

Amendment to HB 548-FN

1 Amend the bill by replacing section 1 with the following:

2

3 1 Residential Care and Health Facility Licensing; License or Registration Required;  
4 Moratorium; Exception for Membership-Based and Direct Payment Facilities. Amend RSA 151:2,  
5 VI(a)(1) to read as follows:

6 (1) No new license shall be issued for, and there shall be no increase in licensed  
7 capacity of, any nursing home, skilled nursing facility, intermediate care facility, or rehabilitation  
8 facility, including rehabilitation hospitals and facilities offering comprehensive rehabilitation  
9 services. This moratorium shall not apply to:

10 (A) *Any facility that is not a nursing home or skilled nursing facility,*  
11 *that operates on a membership-based business model or exclusively provides services to*  
12 *persons who make direct payment for services;*

13 (B) Any rehabilitation facility whose sole purpose is to treat individuals for  
14 substance use disorder or mental health issues; or [tø]

15 (C) Any continuing care facility for which a certificate of authority has been  
16 issued by the insurance commissioner pursuant to RSA 420-D:2.

17

18 Amend RSA 151:2-f, II as inserted by section 4 of the bill by replacing it with the following:

19

20 *II. Subparagraph I(a) shall not apply to intermediate care facilities or*  
21 *rehabilitation facilities, including rehabilitation hospitals and facilities offering*  
22 *comprehensive rehabilitation services facilities, that operate on a membership-based*  
23 *business model or exclusively provide services to persons who make direct payment for*  
24 *services. For the purposes of this paragraph, a direct payment is one that is paid directly*  
25 *by the patient and is not reimbursed or otherwise paid by a third party.*

**Amendment to HB 548-FN**  
**- Page 2 -**

2025-0964h

AMENDED ANALYSIS

This bill exempts direct-pay health care facilities from certain licensing requirements and policies in RSA 151:2-f as well as the moratorium on licensing and bed capacity in RSA 151:2, VI(a) provided that the facility is not a nursing home or skilled nursing facility. The bill also establishes a patient's bill of right for direct-pay facilities and directs the department of health and human services to study direct-pay models.