

Amendment to HB 1655-FN

1 Amend RSA 126-Q:1, IV as inserted by section 1 of the bill by replacing it with the following:

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3 IV. "Assessment" means the assessable entity's liability with respect to ~~[childhood]~~ vaccines
4 determined in accordance with this chapter. ~~[For purposes of rate setting and medical loss ratio~~
5 ~~calculations, all association assessments are considered pharmaceutical or medical benefit costs and~~
6 ~~not regulatory costs.]~~ In the event of any insolvency or similar proceeding affecting any payer,
7 assessments shall be included in the highest priority of obligations to be paid by or on behalf of such
8 payer.

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10 Amend RSA 126-Q:1, XI as inserted by section 3 of the bill by replacing it with the following:

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12 XI. "Vaccine" means any preparations of killed microorganisms, living attenuated
13 organisms, or living fully virulent organisms that are approved by the federal Food and Drug
14 Administration and recommended by the Advisory Committee on Immunization Practices of the
15 Centers for Disease Control and Prevention and have been authorized by the commissioner of the
16 department of health and human services for administration to children **and adults** of the state of
17 New Hampshire ~~[under the age of 19 years]~~ for the purposes of producing or artificially increasing
18 immunity to particular life-threatening and disabling diseases. **"Vaccine" shall not include**
19 ***pneumococcal polysaccharide vaccine or herpes zoster vaccine.***

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21 Amend RSA 126-Q:4, I as inserted by section 6 of the bill by replacing it with the following:

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23 I. The board shall determine an assessment for each assessable entity in accordance with
24 this section, except that no assessment shall be made based on children excluded from assessable
25 lives whose vaccines are paid for under the federal Vaccines for Children program, established under
26 42 U.S.C. section 1396s~~].—An assessment determination made pursuant to this section is a~~
27 ~~pharmaceutical cost and not a regulatory cost for purposes of calculating the carrier's medical loss~~
28 ~~ratio] or adults whose vaccines are paid for under Medicare.~~

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30 Amend the bill by replacing section 9 with the following:

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32 9 Effective Date. This act shall take effect July 1, 2021.