

HB 243-FN - AS AMENDED BY THE SENATE

06/05/2025 2049s
06/05/2025 2487s
06/05/2025 2665s
06/05/2025 2710s

2025 SESSION

25-0065
11/05

HOUSE BILL

243-FN

AN ACT relative to relative to the penalty for false reports of suspected abuse and neglect made to the division for children, youth, and families, and relative to the maternal mortality review committee, electric vehicle charging stations and fees for annual testing by the division of weights and measures, and relative to the acceptance of portraits of Senator Sylvia Larsen and Senator Jeb Bradley for the state house.

SPONSORS: Rep. Spillane, Rock. 2; Rep. DeSimone, Rock. 18; Rep. Edwards, Rock. 31; Rep. Kuttub, Rock. 17; Rep. Notter, Hills. 12; Rep. Roy, Rock. 31; Rep. Seidel, Hills. 29; Rep. Kofalt, Hills. 32; Sen. Gannon, Dist 23; Sen. McGough, Dist 11

COMMITTEE: Children and Family Law

AMENDED ANALYSIS

This bill:

I. Provides that reports of suspected abuse and neglect may include the name of the person making the report and that a person who makes a false report maliciously or with the intent to cause harm shall be guilty of a misdemeanor.

II. Creates a private right of action for civil damages against a person who makes a false report of suspected abuse or neglect.

III. Renames the maternal mortality review panel as the maternal mortality review committee, revises its membership, and provides for the committee to be administered by the department of health and human services and facilitated by the New Hampshire perinatal quality collaborative (NHPQC) affiliated with Dartmouth Health.

IV. Revises the definition of "pregnancy-related death" by removing the exclusion of accidental or incidental causes.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

1 AN ACT relative to relative to the penalty for false reports of suspected abuse and neglect
2 made to the division for children, youth, and families, and relative to the maternal
3 mortality review committee, electric vehicle charging stations and fees for annual
4 testing by the division of weights and measures, .and relative to the acceptance of
5 portraits of Senator Sylvia Larsen and Senator Jeb Bradley for the state house.
6

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

7 1 Child Protection Act; Reporting Law; Nature of Report; Liability. Amend RSA 169-C:30 and
8 RSA 169-C:31 to read as follows:

9 169-C:30 Nature and Content of Report. An oral report shall be made immediately by telephone
10 or otherwise, and followed within 48 hours by a report in writing, if so requested, to the department.
11 Such report shall, if known, contain the name and address of the child suspected of being neglected
12 or abused and the person responsible for the child's welfare, the specific information indicating
13 neglect or the nature and extent of the child's injuries (including any evidence of previous injuries),
14 the identity of the person or persons suspected of being responsible for such neglect or abuse, and
15 any other information that might be helpful in establishing neglect or abuse or that may be required
16 by the department. ***Reports made to the department may include the name, address, or***
17 ***phone number of the person or persons making the report of suspected abuse or neglect of a***
18 ***child under this chapter.***

19 169-C:31 Immunity From Liability.

20 ***I.*** Anyone participating in good faith in the making of a report pursuant to this chapter or
21 who provides information or assistance, including medical evaluations or consultations, in
22 connection with a report, investigation, or legal intervention pursuant to a good faith report of child
23 abuse or neglect, is immune from any liability, civil or criminal, that might otherwise be incurred or
24 imposed. Any such participant has the same immunity with respect to participation in any
25 investigation by the department or judicial proceeding resulting from such report.

26 ***II.*** ***Nothing in this section shall provide civil or criminal immunity for a***
27 ***professional mandatory reporter who knowingly fails to make a report of suspected abuse***
28 ***or neglect under RSA 169-C:29 or for a person who knowingly files a false report of abuse or***
29 ***neglect.***

30 2 New Sections; Child Abuse; Intentional False Report; Civil Liability. Amend RSA 169-C by
31 inserting after section 31 the following new sections:

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1 169-C:31-a Intentional False Report of Abuse or Neglect. A person is guilty of a misdemeanor if
2 he or she knowingly provides false information or causes another to provide false information of
3 suspected child abuse or neglect as defined by RSA 169-C:3 to the department or to any professional
4 mandatory reporter of suspected child abuse identified in RSA 169-C:29.

5 169-C:31-b Civil Liability. Any person harmed by the intentional submission of a false report of
6 abuse or neglect under RSA 169-C:31-a may bring a civil action against the responsible party for
7 monetary damages and other appropriate relief.

