

**SENATE FINANCE COMMITTEE
BUDGET WORK SESSION**

05/22/23

SENATE FINANCE - 2023 BUDGET RECAP SHEET

DHHS - Division of Economic Stability	Contact	SOF	FY 2023	FY 2024	FY 2025	Total
1. HB 2 - Amendment 2023-1878s, Page 4 appropriates \$8 million in FY23, nonlapsing until the end of FY25, for the purpose of increasing rates paid to shelter programs. Further appropriates \$2 million in FY23, nonlapsing until the end of FY25, for the purpose of assisting cities and towns with housing expenses for homeless people.	Sen. Bradley	G	\$10,000,000	\$0	\$0	\$10,000,000
DHHS - Division of Medicaid Services	Contact	SOF	FY 2023	FY 2024	FY 2025	Total
1. HB 2 - Amendment 2023-1959s, Page 5 incorporates two components of SB 175: funding for family resource centers, and policies relating to nursing mothers. The amounts shown here are the increases above the House-passed level for family resource centers.	Sen. Rosenwald	G	\$0	\$1,000,000	\$1,000,000	\$2,000,000
DHHS - Division of Long-Term Supports and Services	Contact	SOF	FY 2023	FY 2024	FY 2025	Total
1. Increase the cap on county costs for long-term care payments by 2% per year, and use the savings (and related federal match) to increase nursing home rates. See page 8 for footnote language and HB 1 changes. (See related HB 2 amendment 2023-1538s below.)	Sen. Rosenwald	O	\$0	\$2,636,993	\$5,326,726	\$7,963,719
		F	\$0	\$2,636,993	\$5,326,726	\$7,963,719
2. HB 2 - Amendment 2023-1538s, Page 9 increases the cap on county long-term care payments by 2% per year. (Fiscal impact shown in HB 1 above.)	Sen. Rosenwald	N/A	\$0	\$0	\$0	\$0
3. Increase the cap on county costs for long-term care payments by 1% per year, and use the savings (and related federal match) to increase nursing home rates. See page 10 for footnote language and HB 1 changes. (See related HB 2 amendment 2023-1537s below.)	Sen. Rosenwald	O	\$0	\$1,318,497	\$2,650,178	\$3,968,675
		F	\$0	\$1,318,497	\$2,650,178	\$3,968,675

SENATE FINANCE - 2023 BUDGET RECAP SHEET

DHHS - Division of Long-Term Supports and Services	Contact	SOF	FY 2023	FY 2024	FY 2025	Total
4. HB 2 - Amendment 2023-1537s, Page 11 increases the cap on county long-term care payments by 1% per year. (Fiscal impact shown in HB 1 above.)	Sen. Rosenwald	N/A	\$0	\$0	\$0	\$0
5. HB 2 - Amendment 2023-1931s, Page 12 incorporates SB 36 and funds out of FY23.	Sen. Bradley	G	\$1,687,600	\$0	\$0	\$1,687,600
6. HB 2 - Amendment 2023-1422s, Page 22 removes the suspension on congregate housing for the biennium. (Committee voted on 5/16/23 to not approve the related HB 1 appropriation.)	Sen. D'Allesandro	N/A	\$0	\$0	\$0	\$0
7. HB 2 - Amendment 2023-1407s, Page 23 removes the suspension on the foster grandparent program for the biennium. (Committee voted on 5/16/23 to not approve the related HB 1 appropriation.)	Sen. D'Allesandro	N/A	\$0	\$0	\$0	\$0
8. HB 2 - Amendment 2023-1806s, Page 24 is an agency request to extend the appropriation for the DD pilot program in order to allow the program time to be fully operational.	Nathan White, CFO	N/A	\$0	\$0	\$0	\$0
9. (NEW) HB 2 - Amendment 2023-XXXXs is relative to the developmental services pilot program.	Sen. Rosenwald	N/A	\$0	\$0	\$0	\$0
10. (NEW) HB 1 - Add funding for LNA reimbursement. (Accounting Unit 2154, class 509, Other Nursing Services. Compare Report page 1182)	Sen. Pearl	G	\$0	\$200,000	\$200,000	\$400,000
11. (NEW) HB 2 - Amendment 2023-1957s, Page 25 relates to intermediate care facilities serving children.	Sens. Bradley & Rosenwald	N/A	\$0	\$0	\$0	\$0

SENATE FINANCE - 2023 BUDGET RECAP SHEET

DHHS - Division of Behavioral Health	Contact	SOF	FY 2023	FY 2024	FY 2025	Total
1. HB 2 - Amendment 2023-1884s, Page 26 establishes an early childhood mental health consultation pilot program and funds out of FY23.	Sen. Bradley	G	\$1,000,000	\$0	\$0	\$1,000,000
2. HB 2 - Amendment 2023-1848s, Page 28 establishes an early childhood mental health consultation pilot program and funds in FY24/25.	Sen. Rosenwald	G	\$0	\$500,000	\$500,000	\$1,000,000
3. (NEW) HB 2 - Amendment 2023-1939s, Page 30 appropriates funds for the Recovery Friendly Workplace Initiative.	Sen. Bradley	G	\$2,054,360	\$0	\$0	\$2,054,360
4. (NEW) HB 2 - Proposed DHHS language, Page 31, is relative to repurposing funds for hospital care coordination.	Nathan White, CFO	N/A	\$0	\$0	\$0	\$0
5. (NEW) Increase funding for family mutual support services, to keep pace with the cost of providing existing services. (Accounting Unit 4119, class 102, compare report page 1309.)	Sen. Rosenwald	G	\$0	\$25,000	\$25,000	\$50,000
DHHS - Office of the Commissioner	Contact	SOF	FY 2023	FY 2024	FY 2025	Total
1. HB 2 - Amendment 2023-1805s, Page 32, is an additional agency request to revise the date of certain components of its data privacy efforts, in order to align with position funding.	Nathan White, CFO	N/A	\$0	\$0	\$0	\$0
2. HB 2 - Amendment 2023-1740s, Page 33, is relative to the prescription drug affordability board.	Sen. Rosenwald	N/A	\$0	\$0	\$0	\$0
3. (NEW) HB 2 - Amendment 2023-1596s, Page 35, removes sections relative to the prescription drug affordability board.	Sen. Rosenwald	N/A	\$0	\$0	\$0	\$0
4. (NEW) HB 2 - Amendment 2023-1865s, Page 36 requires a study on graduated public assistance programs and appropriates funds to DHHS for this purpose.	Sen. Bradley	G	\$200,000	\$0	\$0	\$200,000
5. (NEW) HB 2 - Amendment 2023-1952s, Page 38 requires the OPLC, in collaboration with DHHS, to submit a report relative to certified community health workers. (Consistent with language in SB 86.)	Sen. Bradley	N/A	\$0	\$0	\$0	\$0
						3

Sen. Bradley, Dist 3
May 16, 2023
2023-1878s
10/08

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by inserting the following:

2

3 1 Department of Health and Human Services; Homeless and Housing Shelter Programs;
4 Appropriations.

5 I. The sum of \$8,000,000 for the fiscal year ending June 30, 2023 is hereby appropriated to
6 the department of health and human services for the purpose of increasing rates paid to shelter
7 programs. Said sums shall not lapse until June 30, 2025. The governor is authorized to draw a
8 warrant for said sum out of any money in the treasury not otherwise appropriated.

9 II. The sum of \$2,000,000 for the fiscal year ending June 30, 2023 is hereby appropriated to
10 the department of health and human services for the purpose of assisting cities and towns with
11 housing expenses for homeless people seeking shelter. Said sums shall not lapse until June 30,
12 2025. No later than August 1 of each fiscal year of the biennium, the department shall distribute
13 \$1,000,000 to municipalities based on each municipality's share of total Medicaid enrollees as of July
14 1 of that year. Municipalities shall use said funds to make payments to homeless shelters or
15 overnight lodging providers. The governor is authorized to draw a warrant for said sums out of any
16 money in the treasury not otherwise appropriated.

