CONSENT CALENDAR

March 8, 2023

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on Health, Human Services and Elderly Affairs to which was referred HB 215,

AN ACT relative to the adoption of rules by the department of health and human services regarding medication administration by licensed nursing assistants. Having considered the same, report the same with the recommendation that the bill OUGHT TO PASS.

Rep. David Nagel

FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

COMMITTEE REPORT

Committee:	**Health, Human Services and Elderly Affairs**
Bill Number:	**HB 215**
Title:	**relative to the adoption of rules by the department of health and human services regarding medication administration by licensed nursing assistants.**
Date:	**March 8, 2023**
Consent Calendar:	**CONSENT**
Recommendation:	**OUGHT TO PASS**

STATEMENT OF INTENT

It is the unanimous belief of the committee based on review of testimony and a review of current statute that there is a substantial labor shortage in our health care facilities which creates a problem with access to care for those in need of these services. Improving the efficiency of the provision of certain services within these facilities such as medication dispensing by licensed nursing assistants authorized to administer medication pursuant to RSA 326-B:14, II-a, with reimbursement for this service, can free up nurses and others to provide other needed services and improve both care within the facility and access to admission to these facilities. It is the unanimous belief of the committee that this bill is needed legislation that provides a strong and positive step towards achieving these efficiencies.

Vote 20-0.

Rep. David Nagel
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Health, Human Services and Elderly Affairs

HB 215, relative to the adoption of rules by the department of health and human services regarding medication administration by licensed nursing assistants. **OUGHT TO PASS.**

Rep. David Nagel for Health, Human Services and Elderly Affairs. It is the unanimous belief of the committee based on review of testimony and a review of current statute that there is a substantial labor shortage in our health care facilities which creates a problem with access to care for those in need of these services. Improving the efficiency of the provision of certain services within these facilities such as medication dispensing by licensed nursing assistants authorized to administer medication pursuant to RSA 326-B:14, II-a, with reimbursement for this service, can free up nurses and others to provide other needed services and improve both care within the facility and access to admission to these facilities. It is the unanimous belief of the committee that this bill is needed legislation that provides a strong and positive step towards achieving these efficiencies. **Vote 20-0.**

Original: House Clerk
Cc: Committee Bill File

HOUSE COMMITTEE ON HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

EXECUTIVE SESSION on HB 215

BILL TITLE: relative to the adoption of rules by the department of health and human services regarding medication administration by licensed nursing assistants.

DATE: March 8, 2023

LOB ROOM: 201-203

MOTIONS: OUGHT TO PASS

Moved by Rep. Nagel Seconded by Rep. Nutter-Upham Vote: 20-0

CONSENT CALENDAR: YES

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep Bill King, Clerk

HOUSE COMMITTEE ON HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

EXECUTIVE SESSION on Bill # HB215

BILL TITLE: ...

DATE: 3/8/23

LOB ROOM: 201 – 203

MOTION: (Please check one box)

☑ OTP ☐ ITL ☐ Retain (1st year) ☐ Adoption of Amendment # _____ *(if offered)*

☐ Interim Study (2nd year)

Moved by Rep. NAGIEC Seconded by Rep. NUTTER-UPHAM Vote: 20-0

MOTION: (Please check one box)

☐ OTP ☐ OTP/A ☐ ITL ☐ Retain (1st year) ☐ Adoption of Amendment # _____ *(if offered)*

☐ Interim Study (2nd year)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

MOTION: (Please check one box)

☐ OTP ☐ OTP/A ☐ ITL ☐ Retain (1st year) ☐ Adoption of Amendment # _____ *(if offered)*

☐ Interim Study (2nd year)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

MOTION: (Please check one box)

☐ OTP ☐ OTP/A ☐ ITL ☐ Retain (1st year) ☐ Adoption of Amendment # _____ *(if offered)*

