

HB 1582-FN - AS AMENDED BY THE SENATE

11Mar2020... 0896h

06/16/2020 1446s

2020 SESSION

20-2567

04/01

HOUSE BILL ***1582-FN***

AN ACT relative to free tuition at colleges and universities for children of veterans who are totally and permanently disabled; programs to aid veterans' access to employment, housing, health care, and college degrees; educational assistance for members of the New Hampshire national guard; tuition waivers for children in state foster care or guardianship; and prohibiting higher education institutions from discriminating on the basis of military, law enforcement, or veterans status.

SPONSORS: Rep. Roy, Rock. 32; Rep. Aron, Sull. 7

COMMITTEE: Education

AMENDED ANALYSIS

This bill:

- I. Establishes a tuition waiver at any institution in the university system or community college system of New Hampshire for a child of a totally and permanently disabled veteran.
- II. Requires the commissioner of the department of health and human services to develop and operate a veteran health navigator training program for the existing veterans service officers under the department of military affairs and veterans services to provide veterans and their families with increased access to health care and mental health services.
- III. Requires the commissioner of the department of employment security to publish a monthly workforce needs assessment report for veterans.
- IV. Requires the adjutant general to take steps to increase veterans' awareness of the military skills test waiver program; increase acceptance of military training and experience towards the licensing requirements in certain occupations and professions; and establish an end veterans homelessness program.
- V. Requires the university system and community college system of New Hampshire to award college credit for military training courses completed and to increase flexibility in application and course registration procedures for veterans.
- VI. Requires the adjutant general to review expanded training and apprenticeship programs for providing job training for veterans and to submit a report detailing the findings.
- VII. Amends postsecondary educational assistance for members of the New Hampshire national guard and authorizes tuition waivers for children in state foster care or guardianship for part-time enrollment in programs in public postsecondary institutions.
- VIII. Prohibits a higher education institution from discrimination on the basis of law enforcement, military, or veteran status.

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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04/01

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty

AN ACT relative to free tuition at colleges and universities for children of veterans who are totally and permanently disabled; programs to aid veterans' access to employment, housing, health care, and college degrees; educational assistance for members of the New Hampshire national guard; tuition waivers for children in state foster care or guardianship; and prohibiting higher education institutions from discriminating on the basis of military, law enforcement, or veterans status.

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

1 State College and University System; Tuition Waived. Amend RSA 187-A:20 to read as follows:
187-A:20 Tuition Waived.

I. If a person is domiciled in this state while serving in or with the armed forces of the United States and is, after February 28, 1961, reported or listed as missing, or missing in action, or interned in a neutral country, or beleaguered, ~~[beleaguered]~~ ***besieged***, or captured by the enemy during the South East Asian conflict, any child of such person, enrolled after August 16, 1981, in the university of New Hampshire, Plymouth state university, or Keene state college shall, so long as said person is so reported, listed, interned, beleaguered, ~~[beleaguered]~~ ***besieged***, or captured, not be required to pay tuition for attendance at such institutions. Any person entitled to free tuition under this ~~[section]~~ ***paragraph*** shall apply to the board of trustees of the university system, and said board may require such proof as they may deem necessary in order for a person to qualify for free tuition under this ~~[section]~~ ***paragraph***.

II.(a) *If a person, while serving in or with the armed forces of the United States, has received a discharge other than dishonorable from service, and is totally and permanently disabled from such service-connected disability, and was domiciled in the state of New Hampshire at the time they entered military service or when he or she was determined by the U.S. Department of Veterans Affairs to be so disabled, whether on original decision or appeal, and is currently a resident of New Hampshire, any child of such person enrolled in an institution that is part of the university system of New Hampshire shall not be required to pay tuition for attendance at such institution. For the purpose of this paragraph, "child" shall mean a biological, adopted, or step-child from marriage who meets the university system's residency requirements, provided in the case of a step-child that the parents are still married at the time of application and remain so during the entire time of matriculation under this paragraph.*

(b) *Any person entitled to free tuition under this paragraph shall apply to the board of trustees of the university system. The board shall, for proof of disability, only require a determination of disability letter from the U.S. Department of Veterans Affairs indicating that the disability of the sponsoring parent is 100 percent total, permanent, service connected and that the character of discharge was other than dishonorable, in order for a person to qualify for free tuition under this paragraph. The board may also require such evidence as it deems necessary to establish residence at the time of service entry or the time of disability determination and proof of relation to sponsoring veteran. The child of a veteran shall remain eligible for free tuition under this paragraph through the end of the semester in which he or she attains the age of 27, provided that the child shall be financially liable for the cost of any studies continuing in the semester following his or her 27th birthday.*

