

Text added to final proposal shown in ***bold italic***  
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CA Request – 3-21-25 - 1

**Readopt with amendment Mhp 401.01, effective 1-22-15 (Document #10762), to read as follows:**

Mhp 401.01 Expiration of License. Licenses issued under this chapter, shall be valid as provided in Plc 304.12.

**Readopt with amendment Mhp 401.02, effective 1-22-15 (Document #10762), as amended effective 7-27-18 (Document #12594), to read as follows:**

Mhp 401.02 Renewal Requirements.

(a) Plc 308 shall govern licensure renewals.

**Edit.** "and sign and attest as required"

(b) A licensee for renewal shall:

(1) Submit the information required by Plc 308.06 on the "Universal Application for License Renewal" dated April 2024 that is signed and attested to as required in Plc 308.08, prior to the date of license expiration;

(2) Complete, sign, and submit the "Continuing Education & *and* Collaboration Report Form 200", revised ~~December 2024~~ *February 2025*; and

**Edit.** Be sure to update the edition date to the month and year of rule adoption.

(3) Pay the fee specified by Plc 1002.29.

(c) Failure to meet the eligibility requirements of Plc 308.02, and the application procedures described in Plc 308.05, by the prescribed date shall result in the license expiring.

(d) If a license has expired, such person shall not practice mental health services until such time that a new license is issued.

(e) The renewal process shall only be available to persons whose current license has not expired.

(f) Pursuant to RSA 126-A:5, XVIII-a.(a) and RSA 330-A:10-a, licensees may complete and submit, as part of their renewal application, the applicable licensure survey pursuant to He-C 801 issued by the office of rural health and primary care, department of health and human services.

(g) Licensees shall be provided with the opportunity to opt out of the survey. Written notice of the opt-out opportunity shall be provided with the renewal application.

(h) Licensees choosing to opt-out of the survey shall submit a completed *form to the* NH department of health and human services ~~form~~, *division of health* pursuant to He-C 801.04.

(i) Information contained in the opt-out forms shall be kept confidential in the same accord with the survey form results, pursuant to RSA 91-A, and RSA 126-A:5, XVIII-a.(c).

**Readopt with amendment Mhp 401.03, effective 1-22-15 (Document #10762), to read as follows:**

Mhp 401.03 Filing Date. An application for license renewal shall be submitted to the licensing bureau no later than the expiration date of the present license.

**Readopt with amendment Mhp 401.04, effective 1-22-15 (Document #10762), to read as follows:**

Mhp 401.04 Denial of Renewal. License renewal shall be denied if there is a preponderance of the evidence to establish:

- (a) Noncompliance with the continuing education requirements of Mhp 402, or the collaboration requirement of Mhp 403.01;
- (b) Failure to furnish complete or accurate information on the renewal license application; or
- (c) That the requirements of RSA 330-A, RSA 310:8, and these rules relative to licensure and qualifications have not been met, or no longer continue to be met.

**Readopt with amendment Mhp 401.05, effective 12-18-21 (Document #13311), to read as follows:**

Mhp 401.05 Inactive Status.

- (a) Plc 307 rules shall govern with regards to inactive status for reserve military called to active duty.
- (b) Licensees in any reserve component of the armed forces of the United States or the national guard called to active duty, may request inactive license status by completing and submitting the “Request for Inactive Status Military Activation” form required by Plc 307.06 to CustomerSupport@oplc.nh.gov.
- (c) An inactive license may be reactivated within one year of the licensee’s release from active status by submitting a written request in accordance with (d), below, together with payment of the application-related fee for renewal and proof of completion of applicable continuing competence requirements if the license term of the license that was put on inactive status has expired.
- (d) Licensees shall complete and submit the “Request for License Reactivation” form pursuant to Plc 307.07. Edit. Fix spacing. may need to choose align left rather than iustifv.

**Readopt with amendment Mhp 402.01, effective 12-18-21 (Document #13311), to read as follows:**

Mhp 402.01 Continuing Education Requirements for Pastoral Psychotherapists, Licensed Independent Clinical Social Workers, School Social Workers, Clinical Mental Health Counselors, and Marriage and Family Therapists.