☐ Interim Study (2nd year)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

CONSENT CALENDAR: ✓ YES ____ NO

Minority Report? _____ Yes _____ No If yes, author, Rep: _____ Motion _____

Respectfully submitted: Bill Gunn

STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

1/6/2023 12:36:33 PM
Roll Call Committee Registers Report

2023 SESSION

Health, Human Services and Elderly Affairs

Bill #: ~~HB199~~ HB215 Motion: OTP AM #: _____ Exec Session Date: 3/8/23

Members	YEAS	Nays	NV
~~MacDonald, Wayne D. Chairman~~			
Layon, Erica J. Vice Chairman	20		
Cushman, Leah P.	1		
King, Bill C. Clerk	2		
Kofalt, Jim	3		
McLean, Mark	4		
King, Seth	5		
Mazur, Lisa R	6		
Nagel, David J	7		
Polozov, Yury	8		
Weber, Lucy M. LOVE, DAVID	9 10		
MacKay, James R.	11		
Freitas, Mary C.	12		
Cannon, Gerri D.	13		
Nutter-Upham, Frances E.	14		
Schapiro, Joe	15		
~~Merchant, Gary~~ MERCHANT, HOWARD, MOLLY	16		
Murphy, James Michael	17		
Palmer, William S	18		
~~Tellez, Trinidad~~ SELIG, LOREN	19		
TOTAL VOTE:	20	0	

HOUSE COMMITTEE ON HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

PUBLIC HEARING ON HB 215

BILL TITLE: **relative to the adoption of rules by the department of health and human services regarding medication administration by licensed nursing assistants.**

DATE: **March 1, 2023**

LOB ROOM: **210-211** **Time Public Hearing Called to Order:** **9:03 AM**

Time Adjourned: **9:31 AM**

Committee Members: Reps. W. MacDonald, Layon, B. King, Cushman, Kofalt, McLean, S. King, Mazur, Polozov, MacKay, Freitas, Cannon, Nutter-Upham, Merchant and J. Murphy

Bill Sponsors:
Rep. M. Pearson **Rep. McMahon** **Rep. Nagel**
Rep. Palmer **Rep. J. Murphy**

TESTIMONY

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

Rep. Mark Pearson – Rockingham #34 – Prime sponsor
- LNAs take a course to administer medications
- Fed Government will not reimburse
- This to help with nursing shortage

John Williams and Brian Clark – DHHS – Information
- Looking at general funds - $20,000 modest funds
- Information, but support these initiatives

Q: Rep. Cushman – Is Medicaid already paying for similar training?
A: Yes
Q: Rep. Cushman – How does this language allow for more funding?
A: This bill would expand
Q: Rep. Murphy – What drugs are they able to administer?
A: Not aware
Q: Rep. Layon – Scope of training?
A: Not expanding – already exist

David Ross – Hillsborough – Supports

***Kate Horgan – NH Association of Counties – Supports**
- Looking to train 100 LNAs at $2,000 for a total of $200,000

Q: Rep. McClean – When complete is there a compensation increase?
A: Yes, it varies at facilities but $2,000/year
Q: Rep. Murphy – Will this allow to open more beds?
A: Yes, this is our hope
Q: Rep. Can this be applied to LDN?
A: I'm not sure, but it helps increase their knowledge
Q: Rep. Polozov – Goal to help work shortage – can we amend the bill to reduce once staffing?
A: We had a shortage before COVID
Q: Rep. Cushman – Are counties already doing this?

A: Yes, but no mechanism
Q: Rep. Lanza – Certain counties?
A: Throughout the state

John Williams & Mark Pearson

- To clarify – this is not a financial note – not asking for money

Q: Rep. Layon – Does this enable legislation?
A: Already in existing law – this is important program and this bill will provide a mechanism to get funds
Q: Rep. Kofalt – Does this shift responsibility?
A: This will hopefully help with current shortages
Q: Rep. Layon – What is the definition of "assistant to nurses"?
A: That is current law – if you want to clean up definitions in an amendment

Respectfully submitted,

Rep. Bill King, Clerk

SIGN UP SHEET

To Register Opinion If Not Speaking

Bill #: HB215 Date: 3/1/23

Committee: HHS & EA

**** Please Print All Information ****

Name	Address	Phone	Representing	Pro	Con

House Remote Testify

Health, Human Services and Elderly Affairs Committee Testify List for Bill HB215 on 2023-03-01

