New Hampshire Hospital Association

Legislative Newsletter

Keeping members informed on state legislative priorities.

May 7, 2025

Dear Members,

The legislature has now passed the halfway milestone known as "crossover" meaning House bills passed by the House are now being considered in the Senate, and Senate bills passed by the Senate are being considered in the House.

The New Hampshire Hospital Association (NHHA) continues to advocate and track priority legislation that supports our members and your patients as well as legislation that, if enacted, would be problematic. We have successfully built strong support in the Senate for several bills that aim to address barriers to discharge, which could be included in the state budget. Additionally, we have successfully prevented troubling legislation from moving forward, which would have duplicated federal price transparency regulations and mandated issue-specific education for providers.

Among legislation making its way through the legislative process is, most notably, the state budget (**HB 1** and **HB 2**). The NHHA remains deeply concerned with a number of proposals in the House-passed budget, including $300 million in state general fund cuts to the Department of Health and Human Services; Medicaid provider rate reductions; a freeze on the student loan repayment program; inclusion of HB 223, relative to licensing for health care facilities that operate within 15 miles of a critical access hospital; HB 548, relative to licensing requirements for health care facilities that operate on a membership-based model; the repeal of the New Hampshire Commission on Aging; and the repeal of the Office of Child Advocate.

With a continued focus on building authentic relationships with key state leaders, several NHHA members have held legislative breakfasts with their local delegation. This is an opportunity for legislators to connect with hospital leadership and hear directly about the hospitals' priority issues. We know these on-campus meetings are effective and appreciate your efforts to engage with local leaders. If your organization is interested in hosting a legislative breakfast or other relationship cultivation meetings and would like support from the NHHA, please reach out to Ben Bradley and the advocacy team for assistance. We are here to support you.

For more information about the legislation that NHHA follows, please visit the NHHA site here: **https://www.nhha.org/resources-reports/nh-legislation/**.



State Update

Recent Legislative Activity

HEALTH CARE ACCESS

SB 127-FN-A, (New Title) relative to public guardianship and the office of the public guardian and making appropriations to the department of health and human services
Prime Sponsor: Sen. Kevin Avard (R)
SB 127, the first of three NHHA priority bills to mitigate barriers to discharge, would appropriate $550,000 for the biennium to establish 50 new public guardian slots for individuals needing a decision maker appointed to make health care decisions for their safe discharge.
The bill was laid on the table in the Senate on March 27, 2025 to be included in the Senate version of the budget.
Position: Support

SB 131-FN-A, relative to long-term care eligibility and making an appropriation therefor
Prime Sponsor: Sen. David Rochefort (R)
SB 131-FN-A, the second of three NHHA priority bills to mitigate barriers to discharge, establishes provisional eligibility for Medicaid nursing facility services in the long-term care Medicaid application process. A new fund would be established to make payments to long-term care facilities prior to a patient's full Medicaid enrollment when the patient is provisionally eligible so they could be moved out of the hospital and into an appropriate setting. Retroactive Medicaid payments would backfill the funds for other patients.
The bill was laid on the table in the Senate on March 27, 2025 to be included in the Senate version of the budget.
Position: Support

SB 288, establishing an advisory council on the system of care for healthy aging in New Hampshire
Prime Sponsor: Sen. Ruth Ward (R)
SB 288, the third NHHA priority bill to mitigate barriers to discharge, directs the State Commission on Aging to establish an Advisory Council on the System of Care for Healthy Aging. This council would be responsible for identifying cost savings and opportunities to increase access to long-term care.
The bill was amended and laid on the table on March 27, 2025, to be included in the Senate version of the budget.

Position: Support

HB 72, extending the commission to study telehealth services
Prime Sponsor: Rep. Jess Edwards (R)
HB 72 extends the repeal date of the Commission to Study Telehealth Services to June 30, 2026, and requires the commission to submit a report to the legislature. NHHA has an appointee on the commission from a member hospital.
The bill also adds language to synchronize state regulations with federal policy around prescribing schedule II through IV drugs via telehealth.
The bill has been approved by both bodies, and is now being prepared to go to the Governor's desk for signature or veto.
Position: Support

HB 254-FN, relative to options for end of life care
Prime Sponsor: Rep. Bob Lynn (R)
This bill is very similar to HB 1283 from the 2024 session. It would provide a system through which patients with a terminal illness could choose to take a medication that would end their life. The patient would need to have a prognosis of six months or less to live, have voluntarily made the request, and have the ability to self-administer the medications, among other requirements.
The bill was laid on the table by the House on March 20, 2025 by a vote of 183-182.
Position: Oppose

