

Rep. Telerski, Hills. 11
March 21, 2025
2025-1233h
05/08

Amendment to HB 2-FN-A-LOCAL

- 1 Amend the bill by deleting sections 107, 109 and 110.

2025-1233h

AMENDED ANALYSIS

Delete the following:

Paragraph 45, directing the department of health and human services to file an amendment to the state Medicaid plan regarding prescription drug copayments.

Paragraph 47, directing the department of health and human services to file a Medicaid waiver and state plan amendment to institute premiums based on income for individuals participating in the granite advantage health care program.

Paragraph 48, directing the department of health and human services to file a Medicaid waiver and state plan amendment to institute premiums based on income for households with children participating in the Medicaid program.

Rep. Wallner, Merr. 19
March 24, 2025
2025-1333h
05/06

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by replacing section 106 with the following:

2

3 106 Expanding Access to Court-appointed Counsel for Children in Dependency Proceedings;
4 Prospective Effective Date Extended. Amend 2024, 296:6 to read as follows:

5 296:6 Effective Date.

6 I. Sections 3 and 5 of this act shall take effect August 1, 2026.

7 II. The remainder of this act shall take effect [~~July 1, 2025~~] **January 1, 2026**.

8 107 Department of Health and Human Services; Division for Children, Youth and Families;
9 Classified Positions Established; Appropriation.

10 I. The following classified positions are hereby established in the department of health and
11 human services, division for children, youth and families, to fulfill responsibilities related to
12 expanded access to court-appointed counsel for children in out-of-home placements pursuant to 2024,
13 296: 4 staff attorney II positions at labor grade 30, step 5.

14 II. From general funds appropriated to the department of health and human services in
15 account 05-92-42-421010-2958, \$207,000 for the fiscal year ending June 30, 2026, and \$414,000 for
16 the fiscal year ending June 30, 2027, shall be used for the purpose of funding the positions
17 established in paragraph I. Notwithstanding any other law to the contrary, the department may
18 transfer said funds to other accounting units as needed to effectuate this section, and may accept
19 and expend matching federal funds without prior approval of the fiscal committee of the general
20 court.

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2025-1333h

AMENDED ANALYSIS

Replace paragraph 44:

44. Extends the effective date for expanded access to court-appointed counsel for children in dependency proceedings, establishes 4 staff attorney II positions, and identifies funds appropriated to the department for this purpose.

UNAPPROVED

Rep. Telerski, Hills. 11
March 21, 2025
2025-1235h
07/05

Amendment to HB 2-FN-A-LOCAL

1 1 Repeal. 2014, 3:10, I, as amended by 2016, 12:13, as amended by 2018, 342:12, relative to
2 federal match required for continuation of the New Hampshire granite advantage health care
3 program, is repealed.

2025-1235h

AMENDED ANALYSIS

ADD:

1. Repeals the federal matching mandate of the New Hampshire granite advantage health care program.

Amendment to HB 2-FN-A-LOCAL

1 1 Tax Imposed; Tobacco Tax. Amend RSA 78:2, I to read as follows:

2 I. A tax on all cigarettes and little cigars sold at retail in this state is imposed upon the
3 consumer at the rate of [~~\$1.78~~] **\$2.20** for each package containing 20 cigarettes or little cigars or at a
4 rate proportional to such rate for packages containing other than 20 cigarettes or little cigars.

5 2 Tobacco Tax; Distribution of Funds. Amend RSA 78:24 to read as follows:

6 78:24 Distribution of Funds.

7 I. The commissioner shall determine the [~~additional~~] amount of revenue produced by [~~any~~
8 ~~additional tax in excess of \$1.00~~] **a tax of \$.78** for each package containing 20 cigarettes or little
9 cigars or at a rate proportional to such rate for packages containing other than 20, on all tobacco
10 products sold at retail in this state imposed by RSA 78:2 and shall certify that amount to the state
11 treasurer by October 1 of each year for deposit in the education trust fund established by RSA
12 198:39.

13 II. The commissioner shall make quarterly estimates of the amount of [~~additional revenues~~
14 ~~that will be produced by such increase in tax rate~~] **revenue produced under paragraph I** for the
15 next fiscal year and shall certify such amount to the state treasurer for deposit in the education trust
16 fund established by RSA 198:39. Such estimates shall be certified on June 1, September 1,
17 December 1, and March 1 of each year.

