

SB 470-FN - VERSION ADOPTED BY BOTH BODIES

03/26/2026 1240s

2026 SESSION

26-2079

09/05

SENATE BILL **470-FN**

AN ACT relative to the expungement of certain disciplinary matters.

SPONSORS: Sen. Rochefort, Dist 1; Sen. Reardon, Dist 15; Sen. Pearl, Dist 17

COMMITTEE: Executive Departments and Administration

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.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears [~~in brackets and struck through.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

AN ACT relative to the expungement of certain disciplinary matters.

Be it Enacted by the Senate and House of Representatives in General Court convened:

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

3 310:12-a Expungement of Disciplinary Action.

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

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

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

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

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

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

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

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

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

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

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.

5 2 Office of Professional Licensure and Certification; Rulemaking Authority. Amend RSA 310:6,
6 II to read as follows:

7 II. Such organizational and procedural rules necessary to administer the boards in the
8 office, including rules governing the administration of complaints and investigations, hearings,
9 disciplinary and non-disciplinary proceedings, ***expungement of disciplinary action***,
10 manufactured housing dispute resolution, inspections, payment processing procedures, and
11 application procedures. For purposes of this paragraph, "manufactured housing dispute resolution"
12 means a program for the timely resolution of disputes between manufacturers, retailers, and
13 installers of manufactured homes, including the issuance of appropriate orders, regarding
14 responsibility for the correction or repair of defects in manufactured homes for defects that are
15 reported during the one-year period beginning on the date of installation.

16 3 Effective Date. This act shall take effect 60 days after its passage.

LBA
26-2079
3/31/26

SB 470-FN- FISCAL NOTE
AS AMENDED BY THE SENATE (AMENDMENT #2026-1240s)

AN ACT relative to the expungement of certain disciplinary matters.

FISCAL IMPACT:

The Legislative Budget Assistant has determined that this legislation has a total fiscal impact of less than \$10,000 in each of the fiscal years 2026 through 2029.

AGENCIES CONTACTED:

Office of Professional Licensure and Certification