

Amendment to SB 559-FN

1 Amend the bill by replacing all after the enacting clause with the following:

2
3 1 New Hampshire Vaccine Association; Definitions; Definition of Biological Product Added.
4 Amend RSA 126-Q:1, III - X to read as follows:

5 III. "Assessable lives" means all children under 19 years of age residing in the state who
6 have assessable coverage written or administered by an assessable entity, with the exception of
7 children whose vaccines **and respiratory syncytial virus biological product** are paid for under
8 the federal Vaccines for Children program, established under 42 U.S.C. section 1396s.

9 IV. "Assessment" means the assessable entity's liability with respect to childhood vaccines
10 **and the respiratory syncytial virus biological product** determined in accordance with this
11 chapter. For purposes of rate setting and medical loss ratio calculations, all association assessments
12 are considered pharmaceutical or medical benefit costs and not regulatory costs. In the event of any
13 insolvency or similar proceeding affecting any payer, assessments shall be included in the highest
14 priority of obligations to be paid by or on behalf of such payer.

15 V. "Association" means the New Hampshire vaccine association.

16 VI. "Board" means the board of directors of the New Hampshire vaccine association.

17 VII. "Commissioner" means the commissioner of the department of health and human
18 services.

19 VIII. "Estimated vaccine cost" means the estimated cost to the state over the course of a
20 state fiscal year of the purchase, distribution, and administration of vaccines **and the respiratory**
21 **syncytial virus biological product** purchased at the federal discount rate by the department of
22 health and human services.

23 IX. "Provider" means a person licensed by this state to provide health care services to
24 persons or a partnership or corporation made up of those persons.

25 **IX-a. "Respiratory syncytial virus biological product" means a respiratory syncytial**
26 **virus biological product that has been approved by the federal Food and Drug**
27 **Administration and recommended by the Advisory Committee on Immunization Practices**
28 **of the Centers for Disease Control and Prevention to be added to the Vaccines for Children**
29 **program and has been authorized by the commissioner of the department of health and**
30 **human services for administration to children of the state of New Hampshire under the age**
31 **of 19 years for the purposes of protecting against the respiratory syncytial virus.**

1 X. "Total non-federal program cost" means the estimated vaccine *and the respiratory*
2 *syncytial virus biological product* cost less the amount of federal revenue available to the state
3 for the purchase, distribution, and administration of vaccines *and respiratory syncytial virus*
4 *biological product*.

5 2 New Hampshire Vaccine Association; Assessment Determination. Amend RSA 126-Q:4, II(c)
6 to read as follows:

7 (c) Add a reserve of up to 10 percent of the anticipated cost under subparagraph (a) for
8 unanticipated costs associated with providing vaccines *and the respiratory syncytial virus*
9 *biological product* to children covered; and

10 3 Effective Date. This act shall take effect upon its passage.

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AMENDED ANALYSIS

This bill defines respiratory syncytial virus biological product for purposes of assessment by the New Hampshire vaccine association.