

**SENATE FINANCE COMMITTEE  
BUDGET WORK SESSION**

**05/03/23**

**SENATE FINANCE - 2023 BUDGET RECAP SHEET**

**Executive Department**

	Contact	SOF	FY 2023	FY 2024	FY 2025	Total
No additional requests.	James Gerry, Budget Director					

**Bills:**

HB 2 Amendment 2023-1389s - Deletes section 439 of HB 2 relative to emergency powers. (Finance adopted on 4/26/23)

## SENATE FINANCE - 2023 BUDGET RECAP SHEET

## Right to Know Ombudsman

	Contact	SOF	FY 2023	FY 2024	FY 2025	Total
Adjust payroll and benefits to reflect actual salary.	Thomas Kehr, Right to Know Ombudsman	G	\$0	\$19,540	\$20,884	\$40,424

**Bills:**

None.

**SENATE FINANCE - 2023 BUDGET RECAP SHEET**

**Department of Military Affairs and Veterans Services**

	Contact	SOF	FY 2023	FY 2024	FY 2025	Total
Request to adjust salary amounts for the Director of the State Veterans Cemetery and the Director of Community Based Military Programs. These positions were reclassified by Chapter 322, Laws of 2022. Salaries were approved by the Joint Committee on Employee Classification on 3/10/2023.	David Mikolaities, Adjutant General, Warren Perry, Deputy Adjutant General	G	\$0	\$10,806	\$12,084	\$22,890
		FED	\$0	\$3,942	\$5,350	\$9,293
		Other	\$0	\$805	\$1,092	\$1,897
Total			\$0	\$15,553	\$18,526	\$34,080

**Bills:**

**None.**

## SENATE FINANCE - 2023 BUDGET RECAP SHEET

## Department of Agriculture, Markets and Food

	Contact	SOF	FY 2023	FY 2024	FY 2025	Total
Senator Pearl - HB1 Amendment to add Farm/Ranch Stress Assistance Program.	Senator Pearl, Commissioner Shawn Jasper	G	\$0	\$100,000	\$100,000	\$200,000

**Bills:**

HB 2. Amendment #2023-1545s. Senator Pearl. Delete section 241 on page 78 relative to the Agricultural Advisory Board. This section would amend language included in SB 146 already adopted by the Senate and reported OTP by the House ED &A Committee.

Date Approved:

**Proposed HB 1 Amendment -Senator Pearl**

Department: Agriculture

Accounting Unit: 02-18-18-185010-1374 Farm/Ranch Stress Assistance

Compare Report Page TBD

Description: Funds the continuation of the Farm/Ranch Stress Assistance program established in FY 2022 with a federal grant from the US Department of Agriculture

Expenditure Class	FY 2024			FY 2025		
	House Introduced	Change	Revised Budget	House Introduced	Change	Revised Budget
102 CONTRACTS FOR PROGRAM SERVIC	-	100,000	100,000	-	100,000	100,000
<b>TOTAL</b>	-	<b>100,000</b>	<b>100,000</b>	-	<b>100,000</b>	<b>100,000</b>
<b>Source of Funds</b>						
GENERAL FUND	-	100,000	100,000	-	100,000	100,000
<b>TOTAL</b>	-	<b>100,000</b>	<b>100,000</b>	-	<b>100,000</b>	<b>100,000</b>

**Explanation if needed:**

The Department is the lead partner in a collaboration with agricultural organizations and agencies to address issues regarding farmer stress.

Sen. Pearl, Dist 17  
April 27, 2023  
2023-1545s  
02/05

Amendment to HB 2-FN-A-LOCAL

- 1 Amend the bill by deleting section 241.

2023-1545s

AMENDED ANALYSIS

Delete:

89. Provides for public comment at the semi-annual meetings of the agricultural advisory board.

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**Labor Department**

	Contact	SOF	FY 2023	FY 2024	FY 2025	Total
<b>No additional requests.</b>	Ken Merrifield, Commissioner					

**Bills:**

HB2. Senators Rosenwald and D'Allesandro amendment #2023-1633s relative to the Health Care Workforce Violence Prevention Program.

