

**SENATE FINANCE COMMITTEE
BUDGET WORK SESSION**

05/23/25

SENATE FINANCE - 2025 BUDGET RECAP SHEET

DHHS - Glencliff Home

	Contact	SOF	FY 2025	FY 2026	FY 2027	Total
No changes requested.	N/A	N/A	\$0	\$0	\$0	\$0

SENATE FINANCE - 2025 BUDGET RECAP SHEET

DHHS - Division of Behavioral Health

	Contact	SOF	FY 2025	FY 2026	FY 2027	Total
<p>1a. HB 2 Amendment #2025-1928s, Page 10 Rename the Governor's Commission on Alcohol, etc, the "Governor's Commission on Addiction, Treatment, and Recovery," and add problem gambling to its purview. Remove the HB 2 provision directing opioid abatement trust funds to the Governor's Commission, and reinstate the provision setting aside 5% of gross liquor profits. Will indirectly cost \$10.7M per year of general funds, as this is the estimated amount of liquor profits that will be directed to the Governor's Commission rather than deposited into the general fund.</p>	Sen. Lang	GF	\$0	\$10,700,000	\$10,700,000	\$21,400,000
<p>1b. HB 1 Change Request Budget impact of amendment 1928s above. Replace \$10.7M/year of opioid abatement trust funds for the Governor's Commission with \$10.7M of Liquor funds. Net zero impact in other funds. (AU 3382, compare report page 1284.)</p>	Sen. Lang	OTH	\$0	\$0	\$0	\$0
<p>2a. HB 2 Amendment #2025-2382s, Page 23 Restore the statutory provision directing 5% of gross Liquor profits to the Governor's Commission on Alcohol, etc, and remove the section requiring the termination of certain contracts funded with opioid abatement funds.</p>	Sen. Rosenwald	GF	\$0	\$10,700,000	\$10,700,000	\$21,400,000
<p>2b. HB 1 Change Request Budget impact of amendment 2382s above. Replace \$10.7M/year of opioid abatement trust funds for the Governor's Commission with \$10.7M of Liquor funds. Net zero impact in other funds. (AU 3382, Compare Page 1284.)</p>	Sen. Rosenwald	OTH	\$0	\$0	\$0	\$0

SENATE FINANCE - 2025 BUDGET RECAP SHEET

DHHS - Division of Behavioral Health

	Contact	SOF	FY 2025	FY 2026	FY 2027	Total
3. HB 2 Amendment #2025-2242s, Page 24 If the provision requiring termination of opioid abatement contracts is not removed, modify it to make the language less restrictive. DHHS request; amendment drafted for discussion purposes.	Nathan White, DHHS CFO	N/A	\$0	\$0	\$0	\$0
4. HB 2 Amendment #2025s-2201s, Page 25 Incorporate a modified version of SB 114, providing funding for community mental health supported housing.	Sen. Birdsell	GF	\$0	\$2,500,000	\$1,000,000	\$3,500,000
5. HB 2 Amendment #2025s-2309s, Page 26 Incorporate SB 128, establishing a children's mental health association and allowing for the assessment of a fee upon insurers to childhood behavioral health services. Costs shown here reflect the fiscal note estimates for SB 128.	Sen. Birdsell	OTH - Assessment Revenue	\$0	\$2,500,000	\$2,500,000	\$5,000,000
6. HB 2 Amendment #2025-2312s, Page 32 Revise section 83 by removing "and/or co-occurring substance use or mental health disorder" from the definition of who may receive housing funded by the opioid abatement trust fund.	Sen. Rosenwald	N/A	\$0	\$0	\$0	\$0
7. HB 2 Amendment #2025-2274s, Page 33 Incorporates a modified version of SB 255, establishing a 988 Suicide and Crisis Lifeline, to be funded by a telecommunications surcharge and newly-authorized 988 license plates. Costs shown here reflect the fiscal note estimates for SB 255.	Sen. Birdsell	OTH - Telecom surcharge and license plate revenue	\$0	\$7,500,000	\$7,500,000	\$15,000,000

SENATE FINANCE - 2025 BUDGET RECAP SHEET

DHHS - Division of Behavioral Health

	Contact	SOF	FY 2025	FY 2026	FY 2027	Total
8. HB 1 Change Request Move \$200,000 per year between class lines (from class 102 to 563) to correct an error in the House-passed budget. \$0 impact. (DHHS request; AU 2053, compare page 1291)	Nathan White	N/A	\$0	\$0	\$0	\$0
9. HB 2 Amendment #2025-2151s, Page 41 Incorporate SB 238, relative to prevention and treatment of adverse childhood experiences.	Sen. Watters / Sen. Rosenwald	N/A	\$0	\$150,000	\$150,000	\$300,000

SENATE FINANCE - 2025 BUDGET RECAP SHEET

DHHS - New Hampshire Hospital

	Contact	SOF	FY 2025	FY 2026	FY 2027	Total
No changes requested.	N/A	N/A	\$0	\$0	\$0	\$0

SENATE FINANCE - 2025 BUDGET RECAP SHEET

DHHS - Office of the Commissioner

	Contact	SOF	FY 2025	FY 2026	FY 2027	Total
<p>1a. HB 2 Amendment #2025-2341s, Page 43 Authorize the Prescription Drug Affordability Board (PDAB) to assess annual \$500 registration fees to fund Board operations. Allow unspent FY25 appropriations to carry forward into FY26 for the purpose of funding operations before fees are collected. Further allow the use of general funds to cover a shortfall in any given fiscal year, to be reimbursed from fees collected. The cost shown here reflects the estimated FY 25 lapse that will be carried forward as a result of this amendment.</p>	Sen. Rosenwald	OTH, GF	\$106,000	\$0	\$0	\$106,000
<p>1b. HB 1 Change Request Budget the PDAB at \$144,000 of other (fee) revenue in FY26 and \$250,000 in FY27. When combined with the \$106,000 lapse in item 1a, the Board will be funded at \$250,000 in FY26. If adopted, the PDAB and DHHS will provide detail on the specific class lines to which the funds should be distributed. (AU 6273, Compare Page 1363)</p>	Sen. Rosenwald	OTH - Fee Revenue	\$0	\$144,000	\$250,000	\$394,000
<p>2. HB 2 amendment #2025-2268s, Page 45 Repeal the Prescription Drug Affordability Board.</p>	Sen. Lang	N/A	\$0	\$0	\$0	\$0
<p>3. HB 2 Amendment #2025-2315s, Page 46 Revise section 405, relative to the definition of biological products.</p>	Sen. Rosenwald	N/A	\$0	\$0	\$0	\$0

SENATE FINANCE - 2025 BUDGET RECAP SHEET

DHHS - Office of the Commissioner

	Contact	SOF	FY 2025	FY 2026	FY 2027	Total
<p>4. HB 2 Amendment Request DHHS request to exempt select dedicated funds from the administrative charge in section 445. Of the funds identified by the department, only two are not contained within the various exemptions listed in that section: the public health special services fund, and the lab equipment replacement fund. Costs shown here reflect 5% (in each year) of the two funds' FY24 revenue.</p>	Nathan White, CFO	GF	\$0	\$35,459	\$35,459	\$70,918
<p>5. HB 2 Amendment #2025-2251s, Page 48 Add funds for a contract to support Medicaid long-term care eligibility determinations. Partially offset costs by temporarily increasing the annual nursing home license fee from \$25 to \$80, expected to raise approximately \$300,000 per year, resulting in a net cost of \$2.4 million over the biennium.</p>	Sen. Birdsell	GF	\$0	\$3,000,000		\$3,000,000
		GF Revenue - License Fees	\$0	(\$300,000)	(\$300,000)	(\$600,000)
<p>6. HB 2 Amendment #2025-2371s, Page 49 Ensure that the Philbrook Center's sale is contingent upon an equivalent number of transitional mental health beds being made available elsewhere.</p>	Sen. Rosenwald	N/A	\$0	\$0	\$0	\$0
<p>7. HB 2 Amendment #2025-2339s, Page 50 Establish a transition plan for sale of the Philbrook Center, requiring DHHS to ensure that services to current clients residing there are not interrupted. DHHS request; amendment drafted for discussion purposes.</p>	Nathan White	N/A	\$0	\$0	\$0	\$0

SENATE FINANCE - 2025 BUDGET RECAP SHEET

DHHS - Office of the Commissioner

	Contact	SOF	FY 2025	FY 2026	FY 2027	Total
<p>8. HB 2 Amendment #2025-2246s, Page 51 Amend section 93, allowing the DHHS commissioner to accept gifts for the benefit of the department, by reducing the amount from \$250,000 to \$1,000 and confining the gifts to specific purposes. DHHS request; amendment drafted for discussion purposes.</p>	Nathan White	N/A	\$0	\$0	\$0	\$0
<p>9a. HB 1 Change Request Transfer out (to the correct accounting unit) three positions established by the House to generate additional Medicaid recovery revenue. (DHHS request; AU 7935; Compare Page 1355)</p>	Nathan White	GF	\$0	(\$79,125)	(\$165,525)	(\$244,650)
		FF	\$0	(\$44,852)	(\$93,826)	(\$138,678)
		OF	\$0	(\$5,166)	(\$10,807)	(\$15,973)
<p>9b. HB 1 Change Request Transfer in the three positions from 9a above. (DHHS request; AU 5680; Compare Page 1359)</p>	Nathan White	GF	\$0	\$79,125	\$165,525	\$244,650
		FF	\$0	\$44,852	\$93,826	\$138,678
		OF	\$0	\$5,166	\$10,807	\$15,973
<p>10. HB 2 Amendment #2025-2395s, Page 52 Incorporate a modified version of SB 118, relative to the personal needs allowance of residents in nursing homes, an appropriation the DHHS for Hampstead Hospital, and establishment of a Hampstead Hospital and residential treatment facility capital investment fund.</p>	Sen. Birdsell	GF	\$0	\$160,000	\$0	\$160,000

SENATE FINANCE - 2025 BUDGET RECAP SHEET

DHHS - Hampstead Hospital

	Contact	SOF	FY 2025	FY 2026	FY 2027	Total
1. HB 1 Change Request Move 27 unfunded positions from the Hampstead Hospital accounting unit to various other accounts within the Department. Positions and their destination accounts shown below. No fiscal impact. (DHHS request.)	Nathan White, DHHS CFO	N/A	\$0	\$0	\$0	\$0
Pos #45046 out and to AU 6643 Pos #45036 out and to AU 7937 Pos #45040 out and to AU 7877 Pos #45051 out and to AU 2052 Pos #45052 out and to AU 4117 Pos #9U721 out and to AU8400 Pos #45034 out and to AU 8410 Pos #45038 out and to AU 8410 Pos #45045 out and to AU 8410 Pos #45049 out and to AU 8750	Pos #9U720 out and to AU 5000 Pos #9U722 out and to AU 5000 Pos #9U724 out and to AU 5000 Pos #45037 out and to AU 5676 Pos #45043 out and to AU 5676 Pos #9U725 out and to AU 5676 Pos #45033 out and to AU 7935 Pos #45035 out and to AU 7935 Pos #45044 out and to AU 7935 Pos #9U723 out and to AU 5680	Pos #45041 out and to AU 5677 Pos #45042 out and to AU 5677 Pos #45053 out and to AU 5677 Pos #45039 out and to AU 5685 Pos #45047 out and to AU 5685 Pos #45050 out and to AU 5685 Pos #45048 out and to AU 5687				

Amendment to HB 2-FN-A-LOCAL

- 1 Amend the bill by replacing sections 389 and 390 with the following:
2
- 3 389 The State and Its Government; New Hampshire Recovery Monument Commission;
4 Commission Established; Special Account. Amend RSA 4:9-p, II to read as follows:
- 5 II. The gifts of money, which are donated to contract, construct, and maintain the
6 monument, shall be placed in a special nonlapsing account in the state treasury, to be expended for
7 the purposes of the New Hampshire recovery monument. Any money remaining in the special
8 account after construction of the monument is completed shall be used for the care, maintenance,
9 repair, and additions to the monument. Any funds left in the special account after annual care,
10 maintenance, and repair of the monument shall be deposited in the ~~aleekeh-abuse-prevention~~
11 ~~reatment~~ **addiction, treatment, and prevention** fund under RSA 176-A:1. Notwithstanding any
12 other provision of law, the commission may expend the money raised or accepted as a gift without
13 the approval of governor and council, to contract for the construction and perpetual maintenance of
14 the monument.
- 15 390 New Hampshire Recovery Monument Commission; Commission Membership. Amend RSA
16 4:9-q to read as follows:
17 4:9-q Commission Membership and Duties.
- 18 **I.** The members of the commission established in RSA 4:9-p shall be as follows:
19 (a) One senator, appointed by the president of the senate.
20 (b) Two representatives, appointed by the speaker of the house of representatives.
21 (c) Two directors of recovery organizations, appointed by the governor.
22 (d) Two persons in recovery, appointed by the governor.
23 (e) Two family members of persons lost to substance use disorder, appointed by the
24 governor.
- 25 (f) The chairperson of the recovery task force of the governor's commission on ~~aleekeh~~
26 ~~and-drug-abuse-prevention~~ **addiction, treatment, and recovery, or designee.**
27 (g) The president of New Futures, or designee.
28 (h) The director of National Alliance for Mental Illness, New Hampshire (NAMI-NH), or
29 designee.
30 (i) The commissioner of the department of health and human services, or designee.

Amendment to HB 2-FN-A-LOCAL

- Page 2 -

1 II.(a) The members appointed pursuant to subparagraphs (a), (b), and (i) shall serve
2 coterminous with their terms in office. The remaining members of the commission shall serve 3-year
3 terms and may be reappointed.

4 (b) Legislative members of the commission shall receive mileage at the legislative rate
5 while attending to the duties of the commission. The members of the commission shall elect a
6 chairperson from among the members. The first named house member shall call the first meeting of
7 the commission. Seven members of the commission shall constitute a quorum.

8 III. The commission shall select the location and design for the New Hampshire recovery
9 monument and oversee the construction and maintenance of the monument. In selecting a design
10 for the monument, the commission shall develop a request for proposals and criteria for the
11 evaluation of proposals. Design criteria shall include, after public consultation with interested
12 parties, a monument including central features of a figural, representational, symbolic, or abstract
13 form that recognize inclusively the varied New Hampshire historical and contemporary aspects of
14 recovery from substance use disorders, with appropriate inscriptions and that recognize inclusively
15 those New Hampshire individuals whose lives were lost and those affected by lost lives due to
16 substance use disorders, with appropriate inscriptions. The design may also include an area
17 surrounding the central monument for permanent individual commemoration for those New
18 Hampshire individuals whose lives were lost due to substance use disorders. The design criteria
19 shall include, after public consultation with interested parties, an area around the central features of
20 the monument suitable for reflection and such commemorative activities as envisioned by the
21 commission. The commission shall approve a memorandum of understanding with the host
22 community governing the siting, design, and construction of the monument, and subsequent related
23 activities.

