LEGISLATIVE COMMITTEE MINUTES

SB58

Bill as Introduced

SB 58 - AS INTRODUCED

2023 SESSION

23-0797
04/07

SENATE BILL *58*

AN ACT relative to arrests without a warrant while in the care of a medical professional on the premises of a residential care or health care facility.

SPONSORS: Sen. Gray, Dist 6; Sen. Bradley, Dist 3; Sen. Gannon, Dist 23; Sen. Carson, Dist 14; Sen. Rosenwald, Dist 13

COMMITTEE: Judiciary

ANALYSIS

This bill authorizes a law enforcement officer to arrest a person without a warrant for interfering with the provision of medically-necessary health care services.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 58 - AS INTRODUCED

23-0797
04/07

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to arrests without a warrant while in the care of a medical professional on the premises of a residential care or health care facility.

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

1 Arrests in Criminal Cases; Arrest Without a Warrant. Amend RSA 594:10, I to read as follows:

I. An arrest by a peace officer without a warrant on a charge of a misdemeanor or a violation is lawful whenever:

(a) [~~He~~] ***The peace officer*** has probable cause to believe that the person to be arrested has committed a misdemeanor or violation in [~~his~~] ***the peace officer's*** presence; or

(b) [~~He~~] ***The peace officer*** has probable cause to believe that the person to be arrested has within the past 12 hours committed abuse as defined in RSA 173-B:1, I against a person eligible for protection from domestic violence as defined in RSA 173-B:1, has within the past 12 hours violated a temporary or permanent protective order issued under RSA 173-B or RSA 458:16 by committing assault, criminal trespass, criminal mischief or another criminal act, or has within the last 12 hours violated stalking provisions under RSA 633:3-a.

(c) [~~He~~] ***The peace officer*** has probable cause to believe that the person to be arrested has committed a misdemeanor or violation, and, if not immediately arrested, such person will not be apprehended, will destroy or conceal evidence of the offense, [~~or~~] will cause further personal injury or damage to property, ***or, while in the care of a medical professional on the premises of a residential care or health care facility as defined in RSA 151:2, through actual or threatened violence, interfere in the provision of medically-necessary health care services.***

2 Effective Date. This act shall take effect upon its passage.

03/30/2023 1226s

2023 SESSION

23-0797
04/07

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SPONSORS: Sen. Gray, Dist 6; Sen. Bradley, Dist 3; Sen. Gannon, Dist 23; Sen. Carson, Dist 14; Sen. Rosenwald, Dist 13

COMMITTEE: Judiciary

AMENDED ANALYSIS

This bill allows for health care providers to reasonably detain any person believed to have committed certain offenses against health care providers, or patients actively receiving treatment by a health care provider, at a licensed health care facility as long as necessary to surrender the person to a peace officer.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

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

1 Criminal Code; Justification; Use of Force by Merchants, Motion Picture Theater Owners, and Health Care Providers. Amend RSA 627:8-a to read as follows:

627:8-a Use of Force by Merchants, ***Motion Picture Theater Owners, and Health Care Providers.***

I. A merchant, or his or her agent, is justified in detaining any person who he or she has reasonable grounds to believe has committed the offense of willful concealment, as defined by RSA 637:3-a, on his or her premises as long as necessary to surrender the person to a peace officer, provided such detention is conducted in a reasonable manner.

II. A motion picture theater owner, or his or her agent, is justified in detaining any person who he or she has reasonable grounds to believe has committed the offense of unauthorized recording in a motion picture theater on his or her premises, as defined by RSA 644:19, as long as necessary to surrender the person to a peace officer, provided such detention is conducted in a reasonable manner.

III. ***A health care provider, or his agent, is justified in detaining any person who he or she has reasonable grounds to believe has committed an assault offense, as defined in RSA 631:1, 631:2, 631:2-a, domestic violence as defined in RSA 631:2-b, or criminal threatening as defined in RSA 631:4 against a health care provider or a patient actively receiving treatment by a health care provider, in a health care facility licensed under RSA 151:2, as long as necessary to surrender the person to a peace officer, provided such detention is conducted in a reasonable manner.***

IV. Notwithstanding RSA 594:10, a peace officer may arrest a person who has been detained pursuant to this section, without a warrant, if the peace officer has probable cause to believe that the person has committed the offense [~~of willful concealment~~] ***identified in paragraphs I, II, or III of this section*** and if the merchant, ***motion picture theater owner, or health care provider,*** or his or her agent witnessed the offense or, ***in the case of paragraph I of this section,*** if the unlawfully obtained goods or merchandise of the store were recovered from the person.

2 Effective Date. This act shall take effect upon its passage.

SB 58 - AS AMENDED BY THE HOUSE

03/30/2023 1226s
8Jun2023... 1490h

2023 SESSION

23-0797
04/07

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23-0797
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(c) [~~He~~] ***The peace officer*** has probable cause to believe that the person to be arrested has committed a misdemeanor or violation, and, if not immediately arrested, such person will not be apprehended, will destroy or conceal evidence of the offense, [~~or~~] will cause further personal injury or damage to property, ***or, while in the care of a medical professional on the premises of a residential care or health care facility as defined in RSA 151:2, through actual or threatened violence, interfere in the provision of heath care services that a licensed medical professional has determined to be medically necessary.***

2 Effective Date. This act shall take effect upon its passage.

SB 58 - VERSION ADOPTED BY BOTH BODIES

03/30/2023 1226s
8Jun2023... 1490h

2023 SESSION

23-0797
04/07

SENATE BILL ***58***

AN ACT relative to arrests without a warrant while in the care of a medical professional on the premises of a residential care or health care facility.

SPONSORS: Sen. Gray, Dist 6; Sen. Bradley, Dist 3; Sen. Gannon, Dist 23; Sen. Carson, Dist 14; Sen. Rosenwald, Dist 13

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23-0797
04/07

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2 Effective Date. This act shall take effect upon its passage.

CHAPTER 227
SB 58 - FINAL VERSION

03/30/2023 1226s
8Jun2023... 1490h

2023 SESSION

23-0797
04/07

SENATE BILL *58*

AN ACT relative to arrests without a warrant while in the care of a medical professional on the premises of a residential care or health care facility.

SPONSORS: Sen. Gray, Dist 6; Sen. Bradley, Dist 3; Sen. Gannon, Dist 23; Sen. Carson, Dist 14; Sen. Rosenwald, Dist 13

COMMITTEE: Judiciary

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This bill authorizes a law enforcement officer to arrest a person without a warrant for interfering with the provision of medically-necessary health care services.

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CHAPTER 227
SB 58 - FINAL VERSION

03/30/2023 1226s
8Jun2023... 1490h

23-0797
04/07

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to arrests without a warrant while in the care of a medical professional on the premises of a residential care or health care facility.

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

227:1 Arrests in Criminal Cases; Arrest Without a Warrant. Amend RSA 594:10, I to read as follows:

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(c) [~~He~~] ***The peace officer*** has probable cause to believe that the person to be arrested has committed a misdemeanor or violation, and, if not immediately arrested, such person will not be apprehended, will destroy or conceal evidence of the offense, [~~or~~] will cause further personal injury or damage to property***, or, while in the care of a medical professional on the premises of a residential care or health care facility as defined in RSA 151:2, through actual or threatened violence, interfere in the provision of heath care services that a licensed medical professional has determined to be medically necessary.***

227:2 Effective Date. This act shall take effect upon its passage.

