

**Senate Executive Departments and Administration
Committee**
Kevin Condict 271-7875

HB 227-FN, relative to licensure for psychotherapy activities or services.

Hearing Date: April 9, 2025

Time Opened: 9:30 a.m. **Time Closed:** 9:38 a.m.

Members of the Committee Present: Senators Pearl, McGough, Altschiller and Reardon

Members of the Committee Absent : Senator Gannon

Bill Analysis: This bill repeals the licensing exemption for psychotherapy activities or services of certain persons in the employ of a state, county, or municipal agency, other political subdivision, or duly chartered educational institution.

Sponsors:

Rep. Layon

Rep. Kofalt

Rep. Wheeler

Rep. Noble

Rep. Freeman

Who supports the bill: In total, **62** individuals signed in in support of HB 227-FN. The full sign in sheets are available upon request to the Legislative Aide, Kevin Condict (kevin.condict@gc.nh.gov).

Who opposes the bill: None.

Who is neutral on the bill: Dir. Dee Jurius (OPLC), and Nik Frye (OPLC).

Summary of testimony presented:

Representative Erica Layon, Rockingham 13

- Rep. Layon introduced House Bill 227-FN.
- Rep. Layon explained that HB 227-FN removes an exemption from psychotherapy licensing.
- Rep. Layon stated that it relates to schools and towns that provide therapy and provides sufficient exemptions for those who are volunteering with organizations to help out in the community.

- Rep. Layon explained that there is a section in the education statutes created in the 1970s relating to psychology services in schools.
- Rep. Layon stated that in 2012, 329-B was added to the statutes for psychologists, which gave an exemption for those who are working at the schools and those who are licensed by the Department of Education.
- Rep. Layon explained that in 2020 a new category was added for school psychologists.
- Rep. Layon stated that now there are two different ways for school psychologists to be licensed under the medical professional guidelines.
- Rep. Layon believes this is very important when dealing with children that have specific therapy needs.
- Rep. Layon stated that SB 227 removes an exemption that was needed in the past but is no longer needed because there is licensure specific to school psychologists under 329-B.
- Rep. Layon believes anyone who is employed by a town or county and is providing therapy should be licensed under the statutes.
- Senator McGough asked how many unlicensed school psychologists there in NH are currently.
 - o Rep. Layon replied that they do not have any idea because schools require you to be licensed, and there is now a process to be licensed under the Department of Education. That is why the exemption is no longer needed. There is no reason for a general home room teacher to decide to cross the line and provide therapy. She added that if students have real needs, they need to see a professional.
- Sen. Altschiller asked what the genesis of this bill was and if she could clarify what it does.
 - o Rep. Layon replied that people are dealing with a lot of pressure and uncertainty these days. There have been a lot of mental health needs, especially in schools. It is important to make sure that when a child has mental health needs, they are seeing a professional who is appropriately trained and credentialed. Currently, there is an exemption in the law that says as long as you work in a school, you can provide psychotherapy without a license. This bill removes that exemption.
- Sen. Reardon asked if contractually schools are obligated to hire a licensed psychologist.
 - o Rep. Layon replied that there is nothing that requires a school to hire a licensed psychologist.
- Sen. Altschiller asked if there was a specific situation that inspired this legislation.

- Rep. Layon replied that she was looking at the statutes regarding licensing and noticed that this particular exemption is no longer needed.

KC

Date Hearing Report completed: April 14, 2025