17 2 Effective Date. Section 1 of this act shall take effect June 30, 2023.

Sen. Rosenwald, Dist 13
May 19, 2023
2023-1959s
05/10

Amendment to HB 2-FN-A-LOCAL

- 1 Amend the bill by replacing section 437 with the following:
2
- 3 437 Department of Health and Human Services; Family Resource Centers; Appropriation.
4 There is hereby appropriated to the department of health and human services the sums of
5 \$2,000,000 for the state fiscal year ending June 30, 2024, and \$2,000,000 for the state fiscal year
6 ending June 30, 2025, to support family resource center (FRC) infrastructure. The appropriation
7 shall be allocated to the FRC facilitating organization to distribute to FRCs. The use of the funds
8 shall include, but not be limited to, better serving families, preparing for FRC-Q designation,
9 enhancing coordination with other early childhood systems, and supporting evidence-based
10 programs such as home visiting programs, ACERT, and community collaborations. The governor is
11 authorized to draw a warrant for said sums out of any money in the treasury not otherwise
12 appropriated.
13
- 14 Amend the bill by inserting the following new sections:
15
- 16 1 New Subdivision; Labor; Protective Legislation; Policies Relating to Nursing Mothers. Amend
17 RSA 275 by inserting after section 77 the following new subdivision:
18 Policies Relating to Nursing Mothers
19 275:78 Definitions. In this subdivision:
20 I. "Employee" shall mean a person who may be permitted, required, or directed by an
21 employer in consideration of direct or indirect gain or profit but shall not include any individual who
22 volunteers services for a public, charitable, or religious facility without expectation or promise of
23 pay.
24 II. "Employer" shall mean a person, partnership, association, corporation, or legal
25 representative of a person, partnership, association, or corporation, or the state or any of its political
26 subdivisions, which has 6 or more employees working in the state.
27 III. "Expression of milk" means the initiation of lactation by manual or mechanical means
28 but shall not include breastfeeding.
29 IV. "Reasonable break period" shall mean an unpaid break of approximately 30 minutes for
30 every 3 hours of work performed by a nursing employee for the purpose of expressing milk.

Amendment to HB 2-FN-A-LOCAL

- Page 2 -

1 V. "Undue hardship" shall mean any action that requires significant difficulty or expense
2 when considered in relation to factors such as the size of the business, its financial resources and the
3 nature and structure of its operation.

4 275:79 Notification of Policies.

5 I. Every employer shall adopt a policy to address the provision of sufficient space and
6 reasonable break periods for nursing employees that need to express milk during working hours.

7 II. Every employer shall, at the time of hire, make available to its employees the employer's
8 policy related to expression of milk during working hours.

9 III. A nursing employee shall notify its employer at least 2 weeks prior to needing
10 reasonable break periods and sufficient space for expression of milk during work hours.

11 275:80 Sufficient Space.

12 I. Every employer shall provide access to reasonable, sufficient space, either temporary or
13 permanent in nature, for the use of an employee to express milk for a nursing child for a period of
14 one year from the date of birth of the child.

15 II. The location of the space provided shall be within a reasonable walk of the employee's
16 worksite, unless otherwise mutually agreed to by the employer and employee.

17 III. Sufficient space provided in accordance with this section shall not be a bathroom, and
18 shall be a clean space shielded from view and free from intrusion from coworkers and the public.

19 (a) If the space is not solely for the use of employees expressing milk it shall be made
20 available when requested to comply with the requirements set forth in this subdivision.

21 (b) If feasible, the room shall have, at a minimum, an electrical outlet and a chair.

22 275:81 Reasonable Break Period.

23 I. Every employer shall provide reasonable break periods to employees who need to express
24 milk for a child for a period of one year from the date of birth of the child. Nothing in this section
25 shall preclude an employer from negotiating with an employee reasonable break periods to express
26 milk that are different from the requirements in this subdivision.

27 II. Nothing under this subdivision shall preclude an employee from taking a reasonable
28 break period contemporaneously with break or meal periods already provided to the employee by the
29 employer.

30 III. An employer shall not require an employee to make up time related to use of unpaid
31 reasonable break periods.

32 275:82 Penalties. Any employer who violates any provision of this subdivision shall be subject
33 to a one-time civil penalty pursuant to RSA 273:11-a.

34 275:83 Hardship Exemption. An employer may be exempted from this subdivision if providing
35 reasonable break time and sufficient space for expressing milk would impose an undue hardship to
36 the employer's operations.

37 2 Effective Date.

Amendment to HB 2-FN-A-LOCAL
- Page 3 -

- 1 I. Section 1 of this act, except for RSA 275:82, shall take effect July 1, 2025.
- 2 II. RSA 275:82, as inserted by section 1 of this act shall take effect July 1, 2026.

TENTATIVE PROVISION

LBA						
05/19/23						
HB 1 Amendment						
Sen. Rosenwald						
Department:	DHHS - Waiver/Nursing Facility Payments - County Participation					
Accounting Unit:	2152					
Compare Report Page:	1180					
Description:	Revise funding sources to increase the county cap by 2% per year. Use the general fund savings, and accompanying federal fund match, to increase nursing homes rates. Add a footnote to read as follows: <i>"Of the amounts appropriated in class 504, \$5,273,986 in FY 2024 and \$10,653,452 in FY 2025 shall be used to increase rates paid to nursing homes. These amounts shall be in addition to any other amounts appropriated for this purpose."</i>					
	FY 2024			FY 2025		
Expenditure Class	House Passed	Change	Revised Budget	House Passed	Change	Revised Budget
041 Audit Fund Set Aside	\$ 166,089	\$ -	\$ 166,089	\$ 179,246	\$ -	\$ 179,246
504 Nursing Home Payments	\$ 233,619,252	\$ 5,273,986	\$ 238,893,238	\$ 241,910,559	\$ 10,653,452	\$ 252,564,011
506 Home Support Waiver Services	\$ 92,652,483	\$ -	\$ 92,652,483	\$ 100,084,149	\$ -	\$ 100,084,149
TOTAL	\$ 326,437,824	\$ 5,273,986	\$ 331,711,810	\$ 342,173,954	\$ 10,653,452	\$ 352,827,406
Source of Funds						
005 - PRIVATE LOCAL FUNDS	\$ 126,849,659	\$ 2,636,993	\$ 129,486,652	\$ 126,849,659	\$ 5,326,726	\$ 132,176,385
000 - FEDERAL FUNDS	\$ 163,301,957	\$ 2,636,993	\$ 165,938,950	\$ 171,176,600	\$ 5,326,726	\$ 176,503,326
GENERAL FUND	\$ 36,286,208	\$ -	\$ 36,286,208	\$ 44,147,695	\$ -	\$ 44,147,695
TOTAL	\$ 326,437,824	\$ 5,273,986	\$ 331,711,810	\$ 342,173,954	\$ 10,653,452	\$ 352,827,406

Sen. Rosenwald, Dist 13
April 26, 2023
2023-1538s
06/10

Amendment to HB 2-FN-A-LOCAL

- 1 Replace section 209 with the following:
- 2
- 3 209 County Reimbursement of Funds; Limitations on Payments. Amend RSA 167:18-a, II(a) to
- 4 read as follows:
- 5 (a) The total billings to all counties made pursuant to this section shall not exceed the
- 6 amounts set forth below for state fiscal years ~~[2022-2023]~~ **2024-2025**:
- 7 (1) State fiscal year ~~[2022]~~ **2024**, [~~\$129,362,411~~] **\$134,486,652**
- 8 (2) State fiscal year ~~[2023]~~ **2025**, [~~\$131,849,659~~] **\$137,176,385**;