Approved: August 04, 2023
Effective Date: August 04, 2023

Amendments

Sen. Gray, Dist 6
March 27, 2023
2023-1226s
07/10

Floor Amendment to SB 58

Amend the bill by replacing all after the enacting clause with the following:

1 Criminal Code; Justification; Use of Force by Merchants, Motion Picture Theater Owners, and Health Care Providers. Amend RSA 627:8-a to read as follows:

627:8-a Use of Force by Merchants, ***Motion Picture Theater Owners, and Health Care Providers.***

I. A merchant, or his or her agent, is justified in detaining any person who he or she has reasonable grounds to believe has committed the offense of willful concealment, as defined by RSA 637:3-a, on his or her premises as long as necessary to surrender the person to a peace officer, provided such detention is conducted in a reasonable manner.

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IV. Notwithstanding RSA 594:10, a peace officer may arrest a person who has been detained pursuant to this section, without a warrant, if the peace officer has probable cause to believe that the person has committed the offense [~~of willful concealment~~] ***identified in paragraphs I, II, or III of this section*** and if the merchant, ***motion picture theater owner, or health care provider,*** or his or her agent witnessed the offense or, ***in the case of paragraph I of this section,*** if the unlawfully obtained goods or merchandise of the store were recovered from the person.

2 Effective Date. This act shall take effect upon its passage.

2023-1226s

AMENDED ANALYSIS

This bill allows for health care providers to reasonably detain any person believed to have committed certain offenses against health care providers, or patients actively receiving treatment by a health care provider, at a licensed health care facility as long as necessary to surrender the person to a peace officer.

Sen. Rosenwald, Dist 13
March 29, 2023
2023-1251s
07/10

Floor Amendment to SB 58

Amend RSA 594:10, I(c) as inserted by section 1 of the bill by replacing it with the following:

(c) [~~He~~] ***The peace officer*** has probable cause to believe that the person to be arrested has committed a misdemeanor or violation, and, if not immediately arrested, such person will not be apprehended, will destroy or conceal evidence of the offense, [~~or~~] will cause further personal injury or damage to property, ***or, while in the care of a medical professional on the premises of a residential care or health care facility as defined in RSA 151:2, through actual or threatened violence, interfere in the provision of health care services that a licensed medical professional has determined to be medically necessary.***

Committee Minutes

SENATE CALENDAR NOTICE
Judiciary

Sen Sharon Carson, Chair
Sen Bill Gannon, Vice Chair
Sen Daryl Abbas, Member
Sen Rebecca Whitley, Member
Sen Shannon Chandley, Member

Date: January 12, 2023

HEARINGS

Tuesday	01/17/2023
(Day)	(Date)

Judiciary	State House 100	1:00 p.m.
(Name of Committee)	(Place)	(Time)

1:00 p.m.	**EXECUTIVE SESSION ON PENDING LEGISLATION**	
1:15 p.m.	**SB 48**	relative to the definition of "way" for the purposes of driving after revocation or suspension.
1:30 p.m.	**SB 59**	relative to the director of charitable trusts.
1:45 p.m.	**SB 58**	relative to arrests without a warrant while in the care of a medical professional on the premises of a residential care or health care facility.
2:00 p.m.	**SB 43**	relative to a needs assessment for juvenile minors who are residents of New Hampshire.

EXECUTIVE SESSION MAY FOLLOW

Sponsors:
SB 48

Sen. Innis

SB 59

Sen. Gray	Sen. Gannon	Sen. Carson	Rep. Lynn
Rep. Potucek			

SB 58

Sen. Gray	Sen. Bradley	Sen. Gannon	Sen. Carson
Sen. Rosenwald			

SB 43

Sen. Carson	Sen. Birdsell	Sen. Whitley	Rep. Alexander Jr.
Rep. Lynn			

Matthew Schelzi 271-3266

Sharon M. Carson
Chairman

Senate Judiciary Committee

Matthew Schelzi 271-3266

SB 58, relative to arrests without a warrant while in the care of a medical professional on the premises of a residential care or health care facility.

Hearing Date: January 17, 2023

Members of the Committee Present: Senators Carson, Abbas, Whitley and Chandley

Members of the Committee Absent: Senator Gannon

Bill Analysis: This bill authorizes a law enforcement officer to arrest a person without a warrant for interfering with the provision of medically-necessary health care services.

Sponsors:

Sen. Gray	Sen. Bradley	Sen. Gannon
Sen. Carson	Sen. Rosenwald	

—

Who supports the bill: Paula Minnehan (NH Hospital Association), Celina Frost (Convenient MD), Henry Veilleux (HCA), Michael Padmore (NH Medical Society), Dr. Thomas Lydon, Pam DiNapoli, Carla Smith, Paul Fulone, John Patti, Senator James Gray (District 6), Senator Sharon Carson (District 14), Marcy Doyle, Carol Townsend, Raelene Shippee-Rice, Polly Campion, Senator Cindy Rosenwald (District 13), Susan Smith, and Kim Danis.

Who opposes the bill: In total, 96 individuals signed in in opposition to SB 58. The full sign in sheets are available upon request to the Legislative Aide, Matthew Schelzi.

Who is neutral on the bill: None.

Summary of testimony presented in support:

Senator Gray introduced Senate Bill 58. He said he chaired the Commission that came up with the language for SB 459-FN (2022). He said the Commission tried to tailor this language very narrowly, so that people who cannot leave their job, and are getting assaulted, would be able to call the police. The police would then be able

to make a warrantless arrest. He said, currently, if someone is acting inappropriately, the police must get a warrant before the arrest. He noted section C of SB 58 has a provision that will allow law enforcement to make an arrest if they have probable cause in a health care setting. He noted for those who are concerned with due process, the rest of the bill that was passed last year requires that hospitals and officers practice de-escalation techniques first. Senator Gray said the officer will know if there is a threat because they have used de-escalation techniques. He said it is probably going to be rare to invoke this part of the statute. He said this warrantless arrest statue is tailored very narrowly, and only for people who can't leave their job in a health care setting.

Paula Minnehan, Senior Vice President for State Government Relations at the New Hampshire Hospital Association, accompanied by **John Patti**, Director of Services at Catholic Medical Center, said they are in strong support of this bill. Ms. Minnehan noted the language in the bill was in SB 459-FN (2022), which was the health care violence prevention bill that passed into law. The language of SB 58 was removed from SB 459-FN (2022) because the House Health, Human Services, and Elderly Affairs Committee said the language in this bill should have been heard in the House Criminal Justice and Public Safety Committee instead. SB 100 (2020) was the bill to create a study committee on workplace safety. The study committee was chaired by Sen. Gray, and they worked closely to come up with the language in SB 58. She noted the issue that this bill addresses is not a pandemic issue; it has been going on long before the pandemic.

Mr. Patti said the statistics indicate that health care workers are four to five times more likely than other private industry employees to be the victim of workplace violence. He said on many occasions they would call the police to report an assault on a health care employee, only to be told by the police that they would not make a warrantless arrest. He said health care workers are having to remain near their attacker because the police will not make a warrantless arrest. He noted the police are basing the decision to not arrest on language in RSA 594:10. He stated the current language essentially requires the officer to predict future behavior of the suspect to make a warrantless arrest. As a former state trooper, and now director at a hospital, he would like to revise this statute to create safety for healthcare workers.

Senator Abbas asked if there must be an actual or physical threat of violence to perform the warrantless arrest.

Mr. Patti said that was correct.

Sen. Abbas asked if it must interfere with medically necessary health care services. He asked if the idea of this bill is to protect those who are providing medical services.

