



# New Hampshire Association of Counties

3/30/17

## STATE HOUSE UPDATE

Prepared by the Dupont Group

## HEARINGS NEXT WEEK

Time	Location	Bill	Title
<b>Tuesday</b>			
4/4 09:00 AM	SH 100 (S-Judiciary/s) Hearing	<b>HB 143</b>	Relative to Recommittal Of A Prisoner By The Parole Board.
4/4 09:15 AM	SH 100 (S-Judiciary/s) Hearing	<b>HB 170</b>	Relative to Posting Notice and Minutes Of Public Meetings On The Public Body's Web-site.
4/4 10:00 AM	LOB 206 (H-Children and Family Law/h) Public Hearing	<b>SB 143</b>	(new Title) Relative to Court Requests For Documents In Conjunction with Petitions For Guardianship Of A Minor and Guardianship Of An Incapacitated Person.
4/4 10:30 AM	LOB 205 (H-Health, Human Services & Elderly Affairs/h) Executive Session	<b>SB 152</b>	Relative to Criminal History Background Checks For Certain Health Care Workers.
4/4 11:00 AM	LOB 308 (H-Election Law/h) germane Amendment # 2017-1229h	<b>SB 108</b>	Relative to Absentee Ballot Applications.
<b>Wednesday</b>			
4/5 09:15 AM	LOB 102 (S-Public and Municipal Affairs/s) Hearing	<b>HB 461</b>	Relative to The Acceptance Of Grants By Carroll County.
4/5 10:00 AM	LOB 102 (S-Public and Municipal Affairs/s) Hearing	<b>HB 617</b>	(new Title) Relative to Penalties For Violations Of Planning and Zoning Laws.

## On the Floor Next Week

### THE HOUSE

HB 1—making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2018 and June 30, 2019.

HB 2—relative to state fees, funds, revenues, and expenditures

### THE SENATE

No priority bills

## On the Floor Last Week

### THE SENATE

Consent

SB 151—Relative to arbitration agreements in nursing home contracts—Re-refer to Committee

Regular

SB 155—relative to implementation of the Medicaid Managed Care Program—OTPA RC 22-0

SB 157—relative to network adequacy and consumer rights under the managed care law—OTPA Voice Vote

SB 161—Establishing A Commission to Evaluate The Direct Care Workforce and Preparedness Of LTCS—OTPA Voice Vote

HB 259—relative to records of the probate court - OPT Voice Vote

## Highlights From This Week

**Cathy Stacey and George Maglaras** met with Governor Sununu to discuss Step 2 Managed Care. The Governor was firm on his January 1, 2019 date, but is open to the idea of exploring other models.

### **HB 2 Amendment**

Our Amendment that delays Step 2 to July 2019 and provides the counties \$100,000 that must be matched by the counties, to hire a consultant to plan for how the counties will pay for the new system, passed the House Finance Committee. This bill will go to the Floor next week.

### **SB 152—Relative to Criminal History Background Checks For Certain Health Care Workers**

- This bill would allow temporary licenses to LNA's while they wait for a secondary background check
- The Committee expressed many concerns about this bill and will be bringing an amendment, which can be found on following pages

### **HB 296 - Allowing Counties to Authorize and Fund Forensic Audits**

- This adds to the current statute that allows county delegations to spend money on performance audits and allows them forensic audits as well
- The committee seemed receptive to the amendment and are likely to pass it
- We have reached out to a few of the members on the committee to get their thoughts

### **HB 303 - Relative to Filling Vacancies In The Office Of County Commissioner**

- This bill only applies to Hillsborough County and allows only those in a Commissioner's district to vote to fill a vacancy
- No one spoke in opposition to the bill and the committee is likely to execute the bill next week

## Draft Amendment to SB 152

1 Residential Care and Health Facility Licensing; Employment. Amend RSA 151:2-d, III to read as follows:

III. The licensee or certificate holder shall submit the notarized criminal conviction record release authorization form to the division of state police after an applicant accepts a conditional offer of employment. The licensee or certificate holder shall review the results of the criminal conviction record check before making a final offer of employment. [An employee shall not begin work before the final offer of employment is made.] Pending the results of the criminal conviction record check an employee may begin working provisionally if he or she is under the direct supervision of a licensed staff person, has passed a criminal history background check within the prior 12 months as part of a nursing assistant education program approved by the board of nursing, and he or she has revealed no disqualifying criminal history; provided that this paragraph shall not be construed to waive any statutory requirement for direct supervision of a licensee or certificate holder.