- (a) Each licensee shall complete 40 hours of approved continuing education (CE) every 2 years. Of the 40 required CE hours, board approved supervisors shall complete at least 6 CE hours in clinical supervision from Category A.
- (b) At least 30 of the 40 CE hours shall be completed from Category A as described in Mhp 402.02(a)-(d).
- (c) At least 6 of the 40 CE hours shall be completed in ethics and shall be from Category A.
- (d) At least 3 of the 40 CE hours shall be completed in suicide prevention, in accordance with RSA 330-A:10, XI and shall be from Category A.

(e) No more than 10 CE hours shall be from Category B as described in Mhp 402.02(e).

(f) Each licensee shall maintain documentation sufficient to prove attendance at or participation in any continuing education hours submitted for license renewal, pursuant to Plc 308.04.

(g) Licensed members of the board shall receive 6 CE hours per year to meet Mhp 402.01(c).

(h) Failure to comply with the requirements of this section shall constitute professional misconduct.

**Adopt Mhp 402.02 and Mhp 402.03, and renumber the existing Mhp 402.02 and Mhp 402.03 as Mhp 402.04 and 402.05, so that Mhp 402.02 and Mhp 402.03 read as follows:**

Mhp 402.02 Continuing Education Requirements for Licensed Social Workers.

(a) Each licensee shall complete 30 hours of approved continuing education (CE) every 2 years.

(b) At least 24 of the 30 CE hours shall be completed from Category A as described in Mhp 402.04(a)-(d).

(c) At least 3 of the 30 CE hours shall be completed in ethics and shall be from Category A.

(d) At least 3 of the 30 CE hours shall be completed in suicide prevention, in accordance with RSA 330-A:10, XI and shall be from Category A.

(e) No more than 6 CE hours shall be from Category B as described in Mhp 402.04(e).

(f) Each licensee shall maintain documentation sufficient to prove attendance at or participation in any continuing education hours submitted for license renewal, pursuant to Plc 308.04.

(g) Licensed members of the board shall receive 6 hours of CE per year to meet Mhp 402.01(c).

(h) Failure to comply with the requirements of this section shall constitute professional misconduct.

Mhp 402.03 Continuing Education Requirements for Social Worker Associate.

(a) Each licensee shall complete 10 hours of approved continuing education (CE) every 2 years.

(b) At least 6 of the 10 CE hours shall be completed from Category A as described in Mhp 402.04(a)-(d).

(c) At least 3 of the 10 CE hours shall be completed in ethics and shall be from Category A.

(d) At least 3 of the 10 CE hours shall be completed in suicide prevention, in accordance with RSA 330-A:10, XI and shall be from Category A.

(e) No more than 4 CE hours shall be from Category B as described in Mhp 402.04(e).

(f) Each licensee shall maintain documentation sufficient to prove attendance at or participation in any continuing education hours submitted for license renewal pursuant to Plc 308.04.

(g) Licensed members of the board shall receive 6 hours of CE per year to meet Mhp 402.01(c).

(h) Failure to comply with the requirements of this section shall constitute professional misconduct.

**Readopt with amendment and renumber Mhp 402.02, effective 12-18-21 (Document #13311), as Mhp 402.04 to read as follows:**

Mhp 402.04 Approved Continuing Education.

(a) Category A CE hours shall be earned by:

(1) Participation in seminars, workshops, or live, interactive webinars;

(2) Participation in home study courses shall be limited to:

a. Up to a maximum of 30 CE hours for pastoral psychotherapists, licensed independent clinical social workers, school social workers, clinical mental health counselors, and marriage and family therapists;

b. Up to a maximum of 20 CE hours for licensed social workers;

c. Up to a maximum of 7 CE hours for social work associates;

(3) Preparation of a seminar, workshop, or live, interactive webinar which shall count as 10 CE hours;

(4) Completion of:

~~a. g~~ Graduate level coursework by pastoral psychotherapists, licensed independent clinical social workers, clinical mental health counselors, marriage and family therapists, and school social workers; or

b. ~~b~~ Bachelor level coursework for licensed social workers, and social work associates;

(5) Publication of a peer reviewed professional book which shall count as 10 CE hours; and

(6) Each publication of an article in a peer reviewed professional journal which shall count as 6 CE hours.

(b) Category A seminars, workshops, on-line, home study, or other CE shall be provided by a state, regional, national, or international professional association offering education relevant to the mental health practice as defined in RSA 330-A:2, VI.

