LEGISLATIVE COMMITTEE MINUTES

SB83

Bill as Introduced

SB 83 - AS INTRODUCED

2023 SESSION

23-0994
09/04

SENATE BILL *83*

AN ACT relative to the signature authority of an advanced practice registered nurse or a certified midwife.

SPONSORS: Sen. Prentiss, Dist 5; Sen. Altschiller, Dist 24; Sen. Perkins Kwoka, Dist 21; Sen. Watters, Dist 4; Sen. Carson, Dist 14; Sen. Fenton, Dist 10; Sen. Whitley, Dist 15; Sen. Chandley, Dist 11; Sen. Ricciardi, Dist 9

COMMITTEE: Health and Human Services

ANALYSIS

This bill allows an advanced practice registered nurse or certified midwife, acting within the scope of their practice, to certify a document in the place of a physician.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 83 - AS INTRODUCED

23-0994
09/04

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to the signature authority of an advanced practice registered nurse or a certified midwife.

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

1 New Section; Advanced Practice Registered Nurse; Signature Authority; Certified Midwives. Amend RSA 326-B by inserting after section 46 the following new section:

326-B:47 Signature Authority of a Advanced Practice Registered Nurse or Certified Midwife. When a provision of law or rule requires a signature, certification, stamp, verification, affidavit, or endorsement by a physician, that requirement may be fulfilled by an advanced practice registered nurse certified pursuant to this chapter, or a certified nurse midwife acting within his or her scope of practice and within the advanced practice registered nurse-patient relationship. This section shall not be construed to expand the scope of practice of an advanced practice registered nurse or a certified nurse midwife.

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

SB 83 - VERSION ADOPTED BY BOTH BODIES

2023 SESSION

23-0994
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SENATE BILL ***83***

AN ACT relative to the signature authority of an advanced practice registered nurse or a certified midwife.

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CHAPTER 61
SB 83 - FINAL VERSION

2023 SESSION

23-0994
09/04

61:

SENATE BILL *83*

AN ACT relative to the signature authority of an advanced practice registered nurse or a certified midwife.

SPONSORS: Sen. Prentiss, Dist 5; Sen. Altschiller, Dist 24; Sen. Perkins Kwoka, Dist 21; Sen. Watters, Dist 4; Sen. Carson, Dist 14; Sen. Fenton, Dist 10; Sen. Whitley, Dist 15; Sen. Chandley, Dist 11; Sen. Ricciardi, Dist 9

COMMITTEE: Health and Human Services

ANALYSIS

This bill allows an advanced practice registered nurse or certified midwife, acting within the scope of their practice, to certify a document in the place of a physician.

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.

CHAPTER 61
SB 83 - FINAL VERSION

23-0994
09/04

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to the signature authority of an advanced practice registered nurse or a certified midwife.

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

61:1 New Section; Advanced Practice Registered Nurse; Signature Authority; Certified Midwives. Amend RSA 326-B by inserting after section 46 the following new section:

326-B:47 Signature Authority of a Advanced Practice Registered Nurse or Certified Midwife. When a provision of law or rule requires a signature, certification, stamp, verification, affidavit, or endorsement by a physician, that requirement may be fulfilled by an advanced practice registered nurse certified pursuant to this chapter, or a certified nurse midwife acting within his or her scope of practice and within the advanced practice registered nurse-patient relationship. This section shall not be construed to expand the scope of practice of an advanced practice registered nurse or a certified nurse midwife.

61:2 Effective Date. This act shall take effect 60 days after its passage.

Approved: June 01, 2023
Effective Date: July 31, 2023

Committee Minutes

AMENDED
SENATE CALENDAR NOTICE
Health and Human Services

Sen Regina Birdsell, Chair
Sen Kevin Avard, Vice Chair
Sen Jeb Bradley, Member
Sen Rebecca Whitley, Member
Sen Suzanne Prentiss, Member

Date: January 18, 2023

HEARINGS

Wednesday	01/25/2023
(Day)	(Date)

Health and Human Services	Legislative Office Building 101	9:00 a.m.
(Name of Committee)	(Place)	(Time)

9:00 a.m.	**SB 50**	relative to pharmaceutical drug take-back programs.
9:15 a.m.	**SB 65**	establishing a committee to study the medical screening panel process and temporarily pausing the screening panel process.
9:30 a.m.	**SB 85-FN-A**	relative to emergency behavioral health services and behavioral health crisis programs.
9:45 a.m.	**SB 83**	relative to the signature authority of an advanced practice registered nurse or a certified midwife.