Sen. Rosenwald, Dist 13  
Sen. D'Allesandro, Dist 20  
May 3, 2023  
2023-1633s  
02/10

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by replacing sections 200-203 with the following:

2

3 200 Repeal. RSA 151:53, relative to the workplace violence prevention program, is repealed.

4 201 New Chapter; Health Care Workplace Violence Prevention Program. Amend RSA by  
5 inserting after chapter 277-B the following new chapter:

6

CHAPTER 277-C

7

HEALTH CARE WORKPLACE VIOLENCE PREVENTION PROGRAM

8

277-C:1 Definitions. In this chapter:

9 I. "Health facility" means an acute care, rehabilitation, psychiatric, or substance abuse  
10 treatment hospital, or an urgent care center licensed under RSA 151; provided that a facility with  
11 more than one physical location shall be considered a single health facility; and provided that  
12 "health facility" shall not include state-operated medical facilities, and voluntary compliance by a  
13 state-operated facility shall not subject such facility to the requirements of this section. The term  
14 "health facility" shall not include any non-hospital affiliated urgent care with less than 3 clinics in  
15 New Hampshire.

16 II. "Workplace violence" means any act or threat of physical violence, harassment,  
17 intimidation, or other threatening behavior.

18 III. "Hostile words" means aggressive and belligerent verbal abuse in which the recipient  
19 reasonably believes that the speaker intends to injure or create excessive stress, or in which the  
20 recipient suffers actual psychological trauma.

21 277-C:2 Health Care Workplace Violence Prevention Program.

22 I. Except as provided in paragraph II, health facilities shall implement and maintain a  
23 workplace violence prevention program. Said program shall consider the size and complexity of the  
24 health facility and shall address the following topics, and others deemed appropriate by the health  
25 facility, the goal of which is to encourage participation and address prevention, recognition,  
26 response, and reporting of workplace violence:

27 (a) Policies and procedures to prevent and respond to workplace violence and hostile  
28 words.

29 (b) Appropriate training, education, and resources to employees based on their roles and  
30 responsibilities. Said training, education, and resources shall include:

31 (1) Education on what constitutes workplace violence and hostile words.

**Amendment to HB 2-FN-A-LOCAL**

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1 (2) Education on the roles and responsibilities of leadership, clinical staff, security  
2 personnel, if applicable, and external law enforcement.

3 (3) Training in de-escalation, nonphysical intervention skills, response to emergency  
4 incidents, and at the discretion of the health facility, physical intervention techniques.

5 (4) The reporting process for workplace violence and hostile words incidents.

6 (c) A process to report workplace violence and hostile words incidents internally and  
7 externally in order to analyze incidents and trends.

8 (d) A process for follow-up and to support victims and witnesses affected by workplace  
9 violence or hostile words, including information about available counseling.

10 (e) A process to conduct an annual facility-specific risk assessment, which shall:

11 (1) Examine all existing and potential workplace violence and hostile words risks,  
12 including environmental and patient-specific risk factors, the health facility's workplace violence and  
13 hostile words incidents, and how the program's policies and procedures, training, education, and  
14 environmental design reflect best practices and conform to applicable laws and regulations; and

15 (2) Be used to develop recommendations to reduce the risk of workplace violence and  
16 hostile words.

17 II. A health facility accredited by the Joint Commission on the accreditation of healthcare  
18 organizations may give proof of compliance with Joint Commission standards on workplace violence  
19 prevention to the health care workplace safety commission established in RSA 151-J, in lieu of  
20 paragraph I.

21 III. The commissioner of the department of labor shall monitor participation in the  
22 workplace violence prevention program so that participation status is proactively known and that  
23 this status is properly reported in the annual report described in RSA 151-J:7.

