

HB 1330-FN - AS AMENDED BY THE HOUSE

22Feb2024... 0818h

2024 SESSION

24-2377

10/05

HOUSE BILL

***1330-FN***

AN ACT                    relative to establishing an emergency medical services disciplinary review panel,  
and relative to procedures for removal of records of discipline.

SPONSORS:            Rep. Proulx, Hills. 15

COMMITTEE:          Criminal Justice and Public Safety

---

AMENDED ANALYSIS

This bill establishes a disciplinary review panel to consult, review disciplinary investigation findings, and make determinations for the discipline of licensed emergency medical service providers. The bill also requires procedures for the removal of disciplined licensee's names from public records.

-----

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                         Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT                    relative to establishing an emergency medical services disciplinary review panel,  
and relative to procedures for removal of records of discipline.

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

1            1   Emergency Medical and Trauma Services; Disciplinary Review. The introductory paragraph  
2 of RSA 153-A:13, I is repealed and reenacted to read as follows:

3            I. The EMS disciplinary review panel under paragraph IV shall deny an application for  
4 issuance or reissuance of a license, or suspend, or revoke a license, when the panel finds that the  
5 applicant is guilty of any of the following acts or offenses:

6            2 Procedures for Disciplinary Review. Amend RSA 153-A:13, III to read as follows:

7            III. A denial, suspension, or revocation under this section ***by the EMS disciplinary review***  
8 ***panel under paragraph IV*** shall be in accordance with RSA 541-A.

9            3 New Paragraphs; Emergency Medical Services; Disciplinary Review Panel Established.  
10 Amend RSA 153-A:13 by inserting after paragraph III the following new paragraphs:

11            IV.(a) There is established an EMS disciplinary review panel comprised of 3 members, one  
12 representing each of the following New Hampshire EMS boards or committees: the emergency  
13 medical and trauma services coordinating board; the medical control board; and the trauma medical  
14 review committee. Panel members and/or their designee shall be members of, and appointed by the  
15 body they will represent, in a process determined by that body.

16            (b) The disciplinary review panel shall be provided and review the findings of the  
17 director's investigation pursuant to RSA 153-A:14; and by majority decision of the full panel, shall  
18 approve license denials, the reissuance of licenses, and the suspension or revocation of a license.

19            (c) Unless a time-frame extension is deemed necessary to complete its work, the panel  
20 shall review and act on a matter before it within 90 days. The panel shall provide a status update to  
21 the director every 30 days thereafter, until the matter is resolved. The director shall provide timely  
22 written notification to the licensee indicating any need for an extension, and a brief status update  
23 every 30 days thereafter, until the matter is resolved.

24            (d) Nothing in this section shall prevent the director from issuing a letter of concern or  
25 an emergency suspension of an EMS provider's license. In such cases, the emergency suspension  
26 shall remain in place pending further action by the disciplinary review panel.

27            V. The division shall remove a licensee's name from its public list of the issuance of  
28 suspensions, or revocations 7 years from the date of disciplinary action; or in the event of a licensee's  
29 death, within 30 days of a request for removal and verification of death by the New Hampshire  
30 department of state's division of vital records administration, or equivalent agency of another state.

HB 1330-FN - AS AMENDED BY THE HOUSE

- Page 2 -

1       4 Emergency Medical and Trauma Services; Investigation. Amend RSA 153-A:14 to read as  
2 follows:

3       153-A:14 Investigations. The director shall investigate any complaint regarding the actions of  
4 any licensee licensed under this chapter or when the director has reason to believe that any licensed  
5 or unlicensed individual or entity is in violation of this chapter or any rules adopted pursuant to this  
6 chapter. *The findings of the investigation shall be referred to the disciplinary review panel*  
7 *for a determination of disciplinary action.*

8       5 Effective Date. This act shall take effect January 1, 2025.

**HB 1330-FN- FISCAL NOTE**  
AS AMENDED BY THE HOUSE (AMENDMENT #2024-0818h)

AN ACT                    relative to establishing an emergency medical services disciplinary review panel,  
and relative to procedures for removal of records of discipline.

**FISCAL IMPACT:**    ☒ State                    ☐ County                    ☐ Local                    ☐ None

Estimated State Impact - Increase / (Decrease)				
	FY 2024	FY 2025	FY 2026	FY 2027
Revenue	\$0	\$0	\$0	\$0
Revenue Fund(s)	None			
Expenditures	\$0	\$23,350	\$35,000	\$35,000
Funding Source(s)	General Fund			
Appropriations	\$0	\$0	\$0	\$0
Funding Source(s)	None			

- Does this bill provide sufficient funding to cover estimated expenditures? ☒ No
- Does this bill authorize new positions to implement this bill? ☒ No

**METHODOLOGY:**

This bill, effective January 1, 2025, creates an emergency medical services (EMS) Disciplinary Review Panel (Panel) that would hear and approve proposed disciplinary action on EMS providers prior to the final approval and issuance by the Commissioner of the Department of Safety. The Division of Fire Standards and Training and Emergency Medical Services would be required to formulate a process for the selection and training of candidates to sit on the Panel, perform administrative functions of organizing meetings, taking minutes, and producing the Panel’s findings for the Commissioner. In the most recent years, the Commissioner has issued approximately 20 sanctions per year, which would qualify going before the Panel, and to ensure timeliness and effectiveness it would need to meet at least monthly.

The Department states it would need to hire a part-time Administrator I position (labor grade 16, starting step 3) to administratively manage the work of the Panel. Assuming a start date of November 1, 2024, this position is expected to cost approximately \$23,350 in FY 2025, and \$35,000 in FY 2026 and each year thereafter.

**AGENCIES CONTACTED:**

Department of Safety