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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.

(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 & Collaboration Report Form 200”, revised July 2024; and
- (3) Pay the fee specified by *Plc 1002.29*.

(c) Failure to meet the *eligibility* requirements of Plc 308.02, ***and the application procedures prescribed 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, ~~L~~icensees may complete and submit to, 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.*** ~~New Hampshire Division of Public Health Service’s “New Hampshire Mental Health Practitioner Licensure Survey”, effective July 2018, issued by the State 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. The opt out form shall be available ***at*** on the ~~NH State Office of Rural Health and Primary Care website and the board’s website,~~ <https://www.oplc.nh.gov/mental-health/index.htm>. <https://www.oplc.nh.gov/board-mental-health-practice>

(h) Licensees choosing to opt-out of the survey shall submit a completed NH ~~department of health and human services form~~ “New Hampshire Health Professions Survey Opt-Out Form” revised 1/1/18, pursuant to HB 322, Laws of 2017, Ch. 131, to the State Office of Rural Health and Primary Care, Department of Health and Human Services, via one of the following as specified on the form:

- (1) Mail;
- (2) Email; or
- (3) Fax.

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(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, He-C 801.05(b)(1) 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 402.04, 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 ~~(1)~~ (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 required by Plc 307.07 to CustomerSupport@oplc.nh.gov to request license reactivation.***

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 ~~hours~~ (CE~~s~~) 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.

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(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, XIV 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) ~~When requested to do so by the board, the~~ ***Each*** licensee shall be responsible for ~~proving~~ ***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).

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 ~~hours~~ (CEs) 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, XIV 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) ~~When requested to do so by the board, t~~The licensee shall be responsible for ~~proving~~ ***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 ~~CEs~~ ***hours of CE*** per year to meet Mhp 402.01(c).

Mhp 402.03 Continuing Education Requirements for Social Worker Associate.

(a) Each licensee shall complete 10 ***hours of*** approved continuing education ~~hours~~ (CEs) 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, XIV 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).

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(f) ~~When requested to do so by the board, the~~ ***Each*** licensee shall be responsible for proving ***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*** CEs per year to meet Mhp 402.01(c).

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 ~~may~~ ***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 ~~20 CEs~~ ***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 ~~6 CE's~~ ***20 CE hours*** for licensed social workers;
 - c. Up to a maximum of ~~4 CE's~~ ***7 CE hours for*** social work associates;
- (3) Preparation of a seminar, workshop, or live, interactive webinar which shall count as 10 CE ~~hours.~~ ***hours.***
- (4) Completion of graduate level coursework by pastoral psychotherapists, licensed independent clinical social workers, clinical mental health counselors, marriage and family therapists, and school social workers; or 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, and home study or other CEs shall be ~~approved~~ ***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. one of the following groups,***

- ~~(1) American Psychological Association;~~
- ~~(2) National Association of Social Workers;~~
- ~~(3) National Board for Certified Counselors;~~
- ~~(4) American Association for Marriage and Family therapy;~~
- ~~(5) American Counseling Association;~~
- ~~(6) American Medical Association;~~
- ~~(7) American Mental Health Counselors Association; or~~

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~~(8) Association of Social Work Boards.~~

(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 hour of course credit shall count as equivalent to 6 CEUs. ~~Quarter hours shall equate to 4 CE hours.~~

(d) Category A CEUs may be obtained by licensees for the teaching of ~~such course in (c)~~, as follows: 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 hour of course credit shall count as equivalent to 6 CE hours. ***Quarter hours shall equate to 4 CE hours.***

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

(e) Category B credits ~~may~~ ***CE 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 CE hours; and

(3) Publication of articles in professional journals not to exceed 5 CE hours 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 CEUs*** in the ~~preceding biennium~~ ***reporting period may*** shall 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; ~~and~~

(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 timeframe specified by the board.

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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 CEUs, as described in Mhp 402 specific to the 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 requirement of Mhp 402 or collaboration requirement of Mhp 403;;
- (b) Failure to furnish complete or accurate information on the license application as ***required*** described 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

Rule	Specific State Statute Implemented
Mhp 401.01	RSA 310:8, II
Mhp 401.02	RSA 330-A:31, I; RSA 310:8, III

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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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