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Contains: Corrected Committee Reports and Amendments

ADDENDUM TO HOUSE CALENDAR NO. 20

CORRECTED COMMITTEE REPORTS

FINANCE

HB 1581-FN-A, relative to the bonding of project costs for certain department of transportation bridge capital projects. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Robert J Elliott for the **Majority** of Finance. The intent of HB 1581 has 3 parts. First, it allows the New Hampshire department of transportation to issue bonds on the credit of the State of New Hampshire to repair or replace state owned red list bridges. Second, the borrowing authority is restricted so that at no time shall total highway fund bonded obligations exceed 50 million dollars under this section of RSA 228 and total debt service does not exceed 10% of the unrestricted highway fund revenues for the previous fiscal years. Thirdly, this is a tool for DOT to make emergency repairs to red list bridges and any debt service incurred against the highway fund will reduce funding for routine maintenance and repairs of the highway system. **Vote 20-3.**

Rep. Dan McGuire for the **Minority** of Finance. The purpose of this bill is to allow the department of transportation to quickly borrow money should an emergency cause a bridge to be unusable. However, the language of the bill is too broad. It allows borrowing for red list OR closed bridges. Since repair of red list bridges is a normal DOT function, the bill would allow bonding of operating expenses. The minority's amendment closes this loop hole.

JUDICIARY

HB 1315, relative to confidentiality of police personnel files. **INEXPEDIENT TO LEGISLATE.**

Rep. Marjorie Smith for Judiciary. This bill provides for representation by counsel, opportunity to respond, and appeal by the police officer of the judge's decision in the use of a police personnel file in a criminal case. The Attorney General's office in conjunction with law enforcement is currently in the process of updating the procedures regarding police personnel files and therefore the committee believes that legislation in this area is premature and might prove counterproductive. **Vote 13-0.**

AMENDMENTS

(LISTED IN NUMERICAL ORDER)

Floor Amendment to HB 1167
(2014-1142h)

Proposed by Rep. Beaudoin

Amend RSA 157-A:6, I as inserted by section 1 of the bill by replacing it with the following:

I. The inspection requirements of RSA 157-A:8, 9-a, and 10 shall not apply to ***buildings used exclusively as private residences or private residences in which a resident maintains a home office***, or apartment houses of less than 3 family units.

2014-1142h
AMENDED ANALYSIS

This bill exempts buildings that are used exclusively as private residences or private residences in which a resident maintains a home office, and apartment houses of less than 3 family units from certain inspection requirements.

**Floor Amendment to HB 1352
(2014-1082h)**

Proposed by Rep. Lovett

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

AN ACT establishing a committee to study and explore public-private partnerships.

Amend the bill by replacing section 1 with the following:

1 Committee Established. There is established a committee to study and explore public-private partnerships.

Amend the bill by replacing section 3 with the following:

3 Duties. The committee shall study and explore public-private partnerships.

2014-1082h

AMENDED ANALYSIS

This bill establishes a committee to study and explore public-private partnerships.

**Floor Amendment to HB 1383
(2014-1145h)**

Proposed by Rep. Beaudoin

Amend RSA 485:11 as inserted by section 4 of the bill by replacing it with the following:

485:11 Backflow Device Requirements and Tests, Installations, Repairs and Replacements. There shall be a backflow prevention device installed at every connection to a public water system if the facility connected may pose a hazard to the quality of water supplied by the public water system as determined by the department. Where applicable, the facility receiving water from a public water supply shall be responsible for having such drinking water distribution system protective backflow prevention devices inspected and tested by individuals certified by a third party who has been approved by the department to conduct backflow device inspection and testing certification. The facility shall also have backflow devices installed, maintained, repaired, and replaced by individuals qualified by either a plumbers license or by certification by the department under RSA 332-E:3, III proving competency in distribution system operation. The activities to be conducted by qualified individuals may include the inspection and testing, maintenance, repair or replacement, and installation of the water meters, meter horns, backflow preventers, and assembly devices directly adjacent to and required as part of the protection for the drinking water distribution system. Testing of drinking water distribution system protective backflow prevention devices, where applicable, shall occur after installation or repair to ensure that new and repaired devices are working properly. Testing shall also occur twice annually for existing devices unless the public water supplier determines that the facility poses a low hazard, in which case testing shall not be required. The facility receiving water from a public water supplier is responsible for ensuring that the backflow prevention device is working properly to prevent backflow into the public water system.

**Floor Amendment to HB 1581-FN-A
(2014-1137h)**

Proposed by Reps. D. McGuire, Campbell, D. Eaton and Graham

Amend the bill by replacing sections 1 and 2 with the following:

1 New Section; Bridge Capital Projects; Bonds Authorized. Amend RSA 228 by inserting after section 12-a the following new section:

228:12-b Bridge Capital Projects; Bonds Authorized. To provide funds for capital projects to repair or replace any state-owned bridge closed in accordance with a department of transportation order, the state treasurer, as may be requested from time to time by the commissioner of the department of transportation, with prior approval of the fiscal committee of the general court, is authorized to borrow from time to time upon the credit of the state such amounts so that the total state obligation under this section shall at no time exceed \$50,000,000 and for said purposes may issue bonds and notes at such time in the name and on behalf of the state of New Hampshire in accordance with the provisions of RSA 6-A and as authorized by the governor and council. The department shall request and the treasurer shall issue bonds only for such amounts from time to time as are required for the purposes of this section and provided that the principal and interest payments can be satisfied within limitation mandated by RSA 6-C:3. Debt service for such bonds shall be a charge against the highway fund.

