



March 31, 2023

Your State House

Concord, New Hampshire



To my constituents in Allenstown, Dunbarton, Epsom, & Hooksett,

This week, I substituted in Finance for a member that couldn't be there Monday. Very convenient, since there were a number of questions about the OPLC related sections of HB 2. The committee amendment removed most of them, but a few were left: all the licensing transfers from the secretary of state's office, deletion of the allied health board (it was a small scale precursor of the OPLC and no longer needed,) and some minor cleanup. In addition, Division 1 had incorporated HB 436, the pension increase for police, fire and corrections that replaced the cuts instituted in 2011. The communications service tax (on landlines and voice and text on cell phones) was not repealed, to provide a source of funds to pay for the pension increases. The interest and dividends tax was repealed completely at the end of the biennium, though, instead of following the current plan of gradually repealing it. Rather than allocating money to pay part of local employers' pension costs, the budget was amended to include HB 50 (as amended by the House) and made an immediate, \$50 million payment towards the unfunded liability, which will help all taxpayers until the liability is paid off (scheduled for 2039.)

Division 2, which deals with education and transportation, had revised the education funding formula, as the governor suggested, so that more went to poorer areas, and there was less payment towards students who weren't there (school enrollment has been dropping state-wide as the population ages.) Still, there was a (hopefully shrinking) hold-harmless provision that kept every town receiving as much as last year. Overall school funding was up, but more of it was from the general fund, rather than the education trust fund:

the trust fund was revised to essentially cover only adequacy aid, as it used to, not the many other types of school aid (special education, building aid, transportation, etc.)

Division 3, which deals with HHS, had spent a lot of effort on the Medicaid reimbursement rates. The governor had proposed a 3% across the board increase; Finance had agreed with the hospitals not to include them, added some more money, and came out with an average 7% increase for the other areas: home health care, the developmentally disabled, childcare scholarships, and so on. Even there, the increases were focused rather than across the board.

As expected, the votes were largely on party lines. The Democrats were opposed to ending the interest & dividends tax, shrinking the education trust fund (even though more money was provided for local government schools), and not providing even more for Medicaid.

My committee then met on our first Senate bills. SB 45 allows the National Guard educational benefit (free tuition) be transferred to a spouse, and expands it to cover the entire university system, instead of just the community colleges. The Guard testified that this was a valuable retention tool; UNH testified that they were glad to contribute about \$2.6 million in foregone tuition; and we voted unanimously to recommend the bill to pass.

SB 96, on energy contracting, prohibits a request for proposals from including required membership in specific energy organizations, proprietary equipment, or other terms of bias or favoritism. Sounds obvious, and as we voted unanimously to approve the bill, we agreed that this should apply to *all* state procurement, not just energy contracting! Expect a bill next year to do so.



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SB 195, on the Buy American steel program, resulted from a mess last year: my committee had amended the Senate bill creating the program to address a number of issues, but that bill failed in committee of conference due to a non-germane amendment; meanwhile, the Senate added a version of the bill to an unrelated House bill, which sailed through its committee of conference. So SB 95, a request of the contractors bidding on state buildings and bridges, includes clarifying language as to what, exactly, needs to qualify as “American” steel, and requires the purchaser to specify such in the bid documents. We again voted unanimously to recommend the bill: I’m opposed to protectionism and the whole idea of “buy American” but I can’t object to making the procurement process more efficient. Repealing this requirement would not be likely to pass this session.

SB 204, requiring trauma kits be available in state buildings, had an interesting hearing. The sponsor mentioned that there are about 5000 buildings state-wide owned or operated by the state, but the most urgent are 221 that get a lot of traffic: the DMV offices, courthouses, liquor stores. Trauma kits cost from \$23 to \$100, and are readily available. A trauma doctor and an EMT testified on the importance of stopping bleeding after an accident: a person can bleed out in 5 minutes. The committee thought this was useful for state buildings, and we voted unanimously again to recommend the bill.

SB 207 had two separate elements: the first was a study committee on mental health professional licensing, the second just added peer support as an element of critical incident management (a group of first responders who deal with traumatic incidents, from horrific accidents to witnessing child abuse to an officer involved shooting.) We don’t need a study committee when we already

have two bills and a section of HB 2 on mental health licensing, but the other part of the bill seems reasonable.

SB 53, what looked like a simple bill to allow the use of new refrigerants, as the EPA is developing rules for chemicals to replace hydrofluorocarbons (think Freon) in residential and commercial air conditioners and refrigerators, turned out to have questions as to how we adopt building codes: the safety measures and other requirements for these new chemicals are in the **2024** codes! New Hampshire is on the 2018 codes, considering going to 2021 - and there’s no way we’d want to be on the 2024 codes as soon as this federal rule change is implemented. The bill went to subcommittee to consider the process, and also the fire precautions necessary for these flammable refrigerants (which are also not available yet...)

SB 150, revising the family mediator certification board, reduces the number of board members because they had been unable to meet due to lack of quorum: with their difficulty getting some members appointed, the quorum consisted of *all* the active board members! We agreed with this request of the board, but want to make a few changes to the related statute, like deleting the duplicative fee authority. We also agreed that the quorum for the new, six member board should be three. I expect the bill to pass once we get the amendment.

SB 147, on the board of dental examiners, was another bill that seemed simple at first... It started as a request by the board to authorize a facility license for anesthesia (minimizing the number of mandatory inspections), as well as specifying a board member be licensed for general anesthesia. It was amended to require a second person be present when using sedation or general anesthesia on



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children (under 13,) and repealing the current exemption for oral surgeons. A member brought in an amendment to change this to 8 and under, since 9 year olds are closer to teenagers than babies. We spent quite a while hearing about sedation in children, the qualifications of oral surgeons and specific anesthesiologists, going deep into the details of the policy. The bill went to subcommittee to work through it.

SB 149, about nurse agencies, brought the hospitals, nursing homes and other care providers out in support of this bill, which would register these agencies and prohibit some unsavory practices, from agreeing to provide a nurse for a specific shift and then switching to another provider at higher pay – or starting a bidding war – to providing nurses whose licenses were suspended or who had criminal records that barred them from working in licensed facilities. This registration would provide no obvious relief from high prices for nurses willing to work on short notice; the national shortage of nurses and other health care workers is causing these bidding wars. The bill went to subcommittee for some further research.

SB 126, on the other hand, was simpler than it looked. It would allow the department of corrections to employ, for telehealth, doctors and physician assistants who are not licensed in New Hampshire but are licensed and in good standing in their own state, This was to allow them to provide specialist psychiatrists, primarily, for their population. When asked if other mental health professions should be included, the commissioner stated that their problem was overwhelmingly with psychiatrists. The committee voted unanimously to recommend the bill.

SB 44, expanding the scope of practice of some LADC (licensed alcohol and other drug use

counselors), went to subcommittee with our other bills on mental health professional licensing.



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