

CHAPTER 147  
SB 56 – FINAL VERSION

15Apr2015... 1227h  
5/21/2015 1839EBA

2015 SESSION

15-0378  
01/09

SENATE BILL **56**

AN ACT establishing a commission to study oversight, regulation, and reporting of patient safety and infectious disease prevention and control issues in health care settings.

SPONSORS: Sen. Stiles, Dist 24; Sen. Feltes, Dist 15; Sen. Kelly, Dist 10; Sen. Bradley, Dist 3; Sen. Fuller Clark, Dist 21; Rep. Sherman, Rock 24; Rep. Rosenwald, Hills 30; Rep. McMahon, Rock 7; Rep. Emerson, Ches 11

COMMITTEE: Health and Human Services

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AMENDED ANALYSIS

This bill establishes a commission to study oversight, regulation, and reporting of patient safety and infectious disease prevention and control issues in health care settings.

This bill is a request of the department of health and human services.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Fifteen*

AN ACT                    establishing a commission to study oversight, regulation, and reporting of patient safety and infectious disease prevention and control issues in health care settings.

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

1            147:1 Statement of Intent.

2            I. The general court recognizes that:

3                    (a) New Hampshire is committed to improving patient safety and promoting better  
4 health care quality outcomes for its citizens.

5                    (b) New Hampshire and its regulatory agencies are committed to working in partnership  
6 with health care providers across all health care delivery settings to identify improvement in the  
7 oversight, regulation, and reporting of patient safety and infectious disease prevention and control  
8 issues.

9            II. Therefore, the general court hereby establishes a commission to study oversight,  
10 regulation, and reporting of patient safety concerns as it relates to infectious disease prevention and  
11 control issues to achieve a better understanding of the landscape of credentialing and regulatory  
12 oversight of independent or private, unlicensed, and/or unaffiliated health care settings with a goal  
13 of better-informed policy decision making regarding patient safety concerns related to infectious  
14 disease control issues and a determination of the need for future remedial legislation. This  
15 commission is not intended to duplicate the work of the health care quality assurance commission  
16 under RSA 151-G but to work in collaboration regarding health care infectious disease prevention  
17 and control quality issues.

18            147:2 New Subdivision; Commission to Study Oversight, Regulation, and Reporting of Patient  
19 Safety and Infectious Disease Prevention and Control Issues. Amend RSA 126-A by inserting after  
20 section 67 the following new subdivision:

21                    Commission to Study Oversight, Regulation, and Reporting of Patient Safety  
22    and Infectious Disease Prevention and Control Issues

23            126-A:68 Commission to Study Oversight, Regulation, and Reporting of Patient Safety and  
24 Infectious Disease Prevention and Control Issues Established.

25            I. There is established a commission to study oversight, regulation, and reporting of patient  
26 safety and infectious disease prevention and control issues in health care settings.

27            II. The members of the commission shall be as follows:

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- 1           (a) One member of the senate, appointed by the president of the senate.
- 2           (b) Three members of the house of representatives, appointed by the speaker of the  
3 house of representatives.
- 4           (c) The director of the division of public health services, department of health and  
5 human services, or designee.
- 6           (d) The bureau chief for the bureau of health facilities administration, department of  
7 health and human services, or designee.
- 8           (e) A representative of the New Hampshire board of dental examiners, appointed by the  
9 board.
- 10          (f) A representative of the New Hampshire board of medicine, appointed by the board.
- 11          (g) A representative from the New Hampshire board of nursing, appointed by the board.
- 12          (h) A representative from the New Hampshire board of pharmacy, appointed by the  
13 board.
- 14          (i) A representative from the New Hampshire board of podiatry, appointed by the board.
- 15          (j) A representative from the New Hampshire Foundation for Healthy Communities,  
16 appointed by the foundation.
- 17          (k) A representative from the New Hampshire Hospital Association, appointed by the  
18 association.
- 19          (l) A physician from the New Hampshire Medical Society, appointed by the society.
- 20          (m) A dentist from the New Hampshire Dental Society, appointed by the society.
- 21          (n) A representative from the New Hampshire Ambulatory Surgery Center Association,  
22 appointed by the association.
- 23          (o) A representative from the New Hampshire Infection Control and Epidemiology  
24 Professionals, appointed by that organization.
- 25          (p) A representative of a nursing home facility, appointed by the New Hampshire Health  
26 Care Association.
- 27          (q) Two public members, at least one of whom shall be an independent office-based  
28 health care practitioner, appointed by the governor.
- 29          (r) An APRN, appointed by the New Hampshire Nurse Practitioner Association.
- 30          III. The commission shall be an administratively attached agency, under RSA 21-G:10, to  
31 the department of health and human services.
- 32          IV. Legislative members of the commission shall receive mileage at the legislative rate when  
33 attending to the duties of the commission.
- 34          V. The commission's study shall include, but not be limited to:
- 35               (a) Conducting an assessment of the existing framework for the oversight, regulation,  
36 and reporting of patient safety concerns related to infectious disease prevention and control issues

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1 among health care delivery settings, focused on, but not limited to, private, unlicensed, and/or  
2 unaffiliated health care settings, to help coordinate response to any arising infectious disease  
3 prevention and control concerns.

4 (b) Evaluating credentialing and regulatory oversight to determine unforeseen or hidden  
5 gaps which may pose barriers to timely and effective public health response to infectious disease  
6 prevention and control concerns in health care settings.

7 (c) Reviewing coordination of interagency communication relating to any infectious  
8 disease prevention and control concern across health care delivery settings including, but not limited  
9 to, private, unlicensed, and/or unaffiliated health care settings.

10 (d) Discussing potential deficits and areas for improvement in the current framework of  
11 regulatory oversight with a goal to identify recommended solutions, both legislative and non-  
12 legislative.

13 VI. The members of the commission shall elect a chairperson from among the members. The  
14 first meeting of the commission shall be called by the senate member. The first meeting of the  
15 commission shall be held within 60 days of the effective date of this section. Eleven members of the  
16 commission shall constitute a quorum.

17 VII. The commission shall report its findings and any recommendations for proposed  
18 legislation to the president of the senate, the speaker of the house of representatives, the chairperson  
19 of the health and human services oversight committee established under RSA 126-A:13, the senate  
20 clerk, the house clerk, the governor, and the state library on or before November 1, 2015.

21 147:3 Repeal. RSA 126-A:68, relative to a commission to study oversight, regulation, and  
22 reporting of patient safety and infectious disease prevention and control issues in health care  
23 settings, is repealed.

24 147:4 Effective Date.

25 I. Section 3 of this act shall take effect November 1, 2015.

26 II. The remainder of this act shall take effect upon its passage.

27  
28 Approved: June 12, 2015

29 Effective Date: I. Section 3 shall take effect November 1, 2015.

30 II. Remainder shall take effect June 12, 2015.