24 IV. The commission shall privately raise all the money necessary for the planning, design,
25 construction, and maintenance of the New Hampshire recovery monument.

26 391 The State and Its Government; State Treasurer; Application of Receipts. Amend RSA 6:12,
27 I(b)(72) to read as follows:

28 (72) Moneys deposited in the [~~alcohol-abuse prevention and treatment~~] **addiction,**
29 **treatment, and prevention** fund established in RSA 176-A:1, as administered by [~~the governor's~~
30 ~~commission on alcohol and drug abuse prevention, treatment, and recovery~~] **the governor's**
31 **commission on addiction, treatment, and prevention** in accordance with RSA 12-J:1.

32 392 New Hampshire Drug Overdose Fatality Review Commission; Commission. Amend RSA
33 126-DD:1, I(g) to read as follows:

34 (g) The chairperson of the governor's commission on [~~alcohol and drug abuse~~
35 ~~prevention~~] **addiction,** treatment, and recovery, or designee.

36 393 New Hampshire Opioid Abatement Advisory Commission. Amend RSA 126-A:85, II to read
37 as follows:

Amendment to HB 2-FN-A-LOCAL
- Page 3 -

- 1 II. The commission shall consist of the following members:
- 2 (a) The governor, or designee.
- 3 (b) The attorney general, or designee.
- 4 (c) The state treasurer, or designee.
- 5 (d) The commissioner of the department of corrections, or designee.
- 6 (e) The commissioner of the department of health and human services, or designee.
- 7 (f) One member of the house of representatives, appointed by the speaker of the house of
- 8 representatives.
- 9 (g) One member of the senate, appointed by the president of the senate.
- 10 (h) The chairperson of the governor's commission on ~~[alcohol and drug abuse,~~
- 11 ~~prevention,]~~ **addiction**, treatment, and recovery, or designee.
- 12 (i) A county attorney appointed by the governor.
- 13 (j) A county corrections superintendent, or designee, appointed by the governor.
- 14 (k) A county nursing home supervisor, or designee, appointed by the New Hampshire
- 15 Association of Counties.
- 16 (l) A New Hampshire municipal fire chief, appointed by the governor.
- 17 (m) A New Hampshire municipal police chief, appointed by the governor.
- 18 (n) One designee from a county with a population of 100,000 or more, appointed by the
- 19 governor.
- 20 (o) One designee from a county with a population of less than 100,000, appointed by the
- 21 governor.
- 22 (p) One designee of a city with a population over 75,000, appointed by the governor.
- 23 (q) One designee of a city or town with a population under 75,000, appointed by the
- 24 governor.
- 25 (r) One designee representing a town with a population under 20,000, appointed by the
- 26 governor.
- 27 (s) One designee representing victims of the opioid crisis, appointed by the attorney
- 28 general.
- 29 (t) One member representing prevention, appointed by the governor's commission
- 30 alcohol and drug abuse prevention, treatment, and recovery, or designee.
- 31 (u) One member representing treatment, appointed by the governor's commission on
- 32 ~~[alcohol and drug abuse prevention]~~ **addiction**, treatment, and recovery, or designee.
- 33 (v) One member representing recovery, appointed by the governor's commission on
- 34 ~~[alcohol and drug abuse prevention]~~ **addiction**, treatment, and recovery, or designee.
- 35 (w) One public school superintendent, or designee, appointed by the New Hampshire
- 36 School Administrators Association.

Amendment to HB 2-FN-A-LOCAL
- Page 4 -

1 394 Opioid Abatement Advisory Commission; Duties. Amend the introductory paragraph of
2 RSA 126-A:86, I to read as follows:

3 I. The opioid abatement advisory commission in coordination with the governor's
4 commission on ~~[alcohol and other drugs,]~~ **addiction, treatment, and recovery**, and in alignment
5 with relevant state plans, shall:

6 395 Controlled Drug Prescription Health and Safety Program; Advisory Council. Amend RSA
7 126-A:96, I(j) to read as follows:

8 (j) Two public members appointed by the governor's commission on ~~[alcohol and other~~
9 ~~drugs,]~~ **addiction, treatment, and recovery**, one of whom may be a member of the commission.

10 396 Alcoholic Beverages; The Liquor Commission; Funds. Amend RSA 176:16, III to read as
11 follows:

12 III. Five percent of the preceding fiscal year gross profits derived by the commission from
13 the sale of liquor shall be deposited into the ~~[alcohol abuse prevention and treatment]~~ **addiction,**
14 **treatment, and prevention** fund established by RSA 176-A:1. For the purpose of this section, gross
15 profit shall be defined as total operating revenue minus the cost of sales and services as presented in
16 the state of New Hampshire annual comprehensive financial report, statement of revenues,
17 expenses, and changes in net position for proprietary funds. Such deposit shall be processed in 2
18 installments as follows:

19 (a) The commission shall process the initial deposit on or before August 1st of the
20 ensuing fiscal year. Such deposit shall be calculated based on an estimate of the preceding fiscal
21 year gross profit derived by the commission from the sale of liquor.

22 (b) Upon issuance of the audited annual comprehensive financial report pursuant to
23 RSA 21-I:8, II(a), the commission shall process a second and final deposit or adjustment.

24 (c) If the amount of the initial deposit exceeds the final amount calculated based on the
25 audited annual comprehensive financial report pursuant to RSA 21-I:8, II(a), the comptroller shall
26 transfer the excess amount from the ~~[alcohol abuse prevention and treatment]~~ **addiction,**
27 **treatment, and prevention** fund established by RSA 176-A:1 to the liquor fund.

28 397 Alcoholic Beverages; Alcohol Abuse Prevention and Treatment Fund. Amend RSA 176-A:1
29 to read as follows:

30 176-A:1 ~~[Alcohol Abuse Prevention and Treatment]~~ **Addiction, Treatment, and Prevention**
31 Fund.

32 I. There is hereby established an ~~[alcohol abuse prevention and treatment]~~ **addiction,**
33 **treatment, and prevention** fund to fund alcohol education and abuse **and problem gambling**
34 prevention and treatment programs.

35 II. The fund shall be nonlapsing and continually appropriated for the purposes of funding
36 alcohol education and abuse **and problem gambling** prevention and treatment programs. The
37 commissioner of the department of health and human services may accept gifts, grants, donations, or

1 other funding from any source and shall deposit all such revenue received into the fund. The state
2 treasurer shall invest the moneys deposited in the fund as provided by law. Interest earned on
3 moneys deposited in the fund shall be deposited into the fund.

4 III. Moneys received from all other sources other than the liquor commission pursuant to
5 RSA 176:16, III, including any community benefit contribution made by New Hampshire's hospitals,
6 shall be disbursed from the fund upon the authorization of ~~the governor's commission on alcohol and
7 drug abuse prevention, treatment, and recovery~~ **the governor's commission on addiction,
8 treatment, and prevention** established pursuant to RSA 12-J:1 and shall not be diverted for any
9 other purposes. Funds disbursed shall be used for alcohol and other drug abuse prevention,
10 **problem gambling prevention**, treatment, ~~and~~ recovery services, and other purposes related to
11 the duties of the commission under RSA 12-J:3.

12 398 Occupations and Professions; Controlled Drug Act; Personal Possession of Marijuana.
13 Amend RSA 318-B:2-c, VII to read as follows:

14 VII. All fines imposed pursuant to this section shall be deposited into the ~~alcohol abuse
15 prevention and treatment~~ **addiction, treatment, and prevention** fund established in RSA 176-
16 A:1 and utilized for evidence-informed substance abuse prevention programs.

17
18 Amend the bill by replacing section 396 with the following:

19
20 396 Governor's Commission on Alcohol and Drug Abuse Prevention, Treatment, and Recovery.

21 Amend the chapter heading of RSA 12-J, and RSA 12-J:1 through RSA 12-J:4, to read as follows:

22 Chapter 12-J

23 ~~[GOVERNOR'S COMMISSION ON ALCOHOL AND DRUG ABUSE PREVENTION,
24 TREATMENT, AND RECOVERY]~~

25 **THE GOVERNOR'S COMMISSION ON ADDICTION, TREATMENT, AND PREVENTION**

26 12-J:1 Commission Established; Membership; Terms.

27 There is hereby established a commission which shall serve in an advisory capacity to the
28 governor and the general court regarding **the importance of prevention as well as** the delivery of
29 effective and coordinated alcohol and **other** drug ~~abuse~~ **misuse programs of prevention, problem
30 gambling prevention**, treatment **using a public health informed approach to address
31 addiction**, and recovery services throughout the state. The commission shall consist of the
32 following members:

33 I. Seven public members, 2 of whom shall be professionals knowledgeable about alcohol and
34 **other** drug ~~abuse~~ **misuse** prevention, one of whom shall be appointed by the governor and one of
35 whom shall be appointed by the senate president; 2 of whom shall be professionals knowledgeable
36 about alcohol and **other** drug ~~abuse~~ **misuse** treatment **including reduction of societal and
37 individual harm**, one of whom shall be appointed by the governor and one of whom shall be

Amendment to HB 2-FN-A-LOCAL
- Page 6 -

1 appointed by the speaker of the house of representatives; 2 of whom shall be public members who
2 are not professionals within the alcohol and drug ~~addition~~ *misuse* prevention and treatment
3 system, one of whom shall be appointed by the senate president and one of whom shall be appointed
4 by the speaker of the house of representatives; and one member in long-term recovery, appointed by
5 the governor.

6 II. Two members of the house of representatives, appointed by the speaker of the house of
7 representatives, and 2 members of the senate, appointed by the president of the senate. The term of
8 the legislative members of the commission shall be for the biennium and shall be coterminous with
9 membership in the general court. Legislative members shall receive mileage at the legislative rate
10 when attending to the duties of the commission.

11 III.(a)(1) The attorney general, or designee.
12 (2) The adjutant general, or designee.
13 (3) The administrative judge of the circuit court, or designee.
14 (4) The chairperson of the liquor commission, or designee.
15 (5) The commissioner of the department of health and human services, or designee.
16 (6) The director of juvenile justice services, department of health and human
17 services, or designee.

18 (7) The commissioner of the department of education, or designee.
19 (8) The commissioner of the department of corrections, or designee.
20 (9) The commissioner of the department of safety, or designee.
21 (10) The director of the office of alcohol and drug policy, department of health and
22 human services, or designee.

23 (11) The commissioner of the department of insurance, or designee.

24 (b) The members under this paragraph shall serve terms coterminous with their terms
25 in office.

26 IV.(a)(1) A representative of the Business and Industry Association of New Hampshire,
27 appointed by the association.

28 (2) A representative of the New Hampshire Medical Society, appointed by the
29 society.

30 (3) The chancellor of the community college system of New Hampshire, or designee.
31 (4) The chairman of the New Hampshire Suicide Prevention Council.
32 (5) A representative of the New Hampshire Nurses' Association, appointed by the
33 association.

34 (6) A representative of the New Hampshire Charitable Foundation, appointed by the
35 foundation.

36 (7) A representative of the New Hampshire Hospital Association, appointed by the
37 association.

1
2 (8) *The president of the New Hampshire Association of Chiefs of Police, or*
3 *designee.*

4 (b) A representative of the state's faith-based community, who shall be a nonvoting
5 member, appointed by the governor.
6 (c) The members under this paragraph shall serve 3-year terms.
7 12-J:2 Organization of Commission; Task Forces; Staffing.

8 I. The commission shall elect one of its members to serve as chairperson. The executive
9 director of the commission shall be the director of the appropriate division responsible for alcohol
10 and drug [abuse] *misuse* prevention and recovery, who shall serve without additional compensation.
11 Twelve members of the commission shall constitute a quorum.

12 II.(a) To assist the commission in the performance of its duties, the chairperson shall create
13 task forces. The chairperson shall initially create task forces to address the following issues:

- 14 (1) Prevention.
- 15 (2) Treatment *and reduction of societal and individual harm.*
- 16 (3) Recovery.
- 17 (4) Program monitoring and evaluation.

18 (b) To assist the commission in the performance of its duties, the chairperson may create
19 additional task forces.

20 (c) The commission chairperson shall appoint at least one commission member to serve
21 on each task force as chairperson.

22 (d) Based upon recommendations from each task force, the commission chairperson may
23 appoint non-commission members to serve as adjunct members of each task force for a term of one
24 year. In appointing adjunct members, the chairperson shall ensure that youth have the opportunity
25 to participate directly in the work of appropriate task forces.

26 (e) Each task force shall:

- 27 (1) Develop a mission statement, including its goals and objectives.
- 28 (2) Report to the commission on a regular basis concerning available programs,
29 funding, and unmet needs.
- 30 (3) Identify program areas where improved coordination is needed.

31 II-a. The chairperson shall create a budget task force comprised of the individuals listed in
32 RSA 12-J:1, III(a) to report biannually on financial expenditures for substance [abuse] *misuse*
33 related work throughout state government as detailed in RSA 12-J:4, III and recommend budget
34 policy priorities to the commission regarding the allocation of funding alcohol and *other* drug
35 prevention, treatment *including reduction of societal and individual harm*, and recovery
services across state agencies and throughout the state.

1 III. All executive branch departments shall provide administrative support to the
2 commission. The executive director of the commission shall direct and coordinate the administrative
3 support to the commission.

4 IV. All executive branch departments shall respond promptly to written requests from the
5 commission for information concerning the alcohol and drug abuse prevention, treatment, and
6 recovery programs and services provided by them and the costs and funding sources for such
7 programs and services.

8 **12-J-2-a Definition of Harm Reduction.**

9 ***I. For the purposes of this chapter, RSA 126-A, RSA 318-B:43, RSA 328-D:3, and RSA***
10 ***329:16-g, "harm reduction" is an approach that emphasizes engaging directly with people***
11 ***who use alcohol and other drugs to prevent overdose and infectious disease transmission,***
12 ***improve the physical, mental, and social function of those served, and offer low-threshold***
13 ***options for accessing substance use disorder treatment and other health care services.***
14 ***Harm reduction shall be balanced by the imperative to protect society from the ravages of***
15 ***alcohol or drug misuse.***

16 ***II. This approach shall be limited to the following:***

17 ***(a) Connecting individuals to overdose education, counseling, and referral to***
18 ***treatment for infectious diseases and substance use disorders.***

19 ***(b) Distributing opioid overdose reversal medications, such as naloxone to***
20 ***individuals at risk of overdose, or to those who might respond to an overdose, and provide***
21 ***training in overdose reversal and prevention.***

22 ***(c) Making available substance test kits, including fentanyl test strips.***

23 ***(d) Lessening harms associated with drug use and related behaviors that***
24 ***increase the risk of infectious diseases, including HIV, viral hepatitis, and bacterial and***
25 ***fungal infections; via referrals, syringe service programs, sharps disposal and medication***
26 ***disposal kits, wound care supplies medication lock boxes, education, testing, and***
27 ***prophylactic measures.***

28 ***(e) Reducing infectious disease transmission among people who use drugs,***
29 ***including those who inject drugs by equipping them with accurate information and***
30 ***facilitating referral to resources.***

31 ***(f) Reducing overdose deaths, promoting linkages to care, and facilitating***
32 ***appropriate co-location of services as part of a comprehensive, integrated approach.***

33 ***(g) Providing education and public awareness programs to reduce stigma***
34 ***associated with substance use and co-occurring disorders.***

35 ***(h) Promoting a philosophy of hope and healing by utilizing those with lived***
36 ***experience of recovery in the management of harm reduction services, and connecting those***

1 *who have expressed interest to treatment, peer support workers and other recovery support*
2 *services.*

3 *(i) Promoting a healthy society by mitigating the harmful effects of individual*
4 *misuse of alcohol and other drugs.*

5 12-J:3 Duties.

