

HB 1616 - AS AMENDED BY THE SENATE

28Mar2024... 0716h
05/16/2024 1990s

2024 SESSION

24-2459
05/10

HOUSE BILL 1616

AN ACT relative to parental consent for student participation in Medicaid to schools program and establishing a pilot recruitment and retention program within the department of health and human services.

SPONSORS: Rep. Cordelli, Carr. 7; Rep. Hill, Merr. 2; Rep. Cushman, Hills. 28; Rep. Mazur, Hills. 44; Rep. T. Lekas, Hills. 38; Rep. Ammon, Hills. 42; Rep. Verville, Rock. 2; Rep. Phillips, Rock. 7; Rep. Kofalt, Hills. 32

COMMITTEE: Education

AMENDED ANALYSIS

This bill:

I. Requires schools to obtain parental consent for each service is provided to a student under the Medicaid to schools program; and requires certain legislative policy committees to receive reports regarding the Medicaid to schools program.

II. Establishes a pilot recruitment and retention program in the department of health and human services.

Explanation: Matter added to current law appears in ***bold italics***.

Matter removed from current law appears ~~[in brackets and struck through]~~

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Four

AN ACT relative to parental consent for student participation in Medicaid to schools program and establishing a pilot recruitment and retention program within the department of health and human services.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 Medicaid to Schools Program; Parental Consent Required. Amend RSA 186-C:25, VII to read as follows:

VII. Beginning on September 1, 2018, the commissioner of the department of health and human services shall submit an annual report to the senate president, the speaker of the house of representatives, ***the chairpersons of the house and senate policy committees with jurisdiction over education, the chairpersons of the house and senate policy committees with jurisdiction over health and human services***, and the chairpersons of the house and senate finance committees regarding the total cost of the Medicaid to schools program and the number of students who received services through the program during the prior school year.

VIII. Written parental consent shall be obtained for each new service provided to a Medicaid enrolled child pursuant to RSA 200:27-a. For the purpose of this paragraph and RSA 200:27-a, each new service

shall mean each new Medicaid International Classification of Diseases (ICD) diagnostic code.

2 School Health Services; Consent of Parent or Legal Guardian Required. Amend RSA 200:27-a to read as follows:
200:27-a Consent of Parent or Legal Guardian Required. A child's participation in any program that provides medical or dental treatment in any school setting shall require the explicit written consent of the child's parent or legal guardian ***for each new service as defined by a new diagnostic billing code.***

3 Department of Health and Human Services; Recruitment and Retention Program; Pilot.

I. The general court finds that the recruitment and retention of employees within the department of health and human services is necessary to maintaining a strong and vital workforce within the array of critical service deliveries within its jurisdiction including those administered through the department's division for children, youth and families and Hampstead hospital residential treatment facility (HHRTF). The intent of this act is to proactively address vacancy rates, fluctuations experienced in census populations, acuity of care and reliance on contracted staff at the current Sununu youth services center (SYSC) and at the secured treatment facility to replace SYSC and at HHRTF.

II. The department shall establish a pilot recruitment and retention program. The program may include:

(a) Any recruitment or retention incentives received by a department employee pursuant to this paragraph shall not be considered gifts under RSA 15-B.

(b) Any expenditures made for recruitment or retention incentives pursuant to this paragraph shall be considered a matter of legislatively enacted public policy that is designed to benefit certain department employees and the state, and that is confined exclusively to the public employer by statute as provided in RSA 273-A:1, XI, and which shall not be subject to collective bargaining. Nothing in this paragraph shall be construed to invalidate any portion of a collective bargaining agreement entered into by the state.

III. On or before December 31, 2024, the department shall provide a report on the effectiveness of the pilot established in paragraph II for possible inclusion in the state operating budget for the biennium ending June 30, 2027, to the senate health and human services committee, the house health, human services and elderly affairs committee, the senate and house finance committees, the senate president, the speaker of the house of representatives, and the governor.

4 Repeal. Section 3 of this act, relative to a pilot recruitment and retention program within the department of health and human services, is repealed.

5 Effective Date.

I. Sections 1 and 2 of this act shall take effect January 1, 2025.

II. Section 4 of this act shall take effect September 15, 2025.

III. The remainder of this act shall take effect upon its passage.

LBA

24-2459

Amended 5/30/24

HB 1616- FISCAL NOTE

AS AMENDED BY THE SENATE (AMENDMENT #2024-1990s)

AN ACT relative to parental consent for student participation in Medicaid to schools program and establishing a pilot recruitment and retention program within the department of health and human services.

FISCAL IMPACT: ☒ State ☐ County ☐ Local ☐ None

Estimated State Impact - Increase / (Decrease)				
	FY 2024	FY 2025	FY 2026	FY 2027
Revenue	\$0	\$0	\$0	\$0
Revenue Fund(s)	None			

Expenditures	\$0	\$860,000 - \$910,000	\$180,600 - \$191,100	\$0
<i>Funding Source(s)</i>	General Fund			
Appropriations	\$0	\$0	\$0	\$0
<i>Funding Source(s)</i>	None			

- Does this bill provide sufficient funding to cover estimated expenditures? [X] No
- Does this bill authorize new positions to implement this bill? [X] N/A

METHODOLOGY:

Sections 1 and 2 require schools to obtain parental consent for each service is provided to a student under the Medicaid to schools program; and requires certain legislative policy committees to receive reports regarding the Medicaid to schools program. The Department of Health and Human Services assumes this to be consistent with existing Medicaid requirements for parental consent in the Medicaid to schools program and, therefore, the Department anticipates no fiscal impact.

Sections 3 and 4 establish a pilot recruitment and retention program in the Department of Health and Human Services. The pilot would be effective upon passage anticipated on or about July 1, 2024, with a sunset provision of September 15, 2025. Generally, the bill as amended will authorize the Department to establish a pilot recruitment and retention program directed at 24/7 facilities with the intent to proactively address vacancy rates, fluctuations experienced in census populations, acuity of care and reliance on contracted staff at the current Sununu youth services center (SYSC) and at the secured treatment facility to replace SYSC and at Hampstead hospital residential treatment facility (HHRTF). Although there is no funding provided in the bill, the Department anticipates using funding within the agency's existing operating budget for the biennium ending June 30, 2025, for purposes of implementing the provisions of the bill. The Department anticipates an increase in state general fund expenditures for FY 2025 of between \$860,000 and \$910,000:

- SYSC or replacement facility a range of \$500,000 to \$550,000
- HHRTF estimated \$360,000 for hiring bonus, retention and weekend shift bonuses

The Department anticipates expense in FY 2026 to be approximately 21 percent of FY 2025 (76 days / 365 days = 21%) expenses, or \$180,600 to \$191,100.

The pilot program is repealed September 15, 2025.

AGENCIES CONTACTED:

Department of Health and Human Services