2 New Section; Affordable Debt Limit; Highway Fund. Amend RSA 6-C by inserting after section 2 the following new section:

6-C:3 Affordable Debt Limit; Highway Fund.

I. Notwithstanding any other provision of law, the state treasurer shall not issue any additional highway funded general obligation debt of the state if the projected annual debt service on such additional highway funded general obligation debt, when added to the prior actual annual debt service on any previously issued highway funded general obligation debt exceeds 10 percent of the unrestricted highway fund revenues for the previous fiscal year.

II. The general court may only exceed the ceiling in paragraph I by a 3/5 vote of each house present and voting. Such 3/5 vote shall only apply to votes on final passage and adoption of committee of conference reports.

2014-1137h
AMENDED ANALYSIS

This bill allows the commissioner of the department of transportation to fund bridge capital projects for state-owned bridges which are closed by department order by bonded appropriations, provided the total debt service does not exceed 10 percent of the unrestricted highway fund revenues for the previous fiscal year.

**Floor Amendment to SB 413-FN-A
(2014-1135h)**

Proposed by Rep. Hoell

Amend the bill by inserting after section 12 the following and renumbering the original section 13 to read as 14: 13 New Paragraph; Administrative Services; Medical and Surgical Benefits. Amend RSA 21-I:30 by inserting after paragraph I-a the following new paragraph:

I-b. No medical benefit plan to which the state pays a premium shall make any payments to any physician unless he or she accepts Medicaid payments.

**Floor Amendment to SB 413-FN-A
(2014-1136h)**

Proposed by Rep. Sandblade

Amend the bill by replacing section 1 with the following:

1 Statement of Purpose. The state of New Hampshire shall develop the New Hampshire health protection program to provide a coordinated strategy to access private insurance coverage for uninsured, low-income citizens with income up to 100 percent of the federal poverty level (FPL) using available, cost-effective health care coverage options for Medicaid newly eligible individuals at the earliest practicable date. The strategy shall promote the improvement of overall health through access to private insurance coverage options and draw appropriate levels of federal funding available through a Medicaid Section 1115 demonstration waiver. Increasing access to private health insurance will increase provider reimbursement rates and reduce the burden of uncompensated care in New Hampshire.

Amend RSA 126-A:5, XXIII(a) as inserted by section 2 of the bill by replacing it with the following:

XXIII.(a) The commissioner shall provide access to the health insurance premium payment (HIPP) program established by the department pursuant to section 1906 of the Social Security Act of 1935 to Medicaid newly eligible adults from 0 – 100 percent of the federal poverty level (FPL) who are eligible for medical assistance under section 1905(y) of the Social Security Act of 1935, as amended, 42 U.S.C. section 1396d(y) (“newly eligible adults”) and their spouse and dependents if applicable until December 31, 2016 to maximize the use of private insurance and available federal assistance. All newly eligible adults who have access to qualified employer sponsored insurance either directly as an employee or indirectly through another individual who is eligible for qualified employer sponsored insurance, shall be required to participate in the HIPP program in order to receive medical assistance, if eligible and determined by the department to be cost effective as required by the federal Centers for Medicare and Medicaid Services (CMS).

**Floor Amendment to SB 413-FN-A
(2014-1138h)**

Proposed by Rep. Sandblade

Amend RSA 126-A:5, XXVI as inserted by section 2 of the bill by replacing it with the following:

XXVI. Notwithstanding any provision of law to the contrary, any individual who is otherwise eligible to receive health benefits under paragraph XXIV or XXV and who is unemployed shall continually meet the employment requirements of RSA 167:82.

**Floor Amendment to SB 413-FN-A
(2014-1139h)**

Proposed by Rep. C. McGuire

Amend the bill by inserting after section 10 the following and renumbering the original sections 11-13 to read as 12-14, respectively:

11 Waiver Provisions; Department of Health and Human Services. All waivers required to be submitted by the department of health and human services to the Centers for Medicare and Medicaid Services for any program contained in this act shall be obtained from the Centers for Medicare and Medicaid Services before the commencement of any such program.