8 3 Public Health; Maternal Mortality Review Committee. Amend the subdivision heading
9 preceding RSA 132:29 to read as follows:

Maternal Mortality Review [~~Panel~~] **Committee**

11 4 Public Health; Maternal Mortality Review Committee; Definitions. Amend RSA 132:29, I to
12 read as follows:

13 I. "Pregnancy-related" means the death of a woman while pregnant or within one year of the
14 end of pregnancy, irrespective of the duration and site of the pregnancy, from any cause related to or
15 aggravated by her pregnancy or its management [~~, but not from accidental or incidental causes~~].

16 5 Public Health; Maternal Mortality Review Committee Established. Amend RSA 132:30 to
17 read as follows:

18 132:30 Maternal Mortality Review [~~Panel~~] **Committee** Established.

19 I. There is established a maternal mortality review [~~panel~~] **committee** to conduct
20 comprehensive, multidisciplinary reviews of maternal deaths in New Hampshire for the purpose of
21 identifying factors associated with the deaths and to make recommendations for system changes to
22 improve services for women in the state. ***The committee shall be administered by the***
23 ***department of health and human services and facilitated jointly with the New Hampshire***
24 ***perinatal quality collaborative (NHPQC) affiliated with Dartmouth Health.*** The [~~panel~~]
25 **committee** shall consist of:

26 (a) Two members from the New Hampshire chapter of the American College of
27 Obstetricians and Gynecologists, one of whom shall be a generalist obstetrician, and one of whom
28 shall be a maternal fetal medicine specialist.

29 (b) One member from the New Hampshire chapter of the American Academy of
30 Pediatrics, specializing in neonatology.

31 (c) One member from the New Hampshire chapter of the American College of Nurse-
32 Midwives.

33 (d) One member from the New Hampshire section of the Association for Women's
34 Health, Obstetric and Neonatal Nurses.

35 (e) The administrator of maternal and child health who also is the Title V director,
36 division of public health services, department of health and human services.

1 (f) An epidemiologist from the department of health and human services with experience
2 analyzing perinatal data, or designee.

3 (g) A representative of the community mental health centers.

4 (h) A public member.

5 (i) The chief medical examiner, or designee.

6 ***(j) A representative of the division for children, youth and families, appointed***
7 ***by the commissioner of the department of health and human services.***

8 ***(k) A representative of the department of corrections, appointed by the***
9 ***commissioner of the department of corrections.***

10 II. Each member in subparagraphs I(a)-(h) shall be appointed by the commissioner of health
11 and human services, or designee, in collaboration with the organizations listed in paragraph I.

12 III. ~~[The term of each member shall be 3 years and the terms shall be staggered.]~~ The
13 **committee** chair shall be appointed by the commissioner **or designee**. ~~[The initially appointed~~
14 ~~chair shall call the meeting and panel together and shall serve as chair for 6 months, after which~~
15 ~~time, the panel shall elect its chair. Members of the panel shall receive no compensation.]~~

16 IV. The commissioner may delegate to ~~[the Northern New England Perinatal Quality~~
17 ~~Improvement Network (NNEPQIN)]~~ **NHPQC** the functions of collecting, analyzing, and
18 disseminating maternal mortality information, organizing and convening meetings of the ~~[panel]~~
19 **committee**, and other substantive and administrative tasks as may be incident to these activities.
20 The activities of ~~[NNEPQIN]~~ **NHPQC** and its employees or agents shall be subject to the same
21 confidentiality provisions as those that apply to the ~~[panel]~~ **committee**.

22 V. The commissioner shall submit an annual report ~~[beginning on June 1, 2011]~~ to the
23 oversight committee on health and human services describing adverse events reviewed by the
24 ~~[panel]~~ **committee**, including statistics and causes, and outlining, in aggregate, corrective action
25 plans, and making recommendations for system change and legislation relative to state health care
26 operations.

27 VI.(a) ~~The [panel, in collaboration with the commissioner of the department of health and~~
28 ~~human services, or designee,]~~ **committee** shall conduct comprehensive multidisciplinary reviews of
29 the maternal mortality deaths, as defined in RSA 132:29, I-III~~[, in New Hampshire]~~.