Mr. Patti said yes. He said they wanted to limit the scope of this language, so it must be directly related to the care.

Sen. Abbas said he believes this is a narrow application for when it would apply. He said if a doctor is being attacked in the cafeteria of the hospital the statute won't apply. He wondered if they should broaden the language.

Mr. Patti said it is intended for patients assaulting health care workers as opposed to a visitor. He said police can remove a visitor, but a patient cannot be removed if they are not medically cleared. He said this statute is intended for patients attacking health care workers.

Sen. Abbas said he believes the language will only apply if a doctor is in the emergency room or performing medically necessary services. He asked if the language is intended to be that narrow.

Mr. Patti said he was conscious of the concerns raised by some, so he made the language narrow. He said it's important to understand police have the authority to make a warrantless arrest currently. This law is just clarifying that they may also make a warrantless arrest in a health care setting.

Paul Fulone, Director of Security at St. Joseph's Hospital, said he supports SB 58. He said over the last three years they have seen a rise in workplace violence against healthcare workers. He said this bill provides a much-needed step in the right direction. He said law enforcement cannot always make an arrest, and it causes the victim to feel unsupported and unimportant. He said this bill will send a strong message to perpetrators.

Senator Carson asked if law enforcement would be able to make a warrantless arrest for someone who committed inappropriate touching or sexual assault.

Mr. Fulone said yes, as that would be considered workplace violence.

Carla Smith is a registered nurse in New Hampshire. She noted her scope of practice as a registered nurse is in RSA 326-B:12. She said a registered nurse must provide care for all clients, but that violence does not only happen in an emergency room. She said RSA 326-B:33 states that a nurse's duty is to warn of a client's behavior. She said she supports SB 58, and that it is long overdue.

Dr. Thomas Lydon is an emergency room doctor and is representing the NH Medical Society and the Chapter of the American College of Emergency Physicians. He said his organizations are in support of this bill. He said the wording is specific but thinks it is right. He noted in the post-pandemic world many nurses have left the field. He said he currently has no people to work on registrations or technicians because they have quit. He said wait times have been as long as eight hours in certain hospitals. Dr. Lydon said there has been increased violence in the emergency rooms over the last several years. This bill will give law enforcement the ability to arrest those who threaten health care workers. He said the bill is not aimed at people with mental health issues, but just for those who assault healthcare workers.

Sen. Abbas asked, if violence were to be reported to law enforcement, how would the staff explain to law enforcement that the violence interfered with medically necessary healthcare services without making violations of the Health Insurance Portability and Accountability Act of 1996.

Dr. Lydon said he isn't an expert on HIPAA so he can't speak to it.

Pamela DiNapoli, said she represents the New Hampshire Nurses Association, and said SB 459-FN (2022) defined violence as verbal, physical, or sexual aggression, harassment, or intimidation. She said this issue has been an issue for nurses for a long time. They did a study in 2019 and found out that violence in the workplace is a serious problem. They repeated that study in 2022 and the evidence was that 75% of nurses had been subject to violence in the past six months. She said only 43% of nurses felt protected at work. She noted this bill will give some tools to the nurses. As of now, all they can do is an administrative discharge, but patients can still come back through the emergency room. This bill will hopefully stop that cycle. She said a cafeteria worker would also be protected by this bill because feeding a patient would be considered medical care. She said all the nurses are asking for is policies that will make them feel safe in the workplace.

Summary of testimony presented in opposition:

Representative Kelley Potenza said there were several people last year who voiced opposition against SB 459-FN (2022). She said she was involved in what happened during the COVID-19 pandemic and was an advocate for several patients who were in hospitals. She said she assisted a wife who wanted information on her husband during the pandemic, but the hospital said the wife was threatening them, and the hospital called the police on her. Rep. Potenza said SB 58 is unconstitutional. She believed that the bill opens the door up for abuse and believes it will silence those with dissenting opinions. She said she strongly opposes this bill.

Neutral Information Presented: None.

mjs
Date Hearing Report completed: January 24, 2023

Speakers

Senate Judiciary Committee
SIGN-IN SHEET

Date: Tuesday January 17th, 2023 **Time:** 1:45 p.m.

SB 58 AN ACT relative to arrests without a warrant while in the care of a medical professional on the premises of a residential care or health care facility

Name/Representing *(please print neatly)*

	Support	Neutral	Oppose	Speaking?	Yes	No
Rep Alvin See	☐	☐	☑		☐	☑
Paula Minehan NH Hospital Association	☑	☐	☐		☒	☐
Celina Frost Conveniently	☒	☐	☐		☐	☒
Henry Veilleux, HCA	☑	☐	☐		☐	☑
Michael Padmore - NH Medical Society	☑	☐	☐		☐	☑
Dr. Thomas Lydon	☑	☐	☐		☑	☐
Paul Dimpel	☒	☐	☐		☑	☐
Carla Smith	☒	☐	☐		☒	☐
Rep. Kelley Potenza	☐	☐	☒		☒	☐
Paul Fuhrer	☑	☐	☐		☑	☐
John Patti	☒	☐	☐		☒	☐
Sen. Jim Gray	☑	☐	☐		☑	☐
	☐	☐	☐		☐	☐

Senate Judiciary Committee
SIGN-IN SHEET

Date: Tuesday January 17th, 2023 **Time:** 1:45 p.m.

SB 58 AN ACT relative to arrests without a warrant while in the care of a medical professional on the premises of a residential care or health care facility

Name/Representing *(please print neatly)*

Paul Fiske	Support ☑	Neutral ☐	Oppose ☐	Speaking? ✓	Yes ☑	No ☐
	Support ☐	Neutral ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Neutral ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Neutral ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Neutral ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Neutral ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Neutral ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Neutral ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Neutral ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Neutral ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Neutral ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Neutral ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Neutral ☐	Oppose ☐	Speaking?	Yes ☐	No ☐