EXECUTIVE SESSION MAY FOLLOW

Sponsors:

SB 50

Sen. Lang	Sen. Avard	Sen. Pearl	Rep. Bogert
Rep. Coker			

SB 65

Sen. Gannon	Sen. Bradley	Sen. Avard	Sen. Ward
Rep. L. Walsh			

SB 85-FN-A

Sen. Bradley	Sen. Avard	Sen. Whitley	Sen. Birdsell
Sen. Prentiss			

SB 83

Sen. Prentiss	Sen. Altschiller	Sen. Perkins Kwoka	Sen. Watters
Sen. Carson	Sen. Fenton	Sen. Whitley	Sen. Chandley
Sen. Ricciardi			

Cameron Lapine 271-2104

Regina Birdsell
Chairman

Senate Health and Human Services Committee

Cameron Lapine 271-2104

SB 83, relative to the signature authority of an advanced practice registered nurse or a certified midwife.

Hearing Date: January 25, 2023

Time Opened: 12:19 p.m. **Time Closed:** 12:27 p.m.

Members of the Committee Present: Senators Avard, Bradley, Whitley and Prentiss

Members of the Committee Absent: Senator Birdsell

Bill Analysis: This bill allows an advanced practice registered nurse or certified midwife, acting within the scope of their practice, to certify a document in the place of a physician.

Sponsors:

Sen. Prentiss	Sen. Altschiller	Sen. Perkins Kwoka
Sen. Watters	Sen. Carson	Sen. Fenton
Sen. Whitley	Sen. Chandley	Sen. Ricciardi

Who supports the bill: Senator Sue Prentiss (Senate District 5), Senator Rebecca Perkins Kwoka (Senate District 21), Senator David Watters (Senate District 4), Senator Donovan Fenton (Senate District 10), Senator Sharon Carson (Senate District 14), Senator Debra Altschiller (Senate District 24), Nicholas Thomas, Michael Padmore (NH Medical Society), Patricia Anastasia, Elizabeth Sargent (NH Funeral Directors Association), Jillian Belmont (NH Nurse Practitioner Association), and Susan Parker (NH Nurse Practitioner Association).

Who opposes the bill: None.

Who is neutral on the bill: None.

Summary of testimony presented in support:

Senator Suzanne Prentiss

Senate District 5

- Senator Prentiss introduced SB 83 and said she was asked to do so by the New Hampshire Nurse Practitioners Association.
- Sen. Prentiss explained that SB 83 changes what medical forms nurse practitioners are allowed to sign.

- Sen. Prentiss said that SB 83 is an effort to reduce costs, streamline care for patients, and lower the number of visits needed to get a routine form signed.
- Sen. Prentiss said that SB 83 would make New Hampshire congruent with routine nurse practices, such as signing forms that document a patient's care, treatment, and referrals.
- Sen. Prentiss said that outdated policies get in the way of patient care by preventing schools and other agencies from accepting forms with a nurse practitioner's signature.
- Sen. Prentiss said that even though these forms fall within the scope of practice for a nurse practitioner, current New Hampshire law requires them to have a physician's signature.
- Sen. Prentiss said that New Hampshire nurse practitioners have full autonomy of practice and are signing these forms within their scope of practice.
- Sen. Prentiss said that nurse practitioners have long served as an integral part of the health care system, and that their numbers grow every year. She said that they serve in all aspects of care including outpatient, inpatient, specialty education, diagnosis, assessment, and treatment.
- Sen. Prentiss said the National Academy of Medicine is looking to remove nurse practitioners' barriers to practice. She said that SB 83 will help achieve that goal.
- Sen. Prentiss noted that 15 states have already adopted this kind of bill, including Maine, Massachusetts, Vermont, and Rhode Island.
- Sen. Prentiss said that she had met with members of the New Hampshire Medical Society and they fully support SB 83.