18 **III.(a) The commissioner shall determine the additional amount of revenue**
19 **produced by the tax of \$.42 for each package containing 20 cigarettes or little cigars or at a**
20 **rate proportional to such rate for packages containing other than 20, on all tobacco**
21 **products sold at retail in this state imposed by RSA 78:2 and shall certify that amount to**
22 **the state treasurer by October 1 of each year for deposit into a restricted account within the**
23 **department of health and human services for the purpose of providing an across-the-board**
24 **rate increase to Medicaid providers.**

25 **(b) The commissioner shall make quarterly estimates of the amount of**
26 **additional revenues that will be produced under subparagraph (a) for the next fiscal year**
27 **and shall certify such amount to the state treasurer for deposit in the restricted account**
28 **within the department of health and human services for the purpose of providing an**
29 **across-the-board rate increase to Medicaid providers. Such estimates shall be certified on**
30 **June 1, September 1, December 1, and March 1 of each year.**

31 3 New Section; Medicaid Provider Rates; Dedicated Account. Amend RSA 126-A by inserting
32 after section 4-i the following new section:

Amendment to HB 2-FN-A-LOCAL

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1 126-A:4-j Medicaid Provider Rates; Dedicated Account.

2 I. Pursuant to RSA 78:24, III, a portion of funds collected from the tobacco tax under RSA
3 78:2, I shall be deposited into a restricted account within the department of health and human
4 services. The account shall be kept separate and distinct from all other funds and used solely for the
5 purpose of providing an across-the-board rate increase to Medicaid providers.

6 II. By October 1, 2026, the department shall provide a report to the fiscal committee of the
7 general court identifying the amount of revenue generated, the percentage increase in provider
8 rates, and the implementation date of the rate increase. The department shall utilize any funds
9 generated under this section to increase rates pursuant to section 1902(a)(30)(A) of the Social
10 Security Act, and to promote efficiency, economy, and quality of care within New Hampshire's
11 Medicaid program.

12 III. In implementing rate increases under this section, the department shall have flexibility
13 in order to address:

14 (a) During implementation, that the percentage of RSA 126-AA funds shall be a
15 proportional credit to the amount implemented;

16 (b) Impacts to established contracts;

17 (c) Changes that result in reductions to federal match levels;

18 (d) Cost-based rate methodologies that cannot accommodate a percentage-based increase
19 as defined under the Medicaid state plan;

20 (e) Prohibitions regarding the use of general funds;

21 (f) Parity among rates, including non-Medicaid rates;

22 (g) Rates paid to out-of-state providers; and

23 (h) Any rate methodology actively under review and development.

24 4 New Subparagraph; Application of Receipts; Dedicated Account; Medicaid Rates. Amend RSA
25 6:12, I(b) by inserting after subparagraph (399) the following new paragraph:

26 (400) Moneys deposited in the Medicaid reimbursement account established in RSA
27 126-A:4-j.

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2025-1327h

AMENDED ANALYSIS

1. Increases the tobacco tax and uses funds from the increase in revenue to increase Medicaid provider rates.

UNAPPROVED

Rep. Wallner, Merr. 19
March 21, 2025
2025-1257h
07/07

Amendment to HB 2-FN-A-LOCAL

1 1 Department of Health and Human Services; Availability of Funds Directive. The department
2 of health and human services shall seek all available Title IV-E, Administration for Children and
3 Families funds to maximize federal participation in expenses associated with eligibility screening,
4 training, accounting, technology upgrades, and implementation of a child-centered approach to
5 utilizing and conserving federal benefits to which children in its care might be eligible. The
6 department shall twice annually provide a detailed report of its efforts to seek such funds and
7 results of those efforts to the oversight committee on health and human services established in RSA
8 126-A:13, the senate finance and children and family law committees, the house children and family
9 law and finance committees, and the fiscal committee of the general court.

2025-1257h

AMENDED ANALYSIS

ADD:

1. Mandates that the department of health and human services seek all available Title IV-E, Administration for Children and Families funds to maximize benefits for children in its care.

