

NH LEGISLATIVE SUMMARY - 2013

Lisah K. Carpenter, Chair, NHNA Government Affairs Commission

While health care facilities, providers and nurses continue to be challenged on a daily basis by burgeoning regulation, limited resources and decreasing reimbursements, the NHNA Government Affairs Commission (GAC) continues its mission to identify legislative initiatives where nurses might have real impact, and to strategize the most effective way to utilize our collective voice. Each year, we begin by looking at the slate of bills that relate to health care, and our attention generally falls to practice-related issues and public health policy. This year marked a change in direction for us, as we tackled the enormous “gorilla in the corner” – the expansion of Medicaid in the state budget and trailer bills (HB 1 and 2).

The year began with a robust NHNA Town Hall in January. Hampered by the dearth of printed bills to review and discuss (a biennial problem), we soldiered on. We had approximately 200 participants at six sites, which allowed us to capture the voice of nursing from across the state. Introductory speakers included NHNA President, Judy Joy; NHNA lobbyist, Robert Dunn; and NH Representative, Vice-chair of the House HHS&EA Committee and nursing colleague, Laurie Harding.

The “short list” of bills presented by the GAC included:

- HB 217, an act imposing an extended term of imprisonment for assault against a health care provider (provider being broadly defined to include nurses and other health care workers);
- HB 403, an act establishing a commission to study death with dignity for persons suffering from a terminal condition;
- HB 573, relative to the use of cannabis for therapeutic purposes;
- HB 659, increasing the tobacco tax; and,
- SB 170, relative to advance directives pertaining to life-sustaining treatment.

The top priorities selected by the group in a virtual dead heat were: SB 170, which amended the definition of life-sustaining treatment to include medically administered nutrition and hydration, for purposes of advanced directives; and, HB 217, which extended the term of imprisonment for anyone convicted of an assault against a health care worker.

As an aside, I just want to say that in our review of the evaluations post-event, a number of suggestions were made that we plan to implement for next year. First, we plan to run the event a few weeks later, so that we will have more information on the bills. Second, we will implement a voting process that more evenly and fairly distributes the weight of each vote.

Finally, we are looking at ways in which we can structure the event so that more time will be devoted to discussion of the priority initiatives. Our thanks to event participants for their comments and support.

In summary, SB 170 was adopted with amendments in both the House and Senate, but fortunately their differences were resolved and the Senate concurred (agreed to support) with the House version. This amendment to the advanced directives statute repeals the language that required a person to expressly state directions specific to artificial nutrition and hydration – a section that often led to confusion at the bedside. NHNA supported this change and congratulates the efforts of the advanced directives alliance, ably guided by Shawn LaFrance at the Foundation for Healthy Communities.

Regrettably, HB 217 faced stiffer opposition, and was retained in Committee. Under some circumstances, this might be viewed as a more politically acceptable way to kill a bill; in this case, however, legitimate concerns were raised during the hearing process, and the Committee will use the additional time to investigate, discuss and further debate the issues. **For those who are interested in the fate of HB 217, it is a good idea to pay attention to the meetings that are scheduled between now and November. The public is welcome and often invited to comment during these sessions.** The best way to keep tabs is to check the HB 217 docket periodically. Go to www.nh.gov > Legislative Branch > Quick Bill Search, and plug in HB217 (no spaces). From there you can click on the “docket” tab and view the scheduled activity.

With little opposition to SB 170, and HB 217 being set aside early on in the session, the GAC decided to turn its attention to the heated debate swirling around the expansion of Medicaid. Accepting federal dollars to increase the number of people who would be covered by Medicaid and thereby have more ready access to primary care was a message we felt would resonate loudly within the nursing community. The House version of the budget included Medicaid Expansion, but we knew that leadership in the Senate had concerns. We began with an Op Ed piece that was picked up by the Nashua Telegraph, Keene Sentinel, Union Leader, Eagle Times, Laconia Citizen, Foster’s Daily Democrat, Portsmouth Herald and the NH Business Review. It was very heartening to receive this confirmation that the voice of nurses remains trusted and credible.

In the weeks leading up to this writing, NHNA has posted a number of legislative ‘ACTion’ Alerts to the membership, asking for targeted telephone calls to key Senators whom we felt might swing their votes in support the expansion. Although we only needed two votes, the full Senate voted to exclude Medicaid expansion from its version of the budget. At press time for Nursing News we are heading into the critical Committee of Conference, where deals are struck and anything can happen, NHNA will continue to monitor closely and

engage as appropriate. By the time you read this, the deed will be done. I remain hopeful for a good outcome.

Once again, the NHNA GAC hosted two Health Policy Days this spring – always a popular event for students – each day saw the maximum of eighty registrants. Health Policy Day is designed to introduce nursing students to policy development and state-level advocacy. It is our goal that students leave the State House feeling empowered and enthusiastic. For reasons too numerous to elaborate upon here, the GAC is looking to overhaul this event. Please stay tuned!

I would like to close by thanking each nurse who made the commitment this year to stay informed about policy matters, and who reached out to Legislators with letters and phone calls. Your effort does matter, even when the vote does not always go our way. I would also like to extend a big welcome to the newest members to the GAC – the “old guard” is thrilled to have the collective wisdom, experience and enthusiasm of these nurses. Be well, be safe – see you in 2014!