

HB 1616 - AS AMENDED BY THE SENATE

28Mar2024... 0716h
05/16/2024 1990s

2024 SESSION

24-2459
05/10

HOUSE BILL **1616**

AN ACT relative to parental consent for student participation in Medicaid to schools program and establishing a pilot recruitment and retention program within the department of health and human services.

SPONSORS: Rep. Cordelli, Carr. 7; Rep. Hill, Merr. 2; Rep. Cushman, Hills. 28; Rep. Mazur, Hills. 44; Rep. T. Lekas, Hills. 38; Rep. Ammon, Hills. 42; Rep. Verville, Rock. 2; Rep. Phillips, Rock. 7; Rep. Kofalt, Hills. 32

COMMITTEE: Education

AMENDED ANALYSIS

This bill:

I. Requires schools to obtain parental consent for each service is provided to a student under the Medicaid to schools program; and requires certain legislative policy committees to receive reports regarding the Medicaid to schools program.

II. Establishes a pilot recruitment and retention program in the department of health and human services.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 Twenty Four

AN ACT relative to parental consent for student participation in Medicaid to schools program and establishing a pilot recruitment and retention program within the department of health and human services.

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

1 1 Medicaid to Schools Program; Parental Consent Required. Amend RSA 186-C:25, VII to read
2 as follows:

3 VII. Beginning on September 1, 2018, the commissioner of the department of health and
4 human services shall submit an annual report to the senate president, the speaker of the house of
5 representatives, ***the chairpersons of the house and senate policy committees with***
6 ***jurisdiction over education, the chairpersons of the house and senate policy committees***
7 ***with jurisdiction over health and human services***, and the chairpersons of the house and senate
8 finance committees regarding the total cost of the Medicaid to schools program and the number of
9 students who received services through the program during the prior school year.

10 ***VIII. Written parental consent shall be obtained for each new service provided to a***
11 ***Medicaid enrolled child pursuant to RSA 200:27-a. For the purpose of this paragraph and***
12 ***RSA 200:27-a, each new service shall mean each new Medicaid International Classification***
13 ***of Diseases (ICD) diagnostic code.***

14 2 School Health Services; Consent of Parent or Legal Guardian Required. Amend RSA 200:27-a
15 to read as follows:

16 200:27-a Consent of Parent or Legal Guardian Required. A child's participation in any program that
17 provides medical or dental treatment in any school setting shall require the explicit written consent
18 of the child's parent or legal guardian ***for each new service as defined by a new diagnostic***
19 ***billing code.***

20 3 Department of Health and Human Services; Recruitment and Retention Program; Pilot.

21 I. The general court finds that the recruitment and retention of employees within the
22 department of health and human services is necessary to maintaining a strong and vital workforce
23 within the array of critical service deliveries within its jurisdiction including those administered
24 through the department's division for children, youth and families and Hampstead hospital
25 residential treatment facility (HHRTF). The intent of this act is to proactively address vacancy
26 rates, fluctuations experienced in census populations, acuity of care and reliance on contracted staff
27 at the current Sununu youth services center (SYSC) and at the secured treatment facility to replace
28 SYSC and at HHRTF.

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1 II. The department shall establish a pilot recruitment and retention program. The program
2 may include:

3 (a) Any recruitment or retention incentives received by a department employee pursuant
4 to this paragraph shall not be considered gifts under RSA 15-B.

5 (b) Any expenditures made for recruitment or retention incentives pursuant to this
6 paragraph shall be considered a matter of legislatively enacted public policy that is designed to
7 benefit certain department employees and the state, and that is confined exclusively to the public
8 employer by statute as provided in RSA 273-A:1, XI, and which shall not be subject to collective
9 bargaining. Nothing in this paragraph shall be construed to invalidate any portion of a collective
10 bargaining agreement entered into by the state.

11 III. On or before December 31, 2024, the department shall provide a report on the
12 effectiveness of the pilot established in paragraph II for possible inclusion in the state operating
13 budget for the biennium ending June 30, 2027, to the senate health and human services committee,
14 the house health, human services and elderly affairs committee, the senate and house finance
15 committees, the senate president, the speaker of the house of representatives, and the governor.

16 4 Repeal. Section 3 of this act, relative to a pilot recruitment and retention program within the
17 department of health and human services, is repealed.

18 5 Effective Date.

19 I. Sections 1 and 2 of this act shall take effect January 1, 2025.

20 II. Section 4 of this act shall take effect September 15, 2025.

21 III. The remainder of this act shall take effect upon its passage.