(c) *All applicants shall complete the Free Application for Federal Student Aid (FAFSA) and shall cooperate with the institution in filling out such applications for grants and other financial assistance as the institution may request in order to offset the tuition waiver cost to the institution. This shall not include any benefits provided directly to the student by the U.S. Department of Veterans Affairs under 38 U.S.C. sections 3500-3566, et seq. Failure to cooperate shall be considered grounds to deny a tuition waiver under this paragraph, provided that the applicant shall not be required to apply for loans or other funding that will cause the applicant to incur future debt. Non-eligibility for grants or other funding shall not be grounds to deny a tuition waiver under this paragraph.*

2 New Paragraph; Community College System of New Hampshire; Tuition Waived. Amend RSA 188-F:15 by inserting after paragraph I the following new paragraph:

I-a.(a) *If a person, while serving in or with the armed forces of the United States, has received a discharge other than dishonorable from service, and is totally and permanently disabled from such service-connected disability, and was domiciled in the state of New Hampshire at the time they entered military service or when he or she is determined by the U.S. Department of Veterans Affairs to be so disabled, whether on original decision or appeal, and is currently a resident of New Hampshire, any child of such person enrolled in an institution that is part of the community college system of New Hampshire shall not be required to pay tuition for attendance at such institution. For the purpose of this paragraph, "child" shall mean a biological, adopted, or step-child from marriage who meets the community college system's residency requirements, provided in the case of a step-child that the parents are still married at the time of application and remain so during the entire time of matriculation under this paragraph.*

(b) Any person entitled to free tuition under this paragraph shall apply to the board of trustees of the community college system. The board shall, for proof of disability, only require a determination of disability letter from the U.S. Department of Veterans Affairs indicating that the disability of the sponsoring parent is 100 percent total, permanent, service connected and that the character of discharge was other than dishonorable, in order for a person to qualify for free tuition under this paragraph. The board may also require such evidence as it deems necessary to establish residence at the time of service entry or the time of disability determination and proof of relation to sponsoring veteran. The child of a veteran shall remain eligible for free tuition under this paragraph through the end of the semester in which he or she attains the age of 27, provided that the child shall be financially liable for the cost of any studies continuing in the semester following his or her 27th birthday.

(c) All applicants shall complete the Free Application for Federal Student Aid (FAFSA) and shall cooperate with the institution in filling out such applications for grants and other financial assistance as the institution may request in order to offset the tuition waiver cost to the institution. This shall not include any benefits provided directly to the student by the U.S. Department of Veterans Affairs under 38 U.S.C. sections 3500-3566, et seq. Failure to cooperate shall be considered grounds to deny a tuition waiver under this paragraph, provided that the applicant shall not be required to apply for loans or other funding that will cause the applicant to incur future debt. Non-eligibility for grants or other funding shall not be grounds to deny a tuition waiver under this paragraph.

3 Name of Act. Sections 4-15 of this act shall be known as the Veterans Bill of Rights.

4 New Subdivision; Access to Health Care and Mental Health Services for Veterans. Amend RSA 126-A by inserting after section 80 the following new subdivision:

Access to Health Care and Mental Health Services for Veterans

126-A:81 Access to Health Care for Veterans; Navigator Training Program.

I. In this subdivision, "veteran" means veteran as defined in 38 U.S.C. section 101(2).

II. The commissioner, in coordination with the adjutant general, shall develop and operate a veteran health navigator training program to increase access to health care coverage and services for veterans. The commissioner shall identify, train, and deploy veteran health navigators who have direct knowledge of the veteran communities they serve. For the purposes of the training program, the commissioner shall use the veterans service officers currently employed by the department of military affairs and veterans services. The veteran health navigators shall help identify all federal and other health benefits, coverage, and services available to veterans and their families. Veteran health navigators shall coordinate with relevant departments, health care providers, and health insurance programs to help veterans and their beneficiaries apply for coverage under such programs, including helping veterans overcome barriers within the health care system to ensure enrollment in health plans and effective delivery and coordination of health services. The activities under this program shall use existing resources and structures where veterans and their families are likely to be found.

III. Using the veteran health navigator training program under paragraph I as a source of information about the needs, coverage, and treatment gaps faced by veterans and their families, the commissioner shall examine all existing programs designed to increase access to affordable quality health care and to evaluate whether the needs of veterans and their families are met by those programs or whether further coordination with the veteran health navigators or other steps would better meet such needs. The commissioner shall execute any necessary steps identified under this paragraph.

126-A:82 Access to Mental Health Services for Veterans.