6 The duties of the commission shall be to:

7 I. Develop and revise, as necessary, a statewide plan for the effective prevention of alcohol
8 and **other** drug [abase] **misuse and problem gambling**, particularly among youth, and a
9 comprehensive system of treatment **including reduction of societal and individual harm** and
10 recovery services for individuals and families affected by alcohol and **other** drug [abase] **misuse**
11 **and problem gambling. Nothing in RSA 12-J should be construed to limit care of chronic**
12 **pain and hospice and palliative care patients, including use of the term “misuse” which**
13 **shall be utilized, as intended, to broaden the scope of work across the substance use**
14 **continuum of care.** The statewide plan shall:

15 (a) Identify the causes, the nature and scope, and the impact of alcohol and **other** drug
16 [abase] **misuse and problem gambling** in New Hampshire.

17 (b) Identify and prioritize unmet needs for prevention **as a leading state initiative**,
18 treatment **including reduction of societal and individual harm**, and recovery services.

19 (c) Recommend initiatives and policy considerations to the general court to reduce the
20 incidence of alcohol and **other** drug [abase] **misuse and problem gambling** in New Hampshire.

21 (d) Identify and quantify public and private resources available to support alcohol and
22 drug [abase] **misuse and problem gambling** prevention, treatment **including reduction of**
23 **societal and individual harm**, and recovery.

24 (e) Specify additional resources necessary to address unmet needs for prevention,
25 treatment **including reduction of societal and individual harm**, and recovery.

26 (f) Specify evaluation and monitoring methodology.

27 II. Advise the governor and general court on and promote the development of effective
28 community-based alcohol and **other** drug [abase] **misuse and problem gambling** prevention
29 strategies.

30 III. Advise the governor and the general court on and promote the development of treatment
31 services, **including reduction of societal and individual harm**, to meet the needs of **society**
32 **and** citizens addicted to alcohol or other drugs **and problem gambling**.

33 III-a. Advise the governor and the general court on and promote the development of recovery
34 services to meet the needs of citizens in recovery from alcohol and other drug misuse **and problem**
35 **gambling**.

- 1 IV. Identify unmet needs and the resources required to reduce the incidence of alcohol and
2 drug [abuse] ***misuse and problem gambling*** in New Hampshire and to make recommendations to
3 the governor and general court regarding legislation and funding to address such needs.
- 4 V. Authorize the disbursement of moneys from the ~~[alcohol-abuse-prevention-and-treatment]~~
5 ***addiction, treatment, and prevention*** fund, pursuant to RSA 176-A:1, III.
- 6 VI. Make presentations at least once each legislative session to the house and senate finance
7 committees, the senate health and human services committee, the house health, human services and
8 elderly affairs committee, and the fiscal committee of the general court.
- 9 VII. Develop a handout which shall describe the risks of opioid use and how to mitigate
10 them for the purposes of RSA 318-B:16-a.
- 11 12-J:4 Meetings and Reports.
- 12 I. The commission shall meet at least 4 times each year and may convene public hearings as
13 necessary to promote the goals of the commission.
- 14 II. The commission shall submit an annual report to the governor, speaker of the house of
15 representatives, president of the senate, chairpersons of the house and senate finance committees,
16 chairperson of the house health, human services and elderly affairs committee, the chairperson of
17 the senate health and human services committee, and the chairperson of the fiscal committee of the
18 general court by October 1 of each year regarding the activities of the commission. The annual
19 report shall:
- 20 (a) Identify alcohol and ***other*** drug [abuse] ***misuse and problem gambling prevention***
21 ***as a leading state initiative***, treatment ***including reduction of societal and individual***
22 ***harm***, and recovery services and programs provided by state departments and agencies or funded in
23 whole or in part by state or federal funds;
- 24 (b) Indicate the progress made during the prior year toward the implementation of the
25 statewide plan developed by the commission pursuant to RSA 12-J:3, I;
- 26 (c) Recommend any revisions to the statewide plan developed pursuant to RSA 12-J:3, I;
- 27 (d) Identify and prioritize unmet needs for prevention, treatment ***including reduction***
28 ***of societal and individual harm***, and recovery;
- 29 (e) Indicate the progress, or lack thereof, in addressing the unmet needs;
- 30 (f) Recommend initiatives and/or policy considerations to the governor and the general
31 court to address the unmet needs;
- 32 (g) Specify the resources and any legislation necessary to support existing programs for
33 prevention, treatment ***including reduction of societal and individual harm***, and recovery and
34 to develop, implement, support, and evaluate the initiatives recommended by the commission;
- 35 (h) In even-numbered years the report may include specific recommendations for funds
36 to be included in the next state biennial budget to support alcohol and ***other*** drug [abuse] ***misuse***

1 **and problem gambling** prevention, treatment **including reduction of societal and individual**
2 **harm**, and recovery services and programs; and

3 (i) Incorporate the findings and recommendations of the report required under
4 paragraph II-a and make specific findings and recommendations regarding public awareness,
5 education, and legislation to address the dangers of synthetic drugs.

6 (j) **Specify and itemize funds spent on prevention, treatment and reduction of**
7 **societal and individual harm, recovery, and program monitoring and evaluation services**
8 **and programs.**

9 II-a. The commission shall prepare a report, including recommendations for policies to be
10 implemented for coordinating public awareness of and education in the **importance of prevention**
11 **and health promotion, as well as the dangers of synthetic drugs** and other emerging or designer
12 synthetic drug substances. The report shall include substantive input from the commission's
13 member agencies, including the department of health and human services, bureau of drug and
14 alcohol services, the attorney general, the department of safety, and the department of education.
15 The commission shall submit its initial report, including recommendations, to the senate president,
16 the speaker of the house of representatives, and the governor no later than 3 months after the
17 effective date of this paragraph. The commission shall submit subsequent reports, including
18 recommendations, to the senate president, the speaker of the house of representatives, and the
19 governor annually thereafter.

20 III.(a) To assist the commission in the timely completion of its annual report, each
21 commission member representing an executive branch department or entity shall provide the
22 information specified in paragraph II for its department or entity to the commission on or before
23 August 1 of each year.

24 (b) The commission shall submit a mid-year report to the governor, speaker of the house
25 of representatives, president of the senate, chairpersons of the house and senate finance committees,
26 chairperson of the house health, human services and elderly affairs committee, chairperson of the
27 senate health and human services committee, and chairperson of the fiscal committee of the general
28 court by March 1 of each year regarding the current state of drug [abuse] **misuse**, prevention,
29 treatment **including reduction of societal and individual harm**, and recovery. The commission
30 shall include a dashboard of the following, both in the interim and the annual report as required in
31 RSA 12-J:4, II, that includes but is not limited to:

32 (1) **A summary of known prevention programs to include the general type**
33 **and approaches being followed.**

34 (1-a) The number of known drug overdoses, broken out by drug involved.

35 (2) The number of deaths attributable to overdoses, as reported by the chief medical
36 examiner, broken out by drug involved.

Amendment to HB 2-FN-A-LOCAL
- Page 12 -

- 1 (3) The number of people known to be in treatment or recovery programs supported
2 by commission funding.
- 3 (4) The accessibility and availability of treatment programs, including waitlists.
- 4 (5) The number of individuals in drug court programs, as reported by the judicial
5 branch.
- 6 (6) The number of individuals in diversion programs, as reported by the judicial
7 branch.
- 8 (7) The number of convictions for drug related offenses, as reported by the judicial
9 branch.
- 10 (8) The number of persons incarcerated for drug related offenses as reported by the
11 department of corrections.
- 12 (9) Funds expended and balances remaining, programs and strategies created or
13 sustained by the funds, and an estimate of the number of individuals served by these funds.
- 14 (10) Barriers to data access and availability, with proposed strategies to develop or
15 enhance data capacity.
- 16 (11) Performance outcomes pursuant to National Outcomes Measurement Standards
17 (NOMS) as required with federal funding sources.
- 18 (12) Any other information requested by the governor or general court.
- 19 (c) All data required in subparagraph (b) shall be presented in the aggregate to protect
20 the privacy of the individual. The commission shall delete any data required in those paragraphs
21 that enables the personal identification of an individual.

22 IV. In the reports submitted by the commission to the governor, speaker of the house of
23 representatives, president of the senate, chairpersons of the house and senate finance committees,
24 chairperson of the house health, human services and elderly affairs committee, chairperson of the
25 senate health and human services committee, and chairperson of the fiscal committee of the general
26 court, the report shall include outcome data and/or research citations about the efficacy of funded
27 programs based upon evidence of program results.

28 397 Repeal. RSA 338-B, relative to council for responsible gambling, is repealed.

29 Amend the bill by replacing section 398 with the following:

30 398 New Subdivision; Substance Use Disorder Access Points. Amend RSA 126-A by inserting
31 after section 105 the following new subdivision:

Substance Use Disorder Access Points

32 126-A:106 Substance Use Disorder Access Points Established.

33 I. With the availability of sufficient federal funding, the department of health and human
34 services shall establish and administer statewide access points for delivery of substance use services

Amendment to HB 2-FN-A-LOCAL
- Page 13 -

1 and supports. The access points shall provide information and referrals for screening and
2 evaluation; treatment, including medications for substance use disorders; prevention, and treatment
3 including naloxone; supports and services to assist in long-term recovery; and peer recovery support
4 services.

5 II. The commissioner of the department of health and human services shall include the
6 administration and operation of the access points in the department's report to the governor's
7 commission on addiction, treatment, and recovery under RSA 12-J:4, III.

8 III. The program shall be funded through the state opioid response grant from the
9 Substance Abuse and Mental Health Services Administration. In addition, the department may
10 accept funds from any source, including state appropriations, federal funds, and private gifts, grants,
11 or donations to operate and sustain the access points.

12 Amend the bill by deleting section 407, relative to opioid abatement trust fund appropriation.
13

14 Amend the bill by deleting section 408, relative to governor's commission on alcohol and drug abuse
15 prevention, treatment, and recovery; meetings and reports.
16

17 Amend the bill by deleting section 437, relative to termination of contracts using opioid abatement
18 funds.
19

20 Amend subparagraph II(h) as inserted by section 445 of the bill by replacing it with the following:
21

22 (h) RSA 6:12, I(b)(72), moneys deposited in the addiction, treatment, and recovery fund
23 established in RSA 176-A:1, as administered by the governor's commission on addiction, treatment,
24 and recovery in accordance with RSA 12-J:1.
25

Sen. Rosenwald, Dist 13
May 22, 2025
2025-2382s
07/05

Amendment to HB 2-FN-A-LOCAL

- 1 Amend the bill by deleting sections 389, 390, and 437, relative to disbursements from the liquor
- 2 commission to the alcohol abuse prevention and training fund and the department of health and
- 3 human services terminating all contracts, grants, or other agreements funded with opioid abatement
- 4 funds.

2025-2382s

AMENDED ANALYSIS

DELETE:

155. Repeals the disbursement from the liquor commission to the alcohol abuse prevention and training fund.

173. Directs the department of health and human services to terminate all contracts, grants, or other agreements funded with opioid abatement funds with effective dates on or after May 1, 2025, for the purposes of funding provisions contained in this act.

Sen. Gray, Dist 6
May 16, 2025
2025-2242s
05/09

Amendment to HB 2-FN-A-LOCAL

- 1 Amend the bill by replacing section 437 with the following:
2
3 437 Department of Health and Human Services; Termination of Contracts Using Opioid
4 Abatement Funds. The department of health and human services shall terminate all new contracts,
5 grants, or other agreements funded with opioid abatement funds and any amendments that added
6 additional funding to existing agreements with effective dates on or after May 1, 2025, for the
7 purposes of funding provisions contained in this act. This provision shall not require the department
8 to terminate and liquidate any funds in existing agreements with effective dates prior to May 1,
9 2025.

2025-2242s

AMENDED ANALYSIS

Keep:

173. Directs the department of health and human services to terminate all contracts, grants, or other agreements funded with opioid abatement funds with effective dates on or after May 1, 2025, for the purposes of funding provisions contained in this act.

Sen. Birdsell, Dist 19
May 15, 2025
2025-2201s
05/09

Amendment to HB 2-FN-A-LOCAL

1 1 Appropriation; Department of Health and Human Services; Community Mental Health Center
2 Housing Grants. The sum of \$1,500,000, for the fiscal year ending June 30, 2026, is appropriated to
3 the department of health and human services to support existing mental health housing stocks and
4 develop expansion of existing facilities. Said sum shall be nonlapsing. The governor is authorized to
5 draw a warrant for said sum out of any money in the treasury not otherwise appropriated. The
6 department of health and human services shall issue a request for grant applications for the purpose
7 of awarding housing grants to community mental health centers to retain and create new housing in
8 the community. Grants may be disbursed for up to \$50,000 per bed. The department shall initiate
9 the request for grant applications and grant disbursement by December 1, 2025.
10 2 Appropriation; Department of Health and Human Services; Community Mental Health Center
11 Supported Housing Programs. The sum of \$1,000,000 for the fiscal year ending June 30, 2026, and
12 the sum of \$1,000,000 for the fiscal year ending June 30, 2027, are appropriated to the department of
13 health and human services for community mental health center supported housing programs
14 operated by community mental health centers designated under administrative rule He-M 425.03.
15 Said sum shall be nonlapsing and used for the purpose of covering non-billable services for supported
16 community housing. The governor is authorized to draw a warrant for said sums out of any money
17 in the treasury not otherwise appropriated.
18 3 Department of Health and Human Services; Rates for Community Mental Health Supportive
19 Housing Programs for High Acuity Patients. The department of health and human services is
20 directed to adjust the Medicaid reimbursement rates for community mental health center housing
21 programs for high acuity individuals needing 24/7 support who otherwise might not be able to be
22 discharged from New Hampshire Hospital. The current rate of approximately \$278 a day shall be
23 increased to \$350 a day and shall be eligible for a 50 percent federal match.

2025-2201s

AMENDED ANALYSIS

1. Makes appropriations to the department of health and human services for the purpose of increasing community housing options for individuals suffering from mental illness.