Support: 5 Oppose: 2 Neutral: 0 Total to Testify: 0

Export to Excel

Name	City, State Email Address	Title	Representing	Position	Testifying	Non-Germane	Signed Up
Campion, Polly	Etna, NH pollykcampion@gmail.com	A Member of the Public	Myself	Support	No	No	2/25/2023 4:09 PM
Richardson, Daniel	Nashua, NH daniel6_22@comcast.net	A Member of the Public	Myself	Oppose	No	No	2/27/2023 11:29 AM
Richardson, Shelley	Laconia, NH srichardson@belknapcounty.gov	A Member of the Public	Belknap County	Support	No	No	2/28/2023 8:50 AM
Kindopp, Kathryn	Westmoreland, NH kkindopp@co.cheshire.nh.us	A Member of the Public	Cheshire County	Support	No	No	2/28/2023 2:48 PM
Palmer, William	Cornish, NH Wpalmernh@gmail.com	An Elected Official	Myself	Support	No	No	3/1/2023 7:57 AM
Condon, Laura	Bedford, NH lauracondon49@gmail.com	A Member of the Public	Myself	Oppose	No	No	3/1/2023 9:23 AM
Labore, Craig	North Haverhill, NH clabore@graftoncountynh.gov	A Member of the Public	Myself	Support	No	No	3/1/2023 1:47 PM

County Commissioners
Peter Spanos
Glen Waring
Stephen Hodges

Shelley Richardson RN, BSAS, NHA
Nursing Home Administrator
srichardson@belknapcounty.gov

Amanda Gallagher, MBA, BSN, RN, DNS-CT, CDP, DON
Director of Nursing Services
agallagher@belknapcounty.gov

BELKNAP COUNTY NURSING HOME
30 County Drive
Laconia, New Hampshire 03246
Phone: 603-527-5410
Fax: 603-527-5419
www.belknapcounty.gov

The Honorable Rick Ladd, Chairman
House Education Committee
New Hampshire State House
Concord, NH 03301

Good morning Chairman Ladd and Members of the House Education Committee.

My name is Shelley Richardson. I am the Nursing Home Administrator at Belknap County Nursing Home in Laconia New Hampshire.

I am writing to request the adoption of HB 215.

This bill will assist in part, a path to addressing nursing staffing shortages in nursing homes. By allowing increased trained LNA staff to participate in the task of medication administration, licensed nursing will be more available to provide their skills for assessing residents, supervising their units, and enhancing the provision of quality care.

This bill also provides growth and opportunity for career development to those candidates who want to move forward in a health career path.

Please support this bill for the future of healthcare is in a critical state and requires navigating new ways to provide care during this workforce shortage.

Respectfully,

Shelley Richardson, RN, BSAS, NHA
Nursing Home Administrator
Association of Counties Nursing Home Affiliate President

Maplewood
OF CHESHIRE COUNTY
YOUR HOME... YOUR FAMILY

2/28/23

To Whom it may concern,

I am writing in support of HB 215 to include reimbursement under the state approved program under RSA 326-B for licensed nursing assistants authorized to administer medication pursuant to RSA 326-B:14, II-a.

We need to remove any and all barriers and enable all support and creation for all licensed nursing assistants including those authorized to administer medications as this bill intends.

Please support this initiative in our state.

Thank-you,

Kathryn Kindopp
Nursing Home Administrator
Maplewood of Cheshire County

Daniel Richardson

Licensed Nursing Assistants? This is a race to the rock bottom wage labor grade. No HS dropout GED for me thanks. I've had blood drawers from hell who cannot properly insert a needle.

I hope this will help deal with the nursing shortage.

Laura Condon

Seniors are at increased risk of harm from prescription drugs and to protect them from harm, it is important that well-trained professionals oversee and administer the drugs they are prescribed so as to be able to evaluate adverse effects. This is an unsafe way to attempt to address the workforce issue.

Craig Labore

Dear HHS and Elderly Affairs Committee Members:

My name is Craig Labore and I am the Administrator of the Grafton County Nursing Home, located in North Haverhill, New Hampshire. I am writing today, to express my support for HB 215.