I. The veteran health navigators shall identify all federal and other mental health benefits, coverage, and services available to veterans and their families, including for post-traumatic stress disorder, depression, and suicide prevention.

II.(a) In coordination with local, state, and federal governmental agencies, in consultation with nonprofit corporations, service providers including Veterans Affairs Medical Centers, the United States Department of Veterans Affairs, localities, and cities that have an effective prevention and treatment system for mental health, the commissioner shall develop and implement a strategy to reduce barriers to access to mental health services and treatment for veterans and their families by:

(1) Identifying structural and logistical barriers to accessing treatment, including perceived stigma, long out of state travel distances to receive care, and any other barriers.

(2) Resolving all barriers identified in subparagraph (1) that can be resolved without legislative or budgetary action, including through increased coordination between departments, nonprofit providers, and the federal government, application for and use of private and federal grants, and other actions.

(b) The commissioner shall submit an annual report containing additional legislative or budgetary steps that would resolve the barriers under subparagraphs (a)(1) and (2) to the president of the senate, the speaker of the house of representatives, the governor, and the chairpersons of the house and senate committees having jurisdiction over public health issues on or before each November 1, commencing on November 1, 2021. The report shall also be posted on the department's Internet website.

III. The commissioner shall in coordination with local, state, and federal government agencies, and in consultation with nonprofits corporations, service providers including Veterans Affairs Medical Centers, the United States Department of Veterans Affairs, localities, and cities that have effective prevention and treatment systems for mental health, enhance and strengthen suicide prevention programs in keeping with proven best practices and research, by:

- (a) Identifying and applying for federal and private grants focused on veteran suicide prevention;
- (b) Coordinating local, state, federal, and nonprofit programs that include community-based approaches for at-risk veterans and veterans at large;
- (c) Providing technical assistance to communities to develop strategic plans to reduce veteran suicide, including through coordination and participation by local leaders, faith communities, schools, workplaces, and other stakeholders; and
- (d) Evaluating community strategic plans within the state and disseminating learnings and best practices to optimize the impact of efforts by all partners and stakeholders.

IV.(a) The commissioner shall create a centralized provider database, identifying by region mental health providers with expertise and ability to assist veterans and their families, including highlighting providers with training or experience in the prevention and treatment of veteran suicide.

(b) Using existing resources, and incorporating best practices and research from the United States Department of Veterans Affairs, and state and nonprofit services providers in New Hampshire, the commissioner shall develop a continuing education course for mental health providers in New Hampshire to obtain expertise in veteran suicide assessment, prevention, treatment, and risk management and make that program available for free to providers in regions of New Hampshire identified in subparagraph (a) as lacking sufficient trained providers.

(c) From existing or appropriated resources, the commissioner shall identify evidence-based best practices to increase awareness of any veteran suicide prevention hotline in New Hampshire or nationally, and other crisis resources with proven effectiveness to reduce veteran suicide.

5 Report Required. On or before April 1, 2021, the commissioner of the department of health and human services shall produce a report of the findings, including the impact that Medicaid expansion has had to date for the veterans and their families, recommendations and any additional legislative action or budget actions required relative to RSA 126-A:81, II as inserted by section 4 of this act to the president of the senate, the speaker of the house of representatives, the governor, and the chairpersons of the senate and house committees having jurisdiction over public health issues. For the purposes of this section, "veterans" means veterans as defined in 38 U.S.C. section 101(2).

6 Business Finance Authority; Capital Access Program. Amend RSA 162-A:12, II to read as follows:

II. The amount of the authority's contribution to a CAP fund shall not exceed 10 percent of the principal amount of the CAP loans to be secured by the CAP fund. As a condition of the authority making a contribution to a CAP fund, the authority may require the borrower or the participating state bank or state credit union to make a contribution to the CAP fund and may impose such other conditions or requirements as the authority may deem necessary or desirable; ***provided that no veteran-owned business borrower shall be required to pay a fee or contribution into the CAP fund.*** All moneys contributed to a CAP fund shall be held in the name of the authority. Investment earnings on the CAP fund shall be credited to the fund, and such earnings shall be periodically paid to the authority unless the CAP participation agreement otherwise provides. ***For the purposes of this paragraph, "veteran" means veteran as defined in 38 U.S.C. section 101(2).***

7 New Sections; Department of Employment Security; Workforce Needs Projections for Veterans; Training and Apprentice Programs. Amend RSA 282-A by inserting after section 117-a the following new sections:

282-A:117-b Workforce Needs Projections for Veterans; Report. The commissioner shall produce a monthly, written report, which shall also be published on the department's public Internet site, detailing the state's workforce needs projections, by industry, job type, geography, and needed credential. The report shall include comparisons of projected workforce needs with existing workforce needs and availability of in-demand fields in this state and shall highlight, on a county-by-county basis, the industries, job types, and credentials which are most in demand in the state. The report shall also identify and map, on a county-by-county basis, those in-demand positions and credentials that are best suited to the skills, experience, and credentials possessed by veterans. The commissioner shall forward the report every month to all appropriate military placement offices, recruitment centers, education centers, nonprofit programs, and any other state or local agency working to connect veterans with jobs. For the purposes of this section, "veterans" means veterans as defined in 38 U.S.C. section 101(2).

