STATE OF NEW HAMPSHIRE

DEPARTMENT OF HEALTH AND HUMAN SERVICES

DIVISION OF PUBLIC HEALTH SERVICES

Lori A. Weaver
Commissioner

Patricia M. Tilley
Director

29 HAZEN DRIVE, CONCORD, NH 03301
603-271-4501 1-800-852-3345 Ext. 4501
Fax: 603-271-4827 TDD Access: 1-800-735-2964
www.dhhs.nh.gov

September 13, 2023

Representative Mark Pearson, Chairman
Health and Human Services Oversight Committee
Legislative Office Building, Room 205-207
33 N. State Street
Concord, New Hampshire 03301

RE: HB 2, Chapter 79:429, II, Laws of 2023, prior review by Health and Human Services Oversight Committee for funding the Merrimack New Hampshire Kidney Cancer Incidence Phase 3 Feasibility Study.

Dear Chairman Pearson and Honorable Members of the Committee:

The New Hampshire Department of Health and Human Services, Division of Public Health Services ("Department"), is scheduled to appear before the Health and Human Services Oversight Committee ("Committee") for a review pursuant to HB 2, Chapter 79:429, II, Laws of 2023, for funding the Merrimack New Hampshire Kidney Cancer Incidence Phase 3 Feasibility Study at the Friday, September 22, 2023 regular meeting.

HB 2, Chapter 79:429, I, Laws of 2023, provides for an appropriation for the feasibility study as follows:

> I. There is hereby appropriated the sum of $500,000 for the biennium ending June 30, 2025, to the department of health and human services to enter into a contract with an academic or research organization to complete a New Hampshire Kidney Cancer Incidence Phase 3 Feasibility Study for the town of Merrimack to further understand potential exposures that may contribute to the excess of kidney cancer incidence in Merrimack and identify any next steps warranted. Such funds shall be nonlapsing and appropriated to the department for the purposes of this act. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

The appropriation provides the necessary funding to support the Department's recommendation to conduct a Phase 3 Feasibility Study for Merrimack, after previously identifying a statistically significant higher number of kidney cancer cases in the community. This study will be completed through a contract with an academic or research organization and will inform the next steps in the investigation.

As a prerequisite to leveraging the appropriation as authorized in HB 2, Chapter 79:429, II, Laws of 2023, a review before the Committee is required as follows:

> II. In order to provide funding for said appropriation, and subject to prior review by the joint legislative oversight committee on health and human services established in RSA 126-A:13, the

> department shall first use any available grant funding or any other non-state funds which may be used for this purpose. (Emphasis added)

Accordingly, the Department has conducted its due diligence to identify and ascertain whether any available grant funding or any other non-state funds exist which may be used for this purpose. After an exhaustive review, it has been determined that no grant funding or non-state funds exist at this moment or for the foreseeable future to support cancer concern investigations at a local level, nor does the Department currently have funding to support research studies and will need to utilize the appropriation received through HB 2 to support this important work. As part of standard practice, the Department consistently works with federal partners to identify eligible grant opportunities.

In closing, the Department would like to thank Representative Nancy Murphy, Representative Erica Layon and Rep. Maureen Mooney who championed the feasibility study and needed appropriation for supporting next steps in the Department's Kidney Cancer Incidence Investigation. We look forward to the opportunity to address the Committee later this month.

Respectfully submitted,



Patricia Tilley, Director

Enclosure

2023 – 2025 Phase 3 Cancer Concern Investigation Feasibility Study

In January 2023, New Hampshire Department of Health and Human Services (DHHS) published the results of the Phase 2 Cancer Concern Investigation showing a higher-than-expected number of kidney cancer diagnoses between 2009 and 2018 in Merrimack, NH. As a result of the investigation, DHHS recommended that the investigation proceed to a Phase 3 Feasibility Study in partnership with an academic or research organization. On 6/20/2023 Governor Sununu signed HB 2 which set aside $500,000 over the 2 year period from 07/01/23 - 06/30/25 to contract with an academic or research organization to complete the recommended Phase 3 feasibility study. A contract is not yet in place for this partnership.

The Feasibility Study will support the evaluation of potential risk factors and environmental exposures that may be associated with the excess number of kidney cancer cases observed in Merrimack. Conducting a full epidemiological study is time and resource-intensive. Before deciding to pursue such a study, it is important to determine if an epidemiological study (Phase 4) is warranted. In order to design an epidemiological study and secure funding for such research, preliminary data on potential risk factors needs to be gathered and evaluated. The Phase 3 Feasibility Study could provide valuable information to inform a Phase 4 study, should the feasibility study determine that a full epidemiological study is warranted

What is a Feasibility Study?

The purpose of a feasibility study is to see if a larger, more complex, more expensive epidemiological study will show whether or not the increased rates of cancer are related to a common cause. There are many potential causes for different types of cancers. It is very difficult to say with a high degree of confidence that an increase in a specific type of cancer in one area can be traced back to a single cause. The feasibility study is part of that process.

What will happen during the Feasibility Study?

Once an academic or research organization has been selected for the feasibility study, they will follow the steps outlined in the NH Cancer Cluster Concern Investigation Protocol which includes establishing a Community Advisory Group and an Expert Advisory Panel. The Community Advisory Group represents the community that the study will investigate and brings that community's needs and wants to the investigators. The Expert Advisory Panel helps structure the investigation, perform the analysis of the results and report the results to the community.

What will happen after the Feasibility Study?

If the feasibility study concludes that further investigation is both feasible and likely to answer the question of whether or not the increased cancer rates can be traced back to a single cause with a high degree of certainty, the process will move on to a Phase 4 Epidemiological Study. I

Will the Department engage with community members throughout the Feasibility Study?

As a public health agency, the Department is focused on using best practices for public health response including the Centers for Disease Control and Prevention's guidance related to responding to potential cancer clusters. As a part of the CDC Guidance, there is considerable emphasis placed on community

engagement and communication throughout the investigation process. The CDC recommends that a cancer and environmental health communication plan be developed at the onset of this phase of the investigation and that risk communication principles be implemented throughout the entire investigation process. This work takes expertise and dedication to build community trust. The need for a skilled communicator who is trained in risk communication strategies is important so that individuals, families and community members understand what the goals and expectations are for this phase of the investigation and are willing to participate in the study. Without community support and participation, any future epidemiological study (Phase 4) would not be possible.