In my position as Nursing Home Administrator for Grafton County Nursing Home, I have seen first hand the important role which medication nursing assistants (MNAs) play in the staffing of a 24/7/365 healthcare facility. We are quite fortunate to have two full-time MNAs on our staff and each play an integral role in helping ensure our nursing home meets the care needs of our residents, through the ability of filling openings in our schedule when we do not have nurses available to serve a portion of a shift. This has become increasingly important given our current healthcare workforce challenges. The role of the MNA brings a stabilizing element to our nursing schedule, which is so important given our current workforce needs. Perhaps more importantly, the role of the MNA allows for a career path for licensed nursing assistants (LNAs) to follow, providing growth opportunities for individuals who may not have the ability, due to financial obligations, or other personal circumstances, such as family commitments, to pursue a nursing degree. As written, this legislation would afford individuals an opportunity have a career path, while also providing financial assistance to them for the approved training program that they participate in.

In closing, I fully support HB 215 and can speak first hand to the importance of this legislation and the impact it will have on a desperate and tired healthcare workforce.

Thank you for your consideration of this letter.

Sincerely,

Craig J. Labore
Administrator
Grafton County Nursing Home
3855 Dartmouth College Highway
North Haverhill, NH 03774
Tel: 603-787-6971

(4)

President
Wendy Piper
Grafton County Commissioner

Vice President
Cathy Stacey
Rockingham Register of Deeds

At Large Member
Toni Pappas
Hillsborough County Commissioner

At Large Member
Ross Cunningham
Merrimack County Administrator

Association of Counties

11 South Main Ste. 200
Concord, NH 03301

info@nhcouties.org

www.nhcounties.org

Immediate Past President
Chuck Weed
Cheshire County Commissioner

Treasurer
Charles Nickerson
Rockingham Finance Director

Bylaws Chair
Chris Coates
Cheshire County Administrator

March 1, 2023

The Honorable Wayne MacDonald
Chairman
House Health, Human Services and Elderly Affairs Committee
NH State House
Concord, NH 03301

Chairman MacDonald and Members of the House Health, Human Services & Elderly Affairs Committee,

The NH Association of Counties would like to express support for HB 215, relative to the adoption of rules by the department of health and human services regarding medication administration by licensed nursing assistants.

This bill would allow the Department of Health and Human Services to adopt rules that would permit licensed nursing assistants (LNA's) who take the extra course to pass medication, to participate in the tuition reimbursement program under the state Medicaid plan. The NH Association of Counties worked closely with NH DHHS over the summer to ensure that these LNA's would be properly included. This change would encourage LNA's to expand their careers and assist with the work force shortage that long term care is facing, even if in a small way.

The Association would ask that you vote HB 215 ought to pass. If you have any questions, please contact Kate Horgan at KHorgan@dupontgroup.com.

Sincerely,

Wendy Piper

Wendy Piper
President
NH Association of Counties

HB 215 - AS INTRODUCED

2023 SESSION

23-0425
05/10

HOUSE BILL ***215***

AN ACT relative to the adoption of rules by the department of health and human services regarding medication administration by licensed nursing assistants.

SPONSORS: Rep. M. Pearson, Rock. 34; Rep. McMahon, Rock. 17; Rep. Nagel, Belk. 6; Rep. Palmer, Sull. 2; Rep. J. Murphy, Graf. 12

COMMITTEE: Health, Human Services and Elderly Affairs

ANALYSIS

This bill directs the department of health and human services to adopt administrative rules regarding medication administration by licensed nursing assistants in accordance with the state Medicaid plan.

- -

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.

HB 215 - AS INTRODUCED

23-0425
05/10

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to the adoption of rules by the department of health and human services regarding medication administration by licensed nursing assistants.

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

1 Rulemaking; Licensed Nursing Assistants Authorized to Administer Medication. Amend RSA 151:9, I(k) to read as follows:

(k) Procedures for reviewing documentation of the mandatory completion of, and reimbursement for, a state approved program under RSA 326-B for assistants to nurses ***and licensed nursing assistants authorized to administer medication pursuant to RSA 326-B:14, II-a,*** in facilities licensed under RSA 151:2 in accordance with the Title XIX Medicaid state plan.

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