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*Via email*

February 6, 2016

The Honorable Representative Carol McGuire  
Chairwoman  
House Executive Departments & Administration Committee  
Room 103, Legislative Office Building  
Concord, NH 03301

**RE: HB 1556, relative to licensing requirements for Barbers, Cosmetologists, Estheticians, and Licensed Nursing Assistants**

Representative McGuire:

The Granite State Home Health Association, which advocates on behalf of home care and hospice agencies and the people they serve, is opposed to HB 1556.

Home care and hospice agencies are major employers of licensed nursing assistants. LNAs work as home health or hospice aides. While they practice under the supervision of a RN or LPN, they generally function alone in a patient's home.

HB 1556 would change the Board of Nursing's licensing and disciplinary requirements regarding criminal activity by applicants and existing licensed nursing assistants. HB 1556 would limit the criminal activity the Board of Nursing could consider to statutorily-defined "violent crimes" and criminal neglect of elderly, disabled or impaired adults. This means the Board could *not* consider other crimes, such as theft, crimes related to controlled substances, second degree or simple assault, fraud and other. We believe that disregarding these crimes may put the public at risk.

Patient safety is of utmost importance to home care agencies. A large percentage of home care patients are elderly, medically fragile or cognitively impaired. Unlike in institutional settings, home care patients entrust us to care for them in the privacy of their home, often with no other person present. It is essential that the Board of Nursing screen LNA applicants for crimes that may call into question the applicant's integrity and trustworthiness to provide care when they are alone. Likewise, the Board should have the ability to discipline licensees that commit crimes that are inconsistent with caregiving.

Home care agencies that provide care to Medicare and Medicaid beneficiaries face civil monetary penalties if they hire an individual on the US Office of Inspector General's Exclusion List, which includes many of the crimes I have listed above.

The Granite State Home Health Association cannot see any benefits to passage of HB 1556. Professional licensure is intended to protect the public. Please let the Board of Nursing continue to protect the public by enforcing strong criminal screening and disciplinary standards for licensed nursing assistants. **I urge the ED & A Committee to find HB 1556 as "inexpedient to legislate."**

Respectfully,



Gina Balkus  
Chief Executive Officer

cc: ED & Committee Members