Senate Remote Testify

Judiciary Committee Testify List for Bill SB58 on 2023-01-17

Support: 10 Oppose: 94

Name	Title	Representing	Position
Smith, Julie	A Member of the Public	Myself	Oppose
Carson, Senator Sharon	An Elected Official	Myself	Support
McGuire, John	A Member of the Public	Myself	Oppose
Fay, Chris	A Member of the Public	Myself	Oppose
Schofield, Kim	A Member of the Public	Myself	Oppose
Enos, L	A Member of the Public	Myself	Oppose
Cerrato, Kerri	A Member of the Public	Myself	Oppose
Young, Tim	A Member of the Public	Myself	Oppose
graustein, alan	A Member of the Public	Myself	Oppose
Abear, Marc	A Member of the Public	Myself	Oppose
Marvin, Ruth	A Member of the Public	Myself	Oppose
A MARVIN, KURT	A Member of the Public	Myself	Oppose
Howland, Curtis	A Member of the Public	Myself	Oppose
Cowie, Roberta	A Member of the Public	Myself	Oppose
Kenyon, Jeannine	A Member of the Public	Myself	Oppose
Allen, Tom	A Member of the Public	Myself	Oppose
Gaudette, Sheryl	A Member of the Public	Myself	Oppose
Pouliot, Cheryl	A Member of the Public	Myself	Oppose
Griffin, Janet	A Member of the Public	Myself	Oppose
House, Nancy	A Member of the Public	Myself	Oppose
Zlatin, Marina	A Member of the Public	Myself	Oppose
Libby, Heather	A Member of the Public	Myself	Oppose
Cieszka, Shirley	A Member of the Public	Myself	Oppose
Beaudoin, Sherry	A Member of the Public	Myself	Oppose
Warriner, Daniel	A Member of the Public	Myself	Oppose
Slack, Michelle	A Member of the Public	Myself	Oppose
Meszynski, Edwin	A Member of the Public	Myself	Oppose
Howell, Robert	A Member of the Public	Myself	Oppose
Diggins, Margie	A Member of the Public	Myself	Oppose
Kriese, Clay	A Member of the Public	Myself	Oppose
Sommese, Cheryl	A Member of the Public	Myself	Oppose
Whitney, Gary	A Member of the Public	Myself	Oppose
Sims, Julie	A Member of the Public	Myself	Oppose
Hersey, Nancy	A Member of the Public	Myself	Oppose
Baberadt, Jeanine	A Member of the Public	Myself	Oppose
Myles, Tim	A Member of the Public	Myself	Oppose
Manuse, Andrew	A Member of the Public	Myself	Oppose
Wester, Jessica	A Member of the Public	Myself	Oppose
Wester, Jeff	A Member of the Public	Myself	Oppose
Delano, Janie	A Member of the Public	Myself	Oppose
Doyle, Marcy	A Member of the Public	Myself	Support
Townsend, Carol	A Member of the Public	Myself	Support
Scofield, Alice	A Member of the Public	Myself	Oppose
Barton, Marjorie	A Member of the Public	Myself	Oppose
Plante, Elaine	A Member of the Public	Myself	Oppose
Lawrence, Johanna	A Member of the Public	Myself	Oppose
Early, Robert	A Member of the Public	Myself	Oppose

Scaer, Beth	A Member of the Public	Myself	Oppose
Roy, Mary	A Member of the Public	Myself	Oppose
Shippee-Rice, Raelene	A Member of the Public	Myself	Support
Maillet, Brenda	A Member of the Public	Myself	Oppose
M Martin, Carole	A Member of the Public	Myself	Oppose
Maillet, Ivan	A Member of the Public	Myself	Oppose
Campion, Polly	A Member of the Public	Myself	Support
DiNapoli, Pamela	A Member of the Public	NH Nurses Association	Support
Reno, Gail	A Member of the Public	Myself	Oppose
Doughty, Patrick	A Member of the Public	Myself	Oppose
Gerhard, Jason	An Elected Official	Myself	Oppose
Scamman, James	A Member of the Public	Myself	Oppose
Cartier, Darlene	A Member of the Public	Myself	Oppose
Faber, Shawn	A Member of the Public	Myself	Oppose
Handley, Greg	A Member of the Public	Myself	Oppose
Daves, Stephen	A Member of the Public	Myself	Oppose
LaPointe, Susan	A Member of the Public	Myself	Oppose
Guven, Taci	A Member of the Public	Myself	Oppose
Schwope, Joanne	A Member of the Public	Myself	Oppose
Owens, Brady	A Member of the Public	Myself	Oppose
Avallon, James	A Member of the Public	Myself	Oppose
Anderson, Shayla	A Member of the Public	Myself	Oppose
Hand, Cathy	A Member of the Public	Myself	Oppose
Gladders, Barbara	A Member of the Public	Myself	Oppose
Brocious, Susan	A Member of the Public	Myself	Oppose
Mercer, Jennifer	A Member of the Public	Myself	Oppose
Rosenwald, Cindy	An Elected Official	SD 13	Support
Smith, Carla	A Member of the Public	Myself	Support
Medeiros, Jesse	A Member of the Public	Myself	Oppose
Goncalo, Penelope	A Member of the Public	Myself	Oppose
Pumilia, MaryAnn	A Member of the Public	Myself	Oppose
Smith, Susan	A Member of the Public	Myself	Support
Debourke, Sheana	A Member of the Public	Myself	Oppose
Danis, Kim	A Member of the Public	Myself	Support
Ebel, Travis	A Member of the Public	Myself	Oppose
Grenier, J	A Member of the Public	Myself	Oppose
Elbahrawy, Joshua	A Member of the Public	Myself	Oppose
Cory, Soutisa	A Member of the Public	Myself	Oppose
Vanhoogen, Meagan	A Member of the Public	Myself	Oppose
Owens, Kimberly	A Member of the Public	Myself	Oppose
Murphy, Dervla	A Member of the Public	Myself	Oppose
Wood, Zephan	A Member of the Public	Myself	Oppose
Beaudoin, Steve	A Member of the Public	Myself	Oppose
Martin, Andrea	A Member of the Public	Myself	Oppose
Proulx, Derek	A Member of the Public	Myself	Oppose
D, Jenny	A Member of the Public	Myself	Oppose
Bean, Michael	A Member of the Public	Myself	Oppose
Domenico, William	A Member of the Public	Myself	Oppose
Saunders, Shelley Lyn	A Member of the Public	Myself	Oppose
Sowers, Chloe	A Member of the Public	Myself	Oppose
Sanker, Mary	A Member of the Public	Myself	Oppose
Mazur, Brian	A Member of the Public	Myself	Oppose
Briggs, Lynn	A Member of the Public	Myself	Oppose
Von ahn, Andrew	A Member of the Public	Myself	Oppose
J, C	A Member of the Public	Myself	Oppose
Mack, Barbara	A Member of the Public	Myself	Oppose

Mack, Donald	A Member of the Public	Myself	Oppose

Testimony

1/16/2023

Dear Madame Chairwoman Carson and sponsor Senators Gray, Bradley, Gannon and Rosenwald,

I am writing today in support of SB 58 AN ACT relative to arrests without a warrant while in the care of a medical professional on the premises of a residential care or health care facility. This bill:

authorizes a law enforcement officer to arrest a person without a warrant of interfering with the provision of medically-necessary health care services.

My understanding of the intent of this bill is to protect health care workers from persons who become violent in words or actions while receiving care. In my experience families and society are commonly dysfunctional. This creates poor coping when hurt or suffering. They blame those closest to them at the time and this is often the bedside nurse.

As I'm sure you are all aware of the crisis level nursing shortage, this bill is a show of support for health care workers who may be threatened while doing their jobs.
We need all the help we van get!

On behalf of NH nurses and health care workers, I urge you to support this bill.

Judith Odom, RN, MSN
Bow

NEW HAMPSHIRE NURSES' ASSOCIATION

25 Hall St. Unit 1E, Concord, NH 03301
PHONE: (603) 225 -3783
EMAIL: office@nhnurses.org
WEBSITE: www.NHNurses.org

January 16, 2023

Dear Senator Carson and members of the Senate Judiciary Committee

I am writing on behalf of the members of the NH Nurses Association in support of Senate Bill 58 relative to arrests without a warrant while in the care of a medical professional on the premises of a residential care or health care facility. During the summer of 2022, a study, funded by a grant from the Endowment of Health to the NH Nurses Association, surveyed 233 emergency department health care workers. Seventy-five percent of responding healthcare staff (75% of 233) reported they had experienced some form of violence (verbal aggression, physical aggression, sexual aggression, harassment, or intimidation) during the previous six months. Further, the results of the survey indicate that fewer than half of participants felt safe in their work environment. When asked whether they felt protected from the threat of violence at work, only 46% of 212 responded positively. Based on these results we ask that the judiciary committee support Senate Bill 58 for the protections provided to healthcare workers against workplace violence.

