

Sen. Rosenwald, Dist 13  
Sen. Giuda, Dist 2  
May 26, 2021  
2021-1783s  
10/08

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by replacing section 372 with the following:

2

3 372 Department of Health and Human Services; Closed Loop Referral System.  
4 Notwithstanding any other provision of the law to the contrary, there shall be no further expansion  
5 of the “closed loop referral” system by the department of health and human services beyond that  
6 which has been or will be implemented pursuant to the sole source grant agreement to Unite USA  
7 Inc. of Nashua in the amount of \$700,000 dated October 19, 2020. Before the department  
8 undertakes any further utilization of the closed loop referral system beyond that authorized by the  
9 preceding sentence, the legislative oversight committee on health and human services, established in  
10 RSA 126-A:13, shall conduct a comprehensive review of the information intended to be stored in the  
11 master index file or accessed using the master indexes within and between the closed loop referral  
12 system and other interconnected systems. Further, the oversight committee shall assess the privacy  
13 protections and access/release limitations afforded by this system, and the adequacy of the  
14 procedures utilized by the system to insure that persons using it have given informed consent to the  
15 (“opt-in”) release of their personally identifiable information available through the system of  
16 systems. The oversight committee shall report its findings and recommendations, if any, to the  
17 legislature, the governor, and the department of health and human services within 30 days of the  
18 department providing all requested data and information regarding the closed loop referral system  
19 and systems with which it is intended to interconnect. The department of health and human  
20 services is prohibited from accessing an individual’s information from the closed loop referral system  
21 who is not receiving services funded through a department of health and human services program.  
22 Within 48 hours of becoming aware of a data breach, Unite USA Inc. shall begin the process of  
23 notification by first class mail to all individuals impacted by the data breach. Any individual whose  
24 information is intended to be included in the closed loop referral shall retain the right to opt in to the  
25 system on each referral and retain the right to revoke consent to be in the system at any time.

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AMENDED ANALYSIS

Keep. 96. Limits further expansion of the closed loop referral system by the department of health and human services pending review of the system by the legislative oversight committee on health and human services.