2 Nurse Practice Act; Temporary Licensure. Amend RSA 326-B:24 to read as follows:

326-B:24 Temporary Licenses; All Licensees.

I. The board [may] shall issue temporary licenses, as provided in [paragraph] paragraphs II and III, to applicants who meet entry level licensing requirements in the license category. A temporary license shall expire on the date the board approves or denies the permanent license sought by the holder of the temporary license, or in 120 days, whichever is less.

II. The following applicants for licensure as RNs or LPNs [may] shall be issued temporary licenses:

(a) Unlicensed applicants for licensure under paragraph I and applicants for licensure under RSA 326-B who have met all requirements for licensure except that they have not yet taken the required examination or the results of the examination are not yet available to the board.

(b) If they can demonstrate proficiency in English, currently foreign-licensed applicants for licensure under RSA 326-B who have met all requirements for licensure except that they have not yet taken the required examination or the results of the examination are not yet available to the board.

(c) Applicants for licensure under RSA 326-B who have met all of the requirements of that paragraph and are awaiting the board's decision on their application for permanent licensure.

III. Applicants for licensure as licensed nursing assistants shall be issued temporary licenses if they have passed the examination required under RSA 326-B:19 and are awaiting the results of the criminal history background check required under RSA 326-B:15, provided however that the applicant within the prior 12 months shall have passed a criminal history background check as part of a board-approved nursing assistant education program.

IV. Applicants described in [paragraph] paragraphs II and III who have received temporary licenses shall practice only under the supervision of an RN currently licensed in New Hampshire.

3 Residential Care and Health Facility Licensing; Employment; 2019 Version. Amend RSA 151:2-d, III to read as follows:

III. The licensee or certificate holder shall submit the notarized criminal conviction record release authorization form to the division of state police after an applicant accepts a conditional offer of employment. The licensee or certificate holder shall review the results of the criminal conviction record check before making a final offer of employment. [Pending the results of the criminal conviction record check an employee may begin working provisionally if he or she is under the supervision of a staff person and he or she has revealed no disqualifying criminal history; provided that this paragraph shall not be construed to waive any statutory requirement for direct supervision of a license or certificate holder.] An employee shall not begin work before the final offer of employment is made.

4 Temporary Licenses; 2019 Version. Amend RSA 326-B:24 to read as follows:

326-B:24 Temporary Licenses; All Licensees.

I. The board [shall] may issue temporary licenses, as provided in [paragraphs II and III] paragraph II, to applicants who meet entry level licensing requirements in the license category. A temporary license shall expire on the date the board approves or denies the permanent license sought by the holder of the temporary license, or in 120 days, whichever is less.

II. The following applicants for licensure as RNs or LPNs [shall] may be issued temporary licenses:

(a) Unlicensed applicants for licensure under paragraph I and applicants for licensure under RSA 326-B who have met all requirements for licensure except that they have not yet taken the required examination or the results of the examination are not yet available to the board.

(b) If they can demonstrate proficiency in English, currently foreign-licensed applicants for licensure under RSA 326-B who have met all requirements for licensure except that they have not yet taken the required examination or the results of the examination are not yet available to the board.

(c) Applicants for licensure under RSA 326-B who have met all of the requirements of that paragraph and are awaiting the board's decision on their application for permanent licensure.

III. [Applicants for licensure as licensed nursing assistants shall be issued temporary licenses if they have passed the examination required under RSA 326-B:19 and are awaiting the results of the criminal history background check required under RSA 326-B:15, provided however that the applicant shall have passed a criminal history background check as part of a board-approved nursing assistant education program.

IV.] Applicants described in [paragraphs II and III] paragraph II who have received temporary licenses shall practice only under the supervision of an RN currently licensed in New Hampshire.

5 Effective Date.

I. Sections 3 and 4 of this act shall take effect June 30, 2019.

II. The remainder of this act shall take effect 60 days after its passage.

## NOTES

### Governor's Budget

<https://das.nh.gov/budget/Budget2018-2019/GovernorsBudgetBill.pdf#05-95-48>

HB 2 relative to state fees, funds, revenues, and expenditures.

[http://www.gencourt.state.nh.us/bill\\_status/billText.aspx?sy=2017&id=1006&txtFormat=html](http://www.gencourt.state.nh.us/bill_status/billText.aspx?sy=2017&id=1006&txtFormat=html)

Crossover is APRIL 6TH

Long Time Representative Steve Vaillancourt, passed away unexpectedly this week. He represented Manchester Ward 8.