

Senate Education Committee

Peter Mulvey 271-4063

HB 640, relative to cost recovery for vocational rehabilitation programs.

Hearing Date: April 18, 2023

Time Opened: 9:20 a.m.

Time Closed: 9:25 a.m.

Members of the Committee Present: Senators Ward, Gendreau, Lang, Prentiss and Fenton

Members of the Committee Absent : None

Bill Analysis: This bill repeals the state's right to recover the cost of vocational rehabilitation services from an individual who receives a third party settlement or benefit award.

Sponsors:
Rep. Hobson

Who supports the bill: Representative Deb Hobson (*Rockingham, District 14*), Ella McAllister (*Department of Education*).

Who opposes the bill: None.

Who is neutral on the bill: None.

Summary of testimony presented:

Representative Deb Hobson
Rockingham - District 14

- Introduced HB 640, and provided that the bill was at the request of the Department of Education. Rep. Hobson further restated the bill analysis.
- The Department of Labor (*DOL*) in New Hampshire and things related to workers compensation had changed drastically over the years. Rep. Hobson provided that the Department of Labor in NH had a small subdivision that worked on workers compensation cases.
- Rep. Hobson referenced administrative rule RSA 281-A:25. Rep. Hobson further stated that due to the internal work within the DOL, the statute language for the state vocational rehabilitation program was no longer needed, hence the request to repeal.
- The allocation had historically come from the Department of Education due to their connection to students with disabilities.

- Rep. Hobson brought up testimony from the Department of Education during the House Education Committee hearings and noted that this statute was missed in a review done in 2021, and that this final repeal was house cleaning. Further added that Lisa Hatz of the Department of Education had never utilized this statute in working for the vocational rehabilitation subdivision of the Department of Education.
- Rep. Hobson provided that vocational rehab had approximately 2,600 customers, and over 50% of those customers were individuals on social security benefits. Emphasized that the community consisted of a lot of individuals who lacked resources to begin with.
- Rep. Hobson deferred further details to the Department of Education.

Ella McAllister

Administrator for Policy and Training at Vocational Rehabilitation

- Ms. McAllister asserted that vocational rehabilitation worked with individuals with disabilities trying to get them back to work. With this program, during the 1980's and 1990's they had a collaborative relationship with the DOL on workers compensation cases.
- Noted that in recent years the structure of the DOL in handling workers compensation cases, medical resources, and technology had changed, lessening the number of workers compensation cases that came to the Department of Education.
- As a result, the Department of Education did not see those cases anymore, as they were dealt with in the DOL workers compensation division.
- Ms. McAllister stated that repealing the RSA was just removing a requirement that was no longer necessary.
- Sen Ward asked why there was a fiscal note attached to the bill.
 - Ms. McAllister responded that there should not be any fiscal ramifications of this change as the department had not recovered any dollars because of the law for at least 20 years.
- Sen. Ward further clarified that the bill repealed something that was no longer enforced.
 - Ms. McAllister indicated that was correct.