Amendment to HB 2-FN-A-LOCAL

1 1 New Subdivision; System of Care for Children's Mental Health; New Hampshire Children's
2 Behavioral Health Association. Amend RSA 135-F by inserting after section 9 the following new
3 subdivision:

4 New Hampshire Children's Mental Health Association

5 135-F:10 Definitions. In this chapter:

6 I. "Assessable coverage" means:

7 (a) Health coverage as defined in RSA 420-G:2, IX;

8 (b) Stop loss coverage that conforms with RSA 415-H:3, or other group excess loss
9 insurance purchased against the risk that any particular claim, or total liability, will exceed a
10 specified dollar amount; or

11 (c) Group health plan, as defined by 42 U.S.C. section 300gg-91(a).

12 II. "Assessable entity" means any:

13 (a) Health maintenance organization, as defined by RSA 420-B:1, VI.

14 (b) Third party administrator, as defined by RSA 402-H:1, I.

15 (c) Entity providing administrator services and required to register with the insurance
16 commissioner under RSA 402-H:11-a or RSA 402-H:11-b.

17 (d) Insurance company licensed pursuant to RSA 401:1, IV.

18 (e) Health service corporation, as defined by RSA 420-A:1, III.

19 III. "Assessable lives" means all children under 19 years of age residing in the state who
20 have assessable coverage written or administered by an assessable entity, with the exception of
21 children whose childhood behavioral health services are paid for under Medicaid.

22 IV. "Assessment" means the assessable entity's liability with respect to the childhood
23 behavioral health services determined in accordance with this chapter. For purposes of rate setting
24 and medical loss ratio calculations, all association assessments are considered pharmaceutical or
25 medical benefit costs and not regulatory costs. In the event of any insolvency or similar proceeding
26 affecting any payer, assessments shall be included in the highest priority of obligations to be paid by
27 or on behalf of such payer.

28 V. "Association" means the New Hampshire children's behavioral health
29 association.

30 VI. "Board" means the board of directors of the New Hampshire children's
31 behavioral health association.

Amendment to HB 2-FN-A-LOCAL

- Page 2 -

1 VII. "Care management entity" means an organizational entity that serves as a centralized
2 entity to coordinate all care for youth with complex behavioral health challenges who are involved in
3 multiple systems and their families, as defined in RSA 135-F:4.

4 VIII. "Childhood behavioral health services" mean any of the following services:

5 (a) Behavioral health intensive in-home services, which are therapeutic interventions
6 delivered to children and families in their homes and other community settings to improve child and
7 family functioning and prevent out-of-home placement. The components of intensive in-home
8 services include, but are not limited to individual and family therapy, skills training and behavioral
9 interventions, functional supports, and family support and training.

10 (b) Behavioral health intensive structured outpatient programs, which include short-
11 term, clinically intensive, structured day or evening service for a child with a behavioral health
12 disorder, and provides multidisciplinary treatment to address the subacute needs of children and
13 youth, while allowing them to continue to work or attend school and be part of family life.

14 (c) Intensive care coordination, including but not limited to evidence based approaches
15 like a high-fidelity wraparound for children and youth with significant behavioral health conditions,
16 which includes assessment and service planning, accessing and arranging for services, coordinating
17 multiple services, including access to crisis services. Assisting the child and family to meet basic
18 needs, advocating for the child and family, and monitoring progress are also included. The
19 wraparound "facilitator" is the intensive care coordinator who organizes, convenes, and coordinates
20 this process.

21 (d) Parent and youth peer support services provided by trained peer support specialists.

22 IX. "Commissioner" means the commissioner of the department of health and human
23 services.

24 X. "Estimated cost" means the estimated cost to the state over the course of a state fiscal
25 year to reimburse the care management entities for provision of the childhood behavioral health
26 services they provide to assessable lives.

27 XI. "Provider" means a person licensed or certified by this state, or otherwise qualified to
28 provide health care services to persons or a partnership or corporation made up of those persons.

29 XII. "Total non-federal program cost" means the estimated childhood behavioral health
30 services cost less the amount of federal revenue available to the state for the administration and
31 provision of childhood behavioral health services.

32 135-F:11 New Hampshire Children's Behavioral Health Association Established. There is
33 hereby created a nonprofit corporation to be known as the New Hampshire children's behavioral
34 health association. The association is formed to assess assessable entities for the cost of childhood
35 behavioral health services provided to certain children in New Hampshire.

36 135-F:12 Membership, Powers, and Duties of the New Hampshire Children's Behavioral Health
37 Association.

Amendment to HB 2-FN-A-LOCAL
- Page 3 -

- 1 I. The New Hampshire children's behavioral health association shall be comprised of all
2 assessable entities.
- 3 II. The New Hampshire children's behavioral health association shall be a not-for-profit,
4 voluntary corporation under RSA 292 and shall possess all general powers of a not-for-profit
5 corporation.
- 6 III. The board of directors shall include:
- 7 (a) Three representatives selected from the assessable entities currently writing,
8 maintaining, or administering assessable coverage through a voting process where votes are based
9 on assessable lives. The plan of operation shall provide details for this selection process. One of
10 these representatives shall represent self-insured entities.
- 11 (b) Two health care provider representatives appointed by the commissioner, one of
12 whom shall be a mental health care provider.
- 13 (c) The commissioner of the department of health and human services, who shall serve
14 as an ex officio member.
- 15 (d) The commissioner of the department of insurance who shall serve as an ex-officio
16 member.
- 17 (e) One public member appointed by the governor and council.
- 18 (f) One public member appointed by the speaker of the house of representatives.
- 19 (g) One public member appointed by the president of the senate.
- 20 IV. The directors' terms and appointments shall be specified in the plan of operation adopted
21 by the New Hampshire children's behavioral health association.
- 22 V. The board of directors of the association shall:
- 23 (a) Prepare and adopt articles of association and bylaws.
- 24 (b) Prepare and adopt a plan of operation.
- 25 (c) Submit the plan of operation to the commissioner of insurance for approval after the
26 consultation with the commissioner.
- 27 (d) Conduct all activities in accordance with the approved plan of operation.
- 28 (e) On an annual basis, no later than November 1 of each year, establish the amount of
29 the assessment for the succeeding year.
- 30 (f) Enter into contracts as necessary or proper to collect and disburse the assessment.
- 31 (g) Enter into contracts as necessary or proper to administer the plan of operation.
- 32 (h) Sue or be sued, including taking any legal action necessary or proper for the recovery
33 of any assessment for, on behalf of, or against members of the association or other participating
34 person.
- 35 (i) Appoint from among its directors, committees as necessary to provide technical
36 assistance in the operation of the association, including the hiring of independent consultants as
37 necessary.

Amendment to HB 2-FN-A-LOCAL

- Page 4 -

- 1 (j) Determine an assessment amount and collect payments from assessed entities in
2 accordance with RSA 135-F:13.
- 3 (k) Submit an annual report to the commissioner of insurance, in a manner and form
4 determined by the commissioner, listing the association membership base, providing a count of
5 assessable lives by assessable entity, identifying changes in assessable lives by assessable entity,
6 describing the collection of assessments, listing payment delinquencies, and containing such other
7 related information as the commissioner may require.
- 8 (l) Allow each assessable entity up to 45 days after the closing of each calendar quarter
9 to report its assessable lives and remit its corresponding assessment amount as calculated pursuant
10 to RSA 135-F:13.
- 11 (m) Collect assessments from assessable entities as calculated under RSA 135-F:13 and
12 deposit said assessments less the association's administrative costs annually and reserves with the
13 state treasurer to the credit of the childhood behavioral health services fund established pursuant to
14 RSA 135-F:19. At the written request of the association following a majority vote of the board of
15 directors, any funds forwarded to the state treasurer for the childhood behavioral health services
16 fund remaining unexpended for childhood behavioral health services, shall promptly be returned to
17 the association.
- 18 (n) Be authorized to enter into one or more agreements with other applicable authorities
19 in surrounding states to reduce the risk of duplicate assessments and to assure provision of
20 childhood behavioral health services for children who are residents of this state but who receive
21 childhood behavioral health services in other states. Any costs relating to any such agreement shall
22 be considered additional childhood behavioral health services costs of the program for purposes of
23 determining the association's assessments.
- 24 (o) Adopt procedures by which affiliated assessable entities calculate their assessment
25 on an aggregate basis and procedures to ensure that no assessable life is counted more than once.
26 Unless otherwise determined by the board, the assessable entity responsible for the payment of the
27 provider's administrative costs for childhood behavioral health services shall be the entity
28 responsible for reporting assessable lives and payment of the corresponding assessment.
- 29 (p) Submit an annual report regarding the association's activities and its financial
30 reports adopted by the department of health and human services to the president of the senate, the
31 speaker of the house of representatives, and the governor.
- 32 (q) Perform any other functions as may be necessary or proper to carry out the plan of
33 operation.
- 34 135-F:13 Assessment Determination.
- 35 I. The board shall determine an assessment for each assessable entity in accordance with
36 this section. An assessment determination made pursuant to this section is a medical benefit cost
37 and not a regulatory cost for purposes of calculating the carrier's medical loss ratio.

Amendment to HB 2-FN-A-LOCAL
- Page 5 -

- 1 II. In determining the assessment amount, the board shall:
- 2 (a) Estimate the total non-federal program cost for the succeeding year;
- 3 (b) Add its anticipated operating costs for the succeeding year and such additional
- 4 working capital reserves as may be established by the board from time to time;
- 5 (c) Add a reserve of up to 10 percent of the anticipated cost under subparagraph (a) for
- 6 unanticipated costs associated with providing childhood behavioral health services to children
- 7 covered; and
- 8 (d) Subtract the amount of any unexpended assessments collected in the preceding year
- 9 along with any unexpended interest accrued to the fund during the preceding year.
- 10 III. The board shall include in its plan of operations, details regarding the timing for
- 11 assessment collections, and the form and format assessable entities shall use to calculate
- 12 assessments.
- 13 IV. The board shall include in its plan of operation details regarding payment due dates,
- 14 grace periods, late payment fees, interest, and other details regarding the collection of assessments.
- 15 V. The board may determine an interim assessment for new childhood behavioral health
- 16 services or unanticipated shortfalls in the association's ability to meet childhood behavioral health
- 17 services funding needs. The board shall calculate the interim assessment in accordance with
- 18 paragraph II, and the interim assessment is payable the calendar quarter that begins no less than
- 19 30 days following the establishment of the interim assessment. The board shall not impose more
- 20 than one interim assessment per year.
- 21 VI. In the event that the association discontinues operation for any reason, any unexpended
- 22 assessments, including unexpended funds from prior assessments in the children's behavioral health
- 23 association, shall be refunded to payees in proportion to the respective assessment payments by
- 24 payees over the most recent 8 quarters prior to discontinuation of association operations.
- 25 135-F:14 Powers and Duties. In addition to the duties and powers enumerated elsewhere in this
- 26 chapter:
- 27 I. The commissioner of insurance shall, after notice from the association, issue a show cause
- 28 order to any assessable entity that fails to comply with the association's plan of operation. In
- 29 addition to late fees and other penalties imposed by the association, assessable entities may, after a
- 30 finding of just cause, be subject to a minimum fine of \$5,000, a maximum fine of 25 percent of the
- 31 total amount of delinquent assessments, and licensure suspension.
- 32 II. The insurance commissioner shall annually review the assessment report required under
- 33 RSA 135-F:12, V(k) to ensure that all assessable entities are participating in the association and
- 34 that all assessable entities have accurately reported assessable lives. The association shall remedy
- 35 any problem identified by the commissioner with respect to assessable entities and assessable lives.
- 36 III. The commissioner of insurance may adopt rules, pursuant to RSA 541-A, as necessary to
- 37 carry out the purposes of this subdivision.

Amendment to HB 2-FN-A-LOCAL

- Page 6 -

1 135-F:15 Examinations and Annual Reports. The board of directors shall submit to the
2 commissioner, no later than 120 days after the close of the association's fiscal year, a financial report
3 in a form approved by the commissioner.

4 135-F:16 Exemption From Taxes. The association shall be exempt from payment of all fees and
5 all taxes levied by this state or any of its subdivisions, except taxes levied on real property.

6 135-F:17 Immunity from Liability. There shall be no liability on the part of and no cause of
7 action of any nature shall arise against any association member or its agents or employees, the
8 association or its agents or employees, members of the board of directors, or the commissioner or the
9 commissioner's representatives, for any action or omission by them in the performance of their
10 powers and duties under this chapter.

11 135-F:18 Severability of Chapter. If any provisions of this chapter or the application thereof to
12 any person or circumstance is held invalid, the invalidity does not affect other provisions or
13 applications of the chapter which can be given effect without the invalid provisions or applications,
14 and to this end the provisions of this chapter are severable.

15 135-F:19 Childhood Behavioral Health Services Fund. There is hereby established in the office
16 of the state treasury a fund to be known as the childhood behavioral health services fund that shall
17 be kept distinct and separate from all other funds. The fund is established to pay the care
18 management entities for the provision of childhood behavioral health services. Any funds provided
19 to the department for this purpose and deposited in the fund shall not be used for any other purpose.
20 All moneys in this fund shall be nonlapsing and continually appropriated to the department.

21 2 New Subparagraph; State Treasurer; Application of Receipts. Amended RSA 6:12, I(b) by
22 inserting after subparagraph (399) the following new subparagraph:

23 (400) Moneys deposited in the childhood behavioral health services fund established
24 in RSA 135-F:19.

25 3 Insurance; Coverage for Certain Biologically-Based Mental Illnesses. Amend RSA 417-E:1, V-
26 a to read as follows:

27 V-a. The commissioner shall periodically require health insurers, health service
28 corporations, and health maintenance organizations to submit the comparative analysis described in
29 42 U.S.C. section 300gg-26(a)(8)(A) for review to ensure compliance with this chapter and with the
30 Act. ***These comparative analyses shall also include specific comparative data for
31 medical/surgical benefits and mental health and substance use disorder benefits available
32 to consumers by age group including ages 0-5 years and 18 years and younger, and
33 including services available, coverage guidelines, denial rates, complaints about lack of
34 services, network capacity data, provider qualifications and restrictions for comparable
35 services, and other factors that indicate whether there are barriers to care that affect
36 parity.*** To the extent allowable under state and federal law, such analysis shall be made public.

37 4 Effective Date. This act shall take effect 60 days after its passage.

Sen. Rosenwald, Dist 13
May 20, 2025
2025-2312s
07/09

Amendment to HB 2-FN-A-LOCAL

- 1 Amend the bill by replacing section 83 with the following:
- 2
- 3 83 Department of Health and Human Services; State Grant in Aid.
- 4 Notwithstanding any other law to the contrary, there is hereby appropriated to the department
- 5 of health and human services the sum of \$5,000,000 for the state fiscal year ending June 30, 2026,
- 6 and the sum of \$5,000,000 for the state fiscal year ending June 30, 2027, from the opioid abatement
- 7 trust fund, established under RSA 126-A:83, for the purpose of providing year-round emergency
- 8 shelter services to individuals with an opioid use disorder. Such shelter programs must provide
- 9 supportive services designed to assist people obtain recovery and permanent housing to achieve self-
- 10 sufficiency.

