

Amendment to HB 145-FN

1 Amend RSA 326-H:12-b as inserted by section 1 of the bill by replacing it with the following:

2
3 326-H:12-b Criminal History Record Checks.

4 I. Every applicant for initial licensure shall submit to the office of professional licensure and
5 certification a criminal history record release form, as provided by the New Hampshire division of
6 state police, department of safety, which authorizes the release of his or her criminal history record,
7 if any, to the executive director of the office of professional licensure and certification or its designee
8 within the office of professional licensure and certification. For the purposes of this section, a
9 designee may be the office's agency counsel, administrative law judge, director of licensing and board
10 administration, licensing service representative, or board administrator.

11 II. The applicant shall submit with the release form a complete set of fingerprints taken by a
12 qualified law enforcement agency, an authorized employee of the office of professional licensure and
13 certification, or an authorized employee of the department of safety. If the first set of fingerprints is
14 invalid due to an insufficient pattern, a second set of fingerprints shall be necessary in order to
15 complete the criminal history records check. If, after 2 attempts, a set of fingerprints is invalid due
16 to an insufficient pattern, the office of professional licensure and certification may, in lieu of the
17 criminal history records check, accept police clearances from every city, town, or county where the
18 person has lived during the past 5 years.

19 III. The office of professional licensure and certification shall submit the criminal history
20 records release form and fingerprint form to the division of state police which shall conduct a
21 criminal history records check through its records and through the Federal Bureau of Investigation.
22 Upon completion of the records check, the division of state police shall release copies of the criminal
23 history records to the executive director of the office of professional licensure and certification or its
24 designee within the office of professional licensure and certification. The executive director of the
25 office of professional licensure and certification or its designee within the office of professional
26 licensure and certification shall maintain the confidentiality of all criminal history records
27 information received pursuant to this section.

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