

HB 751-FN - AS AMENDED BY THE HOUSE

6Mar2025... 0220h

2025 SESSION

25-0268

05/11

HOUSE BILL

751-FN

AN ACT

requiring licensure of outpatient substance use disorder treatment facilities and relative to complaint investigation of treatment facilities by the department of health and human services office of the ombudsman and making an appropriation therefor.

SPONSORS:

Rep. McLean, Hills. 15; Rep. Newell, Ches. 4; Rep. Paquette, Hills. 25; Rep. Prudhomme-O'Brien, Rock. 13; Sen. Long, Dist 20

COMMITTEE:

Health, Human Services and Elderly Affairs

AMENDED ANALYSIS

This bill requires outpatient substance use disorder treatment programs to be licensed by the department of health and human services. The bill also directs the department to designate a behavioral health specialist within the office of the ombudsman to review complaints regarding substance use or mental health treatment facilities. The bill makes an appropriation to the department of health and human services to establish a compliance officer position to implement the requirements of the act.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Five

AN ACT requiring licensure of outpatient substance use disorder treatment facilities and relative to complaint investigation of treatment facilities by the department of health and human services office of the ombudsman and making an appropriation therefor.

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

1 1 Department of Health and Human Services, Department Established; Office of the
2 Ombudsman. Amend RSA 126-A:4, III to read as follows:

3 III. The department shall establish an office of the ombudsman to provide assistance to
4 clients of the department by investigating and resolving complaints regarding any matter within the
5 jurisdiction of the department including services or assistance provided by the department or its
6 contractors. The ombudsman's office may provide mediation or other means for informally resolving
7 complaints. The records of the ombudsman's office shall be confidential and shall not be disclosed
8 without the consent of the client on whose behalf the complaint is made, except as may be necessary
9 to assist the service provider to resolve the complaint, or as required by law. ***Subject to available
10 funding, the department shall designate within the office of the ombudsman a behavioral
11 health specialist dedicated solely to investigating and resolving complaints to promote the
12 health, safety, welfare, or civil or human rights of any person receiving the treatment or
13 services of a substance use disorder or mental health treatment facility.***

14 2 New Subparagraph; Residential Care and Health Facility Licensing; Outpatient Substance
15 Use Disorder Treatment Facilities; License Required. Amend RSA 151:2, I by inserting after
16 subparagraph (f) the following new subparagraph:

17 (g) Outpatient substance use disorder treatment facilities, including long-term remission
18 monitoring, medically managed outpatient, intensive outpatient, high-intensity outpatient, partial
19 hospitalization, and medically managed intensive outpatient programs. Impaired driver care
20 management programs under RSA 265-A and nonclinical recovery support services, including but
21 not limited to individual and group recovery coaching and 12-step programs, shall be exempt from
22 licensure.

23 3 New Hampshire Department of Health and Human Services; Position Established;
24 Appropriation. For the biennium ending June 30, 2027, the sum of \$211,000 is hereby appropriated
25 to the department of health and human services for the purpose of establishing one compliance
26 officer I position to fulfill the requirements of this act. The department of health and human
27 services shall work with the department of administrative services, division of personnel, to
28 determine the appropriate classification in accordance with the personnel classification system and
29 applicable broad group specifications. The governor is authorized to draw a warrant for said sum

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1 out of any money in the treasury not otherwise appropriated. The department of health and human
2 services may accept and expend matching federal funds without prior approval of the fiscal
3 committee of the general court.

4 4 Effective Date.

5 I. Section 3 shall take effect July 1, 2025.

6 II. The remainder of this act shall take effect 60 days after its passage.

**HB 751-FN- FISCAL NOTE
 AS AMENDED BY THE HOUSE (AMENDMENT #2025-0220h)**

AN ACT requiring licensure of outpatient substance use disorder treatment facilities and relative to complaint investigation of treatment facilities by the department of health and human services office of the ombudsman and making an appropriation therefor.

FISCAL IMPACT: This bill does not provide funding, nor does it authorize new positions.

Estimated State Impact				
	FY 2025	FY 2026	FY 2027	FY 2028
Revenue	\$0	\$0	\$0	\$0
<i>Revenue Fund(s)</i>	Substance use center certification fees			
Expenditures*	\$0	\$211,000		Indeterminable Increase
<i>Funding Source(s)</i>	General Fund			
Appropriations*	\$0	\$211,000		\$0
<i>Funding Source(s)</i>	None			

*Expenditure = Cost of bill

*Appropriation = Authorized funding to cover cost of bill

The Department of Health and Human Services was contacted on March 6, 2025 for a fiscal note worksheet in response to the amended version of this bill. As of August 19, 2025, the Department has not provided a response.

METHODOLOGY:

This bill requires licensure of outpatient substance use disorder facilities and, subject to available funding, requires the Department of Health and Human Services to designate within its office of the ombudsman a position dedicated to investigating complaints relative to treatment provided at substance use and mental health treatment facilities. The bill appropriates \$211,000 over the FY26/27 biennium for the purpose of establishing one compliance officer I position.

AGENCIES CONTACTED:

Department of Health and Human Services