Amendment to HB 2-FN-A-LOCAL

- 1 1 New Subparagraph; State Treasurer and State Accounts; Application of Receipts. Amend RSA
2 6:12, I(b) by inserting after subparagraph (399) the following new subparagraph:
- 3 (400) Moneys deposited in the 988 trust fund as established in RSA 135-C:70.
- 4 2 New Paragraph; Public Health; New Hampshire Mental Health Services System; Definitions.
5 Amend RSA 135-C:2 by inserting after paragraph X the following new paragraph:
- 6 X-a. "National Suicide Prevention Lifeline" or "988 Suicide and Crisis Lifeline" means the
7 national network of local crisis hotline centers that provide free and confidential support to people in
8 suicidal crisis or other behavioral health crisis 24 hours per day, 7 days per week, via a toll-free
9 telephone hotline number that receives calls made through the 988 system.
- 10 3 New Paragraphs; Public Health; New Hampshire Mental Health Services System; Definitions.
11 Amend RSA 135-C:2 by inserting after paragraph XVI the following new paragraphs:
- 12 XVII. "988" means the 3-digit telephone number designated by the Federal Communications
13 Commission for the purpose of connecting individuals experiencing a behavioral health crisis with
14 counselors trained in suicide prevention and behavioral health crisis and with the capacity to
15 connect callers to behavioral health crisis services through the National Suicide Prevention Lifeline
16 network.
- 17 XVIII. "988 Administrator" means the Administrator of the national 988 Suicide and Crisis
18 Lifeline system maintained by the Assistant Secretary for Mental Health and Substance Use.
- 19 XIX. "988 center" means a center operating on a county or regional basis in New Hampshire
20 and participating in the National Suicide Prevention Lifeline network to respond to statewide or
21 regional 988 calls, chats, and texts.
- 22 4 New Sections; Public Health; New Hampshire Mental Health Services System. Amend RSA
23 135-C by inserting after section 69 the following new sections:
- 24 135-C:70 988 Trust Fund; Fund Established.
- 25 I. There is hereby established in the state treasury the 988 trust fund that shall be kept
26 distinct and separate from all other funds. The 988 trust fund consists of:
- 27 (a) Revenues from the 988 coordinated crisis services telecommunications surcharge
28 established under RSA 135-C:74;
- 29 (b) Gifts, grants, and donations to the fund from public and private sources; and
30 (c) Moneys deposited into the fund from other sources.
- 31 II. The state treasurer shall be the trustee of the trust fund, and shall invest the trust fund
32 in accordance with RSA 6:8. Any earnings on trust fund moneys shall be added to the trust fund.

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

1 All moneys in the trust fund shall be nonlapsing and shall be continually appropriated to the state
2 treasury. The state treasurer shall disburse funds from the trust fund solely for the purposes and in
3 the manner set forth in RSA 135-C:71.

4 III. Moneys in the 988 trust fund may only be used for expenses that are not:

5 (a) Reimbursed through Medicaid, Medicare, federal or state-regulated health insurance
6 plans, disability insurers, and programs or funding not otherwise covered by another entity,
7 including municipal or county programs; and

8 (b) Covered because the service recipient's name and health coverage information cannot
9 be obtained or billed.

10 III-a. Moneys in the 988 trust fund originating from the 988 coordinated crisis services
11 telecommunications surcharge shall only be used to fund the equipment, communications services,
12 and direct costs for crisis hotline center personnel for 988 call-taking and appropriate call routing for
13 988 centers.

14 IV. The department of health and human services shall provide an annual report of deposits
15 into and expenditures from the 988 trust fund to the health and human services oversight
16 committee, the speaker of the house of representatives, the president of the senate, the house clerk,
17 the senate clerk, the governor, and to the Federal Communications Commission. The report shall
18 include all revenue generated by the 988 coordinated crisis services telecommunications surcharge
19 established under RSA 135-C:74.

20 135-C:71 988 Trust Fund; Management and Distribution of Funds.
21 I. The commissioner of the department of health and human services, in consultation with
22 the behavioral health crisis services advisory commission established in RSA 135-C:72, shall
23 administer the 988 trust fund established in RSA 135-C:70. The commissioner shall draw from the
24 988 trust fund for qualifying purposes under paragraph II.

25 II. The purpose of the 988 trust fund shall be to establish, operate, maintain, promote
26 awareness of, and improve 988 and the behavioral health crisis services system. The 988 trust fund
27 shall be expended to offset costs that are or can be reasonably attributed to:

28 (a) Implementing, maintaining, and improving the National Suicide Prevention Lifeline
29 including staffing and technological infrastructure enhancements necessary to achieve operational
30 and clinical standards and best practices set forth by the National Suicide Prevention Lifeline;

31 (b) Provision of acute behavioral health, mobile crisis response teams, and receiving and
32 stabilization services by directly responding to the National Suicide Prevention Lifeline;

33 (c) Personnel for the 988 centers and acute mental health, mobile crisis response teams,
34 and stabilization services, which should include individuals that reflect the demographics of the
35 community served and have specialized training to serve at risk communities, including culturally
36 and linguistically competent services for LGBTQIA+ individuals, children, youth, and young people,
37 and racially, ethnically, and linguistically diverse communities;

Amendment to HB 2-FN-A-LOCAL

- Page 3 -

- 1 (d) Provision of data, reporting, participation in evaluations and related quality
2 improvement activities as required by the 988 administrator, department of health and human
3 services, and the general court; and
- 4 (e) Administration, oversight, and evaluation of the fund.
- 5 135-C:72 Behavioral Health Crisis Services Advisory Commission Established.
- 6 I. There is hereby established a behavioral health crisis services advisory commission.
- 7 II. Notwithstanding RSA 14:49, the commission shall consist of the following members:
- 8 (a) The state treasurer, or designee.
- 9 (b) One member of the house of representatives, appointed by the speaker of the house of
10 representatives.
- 11 (c) One member of the senate, appointed by the president of the senate.
- 12 (d) The commissioner of the department of health and human services, or designee.
- 13 (e) The director of the department of safety, division of emergency services and
14 communications ("E911"), or designee.
- 15 (f) The commissioner of the insurance department, or designee.
- 16 (g) One representative from the National Alliance on Mental Illness of New Hampshire,
17 appointed by that organization.
- 18 (h) One representative of the New Hampshire Community Behavioral Health
19 Association, appointed by the association.
- 20 (i) One representative of the New Hampshire Hospital Association, appointed by the
21 association.
- 22 (j) One representative of New Futures, appointed by the organization.
- 23 (k) One representative from each of New Hampshire's 2 centers participating in the
24 National Suicide Prevention Lifeline network.
- 25 (l) One representative of America's Health Insurance Plans (AHIP), appointed by the
26 association.
- 27 (m) One representative of community health centers appointed by the Bi-State Primary
28 Care Association.
- 29 (n) One representative from the New Hampshire Psychological Association, appointed by
30 that organization.
- 31 III. Members appointed under subparagraphs (b) through (c) shall serve a term coterminous
32 with their term in office, or for 2 years, whichever is shorter. Members appointed under
33 subparagraphs (g) through (n) shall serve 2 years, or until a successor is appointed and qualified in
34 the case of a vacancy, and shall be eligible for reappointment at the end of their term. The term of
35 office for all other members shall be coterminous with the term of office for the position that qualifies
36 that member to serve on the advisory council. A vacancy shall be filled in the same manner, but only

Amendment to HB 2-FN-A-LOCAL
- Page 4 -

1 for the unexpired term. The advisory commission shall elect a chairperson every year with no
2 person serving as chairperson for more than 2 consecutive one-year terms.

3 IV. Each member of the advisory commission shall have one vote, with all actions being
4 taken by an affirmative vote of the majority of present members. Eight members shall constitute a
5 quorum.

6 V. Legislative members shall receive the receive mileage at the legislative rate while
7 attending to the duties of the commission.

8 VI. Meetings of the advisory commission shall be conducted in accordance with RSA 91-A
9 and take place no less than 4 times per year.

10 VII. The department of health and human services shall provide administrative support to
11 the advisory commission.

12 135-C:73 Behavioral Health Crisis Services Advisory Commission; Duties. The behavioral
13 health crisis services advisory commission established in RSA 135-C:72 shall be responsible for:

14 I. Consulting with and advising the commissioner of the department of health and human
15 services on the administration and management of the 988 trust fund under RSA 135-C:70, and
16 advise and make recommendations on expenditures from that fund under RSA 135-C:71.

17 II. Advising and making recommendations to the governor, general court, department of
18 health and human services, and other necessary stakeholders on strategies to support and fund the
19 behavioral health crisis system.

20 III. Overseeing and making recommendations about the provision of 988 and behavioral
21 health crisis services throughout the state.

22 135-C:74 988 Coordinated Crisis Services Telecommunications Surcharge Established.

23 I. In compliance with the National Suicide Hotline Designation Act of 2020, and by
24 recommendation of the commission on behavioral health crisis services, the equipment,
25 communications services, and direct costs for crisis hotline center personnel for 988 call-taking and
26 appropriate call routing for 988 centers shall be funded through a surcharge to be levied upon each
27 residence and business telephone exchange line, including PBX trunks and Centrex lines, each
28 individual commercial mobile radio service number and each VoIP service number with a place of
29 primary use within New Hampshire, and each semi-public and public coin and public access line. For
30 purposes of this paragraph, "place of primary use" shall have the same meaning as the definition
31 contained in 4 U.S.C. section 124(8). No such surcharge shall be imposed upon more than 25
32 business telephone exchange lines, including PBX trunks and Centrex lines, or more than 25
33 commercial mobile radio service exchange lines or VoIP service lines or channels per customer
34 billing account. No other services shall be funded using revenue from the 988 coordinated crisis
35 services telecommunications surcharge.

36 II. In the case of local exchange telephone companies, the surcharge shall be contained
37 within tariffs or rate schedules filed with the public utilities commission and shall be billed on a

Amendment to HB 2-FN-A-LOCAL
- Page 5 -

1 monthly basis by each local exchange telephone company. The public utilities commission may
2 impose a tax, fee, or surcharge on telecommunications services for 988 services of no more than 90
3 cents per line per month.

4 III. In the case of an entity which provides commercial mobile radio service the surcharge
5 shall be billed to each customer on a monthly basis and shall not be subject to any state or local tax;
6 the surcharge shall be collected by the commercial mobile radio service provider, and may be
7 identified on the customer's bill. For prepaid commercial mobile radio service, the provisions of
8 paragraph VI of this section shall apply.

9 IV. In the case of a VoIP provider, the surcharge shall be billed to each customer on a
10 monthly basis and shall not be subject to any state or local tax; the surcharge shall be collected by
11 the VoIP provider, and may be identified on the customer's bill.

12 V. Each local exchange telephone company, VoIP service provider, or entity which provides
13 commercial mobile radio service, including prepaid commercial mobile radio service except as
14 otherwise provided in subparagraph VI (i), shall remit the surcharge amounts on a monthly basis to
15 the department of health and human services, which shall be forwarded to the state treasurer for
16 deposit in the 988 trust fund. The state treasurer shall disburse funds from the 988 trust fund solely
17 for the purposes and in the manner set forth in RSA 135-C:71. 988 coordinated crisis services
18 telecommunications surcharge revenue shall be used to supplement any federal, state or local
19 funding for suicide prevention or behavioral health crisis services. Surcharge amounts shall be
20 reviewed after the budget has been approved or modified, and if appropriate, new tariffs or rate
21 schedules shall be filed with the public utilities commission reflecting the surcharge amount.

22 VI. Prepaid commercial mobile radio service.

23 (a) In this paragraph:

24 (1) "Consumer" means a natural person or any other person who purchases prepaid
25 commercial mobile radio service in a retail transaction.

26 (2) "Commissioner" means the commissioner of the department of health and human
27 services.

28 (3) "Division" means the division of behavioral health of the department of health
29 and human services.

30 (4) "Entity" means a natural person or any other person, including any firm,
31 corporation, partnership, or business organization.

32 (5) "Provider" means an entity that provides prepaid commercial mobile radio
33 service pursuant to a license issued by the Federal Communications Commission.

34 (6) "Retail transaction" means the purchase of prepaid commercial mobile radio
35 service from a seller for any purpose other than resale.

36 (7) "Seller" means an entity, including a provider, who sells prepaid commercial
37 mobile radio service to a consumer.

- 1 (b) There is hereby imposed a prepaid commercial mobile radio service 988 coordinated
2 crisis services telecommunications surcharge that shall be levied on each retail transaction sourced
3 to New Hampshire. The amount of the surcharge levied for each retail transaction shall be the same
4 as the surcharge imposed under RSA 135-C:74, I.
- 5 (c) For purposes of subparagraph (b), a retail transaction is sourced to New Hampshire:
6 (1) If the transaction occurs in person at a seller's location in New Hampshire; or
7 (2) If subparagraph (1) does not apply, the prepaid commercial mobile radio service
8 is evidenced by a physical item, such as a card, and the purchaser provides a New Hampshire
9 delivery address for such item; or
- 10 (3) If subparagraphs (1) and (2) do not apply, the consumer gives a New Hampshire
11 address during the consummation of the sale, including the address associated with the consumer's
12 payment instrument if no other address is available, and the address is not given in bad faith; or
- 13 (4) If subparagraphs (1)-(3) do not apply, the consumer's mobile telephone number is
14 associated with a postal zip code, telephone area code, or location within New Hampshire.
- 15 (d) The prepaid commercial mobile radio service 988 coordinated crisis services
16 telecommunications surcharge shall be collected by the seller from the consumer with respect to each
17 retail transaction sourced to New Hampshire. The amount of the surcharge shall be either
18 separately stated on an invoice, receipt, or other similar document that is provided by the seller to
19 the consumer, or otherwise disclosed to the consumer.
- 20 (e) The seller shall be liable to remit all charges required by this paragraph that are
21 collected from consumers, including all such charges that the seller is deemed to collect where the
22 amount of the surcharge has not been separately stated on an invoice, receipt, or other similar
23 document provided by the seller to the consumer.
- 24 (f) The prepaid commercial mobile radio service 988 coordinated crisis services
25 telecommunications surcharge shall not be subject to any other state or local tax.
- 26 (g) If a minimal amount of prepaid commercial mobile radio service is sold with a
27 prepaid mobile device for a single, non-itemized price, then the seller may elect not to apply the
28 surcharge to such transaction. For purposes of this subparagraph, an amount of service
29 denominated as 10 minutes or less, or \$5 or less, is minimal.
- 30 (h) A seller may deduct and retain 3 percent of the prepaid commercial mobile radio
31 service 988 coordinated crisis services telecommunications surcharges that are collected by the seller
32 from consumers.
- 33 (i) A seller having less than 150 retail transactions in a calendar quarter and who has
34 not collected the surcharge on such transactions shall not be required to remit the surcharge on
35 those transactions, provided that the seller:

Amendment to HB 2-FN-A-LOCAL

- Page 7 -

1 (1) Submits a certification to the department of health and human services, not later
2 than the 15th day following such quarter, that the seller had less than 150 retail transactions in
3 such quarter and did not collect the surcharge; and
4 (2) Submits with such certification copies of invoices, receipts, or other similar
5 documentation establishing the number of retail transactions in such quarter.

