

Floor Amendment to SB 249-FN

1 Amend RSA 167:64, II as inserted by section 2 of the bill by replacing it with the following:

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3 II. Beginning in state fiscal year 2026 and continuing every state fiscal year thereafter, the  
4 commissioner of the department of health and human services shall provide Medicaid payments,  
5 subject to the payment conditions set forth in paragraph V, to the hospitals in an amount equal to 91  
6 percent of the money collected pursuant to RSA 84-A in the prior state fiscal year. Payments to the  
7 hospitals shall be made in accordance with this section.

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9 Amend RSA 167:64, IX as inserted by section 2 of the bill by replacing it with the following:

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11 IX. The remaining funds available under this section shall be used to make provider  
12 payments and to support Medicaid services and Medicaid programs administered by the department  
13 in amounts directed by the budget in each year of the biennium, and from this an amount of at least  
14 9 percent of the money collected pursuant to RSA 84-A in the prior state fiscal year shall be used to  
15 support Medicaid services and Medicaid programs administered by the department of health and  
16 human services with first priority to funding Medicaid service provider payments to community  
17 mental health centers, federally qualified health centers, substance use disorder providers, and  
18 other Medicaid service providers as determined by the commissioner of the department of health and  
19 human services.

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21 Amend the bill by replacing all after section 3 with the following:

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23 4 Committee Established. There is established a committee to study the Medicaid enhancement  
24 tax and disproportionate share hospital payments.

25 I. The members of the committee shall be as follows:

26 (a) Three members of the senate appointed by the president of the senate. One member  
27 shall be from the senate finance committee and one member shall be from the senate health and  
28 human services committee. Two members shall be from the majority party and one member shall be  
29 a member of the minority party.

30 (b) Two members of the house of representatives, appointed by the speaker of the house  
31 of representatives. One member shall be from the house health and human services committee and  
32 one member shall be from the house finance committee.

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1           II. Members of the committee shall receive mileage at the legislative rate when attending to  
2 the duties of the committee.

3           III. The committee shall:

4               (a) Study the Medicaid enhancement tax in the state of New Hampshire.

5               (b) Study disproportionate share hospital payments in New Hampshire.

6               (c) Study the relationship between the Medicaid enhancement tax and disproportionate  
7 share hospital payments in New Hampshire and review the history of this issue in New Hampshire.

8               (d) Study the feasibility of the state of New Hampshire moving to a directed payment  
9 plan for disproportionate share hospital payments.

10              (e) Solicit testimony from any person or organization with relevant information or  
11 expertise.

12              (f) Draft legislation to address any issues identified around the topics studied and  
13 reviewed by the committee. This draft legislation shall be included in the committee's final report.

14           IV. The members of the study committee shall elect a chairperson from among the members.  
15 The first meeting of the committee shall be called by the first-named senate member. The first  
16 meeting of the committee shall be held within 30 days of the effective date of this section. Three  
17 members of the committee shall constitute a quorum.

18           V. The committee shall report its findings and any recommendations for proposed legislation  
19 to the president of the senate, the speaker of the house of representatives, the senate clerk, the  
20 house clerk, the governor, and the state library on or before November 1, 2025.

21           5 Repeal; Effective July 1, 2027. RSA 167:64, II, relative to Medicaid payments to hospitals, is  
22 repealed.

23           6 Effective Date.

24               I. Section 5 of this act shall take effect July 1, 2027.

25               II. The remainder of this act shall take effect July 1, 2025.

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2025-0915s

AMENDED ANALYSIS

This bill revises the funding mechanism for uncompensated care costs under the state Medicaid program, including the distribution of disproportionate share hospital payments. The percentage of funds used for Medicaid payments to hospitals is repealed July 1, 2027. The bill also establishes a committee to study the Medicaid enhancement tax and disproportionate share hospital payments.