282-A:117-c Training and Apprentice Programs for Veterans; Report. The adjutant general in cooperation with the commissioners of the departments of labor and employment security shall annually review and submit a report detailing all apprentice, training, and other vocational programs in this state focused on providing job training and placement to returning military service members and veterans.

The annual report shall evaluate the costs and results of such programs and propose legislation to expand or revise such programs, an estimate of the benefits to the state to be gained from program expansion, and recommendations for sources of funding. The initial report shall be submitted to the president of the senate, the speaker of the house of representatives, the chairpersons of the senate and house committees with jurisdiction in veterans issues and in professional licensing issues, the senate clerk, the house clerk, and the governor within 60 days of the effective date of this section. For the purposes of this section, "veterans" means veterans as defined in 38 U.S.C. section 101(2).

8 New Sections; Department of Military Affairs and Veterans Services; Programs and Report Added. Amend RSA 110-B by inserting after section 73 the following new sections:

110-B:73-a Military Skills Test Waiver Program. The adjutant general shall take necessary steps to increase veterans' awareness of and participation in the Federal Motor Carrier Safety Administration's Military Skills Test Waiver Program. The adjutant general shall include information about the program and a link to the program's website on department's public Internet site and shall coordinate with military placement and training programs to disseminate information on the program to veterans with relevant experience newly locating in New Hampshire. For the purposes of this section, "veterans" means veterans as defined in 38 U.S.C. section 101(2).

110-B:73-b Acceptance of Military Training and Experience in Professional Licensing; Report. The adjutant general and the executive director of the office of professional licensure and certification shall jointly conduct a review of all state licenses for which military veterans may have relevant training or experience and identify any steps that can be taken without further legislation; develop recommendations and proposed legislation designed to increase the acceptance of military training and experience toward professional licensing; and submit a report to the president of the senate, the speaker of the house of representatives, the chairpersons of the senate and house committees with jurisdiction in veterans issues and in professional licensing issues, the senate clerk, the house clerk, and the governor within one year of the effective date of this section, and annually thereafter. For the purposes of this section, "veterans" means veterans as defined in 38 U.S.C. section 101(2).

110-B:73-c End Veterans Homelessness Program.

I. The adjutant general, in conjunction with providers of services for veterans experiencing homelessness in New Hampshire, shall establish a program to end veterans homelessness in 3 years. The term "end veterans homelessness" shall have the same meaning as in the most recently released report by the United States Interagency Council on Homelessness. For the purposes of this section, "veterans" means veterans as defined in 38 U.S.C. section 101(2).

II. In coordination with local, state, and federal government agencies and nonprofits, and in consultation with states and cities that have achieved an end to veterans homelessness in accordance with the above criteria, the adjutant general shall develop and implement strategies including but not limited to:

- (a) Coordinating a community outreach and a common assessment tool to identify veterans experiencing homelessness and assessing the types and severity of risk and vulnerability being faced by veterans experiencing homelessness.
- (b) Developing a comprehensive listing of the names of veterans who are experiencing homelessness, prioritized based on degree of vulnerability.
- (c) Sharing data between all relevant veterans' service providers, state agencies, nonprofit organizations, and VA medical centers.
- (d) Increasing coordination and streamlining processes for appropriate veterans' housing placements.
- (e) Connecting veterans experiencing homelessness to health, mental health, employment, entrepreneurship, and training resources through the services described under RSA 126-A:81, RSA 126-A:82, RSA 162-A:9-b, RSA 282-A:117-b, RSA 282-A:117-c, RSA 110-B:73-a, RSA 110-B:73-b, RSA 153-A:20, XXV, RSA 187-A:20-d, RSA 188-F:16-b, RSA 326-B:9, XIII, and RSA 328-D:10, I(j).
- (f) A commitment to the principles of Housing First, as developed by the United States Interagency Council on Homelessness.
- (g) Identifying and applying for funding, as needed from private, foundation, and other partners.

