



New Hampshire Legislative Update Crossover – April 9, 2021

Budget

Governor Sununu

- Tax/Fiscal Policy
 - Reduce Meals and Rooms Tax from 9% to 8.5%
 - Reduce Business Enterprise Tax (BET) from 0.6% to 0.55%
 - Full phase out of Interest and Dividends Tax over next five years
 - Raise the ceiling on Rainy Day Fund - allow it to reach 10% of the revenue raised
- Department of Health and Human Services Impact
 - Gov's budget would increase DHHS budget \$356m over two years
\$176m from general funds; \$180m federal funds
 - Increase of \$15.3m for NHH for acute psychiatric services
 - Funding for 60 bed SPU on NHH grounds – \$17.25m
 - Increased Medicaid funding using federal funds - increase of \$58.7m
 - \$10m for Alvarez & Marsal operations assessment recommendation implementations

House of Representatives

- Overview
 - Reduced Governor's Budget – anticipated less general and federal fund
 - Reduced all state agency budgets – greatest reduction in DHHS budget
- Department of Health and Human Services Impact
 - Back of budget cuts – reduction of \$30m in FY22 and \$20m in FY23
 - Eliminate 226 staff positions – reduction of \$22.6m in general fund expenses
 - Closes Sununu Youth Service Center – allocates funding for community services
 - Provides funding to allow for employment-related childcare subsidies
 - Removes Governor's 60 bed SPU building project
- Policy Additions
 - Divisive Concepts – prohibits teaching of divisive concepts related to sex and race by any entity receiving state funding
 - Closed Loop Referral System – prohibits the expansion of the UniteUs closed loop referral system work beyond the current contract pending review of the Legislative Oversight Committee on Health and Human Services
 - Reproductive Health Facilities – requires family planning programs to be financially and physically separate from reproductive health centers performing abortions in order to be eligible for Medicaid



Senate

Retained policy bills for consideration during Senate phase of budget process

- **SB 70 – Insurance Coverage for Emergency Mental Health Services for Children**
SB 70 requires commercial carriers to provide reimbursement for emergency services, including initial assessments and interventions, for children experiencing a mental health crisis.
- **SB 157 Children’s Mental Health Services**
SB 157 ensures funding for the state’s mobile crisis system is non-lapsing. Also provides funding to DHHS for the implementation for the state’s 10 year mental health plan and appropriates funding for positions in DHHS contracting unit.
- **SB 156 – Management of the Secure Psychiatric Unit**
SB 156 declares that the management of the new secure psychiatric unit shall be the responsibility of DHHS and shall not be contracted to a for-profit contractor for operation. DHHS may contract with a provider for psychiatric services.
- **SB 150 – Adult Dental Benefit**
SB 150 establishes an adult dental benefit for the Medicaid population.
- **SB 162 – DHHS Agency Requested Omnibus Bill**
SB 162 funds a number of positions and programs at DHHS. This bill also suspends the work and community engagement waiver (the Medicaid work requirement) if the waiver is held invalid or is withdrawn by CMS (as has been done).



Policy Bills Passed and Crossing Over

D-HH Supports

- **SB 44 NH Workforce Pathway Program and Commission** - Administered by the Community College System, the Workforce Pathway Program would advance underemployed adults in training programs for high demand sectors, including healthcare
- **SB 59 Collaborative Care Model** – provides commercial reimbursement for services delivered in a collaborative care team, including a primary care and a psychiatrist
- **SB 69 Breastfeeding Mothers in the Workplace** - requires employers to provide access to a sufficient space for nursing mothers and responsible break time
- **SB 74 Advanced Care Directives and Consent for Clinical Trial/Experimental Treatment** - updates the advanced directives statute including allowing an agent to consent to clinical trials or experimental treatments for both immediate life threatening and “serious” diseases or conditions.
- **SB 98 SNAP** – allows for dollar match for fresh food
- **SB 100 Commission to Study Workplace Safety in Healthcare Settings** – an omnibus bill that includes a provision that will establish the Commission, which will be charged with making policy recommendations to the legislature
- **SB 149 Limited Liability for Healthcare Facilities** – seeks to codify NH Attorney General Opinion No. 2020-01, applying immunity provided by RSA 21-P to healthcare facilities defined in RSA 151, including hospitals, for activities carried out in response to COVID-19
- **HB 131 Health Care Associated Infections** – updates statute to remove outdated reporting requirements for SLIP/CLIP to NH DHHS
- **HB 413 Solid Waste** – establishes a solid waste working group on solid waste management planning
- **HB 479 Pharmacist Provider Status** – establishes reimbursement mechanism for pharmacist providing cognitive services and establishes a standing order for nicotine cessation therapy
- **HB 600 Funding for Newborn Screening** – provides mechanism for hospitals to seek reimbursement for cost of newborn screening materials

D-HH Monitoring

- **HB 157 State Health Improvement Plan** - original bill was seeking to repeal the state health assessment and state health improvement plan council but was amended to retain the Council and add to its membership



D-HH Opposes

- **HB 233 Infant Born Alive** – would require healthcare providers to take all medically appropriate and reasonable actions to preserve life of a born alive infant; **criminalizes provider for violation**
- **HB 572 Pharmacist Vaccine Administration** – allows pharmacists and licensed advanced pharmacy technicians to administer vaccines but **bill amended to include vaccine registry opt-in**
- **HB 625 Protection of Fetal Life** – prohibits provider from performing abortion of a fetus greater than 24 weeks unless medical emergency; **criminalizes provider for violation**

Policy Bills Defeated, Laid on the Table, or Retained in Committee

D-HH Supported

- **HB 191 Prior Authorizations** – reduced administrative burdens of prior authorizations, including requiring a PA to be valid for 6 months, prohibiting a PA for procedures needed during the course of an otherwise authorized procedure, and requiring a health plan to allow for medically necessary interfacility transfers
Status: Retained in House Commerce

D-HH Opposed

- **HB 198 Transgender Students' Access to Sporting Activities** – would have created an exception to the opportunity for public education without discrimination, allowing schools to prohibit transgender students from participating in school sports
Status: Retained in House Education Committee
- **HB 221 Vaccine Registry** – would have made the state vaccine registry an opt-in program
Status: Dead (ITL)
- **HB 544 Divisive Concepts** – would have prohibited the teaching and dissemination of certain “divisive concepts” related to sex and race
Status – Laid on House Table, but language included in HB 2
- **HB 601 Interagency Information Sharing/Referral System** – prohibiting the sharing of such information between agencies
Status – Laid on House Table, but language included in HB 2
- **HB 602 Telehealth** – would have repealed parity reimbursement for services provided by telehealth and prohibited the use of audio only telehealth
Status – Retained in House Health and Human Services Committee