

Amendment to SB 80

1 Amend the bill by replacing sections 3 and 4 with the following:

2
3 3 New Section; License Application Procedure; Criminal History Record Check. Amend RSA
4 330-A by inserting after section 15 the following new section:

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. Every applicant for initial licensure shall submit to the board a criminal history record
13 release form, as provided by the New Hampshire division of state police, department of safety,
14 which authorizes the release of his or her criminal history record, if any, to the board.

15 III. The applicant shall submit with the release form a complete set of fingerprints taken by
16 a qualified law enforcement agency or an authorized employee of the department of safety. In the
17 event that the first set of fingerprints is invalid due to insufficient pattern, a second set of
18 fingerprints shall be necessary in order to complete the criminal history records check. If, after 2
19 attempts, a set of fingerprints is invalid due to insufficient pattern, the board may, in lieu of the
20 criminal history records check, accept police clearances from every city, town, or county where the
21 person has lived during the past 5 years.

22 IV. The board shall submit the criminal history records release form and fingerprint form to
23 the division of state police which shall conduct a criminal history records check through its records
24 and through the Federal Bureau of Investigation. Upon completion of the records check, the
25 division of state police shall release copies of the criminal history records to the board. The board
26 shall maintain the confidentiality of all criminal history records information received pursuant to
27 this section.

28 V. The applicant shall bear the cost of a criminal history record check.

29 4 Mental Health Practice; Applicants From Other States. Amend RSA 330-A:26, II to read as
30 follows:

31 II. An applicant whose state licensure meets the requirements in paragraph I shall be
32 ~~[deemed able]~~ **allowed** to practice in this state not more than ~~[60]~~ **30** days after the application is

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- 1 received by the board, pending final approval or denial *of the license* for other reason by the board.
- 2 The board shall adopt rules under RSA ~~[541-A]~~ **330-A:10, I and I-a** to ensure the timely review and
- 3 approval of applications under this section.

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AMENDED ANALYSIS

This bill adds 2 members to the board of mental health practice and provides for the timely action on license applications by the board for qualified applicants. The bill adds a criminal history records check requirement for applicants. The bill also clarifies the procedure for insurance credentialing of out-of-state mental health practitioners and psychologists applying for state licensure.