9 New Paragraph; Emergency Medical Care Providers; Rulemaking. Amend RSA 153-A:20 by inserting after paragraph XXIV the following new paragraph:

XXV. Implementing strategies and procedures necessary to increase the acceptance of military training and experience towards licensure for military veterans seeking to be licensed as an emergency medical care provider. For the purposes of this subparagraph, "veterans" means veterans as defined in 38 U.S.C. section 101(2).

10 New Section; State College and University System; Credit for Military Experience and Training. Amend RSA 187-A by inserting after section 20-c the following new section:

187-A:20-d Academic Credit and Course Registration for Veterans.

I. A veteran who enrolls as a student at an institution within the university system shall be granted maximum credits allowed by the institution's required accreditation standards or state licensure requirements towards his or her degree for the completion of courses that were part of such veteran's military training or service if the such courses meet the standards of the American Council on Education, or

its equivalent, for the awarding of academic credits. No fee, tuition, or other charge shall be assessed against a veteran who qualifies for such credit pursuant to this section. For the purposes of this section, "veteran" means veteran as defined in 38 U.S.C. section 101(2).

II.(a) Institutions within the state university system that offer an early course registration period shall also offer early course registration to students who are veterans or national guard members.

(b) A student who is called to active duty in the armed forces of the United States, after having attended regularly for 85 percent of the length of the course as determined by the academic calendar of class or having completed 85 percent of the term's work, shall be given an opportunity to complete necessary course work within 12 months utilizing the Internet or United States Postal Service correspondence or other available communication methods for each course in which such student is earning a grade of C or better in the term the student is called to active duty service.

(c) Students called to active duty in the armed forces of the United States shall have their tuition refunded or credited, whichever is deemed appropriate by the institution based on how the term was paid for, without credits awarded.

(d) A veteran with no previous college experience shall be permitted to file an admission application and enroll in the current open registration period pending completion of their application and provision of supporting documents.

(e) Within 12 months of return from active duty, a veteran may register for courses after normal registration period ends without late fees or other penalties until the latest allowable registration date.

III. The board of trustees shall establish policies necessary to implement this section.

11 New Section; Community College System of New Hampshire; Academic Credit and Course Registration for Veterans. Amend RSA 188-F by inserting after section 16-a the following new section:

188-F:16-b Academic Credit and Course Registration for Veterans and Active Duty Services Members.

I. A veteran who enrolls as a student at an institution within the community college system shall be granted academic credit for the completion of courses that were part of such veteran's military training or service if the such courses meet the standards of the American Council on Education, or its equivalent, for the awarding of academic credits and are applicable to the veteran's program of study. No fee, tuition, or other charge shall be assessed against a veteran who qualifies for such credit pursuant to this section. Nothing in this paragraph shall be construed to alter established curriculum, program, or degree requirements. For the purposes of this section, "veteran" means veteran as defined in 38 U.S.C. section 101(2).

II.(a) Institutions within the community college system that offer an early course registration period shall also offer early course registration to students who are veterans or national guard members.

(b) A student who is called to active duty in the armed forces of the United States, after having completed 85 percent of the term's work, shall be given a reasonable opportunity to attain full credit for each course in which he or she has attained a grade of C or better prior to being called to active duty. A reasonable opportunity may include the opportunity to accelerate completion of course work prior to reporting for active duty or complete coursework within a reasonable time after return from active duty.

(c) Students called to active duty in the armed forces of the United States shall have their tuition refunded or credited, whichever is deemed appropriate by the institution based on how the term was paid for, without credits awarded.

(d) A veteran shall be permitted to file an admission application up to the end of the regular course registration period, and shall be permitted to begin classes pending completion of their application and provision of supporting documents. Nothing in this subparagraph shall be construed to alter established admissions, course prerequisites, curriculum, programs or degree requirements.

(e) Within 12 months of return from active duty, a veteran may register for courses after normal registration period ends without late fees or other penalties. This subparagraph shall not be construed to require extension of registration period beyond the normal add/drop deadline.

III. The board of trustees shall establish policies necessary to implement this section.

12 New Paragraph; Nurse Practice Act; Rulemaking. Amend RSA 326-B:9 by inserting after paragraph XII the following new paragraph:

XIII. The implementation of strategies and procedures necessary to increase the acceptance of military training and experience towards licensure for military veterans seeking to be licensed as a nurse. For the purposes of this subparagraph, "veterans" means veterans as defined in 38 U.S.C. section 101(2).

