

Floor Amendment to SB 470-FN

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

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3 1 New Section; Office of Professional Licensure and Certification; Expungement of Disciplinary
4 Action. Amend RSA 310 by inserting after section 12 the following new section:

5 310:12-a Expungement of Disciplinary Action.

6 I. Any current or past licensee of a board or the office who has been subject to disciplinary
7 action by the board for conduct not involving criminal acts, fraud, deceit, patient safety, public
8 safety, or acts impacting the integrity of the profession may file a petition with the office to have it
9 determine if the records from such action should be classified as confidential, not for public release,
10 and considered expunged for reporting purposes if:

11 (a) The application is submitted more than 7 years after the subject disciplinary action
12 occurred;

13 (b) The disciplinary action did not include post-adjudicative suspension or permanent
14 revocation of license;

15 (c) The licensee has had no further disciplinary action against their license since the
16 disciplinary action identified in the application occurred;

17 (d) The licensee has completed all requirements of the disciplinary action;

18 (e) The office has no pending investigations against the licensee; and

19 (f) The licensee's license is currently in good standing.

20 II. Petitions that involve disciplinary action that only included a reprimand, administrative
21 fine, reasonable cost of investigation and prosecution, or a combination thereof shall be granted if
22 they meet the requirements in paragraph I.

23 III. All other petitions may be granted if they meet the requirements in paragraph I and the
24 petitioner also demonstrates that expungement will assist in the licensee's rehabilitation and is
25 consistent with protecting the public welfare. In making this determination, the office shall consider
26 the nature of the conduct that resulted in the disciplinary action; the nature of the disciplinary
27 action; and the current circumstances of the petitioner, including but not limited to their
28 rehabilitation, completion of the requirements of the disciplinary action, amount of time that has
29 passed since completion of the disciplinary action, testimonials, employment history, and
30 employment aspirations.

31 IV. Any licensee who has their petition denied by the office shall have the right to a hearing
32 before the appropriate board or, if no such board exists, the office in accordance with RSA 310.

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- 1 Requests for a hearing shall be made in writing to the appropriate board within 30 days of receipt of
- 2 the original final decision.
- 3 V. The executive director may adopt rules in accordance with RSA 541-A to implement this
- 4 section.

2026-1240s

AMENDED ANALYSIS

This bill allows licensees subject to certain disciplinary matters that did not involve criminal acts, fraud, deceit, patient safety, public safety, or acts impacting the integrity of the profession, and that did not include suspension or permanent revocation of license, to petition to have the disciplinary records expunged.