Participants were asked if they felt protected from the threat of violence at work. Of those that did not feel protected, concerns raised included (n=79): lack of sufficient security (30%), lack of effective policies/ follow-up to address aggression. Comments from those surveyed included:

"...I worked in a prison setting for three years. I felt more secure while there than I do sometimes in the hospital. I think it is imperative there be consequences to the actions of patients, including their assault of others and destructive of property, regardless of their reason for admission..."

"Law enforcement and EMS need to collaborate with hospital systems ..... Hospital systems also need to adopt zero tolerance policies for violence that include removal of patients and visitors exhibiting such behavior. Healthcare systems also need to advocate at the state and federal level for laws that penalize violence against healthcare workers."

"Emergency departments are one of the high-risk locations for violence to occur.....It is a major problem that needs fixing!"

Passage of SB 459 during the 2022 legislative session was the first step towards improving processes to protect health care workers. SB 58 takes that additional step that acknowledges the dangers of violence in the workplace and supports those nurses who are looking for policies and processes that may provide necessary protections.

Pamela P DiNapoli

Thank you in advance
Pamela P DiNapoli PhD, RN, CNL
Commission on Government Affairs
ppdn@unh.edu

ST. JOSEPH
HEALTHCARE

Testimony for the Senate Judiciary Committee – SB58

Good afternoon Madam Chair and members of the committee, thank you for allowing me this opportunity to speak on this important bill today. I am Paul Fulone, Director of Security, at St Joseph Hospital in Nashua, and we are in support of SB58. I have held that position for the last 3 years. My background prior to this appointment was in NH law enforcement from which I retired after 31 years.

In the last 3 years we have seen an increase in what has already been a crisis across the country for some time: *workplace violence against healthcare workers*. While we have taken substantial steps in supporting our clinical staff and enhancing their protection against such violence, this bill presents an additional and much needed step.

St Joseph Hospital has an outstanding relationship with our local law enforcement partners, including the Nashua Police Department. But at times when a victim is assaulted while they are performing their clinical or other duties, due to current legal restrictions, law enforcement cannot always take immediate action. This inability to make an arrest, serve a summons or separate the victim from the perpetrator causes the victim to feel unsupported, unimportant and, in some cases, feeling vulnerable to further assault. These elements have a detrimental effect not just on the victim, but with other staff members throughout the hospital as well.

Besides effecting the victim and other staff, the actions enabled by this bill to law enforcement sends a strong message to the perpetrator that there is zero tolerance for this abuse and they will be held accountable for their actions.

The additional option outlined in this bill for law enforcement to take immediate action in support of protecting a victim of assault in the hospital setting is a critical 'next level' step needed in this endeavor to reduce workplace violence in healthcare.

Thank you again for your time and consideration.

I can take any questions you may have at this time.

Paul D Fulone

Director of Security

St Joseph Hospital

Nashua, NH 03060

Workplace Violence Testimony

Good afternoon, Mr. Chairman, and committee Senators. Thank you for taking the time to consider this important legislation.

My name is John Patti, and I am the Executive Director of Support Services at Catholic Medical Center, and a retired Sergeant from the Manchester Police Department.

1) If you are not aware, assaults and workplace violence at healthcare facilities has been an increasing concern for healthcare workers. Depending on what publication you read, the stats indicate that healthcare workers are 4 to 5 times more likely than other private industry employees to be the victim of workplace violence. There are many studies, including some from OSHA that show the prevalence of assaults in these settings. Part of the work that went into this bill last year focused on the need for collecting relevant data to support the need for a Workplace Violence Prevention Program for healthcare facilities throughout the state. The data will be used to support a commission to review and analyze healthcare workplace violence and safety issues that are affecting our healthcare workers and organizations.

2) As the Executive Director overseeing security, I am aware of the reports of assault on our employees. On many occasions we would call the police to report an assault on a healthcare employee, only to be told by the police that they would not make a warrantless arrest, but rather, apply for an arrest warrant. Imagine how frightening it is for our healthcare workers who are victims of an assault, and then have to remain in close proximity with that person to provide care to them.

3) The police are basing their decision not to arrest based upon the language in the current statute under NH RSA 594:10, which reads in part: *if not immediately arrested,... such person will cause further personal injury or damage to property*. This language essentially requires the officer to predict future behavior of the suspect in order to make the warrantless arrest. In my opinion, not making an arrest at that juncture places the victim at risk of another assault. This equates to a pattern of abuse.

4) With the unique perspective of having been on both sides of this issue, I wanted to amend the language to provide the police with more clarity in the statute which would give them greater confidence in making a warrantless arrest, while at the same time, providing our healthcare workers a measure of safety and assurance, and allowing victims of crime a sense of control and protection.

5) The result of this endeavor was the amended language to RSA 594:10 which now clearly authorizes the police to make an arrest without a warrant for an assault against a healthcare worker.

Thank you for allowing me this opportunity to address this matter, and I would again like to thank everyone who was involved with this effort.

Reported Assaults on NH Healthcare Workers

Jan. 2020 – June 2021: (18 month period) 671 reported assaults from 13 hospital security departments tracking the data.

New Hampshire Hospital Association

SENATE JUDICIARY COMMITTEE

Tuesday, January 17, 2023

SB 58 – Relative to Arrests Without a Warrant While in the Care of a Medical Professional on the Premises of a Residential Care or Health Care Facility

Testimony

Good afternoon, Madam Chair, and members of the committee. My name is Paula Minnehan, Senior Vice President, State Government Relations with the New Hampshire Hospital Association (NHHA), representing all 26 of the state's community hospitals as well as all specialty hospitals. I am here today with John Patti, MHA, Executive Director, Support Services, at Catholic Medical Center, Manchester.

The NHHA is in strong support of SB 58, and we appreciate Senator Gray sponsoring the bill as well as all the cosponsors, to include Committee Chair Carson, Senators Gannon, Rosenwald and Bradley. The language in SB 58 was originally included in the language of SB 459-FN, Relative to a Health Care Facility Workplace Violence Prevention Program, which passed and was signed into law in 2022. The language of SB 58 was removed from SB 459-FN during the House phase of the legislative process because the House committee that heard the bill, House Health, Human Services and Elderly Affairs, expressed concern that this language should have been heard and considered in House Criminal Justice and Public Safety Committee.

To provide some brief background on this bill; it is the result of SB 100, that passed in 2021, which established a Committee to Study Workplace Safety in Health Care Settings. This legislation before you today, along with the statute that was signed into law in 2022, is extremely important due to the growing incidences of violence in health care settings and the need to protect our health care workforce. The 2021 study committee was chaired by Senator Gray and Senator Rosenwald also was on the committee, along with Representatives McMahon, Greene, and Litchfield. In addition to the numerous study committee meetings that were held we had several work sessions on both the development of the workplace violence prevention program as well as the changes to the arrests without a warrant statute.

I would like to have John Patti explain to the committee why the changes to the warrantless arrest statute are so important to ensuring that law enforcement can properly respond to violent incidences in a health care setting. There are other individuals here today, including Paul Fulone, Director of Security, St. Joseph Hospital, Nashua, as well that can address why the changes to RSA 594:10, I, Arrests Without a Warrant are needed.

Thank you for the opportunity to provide our comments in support of SB 58. We are happy to answer any questions you may have.

Matthew Schelzi

From: Sally Porter <sapdep90@gmail.com>
Sent: Friday, January 13, 2023 3:50 PM
To: Sharon Carson; William Gannon; Shannon Chandley; Becky Whitley; Daryl Abbas; Matthew Schelzi
Subject: SB 58

Follow Up Flag: Follow up
Flag Status: Flagged

To the Judiciary committee,

I would like to submit my opposition to SB 58 as I see that as a possible overstep of our rights. Language has been so perverted that "threatened violence" can be just about anything a person wants it to mean. And is an abortion facility a "health care facility"? So a person saying prayers could be interpreted to be "threatened violence" in today's jargon.