(c) Category A graduate academic coursework shall include graduate courses from a department of psychology, social work, counseling, marriage and family therapy, or any other department in the behavioral sciences at a regionally accredited school, college, or university, or theological school. Each

semester based hour of course credit shall count as equivalent to 6 hours of CE. Each quarter based hour of course credit shall equate to 4 hours of CE.

(d) Category A CE may be obtained by licensees for the teaching of academic coursework at the baccalaureate or graduate level from a department of psychology, social work, counseling, marriage and family therapy, or any other department in the behavioral sciences at a regionally accredited school, college or university, or theological school. Each semester based hour of course credit shall count as equivalent to 6 hours of CE. Each quarter based hour of course credit shall equate to 4 hours of CE.

(1) Preparation of a syllabus and teaching of a new course shall count as equivalent to 10 hours of CE; and

(2) Thorough updating of a course, including preparation of a new syllabus, review of the literature, preparation of reading lists and course assignments shall count as equivalent to 5 hours of CE.

(e) Category B CE hours shall be earned through:

(1) Participation in mental health seminars or workshops not meeting the requirements of Category A;

(2) Publication of professional books which shall count as 6 hours of CE; and

(3) Publication of articles in professional journals not to exceed 5 hours of CE per year.

**Readopt with amendment and renumber Mhp 402.03, effective 1-22-15 (Document #10762), as Mhp 402.05 to read as follows:**

Mhp 402.05 Failure to Satisfy Continuing Education Requirements.

(a) An applicant for license renewal who has not completed the required hours of CE in the reporting period may file a petition with the board no less than 60 days prior to the license expiration requesting a waiver of Mhp 402.01.

(b) The waiver shall be granted if good cause is demonstrated in that:

(1) Adherence to the rule would be unduly burdensome to the petitioner for reasons of health, disability, family emergency, or extreme financial hardship;

(2) Waiver of the rule would be consistent with the statutes and rules of the board;

(3) Waiver of the rule would not injure third persons;

(4) Waiver is necessary due to factors outside the control of the petitioner; and

(5) The applicant agrees to complete the required hours of CE within the time frame ***proposed by the applicant and approved*** ~~specified~~ by the board, ***which shall not exceed one year.***

**Readopt with amendment Mhp 403.01, effective 1-22-15 (Document #10762), to read as follows:**

Mhp 403.01 Collaboration.

- (a) Each licensee shall complete 40 hours of collaboration every 2 years.
- (b) The licensee shall be responsible for documenting clinical collaboration hours required for license renewal.

**Readopt with amendment Mhp 404.01, effective 12-18-21 (Document #13311), to read as follows:**

Mhp 404.01 Reinstatement Requirements.

- (a) Applicants seeking reinstatement of a license that has been expired for more than one year shall:
  - (1) Apply for initial licensure as provided in Plc 304;
  - (2) Attach documentation of the required hours of CE, as described in Mhp 402 specific to the license type for which the applicant is seeking reinstatement; and
  - (3) Pay the fee specified by Plc 1002.29.
- (b) Applicants seeking reinstatement of an expired license not more than one year after the date the license expired shall complete the process for renewing a license specified in Plc 308, including demonstrating that the applicant has:
  - (1) Met all continuing competence requirements; and
  - (2) Retained or re-obtained the certification(s) or other credential(s) required for licensure, if any.

**Readopt with amendment Mhp 404.02, effective 1-22-15 (Document #10762), to read as follows:**

Mhp 404.02 Denial of Reinstatement. License reinstatement shall be denied if, after notice and an opportunity for hearing, there is a preponderance of the evidence to establish:

- (a) Noncompliance with the continuing education requirements of Mhp 402 or collaboration requirement of Mhp 403;
- (b) Failure to furnish complete or accurate information on the license application as required in Plc 312; or
- (c) That the requirements of RSA 330-A and these rules relative to licensure and qualifications have not been, or no longer continue to be met.