HEALTH CARE INFORMATION/PRIVACY

SB 138, relative to record requests by health care providers and establishing a committee to study access to medical records in the state of New Hampshire
Prime Sponsor: Sen. Tim McGough (R)
SB 138, as amended, would require that when a health care provider requests a patient's medical records, the records should be provided within 14 days at no cost; and creates a committee to study patient access to medical records.
The bill was voted ought to pass as amended in the Senate, and moved to the House Health, Human Services and Elderly Affairs committee for consideration. The House committee recommended the bill ought to pass with an amendment removing the study committee.
Position: Oppose

HB 560, relative to parental access to a minor child's medical records
Prime Sponsor: Rep. Melissa Litchfield (R)
HB 560, as amended, provides parents with access to their minor children's medical records, including patient portals, except under certain circumstances. NHHA is concerned about the bill in its entirety, but particularly the inclusion of the patient portal in the definition of medical record. NHHA testified in Senate Children and Family Law opposed to the bill as passed by the House but supports an amendment to address hospitals' concerns. The Senate Children and Family Law Committee has not yet acted on HB 560.
Position: Oppose

HEALTH COSTS

HB 743-FN, relative to patient access to health care prices and billing practices
Prime Sponsor: Rep. Julius Soti (R)

This bill resembles federal requirements for price estimates and hospital price transparency. It would require health care providers to inform patients of their ability to access price transparency information, and would require providers to include a notice about price transparency in "any written document provided to a patient prior to rendering health care treatment for the purpose of obtaining informed consent to that treatment."
NHHA testified with concerns in the House Health, Human Services and Elderly Affairs committee public hearing on February 12, 2025, acknowledging the requirements in HB 743 are redundant and increase unnecessary costs on both the state and providers.
HB 743-FN was voted inexpedient to legislate in the House on March 6, 2025. It will not move forward this session, and NHHA will watch for further legislation on price transparency this year and in future sessions.
Position: Oppose

HEALTH INSURANCE/OTHER INSURANCE

SB 67-FN, relative to workers' compensation and resolution of payment disputes
Prime Sponsor: Sen. Tim McGough (R)
SB 67 creates a 90-day timeline for workers' compensation dispute resolution, with 45 days for notification to carriers and 45 days to negotiate a settlement.
The bill swiftly passed the Senate as introduced, was heard in House Labor, Industrial and Rehabilitative Services on April 8, 2025. On the same day, the committee voted to recommend it inexpedient to legislate 18-0, and it was laid on the table in the House on May 1, 2025.
Position: Oppose

SB 126-FN, relative to notice of changes to provider contracts
Prime Sponsor: Sen. Kevin Avard (R)
NHHA has been pursuing a solution to unilateral provider contract changes for several legislative sessions. In response to the state of Maine implementing a similar statute, NHHA worked with Senator Avard to introduce SB 126. This bill would establish a predictable quarterly timeline for contract changes, would require carriers to redline their changes to original contracts, and require carriers to provide contracted providers with a good faith estimate of the financial implications from the changes.
NHHA testified in support of the bill in Senate Health and Human Services. The bill was voted inexpedient to legislate in the Senate. It will not move forward this session. NHHA will continue to advocate for more predictable provider contract changes.
Position: Support

LICENSING/CERTIFICATION

HB 82, relative to the regulation of various occupations
Prime Sponsor: Rep. Carol McGuire (R)
HB 82 is a comprehensive "clean-up" bill for the Office of Professional Licensure and Certification (OPLC). NHHA helped to author an amendment that clarifies the statute for how the Advisory Board of Medical Imaging and Radiation Therapy issues licenses.
The bill passed the House. The public hearing in Senate Executive Departments and Administration was held on April 9, 2025, and it is now waiting for a

recommendation from the committee.
Position: Support

HB 85-FN, relative to temporary licensure for student respiratory therapists
Prime Sponsor: Rep. Carol McGuire (R)
It was brought to the attention of NHHA prior to the 2024 session that there is a 22% vacancy rate for respiratory therapists across hospitals in New Hampshire. Working with HealthForce NH, a comprehensive group of stakeholders recommended legislation to establish a temporary, limited license for respiratory therapy students in line with surrounding states. HB 85 would allow temporary licensure for these students in New Hampshire health care settings.
NHHA testified in support of the bill in the House and Senate Executive Departments and Administration committees. The bill was recommended ought to pass by the Senate committee and awaits further action by the full Senate.
Position: Support

HB 223, relative to licensing requirements for health care facilities that operate within 15 miles of a critical access hospital
Prime Sponsor: Rep. Mark McLean (R)
HB 223 would remove the existing notice and review requirements for a new facility to establish services within 15 miles of a critical access hospital.
The Senate Health and Human Services Committee recommended the bill inexpedient to legislate. However, the House of Representatives included the language of HB 223 in their version of the budget. The NHHA has been actively engaged with senators to ensure the bill does not pass in any legislative vehicle.
Position: Oppose

