~~(b) Have obtained a high school diploma or have passed an approved equivalency test;~~

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1 ~~(e)~~] Successfully complete a course of study in radiography and additional educational
2 requirements in magnetic resonance technology approved by the board; and

3 ~~(d)~~ **(b)** Possess current certification and registration in radiography from the American
4 Registry of Radiologic Technologists or current certification and registration in magnetic resonance
5 from the American Registry of Radiologic Technologists or a certification organization approved by
6 the executive director.

7 ~~(e)~~ **(c)** By January 1, 2020, all applicants for a magnetic resonance technologist license
8 shall be certified in magnetic resonance by the American Registry of Radiologic Technologists or a
9 certification organization recognized by the executive director.

10 III. Nuclear medicine technologist license. To qualify for a license as a nuclear medicine
11 technologist, an applicant shall meet the following requirements:

12 ~~(a)~~ ~~[Be at least 18 years of age;~~

13 ~~(b)~~ ~~Have obtained a high school diploma or have passed an approved equivalency test;~~

14 ~~(e)~~] Successfully complete a course of study in nuclear medicine technology approved by
15 the executive director; and

16 ~~(d)~~ **(b)** Possess current certification and registration in nuclear medicine technology
17 from the American Registry of Radiologic Technologists, Nuclear Medicine Technology Certification
18 Board, or a certification organization recognized by the executive director.

19 IV. Radiation therapist license. To qualify for a license as a radiation therapist, an
20 applicant shall meet the following requirements:

21 ~~(a)~~ ~~[Be at least 18 years of age;~~

22 ~~(b)~~ ~~Have obtained a high school diploma or have passed an approved equivalency test;~~

23 ~~(e)~~] Successfully complete a course of study in radiation therapy approved by the
24 executive director; and

25 ~~(d)~~ **(b)** Possess current certification and registration in radiation therapy from the
26 American Registry of Radiologic Technologists or a certification organization recognized by the
27 executive director.

28 V. Radiographer license. To qualify for a license as a radiographer, an applicant shall meet
29 the following requirements:

30 ~~(a)~~ ~~[Be at least 18 years of age;~~

31 ~~(b)~~ ~~Have obtained a high school diploma or have passed an approved equivalency test;~~

32 ~~(e)~~] Successfully complete a course of study in radiography approved by the executive
33 director; and

34 ~~(d)~~ **(b)** Possess current certification and registration in radiography from the American
35 Registry of Radiologic Technologists or a certification organization approved by the executive
36 director.

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1 VI. Radiologist assistant license. To qualify for a license as a radiologist assistant, an
2 applicant shall meet the following requirements:

3 (a) Possess a radiographer license and current certification and registration in
4 radiography from the American Registry of Radiologic Technologists or a certification organization
5 approved by the executive director;

6 (b) Possess current certification and registration as a radiologist assistant or radiology
7 practitioner assistant from the American Registry of Radiologic Technologists, Certification Board of
8 Radiology Physician Assistants or a certification organization approved by the executive director;
9 and

10 (c) Submit to the executive director clinical protocols signed by the supervising
11 radiologist specifying procedures that are performed by the radiologist assistant, levels of radiologist
12 supervision, and locations of practice designated by the supervising radiologist. Updated protocols
13 shall be submitted biannually consistent with license renewal. The radiologist assistant scope of
14 practice shall be consistent with the most recent version of the Radiologist Assistant Practice
15 Standards published by the American Society of Radiologic Technologists.

16 VII. Sonographer license. To qualify for a license as a sonographer, an applicant shall meet
17 the following requirements:

18 (a) ~~Be at least 18 years of age;~~

19 (b) ~~Have obtained a high school diploma or have passed an approved equivalency test;~~

20 (e) Successfully complete a course of study in sonography approved by the executive
21 director; and

22 ~~(d)~~ (b) Possess current certification and registration in sonography from the American
23 Registry of Radiologic Technologists, American Registry of Diagnostic Medical Sonography,
24 Cardiovascular Credentialing International, or a certification organization approved by the executive
25 director.

26 VIII. Cardiac electrophysiology specialist licensure. To qualify for a license as a cardiac
27 electrophysiology specialist, an applicant shall meet the following requirements:

28 (a) ~~Be at least 18 years of age;~~

29 (b) ~~Have obtained a high school diploma or have passed an approved equivalency test;~~

30 (e) Successfully complete a course of study in cardiac electrophysiology approved by the
31 executive director; and

32 ~~(d)~~ (b) Possess current certification in cardiac electrophysiology from Cardiovascular
33 Credentialing International or a certifying organization approved by the executive director.

34 IX. Cardiovascular invasive specialist license. To qualify for a license as a cardiovascular
35 invasive specialist, an applicant shall meet the following requirements:

36 (a) ~~Be at least 18 years of age;~~

37 (b) ~~Have obtained a high school diploma or have passed an approved equivalency test;~~

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1 ~~(e)~~] Successfully complete a course of study in cardiovascular invasive procedures
2 approved by the executive director; and

3 ~~(d)~~ **(b)** Possess current certification in cardiovascular invasive procedures from
4 Cardiovascular Credentialing International or a certifying organization approved by the executive
5 director.

6 X. Computed tomography license. To qualify for a license in computed tomography, an
7 applicant shall meet the following requirements:

8 (a) ~~Be at least 18 years of age;~~

9 ~~(b) Have obtained a high school diploma or have passed an approved equivalency test;~~

10 ~~(e)~~] Successfully complete a course of study in computed tomography approved by the
11 executive director; and

12 ~~(d)~~ **(b)** Possess current certification and registration in tomography from the American
13 Registry of Radiologic Technologists or a certification organization approved by the executive
14 director.

15 45 Repeal. RSA 310-A:208, relative to board of septic system evaluators; fees, is repealed.

16 46 Effective Date.

17 I. Sections 8 and 22 of this act shall take effect July 1, 2026.

18 II. The remainder of this act shall take effect 60 days after its passage.

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2025-0577h

AMENDED ANALYSIS

This bill amends licensing statutes and the office of professional licensure and certification's governing statutes to shift certain responsibilities and regulation to the office, in keeping with prior legislation.

This bill amends statutes related to the regulation of (1) land surveyors, (2) landscape architects; (3) alcohol and other drug use professionals, (4) mental health practitioners, (5) professional engineers, (6) psychologists, (7) architects, (8) podiatrists, (9) the boxing and wrestling commission, (10) auctioneers, (11) electricians, (12) professional bondsmen, (13) nurse agency registration, (14) doula and lactation specialist certification, (15) manufactured housing licensing, (16) medical imaging professionals and radiation therapists, and (17) septic system evaluators.

This bill is at the request of the office of professional licensure and certification.