Bill as Introduced

SB 219 – AS AMENDED BY THE SENATE

03/13/03 0572s

2003 SESSION

03-1199
05/09

SENATE BILL ***219***

AN ACT relative to superior court notice to health care regulatory boards of felony convictions of health care providers.

SPONSORS: Sen. Peterson, Dist 11

COMMITTEE: Judiciary

ANALYSIS

This bill limits the superior court clerk's notice obligation to those regulatory boards that the clerk reasonably believes license or regulate the convicted health care provider.

Explanation: Matter added to current law appears in ***bold italics.***
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

SB 219 – AS AMENDED BY THE SENATE

03/13/03 0572s

03-1199
05/09

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Three

AN ACT relative to superior court notice to health care regulatory boards of felony convictions of health care providers.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 Clerks of Court; Notice to Health Care Regulatory Boards. Amend RSA 499:10-a to read as follows:

499:10-a Notice to Health Care Regulatory Boards. Every clerk of the superior court shall, upon the felony conviction of any person licensed or registered as a health care provider in the state of New Hampshire, notify the appropriate health care regulatory board of such conviction. ***The clerk's duty under this section shall be limited to those instances where the clerk reasonably believes or knows that the person is a licensed health care provider.***

2 Effective Date. This act shall take effect 60 days after its passage.

Hearing Minutes

HOUSE COMMITTEE ON JUDICIARY

PUBLIC HEARING ON SB 219

BILL TITLE: relative to superior court notice to health care regulatory boards of felony convictions of health care providers.

DATE: Apr. 9, 2003

LOB ROOM: 208 **Time Public Hearing Called to Order:** 11:25 a.m.

Time Adjourned: 11:43 a.m.

(please circle if present)

Committee Members: Reps. Mock, Rowe, Jacobson, Ford, Dudley, Soltani, Woods, Rice, Souza, Desmarais, Haytayan, Mooney, Morris, Sorg, J. Wheeler, Wall, L. Pratt, Craig, Lasky, Potter, and Franklin.

Bill Sponsors: Sen. Peterson

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Rep. John M. Pratt, Walpole- Introduces bill on behalf of Sen. Peterson who is unable to be present.

Howard Zibel, NH Supreme Court, Judicial Branch, Concord- Supports. Under this bill, clerks of the Superior Court have an obligation to report convicted felons. They shall be reported to health care regulatory board if they become licensed or registered as a health care provider. No penalty in the bill.

RSA 137 J Sec. 1
RSA 130 A Sec. 1
RSA 140 C Sec. 2
> all have definitions of health care providers and all are different.

Questions:
Rep. Rowe
Rep. Wall
Rep. Craig
Rep. Souza +
Rep. Franklin
Rep. Jacobson
Rep. Woods
Rep. Mock

Respectfully Submitted,

Terri C. Dudley

Rep. Terri C. Dudley, Clerk

Voting Sheets

HOUSE COMMITTEE ON JUDICIARY

EXECUTIVE SESSION on SB 219

BILL TITLE: **relative to superior court notice to health care regulatory boards of felony convictions of health care providers.**

DATE: April 22, 2003

LOB ROOM: 208

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: (OTP) OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. John M. Pratt

Seconded by Rep. Frances D. Potter

Vote: 15-0 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: 15-0

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Terri C. Dudley, Clerk

OFFICE OF THE HOUSE CLERK 2003 SESSION

JUDICIARY

Bill #: SB 219 Title: _____

PH Date: 04/22/02 Exec Session Date: 04/22/02

Motion: OTP Amendment #: _____

MEMBER	YEAS	NAYS
Mock, Henry P, Chairman	✓	
Rowe, Robert H, V Chairman	✓	
Jacobson, Alf E	✓	
Ford, Nancy M	✓	
Dudley, Terri C, Clerk		
Soltani, Tony F		
Woods, Phyllis L	✓	
Rice, Thomas E P	✓	
Souza, Kathleen F	✓	
Desmarais, Vivian J	✓	
Haytayan, Harry M		
Mooney, Maureen C		
Morris, Richard W	✓	
Sorg, Gregory M	✓	
Wheeler, James E	✓	
Wall, Janet G		
Pratt, John	✓	
Craig, James W		
Lasky, Bette R	✓	
Potter, Frances D	✓	
Franklin, Peter E	✓	
TOTAL VOTE:	15	0

Printed: 1/23/2003

Committee Report

COMMITTEE REPORT

COMMITTEE: **Judiciary**

BILL NUMBER: **SB 219**

TITLE: relative to superior court notice to health care regulatory boards of felony convictions of health care providers.

DATE: April 22, 2003 CONSENT CALENDAR YES ☒ NO ☐

☒ OUGHT TO PASS

☐ OUGHT TO PASS WITH AMENDMENT

☐ INEXPEDIENT TO LEGISLATE

☐ REFER TO COMMITTEE FOR INTERIM STUDY
(Available only in second year of biennium.)

STATEMENT OF INTENT
(Include Committee Vote)

RSA 449:10-a in its present state requires superior court clerks to notify the appropriate Health Care Regulatory Board whenever a licensed or registered "health care provider" has been convicted of a felony. This amendment to the section limits those clerks' duty to report to those cases where the clerk "reasonably believes or knows" that the person convicted is a licensed health care provider. The committee felt that this change was reasonable since the definitions of "health care providers" appears in numerous statutes and in various contexts.

Vote 15-0.

Rep. John M. Pratt
FOR THE COMMITTEE

Original: House Clerk
cc: Committee Bill file

CONSENT CALENDAR

Judiciary

SB 219, relative to superior court notice to health care regulatory boards of felony convictions of health care providers. **OUGHT TO PASS**

Rep. John M. Pratt for Judiciary: RSA 449:10-a in its present state requires superior court clerks to notify the appropriate Health Care Regulatory Board whenever a licensed or registered "health care provider" has been convicted of a felony. This amendment to the section limits those clerks' duty to report to those cases where the clerk "reasonably believes or knows" that the person convicted is a licensed health care provider. The committee felt that this change was reasonable since the definitions of "health care providers" appears in numerous statutes and in various contexts. **Vote 15-0.**

SB 219 relative to superior court notice to health care regulatory boards of felony convictions of health care providers. OUGHT TO PASS.

Rep John M. Pratt for Judiciary. RSA 449:10-a in its present state requires superior court clerks to notify the appropriate Health Care Regulatory Board whenever a licensed or registered "health care provider" has been convicted of a felony. This amendment to the section limits those clerks' duty to report to those cases where the clerk "reasonably believes or knows" that the person convicted is a licensed health care provider. Vote 15-0

The committee felt that this change was reasonable since the definition of "health care provider" appears in numerous statutes and in various contexts.