LBA							
05/19/23							
HB 1 Amendment							
Sen. Rosenwald							
Department:	DHHS - Waiver/Nursing Facility Payments - County Participation						
Accounting Unit:	2152						
Compare Report Page:	1180						
Description:	Revise funding sources to increase the county cap by 1% per year. Use the general fund savings, and accompanying federal fund match, to increase nursing homes rates. Add a footnote to read as follows: <i>"Of the amounts appropriated in class 504, \$2,636,994 in FY 2024 and \$5,300,356 in FY 2025 shall be used to increase rates paid to nursing homes. These amounts shall be in addition to any other amounts appropriated for this purpose."</i>						
	FY 2024			FY 2025			
Expenditure Class	House Passed	Change	Revised Budget	House Passed	Change	Revised Budget	
041 Audit Fund Set Aside	\$ 166,089	\$ -	\$ 166,089	\$ 179,246	\$ -	\$ 179,246	
504 Nursing Home Payments	\$ 233,619,252	\$ 2,636,994	\$ 236,256,246	\$ 241,910,559	\$ 5,300,356	\$ 247,210,915	
506 Home Support Waiver Services	\$ 92,652,483	\$ -	\$ 92,652,483	\$ 100,084,149	\$ -	\$ 100,084,149	
TOTAL	\$ 326,437,824	\$ 2,636,994	\$ 329,074,818	\$ 342,173,954	\$ 5,300,356	\$ 347,474,310	
Source of Funds							
005 - PRIVATE LOCAL FUNDS	\$ 126,849,659	\$ 1,318,497	\$ 128,168,156	\$ 126,849,659	\$ 2,650,178	\$ 129,499,837	
000 - FEDERAL FUNDS	\$ 163,301,957	\$ 1,318,497	\$ 164,620,454	\$ 171,176,600	\$ 2,650,178	\$ 173,826,778	
GENERAL FUND	\$ 36,286,208	\$ -	\$ 36,286,208	\$ 44,147,695	\$ -	\$ 44,147,695	
TOTAL	\$ 326,437,824	\$ 2,636,994	\$ 329,074,818	\$ 342,173,954	\$ 5,300,356	\$ 347,474,310	

Sen. Rosenwald, Dist 13
April 26, 2023
2023-1537s
06/10

Amendment to HB 2-FN-A-LOCAL

- 1 Replace section 209 with the following:
- 2
- 3 209 County Reimbursement of Funds; Limitations on Payments. Amend RSA 167:18-a, II(a) to
- 4 read as follows:
- 5 (a) The total billings to all counties made pursuant to this section shall not exceed the
- 6 amounts set forth below for state fiscal years ~~2022-2023~~ **2024-2025**:
- 7 (1) State fiscal year ~~2022~~ **2024**, [~~\$129,362,411~~] **\$133,168,156**
- 8 (2) State fiscal year ~~2023~~ **2025**, [~~\$131,849,659~~] **\$134,499,837**;

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by inserting the following new sections:

2
3 1 Statement of Findings. The general court hereby finds that:

4 I. The state of New Hampshire is ranked as having one of the fastest growing number of
5 older adults in the country.

6 II. As the number of older adults increases, the need for long-term care will increase.

7 III. Pursuant to the federal Older Americans Act, New Hampshire is required to promote
8 the development and implementation of comprehensive, coordinated, statewide system of long-term
9 services and supports that is responsive to the needs and preferences of older individuals and their
10 family caregivers.

11 IV. The federal Americans with Disabilities Act prohibits unnecessary institutionalization of
12 individuals with disabilities.

13 V. RSA 151-E was established to provide Medicaid eligible elderly and chronically ill adults
14 with a continuum of long-term care options.

15 VI. Despite these federal and state mandates, historically there has been a lack of
16 investment in our state's system and programs for older adults and adults with disabilities.

17 VII. Rebalancing New Hampshire's systems to expand more home and community-based
18 options will reduce the cost of providing services and allow our state to serve more people.

19 2 New Subdivision; Long-Term Care; System of Care for Healthy Aging. Amend RSA 151-E by
20 inserting after section 21 the following new subdivision:

21 System of Care for Healthy Aging

22 151-E:22 Purposes. The purposes of this subdivision are to:

23 I. Build upon existing infrastructure to establish a comprehensive and coordinated system of
24 care to ensure that older adults and adults with disabilities have access to and timely delivery of
25 supports and services and to ensure that they have a meaningful range of options.

26 II. Reduce the cost of providing long-term care by expanding the availability of less costly
27 home and community-based services.

28 III. Require the department of health and human services to expand and improve access to
29 home and community-based services for older adults and adults with disabilities in alignment with
30 New Hampshire's state plan on aging, the federal Older Americans Act, Americans with Disabilities
31 Act, and Medicaid law.

Amendment to HB 2-FN-A-LOCAL
- Page 2 -

1 IV. The system of care referenced in this subdivision is meant to streamline access to long-
2 term care supports and services and not intended to expand eligibility for any current Medicaid
3 programs, including long-term care Medicaid or any home and community-based Medicaid waiver
4 programs.

5 151-E:23 Statement of Policy. It is the policy of New Hampshire to establish and implement a
6 comprehensive and coordinated system of care that promotes healthy aging and enables older adults
7 and adults with disabilities to have a meaningful choice in care options, including the ability to
8 receive the care they need in their homes and communities.

9 151-E:24 Definitions. In this subdivision:

10 I. "Disability" means a physical or mental impairment that substantially limits one or more
11 major life activities.

12 II. "Home and community-based services" means a range of medical and supportive services
13 provided to persons in their own homes or other community-based settings including, but not limited
14 to, adult day programs, and assisted living.

15 III. "Long-term services and supports" means a variety of services provided in both facilities
16 and community-based settings designed to meet a person's health or personal care needs to help
17 them live as independently and safely as possible when they can no longer perform everyday
18 activities on their own.

19 IV. "Older adult" means an individual who is 60 years of age or older.

20 V. "System of care" means:

21 (a) A comprehensive and coordinated delivery system for the provision of long-term
22 services and supports to New Hampshire's older adults and adults with disabilities.

23 (b) The system of care is intended to provide services to all older adults and adults with
24 disabilities who require long-term services and supports.

25 (c) The system of care shall have the following characteristics:

26 (1) A comprehensive array of long-term services and supports including, but not
27 limited to, personal care, homemaker services, transportation, meal delivery or preparation,
28 emergency response systems, adult day care, and family caregiver support to enable older adults and
29 adults with disabilities to remain independent and in the setting of their choice.

30 (2) An absence of significant gaps in services and barriers to services.

31 (3) Sufficient administrative capacity to ensure quality service delivery.

32 (4) Services that are consumer-driven, community-based, and culturally and
33 linguistically competent.

34 (5) Transparent, with information made available and known to consumers,
35 providers, and payers.

36 (6) A funding system that supports a full range of service options.

Amendment to HB 2-FN-A-LOCAL
- Page 3 -

1 (7) A performance measurement system for accountability, monitoring and reporting
2 of system quality, access and cost.

3 151-E:25 Duties of Commissioner of the Department of Health and Human Services. The
4 commissioner of the department of health and human services shall:

5 I. Modify the policies and practices of the department of health and human services
6 necessary to implement this subdivision, to the extent possible within existing statutory and budget
7 constraints.

8 II. Coordinate the plans and activities of the commissioner with the bureau of elderly and
9 adult services, the bureau of family assistance and division of long-term supports and services to
10 implement the system of care and reduce duplication of efforts across divisions and bureaus within
11 the department.

