

HB 454 - AS INTRODUCED

2023 SESSION

23-0435

05/04

HOUSE BILL

454

AN ACT relative to the membership and reporting responsibilities of the examining board of medicine.

SPONSORS: Rep. Edwards, Rock. 31; Rep. Layon, Rock. 13; Rep. M. Pearson, Rock. 34

COMMITTEE: Health, Human Services and Elderly Affairs

ANALYSIS

This bill designates one of the public members of the examining board of medicine as the public transparency advocate. The advocate is responsible for increasing public transparency of certain board functions and is directed to provide an annual report to the oversight committee on 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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to the membership and reporting responsibilities of the examining board of medicine.

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

1 1 Examining Board of Medicine; Membership; Designation of Public Transparency Advocate.
2 Amend RSA 329:2,I to read as follows:

3 I. There shall be a board of medicine consisting of 11 members; including 5 members
4 selected from among physicians and surgeons, one member selected to represent osteopathic
5 physicians and surgeons, one member selected to represent physician assistants regulated by the
6 board, the commissioner or the medical director of the department of health and human services, or
7 in the case of a vacancy in the office of medical director, the commissioner shall appoint a designee,
8 and 3 public members. Only board members provided for in this paragraph shall have the authority
9 to vote in board determinations. ~~[Any public member]~~ **At least 2 of the public members** of the
10 board shall be a person who is not, and never was, a member of the medical profession or the spouse
11 of any such person, and who does not have, and never has had, a material financial interest in either
12 the provision of medical services or an activity directly related to medicine, including the
13 representation of the board or profession for a fee at any time during the 5 years preceding
14 appointment. **One of the public members shall be designated as the public transparency**
15 **advocate. The public transparency advocate shall be a person who, through background**
16 **or training and without conflicts of interest, is capable of exercising systems analysis and**
17 **providing recommendations to improve public transparency of board responsibilities**
18 **under subparagraphs II (b) and (c).**

19 2 New Paragraph; Meetings of the Board. Amend RSA 329:7 by inserting after paragraph III
20 the following new paragraph:

21 III-a.(a) The president of the board shall ensure board agendas provide an opportunity to
22 review and, as appropriate implement, the findings and recommendations of the public transparency
23 advocate.

24 (b) On or before September 1, the public transparency advocate shall submit an annual
25 report to the oversight committee on health and human services, established in RSA 126-A:13,
26 summarizing the board's responsibilities and any recommendations for improved public
27 transparency.

28 3 Examining Board; Records. Amend RSA 329:8 to read as follows:

29 329:8 Records. A true record of all of the board's official acts, **including all reports of the**
30 **public transparency advocate submitted under RSA 329:7, III-a,** shall be made and preserved

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1 in accordance with the retention policy established by the office of professional licensure and
2 certification. The records shall be public and shall be open to inspection at all reasonable times,
3 except for records compiled in connection with disciplinary investigations and records otherwise
4 exempt from disclosure under RSA 91-A, RSA 329:18, or other applicable statutes.

5 4 Effective Date. This act shall take effect 60 days after its passage.