Sally Porter
Meredith, NH

Matthew Schelzi

From: Kerri Cerrato <klcerrato16@yahoo.com>
Sent: Friday, January 13, 2023 3:52 PM
To: Sharon Carson; William Gannon; Shannon Chandley; Becky Whitley; Daryl Abbas; Matthew Schelzi
Subject: Oppose SB 58

Follow Up Flag: Follow up
Flag Status: Flagged

I oppose SB 58.
Thanks
Kerri Cerrato
Town of Bedford

Sent from my iPhone

Matthew Schelzi

From: Vin Armstrong <vaacpa@protonmail.com>
Sent: Friday, January 13, 2023 3:54 PM
To: Sharon Carson; William Gannon; Shannon Chandley; Becky Whitley; Daryl Abbas; Matthew Schelzi
Subject: Oppose SB 58

Follow Up Flag: Follow up
Flag Status: Flagged

Caution! This message was sent from outside your organization.

Dear Committee Members,
This bill lowers the threshold needed for a warrantless arrest in medical facilities. According to this bill, "actual or threatened violence" can cause warrantless arrest. While we appreciate the real issue regarding workplace violence in medical facilities, we worry reducing the burden of proof needed could lead to abuse. If a patient refuses to wear a mask, could they be accused of "threatening violence"?
Respectfully,
Vincent Armstrong
Lancaster, NH

Sent with Proton Mail secure email.

Matthew Schelzi

From: Alan Graustein <alangraustein@gmail.com>
Sent: Friday, January 13, 2023 4:23 PM
To: Sharon Carson; William Gannon; Shannon Chandley; Becky Whitley; Daryl Abbas; Matthew Schelzi
Subject: SB58

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Committee Members,

Please oppose SB58.

This bill runs the risk of increasing the abuse of liberties of NH citizens.

Thank you,

Alan Graustein
Sanbornton, NH

Matthew Schelzi

From: sea1mra@gmail.com
Sent: Friday, January 13, 2023 4:28 PM
To: Sharon Carson; William Gannon; Shannon Chandley; Becky Whitley; Daryl Abbas; Matthew Schelzi
Subject: SB 58

Follow Up Flag: Follow up
Flag Status: Flagged

Caution! This message was sent from outside your organization.

Members of the committee,
The road to hell is paved with good intentions. We need no more infringements of our liberties. The NH legislature is nothing if not cavalier about enrolling bills for everything under the sun. There is no need for this bill. It opens us, the citizens of New Hampshire, to opportunities for abuse. This is an example of unnecessary, bad legislation.
Very respectfully, Hon. Marc Abear

Matthew Schelzi

From: Jean Mathieu <jmathieu@legacynh.com>
Sent: Friday, January 13, 2023 4:31 PM
To: Sharon Carson; William Gannon; Shannon Chandley; Becky Whitley; Daryl Abbas; Matthew Schelzi
Subject: Bill SB 58 - Oppose

Follow Up Flag: Follow up
Flag Status: Flagged

Caution! This message was sent from outside your organization.

Dear Legislators,

I urge you to vote no on SB 58 as I feel the language that suggests "threatened violence" could be used to subject innocent individuals to arrest. We all know how hypersensitive our society became during Covid, and I believe something as simple as failure to wear a mask could have been deemed a threat of violence under the proposed bill.

To protect our liberty and free speech, this bill should be rejected.

Thank you.

Jean Mathieu

Jean Mathieu, CLU
Legacy Financial Solutions, Inc.
1361 Elm Street, Suite 100
Manchester, NH 03101
603-647-7166
LegacyNH.com

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Matthew Schelzi

From: Ruth Leosz <ruthannleosz@gmail.com>
Sent: Friday, January 13, 2023 4:40 PM
To: Sharon Carson; William Gannon; Shannon Chandley; Becky Whitley; Daryl Abbas; Matthew Schelzi
Subject: Warrantless arrests in health facilities

Follow Up Flag: Follow up
Flag Status: Flagged

Caution! This message was sent from outside your organization.

I am against this bill. It could lead to abuse.

Matthew Schelzi

From: Sherry Beaudoin <sherrybeaudoin@metrocast.net>
Sent: Friday, January 13, 2023 9:17 PM
To: Sharon Carson
Subject: Sb58

Follow Up Flag: Follow up
Flag Status: Flagged

Caution! This message was sent from outside your organization.

Please oppose this bill. Who gets to decide what a threat is? An upset family member, a nurse, doctor, parent or child? Allowing this amount of control over the public during an emotional time is a recipe for disasters. Stand for the people of NH not the lobbyist.

Sherry Beaudoin
Rochester NH

Matthew Schelzi

From: Michelle Slack <khrisma888@gmail.com>
Sent: Friday, January 13, 2023 10:36 PM
To: Sharon Carson; William Gannon; Shannon Chandley; Becky Whitley; Daryl Abbas; Matthew Schelzi
Subject: Oppose SB 58

Follow Up Flag: Follow up
Flag Status: Flagged

Caution! This message was sent from outside your organization.

Please oppose this SB 58 thank you for standing with the citizens of New Hampshire .

Matthew Schelzi

From: Ed Meszynski <mezzyski@yahoo.com>
Sent: Saturday, January 14, 2023 7:06 AM
To: Matthew Schelzi
Subject: Please oppose SB 58

Follow Up Flag: Follow up
Flag Status: Flagged

Caution! This message was sent from outside your organization.

Senator,
please oppose SB 58.Lowering the threshold for warrantless arrest is never a good idea.
Thank you,
Edwin Meszynski

Sent from Yahoo Mail for iPhone

Matthew Schelzi

From: Gerald. B Weaver II <gbweaverii@gmail.com>
Sent: Saturday, January 14, 2023 8:59 AM
To: Sharon Carson; William Gannon; Shannon Chandley; Becky Whitley; Daryl Abbas; Matthew Schelzi
Subject: SB 58

Follow Up Flag: Follow up
Flag Status: Flagged

Caution! This message was sent from outside your organization.

Vote **NO** on **SB 58.** This bill would be ripe for abuse, and there is no need for it.

Matthew Schelzi

From: M. Rogers <tiplady2001@yahoo.com>
Sent: Saturday, January 14, 2023 4:38 PM
To: Sharon Carson; William Gannon; Shannon Chandley; Becky Whitley; Daryl Abbas; Matthew Schelzi
Subject: opposition to SB 58, relative to arrests without a warrant while in the care of a medical professional on the premises of a residential care or health care facility.

Follow Up Flag: Follow up
Flag Status: Flagged

Caution! This message was sent from outside your organization.

Dear Committee members,

I am writing to express my opposition to BS58. With covid-19incidents in recent years there have been some intense disagreements between medical staff and families of patients regarding patient care. Allowing arrest without warrants in these (and other similar) situations would run over individuals' medical freedom and families' abilitites to represent and protect their patient-family members. It was already horrific with families being disallowed to visit their loved ones due to differences of care-choices, hosptials transferrring patients without family knowledge, and doctors implementing care which patients had specifically disallowed.. Don't let ourstat's people and their medical rights be threatened with uncalled for arrests by letting this bill go forward. Please oppose it now. Thank-you for your consideration.