12 III. Develop a plan for full establishment and maintenance of a system of care. Such plan
13 shall be reviewed annually and amended or modified as needed. It shall include sufficient detail to
14 allow compliance with the reporting requirements of RSA 151-E:27 as applicable and shall address
15 at least the following elements:

16 (a) System capacity, including workforce sufficiency.

17 (b) Federal funding participation, including but not limited to, Medicaid waivers and
18 plan amendments.

19 (c) Changes to statutes, administrative rules, and structure of appropriations, and
20 department policy, practice and structure.

21 (d) Projections of cost savings from increased service effectiveness and reductions in
22 costly forms of care and use of such savings to close existing gaps in long term care services.

23 (e) Recommended modifications to law, practice, and policy to prepare for and
24 accommodate the participation of privately funded service providers in the system of care.

25 (f) Changes to rates for the Choices for Independence program in accordance with
26 section 1902(a)(30)(A) of the Social Security Act and requirements for Medicaid home and
27 community-based waiver programs under section 1915(c).

28 IV. Beginning no later than January 1, 2025, begin adjusting rates for the Choices for
29 Independence waiver consistent with the rate study, assuming funds are available. Any unspent
30 funds allocated to the Choices for Independence program shall be non-lapsing and shall be used for
31 service provision for the Choices for Independence program.

32 V. On or before September 30, 2024, submit a waiver request to the Centers for Medicare
33 and Medicaid services or implement an alternative method to establish a robust presumptive
34 eligibility process for Medicaid home and community-based waiver services, including a mechanism
35 for third party participation.

Amendment to HB 2-FN-A-LOCAL

- Page 4 -

- 1 VI. Improve functionality of the NH EASY system for individuals applying for services and
2 provide additional trainings for professionals who frequently assist people applying for services and
3 develop associated performance metrics.
- 4 VII. Ensure applications for Medicaid long-term services are user friendly and processed in
5 a timely manner and develop performance metrics to measure these attributes.
- 6 VIII. On or before June 30, 2025, maintain an online portal for providers, case managers,
7 navigators and other long-term care service providers to enable them to easily identify and access
8 available long-term care services and supports for older adults and adults with disabilities. The
9 portal functions required by this section may be assigned to an entity that has responsibilities in
10 addition to those required by this section. The portal shall contain the following information:
- 11 (a) A current list of home and community-based care waiver service providers accepting
12 new clients, including links to websites and contact telephone numbers, organized by region that is
13 updated on a weekly basis.
- 14 (b) Non-Medicaid resources to support the cost of home and community-based services.
- 15 (c) Referral information for legal service organizations.
- 16 (d) Guidance regarding family navigation of hospital discharge protocols and options.
- 17 IX. On or before June 30, 2025, create a public facing online dashboard to track home and
18 community-based waiver services data, including, but not limited to, results of any performance
19 measurement assessments, waiver services authorized but not paid, current wait times for receiving
20 waiver services and the number of people from institutionalized care into the community.
- 21 151-E:26 Person-Centered Counseling Program. The department shall:
- 22 I. Create a new person-centered counseling program in each contracted aging and disability
23 resource center (ADRC) to provide support and assistance to persons living at home or in short or
24 long-term institutional settings, including hospitals, to transition into community-based settings.
25 The program shall include referrals and support to access, at a minimum, but not limited to:
26 assistance with completing Medicaid applications, discharge planning, referrals and access to Title
27 III-B and Title XX services and programs, referrals and access to community-based services,
28 housing, and other supports and services to meet the needs of the individual and their family. These
29 services shall not replace or duplicate targeted case management services described in RSA 151-
30 E:17.
- 31 II. Increase operational capacity in each ADRC to enable the provision of person-centered
32 counseling services for adults, including but not limited to, educating consumers about available
33 community-based resources for long-term services and supports, assistance with completing
34 Medicaid applications, and assistance with the transition to access such services.
- 35 III. Establish performance metrics for each contracted information and referral resource
36 center to assess each office's ability to provide the services contained in this section.
- 37 151-E:27 System of Care Implementation and Reporting Requirements.

Amendment to HB 2-FN-A-LOCAL
- Page 5 -

1 I. When preparing the biennial budget for the Choices for Independence program, the
2 department shall prepare data showing the amount program provider rates would be increased to be
3 in alignment with the rate plan as completed by the department.

4 II. The department shall review and propose rates for the Choices for Independence program
5 in accordance with section 1902 (a)(30)(A) of the Social Security Act and requirements for Medicaid
6 home and community based waiver programs under section 1915(c). The department shall provide a
7 report to the house health, human services and elderly affairs committee and senate health and
8 human services committee, the house finance committee, the senate finance committee and the joint
9 legislative committee on health and human services established in RSA 126-A:13 on or before July 1,
10 2024. The focus of the rate study is to promote efficiency, economy, quality of care and access to
11 services within New Hampshire's Choices for Independence program. The rate study shall establish
12 reimbursement methodologies utilizing the U.S. Centers for Medicare and Medicaid Services Market
13 Basket Index as an inflation benchmark for rate-setting purposes. The department shall seek input
14 from Choices For Independence beneficiaries, providers, and other stakeholders in regard to access
15 to Choices for Independence services in future rate setting processes. Information regarding access
16 to services shall be publicly documented and shall be considered in the subsequent rate-setting
17 process.

18 III. On a biennial basis, the department shall perform a financial review to determine
19 whether ADRC offices are receiving sufficient funding to maintain their operations and make
20 legislative budget requests if additional funding is warranted.

21 IV. Beginning November 1, 2023, and annually thereafter, the department shall report to
22 the governor, the state commission on aging established in RSA 19-P:1 and the joint legislative
23 committee on health and human services established in RSA 126-A:13. The report shall provide
24 detailed information regarding the status of the implementation of this subdivision.

25 V. Beginning in 2024, the report shall address the following:

- 26 (a) The total cost of Medicaid long-term care services and Choices for Independence
- 27 program services.
- 28 (b) The extent to which the state's long-term care support and services systems are
- 29 consistent with a system of care.
- 30 (c) A description of any actual or planned changes in department policy or practice or
- 31 developments external to the departments that will affect implementation of a system of care.
- 32 (d) Any other available information relevant to progress toward full implementation of a
- 33 system of care.
- 34 (e) The result of pilots regarding access with the counties.
- 35 (f) A review of options to enhance the system of care.
- 36 (g) Presumptive eligibility findings and recommendations for next steps.

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1 (h) The status of changes to the NH Easy application system and any additional
2 enhancements needed.

3 (i) The status of reimbursement rates and rate study.

4 VI. Beginning in 2025, the report shall also address the following:

5 (a) Identification of those actions which will be required to maximize federal and private
6 insurance funding participation in the system of care, along with target dates for completion.

7 (b) Identification of changes to statutes, administrative rules, policies, practices, and
8 managed care and provider contracts which will be necessary to fully implement the system of care.

9 (c) Identification of significant gaps in the array of long-term care supports and services
10 for older adults and adults with disabilities, along with a description of plans to close those gaps.

11 VII. Beginning in 2026, the report shall also address the following:

12 (a) Projections of future demand for services in the system of care.

13 (b) Identification of shortfalls in workforce sufficiency affecting full implementation of
14 the system of care and plans for addressing those shortfalls.

15 (c) Identification of specific plan amendments and other changes to the Medicaid system
16 required for full implementation of the system of care and plans for making those changes.

17 (d) Numbers of older adults and adults with disabilities waiting services in various
18 categories.