30 (b) Each ~~[member of the panel]~~ **committee meeting** shall ~~[be responsible for the~~
31 ~~dissemination of panel recommendations to his or her respective institutions and professional~~
32 ~~organizations]~~ **conclude with the development of committee recommendations with members**
33 **responsible for the dissemination of recommendations to his or her respective institutions**
34 **or professional organizations.** All such information shall be disseminated through each
35 participant's quality assurance program in order to protect the confidentiality of all participants and
36 patients involved in any incident.

37 (c) The ~~[panel]~~ **committee** shall not:

(1) Call witnesses or take testimony from individuals involved in the investigation of a maternal death.

(2) Enforce any public health standard or criminal law or otherwise participate in any legal proceeding, except if a member of the team is involved in the investigation of the death or resulting prosecution and must participate in a legal proceeding in the course of performing in his or her duties outside the team.

(d) Proceedings, records, and opinions of the maternal mortality review ~~[panel]~~ **committee** are confidential, not subject to RSA 91-A, and not subject to discovery, subpoena, or introduction into evidence in any civil or criminal proceeding. Nothing in this subparagraph shall be construed to limit or restrict the right to discover or use in any civil or criminal proceeding anything that is available from another source and entirely independent of the proceedings of the ~~[panel]~~ **committee**.

(e) Members of the ~~[panel]~~ **committee** shall not be questioned in any civil or criminal proceeding regarding information presented in or opinions formed as a result of a meeting of the team. Nothing in this subparagraph shall be construed to prevent a member of the ~~[panel]~~ **committee** from testifying to information obtained independently of the team or which is public information.

VII. The commissioner of the department of health and human services, with the advice and recommendation of a majority of members of the ~~[panel]~~ **committee**, shall adopt rules, pursuant to RSA 541-A, relative to the following:

(a) The system for identifying and reporting maternal ~~[deaths]~~ **mortalities** to the commissioner, or designee.

(b) The form and manner through which the program may acquire information under RSA 132:31.

(c) The protocol to be used in carefully and sensitively contacting ~~[a]~~ family ~~[member]~~ **members and close contacts** of the deceased ~~[woman]~~ **individual** for a discussion of the events surrounding the death, allowing grieving family members to refuse such an interview.

(d) Assuring de-identification of all individuals and facilities involved in the ~~[panel]~~ **committee** review of cases.

6 Public Health; Maternal Mortality Review Committee; Acquisition of Information Related to Maternal Mortality. Amend RSA 132:31 to read as follows:

132:31 Acquisition of Information Related to Maternal Mortality.

I. ~~[If a root cause analysis of a maternal mortality event has been completed, such findings shall be included in the records supplied to the review panel]~~ **All case findings shall be included in the case narrative supplied to the committee.**

II. Health care providers, health care facilities, clinics, laboratories, medical records departments, and state offices, agencies and departments shall report all maternal mortality deaths

as defined in RSA 132:29, I-III to ~~[the chair of the panel and]~~ the commissioner, or designee. The commissioner ***or designee*** shall have access to individually identifiable information relating to the occurrence of maternal ~~[deaths only on a case-by-case basis where public health is at risk]~~ ***mortality***. This information includes, but is not limited to: vital records, hospital discharge data, prenatal, fetal, pediatric, or infant medical records, hospital or clinic records, laboratory reports, records of fetal deaths or induced terminations of pregnancies, and autopsy reports. The same case information may be acquired from health care facilities, maternal mortality review programs, and other sources in other states to ensure that its records of New Hampshire maternal mortality cases are accurate and complete. ~~[The chair shall not acquire and retain any individually identifiable information.]~~

III. The commissioner, or designee, may retain identifiable information regarding facilities where maternal deaths occur and geographical information on each case solely for the purposes of trending and analysis over time. Pursuant to RSA 132:30, VII(d), ***personally*** identifiable information on all individuals and facilities shall be removed prior to any case review by the ~~[panel]~~ ***committee***.

7 New Paragraph; Agriculture, Horticulture and Animal Husbandry; Standards for Weights and Measures; Definitions. Amend RSA 438:1 by inserting after paragraph XV the following new paragraph:

XVI. "Electric vehicle charging station" or "charging station" means any level of electric vehicle supply equipment, which means a device or system designed and used specifically to transfer electrical energy to an electric vehicle, either as charge transferred via physical or wireless connection, by loading a fully charged battery, or by other means, that is designed and built in compliance with the requirements of the National Institute of Standards and Technology Handbook 44, as amended, and is approved by the National Type Evaluation Program, and delivers electricity from a source outside an electric vehicle into a plug-in electric vehicle.

