



State of
New Hampshire

HOUSE RECORD

Second Year of the 164th General Court

Calendar and Journal of the 2016 Session

Web Site Address: www.gencourt.state.nh.us

Vol. 38

Concord, N.H.

Friday, January 15, 2016

No. 2A

Contains: Clerk's Note, Additional Committee Reports, Additional Committee
Scheduling, Notices, Amendments

ADDENDUM TO HOUSE CALENDAR NO. 2

CLERK'S NOTE

House Bill 249, which appears in House Calendar No. 2 on page 4, was inadvertently printed; it was acted on in session on January 6. It will not be before the House on January 20.

Paul C. Smith, Clerk of the House

ADDITIONAL REPORTS WEDNESDAY, JANUARY 20 REGULAR CALENDAR

CRIMINAL JUSTICE AND PUBLIC SAFETY

SB 447-FN, (New Title) establishing a commission to study Narcan. **OUGHT TO PASS.**

Rep. Laura Pantelakos for Criminal Justice and Public Safety. This bill establishes a fourteen-member commission to study Narcan. The commission will study all aspects of Narcan, including: whether there should be a registry established for those in possession of Narcan; the training required regarding dosage, conditions for administering Narcan, and other appropriate training; whether there should be mandatory reporting of use of Narcan; and whether those persons who are administered Narcan should be required to go to outpatient treatment for a certain period of time. The commission will also produce a long-term plan on the use and distribution of Narcan. **Vote 14-0.**

SB 576-FN-A, (New Title) relative to the penalty for possession and use of fentanyl-class drugs, insurance coverage for substance use disorders, the funding of the controlled drug prescription health and safety program, the membership of the board of medicine, and prescribers of controlled drugs. **OUGHT TO PASS.**

Rep. Laura Pantelakos for Criminal Justice and Public Safety. The Joint Task Force for the Response to the Heroin and Opioid Epidemic was formed in November in response to the dramatic increase in the number of deaths attributed to heroin and fentanyl in New Hampshire. Current reports indicate that last year there were 385 deaths as a result of opioid abuse in the state. The final number of deaths for the year may be even higher. This bill addresses this problem using a multi-pronged approach. It strengthens our laws in several areas including: law enforcement, the program for monitoring prescriptions for controlled drugs, the education of medical providers, and insurance coverage for treatment. These changes represent important steps in what will be a lengthy process to tackle this complex problem. Specifically, the bill adds penalties for the possession and use of fentanyl that are equal to the penalties for the possession and use of heroin and crack cocaine. Fentanyl is a powerful derivative of morphine that in combination with heroin, increases the potency and danger of the drug. The bill also strengthens provisions relating to the Prescription Drug Monitoring Program (PDMP) by requiring dispensers to add information to the database on a daily basis and requiring prescribers to query the database for all initial prescriptions of schedule II, III and IV opioids. Prescribers are further required to periodically query the PDMP for the same patient for subsequent prescriptions. Another provision in the bill permits prescribers and dispensers to assign designees to fulfill these enhanced requirements. Prescribers of controlled drugs will also be required to complete continuing education in pain management and addiction disorder. In order to provide more consistency in insurance coverage for substance abuse treatment, the bill requires all managed care health plans in the state to use the same criteria for determining medical necessity. Plans also must provide two routine outpatient visits without a requirement for prior authorization. **Vote 11-3.**

EDUCATION

SB 369-FN, requiring public schools to include drug and alcohol education as part of their health education curriculum. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.** Rep. James Grenier for the **Majority** of Education. This bill, as amended, recognizes the need for alcohol and drug education for the youth of New Hampshire. This bill advises school boards to develop policies authorizing school personnel to provide pupils, parents and legal guardians information relative to existing drug and alcohol counseling and treatment for pupils without a Legislative mandate to add additional programs, or services. This bill only requires school districts provide information regarding available programs and services. This bill does not require any specific alcohol and drug prevention program. Parents, school district staff, school board members and other interested local individuals are empowered to collaboratively develop the most age and community appropriate alcohol and drug prevention program for pupils in the school district. **Vote 12-3.** Rep. James Verschuere for the **Minority** of Education. This bill required age-appropriate drug education to pupils from kindergarten through grade 12. That is the sole change to the current law. The amendment changed “shall” to “should” in Section I. Those of us who voted against the amendment did so on multiple grounds. 1) Age-appropriate is insufficient language as classrooms, especially elementary school ones, include children at a range of developmental levels, not age-specific. 2) The bill provides no provision for teacher training. 3) The critical need for parental notification around sensitive curriculum is not addressed. 4) Statutes that “encourage” action weakens the intent of the law.

COMMITTEE MEETINGS

TUESDAY, JANUARY 19

ELECTION LAW, Room 308, LOB

2:30 p.m. or immediately following the public hearing on HB 1682, subcommittee work session on **HB 1564-FN-A**, establishing an independent redistricting commission.

FRIDAY, JANUARY 22

LEGISLATIVE ETHICS COMMITTEE, (RSA 14-B:2) Room 203, LOB

1:00 p.m. Regular meeting.

MEMBERS' NOTICES

The NH Association of Fire Chiefs invite all legislators to a continental breakfast on **Wednesday, January 20**. The breakfast will be served in the House Cafeteria **from 7:30 a.m.-10:00 a.m.** This is an annual opportunity for legislators to meet those Chiefs from municipalities from around the State and speak to them about issues of mutual interest.

Rep. David Danielson

AMENDMENTS

(LISTED IN NUMERICAL ORDER)

Amendment to SB 369-FN

(2016-0071h)

Proposed by the Majority of the Committee on Education - r

Amend the bill by replacing all after the enacting clause with the following:

1 New Section; School Boards; Drug and Alcohol Education. Amend RSA 189 by inserting after section 11-c the following new section:

189:11-d Drug and Alcohol Education.

I. Each public school in the state, as part of their health education curriculum, should provide at each grade level age appropriate drug and alcohol education to pupils from kindergarten through grade 12. The school board may authorize the use of an evidence-based prevention program.

II. School boards shall develop policies authorizing school district personnel to provide pupils, parents, and legal guardians with information and resources relative to existing drug and alcohol counseling and treatment for pupils. Nothing in this section shall require a school district to add additional programs or services, but only to provide information about available programs and services.

2 Effective Date. This act shall take effect 60 days after its passage.

2016-0071h

AMENDED ANALYSIS

This bill requires public schools to provide, as part of the school's health education curriculum, age appropriate drug and alcohol education to pupils in kindergarten through grade 12.