

APPENDIX II-G

COVER SHEET FOR FINAL PROPOSAL

Notice Number 2022-30 Rule Number Psyc 402.02 and Psyc 402.03

1. Agency Name & Address: <b>Board of Psychologists c/o Office of Professional Licensure &amp; Certification 7 Eagle Square Concord, NH 03301</b>	2. RSA Authority: <u>RSA 329-B:10, X</u> 3. Federal Authority: <u>n/a</u> 4. Type of Action: <input checked="" type="checkbox"/> Adopt <input type="checkbox"/> Amendment (only if Initial Proposal was filed before 9/27/20.) <input type="checkbox"/> Repeal <input type="checkbox"/> Readoption <input checked="" type="checkbox"/> Readoption w/amendment
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5. Short Title: **Continuing Education**

6. Contact person for copies and questions:

Name:	<b>Tina M. Kelley</b>	Title:	<b>Program Specialist IV</b>
Address:	<b>Office of Professional Licensure and Certification 7 Eagle Square Concord, NH 03301</b>	Phone #:	<b>(603) 271-5247</b>

7. The rulemaking notice appeared in the Rulemaking Register on July 8, 2021.

**SEE THE INSTRUCTIONS--PLEASE SUBMIT ONE COPY OF THIS COVER SHEET  
AND ONE COPY OF THE FOLLOWING:  
(optional to number correspondingly)**

8. The "Final Proposal-Fixed Text," including the cross-reference table required by RSA 541-A:3-a, II as an appendix.
9. Yes  N/A  Incorporation by Reference Statement(s) because this rule incorporates a document or Internet content by reference for which an Incorporation by Reference Statement is required pursuant to RSA 541-A:12, III.
10. Yes  N/A  The "Final Proposal-Annotated Text," indicating how the proposed rule was changed because the text of the rule changed from the Initial Proposal pursuant to RSA 541-A:12, II(d).
11. Yes  N/A  The amended fiscal impact statement because the change to the text of the Initial Proposal affects the original fiscal impact statement (FIS) pursuant to RSA 541-A:5, VI.

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Rule Number Psyc 402.02 and Psyc 402.03

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5. Short Title: **Continuing Education**

6. (a) Summary of what the rule says and of any proposed amendments:

**Psyc 402.02 specifies continuing education requirements as a condition of license renewal and is being readopted with amendment to remove the required 3 hours for ethics of the 40 hours of continuing education required per year.**

**Psyc 402.03 is being adopted to allow continuing education credits for volunteer activity supporting Board work and specify the criteria in order to claim the credits.**

6. (b) Brief description of the groups affected:

**This proposal affects licensees wishing to renew their license.**

6. (c) Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement:

Rule	Statute Implemented
Psyc 402.02 and Psyc 402.03	RSA 329-B:10, X

7. Contact person for copies and questions including requests to accommodate persons with disabilities:

Name: **Tina M. Kelley**

Title: **Program Specialist IV**

Address: **Office of Professional  
Licensure and Certification  
7 Eagle Square  
Concord, NH 03301**

Phone #: **(603) 271-5247**

Fax#: **(603) 271-0597**

E-mail: **OPLC-Rules@oplc.nh.gov**

TTY/TDD Access: Relay NH 1-800-735-2964 or dial 711 (in NH)

8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **Friday, April 1, 2022 at the conclusion of the public hearing.**

<input type="checkbox"/> Fax	<input checked="" type="checkbox"/> E-mail	<input type="checkbox"/> Other format (specify):
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9. Public hearing scheduled for:

Date and Time: **Friday, April 1, 2022 at 9:30 a.m.**

Place: **Office of Professional Licensure and Certification  
7 Eagle Square  
Concord, NH 03301**

10. Fiscal Impact Statement (Prepared by Legislative Budget Assistant)

FIS # 22:028 , dated 2-17-2022

**1. Comparison of the costs of the proposed rule(s) to the existing rule(s):**

There is no difference in cost when comparing proposed Psyc 402.02 to the existing rule.  
Not applicable to Psyc 402.03 as this is a new rule with no associated cost.

**2. Cite the Federal mandate. Identify the impact on state funds:**

No federal mandate, no impact on state funds.

**3. Cost and benefits of the proposed rule(s):**

**A. To State general or State special funds:**

None.

**B. To State citizens and political subdivisions:**

None.

**C. To independently owned businesses:**

None.

11. Statement Relative to Part I, Article 28-a of the N.H. Constitution:

**These rules do not violate Part I, Article 28-a of the New Hampshire Constitution. These rules do not mandate or assign this program to any political subdivision in any way.**

Consent Edit.

**Readopt with amendment Psyc 402.02, effective 11-4-16 (Document #12035-B), to read as follows:**

Psyc 402.02 Continuing Education Requirements.

- (a) Each licensee shall complete and document completion of 40 approved hours of continuing education during the license term as a condition of license renewal.
- (b) At least 30 of the 40 hours shall be completed from Category A.
- (c) At least 6 of the 40 hours shall be completed in ethics and shall be from Category A.
- (d) No more than 10 hours shall be from Category B.
- (e) The licensee shall document attendance at or participation in any continuing education hours submitted for license renewal.
- (f) Each year, the board shall select on a random basis a 5% group of licensed psychologists for audit of existing CEU documentation, provided that:
  - (1) Each licensee so selected shall be notified of the audit at least 30 days prior to the date the audit is conducted; and
  - (2) Selected licensees shall provide copies of CEU documentation, along with the audit request form, within 30 days of receiving the license renewal notice.

**Adopt Psyc 402.03, to read as follows:**

Psyc 402.03 Continuing Education Credits for Volunteer Activity Supporting Board Work. The board and its volunteers shall be awarded continuing education credits in the following manner:

(a) All continuing education credits awarded shall be considered ethics credits and may be rolled forward to meet licensing requirements up to 6 years from the date awarded, except as otherwise indicated herein;

(b) School psychologist **volunteers'** shall be issued as continuing education units or Department of Education (DOE) contact hours for the purpose of fulfilling continuing professional development to renew licenses;

Edit. "volunteers' credits"

(c) Licensed members of the board shall:

Edit. Use low case for state agencies.

(1) Be awarded 2 continuing education units for the initial appointment to the board and new board member training;

- (2) Be awarded 2 continuing education units for each monthly meeting attended for a maximum of 24 hours per calendar year; and
- (3) The continuing education credits may be rolled forward up to 6 years from the date the board member's appointment expires or the board member's resignation date; and
- (d) Professional conduct investigators and board investigators, whether psychologists or school psychologists, shall:

**Note.** Don't need to indicate annotations in a fixed text document.

- (1) Be awarded 2 continuing education units for initial appointment as a professional conduct investigator and new investigator training; and
- (2) Be awarded for each case assigned the following:
- a. For each report of investigation completed 18 continuing education units; and
  - b. For each summary of investigation completed 2 continuing education units.
- (3) Credits from one case shall be used within 6 years;
- (4) Credits from additional cases may be rolled forward as the investigator wishes to apply them to requirements, up to 10 years.

**Appendix**

<b>Rule</b>	<b>Statute Implemented</b>
Psyc 402.02-402.03	RSA 329-B:10, X