Amend the bill by replacing section 14 with the following:

14 Effective Date.

I. Section 13, paragraphs I-VII of this act shall take effect December 31, 2016.

II. Section 13, paragraph IX of this act shall take effect November 1, 2014.

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

**Floor Amendment to SB 413-FN-A
(2014-1143h)**

Proposed by Rep. Cordelli

Amend the section heading and the amending language of section 2 of the bill by replacing it with the following:

2 New Paragraphs; Department of Health and Human Services; Changes to State Medicaid Program; Health Savings Account Advisory Commission Established. Amend RSA 126-A:5 by inserting after paragraph XXII the following new paragraphs:

Amend section 2 of the bill by inserting after paragraph XXVI the following new paragraph:

XXVII.(a)(1) There is established the health and human services health savings account advisory commission to advise the commissioner and the general court on the potential for use of health savings accounts for use by the population above 100 percent of the federal poverty level. The members of the commission shall be as follows:

(A) Three members of the house of representatives, appointed by the speaker of the house of representatives.

(B) One member of the senate, appointed by the president of the senate.

(C) The commissioner of the department of health and human services, or designee.

(D) One public member, appointed by the president of the senate.

(E) One public member, appointed by the speaker of the house of representatives.

(F) One public member, appointed by the governor.

(G) A representative of a critical access hospital, nominated by the New Hampshire Hospital Association and appointed by governor and council.

(H) A representative of a non-critical access hospital that is not a member of the New Hampshire Hospital Association, nominated by joint agreement of the president of the senate and the speaker of the house of representatives and appointed by governor and council.

(I) One member who is an executive director of a community mental health center, nominated by New Hampshire Community Behavioral Health Association and appointed by governor and council.

(J) A representative of the community health centers, nominated by the Bi-State Primary Care Association and appointed by the governor and council.

(K) One member who is an executive director of an area agency, appointed by the governor and council.

(2) The commission shall:

(A) Study the potential for use of health savings accounts by the population above 100 percent of the federal poverty level.

(B) Study the potential for use of catastrophic health coverage in combination with health savings accounts including options for federal funding or solely state funding.

(C) Study existing other state plans utilizing health savings accounts such as the Healthy Indiana Plan, including the costs of the Healthy Indiana Plan and the estimated costs if a similar plan were implemented in New Hampshire, the number of people covered by the Healthy Indiana Plan compared to the number covered by Medicaid expansion, and how to modify the waiver received by Indiana so that a similar program could be implemented in New Hampshire.

(D) Study options for expansion of medical services cost transparency.

(E) Serve as a forum for a formal hearing and public comment.

(F) Receive input from experts in health care with knowledge and/or experience in the implementation of health savings accounts and input from interested stakeholders.

(G) Create any subcommittees it deems necessary, which may include members of the public appointed by the chairperson, to assist with the research, analysis, or other work necessary to support its recommendations.

(3) The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the commissioner, or designee, and shall be held within 45 days of the effective date of this section. Six members of the commission shall constitute a quorum.

(4) Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

(5) On or before June 1, 2015, the commission shall make a report of its findings and recommendations to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, the commissioner of the department of health and human services, and the state library.

(b) The department shall provide administrative support to the commission and provide such information, data, testimony, and other assistance as requested by the commission.

Amend the bill by replacing sections 12 and 13 with the following:

12 Repeal. The following are repealed:

- I. RSA 126-A:5, XXIII, relative to health insurance premium payment (HIPP) program.
- II. RSA 126-A:5, XXIV, relative to the bridge to marketplace premium assistance program.
- III. RSA 126-A:5, XXV, relative to the marketplace premium assistance program.
- IV. RSA 126-A:5, XXVI, relative to unemployed individuals who qualify for the voluntary bridge to marketplace premium assistance program and the marketplace premium assistance program.
- V. RSA 126-A:5-b, relative to New Hampshire health protection trust fund.
- VI. RSA 6:12, I(b)(317), relative to the New Hampshire health protection trust fund.
- VII. RSA 415:25, relative to qualified health plans on the federally-facilitated exchange.
- VIII. 2013, 144:129 and 131, relative to the Medicaid expansion committee and the repeal of the committee.
- IX. 2013, 144:130, as amended by section 8 of this act, relative to an appropriation.
- X. RSA 126-A:5, XXVII, relative to the health savings account advisory commission.

13 Effective Date.

- I. Section 12, paragraphs I-VII of this act shall take effect December 31, 2016.
- II. Section 12, paragraph IX of this act shall take effect November 1, 2014.
- III. Section 12, paragraph X of this act shall take effect June 1, 2015.
- IV. The remainder of this act shall take effect upon its passage.

2014-1143h

AMENDED ANALYSIS

This bill establishes the New Hampshire health protection program. This bill also establishes the New Hampshire health protection trust fund which is to be administered by the commissioner of the department of health and human services for the purposes of paying certain costs associated with the programs established in the bill and to accept any federal moneys for such programs. The commissioner of the department of health and human services is granted rulemaking authority for the purposes of the bill. This bill also establishes a health and human services savings account advisory commission.

Floor Amendment to SB 413-FN-A

(2014-1147h)

Proposed by Rep. Hoell

Amend section 2 of the bill by inserting after paragraph XXVI the following new paragraph:

XXVII. The commissioner shall ensure that programs established under paragraphs XXIII-XXV include access to a hospital, licensed under RSA 151, in each county for the newly eligible participants in such programs.