19 VIII. Beginning in 2027, the report shall also address the following:

20 (a) Detailed statistical information regarding older adults and adults with disabilities
21 serviced, along with demographic characteristics, service need and provision, involvement in service
22 systems, service funding sources, and placement or other site of service provision.

23 (b) Financial information, including but not limited to measures of cost-effectiveness,
24 comparisons with other states with regard to levels of funding from federal, state, local, and private
25 sources, and cost savings resulting from service coordination and effectiveness.

26 (c) An assessment of any influences external to the department of health and human
27 services, including configuration of the private long-term care health care system, which may be
28 affecting establishment of the system of care.

29 3 Appropriations; Department of Health and Human Services; System of Care for Healthy
30 Aging.

31 I. For the purpose of developing a plan to establish and maintain the system of care for
32 healthy aging as described in RSA 151-E:25, III, a sum not to exceed \$50,000 for the biennium
33 ending June 30, 2023, which shall not lapse until June 30, 2025, is hereby appropriated to the
34 department of health and human services. The appropriation may be used to engage outside
35 qualified and experienced vendors to assist in the production of the plan. In addition to the
36 appropriation and notwithstanding RSA 14:30-a, the department may accept and expend matching
37 federal funds without prior approval of the fiscal committee of the general court. The governor is

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1 authorized to draw a warrant for the general fund portion of said sum out of any money in the
2 treasury not otherwise appropriated.

3 II. For the purpose of developing and implementing the online portal, dashboard, and data
4 collection systems described in RSA 151-E:25, VIII and IX, a sum not to exceed \$100,000 for the
5 biennium ending June 30, 2023, which shall not lapse until June 30, 2025, is hereby appropriated to
6 the department of health and human services. The appropriation may be used to engage outside
7 qualified and experienced vendors to assist in the production of the dashboard and data collection.
8 In addition to the appropriation and notwithstanding RSA 14:30-a, the department may accept and
9 expend matching federal funds without prior approval of the fiscal committee of the general court.
10 The governor is authorized to draw a warrant for the general fund portion of said sum out of any
11 money in the treasury not otherwise appropriated.

12 III. For the purpose of enabling the department to complete the reporting requirements
13 described in RSA 151-E:27, a sum not to exceed \$150,000 for the biennium ending June 30, 2023,
14 which shall not lapse until June 30, 2025, is hereby appropriated to the department of health and
15 human services. The appropriation may be used to engage outside qualified and experienced
16 vendors to assist in the production of reports in 2024 and 2025. In addition to the appropriation and
17 notwithstanding RSA 14:30-a, the department may accept and expend matching federal funds
18 without prior approval of the fiscal committee of the general court. The governor is authorized to
19 draw a warrant for the general fund portion of said sum out of any money in the treasury not
20 otherwise appropriated.

21 4 Appropriation; Department of Health and Human Services; Person-Centered Counseling
22 Program. The sum of \$1,197,600 for the biennium ending June 30, 2023, which shall not lapse until
23 June 30, 2025, is hereby appropriated to the department of health and human services for the
24 purpose of funding the person-centered counseling program established in RSA 151-E:26. In
25 addition to the appropriation and notwithstanding RSA 14:30-a, the department may accept and
26 expend any federal funds available for the purposes of the counseling program without prior
27 approval of the fiscal committee of the general court. The governor is authorized to draw a warrant
28 for the general fund portion of said sum out of any money in the treasury not otherwise
29 appropriated.

30 5 System of Care and Peer-Centered Counseling; Staffing; Classified Positions Established.

31 I. The following classified positions are established in the department of health and human
32 services to support the person-centered counseling program established in RSA 151-E:26:

33 (a) Program Specialist III (Labor Grade 23, Step 5); and

34 (b) Program Specialist IV (Labor Grade 25, Step 5).

35 II. The sum of \$190,000 for the biennium ending June 30, 2023, which shall not lapse until
36 June 30, 2025, is hereby appropriated to the department of health and human services for the
37 purpose of funding the positions established in paragraph I. In addition to the appropriation and

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1 notwithstanding RSA 14:30-a, the department may accept and expend matching federal funds
2 without prior approval of the fiscal committee of the general court. The governor is authorized to
3 draw a warrant for the general fund portion of said sum out of any money in the treasury not
4 otherwise appropriated.

5 III. The commissioner of health and human services, to the extent possible, shall fill
6 available vacant classified positions as necessary to implement the system of care for healthy aging
7 established in this act, including additional staffing to perform rate setting, streamlining of
8 application process, creation and maintenance of public facing dashboard and online portal for
9 providers, updating of performance measures and other required activities.

10 6 Personal Care Services; Definition of Personal Care Services Provider. Amend RSA 161-I:2,
11 XII to read as follows:

12 XII. "Personal care services provider" means a person who:

13 (a) Is selected by:

- 14 (1) The eligible consumer;
15 (2) The eligible consumer's legal guardian;
16 (3) The eligible consumer's representative; or
17 (4) A person granted power of attorney by the eligible consumer; and
18 (b) Is employed by a home health agency or other qualified agency to provide personal
19 care services; and

20 (c) Is not:

21 (1) The eligible consumer's legally responsible relative, except as authorized
22 pursuant to RSA 161-I:3-a;

23 (2) The eligible consumer's legal guardian, **except as authorized pursuant to**
24 **RSA 161-I:3-a**;

25 (3) The eligible consumer's representative; or

26 (4) A person granted power of attorney by the eligible consumer, **except as**
27 **authorized pursuant to RSA 161-I:3-a**.

28 7 Personal Care Services; Authorization of Legally Responsible Relative. Amend RSA 161-I:3-a
29 to read as follows:

30 161-I:3-a Authorization of Legally Responsible Relative, **Guardian, or Person Granted**
31 **Power of Attorney**. The department may authorize reimbursement to a legally responsible
32 relative, **a guardian, or a person granted power of attorney by the eligible consumer**, who
33 provides personal care to an eligible consumer with special health care needs residing at home.

34 Such reimbursement shall occur only when the department determines that the needs of the eligible
35 consumer, the unavailability of appropriate providers or suitable alternative care services, and cost
36 efficiencies make utilization of a legally responsible relative, **guardian, or person granted power**
37 **of attorney by the eligible consumer**, for the provision of such services necessary and appropriate.

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1 Reimbursement shall be limited to care that is medically necessary due to specific health needs and
2 shall not be made for care generally expected and provided by a legally responsible relative,
3 **guardian, or person granted power of attorney by the eligible consumer.** The department
4 shall not authorize reimbursement to a legally responsible relative, **guardian, or person granted**
5 **power of attorney by the eligible consumer,** until a plan and rules adopted pursuant to RSA 541-
6 A, are reviewed and approved by the oversight committee on health and human services, established
7 in RSA 126-A:13.

8 8 Long-Term Care; Information and Referral. Amend RSA 151-E:5 to read as follows:

9 151-E:5 Information and Referral. The department shall establish a system of community-
10 based ~~[information and referral]~~ **aging and disability** resource centers that provide information
11 and referral services to ~~[elderly and chronically ill adults]~~ **older adults and adults with**
12 **disabilities.** The ~~[information and referral]~~ **aging and disability resource center** network
13 established under this section shall not be used for the purpose of political advocacy, but may inform
14 and educate the general court regarding the extent of services available as well as the unmet needs
15 in the community.

16 9 New Section; Personal Care Services; Financial Eligibility for Adult Home and Community-
17 based Care Waiver Programs. Amend RSA 167 by inserting after section 4-e by the following new
18 section:

19 167:4-f Financial Eligibility.