24 IV. Each health facility shall prepare and submit to the health care workplace safety  
25 commission established in RSA 151-J an annual report containing all workplace violence and hostile  
26 words incidents reported to the health facility directed at an employee by a patient, coworker,  
27 supervisor, manager, or other individuals who have a personal relationship with a patient. The  
28 chair of the health and human services oversight committee, established in RSA 126-A:13, with the  
29 advice of the health care workplace safety commission, may recommend updates to New Hampshire  
30 statutes or recommend updates to the rules adopted for the implementation of this section. The  
31 commissioner of the department of labor, in consultation with the health care workplace safety  
32 commission and the health and human services oversight committee, shall adopt rules pursuant to  
33 RSA 541-A deemed necessary for the implementation of this section, including a common reporting  
34 form.

35 V.(a) The annual report required under paragraph IV shall include but not be limited to, for  
36 each workplace violence or hostile words incident, a description of:

Amendment to HB 2-FN-A-LOCAL

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1 (1) The incident, including environmental and patient-specific risk factors present at  
2 the time of the incident, as well as the appropriate categorization of the incident as workplace  
3 violence and/or hostile words.

4 (2) The date, time, and location of the incident.

5 (3) The nature and extent of injuries to employees.

6 (4) A classification, but not any identifiable personal information, of each  
7 perpetrator who committed the violence, including whether the perpetrator was:

8 (A) A patient;

9 (B) An individual who has or is known to have had a personal relationship with  
10 a patient;

11 (C) A coworker, supervisor; or manager; or

12 (D) Any other appropriate classification.

13 (5) How the incident was abated, including any incident response and post-incident  
14 investigation.

15 (6) If the incident involves a patient, the patient's name or other similar identifier  
16 shall not be included in the report, provided that the report may include the patient's diagnosis code  
17 and whether or not behavioral health or disability were a factor.

18 (7) The percentage of employees that have participated in the workplace violence  
19 prevention program in the reporting year immediately preceding the incident. This percentage shall  
20 be an annual point in time percentage and is not intended to be a rolling number calculated upon  
21 each incident.

22 (b) The report shall preserve the reporting distinction between workplace violence and  
23 hostile words incidents. There shall not be any identifiable personal information included in any  
24 report unless contained within an attached police report or other official report of a governmental  
25 entity. No person or health care facility shall retaliate in any manner against any reporting  
26 individual acting in good faith, or otherwise discriminate against, a person, employee, or subordinate  
27 who exercises any rights under this section or rules adopted pursuant to this section, or by any  
28 policy or procedure promulgated under this section or RSA 151-J, including but not limited to  
29 reporting of a workplace violence or hostile words incident or otherwise providing notice to the  
30 health facility regarding the occupational health and safety of the employee or their fellow  
31 employees exposed to workplace violence or hostile words risk factors. Nothing in this section shall  
32 be construed to authorize an employee to refuse to discharge his or her ordinary and customary  
33 duties in the workplace.

34 (c) The confidentiality provisions contained within RSA 151-J:5 shall apply to records  
35 collected pursuant to this chapter.

36 VI. The commissioner of the department of labor shall be responsible for maintaining, in an  
37 easily navigable, searchable, distinct page on the department's website, a database to share

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1 information on the activities of the New Hampshire health care workplace safety commission.

2 Topics included on the page shall include, but not be limited to:

3 (a) A listing of all health care facilities by name, with their business address included,  
4 which are subject to the provisions of the workplace violence prevention program.

5 (b) The participation status of each facility as active, inactive, or unknown.

6 (c) The dates of each meeting of the New Hampshire health care workplace safety  
7 commission.

8 (d) Annually, a press release shall be issued within 60 days of the end of the calendar  
9 year, highlighting the active participation of health care facilities and any major findings or  
10 recommendations.

11 VII. Notwithstanding the requirements of this chapter, a health facility that is an urgent  
12 care center shall not be required to comply with this chapter before July 1, 2024.

