

Amendment to HB 1295

1 Amend RSA 72:23-k, I(b) as inserted by section 1 of the bill by replacing it with the following:

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3 ***(b) Any facility seeking an exemption under this paragraph shall meet the***  
4 ***following eligibility requirements:***

5 ***(1) Have an open enrollment policy for all services to elderly persons who***  
6 ***seek them without regard to their ability to pay for what services they may receive upon***  
7 ***admittance.***

8 ***(2) Accept forms of payment that do not cover the full cost of services,***  
9 ***including Medicare and Medicaid reimbursements.***

10 ***(3) Donate or render gratuitously a substantial portion of its services,***  
11 ***defined as:***

12 ***(A) Having a written policy to this effect, which shall include, at a***  
13 ***minimum, a written schedule of fees based on individual or family income and a***  
14 ***consistently applied formula to all individuals requesting consideration of reduced fees***  
15 ***which is, in part, based on individual or family income; and***

16 ***(B) Publishing this policy on its website in an easily accessible location.***

17 ***(4) Not base compensation, including benefits, of any director, officer, or***  
18 ***employee primarily upon the financial performance of the institution.***

19 ***(5) Adopt as part of its articles of incorporation or, if unincorporated, other***  
20 ***governing legal documents, a provision that expressly prohibits the use of any surplus***  
21 ***funds for private inurement to any person in the event of a sale or dissolution of the***  
22 ***institution of purely public charity.***

23 ***(6) Quantitatively demonstrate the facility relieves the government of some***  
24 ***of its burden by informing municipalities or political subdivisions in writing on an annual***  
25 ***basis of its monetary donations or voluntary service contributions to the community the***  
26 ***majority of the facility resides within and making this information available in a publicly***  
27 ***accessible and easy-to-access way. These contributions shall add up to no less than 50***  
28 ***percent of the actual value given from the municipality under this chapter.***