6 (j) Whenever lawful, providers and sellers of prepaid commercial mobile radio service
7 shall put forth reasonable good faith efforts to cooperate with and provide timely and reasonable
8 assistance to the division, its 988 centers, in connection with locating the source of any emergency
9 988 call. In such instances, providers and sellers of prepaid commercial mobile radio service shall
10 not be liable for damages to any person resulting from or incurred in connection with the provision of
11 such lawful assistance.

12 (k) Beginning on January 1, 2026, prepaid commercial mobile radio service providers
13 shall report annually to the division the total number of active prepaid commercial mobile radio
14 service customers in New Hampshire. For purposes of such report, "active prepaid commercial
15 mobile radio service customers" shall include all prepaid commercial mobile radio service customers
16 with a New Hampshire telephone number on the date of the report, or if account balance information
17 is not available, otherwise determined not to be active by comparable data. All information
18 submitted to the division by a provider shall be considered proprietary and confidential and shall not
19 be considered a public record under RSA 91-A.

20 VII.(a) Notwithstanding any other provision of law, and except as otherwise provided in
21 RSA 82-A, the records and files of the department, related to this section, are confidential and
22 privileged. Neither the department of health and human services, nor any employee of the
23 department, nor any other person charged with the custody of such records or files, nor any vendor
24 or any of its employees to whom such information becomes available in the performance of any
25 contractual services for the department shall disclose any information obtained from the
26 department's records, files, or returns or from any examination, investigation, or hearing, nor may
27 any such employee or person be required to produce any such information for the inspection of any
28 person or for the use in any action or proceeding except as provided in this paragraph.

29 (b) The following exceptions shall apply to this paragraph:

30 (1) Delivery to the surcharge collector or its representative of a copy of any return or
31 other papers filed by the surcharge collector.

32 (2) Disclosure of department records, files, returns, or information in a New
33 Hampshire state judicial or administrative proceeding pertaining to administration of the surcharge
34 where the information is directly related to an issue in the proceeding regarding the surcharge under
35 this section, or the surcharge collector whom the information concerns is a party to such proceeding,
36 or the information concerns a transactional relationship between a person who is a party to the
37 proceeding and the taxpayer.

Amendment to HB 2-FN-A-LOCAL

- Page 8 -

1 (3) Disclosure to the department of revenue administration of records, files, and
2 information required by the department of revenue administration to administer the
3 communications services tax pursuant to RSA 82-A and to assist the bureau in its administration of
4 RSA 135-C:71.

5 (4) Disclosure of department records, files, and information to the legislative budget
6 assistant, when requested by the legislative budget assistant pursuant to RSA 14:31, IV.

7 VIII. Any information or records compiled under this chapter shall not be considered a
8 public record for the purposes of RSA 91-A regardless of the use of such information.

9 IX. The commissioner is authorized to charge a penalty not to exceed \$1,000, plus interest of
10 18 percent per year, on surcharge receipts that are more than 90 days in arrears, which penalty and
11 interest shall be forwarded to the state treasurer for deposit in the 988 trust fund.

12 5 Effective Date. This act shall take effect 30 days after its passage.

Sen. Watters, Dist 4
Sen. Rosenwald, Dist 13
May 13, 2025
2025-2151s
05/11

Amendment to HB 2-FN-A-LOCAL

1 1 Home and Community Based Behavioral Health Services for Children; Adverse Childhood
2 Experiences (ACEs) Prevention and Treatment Program. Amend RSA 167:3-1, IV to read as follows:
3 IV.(a) ~~On or before January 1, 2023, the department shall develop a timeline, conduct a cost~~
4 ~~analysis plan, and provide a detailed report of the timeline and cost analysis plan to the senate~~
5 ~~health and human services committee and the house children and family law and health, human~~
6 ~~services and elderly affairs committees, to] **The department of health and human services shall**~~
7 ~~**establish the ACEs prevention and treatment program, to support children, birth to age 6,**~~
8 ~~**with exposure to adverse childhood experiences (ACEs) and severe emotional disturbances**~~
9 ~~**whose needs cannot be met through childcare, educational, and developmental services**~~
10 ~~**alone. The program shall be designed to provide prevention, assessment, diagnoses, and**~~
11 ~~**treatment services for such children and their families, by:**~~

12 (1) ~~[-Increase]~~ **Increasing** Medicaid reimbursement for early childhood mental
13 health care, including but not limited to child parent psychotherapy, to enhance services for
14 Medicaid patients;

15 (2) ~~[Elevate]~~ **Elevating** the early childhood and family mental health credential
16 statewide by requiring the credential for specific provider levels and/or associating the credential
17 with an increased salary level or higher reimbursement rates; and

18 (3) ~~[Offer]~~ **Offering continued funding, including** scholarships or
19 reimbursements, to cover costs associated with ~~[the training to incentivize providers to take part in~~
20 ~~the training] **ongoing training and professional development in early childhood mental**~~
21 ~~**health care, including but to limited to child parent psychotherapy, to ensure the highest**~~
22 ~~**levels of training and services to children and families.**~~

23 (b) Within one year of the effective date of this paragraph, the department shall develop
24 and begin implementation of a 5-year plan to build the state's workforce capacity to provide child-
25 parent psychotherapy (CPP), an intervention model for children from birth to age 6, who have
26 experienced at least one traumatic event and/or are experiencing mental health, attachment, and/or
27 behavioral problems, including posttraumatic stress disorder.

28 2 Appropriation; Department of Health and Human Services; Adverse Childhood Experiences
29 (ACEs) Prevention and Treatment Program.

30 I. The sum of \$150,000 for the fiscal year ending June 30, 2026 is hereby appropriated to the
31 department of health and human services to fund the adverse childhood experiences (ACEs)

1 prevention and treatment program, and continue to expand and fund continued professional
2 development for child-parent psychotherapy (CPP) services, as described in RSA 167:3-1, IV. The
3 governor is authorized to draw a warrant for said sum out of any money in the treasury not
4 otherwise appropriated.

5 II. The sum of \$150,000 for the fiscal year ending June 30, 2027 is hereby appropriated to
6 the department of health and human services to fund the ACEs prevention and treatment program,
7 and continue to expand and fund continued professional development for CPP services, as described
8 in RSA 167:3-1, IV.

2025-2151s

AMENDED ANALYSIS

ADD:

1. Establishes the adverse childhood experiences (ACEs) prevention and treatment program as an ongoing program rather than as a pilot within the department of health and human services. The bill also makes an appropriation to the department of health and human services for this purpose.

Sen. Rosenwald, Dist 13
Sen. Rochefort, Dist 1
May 21, 2025
2025-2341s
05/09

Amendment to HB 2-FN-A-LOCAL

- 1 Amend the bill by replacing sections 425 and 426 with the following:
2
- 3 425 Lapse Extension; Prescription Drug Affordability Board. All funds appropriated to account
4 05-95-95-952010-6273, the prescription drug affordability board, in the fiscal year ending June 30,
5 2025, shall be nonlapsing until June 30, 2027.
- 6 426 Effective Date. Section 425 of this act shall take effect June 30, 2025.
7 427 Prescription Drug Affordability Board; Funding; Registration Fees. Amend RSA 126-BB:8 to
8 read as follows:
- 9 126-BB:8 Funding; General Funds and Voluntary Contributions.
- 10 I. The expenses and cost of operation of the board shall be funded by **registration fees**,
11 general funds, or by voluntary contributions deposited in the board's dedicated fund.
- 12 II. There is established a nonlapsing fund to be known as the New Hampshire prescription
13 drug affordability board administration fund, which shall be kept distinct and separate from all
14 other funds. The fund shall be appropriated to and administered by the board. Voluntary
15 contributions under this section shall be deposited in the fund. The board shall use the fund,
16 consistent with the provisions of this chapter, to receive funds and to reimburse costs incurred by the
17 board. The fund may be used to pay administrative, technical, legal support, or other costs incurred
18 by the board under this chapter. The state treasurer may invest moneys in the fund as provided by
19 law, and all interest received on such investment shall be credited to the fund. The dedicated fund
20 shall be subject to the provisions of RSA 6:12-j.
- 21 **III. Manufacturers, wholesalers, and distributors of prescription drugs intended**
22 **for sale in New Hampshire shall register with the board and pay a biennial registration fee**
23 **of not more than \$1000.**
- 24 **IV. The office of professional licensure and certification or other state agencies**
25 **shall provide the board with data requested to determine which entities are subject to the**
26 **provisions of this section.**
- 27 **V. The aggregate level of all registration fees collected under this section by the**
28 **board or other agency authorized by the board to collect said fees shall be an amount**
29 **sufficient to meet the board's expenditures, provided that such an amount shall not exceed**
30 **125 percent of the board's biennial operating costs. The board may waive a registration fee**
31 **under this section when a waiver is determined to be in the best interests of the board and**

1 *the registering entity. The board's biennial operating cost shall not exceed \$500,000,*
2 *excluding funds drawn from the dedicated prescription drug affordability board*
3 *administration fund.*

4 *VI. If the total amount of registration fees collected in a state fiscal biennium*
5 *exceeds 125 percent of the board's operational costs, the board shall have the authority to*
6 *adjust future registration fees downward.*

7 *VII. Any entity subject to this section that does not pay the registration fee within 30*
8 *days of payment due date may be subject to an interest penalty to be determined and*
9 *collected by the board or other state agency authorized by the board to collect registration*
10 *fees. Such interest shall not exceed 1.5 percent per month.*

11 *VIII. The board may refer an entity's delinquent account to either the attorney*
12 *general, the office of professional licensure and certification, or both for appropriate*
13 *action.*

14 *IX. In the event of a shortfall during any state fiscal year, the governor is*
15 *authorized to draw a warrant from funds not otherwise appropriated to fund the*
16 *remaining amount of the board's operating expenses, subject to the annual limitation on*
17 *operating costs established in paragraph V. By June 30 of any fiscal year in which such*
18 *shortfall occurs, the board shall reimburse the general fund for any such appropriation by*
19 *lapsing an equivalent amount of registration fee revenue collected under this section.*

Sen. Lang, Dist 2
May 19, 2025
2025-2268s
07/05

Amendment to HB 2-FN-A-LOCAL

- 1 Amend the bill by replacing sections 420-426 with the following:
2
3 420 Repeal. The following are repealed:
4 I. RSA 126-BB, relative to the prescription drug affordability board.
5 II. RSA 6:12, I(b)(384), relative to the prescription drug affordability board administration
6 fund.
7 421 Public Officers and Employees; Compensation of Certain State Officers; Salaries
8 Established; Position Removed. Strike from RSA 94:1-a, I(b) the following position:
9 GG Department of health and human services executive director, prescription drug
10 affordability board.

2025-2268s

AMENDED ANALYSIS

Replace:

171. Repeals the prescription drug affordability board.

Add:

1. Removes the department of health and human services' executive director as a role on the prescription drug affordability board.

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by replacing section 405 with the following:

2
3 405 Pharmacists and Pharmacies; Pharmacies; Substituting Biological Products. Amend RSA

4 318:47-dd to read as follows:

5 318:47-dd Pharmacies; Substituting Biological Products.

6 I. In this section:

7 (a) "Biological product" means a virus, therapeutic serum, toxin, antitoxin, vaccine,
8 blood, blood component or derivative, allergenic product, protein (except any chemically synthesized
9 polypeptide), or analogous product, or arsphenamine or derivative of arsphenamine (or any other
10 trivalent organic arsenic compound), applicable to the prevention, treatment, or cure of a disease or
11 condition of human beings.

12 (b) **"Biosimilar" or "biosimilarity" means:**

13 (1) ***The biological product is highly similar to the reference product***
14 ***notwithstanding minor differences in clinically inactive components; and***
15 (2) ***There are no clinically meaningful differences between the biological***
16 ***product and the reference product in terms of the safety, purity, and potency of the product.***

17 (c) "Proper name" means the nonproprietary name for a biological product
18 designated by the federal Food and Drug Administration license for use upon each package of the
19 product.

20 (d) "Interchangeable biological product" means a biological product that [the federal
21 Food and Drug Administration:

22 (1) Has licensed and determined and determined meets the standards for interchangeability
23 pursuant to 42 U.S.C. section 262(k)(4); or

24 (2) Has determined does not require an interchangeable study to be [is]
25 therapeutically equivalent as set forth in the latest edition of or supplement to the federal Food and
26 Drug Administration's Approved Drug Products with Therapeutic Equivalence Evaluations.] ***meets***
27 ***the definition under 42 U.S.C. section 262(i)(3).***

28 II. The board shall maintain a link on its website to the federal Food and Drug
29 Administration's Lists of Licensed Biological Products with Reference Product Exclusivity and
30 Biosimilarity or Interchangeability Evaluations.

31 III. A pharmacist may substitute a biological product [pursuant to this section only if it has
32 been licensed by the federal Food and Drug Administration as an interchangeable biological product]

1 for the prescribed biological product *when it meets the definition of interchangeable biological*
2 *product.*

3 IV. When a pharmacist dispenses an interchangeable biological product for the prescribed
4 biological product, the pharmacist or his or her designee shall inform the patient.

5 V. A pharmacist shall not substitute an interchangeable biological product pursuant to this
6 section if:

7 (a) The prescriber indicates that substitution is not authorized by specifying on the
8 prescription "medically necessary" on a paper prescription, or uses electronic indications when
9 transmitted electronically, or gives instructions when transmitted orally that the biological product
10 prescribed is medically necessary; *or*

11 (b) *The patient informs the pharmacist that he or she does not wish to receive*
12 *an interchangeable biological product.*

13 VI.(a) Within 3 business days following the dispensing of a biological product, the dispensing
14 pharmacist or the pharmacist's designee shall make an entry of the specific product provided to the
15 patient, including the name of the product and the manufacturer. The communication shall be
16 conveyed by making an entry that is electronically accessible to the prescriber through:

17 (1) An interoperable electronic medical records system;

18 (2) An electronic prescribing technology; or

19 (3) A pharmacy benefit management system; or

20 (4) A pharmacy record.

21 (b) Entry into an electronic records system as described in this paragraph is presumed to
22 provide notice to the prescriber. Otherwise, the pharmacist shall communicate the biological
23 product dispensed to the prescriber using facsimile, telephone, electronic transmission, or other
24 prevailing means, provided that the communication shall not be required where:

25 (1) There is no federal Food and Drug Administration-approved interchangeable
26 biological product for the biological product prescribed; or

27 (2) A refill prescription is not changed from product dispensed on the prior filling of
28 the prescription.