Amendment to HB 2-FN-A-LOCAL

1 1 Department of Health and Human Services; Individuals with Developmental Disabilities;
2 Funding for Recreational Services. Amend 2024, 376:4, V to read as follows:

3 V. Payment for recreational **and socialization** services shall be limited to [~~\$600~~] **\$595** per
4 individual.

5 2 Appropriation; Lapse Date. Amend 2024, 376:4, II, to read as follows:

6 II. In order to ensure that costs to access recreational **and socialization** services are
7 covered, and that individuals with developmental disabilities are able to participate in recreational
8 **and socialization** activities within their communities, the sum of \$500,000 is appropriated to the
9 department of health and human services for the biennium ending June 30, 2025. This
10 appropriation is in addition to any other funds appropriated to the department of health and human
11 services. The governor is authorized to draw a warrant for said sums out of any money in the
12 treasury not otherwise appropriated. Any unexpended funds shall lapse to the general fund on June
13 30, [~~2025~~] **2027**.

14 3 New Section; Recreational Services Special Fund. Amend RSA 171-A by inserting after
15 section 33 the following new section:

16 174-A:34 Purpose; Establishment of the Recreational Services Special Fund.

17 I. There is hereby established a fund designated as the recreational and socialization
18 services fund to provide financial support for recreational and socialization services for individuals
19 with developmental disabilities. The fund shall accept donations, grants, and contributions.
20 Notwithstanding RSA 287-D:1, IV and RSA 287-E:1, V, the administrator of the fund shall be
21 recognized as a charitable organization for the purpose of qualifying for a charitable organization
22 license for games of chance, bingo, and lucky-7

23 II. The fund shall be administered by the department of health and human services and
24 used exclusively for providing or supporting recreational and socialization services for individuals
25 with developmental disabilities.

26 III. Donations to the fund shall be deposited into a nonlapsing account, continuously
27 appropriated to the department of health and human services, and unspent funds shall not lapse but
28 shall remain available for their designated purpose in subsequent fiscal years.

29 IV. The recreational and socialization services fund is hereby authorized to participate as a
30 charity eligible to receive contributions from gaming facilities licensed under RSA 287-D and RSA
31 287-E.

Amendment to HB 2-FN-A-LOCAL

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1 4 New Subparagraphs; Application of Receipts; Recreational and Socialization Services Fund.
2 Amend RSA 6:12, I(b) by inserting after subparagraph (399) the following new subparagraphs:

3 (400) Moneys deposited in the recreational and socialization services fund
4 established in RSA 174-A:34.

5 5 Historic Horse Racing Facilities and Machines; Charitable Organization Designation.
6 Notwithstanding any general or special law to the contrary, any person, association, corporation, or
7 any other type of entity licensed by the lottery commission to hold any live running or harness race
8 or meet, offer wagers on historic horse races, or conduct any simulcast running or harness horse race
9 or meet, at which pari-mutuel pools are sold, shall be considered a charitable organization as defined
10 in RSA 287-A:1, II.

11 6 Effective Date. Section 2 of this act shall take effect June 30, 2025.

UNAPPROVED

Amendment to HB 2-FN-A-LOCAL

1 1 Department of Health and Human Services, Department Established; Office of the
2 Ombudsman. Amend RSA 126-A:4, III to read as follows:

3 III. The department shall establish an office of the ombudsman to provide assistance to
4 clients of the department by investigating and resolving complaints regarding any matter within the
5 jurisdiction of the department including services or assistance provided by the department or its
6 contractors. The ombudsman's office may provide mediation or other means for informally resolving
7 complaints. The records of the ombudsman's office shall be confidential and shall not be disclosed
8 without the consent of the client on whose behalf the complaint is made, except as may be necessary
9 to assist the service provider to resolve the complaint, or as required by law. ***Subject to available***
10 ***funding, the department shall designate within the office of the ombudsman a behavioral***
11 ***health specialist dedicated solely to investigating and resolving complaints to promote the***
12 ***health, safety, welfare, or civil or human rights of any person receiving the treatment or***
13 ***services of a substance use disorder or mental health treatment facility.***

14 2 New Subparagraph; Residential Care and Health Facility Licensing; Outpatient Substance
15 Use Disorder Treatment Facilities; License Required. Amend RSA 151:2, I by inserting after
16 subparagraph (f) the following new subparagraph:

17 (g) Outpatient substance use disorder treatment facilities, including long-term remission
18 monitoring, medically managed outpatient, intensive outpatient, high-intensity outpatient, partial
19 hospitalization, and medically managed intensive outpatient programs. Impaired driver care
20 management programs under RSA 265-A and nonclinical recovery support services, including but
21 not limited to individual and group recovery coaching and 12-step programs, shall be exempt from
22 licensure.