Jillian Belmont and Susan Parker

New Hampshire Nurse Practitioners Association

- Ms. Belmont said that is the former president of the New Hampshire Nurse Practitioners Association.
- Ms. Belmont said the category Advanced Practice Registered Nurse (APRN) includes nurse practitioners, certified nurse midwives, and certified nurse anesthetists.
- Ms. Belmont said that current law may require APRNs to have a physician sign a form for care that an APRN has already provided. SB 83 would promote transparency and allow documentation to reflect the patient-provider relationship.
- Ms. Belmont said that nurse practitioners sign many forms throughout day. She said that New Hampshire law recognizes APRN signatures on several forms: physical therapy, disabled parking applications, death certificates, and do-not-resuscitate forms.
- Ms. Belmont said that signature recognition laws have been successfully passed in many states.
- Ms. Belmont said that outdated statutes are limiting New Hampshire patients to seeing one provider for form completion. She said that this creates confusion and delays, and that these outdated forms do not reflect current practices for care.
- Ms. Belmont said that SB 83 would increase efficiency for patient care, and it would also remove the need for two providers to certify a patient's care forms, thus avoiding delays, costs, and follow-up visits.
- Ms. Belmont urged the Committee to update laws to current practice standards and noted that SB 83 does not affect the scope of practice.

- Ms. Belmont said that New Hampshire is currently in a health care crisis, and that SB 83 would lead to a more efficient use of resources.
- Ms. Parker is a nurse practitioner and a professor at the University of Massachusetts-Lowell.
- Ms. Parker shared an example of the current system's shortcomings. She said that the Provider's Orders for Life Sustaining Treatment form is often used by nurse practitioners in palliative care, and there is no need for the barrier of only allowing physicians to sign.
- Ms. Parker said that she sees patients in homes who cannot leave their residence to see a physician and get a signature.
- Ms. Parker added that nurse practitioners are pleased when they can sign a form and ensure that patients are protected from receiving care they do not want.

Summary of testimony presented in opposition: None.

Neutral Information Presented: None.

cml
Date Hearing Report completed: January 27, 2023

Speakers

Senate Health and Human Services Committee
SIGN-IN SHEET

Date: Wednesday January 25th, 2023 **Time:** 9:45 a.m.

SB 83 AN ACT relative to the signature authority of an advanced practice registered nurse or a certified midwife.

Name/Representing *(please print neatly)* SD#5

Sen. Sue Prentiss (Prime)	Support ☑	Oppose ☐	Speaking?	Yes ☑	No ☐
Elizabeth Sargent, NH Funeral Directors Assoc	Support ☒	Oppose ☐	Speaking?	Yes ☐	No ☒
Jillian Belmont NH Nurse Practitioner Association	Support ☒	Oppose ☐	Speaking?	Yes ☒	No ☐
Susan Parker NH Nurse Practitioner Association	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐

Senate Remote Testify

Health and Human Services Committee Testify List for Bill SB83 on 2023-01-2

Support: 8 Oppose: 0

Name	Title	Representing	Position
Perkins Kwoka, Senator Rebecca	An Elected Official	Myself	Support
Watters, Senator David	An Elected Official	Myself	Support
Thomas, Nicholas	A Member of the Public	Myself	Support
Carson, Sen. Sharon	An Elected Official	Myself	Support
Altschiller, Senator Debra	An Elected Official	SD24	Support
Fenton (SD 10), Senator Donovan	An Elected Official	Myself	Support
Padmore, Michael	A Lobbyist	NH Medical Society	Support
Anastasia, Patricia	A Member of the Public	Myself	Support

Testimony

NHNPA
NEW HAMPSHIRE NURSE PRACTITIONER ASSOCIATION
Empower NPs And Champion Their Practice

AANP | American Association of NURSE PRACTITIONERS®

Wednesday, January 25, 2023

Senator Regina Birdsell, Chair
Senate Health & Human Services Committee
Room 101, Legislative Office Building
Concord NH 03301

RE: SB 83, relative to the signature authority of an advanced practice registered nurse or a certified nurse midwife.

COPY OF WRITTEN TESTIMONY FOR SB83

Good morning and thank you, Senator Birdsell and members of the Committee.

My name is Jillian Belmont. I'm testifying in support of SB83 as Past President at the New Hampshire Nurse Practitioner Association (NHNPA) and the New Hampshire state liaison with the American Association of Nurse Practitioners and on behalf of our NH NP members, who comprise more than 28 percent of NH NPs.