29 VII. The label of all biological products dispensed by a pharmacist shall include the proper
30 name and the name of the manufacturer of the product.

Sen. Birdsell, Dist 19
May 19, 2025
2025-2251s
07/08

Amendment to HB 2-FN-A-LOCAL

1 1 Department of Health and Human Services; Processing of Medical Assistance Applications;
2 Hiring Consultant; Appropriation.

3 I. The sum of \$3,000,000 for the biennium ending June 30, 2027, is hereby appropriated to
4 the department of health and human services for the purpose of hiring a contractor to provide
5 staffing support to assist with Medicaid long-term care eligibility. The department shall begin a
6 competitive bidding process on or before September 30, 2025, to hire a contractor to begin on or
7 before December 31, 2025, subject to governor and executive council approval, for the purposes of
8 this section. In addition to providing staffing support, the contractor shall develop a plan for the
9 efficient processing of long-term care applications by or before June 30, 2026. The governor is
10 authorized to draw a warrant for said sum out of any money in the treasury not otherwise
11 appropriated. The department may accept and expend additional federal funds without prior
12 approval of the fiscal committee of the general court.

13 II. For the biennium ending June 30, 2027, the annual licensing fee set forth in RSA 151:5,
14 IV for nursing homes shall be \$85 per licensed bed and \$60 of said fees collected by the department
15 of health and human services during this period shall be deposited into the general fund of the state.
16 The purpose of this is to partially offset the appropriation set forth in paragraph I in this section.
17 The remaining \$25 per licensed bed will continue to go into account 05-95-95-952010-5146.

18 2 Effective Date. This act shall take effect July 1, 2025.

2025-2251s

AMENDED ANALYSIS

Add:

1. Appropriates money to the department of health and human services for the purpose of hiring a contractor to provide staffing support to assist with Medicaid long-term care eligibility.

Sen. Rosenwald, Dist 13
May 21, 2025
2025-2371s
05/06

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by replacing section 441 with the following:
2
3 441 Anna Philbrook Center for Children; Sale of Property. Notwithstanding RSA 10 and RSA
4 4:40, the commissioner of the department of administrative services shall offer for sale at fair
5 market value the Philbrook Center for Children property located at 105 Pleasant Street, Concord,
6 New Hampshire. The property shall be offered first to the city of Concord and then to Merrimack
7 County. If neither the city nor county accept the offer by January 1, 2026, the commissioner of the
8 department of administrative services shall issue a request for proposals for the sale of the Concord
9 property at no less than the fair market value, such sale to be completed no later than June 30,
10 2027. Sale of the property shall be contingent upon certification by the commissioner of the
11 department of health and human services to the commissioner of the department of administrative
12 services that the number of transitional mental health beds previously available at the Anna
13 Philbrook Center have been secured and made available in another facility. The commissioner of the
14 department of administrative services shall submit quarterly reports on the progress of the sale to
15 the fiscal committee of the general court. All proceeds from the sale shall be deposited into the
16 general fund.

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by replacing section 441 with the following:

2

3 441 Anna Philbrook Center for Children; Sale of Property. The department of health and
4 human services shall develop a transition plan to vacate the Anna Philbrook Center for Children
5 that ensures services to current clients residing there are not interrupted. Prior to finalizing the
6 transition plan, the department of health and human services shall work with the current provider
7 and consider reasonable alternatives that are consistent with the department's "mission zero"
8 initiative. Upon completion of the transition plan, the commissioner of the department of health and
9 human services shall send formal notice to the department of administrative services that the
10 transition plan is finalized. Notwithstanding RSA 10 and RSA 4:40, the commissioner of the
11 department of administrative services, following the completion of the transition plan, shall offer for
12 sale at fair market value the Anna Philbrook Center for Children property located at 105 Pleasant
13 Street, Concord, New Hampshire. The property shall be offered first to the city of Concord and then
14 to Merrimack County. If neither the city nor county accept the offer by January 1, 2026, the
15 commissioner of the department of administrative services shall issue a request for proposals for the
16 sale of the Concord property at no less than the fair market value, such sale to be completed no later
17 than June 30, 2027. The commissioner of the department of administrative services shall submit
18 quarterly reports on the progress of the sale to the fiscal committee of the general court. All
19 proceeds from the sale shall be deposited into the general fund.

2025-2339s

AMENDED ANALYSIS

KEEP:

178. Requires the sale of the Anna Philbrook Center in Concord, NH.

Sen. Gray, Dist 6
May 18, 2025
2025-2246s
05/09

Amendment to HB 2-FN-A-LOCAL

- 1 Amend the bill by replacing section 93 with the following:
2
3 93 New Paragraph; Gifts to the State. Amend RSA 4:8 by inserting after paragraph II the
4 following new paragraph:
5 III. Notwithstanding paragraph I, the commissioner of the department of health and human
6 services may accept gifts of personal property valued at \$1,000 or less for the benefit of New
7 Hampshire hospital, Hampstead hospital residential treatment facility, Glenciff home, and the New
8 Hampshire youth development center.

2025-2246s

AMENDED ANALYSIS

Keep:

34. Permits the department of health and human services to accept gifts for the benefit of the department.

Amendment to HB 2-FN-A-LOCAL

1 1 Personal Needs Allowance of Residents of Nursing Homes. Amend RSA 167:27-a, II to read as
2 follows:

3 II. Every [~~5~~ years] **year**, the commissioner shall make the adjustment for cost of living
4 increases in the personal needs allowance to reflect social security increases.

5 2 Department of Health and Human Services; Hampstead Hospital and Residential Treatment
6 Facility Staff Transitioning; Certain Leave Accrual and Supplemental Payments; Supplemental
7 Appropriation. Notwithstanding any other law to the contrary, the sum of \$160,000 for the fiscal
8 year ending June 30, 2025, is hereby appropriated to the department of health and human services
9 for the purposes of making certain leave accrual payments to temporary classified positions and any
10 applicable bonus or retention payments prorated to the time worked in state service as part of staff
11 transition at Hampstead hospital and residential treatment facility. This appropriation shall be
12 nonlapsing and limited to the purposes of this section. The governor is authorized to draw a warrant
13 for said sum out of any money in the treasury not otherwise appropriated.

14 3 New Paragraph; Department of Health and Human Services; Hampstead Hospital and
15 Residential Treatment Facility; Establishing Fund. Amend RSA 126-A:5, by inserting after
16 paragraph XXXVI the following new paragraph:

17 XXXVII. There is hereby established the Hampstead hospital and residential treatment
18 facility capital investment fund. The department shall deposit revenue received through leasing
19 Hampstead hospital and residential treatment facility or any other administrative activities into the
20 fund. For the biennium ending June 30, 2027, the department shall deposit all revenue into the
21 fund. In the event that such revenue exceeds \$3,000,000, for the biennium ending June 30, 2027, the
22 department shall provide a report to the fiscal committee of the general court identifying the total
23 amount. The fund shall be nonlapsing and continually appropriated to the commissioner for the
24 purpose of supporting required capital investments and ongoing maintenance and upkeep of the
25 campus at Hampstead hospital and residential treatment facility and may not be transferred or used
26 for any other purpose.

27 4 Department of Health and Human Services; Carryforward. For the biennium ending June 30,
28 2025, all revenue collected by the department of health and human service derived from the
29 operations transfer and asset purchase agreement, lease agreement, and transition services
30 agreement, approved by the governor and executive council on December 18, 2024, shall be deposited
31 into the Hampstead hospital and residential treatment fund.

1 5 New Subparagraph; Application of Receipts; Hampstead Hospital and Residential Treatment
2 Facility Capital Investment Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (399) the
3 following new subparagraph:
4 (400) Moneys deposited in the Hampstead hospital and residential treatment facility
5 capital investment fund as established in RSA 126-A:5, XXXVII.
6 6 Effective Date.
7 I. Section 1 of this act shall take effect January 1, 2026.
8 II. Sections 3, 4, and 5 shall take effect June 30, 2025.

SENATE FINANCE - 2025 BUDGET RECAP SHEET

University System of New Hampshire

	Contact	SOF	FY 2025	FY 2026	FY 2027	Total
1. HB 1 Change Request Restore general funds reduced in the House passed budget (AU 1855, compare page 1548).	Catherine Provencher, Chancellor	GF	\$0	\$25,000,000	\$25,000,000	\$50,000,000
2. HB 1 Change / HB 2 Amendment #2025-2316s, Page 59 Amend section 379 of HB 2 to change transfer from UNIQUE Fund from \$15M/year to USNH to \$6M/year to the general fund, and provide \$6M/year of general funds to USNH in HB 1. (AU 1855, compare page 1548). Also, in HB 1, restore \$9M/year of UNIQUE program funding (AU 1047, compare page 185)	Senator Carson	OTH - UNIQUE to USNH	\$0	(\$15,000,000)	(\$15,000,000)	(\$30,000,000)
		GF-REV	\$0	\$6,000,000	\$6,000,000	\$12,000,000
		OTH - UNIQUE Program Funding	\$0	\$9,000,000	\$9,000,000	\$18,000,000
3. HB 1 Change Bring USNH's general fund total to \$85M per year (AU 1855, compare page 1548).	Senator Gray	GF	\$0	\$33,759,418	\$33,759,418	\$67,518,836
4. HB 1 Change / HB 2 Amendment #2025-2380s, Page 60 In HB 2, delete section 379, relative to use of UNIQUE funds, and in HB 1, fund USNH at the Governor's recommended level (\$91,240,582 per year in general funds) (AU 1855, compare page 1548) and restore \$15M/year of UNIQUE program funding (AU 1047, compare page 185).	Senator Watters	GF to USNH	\$0	\$40,000,000	\$40,000,000	\$80,000,000
		OTH - UNIQUE to USNH	\$0	(\$15,000,000)	(\$15,000,000)	(\$30,000,000)
		OTH - UNIQUE Program Funding	\$0	\$15,000,000	\$15,000,000	\$30,000,000
5. HB 2 Amendment #2025-2357s, Page 61 Amends section 379 by directing a total of \$15M per year of New Hampshire Excellence in Higher Education Endowment Trust Fund (UNIQUE) with \$15M going to the general fund in FY 2026, and \$4M to CCSNH and \$11M to the general fund in FY 2027.	Senator Watters	OTH - UNIQUE to USNH	\$0	(\$15,000,000)	(\$15,000,000)	(\$30,000,000)
		OTH - UNIQUE to CCSNH	\$0	\$0	\$4,000,000	\$4,000,000
		GF-REV	\$0	\$15,000,000	\$11,000,000	\$26,000,000

SENATE FINANCE - 2025 BUDGET RECAP SHEET

Department of Education

	Contact	SOF	FY 2025	FY 2026	FY 2027	Total
1. HB 2 Amendment #2025-2300s, Page 62 Appropriate funds for providing a learning platform that provides high quality instructional materials across all content areas to ensure all K-12 students in this state have access to evidence-based and content-rich learning outcomes.	Frank Edelblut, Commissioner / Senator Lang	ETF	\$0	\$1,500,000	\$1,500,000	\$3,000,000
2. HB 1 Change Request Request to fund and make available an assessment to all 10th grade students (AU 7064/3478, compare page 1423/1533).	Frank Edelblut	GF or ETF	\$0	\$1,500,000	\$1,500,000	\$3,000,000
3. HB 1 Change Request Request to restore two (2) federally funded positions (#8T3196 and #8T3197) abolished in the House passed budget (AU 2538, compare page 1512)	Frank Edelblut	FED	\$0	\$162,063	\$166,591	\$328,654
4a. HB 2 Amendment #2025-2374s, Page 63 Amend RSA 21-N:5-j, Duties of Deputy Commissioner, to read as follows: (j) Administering department responsibilities for information services, <i>including shared supervision of Department of Information Technology staff embedded within the Department of Education and services provided by the Department of Information Technology.</i>	Frank Edelblut / Senator Lang	N/A	\$0	\$0	\$0	\$0
4b. HB 1 Change Request Restore DoIT position cut in House phase (AU 4275, compare page 1394)		GF	\$0	\$137,479	\$137,479	\$274,958

SENATE FINANCE - 2025 BUDGET RECAP SHEET

Department of Education

	Contact	SOF	FY 2025	FY 2026	FY 2027	Total
5. HB 1 Change Request Request to add anticipated federal funds (Team Nutrition Training Grant), including funding for position 9T3373.	Frank Edelblut, Commissioner	FED	\$0	\$334,364	\$344,896	\$679,260
6. HB 1 Change Request Request to add anticipated federal funds (State Opioid Response Grant).	Frank Edelblut	FED	\$0	\$466,420	\$50,000	\$516,420
7. HB 1 Change Request Request to add anticipated federal funds (Safe and Supportive Schools Grant).	Frank Edelblut	FED	\$0	\$3,410,096	\$2,960,780	\$6,370,876
8. HB 1 Changes / HB 2 Amendment #2025-2381s, Page 64 Amend HB 2, sections 119-122, to effectively retain the current practice of crediting Lottery revenue as unrestricted revenue to the education trust fund. In HB 1, remove Lottery revenue appropriated directly for adequate education grants, and replace with education trust fund appropriations (AU 4079, compare page 1534) Amend HB 2, sections 118 and 122, to effectively retain the current practice of funding school building aid, public school infrastructure, court ordered placements, tuition and transportation aid, state testing, charter school lease aid, and special education aid, with the education trust fund, rather than general fund. Adjustments will be made in HB 1 to reflect amendment (various AUs).	Senator Lang	OTH-REV Lottery Revenue Restricted to Adequacy	\$0	(\$225,223,203)	(\$291,629,000)	(\$516,852,203)
		ETF - Lottery Revenue & ETF Appropriation for Adequacy Grants	\$0	\$225,223,203	\$291,629,000	\$516,852,203
		ETF	\$0	\$88,762,521	\$86,065,291	\$174,827,812
		GF	\$0	(\$88,762,521)	(\$86,065,291)	(\$174,827,812)

SENATE FINANCE - 2025 BUDGET RECAP SHEET

Department of Education

	Contact	SOF	FY 2025	FY 2026	FY 2027	Total
9a. HB 1 Change Restore funding for adult education (AU 4039, compare page 1497)	Senator Carson	GF	\$0	\$834,000	\$834,000	\$1,668,000
9b. HB 2 Amendment #2025-1927s, Page 66 Relative to tuition charging for adult education programs for certain students, and providing additional state funding for adult education programs.	Frank Edelblut, Commissioner / Senator Watters	ETF	\$0	\$400,000	\$400,000	\$800,000
10. HB 2 Amendment #2025-1790s, Page 67 Relative to legislative declaration of authority regarding public education.	Senator Pearl	N/A	\$0	\$0	\$0	\$0
11. HB 2 Amendment #2025-1940s, Page 68 Amend section 392, requiring all unused EFA funds to revert to the education trust fund at the end of each school year.	Senator Lang	N/A	\$0	\$0	\$0	\$0
12. HB 2 Amendment #2025-2027s, Page 69 Repealing restriction allowing the Department to utilize a data clearinghouse report data on where NH students are attending college.	Frank Edelblut, Commissioner / Senator Lang	N/A	\$0	\$0	\$0	\$0
13. HB 2 Amendment #2025-2030s, Page 70 Technical correction to section 125. Bill currently says "school board", however, it should be "state board".	Frank Edelblut / Senator Lang	N/A	\$0	\$0	\$0	\$0
14. HB 2 Amendment #2025-2031s, Page 71 Technical correction as to when accounting standards can be updated.	Frank Edelblut / Senator Lang	N/A	\$0	\$0	\$0	\$0