Mary Rogers
148 Clark Rd
Winchester, NH

603-392-0484

Mary (person)

"If the people let government decide what foods they eat and what medicines they take, their bodies will soon be in as sorry a state as are the souls of those who live under tyranny." - Thomas Jefferson

Matthew Schelzi

From: lakeview clock repair <lakeviewclockrepair@protonmail.com>
Sent: Monday, January 16, 2023 12:18 AM
To: ~Senate Judiciary Committee
Subject: SB58

Follow Up Flag: Follow up
Flag Status: Flagged

Caution! This message was sent from outside your organization.

I oppose SB58 - the language is unclear, and warrantless arrest is too likely to be used against the already marginalized.

Please consider this when you vote.

Thank you,
J Grenier
Nashua, NH

Sent from ProtonMail for iOS

Matthew Schelzi

From: cmm <carolemgm@gmail.com>
Sent: Monday, January 16, 2023 10:25 AM
To: Sharon Carson
Subject: SB 58

Follow Up Flag: Follow up
Flag Status: Flagged

Caution! This message was sent from outside your organization.

I oppose this bill. A perceived threat is a subjective interpretation and can lead to undue consequences. A person might be angry, displaying angry behavior that does not escalate further . Security presence in the medical offices are often a deterrent to escalation. I know this from professional experiences. I recall a very young person kicking ferociously trying to get away from staff trying to perform a test.this young had a deep fear, phobia. To even think to arrest this youth or parent(s) without a warren is ludicrous.
The law is lowering the threshold for criminals acts and raising the stake in a medical setting is unthinkable. The medical profession is changing and is not listening to their patients . Médecine is practice according to the big pharma industry , evidence based that lump millions of individual In the same " bucket". Very little attention is given to the patient.
My suggestion is start looking at the cause of angry display , open , honest communication, allows the medical profession to follow their oath and treat their cases on a individual basis , prescribed accordingly without fear of loss of licences, reprimands etc.
This no need for warrant will open the door to power grab from power hungry and controllling individual. It defeats the New-Hampshire moto.
Thank you for considering my opinion. Respectfully
C. Martin

--
Sent from Gmail Mobile

Matthew Schelzi

From: Darlene <msdarlene@comcast.net>
Sent: Monday, January 16, 2023 2:30 PM
To: Sharon Carson; William Gannon; Shannon Chandley; Becky Whitley; Daryl Abbas; Matthew Schelzi
Subject: OPPOSE SB58

Follow Up Flag: Follow up
Flag Status: Flagged

Caution! This message was sent from outside your organization.

OPPOSE – SB 58, relative to arrests without a warrant while in the care of a medical professional on the premises of a residential care or health care facility. This bill lowers the threshold needed for a warrantless arrest in medical facilities. According to this bill, "actual or threatened violence" can cause warrantless arrest. While we appreciate the real issue regarding workplace violence in medical facilities, we worry reducing the burden of proof needed could lead to abuse. If a patient refuses to wear a mask, could they be accused of "threatening violence"? If so, this is absolutely absurd.

PLEASE DO THE RIGHT THING AND OPPOSE SB58!!

Darlene Cartier
Derry, NH

Matthew Schelzi

From: Douglas Stephenson <dougis60@gmail.com>
Sent: Monday, January 16, 2023 2:38 PM
To: Sharon Carson; William Gannon; Shannon Chandley; Becky Whitley; Daryl Abbas; Matthew Schelzi
Subject: SB58

Follow Up Flag: Follow up
Flag Status: Flagged

Caution! This message was sent from outside your organization.

I oppose this bill because of the possible use of abuse by the authorities.

Matthew Schelzi

From: Sue LaPointe <suelap16@gmail.com>
Sent: Monday, January 16, 2023 5:08 PM
To: Sharon Carson; William Gannon; Shannon Chandley; Becky Whitley; Daryl Abbas; Matthew Schelzi
Subject: SB 58: Oppose

Follow Up Flag: Follow up
Flag Status: Flagged

Caution! This message was sent from outside your organization.

Good afternoon,

> Authorizes a law enforcement officer to arrest a person without a warrant for interfering with the provision of medically-necessary health care services.

Please oppose this bill as written. Reducing the burden of proof for "threatened violence" or just "interfering" would lead to abuse.

While I understand there have been instances of violence in medical facilities, I also know several NH medical facilities that moved with extreme prejudice and aggressiveness against parents and/or family members when they disagreed with medical staff regarding COVID treatments, mask wearing, and refusing a vaccination. Where is the protection for the patients and their families?

No, this bill should not pass as written. Please oppose.

Thank you for your consideration.

Susan LaPointe
Epping, NH

Matthew Schelzi

From: akacozz@aol.com
Sent: Tuesday, January 17, 2023 12:54 AM
To: Sharon Carson; William Gannon; Shannon Chandley; Becky Whitley; Daryl Abbas; Matthew Schelzi
Subject: SB58 Respond requested

Follow Up Flag: Follow up
Flag Status: Flagged

Caution! This message was sent from outside your organization.

Please consider my opposition to this bill. Vote no. Please respond with an email on your vote.

Regards,
Mary Cozzens

Matthew Schelzi

From: Pamela Dinapoli <Pam.DiNapoli@unh.edu>
Sent: Tuesday, January 17, 2023 6:58 AM
To: Sharon Carson; William Gannon; Shannon Chandley; Becky Whitley; Daryl Abbas; Matthew Schelzi
Subject: SB 58 Testimony
Attachments: Letter of support SB 58.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Caution! This message was sent from outside your organization.

Good afternoon
Please find attached a copy of my testimony ahead of tomorrow's hearing on SB 58. The NH Nurses Association supports this very important bill. Thank you to the sponsors and co-sponsors
Pam DiNapoli
Commission on Government Affairs
NH Nurses Association

Matthew Schelzi

From: tim smith <tsmith1992@yahoo.com>
Sent: Tuesday, January 17, 2023 8:09 AM
To: Sharon Carson
Cc: Matthew Schelzi
Subject: SB 58 Written Testimony

Follow Up Flag: Follow up
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January 26, 2022

Dear House Judiciary Committee,

I would like to submit written testimony in support of HB 1014, allowing public meetings to be conducted virtually. As a registered nurse and frontline worker, I have experienced first- hand the importance of remote access to the legislature. Remote access has been essential in my life, allowing me to participate and testify in key healthcare legislation simply by logging online, without impacting the nursing workforce by taking time away from the bedside to travel to Concord. During this time of crisis staffing for nursing, not allowing remote participation is a significant barrier for me and other frontline workers.

With over 1,100 Bills on the docket for 2022, it is imperative that nurses share their stories, professional knowledge, and expertise with lawmakers. Key issues such as vaccinations, mask mandates, telemedicine, critical workforce shortages, workplace violence, and emergency operations for both COVID-19 and natural disasters have a significant impact on the health and safety of NH residents. In a time where disinformation has become rampant, it is more important than ever for lawmakers to hear nurses testify with factual evidence-based information about the current state of health we witness daily in our healthcare institutions.

NH residents who work and live outside of a reasonable drive from the capitol area deserve to have their voices heard while maintaining the physical and civic health of Granite Staters to reduce the risk of illness due to COVID-19. I urge you to support HB1014 to reinstate remote participation in the legislative process by allowing remote testimony in 2022 for all public hearings and workgroups.

