

Amendment to HB 2-FN-A-LOCAL

1 Insert the following new sections:

2

3 1 Commission to Evaluate the Effectiveness and Future of the New Hampshire Granite
4 Advantage Health Care Program. RSA 126-AA:4 is repealed and reenacted to read as follows:

5 126-AA:4 Commission to Evaluate the Effectiveness and Future of the New Hampshire Granite
6 Advantage Health Care Program.

7 I. There is hereby established a commission to evaluate the effectiveness and future of the
8 New Hampshire granite advantage health care program.

9 (a) The members of the commission shall be as follows:

10 (1) Three members of the senate, appointed by the president of the senate, one of
11 whom shall be a member of the minority party.

12 (2) Three members of the house of representatives, appointed by the speaker of the
13 house of representatives, one of whom shall be a member of the minority party.

14 (3) The commissioner of the department of health and human services, or designee.

15 (4) The commissioner of the department of insurance, or designee.

16 (5) A representative of each managed care organization awarded contracts as
17 vendors under the Medicaid managed care program, appointed by the governor.

18 (6) A representative of a hospital that operates in New Hampshire, appointed by the
19 New Hampshire Hospital Association.

20 (7) A public member, who has health care expertise, appointed by the senate
21 president.

22 (8) A public member, who currently receives coverage through the program,
23 appointed by the speaker of the house of representatives.

24 (9) A public member representing the interests of small businesses in New
25 Hampshire, appointed by the New Hampshire Association of Chamber of Commerce Executives.

26 (10) A representative of the medical care advisory committee, department of health
27 and human services, appointed by the commissioner of the department of health and human
28 services.

29 (11) A licensed physician, appointed by the New Hampshire Medical Society.

30 (12) A licensed mental health professional, appointed by the National Alliance on
31 Mental Illness New Hampshire.

Amendment to HB 2-FN-A-LOCAL
- Page 2 -

1 (13) A licensed substance use disorder professional, appointed by the New
2 Hampshire Alcohol and Drug Abuse Counselors Association.

3 (14) An advanced practice registered nurse (APRN), appointed by the New
4 Hampshire Nurse Practitioner Association.

5 (15) The chairperson of the governor's commission on alcohol and drug abuse
6 prevention, treatment, and recovery, or designee.

7 (b) Legislative members of the commission shall receive mileage at the legislative rate
8 when attending to the duties of the commission.

9 (c) The limitation on commission membership in RSA 14:49, II(c) shall not apply to this
10 commission.

11 II.(a) The commission shall evaluate the effectiveness and future of the program.
12 Specifically the commission shall:

13 (1) Review the program's financial metrics.

14 (2) Review the program's product offerings.

15 (3) Review the program's impact on insurance premiums for individuals and small
16 businesses.

17 (4) Make recommendations for future program modifications, including, but not
18 limited to, whether the program is the most cost-effective model for the long term versus a return to
19 private market managed care.

20 (5) Review up-to-date information regarding changes in the level of uncompensated
21 care through shared information from the department, the department of revenue administration,
22 the insurance department, and provider organizations and the program's impact on insurance
23 premium tax revenues and Medicaid enhancement tax revenue.

24 (6) Evaluate reimbursement rates to determine if they are sufficient to ensure access
25 to and provider capacity for all behavioral health services.

26 (7) Review the reasons beneficiaries are not re-enrolled in the program.

27 (8) Review the program's provider reimbursement rates and overall financing
28 structure to ensure it is able to provide a stable provider network and sustainable funding
29 mechanism that serves patients, communities, and the state of New Hampshire.

30 (b) The commission shall solicit information from any person or entity the commission
31 deems relevant to its study.

32 (c) The commission shall meet at least annually.

33 III. The members of the commission shall elect a chairperson from among the members.
34 Eight members of the commission shall constitute a quorum.

35 IV. On or before November 1, the commission shall make annual recommendations for any
36 proposed legislation to the president of the senate, the speaker of the house of representatives, the
37 senate clerk, the house clerk, and the governor, as appropriate.

Amendment to HB 2-FN-A-LOCAL
- Page 3 -

1 2 Alcohol Abuse Prevention and Treatment Fund; Reference to Funds Transfer Removed.
2 Amend RSA 176-A:1, III to read as follows:

3 III. Moneys received from all other sources other than the liquor commission pursuant to
4 RSA 176:16, III, including any community benefit contribution made by New Hampshire's hospitals,
5 shall be disbursed from the fund upon the authorization of the governor's commission on alcohol and
6 drug abuse prevention, treatment, and recovery established pursuant to RSA 12-J:1 and shall not be
7 diverted for any other purposes. Funds disbursed shall be used for alcohol and other drug abuse
8 prevention, treatment, and recovery services, and other purposes related to the duties of the
9 commission under RSA 12-J:3~~[- provided, however, that funds received from any source other than~~
10 ~~the liquor commission, pursuant to RSA 176:16, III, shall not be used to support the New Hampshire~~
11 ~~granite advantage health care program and shall not be deposited into the fund established in RSA~~
12 ~~126-AA:3].~~

13 3 Individual Health Insurance Market; Plan of Operation for the High Risk Pool. Amend RSA
14 404-G:5-a, IV(d) to read as follows:

15 (d) An amount not to exceed the lesser of the remainder amount, as defined in RSA 126-
16 AA:1, V, or the amount ~~[of revenue transferred from the alcohol abuse prevention and treatment~~
17 ~~fund pursuant to RSA 176-A:1, IV and]~~ ***specified in RSA 126-AA:1, V(a) plus*** taxes attributable to
18 premiums written for medical and other medical-related services for the newly eligible Medicaid
19 population. The association shall transfer all amounts collected pursuant to this subparagraph to
20 the New Hampshire granite advantage health care trust fund established pursuant to RSA 126-
21 AA:3.