For decades our NP community has been caring for NH residents in the cities and towns of our state. As clinicians who diagnosis, treat acute and chronic conditions, prescribe medications, and emphasize preventative care, NPs serve a critical role providing high-quality healthcare to NH residents. With the support and partnership of the legislature, great progress has been made.

However, NH can do even better. And that is what SB83 is designed to do.

Outdated state laws impede timely care and stand in the way of ensuring patient decisions in their care are followed. Statutes written before NPs were providing the level of care that we are today, have not been updated to include recognition for NP signatures on patient care documents. The legislature has previously updated some key statutes around parking placards and death certificates but other statutes and regulations are still outstanding. This inconsistency creates confusion and unnecessary delays for patient cares. As the Past President of the NHNPA state liaison for the AANP, I hear of the challenges this creates for NPs and their patients. My patients experience them, too.

As a board-certified Nurse Practitioner, I practice at Dartmouth Health in Lebanon, and I frequently have patients that need these various forms signed. I have established relationships with these patients, know their health history and am providing the care that is the basis for signing these forms. While I am the clinician who is directing a course of treatment for patients, there are some outdated statute and regulations that do not recognize my extensive clinical expertise and relationships with my patients and their families on the necessary paperwork.

As a result of these outdated laws, patients are left limited alternatives. They need to locate and establish a new patient relationship with another health care provider who is recognized to complete these standardized patient care forms or wait until I can find a provider who will use my clinic note or take my word to sign the form. My NP colleagues and members across the state share similar experiences that impact hundreds of patients every month.

This disconnect between treating the patient and signing the paperwork contributes to costly, unnecessary interruptions in care and delays.

Voting Sheets

Senate Health and Human Services Committee
EXECUTIVE SESSION RECORD
2023-2024 Session

Bill # SB 83

Hearing date: 1-25-23

Executive Session date: 2-1-23

Motion of: OTP **Vote:** 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Birdsell, Chair	X			X	
Sen. Avard, Vice Chair	X			X	
Sen. Bradley	X			X	
Sen. Whitley	X	X		X	
Sen. Prentiss	X		X	X	

Motion of: Consent **Vote:** 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Birdsell, Chair	X			X	
Sen. Avard, Vice Chair	X			X	
Sen. Bradley	X			X	
Sen. Whitley	X	X		X	
Sen. Prentiss	X		X	X	

Motion of: _____ **Vote:** _____

Committee Member	Present	Made by	Second	Yes	No
Sen. Birdsell, Chair					
Sen. Avard, Vice Chair					
Sen. Bradley					
Sen. Whitley					
Sen. Prentiss					

Reported out by: Sen. Prentiss

Notes: _____

Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE
FOR THE CONSENT CALENDAR

Thursday, February 2, 2023

THE COMMITTEE ON Health and Human Services

to which was referred **SB 83**

AN ACT relative to the signature authority of an advanced practice registered nurse or a certified midwife.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS

BY A VOTE OF: 5-0

Senator Suzanne Prentiss
For the Committee

SB 83 allows an advanced practice registered nurse (APRN) or certified midwife, acting within the scope of their practice, to certify a document in the place of a physician. This change is commonsense and respects the autonomy of practice for APRNs and certified midwives, while also saving time and cutting red tape for patients. APRNs and certified midwives are critical pieces of our healthcare system and SB 83 will further their integration.

Cameron Lapine 271-2104

FOR THE CONSENT CALENDAR

HEALTH AND HUMAN SERVICES

SB 83, relative to the signature authority of an advanced practice registered nurse or a certified midwife.

Ought to Pass, Vote 5-0.

Senator Suzanne Prentiss for the committee.

SB 83 allows an advanced practice registered nurse (APRN) or certified midwife, acting within the scope of their practice, to certify a document in the place of a physician. This change is commonsense and respects the autonomy of practice for APRNs and certified midwives, while also saving time and cutting red tape for patients. APRNs and certified midwives are critical pieces of our healthcare system and SB 83 will further their integration.

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: SB 83 **Senate Committee:** HHS

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
___ 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):

___ - amendment # _____ ___ - amendment # _____
___ - amendment # _____ ___ - 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}

___ as amended by the senate ___ as amended by the house
X final version

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

Cameron M. Laprise 8/9/23
Committee Aide **Date**

Senate Clerk's Office X