

Senate Health and Human Services Committee

Sophie Walsh 271-3469

HB 1215, relative to supporting the preferred method of communication of an individual with a communication disability.

Hearing Date: April 8, 2026

Time Opened: 9:03 a.m.

Time Closed: 9:12 a.m.

Members of the Committee Present: Senators Rochefort, Avard, Birdsell and Prentiss

Members of the Committee Absent: Senator Long

Bill Analysis: This bill supports the right of individuals with communication disabilities to use their preferred method of communication within the state service delivery system, including in residential settings and schools and with other service providers.

Sponsors:

Rep. Kofalt

Rep. B. Boyd

Rep. Newell

Rep. Kuttub

Rep. W. MacDonald

Sen. Avard

Sen. Birdsell

Sen. Carson

Who supports the bill: Rep. Daniel Popovici-Muller, Rep. Jodi Newell, Chase Eagleson (NH Council on Developmental Disabilities), Karen Rosenberg (Disability Rights Center – NH), Emily Lawrence (Waypoint), Lisa Beaudoin (Strategies for Disability Equity), Heather Barber, Mary Danca, Sarah Colombo, Annie Rettew, Betsey Neville, Nancy Brenna, Carly Feins, Amy Moore (Ascentria Care Alliance), and Ryan Donnelly (Granite State Independent Living).

Who opposes the bill: Karen Widmer and Patience Stoddard.

Who is neutral on the bill: No one.

Summary of testimony presented:

Representative Jim Kofalt, Hillsborough – District 32

- Representative Kofalt recalled a friend reaching out to him about their autistic child. They learned about methods enabling communication for people who are very limited in their ability to speak.
- He explained that there is an unfortunate assumption that those who do not have the ability to speak may lack intellectual capacity. He provided an example

of an individual who described gaining the ability to communicate with others "like winning the lottery."

- Representative Kofalt shared the stories of non-speaking individuals. One of them was put on a path to achieve a certificate of completion from a special education program. Despite this, they graduated college, won prestigious awards, and is working on a PhD.
- Representative Kofalt explained that there has been some pushback against using spelling as a method of communication.
- This legislation mirrors a bill introduced in New York in a scaled-back fashion to avoid creating a magnet for lawsuits. This bill takes a step in the right direction by utilizing language from the Americans with Disabilities Act (ADA).
- This would establish a right to receive services under RSA 171-A and a right to use certain forms of communication. Representative Kofalt believes this supports self determination and dignity, better access to services, and aligns with broader principles under the ADA and state law.

Chase Eagleson, New Hampshire Council on Developmental Disabilities

- Mr. Eagleson stated that he is speaking in support of the bill.
- Communication is essential for humans to ensure we can be together. Without clear and concise forms of communication, we cannot have a community and continue to thrive.
- This is also an efficiency issue. If we can ensure that everyone can communicate effectively, we can ensure that the supports and services they need are given as effectively and efficiently as possible.

Karen Rosenberg, Disability Rights Center – New Hampshire

- Ms. Rosenberg stated that she is speaking in support of the bill.
- This bill would further the objective of fully including people with disabilities in our communities.
- This bill puts a person with a disability in the driver's seat when choosing a method of communication that works for them and allows them to independently express their desires and needs.
- The bill also acknowledges that there may be new methods of communication in the future that may help someone communicate independently.
- The bill also requires service providers to make reasonable efforts to communicate with patients with disabilities in their preferred method of communication.

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Date Hearing Report completed: April 8, 2026