Sincerely,

Carla Smith MSN, RN 28 Ann Lane

Fremont, NH 03044

Voting Sheets

Senate Judiciary Committee
EXECUTIVE SESSION RECORD
2023-2024 Session

Bill # SB 58

Hearing date: 1/17/23

Executive Session date: 2/16/23

Motion of: ITL **Vote:** 3-2

Committee Member	Made by	Second	Yes	No
Sen. Carson, Chair	☐	☐	✓	☐
Sen. Gannon, V-Chair	✓	☐	✓	☐
Sen. Abbas	☐	✓	✓	☐
Sen. Whitley	☐	☐	☐	✓
Sen. Chandley	☐	☐	☐	✓

Motion of: _____ **Vote:** _____

Committee Member	Made by	Second	Yes	No
Sen. Carson , Chair	☐	☐	☐	☐
Sen. Gannon, V-Chair	☐	☐	☐	☐
Sen. Abbas	☐	☐	☐	☐
Sen. Whitley	☐	☐	☐	☐
Sen. Chandley	☐	☐	☐	☐

Motion of: _____ **Vote:** _____

Committee Member	Made by	Second	Yes	No
Sen. Carson , Chair	☐	☐	☐	☐
Sen. Gannon, V-Chair	☐	☐	☐	☐
Sen. Abbas	☐	☐	☐	☐
Sen. Whitley	☐	☐	☐	☐
Sen. Chandley	☐	☐	☐	☐

Reported out by: Sen. Abbas

Notes: _____

Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE

Thursday, February 16, 2023

THE COMMITTEE ON Judiciary

to which was referred **SB 58**

AN ACT relative to arrests without a warrant while in the care of a medical professional on the premises of a residential care or health care facility.

Having considered the same, the committee recommends that the Bill

IS INEXPEDIENT TO LEGISLATE

BY A VOTE OF: 3-2

Senator Daryl Abbas
For the Committee

Matthew Schelzi 271-3266

JUDICIARY

SB 58, relative to arrests without a warrant while in the care of a medical professional on the premises of a residential care or health care facility.
Inexpedient to Legislate, Vote 3-2.
Senator Daryl Abbas for the committee.

General Court of New Hampshire - Bill Status System

Docket of SB58

Docket Abbreviations

Bill Title: relative to arrests without a warrant while in the care of a medical professional on the premises of a residential care or health care facility.

Official Docket of **SB58.:**

Date	Body	Description
1/12/2023	S	**Introduced** 01/05/2023 and Referred to Judiciary; **SJ 4**
1/12/2023	S	**Hearing:** 01/17/2023, Room 100, SH, 01:45 pm; **SC 6**
2/16/2023	S	Committee Report: Inexpedient to Legislate, 02/22/2023; **SC 11**
2/22/2023	S	Special Order to 03/16/2023, Without Objection, MA; 02/22/2023 **SJ 8**
2/28/2023	S	Committee Report: Inexpedient to Legislate, 03/16/2023; **SC 13**
3/16/2023	S	Special Order to 03/30/2023, Without Objection, MA; 03/16/2023 **SJ 10**
3/16/2023	S	Committee Report: Inexpedient to Legislate, 03/30/2023; **SC 15**
3/30/2023	S	Inexpedient to Legislate, MF, VV; 03/30/2023; **SJ 12**
3/30/2023	S	Sen. Rosenwald Moved Ought to Pass; 03/30/2023; **SJ 12**
3/30/2023	S	Sen. Rosenwald Floor Amendment **#2023-1251s**, AF, VV; 03/30/2023; **SJ 12**
3/30/2023	S	Sen. Gray Floor Amendment **#2023-1226s**; 03/30/2023; **SJ 12**
3/30/2023	S	Sen. Gray Withdraws Floor Amendment **#2023-1226s**; 03/30/2023; **SJ 12**
3/30/2023	S	Sen. Abbas Moved to Reconsider the vote on: Floor Amendment 2023-1251, MA, VV; 03/30/2023; **SJ 12**
3/30/2023	S	Sen. Rosenwald Floor Amendment **#2023-1251s**, **RC** 11Y-12N, AF; 03/30/2023; **SJ 12**
3/30/2023	S	Sen. Gray Floor Amendment **#2023-1226s**, **RC** 13Y-10N, AA; 03/30/2023; **SJ 12**
3/30/2023	S	**Ought to Pass with Amendment** 2023-1226s, **RC** 14Y-9N, MA; OT3rdg; 03/30/2023; **SJ 8**
4/7/2023	H	Introduced (in recess of) 04/06/2023 and referred to Criminal Justice and Public Safety
4/11/2023	H	Public Hearing: 04/19/2023 09:00 am LOB 202-204
4/11/2023	H	==RECESSED== Executive Session: 04/19/2023 09:30 am LOB 202-204
4/19/2023	H	Subcommittee Work Session: 04/26/2023 10:00 am LOB 206-208
4/26/2023	H	==CONTINUED== Executive Session: 05/02/2023 10:30 am LOB 202-204
5/3/2023	H	Committee Report: Ought to Pass with Amendment **#2023-1490h** 05/02/2023 **(Vote 20-0; CC)**
5/15/2023	H	Removed from Consent (Reps. Hoell, Layon, Hynes, T. Mannion, Read, Granger, Gerhard, Post, Horrigan, Burnham) 05/15/2023 **HJ 15** P. 3
6/8/2023	H	Amendment **#2023-1490h**: AA VV 06/08/2023 **HJ 15** P. 18
6/8/2023	H	FLAM **#2023-1834h** (Rep. Hynes): AF DV 43-323 06/08/2023 **HJ 15** P. 19
6/8/2023	H	FLAM **#2023-1835h** (Rep. T. Mannion): AF VV 06/08/2023 **HJ 15** P. 20
6/8/2023	H	**Ought to Pass with Amendment** 2023-1490h: MA VV 06/08/2023 **HJ 15** P. 18

6/15/2023	S	Sen. Carson Moved to Concur with the House Amendment, MA, VV; 06/15/2023; **SJ 19**
7/19/2023	H	Enrolled (in recess of) 06/29/2023 **HJ 17** P. 18
7/18/2023	S	Enrolled Adopted, VV, (In recess 06/29/2023); **SJ 20**
8/9/2023	S	Signed by the Governor on 08/04/2023; Chapter 0227; Effective 08/04/2023

NH House	NH Senate

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: SB58 **Senate Committee:** JUD

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

X Final docket found on Bill Status

Bill Hearing Documents: {Legislative Aides}

X Bill version as it came to the committee

X All Calendar Notices

X Hearing Sign-up sheet(s)

X Prepared testimony, presentations, & other submissions handed in at the public hearing

X Hearing Report

N/A Revised/Amended Fiscal Notes provided by the Senate Clerk's Office

Committee Action Documents: {Legislative Aides}

All amendments considered in committee (including those not adopted):

___ - amendment # _____ ___ - amendment # _____

___ - amendment # _____ ___ - amendment # _____

X Executive Session Sheet

X Committee Report

Floor Action Documents: {Clerk's Office}

All floor amendments considered by the body during session (only if they are offered to the senate):

X - amendment # 1251s ___ - amendment # _____

X - amendment # 1226s ___ - amendment # _____

Post Floor Action: (if applicable) {Clerk's Office}

___ Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):

___ Enrolled Bill Amendment(s)

___ Governor's Veto Message

All available versions of the bill: {Clerk's Office}

X as amended by the senate X as amended by the house

X final version

Completed Committee Report File Delivered to the Senate Clerk's Office By:

Matthew Schelzi 8-29-23

Committee Aide **Date**

Senate Clerk's Office AK