20 I. Financial eligibility for Medicaid adult home and community-based waiver programs
21 shall include the following resource limits:

22 (a) For married individuals, revert to the standard in place prior to the passage of the
23 federal Affordable Care Act, so that only the resources in the name of the applicant, and not the
24 resources in the name of the applicant's spouse are counted for purposes of determining Medicaid
25 resource eligibility; and

26 (b) For single individuals, establish a resource disregard of \$6,000, which would have an
27 effective resource limit of \$7,500.

28 II. Department of Health and Human Services; Resource Disregard Enhancement
29 Authority; Rulemaking. Pursuant to RSA 161:4-a, the department of health and human services
30 shall enter into rulemaking, subject to the Centers for Medicare and Medicaid Services (CMS)
31 approval as necessary, to revert the resource standard for married persons prior to the passage of
32 the Affordable Care Act and increase the resource disregard to a maximum of \$6,000 for individuals
33 seeking nursing facility services or home and community based care under state waivers established
34 under section 1915(c) of the Social Security Act.

35 10 Department of Health and Human Services; Eligibility for Assistance. Amend RSA 167:4,
36 I(b) to read as follows:

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1 (b) *To the extent permissible under federal law*, in the case of an applicant for
2 public assistance or medical assistance who has made an assignment or transfer of assets to an
3 individual for less than fair market value within ~~60~~ 36 months, or *for up to 60 months if deemed*
4 *necessary by the department based upon case specific information or extenuating*
5 *circumstances*, or in the case of transfers of real estate, or transfers of assets to a trust or portions
6 of a trust that are treated as assets disposed of by the individual within ~~60~~ 36 months, *or for up to*
7 *60 months if deemed necessary by the department based upon case specific information or*
8 *extenuating circumstances*, immediately preceding the date of application or while the application
9 is pending, or in the case of a recipient of public assistance or medical assistance who makes such an
10 assignment or transfer while in receipt of the assistance, the assistance sought shall only be granted
11 or continue to be granted in accordance with rules establishing restrictions and eligibility criteria for
12 such cases as adopted by the commissioner of the department of health and human services under
13 RSA 541-A, subject to applicable federal regulations and waiver approval, if any, and review by the
14 oversight committee on health and human services, established in RSA 126-A:13. The oversight
15 committee on health and human services shall make a report to the legislative fiscal committee
16 which shall have final approval authority.

17 11 Effective Date. Sections 3, 4, and 5 of this act shall take effect June 30, 2023.

2023-1931s

AMENDED ANALYSIS

Add:

1. Expands the state's systems of care for healthy aging, increases access to home and community-based services, establishes person-centered counseling programs through aging and disability resource centers, and makes appropriations to the department of health and human services for these purposes.

Sen. D'Allesandro, Dist 20
April 18, 2023
2023-1422s
02/08

Amendment to HB 2-FN-A-LOCAL

- 1 Amend the bill by deleting section 190, relative to congregate housing.

2023-1422s

AMENDED ANALYSIS

Delete:

75. Suspends the congregate housing and services program.

Sen. D'Allesandro, Dist 20
April 18, 2023
2023-1407s
02/05

Amendment to HB 2-FN-A-LOCAL

- 1 Amend the bill by deleting section 189, relative to the foster grandparent program.

2023-1407s

AMENDED ANALYSIS

Delete:

74. Suspends the foster grandparents program.

Sen. Bradley, Dist 3
May 12, 2023
2023-1806s
06/10

Amendment to HB 2-FN-A-LOCAL

1 Insert the following new sections:

2

3 1 Appropriation. Amend RSA Chapter 272, Laws of 2022, Section 9, VII to read as follows:

4 VII. There is hereby appropriated to the department of health and human services the sum
5 of \$2,800,000, for the fiscal year ending June 30, [~~2023~~] 2025, for the purpose of implementing the
6 pilot program plan or the pilot itself, for developmental services established in this section.
7 Additionally, the department may accept and expend any applicable federal funds, and any gifts,
8 grants, or donations that may be available for the purposes of the pilot program. In the event of any
9 remaining funds not otherwise expended after reaching the cap of serving 20 eligible individuals
10 under the pilot program, the department may allocate funding and provide services to additional
11 eligible individuals. The governor is authorized to draw a warrant for said sum out of any money in
12 the treasury not otherwise appropriated.

13 2 Effective Date. Section 1 of this act shall take effect June 30, 2023.

2023-1806s

AMENDED ANALYSIS

Insert:

1. Extends appropriations for the developmental services pilot program plan to fiscal year 2025.

Sen. Bradley, Dist 3
Sen. Rosenwald, Dist 13
May 19, 2023
2023-1957s
10/07

Amendment to HB 2-FN-A-LOCAL

- 1 Amend the bill by inserting the following:
2
3 1 Residential Care and Health Facility Licensing; Exception Added. Amend RSA 151:2, VI(a) to
4 read as follows:
5 VI.(a) No new license shall be issued for, and there shall be no increase in licensed capacity
6 of, any nursing home, skilled nursing facility, intermediate care facility, or rehabilitation facility,
7 including rehabilitation hospitals and facilities offering comprehensive rehabilitation services. This
8 moratorium shall not apply to any rehabilitation facility whose sole purpose is to treat individuals
9 for substance use disorder or mental health issues or to any continuing care facility for which a
10 certificate of authority has been issued by the insurance commissioner pursuant to RSA 420-D:2.
11 ***However, effective July 1, 2023, an intermediate care facility serving children exclusively is***
12 ***authorized to house one additional resident beyond its licensed capacity, with this***
13 ***authorization to expire June 30, 2024.***

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by inserting the following:

2

3 1 Department of Health and Human Services; Early Childhood Mental Health Consultation
4 Pilot Program.

5 I. The department of health and human services shall implement a minimum 2-year pilot
6 program to develop and maintain a publicly available network of trauma-informed early childhood
7 mental health consultants and ensure ongoing training and consultation of the early childhood
8 mental health consultants. The department may consult with outside resources when establishing
9 the pilot program. Under the pilot program, early childhood mental health consultations shall be:

10 (a) Provided by qualified mental health professionals who possess a masters or doctoral-
11 level degree in the mental health field and who demonstrate evidence of specialized training and
12 experience in infant and early childhood mental health as established by the department;

13 (b) Offered, if necessary, to children across settings and regardless of changes to setting
14 and placement;

15 (c) Integrated with other available behavioral health and family support services
16 providers, including but not limited to the care management entities established under RSA 135-F,
17 early childhood mental health services, and early supports and services; and

18 (d) Implemented in accordance with this section and include, but not be limited to, the
19 following services:

20 (1) Conducting observation and assessment of a child and their caregivers across
21 child care settings, including universal strengths-based assessments in accordance with this chapter
22 and RSA 170-G:4-e and the use of valid and reliable measures of: trauma exposure, chronic exposure
23 to stress and symptoms, emotional and behavioral development, and the strengths and needs of the
24 caregiving/child-caregiver relationship;

25 (2) Consulting with caregivers, teachers, directors, administrators, and other
26 medical and behavioral health providers about the meaning of challenging behaviors and how to
27 meet the needs of the child and care givers;

28 (3) Strengthening caregiver and professional capacity to successfully handle
29 challenging behaviors through developmentally appropriate methods, including but not limited to
30 reflective questioning, developmental guidance, modeling, and role playing;

31 (4) Offering training in young child socio-emotional development, emotional and
32 behavioral regulation, and trauma exposure to caregivers and professionals; and

Amendment to HB 2-FN-A-LOCAL

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1 (5) Be provided to any child 0 to 6 years of age presenting with behaviors
2 substantially interfering with their successful engagement in child care and to any child who is
3 placed or at risk of being placed in foster care within 30 days of their placement in care.
4 II. The department shall establish the eligibility and referral process for consultations that
5 prioritize children in foster care or at risk of being placed in foster care.
6 III. Notwithstanding any paragraph of this section, the availability of consultations shall be
7 subject to available appropriations to this program.
8 2 Appropriation; Early Childhood Mental Health Consultation Pilot Program. The sum of
9 \$1,000,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the department of
10 health and human services to support the early childhood mental health consultation pilot program.
11 Said funds shall not lapse and shall be allocated equally in each year of the biennium ending June
12 30, 2025.