13 Physician Assistant; Rulemaking. Amend RSA 328-D:10, I(j) to read as follows:

(j) ***The implementation of strategies and procedures necessary to increase the acceptance of military training and experience towards licensure for military veterans seeking to be licensed as a physician assistant. For the purposes of this subparagraph, "veterans" means veterans as defined in 38 U.S.C. section 101(2).***

(k) Except as provided in paragraph II, any other matter which is consistent with the legislative intent of this chapter and which is necessary to the administration of this chapter.

14 Recognition of Military Training and Experience; Reports. The adjutant general, the commissioner of the department of safety, the executive director of the office of professional licensure and certification, and the licensing authorities for nursing under RSA 326-B, physician assistants under RSA 328-D, and emergency medical care providers under RSA 153-A:11, shall jointly conduct a review of all licensing procedures for each profession listed in this section and develop recommendations and proposed legislation designed to increase the recognition of military training and experience toward licensing in such professions, and shall submit a report to the president of the senate, the speaker of the house of representatives, the chairpersons of the senate and house committees with jurisdiction in veterans issues and in professional licensing issues, the senate clerk, the house clerk, and the governor within one year of the effective date of this section. For the purposes of this subparagraph, "veterans" means veterans as defined in 38 U.S.C. section 101(2).

15 Applicability. Sections 4, 5 and 8 of this act shall take effect when the department of military affairs and veterans services receives sufficient funding for 3 positions required to carry out the purposes of those sections as certified by the adjutant general to the director of legislative services and the secretary of state.

16 Postsecondary Educational Assistance; Definitions. Amend RSA 110-B:63-b, III-VI to read as follows:

III. "Educational assistance" means the waiver of the tuition cost of a course at a state-supported postsecondary institution~~[-, provided that there is space available in that course].~~

IV. "New Hampshire national guard" means federally-recognized units of the New Hampshire national guard.

V. ~~["Space available" means any allocated seating in a course not filled by paying students.~~

~~VI.~~ "Tuition" means the total semester, quarter, or classroom hour cost of instruction to the student as established by the university system board of trustees or the board of trustees of the community college system of New Hampshire.

17 Post Educational Assistance; Educational Assistance Authorized; Minimum Requirements. Amend the introductory paragraph and paragraph I of RSA 110-B:63-c to read as follows:

Members of the New Hampshire national guard may take courses tuition-free ~~[on a space available basis]~~ in state-supported postsecondary institutions. ***The admission of a New Hampshire national guard member shall be in accordance with the state-supported postsecondary institution's standard student admissions criteria policies and practices.*** In order to be eligible to receive educational assistance under this subdivision, a member of the New Hampshire national guard shall:

I. Be ~~an~~ ***a sworn in*** active member of the New Hampshire national guard residing either in-state or out-of-state ~~[who has completed advanced individual training or commissioning].~~

18 Postsecondary Educational Assistance: Eligibility. Amend RSA 110-B:63-d to read as follows:

110-B:63-d Eligibility ~~[and Space Availability]~~ Determinations.

~~II.~~ Eligibility for educational assistance provided by this subdivision shall be determined and monitored by the adjutant general, who shall adopt rules, pursuant to RSA 541-A, and procedures deemed by the adjutant general to be necessary to carry out and monitor the educational assistance provided by this subdivision.

~~III. The chancellor of the university system for the university system and the chancellor of the community college system of New Hampshire for the community college system of New Hampshire shall establish policies for determining when a course has space available.]~~

19 Postsecondary Educational Assistance; In-State Tuition for New Hampshire National Guard Nonresidents. Amend RSA 110-B:63-f to read as follows:

110-B:63-f In-State Tuition for New Hampshire National Guard Nonresidents. Any member of the New Hampshire national guard who is an otherwise eligible out-of-state resident who cannot qualify for educational assistance under this subdivision~~[-, due to unavailability of space for members attending tuition free,]~~ may take such course at the in-state tuition rate.

20 Tuition Waiver for Children in State Foster Care or Guardianship. Amend RSA 187-A:20-b, I to read as follows:

I. An eligible individual who enrolls full-time ***or part-time, with the approval of the division for children, youth and families,*** in a program leading to a certificate, associate, or bachelor degree at any public postsecondary institution within the state shall not be required to pay tuition ~~[or fees for attendance at such institution]~~ ***or mandatory fees for attendance at such institution.***

21 Tuition Waiver for Children in State Foster Care or Guardianship. Amend RSA 187-A:20-b, III(a) to read as follows:

III.(a) Eligible individuals interested in a tuition waiver shall annually apply on forms provided and within the deadlines established by the university system of New Hampshire and the community college system of New Hampshire for their respective institutions. No more than 15 tuition waivers per year shall be granted by the university system of New Hampshire and no more than 15 tuition waivers per year shall be granted by the community college system of New Hampshire. The university system of New Hampshire and the

community college system of New Hampshire shall have the authority to develop eligibility criteria for their respective institutions designed to give the children with the greatest financial need first priority in the tuition waiver program. Such eligibility criteria shall also include provisions for continuing eligibility based on continued full-time *or part-time, with the approval of the division for children, youth and families*, enrollment and satisfactory academic progress as defined by the institution.