**APPENDIX I**

**Edit.** Insert a page break so that the Appendix table isn't split.

Rule	Specific State Statute Implemented
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Mhp 401.01	RSA 310:8, II
Mhp 401.02	RSA 330-A:31, I; RSA 310:8, III
Mhp 401.03 and Mhp 401.04	RSA 310:8, III
Mhp 401.05	RSA 310:8, V
Mhp 402.01 through Mhp 402.05	RSA 330-A:10, XI
Mhp 403.01	RSA 330-A:10, XVI
Mhp 404.01 and Mhp 404.02	RSA 310:8, III

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## MHP 402 – CONTINUING EDUCATION (***CE***)

### ***Licensed Independent Clinical Social Workers, School Social Workers, Pastoral Psychotherapist, Mental Health Counselor, Marriage and Family Therapist***

- ~~CEUs~~
- ***A minimum of (40 hours of CE hours are required total)***
- ***A minimum of 30 hours must be from Category A. Of the 30 hours required from Category A, Board approved supervisors must complete a minimum of 6 hours of CE in clinical supervision — 10 from Category B (optional)***
- ***A minimum of 6 hours must be in ethics (Category A)***
- ***A minimum of 3 hours must be in suicide prevention (Category A)***
- Participation in home study limited to ~~20~~ ***30*** hours

### ***Licensed Social Workers***

- 1) A minimum total of 30 hours of CE is required***
- 2) A minimum of 24 hours must be from Category A***
- 3) A minimum of 3 hours must be in ethics (Category A)***
- 4) A minimum of 3 hours must be in suicide prevention (Category A)***
- 5) Participation in home study limited to 20 hours***

### ***Social Work Associate***

- 1) A minimum total of 10 hours of CE is required***
- 2) 6 hours must be from Category A***
- 3) 3 hours must be in ethics (Category A)***
- 4) 3 hours must be in suicide prevention (Category A)***
- 5) Participation in home study limited to 7 hours***

### ***CATEGORY A Category A CE includes education relevant to the practice of mental health that is provided by a state, regional, national, or international professional organization.***

- |                   |                    |   |
|-------------------|--------------------|---|
| <del>1—APA</del>  | <del>5—AAMFT</del> | <del>9—AMA</del>  |
| <del>2—AAPC</del> | <del>6—ACA</del>   | <del>10—Graduate level course from Dept. of Psych.</del>          |
| <del>3—NASW</del> | <del>7—ASWB</del>  | <del>11—Preparation of a syllabus for a new graduate course</del> |
| <del>4—NBCC</del> | <del>8—AMHCA</del> | <del>12—Thorough updating of a graduate course</del>              |

### ***CATEGORY B***

- ~~1 – Seminar~~ ***Continuing Education*** not listed in A
- 2 – Publication of professional book ***relevant to mental health practice*** (not to exceed 5 hours)
- 3 – Publication of articles in a professional journal ***relevant to mental health practice*** (not to exceed 5 hours)

This is a summary of Mhp 402. Please refer to Board rules for more detail.

### ***COLLABORATION - (40 hours required)***

I have fulfilled the collaboration requirement in the following way: (Be sure to include at least two names of licensed professionals you have collaborated with and a short description of the kinds of issues discussed).

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Licensed ~~Type~~: (circle one) ~~SW~~ ~~PP~~ ~~MHC~~ ~~MFT~~ License # \_\_\_\_\_

- ***Pastoral Psychotherapist***
- ***Licensed Independent Clinical Social Worker***
- ***Licensed Social Worker***
- ***School Social Worker***
- ***Social Work Associate***
- ***Mental Health Counselor***
- ***Marriage and Family Therapist***

Signature \_\_\_\_\_

Please print your name \_\_\_\_\_

PLEASE RETURN TO: NH BOARD OF MENTAL HEALTH PRACTICE  
7 EAGLE SQUARE  
CONCORD, N.H. 03301

7/19/2014

**Mhp 401.02(h) OLS Edit/Unclear Comment:**

**Edit/Unclear.** Are they submitting a copy to the board too? This rule doesn't indicate which agency the applicant needs to submit the form.

**Board Response:** Licensees will submit a completed form as required by He-C 801.04.

**Mhp 402.05(b)(5) OLS Edit/Unclear Comment:**

**Unclear.** This doesn't indicate what time period will apply and it is unclear how the board will make the decision about what time period will apply. Not having any criteria in the rule can lead to arbitrary decision making or decision making that is not uniformly applied. It is unclear whether the board will grant the waiver for the time period requested or some other period of time. If the time period won't go past a certain amount of time, say that. For example: in no case shall the time period be greater than one year.

**Board Response:** The applicant will propose a time frame to complete the required hours of CE, not to exceed one year.