HB 493, requiring education on child abuse and neglect for certain health care providers as a condition for licensure
Prime Sponsor: Rep. Gaby Grossman (D)
HB 493 would require training on child abuse and neglect for initial licensure and renewal for physicians, nurse practitioners and physician assistants. NHHA testified in the House Children and Family Law Committee and House Executive Departments and Administration Committee with concerns about the legislature mandating issue- specific training for providers, instead, preferring the licensing boards determine education requirements, not the legislature.
The bill was recommended inexpedient to legislate in House Executive Departments and Administration, on April 2, 2025. The bill was voted inexpedient to legislate 193-177 in the House on April 10, 2025.
Position: Oppose

HB 548-FN, relative to licensing requirements for health care facilities that operate on a membership-based business model
Prime Sponsor: Rep. Mark McLean (R)
HB 548 would allow certain direct-pay health care facilities to be licensed with specific exemptions for the existing licensing requirements to take all payors and support a charity care policy.
NHHA is opposed to the bill for several reasons, including concerns that direct-pay facilities would not be required to follow Centers for Medicare and Medicaid Services (CMS) safety conditions of participation; the establishment of a separate Patient Bill of Rights; and the consequence of a bifurcated health care system.
The Senate Health and Human Services Committee recommended the bill inexpedient to legislate. However, the House of Representatives included the language of HB 548 in their version of the budget. We will continue to vocalize our

concerns to ensure the bill does not pass in any legislative vehicle.
Position: Oppose

PRESCRIPTION DRUGS

SB 253-FN, relative to participation in the federal 340B Drug Pricing Program
Prime Sponsor: Sen. Tara Reardon (D)
SB 253 would close a loophole in the federal 340B Drug Pricing Program that allows for drug manufacturers to withhold 340B benefits when the qualifying provider uses a contracted pharmacy for patient access to medications. Several other states have enacted similar legislation.
NHHA testified in support of the bill during the public hearing on February 19, 2025, with support from several New Hampshire 340B-participating hospitals and other qualifying providers.
SB 253 was voted inexpedient to legislate in the Senate on March 6, 2025. The bill will not move forward this session.
Position: Support

SB 256-FN, relative to the affordability and safety of clinician administered drugs
Prime Sponsor: Sen. Tim McGough (R)
SB 256-FN is an attempt to regulate white-bagging and brown-bagging practices in the pharmaceutical and health care spaces. White-bagging refers to health insurers purchasing drugs on behalf of members through their specialty pharmacies and sending the drugs to a provider for administration. Brown-bagging is the practice of health insurers purchasing drugs for members through their specialty pharmacies, mailing it to the patient's home, and requiring them to bring the drugs to their provider for administration. NHHA believes that brown-bagging should be prohibited, and white-bagging should be prohibited when dosage and/or compounding is dependent on patient lab results at the time of administration. This bill had several flaws and NHHA voiced concerns with stakeholders and legislators. Given these concerns, NHHA encouraged the Senate Health and Human Services Committee to oppose passage and rerefer the bill to the committee for future consideration next session.
SB 256-FN was rereferred to committee.
Position: Oppose

PUBLIC HEALTH/HEALTH PROMOTION

HB 524-FN, repealing the New Hampshire vaccine association
Prime Sponsor: Rep. Michael Granger (R)
The New Hampshire Vaccine Association (NHVA) is a nonprofit organization responsible for purchasing discounted vaccines for children in New Hampshire utilizing funds from an assessment on insurance carriers licensed in NH. This bill would repeal the New Hampshire Vaccine Association.
HB 524-FN has been retained in the House Ways and Means committee and will not move forward this session.
Position: Oppose

WORKFORCE

SB 29, relative to membership, jurisdiction and reports of the health care

workplace safety commission and relative to health care facility reporting requirements under the workplace violence prevention program

Prime Sponsor: Sen. Cindy Rosenwald (D)

SB 29 is a request of the Health Care Workplace Safety Commission, making several administrative changes to the commission. The bill adds a representative of Hampstead Hospital to the commission. It also repeals the exemption of state-operated medical facilities to coincide with the addition of Hampstead Hospital, requires monthly incident reports to the Department of Labor, which manages the commission, and makes clarifications to the confidentiality of the annual reports. The bill was passed by both the House and Senate and now awaits the Governor's signature into law.

Position: Support

SB 244-FN-A, relative to expanding access to primary health care services, increasing the size of the health care workforce, and making appropriations therefor

Prime Sponsor: Sen. Cindy Rosenwald (D)

SB 244 would amend the contract that DHHS has with Bi-State Primary Care Association's Recruitment Center to expand the program and its funding, and would increase Medicaid reimbursement for opioid treatment providers, among other provisions. The bill was laid on the table in the Senate in order to include it in the Senate version of the budget.

Position: Support

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