22 State College and University System, Prohibition on Preferential Treatment. Amend RSA 187-A:16-a, I to read as follows:

I.(a) Within the state college and university system, there shall be no preferential treatment or discrimination in recruiting, hiring, promotion, or admission based on race, sex, national origin, religion, or sexual orientation.

(b) *Within the state college and university system, there shall be no discrimination based on an applicant's or employee's law enforcement, military, or veteran status.*

23 Community College System of New Hampshire; Prohibition on Preferential Treatment. Amend RSA 188-F:3-a, I to read as follows:

I.(a) Within the state's community college system, there shall be no preferential treatment or discrimination in recruiting, hiring, promotion, or admission based on race, sex, national origin, religion, or sexual orientation.

(b) *Within the state's community college system, there shall be no discrimination based on an applicant's or employee's law enforcement, military, or veteran status.*

24 Effective Date.

I. Sections 4, 5, and 8 of this act shall take effect as provided in section 15 of this act.

II. Sections 1-2 and 20-21 of this act shall take effect July 1, 2021.

III. Sections 16-19 of this act shall take effect upon its passage.

IV. The remainder of this act shall take effect 60 days after its passage.

LBAO

20-2567

Amended 6/25/20

HB 1582-FN- FISCAL NOTE

AS AMENDED BY THE SENATE (AMENDMENT #2020-1446s)

AN ACT relative to free tuition at colleges and universities for children of veterans who are totally and permanently disabled; programs to aid veterans' access to employment, housing, health care, and college degrees; educational assistance for members of the New Hampshire national guard; tuition waivers for children in state foster care or guardianship; and prohibiting higher education institutions from discriminating on the basis of military, law enforcement, or veterans status.

FISCAL IMPACT: ☒ State ☐ County ☐ Local ☐ None

STATE:	Estimated Increase / (Decrease)			
	FY 2020	FY 2021	FY 2022	FY 2023
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	Indeterminable Decrease	Indeterminable Decrease	Indeterminable Decrease
Expenditures	\$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
Funding Source:	<input checked="" type="checkbox"/> General <input type="checkbox"/> Education <input type="checkbox"/> Highway <input checked="" type="checkbox"/> Other - Other - USNH and CCSNH Operating Revenue (Tuition and Fees)			

METHODOLOGY:

Sections 1 -2 provide free tuition at colleges and universities for children of veterans who are totally and permanently disabled:

These sections provide for a waiver of tuition and fees, for eligible children of totally and permanently disabled veterans, at the University of New Hampshire, Plymouth State University, Keene State College, and all Community College System of New Hampshire institutions. According to Office of Veterans Services data, there are 4,525 totally and permanently disabled veterans in New Hampshire. However, neither the University System nor the Community College System can estimate the number of

potential eligible students that may utilize this waiver and therefore they are unable to estimate this bill's impact on operating revenue from tuition and fees.

Sections 3-15 relative to programs to aid veterans' access to employment, housing, health care, and college degrees:

These sections of the bill establish a variety of provisions intended to improve veterans' access to health care, employment, entrepreneurship, and higher education:

- Requires the Department of Health and Human Services to develop and operate a Veteran Health Navigator Training Program, which shall identify all federal and other health benefits, coverage, and services available to veterans and their families. For purposes of the training program, the Department shall use veterans service officers currently employed by the Department of Military Affairs and Veterans Services.
- Provides that no veteran-owned business borrower shall be required to pay a fee or contribution into the CAP fund under the Business Finance Authority's Capital Access Program.
- Requires the NH Department of Employment Security to publish and make available online a monthly report on workforce needs projections for veterans.
- Requires the Adjutant General, in consultation with the Departments of Labor and Employment Security, to annually review and submit a report detailing all apprentice, training, and other vocational programs in the state with a focus on providing training and placement for returning veterans.
- Requires the Adjutant General to take necessary steps to increase awareness of and participation in the federal Motor Carrier Safety Administration Military Skills Test Waiver Program.
- Requires the Adjutant General, along with the Office of Professional Licensure and Certification, to conduct a review of all state licenses for which veterans may have relevant training or experience, and develop recommendations to increase acceptance of military training and experience toward professional licensing.
- Establishes the End Veterans Homelessness Program, to be administered by the Adjutant General, with the goal of ending veterans homelessness in three years.
- Requires the University System of NH and the Community College System of NH to award credit for military training courses, and to allow for increased flexibility in application and registration procedures for veterans.