13 3 Effective Date. Section 2 of this act shall take effect June 30, 2023.

Amendment to HB 2-FN-A-LOCAL

1 Insert the following new sections:

2

3 1 New Section; System of Care for Children's Mental Health; Early Childhood Behavioral
4 Health Supports. Amend RSA 135-F by inserting after section 9 the following new section:

5 135-F:10 Early Childhood Behavioral Health Supports Established.

6 I. The department of health and human services shall develop and maintain a publicly
7 available network of trauma-informed early childhood mental health consultants and ensure ongoing
8 training and consultation of the early childhood mental health consultants. Early childhood mental
9 health consultations shall be:

10 (a) Provided by qualified mental health professionals who possess a masters or doctoral-
11 level degree in the mental health field and who demonstrate evidence of specialized training and
12 experience in infant and early childhood mental health as established by the department;

13 (b) Offered, if necessary, to children across settings and regardless of changes to setting
14 and placement;

15 (c) Integrated with other available behavioral health and family support services
16 providers, including but not limited to the care management entities established under RSA 135-F,
17 early childhood mental health services, and early supports and services; and

18 (d) Implemented in accordance with this chapter and include, but not be limited to, the
19 following services:

20 (1) Conducting observation and assessment of a child and their caregivers across
21 child care settings, including universal strengths-based assessments in accordance with this chapter
22 and RSA 170-G:4-e and the use of valid and reliable measures of: trauma exposure, chronic exposure
23 to stress and symptoms, emotional and behavioral development, and the strengths and needs of the
24 caregiving/child-caregiver relationship;

25 (2) Consulting with caregivers, teachers, directors, administrators, and other
26 medical and behavioral health providers about the meaning of challenging behaviors and how to
27 meet the needs of the child and care givers;

28 (3) Strengthening caregiver and professional capacity to successfully handle
29 challenging behaviors through developmentally appropriate methods, including but not limited to
30 reflective questioning, developmental guidance, modeling, and role playing;

31 (4) Offering training in young child socio-emotional development, emotional and
32 behavioral regulation, and trauma exposure to caregivers and professionals; and

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1 (5) Be provided to any child 0-6 presenting with behaviors substantially interfering
2 with their successful engagement in child care and to any child who is placed or at risk of being
3 placed in foster care within 30 days of their placement in care.

4 II. The department shall establish the eligibility and referral process for the consultations
5 that prioritized children in foster care or at risk of being placed in foster care.

6 III. Notwithstanding any paragraph of this section, the availability of consultations shall be
7 subject to available appropriations to this program.

8 2 Department of Health and Human Services; Children's Mental Health Consultation;
9 Appropriation. The sum of \$500,000 for the fiscal year ending June 30, 2024, and the sum of
10 \$500,000 for the fiscal year ending June 30, 2025, is hereby appropriated to the department of health
11 and human services for the purpose of providing mental health consultation for young children in
12 childcare. The governor is authorized to draw a warrant for said sums out of any money in the
13 treasury not otherwise appropriated.

14 3 Prospective Repeal. Early Childhood Behavioral Health Supports Pilot Program. Section 1 of
15 this act is repealed.

16 4 Effective Date. Section 3 of this act shall take effect June 30, 2025.

Sen. Bradley, Dist 3
May 18, 2023
2023-1939s
07/05

Amendment to HB 2-FN-A-LOCAL

- 1 Insert the following new sections:
2
3 1 Appropriation; Department of Health and Human Services. There is hereby appropriated to
4 the department of health and human services, governor's commission on alcohol and other drugs, the
5 sum of \$2,054,360 for the fiscal year ending June 30, 2023, which shall not lapse until June 30, 2025,
6 for the purpose of Granite United Way administering the Recovery Friendly Workplace Initiative,
7 which promotes individual wellness for granite staters by empowering workplaces to provide support
8 for people recovering from substance use disorder. The governor is authorized to draw a warrant for
9 said sum out of any money in the treasury not otherwise appropriated.
10 2 Effective Date. Section 1 of this act shall take effect June 30, 2023.

2023-1939s

AMENDED ANALYSIS

Insert:

1. Makes an appropriation to the department of health and human services for the purpose of Granite United Way administering the recovery friendly workplace initiative.

DHHS Proposed Amendment Language:

New Section; Amend Chapter 346, Laws of 2019, Section 222, as follows:

346:222 Appropriation; Department of Health and Human Services; ~~Patients Residing in Hospital Emergency Rooms~~Care Coordination.

I. There is hereby appropriated to the department of health and human services the sum of \$750,000 for the fiscal year ending ~~June 30, 2020~~ June 30, 2025, which shall be nonlapsing, and shall be expended for the purpose of ~~providing due process for involuntary emergency admissions patients currently residing in emergency rooms in hospitals; provided that no hospital shall receive more than \$100,000. The appropriation made in this section shall only cover the portion of costs not reimbursable by insurance carriers. The commissioner of the department of health and human services shall establish the application process for such funds.~~ supporting a statewide care coordination function for the purpose of eliminating hospital emergency department psychiatric boarding during the biennium ending June 30, 2025. There is hereby established the following positions for the purposes herein; one (1) Senior Pyschiatric Social Worker, one (1) Business Systems Analyst II, and two (2) Registered Nurse III positions. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

II. ~~If the expenditure is greater than the appropriation contained in this section, the commissioner of the department of health and human services may request and receive additional funding, with the prior approval of the fiscal committee of the general court and governor and council. The governor is hereby authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.~~

Sen. Bradley, Dist 3
May 12, 2023
2023-1805s
10/08

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by replacing section 415 with the following:
2

3 415 Data Privacy and Information Technology Security Governance Board; Specialized
4 Employees Authorized; Appropriation.

5 I. The department is hereby authorized to establish 2 full-time, permanent employees to
6 support and conduct the required data privacy and information technology security assessments, as
7 well as manage the implementation of mitigation efforts and other necessary updates.

8 II. The qualifications of the 2 employees shall include privacy certifications, information
9 systems expertise, and project management and communications experience. Certifications may be
10 deferred for up to 2 years post-hiring.

11 III. The 2 employees shall be classified, full time employees who shall work on assisting in
12 implementing the objectives of the data privacy and information technology security governance
13 board, conducting the privacy assessment and mitigation plan, and other, related data privacy and
14 information technology security activities in the department of health and human services. The
15 classification shall be information technology manager IV, labor grade 32, step 7.

16 IV. The sum of \$300,000 for the biennium ending June 30, 2025 is hereby appropriated to
17 the department of health and human services for the purpose of funding 2 information technology
18 manager IV positions as required in paragraph III of this section. The governor is authorized to
19 draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

20 V. The department is authorized to use contract support available from funds prior to July
21 1, 2025.

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by replacing sections 389-396 with the following:

2

3 389 Prescription Drug Affordability Board; Funding; Fees Suspended.

4 I. RSA 126-BB:8, I-II-a, relative to the assessment of fees by the prescription drug
5 affordability board, shall be suspended for the biennium ending June 30, 2025.

6 II. For the biennium ending June 30, 2025, the expenses and cost of operation of the board
7 shall be funded by general funds or by voluntary contributions deposited in the New Hampshire
8 prescription drug affordability board administration fund, established in RSA 126-BB:8, III.