13 202 Duties; Health Care Workplace Safety Commission. Amend RSA 151-J:2, I(c) to read as  
14 follows:

15 (c) Propose changes to the health and human services oversight committee, established  
16 in RSA 126-A:13, *the commissioner of the department of labor*, and [te] the commissioner of the  
17 department of health and human services that will improve the safety of the health care workplace.

18 203 Confidentiality; Health Care Workplace Safety Commission. Amend RSA 151-J:5, I to read  
19 as follows:

20 I. All information, other than police reports, submitted to or collected by the commission,  
21 including, but not limited to, written, oral, and electronic information; records and proceedings of the  
22 commission, including, but not limited to, oral testimony and discussions, notes, minutes,  
23 summaries, analyses, and reports; and information disseminated by the commission or its members  
24 to hospitals and urgent care centers shall be confidential and privileged, *shall be exempt from*  
25 *RSA 91-A*, and shall be protected from direct or indirect means of discovery, subpoena, or admission  
26 into evidence in any judicial, administrative, or other type of proceeding. The provision of  
27 information to the commission and the dissemination of information by the commission shall not be  
28 deemed to void, waive, or impair in any manner the confidentiality protection of this section or which  
29 the information may have under any other law or regulation.

30 203-a Administration; Health Care Workplace Safety Commission. Amend RSA 151-J:6 to read  
31 as follows:

32 151-J:6 Administration. The commission may delegate to the department of [~~health and human~~  
33 ~~services~~] *labor* the functions of collecting, analyzing, and disseminating workplace violence  
34 information, organizing and convening meetings of the commission, and other substantive and  
35 administrative tasks as may be incident to these activities or directed by the commission. The  
36 activities of the department of [~~health and human services~~] *labor* and its employees or agents shall

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1 be subject to the same confidentiality provisions and data privacy as those that apply to the  
2 commission.

3 203-b Rulemaking; Health Care Workplace Safety Commission. Amend RSA 151-J:8 to read as  
4 follows:

5 151-J:8 Rulemaking. The commissioner of the department of [~~health and human services~~  
6 **labor**, with the advice of members of the commission, shall adopt rules pursuant to RSA 541-A, to  
7 assure de-identification of all individuals and facilities involved in the incidents received.

8 203-c Appropriation; New Hampshire Health Care Workplace Safety Commission. The sum of  
9 \$100,000 for the fiscal year ending June 30, 2024, and \$100,000 for the fiscal year ending June 30,  
10 2025, is hereby appropriated to the department of labor for the purpose of establishing and hiring  
11 one program specialist IV position at labor grade 25 to implement the department's responsibilities  
12 relative to the New Hampshire health care workplace safety commission established in RSA 151-J.  
13 Such appropriations shall be a charge against the restricted fund established pursuant to RSA  
14 273:1-b.

15 203-d Prospective Repeal; 2034. RSA 277-C, relative to the health care workplace violence  
16 prevention program, is repealed.

17 203-e Effective Date. Section 203-d of this act shall take effect March 1, 2034.

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## SENATE FINANCE - 2023 BUDGET RECAP SHEET

## Parole Board

	Contact	SOF	FY 2023	FY 2024	FY 2025	Total
No additional requests.	Roger Phillips, Chairman					

**Bills:**

Mr. Phillips requested consideration of <b>HB 504</b> which would allow former parole board members to sit on the board and increases the stipend for board members. HB 504 is with the Senate Judiciary Committee.	G	\$103,000	\$0	\$0	\$103,000
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**SENATE FINANCE - 2023 BUDGET RECAP SHEET**

**Veterans Home**

	Contact	SOF	FY 2023	FY 2024	FY 2025	Total
Add funds for DOIT position to be shared between Veterans Home and Fish & Game. (If this item is approved, it will also necessitate changes to the DOIT and Fish & Game budgets.)	Kimberly MacKay, Veterans Home Commandant	G	\$0	\$46,006	\$48,262	\$94,268
<b><u>Bills:</u></b>						
None.						