The Department of Health and Human Services states that it would be responsible for, among other things, creating a centralized provider database to identify mental health providers by region, submitting recommendations for additional legislative or budget actions to overcome barriers to enrollment in mental health and other services, and submitting a report on the impact of Medicaid expansion on veterans and their families. The Department is unable to estimate the costs associated with its various responsibilities, but notes that its existing Suicide Prevention Coordinator position may be able to fulfill many of the functions related to suicide prevention for veterans. The Department states that it may need to hire additional staff if it is expected to meet all of the obligations of the Veteran Health Navigator Program internally.

The Department of Military Affairs and Veterans Services states that it would need three additional positions. One position (Program Specialist II) would administer the Military Skills Test Waiver Program and work to implement the strategies and procedure to increase the acceptance of military training toward licensure. One position (Program Specialist II) would administer the End Veterans Homelessness Program. One (Grant Program Coordinator) would work in cooperation with the Department of Health and Human Services to identify and apply for federal grants in support of veterans, as well as assist in the administration of the health navigator program. Costs for these positions are shown below:

	FY 2021	FY 2022	FY 2023
Program Specialist II (LG 21)			
Salary	\$43,100	\$44,800	\$46,800
Benefits	\$27,700	\$29,100	\$30,500
Other	\$4,000	\$4,000	\$4,000
Position Total	\$74,800	\$77,900	\$81,300
x 2 Positions	\$149,600	\$155,800	\$162,600
Grants Program Coordinator (LG 23)			
Salary	\$46,800	\$48,800	\$51,000

Benefits	\$28,400	\$29,800	\$31,300
Other	\$2,000	\$2,000	\$2,000
Position Total	\$77,200	\$80,600	\$84,300
Total Position Costs:	\$226,800	\$236,400	\$246,900

The University System of New Hampshire states that all of its institutions currently award credit to enrolling veterans who, as part of the standard application process, provide an official Joint Services Transcript or Community College of the Air Force transcript which combine military education and experience with college credit recommendations developed by the American Council on Education (ACE). ACE-validated credits are generally accepted, with some limitations imposed by the institution in alignment with accreditation and federal aid requirements. The University System states that it interprets the bill to prevent any limitation from being imposed on the acceptance of ACE equivalent-validated military credit, and that this provision, among others, may potentially conflict with federal Title IV financial aid requirements, potentially resulting in a significant loss of revenue. For the purposes of its fiscal note estimate, the University System assumes that this conflict will be addressed as the bill progresses through the legislative process. Assuming the conflict is resolved, the University System assumes that the bill's provisions could be accommodated without significant additional expense. A potential fiscal impact may result from the full tuition/fee refund provision for students whose attendance is disrupted by a call to active duty and who are not eligible to complete their course work. The extent of any such expense is indeterminable.

The Community College System states that, with respect to (8), the bill may result in increased workload to ensure compliance and to provide training at campus offices. The System anticipates a need to hire a part-time academic counselor at one or more college, at a per-position cost of \$52,000, including salary and benefits. The System also anticipates an expense related to the full tuition/fee refund provision cited by the University System above. Likewise, the Community College System also notes potential conflicts with federal Title IV financial aid requirements.

Sections 16-21 Relative to educational assistance for members of the New Hampshire national guard and relative to tuition waivers for children in state foster care or guardianship:

These sections bill clarify postsecondary educational assistance for members of the New Hampshire national guard. They also authorize tuition waivers for children in state foster care or guardianship for part-time enrollment in programs in public postsecondary institutions. The Community College System of New Hampshire (CCSNH) indicates this would alter the existing national guard tuition waiver to remove the provision that enrollment of guard members under the waiver is subject to space availability. The CCSNH assumes the bill could result in a decrease in revenue to the extent tuition waiver students supplant tuition-paying students. Such decrease is indeterminable.

The University System of New Hampshire indicates there would be no fiscal impact to the University System because the proposed bill would align the statute with the USNH institutions current practices.

The Department of Military Affairs and Veterans Services indicates there would be no fiscal impact on the Department.

Sections 22-23 prohibiting higher education institutions from discriminating on the basis of military, law enforcement, or veterans status:

This is language from SB 455 as amended by the Senate. There was no fiscal note on SB 455.

AGENCIES CONTACTED:

University System of New Hampshire, Community College System of New Hampshire, Department of Military Affairs and Veterans Services and Department of Health and Human Services