8 New Paragraph; Agriculture, Horticulture and Animal Husbandry; Standards for Weights and Measures; Fee for Licensing Commercial Devices. Amend RSA 438:10-a by inserting after paragraph XVI the following new paragraph:

XVII. Electric Vehicle Charging Meter, \$175 per meter to include annual testing by means of a weights and measures official. Electric vehicle charging stations in place prior to the effective date of this section shall be licensed and certified by January 1, 2027. Electric vehicle charging stations installed after the effective date of this section shall be licensed with the division before use and certified by a division official within 30 days of installation. Direct current devices installed prior to January 1, 2025 are exempt from NIST Handbook 44, 2025 edition requirements until January 1, 2035 and shall meet a +/- 5 percent tolerance.

9 Registered Service Technician; Duties. Amend RSA 438:14-a to read as follows:

438:14-a Registered Service Technician. A registered service technician who ***tests, adjusts, repairs, certifies, rejects, adds, removes, or replaces*** ~~[installs, services, repairs, reconditions, tests, or calibrates]~~ a commercial weighing or measuring device shall ***state certify*** ~~[seal]~~ said device in a manner approved by the commissioner, ***except that electric vehicle charging stations shall only be state certified by a weights and measures official.*** This ***certification*** ~~[seal]~~ shall authorize the device owner to use a licensed device unless rejected pursuant to RSA 438:14.

10 Department of Agriculture, Markets, and Food; Positions Created. There is created within the department of agriculture, markets, and food the classified full-time position of registered electric vehicle service technician, who shall be under the direction of the commissioner of the department of agriculture, markets, and food pursuant to RSA 426:6-b. The certifier shall be responsible for certifying electric vehicle charging stations in this state in accordance with RSA 4438:10-a and RSA 438:14-a.

11 Agricultural Products Regulatory Fund; Withdrawal. The commissioner shall withdraw \$413,301 for the fiscal year ending June 30, 2026 from the agricultural products regulatory fund established in RSA 435:20 to cover the costs associated with establishing the position of registered electric vehicle charging station service technician. Such funds shall be non-lapsing. For 2 years after such withdrawal completed, if needed, the commissioner may continue to withdraw additional funds from the agricultural products regulatory fund to cover such costs.

12 Joint Legislative Historical Committee; Sylvia Larsen Portrait. The joint legislative historical committee established under RSA 17-I:1 may accept a gift of a portrait of Sylvia Larsen and oversee the hanging of the portrait in the state house.

13 Joint Legislative Historical Committee; Senator Jeb Bradley Portrait. The joint legislative historical committee may accept a gift of a portrait of Senator Jeb Bradley and oversee the hanging of the portrait in the state house.

14 Effective Date.

I. Sections 1 and 2 of this act shall take effect July 1, 2025.

II. The remainder of this act shall take effect upon its passage.

**HB 243-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT relative to the penalty for false reports of suspected abuse and neglect made to the division for children, youth, and families.

FISCAL IMPACT:

Estimated State Impact				
	FY 2025	FY 2026	FY 2027	FY 2028
Revenue	\$0	\$0	\$0	\$0
<i>Revenue Fund</i>	None			
Expenditures*	Indeterminable			
<i>Funding Source</i>	General Fund			
Appropriations*	\$0	\$0	\$0	\$0
<i>Funding Source</i>	None			

*Expenditure = Cost of bill

*Appropriation = Authorized funding to cover cost of bill

Estimated Political Subdivision Impact				
	FY 2025	FY 2026	FY 2027	FY 2028
County Revenue	\$0	\$0	\$0	\$0
County Expenditures	Indeterminable			
Local Revenue	\$0	\$0	\$0	\$0
Local Expenditures	Indeterminable			

METHODOLOGY:

This bill adds, deletes, or modifies a criminal penalty, or changes statute to which there is a penalty for violation. Therefore, this bill may have an impact on the judicial and correctional systems, which could affect prosecution, incarceration, probation, and parole costs, for the state, as well as county and local governments. A summary of such costs can be found at: https://gencourt.state.nh.us/lba/Budget/Fiscal_Notes/JudicialCorrectionalCosts.pdf.

AGENCIES CONTACTED:

Department of Health and Human Services, Judicial Branch, Judicial Council, Department of Justice, Department of Corrections, New Hampshire Association of Counties, and New Hampshire Municipal Association