23 3 New Hampshire Department of Health and Human Services; Compliance Officer Position.
24 Subject to available funding, the department of health and human services may establish the
25 position of one compliance officer I position to determine the department's compliance with any
26 matter within its jurisdiction. The department of health and human services shall work with the
27 department of administrative services, division of personnel, to determine the appropriate
28 classification in accordance with the personnel classification system and applicable broad group
29 specifications.

2025-1253h

AMENDED ANALYSIS

ADD:

1. Requires licensure of outpatient substance use disorder treatment facilities, provides for complaint investigation of treatment facilities by the department of health and human services office of the ombudsman, and allows the department of health and human services to create a compliance officer position, if funding is available for such position.

UNAPPROVED

Rep. Stringham, Graf. 3
March 13, 2025
2025-0988h
07/06

Amendment to HB 2-FN-A-LOCAL

1 Amend RSA 167:18-a, II(a) as inserted by section 185 of the bill by replacing it with the following:

2

3 II.(a) The total billings to all counties made pursuant to this section shall not exceed the
4 amounts set forth below for state fiscal years ~~[2024-2025]~~ **2026-2027**:

5 (1) State fiscal year ~~[2024]~~ **2026**, \$131,849,659

6 (2) State fiscal year ~~[2025]~~ **2027**, \$131,849,659;

UNAPPROVED

Rep. Wallner, Merr. 19
March 21, 2025
2025-1261h
05/11

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by replacing section 112 with the following:

2

3 112 Department of Health and Human Services; Child Care Services. The commissioner of the
4 department of health and human services shall be responsible for determining, on an ongoing basis
5 through June 30, 2027, whether there is sufficient funding for employment-related child care
6 services to avoid a waitlist and support greater utilization of employment related child care. If at
7 any time the commissioner determines that funding is insufficient, he or she shall, to the extent
8 allowed by applicable federal regulations, utilize available federal Temporary Assistance to Needy
9 Families (TANF) reserve funds to cover the amount of the shortfall. The department shall report
10 quarterly to the fiscal committee of the general court on any funds expended on employment-related
11 child care services, including federal TANF funds authorized by this section.

2025-1261h

AMENDED ANALYSIS

REPLACE:

50. Directs the department of health and human services to use TANF funds to cover any
shortfall in funding for employment-related child care services in order to prevent a waitlist.

Amendment to HB 2-FN-A-LOCAL

1 1 Sununu Youth Services Center; Closure and Sale.

2 I. Upon receipt of permission of the U.S. Department of Justice, the division for children,
3 youth and families, in conjunction with any other relevant state agency, shall commence closure and
4 sale of the Sununu youth services center (SYSC), with a sale price of no less than \$80,000,000, to be
5 completed by June 30, 2026. Pursuant to U.S. Department of Justice requirements, the state shall
6 retain only the amount of sale proceeds available after mandatory reimbursement of grant funds and
7 any other funds required by the U.S. Department of Justice. No transfer of ownership or title shall
8 occur until each child placed at the Sununu youth services center has been placed and is physically
9 present at an appropriate alternative facility or home.

10 II. The division of children, youth and families shall determine appropriate alternative
11 residential placements for youth residing in the SYSC and facilitate such placements prior to the
12 facility's closure and sale. The division shall assure that a level of security reasonably similar to
13 that of the SYSC exists at an alternative residential placement prior to transfer of a child from the
14 SYSC to that alternative placement, and shall also assure that the same or reasonably similar
15 rehabilitative services delivered at the SYSC shall be administered at the alternative residential
16 placement. In-state placements shall be favored over out-of-state placements. The division for
17 children, youth and families shall not expend funds for alternative residential placements greater
18 than the amount of sale proceeds after federal reimbursement.

19 2 Appropriation; Department of Health and Human Services, Alternative Juvenile Placement
20 Following Closure of the Sununu Youth Services Center. The amount necessary to fund alternative
21 residential placements for children residing at the Sununu youth services as of July 1, 2025, shall be
22 appropriated to the department of health and human services for the biennium ending June 30,
23 2027. Said appropriation shall also be used to provide a 7 percent cost of living adjustment in rates
24 for any in-home provider serving as an alternative residential placement under section 1. The
25 governor is authorized to draw a warrant for any general fund sum out of any money in the treasury
26 not otherwise appropriated.

