



Legislative Bulletin

February 19, 2013

Health Care a High Priority in Hassan's Budget

Governor Maggie Hassan's proposed State Budget, unveiled in her [budget address](#) on February 14th, includes bold steps to "ensure that all of our citizens are able to live healthy, productive lives with access to quality, affordable health care."

The budget includes full adoption of **Medicaid expansion** under the federal Affordable Care Act, continuation of efforts to **implement Medicaid care management**, partial **restoration of uncompensated care funds** to the hospitals that lost that reimbursement in the last budget cycle, and a commitment to **restore the state's "deeply strained" mental health system**. Hassan pledged to move forward with the state's 10-year mental health plan. Her 2-year budget includes funding for new mental health beds and community services. Her budget also fully **funds the developmental disability and acquired brain disorder waitlists**.

Medicaid expansion will bring in more than \$2.5 billion in federal funding over the next several years. Hassan funds other projects with revenue from licensing one high-end casino (\$80 million), restoring the 10-cents/pack cut to the cigarette tax made by the last Legislature and adding 20 cents more to the tax.

The Governor's Budget is the first step in a long budget process. The House will now delve into the line items and make its own recommendations. The Senate will then have a shot at it. In May, a conference committee will hash out any differences, with the goal of having a new 2-year budget in place by the start of the State's fiscal year on July 1. Hassan served on the Finance Committee and Joint Conference Committee as a State Senator and is a savvy budget negotiator. Will the Legislature embrace casino gambling? That will be a key question throughout this entire process.

GSHHA will be engaged in the budget process and focused on line items in DHHS that affect Medicaid home care and private duty nursing, CFI and federal grants for aging and maternal and child health.

GSHHA Board Approves New Issue Positions

At its February Meeting, the Granite State Home Health Association Board of Directors agreed that the Association should officially **support Medicaid expansion** because it will increase the number of insured citizens and enable access to important preventive and restorative services. The Board also agreed to **support increases to New Hampshire's tobacco tax**. Tobacco tax increases have been proven to reduce youth smoking. These taxes are also an important source of revenue for the state budget.

Legislative Committee Reviews Bills

Thirteen members of the Association have been meeting to review newly introduced bills and assess their impact on home health agencies and the clients we serve. The Legislative Committee examined nearly 60 bills and recommended 37 bills for which the Association will either take positions or simply monitor. The topics include patient rights, Medicaid, employee drug testing, workers compensation, medical malpractice, and budget issues. A more detailed review will be featured in upcoming *Legislative Bulletins*.

Clarifying Patient Rights is GSHHA's Top Priority

At GSHHA's request, **Senator Peg Gilmour** (D-Hollis) and other co-sponsors have introduced **SB 87, relative to the Patient Bill of Rights**. This bill clarifies that home health agencies are not subject to RSA 151:21 (the Patient Bill of Rights for facilities) and are only subject to RSA 151:21-b, (the Home Care Clients' Bill of Rights.) The bill also outlines requirements for written notice for discharge of home care clients and allows a home care provider to discharge a client immediately if the home is unsafe, not free from sexual or other forms of harassment or is a hostile work environment.

The Senate hearing on SB 87 was on Tuesday, February 19th. Senator Gilmour introduced [an amendment](#) that addressed several concerns raised by stakeholders after the bill was introduced. **Sandra Poleatewich, Administrator at Interim Health Care, Margaret Franckhauser, CEO of Central NH VNA, and Rebecca Hutchinson, Director of Lutheran Social Services In-Home Care**, testified in support of the bill and shared their insights into situations where the lack of clarity in the current law created problems. **John Martin, Manager of the Bureau of Health Facilities Licensing** also supported the bill. Representatives of the Disabilities Rights Center, Granite State Independent Living and NH Council on Developmental Disabilities voiced opposition to parts of the amendment.

HB 461 Lifts Limits on Home and Community-Based Care

The Association took a position in support of the concepts set forth in [HB 461, relative to long term care](#). This bill would give citizens who qualify financially and clinically for Medicaid nursing home services the right to choose home or community-base care, as long as the costs

don't exceed that of nursing home care. Current state law limits allowable costs for the Choices for Independence program. Gina Balkus [testified](#) at a recent hearing. The bill is likely to be retained for study over the summer.

SB 170 Will Simplify Advance Directives

GSHHA supports [SB 170](#), **relative to advance directives pertaining to life-sustaining treatment**. This bill was introduced at the request of the NH Health Decisions Coalition to simplify New Hampshire's advance directives statutes. Current law *excludes* "medically administered nutrition and hydration" from the definition of life-sustaining treatment and requires the individual to answer questions specific to the topic of medically administered nutrition and hydration. SB 170 would *include* "medically administered nutrition and hydration" in the broad definition of "life-sustaining treatment" and repeal questions specific to medically administered nutrition and hydration. The Senate hearing will likely be in early March.

If you have questions about state or federal legislative issues, call GSHHA at 603-225-5597 or email [Gina Balkus](#).