9 390 Prescription Drug Affordability Board; Employee Authorization; Effective July 1, 2023.
10 RSA 126-BB:2, VI is repealed and reenacted to read as follows:

11 VI. The board shall be administratively attached to the department of health and human
12 services. For a limited time, the board may employ an executive director, who shall be an
13 unclassified employee. The executive director shall be appointed by and serve at the pleasure of the
14 board. Said position shall be effective for no more than 2 years following the date of hire of the
15 individual first selected to fill the position. The board also may employ one or more employees,
16 dependent on the availability of funds.

17 391 Prescription Drug Affordability Board; Employee Authorization; Effective July 1, 2025.
18 RSA 126-BB:2, VI is repealed and reenacted to read as follows:

19 VI. The board shall be administratively attached to the department of health and human
20 services. The board may employ staff, including, but not limited to, an executive director who shall
21 be an unclassified employee. The executive director shall be appointed by and serve at the pleasure
22 of the board.

23 392 New Sections; Prescription Drug Affordability Board; Competitive Bid and Financial
24 Reporting Required. Amend RSA 126-BB by inserting after section 10 the following new sections:

25 126-BB:11 Competitive Bid Required. The contracts entered into by the board, including those
26 for consulting services or personal contract services, shall be subject to the competitive bid process.
27 Such contracts shall also be approved by the governor and the executive council.

28 393 Drug Price Notifications and Disclosures. Amend RSA 126-BB:9, VIII to read as follows:

29 VIII. Beginning November 1, 2021 and annually thereafter, the board shall produce and post
30 on its publicly accessible website an annual report, including information developed from the
31 notifications and disclosures received pursuant to this section on trends in the cost of prescription
32 drugs, analysis of manufacturer prices and price increases, the major components of prescription

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1 drug pricing along the supply chain and the impacts on insurance premiums and cost sharing, and
2 any other information the board determines is relevant to providing greater consumer awareness of
3 the factors contributing to the cost of prescription drugs in the state. ***The report shall include a***
4 ***financial section regarding the source of board funds, board expenditures, and projects***
5 ***supported with board funds.*** The report may not disclose information attributable to any
6 particular manufacturer, wholesale drug distributor, or pharmacy benefits manager subject to this
7 section and may not make public any information that is confidential. The board shall submit the
8 report required by this section to the standing committees of the general court with jurisdiction over
9 health data reporting and prescription drug matters and the governor.

10 394 New Section; Insurance Department; Redundancy Elimination Report. Amend RSA 400-A
11 by inserting after section 67 the following new section:

12 400-A:68 Redundancy Elimination Report. The department of insurance, in collaboration with
13 the prescription drug affordability board established in RSA 126-BB, shall issue a report on the
14 elimination of redundancies related to the collection, analysis, and reporting on prescription drug
15 prices between the two organizations, including proposed legislation on such elimination, with the
16 overarching goal of promoting efficiency and economy. This report shall be submitted to the health
17 and human services oversight committee established in RSA 126-A:13, the speaker of the house of
18 representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the
19 state library on or before October 1, 2024.

20 395 Prospective Repeal RSA 400-A:68, relative to the redundancy elimination report, is
21 repealed.

22 396 Effective Date.

23 I. Section 395 of this act shall take effect October 1, 2024.

24 II. Section 391 of this act shall take effect July 1, 2025.

Sen. Rosenwald, Dist 13
May 2, 2023
2023-1596s
10/05

Amendment to HB 2-FN-A-LOCAL

- 1 Amend the bill by deleting sections 389 through 396, relative to the prescription drug affordability
- 2 board.

2023-1596s

AMENDED ANALYSIS

Delete:

122. Alters the duties and authority of the prescription drug affordability board, and mandates the department of insurance issue a report on the elimination of governmental redundancies related to the collection, analysis, and reporting on prescription drug prices between itself and the prescription drug affordability board by October 1, 2024.

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by inserting the following new sections:

2
3 1 Department of Health and Human Services; Study on Graduated Public Assistance Mandated;
4 Appropriation.

5 I. The department of health and human services shall seek a continuation of the 2021
6 economic analysis regarding mitigation of the benefits cliff effect for the possible creation, funding,
7 and implementation of graduated, proportional public assistance programs for individuals who do
8 not qualify for existing assistance within the state.

9 II. The department shall submit a report on its findings, including the performance of
10 existing pilot programs related to the benefit cliff, and any proposed legislation to the applicable
11 committees of the general court on or before July 1, 2024.

12 III. In its review, the department shall take consideration of qualifying and disqualifying
13 conditions, such as income levels and hours worked per week. The department shall review the
14 following programs:

15 (a) The supplemental nutrition assistance program, established under RSA 161:2, XIII,
16 XIII-a, and XIII-b;
17 (b) The special supplemental nutrition program for women, infants, and children,
18 established under RSA 132:12-a; and

19 (c) The financial assistance for needy families program, established under RSA 167.

20 IV. The sum of \$200,000 for fiscal year ending June 30, 2023 is hereby appropriated to the
21 department for the purpose of conducting a continued review and economic analysis of the cliff effect
22 as set forth in this section. The funds shall be nonlapsing until June 30, 2025. The department may
23 accept and expend matching federal funds without prior approval of the fiscal committee. The
24 governor is authorized to draw a warrant for said sum out of any money in the treasury not
25 otherwise appropriated.

26 2 Housing Finance Authority; Study on Graduated Public Assistance Mandated.

27 I. The housing finance authority shall study the creation, funding, and implementation of a
28 graduated, proportional rental assistance housing choice voucher program for individuals who do not
29 qualify for existing assistance within the state.

30 II. The housing finance authority shall submit a report on its findings and any proposed
31 legislation to the applicable committees of the general court on or before November 1, 2023.

Amendment to HB 2-FN-A-LOCAL

- Page 2 -

1 III. In its review, the housing finance authority shall take consideration of qualifying and
2 disqualifying conditions such as income levels and hours worked per week.

3 3 New Hampshire Employment Security; Study on Graduated Public Assistance Mandated.

4 I. New Hampshire employment security shall study the creation, funding, and
5 implementation of a graduated, proportional unemployment compensation program, based upon the
6 program established in RSA 282-A, for individuals who do not qualify for existing assistance within
7 the state.

8 II. New Hampshire employment security shall submit a report on its findings and any
9 proposed legislation to the applicable committees of the general court on or before November 1, 2023.

10 III. In its review, New Hampshire employment security shall take consideration of
11 qualifying and disqualifying conditions such as income levels and hours worked per week.

12 4 Department of Energy; Study on Graduated Public Assistance Mandated.

13 I. The department of energy shall study the creation, funding, and implementation of a
14 graduated, proportional low income home energy assistance program for individuals who do not
15 qualify for existing assistance within the state.

16 II. The department shall submit a report on its findings and any proposed legislation to the
17 applicable committees of the general court on or before November 1, 2023.

18 III. In its review, the department shall take consideration of qualifying and disqualifying
19 conditions such as income levels.

20 5 Effective Date. Section 1 of this act shall take effect June 30, 2023.

Sen. Bradley, Dist 3
May 19, 2023
2023-1952s
08/10

Amendment to HB 2-FN-A-LOCAL

- 1 Amend the bill by inserting the following:
2
3 1 Office of Professional Licensure and Certification; Community Health Worker Certification;
4 Report. On or before July 1, 2024, the office of professional licensure and certification, in
5 collaboration with the department of health and human services, shall submit a report to the chair of
6 the senate health and human services committee, the chair of the house health, human services and
7 elderly affairs committee, and the governor relative to certified community health workers. Such
8 report shall include findings and recommendations for certification procedures and processes, duties
9 and scope of practice for community health workers, and legislation necessary to implement the
10 recommendations.