

Sen. Prentiss, Dist 5
Sen. Birdsell, Dist 19
May 14, 2026
2026-1982s
09/07

Floor Amendment to HB 1323-FN

1 Amend the title of the bill by replacing it with the following:

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3 AN ACT relative to parental alienation and limiting certain prior authorization requirements
4 for physical therapy, occupational therapy, and similar rehabilitative services.

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6 Amend the bill by inserting after section 9 the following and renumbering the original section 10 to
7 read as 11:

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9 10 New Section; Managed Care Law; Prior Authorization for Physical Therapy and
10 Occupational Therapy; When Required. Amend RSA 420-J by inserting after section 6-e the
11 following new section:

12 420-J:6-f Prior Authorization for Physical Therapy and Occupational Therapy; When Required.

13 I. A health carrier shall not require prior authorization for physical therapy and
14 occupational therapy, as defined in RSA 328-A:2, XI and RSA 326-C:1, IV, respectively, for the first
15 visit of each new episode of care. Health carriers may require prior authorization following the
16 covered person's first visit. Each health carrier shall provide prior authorization for physical
17 therapy and occupational therapy, if medically necessary based on the evaluation of the patient at
18 the initial visit, for not less than 8 treatments before requiring additional review for medical
19 necessity, unless otherwise specified in the plan sponsor's contract with the health carrier. For
20 purposes of this section, "new episode of care" means treatment for a new condition or treatment for
21 a recurring condition for which an enrollee has not been treated within the previous 60 days.

22 II. This section shall not limit the right of a health carrier to deny a claim when an
23 appropriate prospective or retrospective review concludes that the health care services or treatment
24 rendered were not medically necessary.

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AMENDED ANALYSIS

This bill:

I. Defines parental alienation to mean a pattern of behavior, conduct, or speech which would damage the relationship of the child and a parent, resulting in the child's fear, negative perception, rejection, or hostility toward their other parent, and adds standards for considering claims of parental alienation in certain cases involving children and parental rights.

II. Prohibits health carriers from requiring prior authorization for the first physical or occupational therapy visit in any new episode of care, and mandates approval of at least 8 medically necessary treatments after the initial evaluation before further review. This bill also preserves insurers' ability to deny claims deemed not medically necessary.