22 4 New Hampshire Granite Advantage Health Care Program; Definition of Remainder Amount.
23 Amend RSA 126-AA:1, V(a) to read as follows:

24 (a) ***An amount equal to*** the amount of revenue transferred from the alcohol abuse
25 prevention and treatment fund ~~[pursuant to RSA 176-A:1, IV]~~ ***in the state fiscal year ending***
26 ***June 30, 2023, adjusted annually by the percentage change in the Consumer Price Index for***
27 ***All Urban Consumers, Northeast Region as published by the Bureau of Labor Statistics,***
28 ***United States Department of Labor. The first such annual adjustment shall be made***
29 ***during the fiscal year ending June 30, 2024. The annual adjustment shall not exceed 5***
30 ***percent in any fiscal year;***

31 5 Repeal; Commission. RSA 126-AA:4, relative to reestablishing the commission to evaluate the
32 effectiveness and future of the New Hampshire granite health care advantage program, is repealed.

33 6 Extension of the Prospective Repeal of the Granite Health Care Advantage Program. Amend
34 2018, 342:25, II to read as follows:

35 II. Paragraphs III and VII of section 24 of this act shall take effect December 31, ~~[2023]~~
36 **2025.**

Amendment to HB 2-FN-A-LOCAL
- Page 4 -

1 7 Repeal; Revenue from Alcohol Abuse Prevention and Treatment Fund. The following are
2 repealed:

3 I. RSA 176-A:1, IV, relative to the transfer of funds from the alcohol abuse prevention and
4 treatment fund to the New Hampshire granite advantage health care trust fund.

5 II. RSA 126-AA:3, I(a), relative to the transfer of funds from the alcohol abuse prevention
6 and treatment fund to the New Hampshire granite advantage health care trust fund.

7 8 Department of Health and Human Services; New Hampshire Granite Advantage Health Care
8 Program; The New Hampshire Granite Advantage Health Care Trust Fund. Amend the
9 introductory paragraph of RSA 126-AA:3, I to read as follows:

10 I. There is hereby established the New Hampshire granite advantage health care trust fund
11 which shall be accounted for distinctly and separately from all other funds and shall be non-interest
12 bearing. ***The department shall include the cost of the program in its biennial budget***
13 ***request under RSA 9:4.*** The fund shall be administered by the commissioner and shall be used
14 solely to provide coverage for the newly eligible Medicaid population as provided for under RSA 126-
15 AA:2, to pay for the administrative costs for the program, and reimburse the federal government for
16 any over payments of federal funds. All moneys in the fund shall be nonlapsing and shall be
17 continually appropriated to the commissioner for the purposes of the fund. The fund shall be
18 authorized to pay and/or reimburse the cost of medical services and cost-effective related services,
19 including without limitation, capitation payments to MCOs. No state general funds shall be
20 deposited into the fund. Deposits into the fund shall be limited exclusively to the following:

21 9 Liquor Commission Fund; Transfers. For the fiscal year ending June 30, 2024, transfers to
22 the alcohol abuse prevention and treatment fund pursuant to RSA 176:16, III shall be reduced by the
23 amount of any federal or other funds used by the department of health and human services to fund
24 programs or services approved by the governor's commission on alcohol and drug abuse prevention,
25 treatment, and recovery.

26 10 Effective Date. Sections 2, 3, 4, 6, 7, and 8 of this act shall take effect December 31, 2023.

27 11 Effective Date. Section 5 of this act shall take effect November 1, 2027.

Amendment to HB 2-FN-A-LOCAL
- Page 5 -

2023-1128h

AMENDED ANALYSIS

Insert:

1. Reestablishes and revises the membership and duties of the commission to evaluate the effectiveness and future of the New Hampshire granite advantage health care program. The commission is repealed November 1, 2028.

2. Extends the New Hampshire granite advantage health care program by changing the prospective repeal of the program to December 31, 2027.

3. Removes the transfer of funds from the alcohol abuse prevention and treatment fund to the granite advantage health care trust fund.

4. Reduces transfers from the liquor commission to the alcohol abuse prevention and treatment fund for fiscal year 2024, by the amount of federal or other funds used by DHHS for services approved by the governor's commission on alcohol and drug abuse prevention, treatment, and recovery

Amend section 98 of the analysis to read as follows:

98. Makes appropriations to the department of health and human services for programs and systems and requires inclusion of the granite advantage health care trust fund in the biennial budget.