

CHAPTER 151
HB 297-FN - FINAL VERSION

7Jan2026... 2987h

2026 SESSION

25-0669
05/08

HOUSE BILL

297-FN

AN ACT relative to providing self-funded employer health benefit plans access to their claims data.

SPONSORS: Rep. Spier, Hills. 6

COMMITTEE: Commerce and Consumer Affairs

AMENDED ANALYSIS

This bill provides that, if an employer sponsoring a self-funded health benefit plan authorizes submission of its claims data to the state's comprehensive health care information system, the insurance commissioner shall provide that employer access to a utilization report based on de-identified claims data for the employer-sponsored plan.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears [~~in brackets and struck through.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

AN ACT relative to providing self-funded employer health benefit plans access to their claims data.

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

1 151:1 Portability, Availability, and Renewability of Health Coverage; Disclosure of Claims Data from
2 Self-Funded Employer-Sponsored Plans. Amend RSA 420-G:11, V to read as follows:

3 V. In addition to those lives listed in paragraph IV, the data submission requirements of
4 paragraphs II and II-a shall also apply to all health carriers, licensed third party administrators, and any
5 entity required to be registered with the commissioner pursuant to RSA 402-H with respect to claims data
6 for all lives covered by any other self-funded employer-sponsored plan, when the employer has opted in
7 writing to the submission of the data. The carrier or administrator shall notify the employer of the
8 employer's option to authorize submission of the data. ***The carrier or administrator shall also notify the***
9 ***employer that, if such authorization is provided, the commissioner shall provide the employer access, on***
10 ***an annual basis, to a utilization report based on the de-identified and aggregated claims data associated***
11 ***with that employer-sponsored plan.*** The commissioner shall adopt rules under RSA 541-A specifying the
12 form of such opt in, which shall include, but not be limited to, notice to the employer regarding why it is
13 receiving the notification form, the privacy protections for the data submitted should the employer choose
14 to opt in, ***the access to its own claims data that will be afforded to the employer,*** and the transparency
15 benefits, including benefits to employers, of broad inclusion of as many lives as possible in the database
16 created under RSA 420-G:11-a. ***Health carriers and third party administrators administering self-funded***
17 ***employer-sponsored plans shall provide this notice to such employers annually upon renewal.*** Nothing in
18 this paragraph shall be construed to impose any reporting obligation on any self-funded employer or plan
19 sponsor, or to impose any requirement with respect to the manner in which any such self-funded plan is
20 administered. Nothing in this paragraph shall prevent a health carrier or third party administrator from
21 communicating its views to an employer about the employer's decision whether to opt in to the submission
22 of claims data.

23 151:2 Effective Date. This act shall take effect 60 days after its passage.

Approved: June 19, 2026
Effective Date: August 18, 2026