SENATE FINANCE - 2025 BUDGET RECAP SHEET

Department of Education

	Contact	SOF	FY 2025	FY 2026	FY 2027	Total
15a. HB 2 Amendment #2025-2032s, Page 72 Suggested clarification to sections 451-452 (DEI).	Frank Edelblut / Senator Lang	N/A	\$0	\$0	\$0	\$0
15b. HB 2 Amendment #2025-2078s, Page 73 Delete sections 451-452 (DEI)	Senator Watters	N/A	\$0	\$0	\$0	\$0
16. HB 2 Amendment #2025-2070s, Page 74 Authorize Department to carry forward unexpended funds from FY 2025 to FY 2026, for repairs, improvements, maintenance, technology, safety, security, and facility improvements. Amount unknown at this time, as it will depend on spending during the remainder of the fiscal year.	Frank Edelblut, Commissioner / Senator Lang	N/A	\$0	\$0	\$0	\$0
17. HB 1 Change Request Provide funding, which is needed due to the expiration of a federal grant, for the Department to conduct legal reviews of charter applications (AU 3046, compare page 1410).	Frank Edelblut / Senator Lang	GF	\$0	\$20,000	\$20,000	\$40,000
18. HB 2 Amendment #2025-2375s, Page 75 Amend section 19, relative to EFA expansion, and revise HB 1 amounts based on anticipated program participation (AU 3446, compare page 1531)	Senator Lang	ETF	\$0	\$3,300,000	(\$7,200,000)	(\$3,900,000)
19. HB 2 Amendment #2025-2299s, Page 77 Amends sections 329-334, relative to the determination of adequate education grants to school districts, by eliminating the increase to special education differentiated aid proposed by the House. Also includes technical amendment relative to extraordinary needs grant components (AU 4079, compare page 1534)	Senator Lang	ETF	\$0	\$0	(\$27,429,437)	(\$27,429,437)

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by replacing section 379 with the following:

2

3 379 The State and Its Government; State Treasurer and State Accounts; New Hampshire
4 Excellence in Higher Education Endowment Trust Fund Established. Amend RSA 6:38, I to read as
5 follows:

6 I. There is hereby established in the office of the treasurer the New Hampshire excellence in
7 higher education endowment trust fund which shall be kept distinct and separate from all other
8 funds. ~~[Annua]~~ ***During the biennium ending June 30, 2027, annual*** assessments less any
9 annual administrative costs received from the New Hampshire college tuition savings plan
10 established under RSA 195-H, ***and less \$6,000,000 per year of gross proceeds from assessments***
11 ***collected, which shall be allocated as state support to the university system of New***
12 ***Hampshire***, shall be credited to the trust fund to provide scholarships for the benefit of residents of
13 the state pursuing programs of study at eligible educational institutions within the state.

14 380 The State and Its Government; State Treasurer and State Accounts; New Hampshire
15 Excellence in Higher Education Endowment Trust Fund Established. Amend RSA 6:38, I to read as
16 follows:

17 I. There is hereby established in the office of the treasurer the New Hampshire excellence in
18 higher education endowment trust fund which shall be kept distinct and separate from all other
19 funds. ~~[During the biennium ending June 30, 2027, annua]~~ ***Annual*** assessments less any annual
20 administrative costs received from the New Hampshire college tuition savings plan established
21 under RSA 195-H], ~~and less \$6,000,000 per year of gross proceeds from assessments collected, which~~
22 ~~shall be allocated as state support to the university system of New Hampshire,]~~ shall be credited to
23 the trust fund to provide scholarships for the benefit of residents of the state pursuing programs of
24 study at eligible educational institutions within the state.

25 381 Effective Date. Section 380 of this act shall take effect July 1, 2027.

2025-2316s

AMENDED ANALYSIS

Replace 149 with the following:

149. Allocates gross proceeds from assessments collected under the excellence in higher education endowment trust fund as state support to the university system of New Hampshire.

Sen. Watters, Dist 4
May 22, 2025
2025-2380s
08/09

Amendment to HB 2-FN-A-LOCAL

- 1 Amend the bill by deleting section 379, relative to the New Hampshire excellence in higher
- 2 education endowment trust fund.

2025-2380s

AMENDED ANALYSIS

DELETE:

149. Makes changes to the New Hampshire excellence in higher education endowment trust fund.

Sen. Watters, Dist 4
May 21, 2025
2025-2357s
05/09

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by replacing section 379 with the following:

2

3 379 New Hampshire Excellence in Higher Education Endowment Trust Fund Established.
4 Amend RSA 6:38, I to read as follows:

5 I. There is hereby established in the office of the treasurer the New Hampshire excellence in
6 higher education endowment trust fund, which shall be kept distinct and separate from all other
7 funds. Annual assessments **shall be credited to the trust fund**, less any annual administrative
8 costs received from the New Hampshire college tuition savings plan established under RSA 195-H
9 [~~shall be credited to the trust fund~~] **and less \$15,000,000 in the fiscal year ending June 30,**
10 **2026, and \$15,000,000 in the fiscal year ending June 30, 2027, of which \$4,000,000 for the**
11 **fiscal year ending June 30, 2027, shall be allocated to the community college system of New**
12 **Hampshire for the purpose of funding grants to financially disadvantaged students, and**
13 **the remainder shall be credited to the state general fund. The New Hampshire excellence**
14 **in higher education endowment trust fund shall be used** to provide scholarships for the benefit
15 of residents of the state pursuing programs of study at eligible educational institutions within the
16 state.

2025-2357s

AMENDED ANALYSIS

Replace:

149. Directs a portion of funds from the New Hampshire excellence in higher education
endowment trust fund to the community college system and the general fund in each year of the
biennium.

Sen. Lang, Dist 2
May 20, 2025
2025-2300s
07/09

Amendment to HB 2-FN-A-LOCAL

1 1 Appropriation; Department of Education. Notwithstanding RSA 198:39, I, the sums of
2 \$1,500,000 in the fiscal year ending June 30, 2026, and \$1,500,000 in the fiscal year ending June 30,
3 2027, are hereby appropriated from the education trust fund to the department of education for the
4 purpose of providing a learning platform that provides high quality instructional materials across all
5 content areas to ensure all K-12 students in this state have access to evidence-based and content-
6 rich learning outcomes. The governor is authorized to draw a warrant for said sums out of any
7 money in the education trust fund not otherwise appropriated.

2025-2300s

AMENDED ANALYSIS

ADD:

1. Appropriates money to the department of education to provide a learning platform that provides instructional materials across content areas to ensure students have access to evidence-based and content-rich learning outcomes.

Sen. Lang, Dist 2
May 22, 2025
2025-2374s
09/08

Amendment to HB 2-FN-A-LOCAL

- 1 1 Department of Education; Duties of Deputy Commissioner. Amend RSA 21-N:5, I(j) to read as
2 follows:
3 (j) Administering department responsibilities for information services, ***including***
4 ***shared supervision of department of information technology staff embedded within the***
5 ***department of education and services provided by the department of information***
6 ***technology.***

2025-2374s

AMENDED ANALYSIS

ADD:

1. Modifies the duties of the deputy commissioner of the department of education.

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by replacing sections 118-122 with the following:

2

3 118 Education; School Money; Educated Trust Fund Created and Invested. Amend RSA 198:39,
4 I(m)-(n) to read as follows:
5 (m) To distribute payments to education service providers on behalf of school districts
6 for children with disabilities in certain court ordered placements ~~for placements for an episode of~~
7 ~~treatment~~ pursuant to RSA 186-C:19-b.

8 (n) **To distribute payments to providers for costs of special education and**
9 **education services related to an episode of treatment pursuant to RSA 193:27, VII.**

10 (o) To distribute grants for leased space to approved chartered public schools pursuant
11 to RSA 198:15-hh.

12 (p) **To fund grants from the public school infrastructure fund under RSA**
13 **198:15-y.**

14 (q) **To fund department of education operating costs, as authorized under RSA**
15 **198:39, III.**

16

17 Amend section 378 of the bill by replacing it with the following:

18

19 378 Education; Special Education; State Aid. Amend RSA 186-C:18, IV to read as follows:

20 IV. ~~[The state shall appropriate an amount for each fiscal year to assist special education~~
21 ~~programs that are statewide in their scope, and that meet the standards for such programs~~
22 ~~established by the state board of education. Funds under this paragraph shall be administered and~~
23 ~~distributed by the state board of education through the commissioner.] **The amount necessary to**~~
24 **fund special education aid under this section is hereby appropriated to the department**
25 **from the education trust fund created under RSA 198:39. The governor is authorized to**
26 **draw a warrant from the education trust fund to satisfy the state's obligation under this**
27 **section. Such warrant for payment shall be issued regardless of the balance of funds**
28 **available in the education trust fund. If the balance in the education trust fund, after the**
29 **issuance of any such warrant, is less than zero, the state comptroller shall transfer**
30 **sufficient funds from the general fund to eliminate such deficit. The commissioner of the**
31 **department of administrative services shall inform the fiscal committee and the governor**

- 1 *and council of such balance. This reporting shall not in any way prohibit or delay the*
- 2 *distribution of payments.*

DELAWARE
ORIGINALS

Sen. Watters, Dist 4
May 5, 2025
2025-1927s
07/11

Amendment to HB 2-FN-A-LOCAL

1 1 Education; Adult Education; Establishment of Adult High School Education Program. Amend
2 RSA 186:61, I to read as follows:
3 I. The state board of education shall establish and promote ~~an~~ educational ~~program~~
4 **programs for ~~adults~~ adult legal residents of New Hampshire and students at least sixteen**
5 **years of age eligible for enrollment in a New Hampshire public school** to earn a high school
6 diploma or its equivalent. **Such educational programs shall charge tuition to student**
7 **resident districts when resident districts receive state adequacy funds pursuant to RSA**
8 **198:40-a for such students at an amount agreed to by the educational program and the**
9 **resident district.** This program shall be administered by the division of learner support,
10 department of education, in accordance with the rules adopted by the state board.
11 2 Appropriation; Department of Education. Notwithstanding RSA 198:39, I, the sums of
12 \$400,000 in the fiscal year ending June 30, 2026, and \$400,000 in the fiscal year ending June 30,
13 2027, are hereby appropriated from the education trust fund to the department of education, to be
14 distributed to approved education programs pursuant to RSA 186:61, proportional to the number of
15 credits awarded to high school students served by such educational programs during the fiscal year
16 ending June 30, 2025. The governor is authorized to draw a warrant for said sums out of any money
17 in the education trust fund not otherwise appropriated.

Sen. Pearl, Dist 17
April 28, 2025
2025-1790s
07/08

Amendment to HB 2-FN-A-LOCAL

1 1 Legislative Declaration of Authority Regarding Public Education. In its 1993 and 1997
2 decisions, in the so-called *Claremont* series of public school funding cases, the New Hampshire
3 Supreme Court ruled that the New Hampshire Constitution imposes upon the legislature 4
4 obligations with respect to public K-12 education: (1) define an adequate education; (2) determine its
5 cost; (3) fund it with constitutional taxes; and (4) ensure its delivery through accountability.
6 Although the legislature has from the beginning had grave reservations as to the court's authority to
7 impose these obligations upon a coordinate branch of government, in the spirit of comity it has over
8 the subsequent quarter-century devoted extensive time, energy and public tax dollars to satisfying
9 them. However, in the most recent of these cases, the judicial branch has asserted authority to
10 review and set aside the legislature's determinations with respect to its 4 supposed obligations, and
11 to fund education at levels determined by the court through a process which, though adjudicatory in
12 form, is legislative in substance. Accordingly, the legislature now deems it necessary to definitively
13 proclaim that, as the sole branch of government constitutionally competent to establish state policy
14 and to raise and appropriate public funds to carry out such policy, the legislature shall make the
15 final determination of what the state's educational policies shall be and of the funding needed to
16 carry out such policies.

Sen. Lang, Dist 2
May 6, 2025
2025-1940s
07/05

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by replacing section 392 with the following:

2

3 392 Education; Education Freedom Accounts; Program. Amend RSA 194-F:2, VII to read as
4 follows:

5 VII.(a) An EFA shall remain in force *for the school year*, and any unused funds shall roll
6 over from quarter-to-quarter [and from year-to-year until the parent withdraws the EFA student
7 from the EFA program or until the EFA student graduates from high school, unless the EFA is
8 closed because of a substantial misuse of funds. Any unused funds shall revert to the education
9 trust fund established in RSA 198:39 and be allocated to fund other EFAs].

10 (b) *At the end of each school year, any unused funds shall revert back to the*
11 *education trust fund established by RSA 198:39.*

12 (c) *Any unused funds for a withdrawn student, graduated student, or closed*
13 *education freedom account due to substantial misuse shall revert back to the education*
14 *trust fund established by RSA 198:39.*

2025-1940s

AMENDED ANALYSIS

Add:

1. Requires any unused education freedom account funds to revert back to the education trust fund at the end of the school year.

Sen. Lang, Dist 2
May 8, 2025
2025-2027s
07/05

Amendment to HB 2-FN-A-LOCAL

- 1 1 Education; Student and Teacher Information Protection and Privacy; Student Privacy. Amend
- 2 RSA 189:68, I(1) to read as follows:
- 3 (1) Student [~~postsecondary~~] workforce information, including the employer's name [~~, and~~
- 4 ~~the name of a college attended outside of New Hampshire~~].

2025-2027s

AMENDED ANALYSIS

Add:

1. Prevents the department of education from collecting or maintaining data on student workforces and removes a prohibition on data related to out-of-state colleges.

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by replacing section 125 with the following:

2

3 125 Determination of Education Grants. Amend RSA 198:41, VI to read as follows:

4

5 VI. ~~[When final determination year data is available, but not later than April 1,]~~ The
6 department shall make a final determination of grant amounts **by October 1**. A municipality's
7 grant estimate shall not be less than 95 percent of the estimate reported pursuant to paragraph IV.
8 The department shall adjust the April grant disbursement required pursuant to RSA 198:42 so that
9 the total amount disbursed for the fiscal year shall match the final grant determination.

10

11 ***VI-a. The final determination of the grant amount can be modified after October 1***
12 ***after a vote in the affirmative by the state board under the following conditions:***

13

14 ***(a) The department or a school district petitioned the state board to modify the***
15 ***October 1 grant determination prior to January 15 of the same fiscal year and the state***
16 ***board votes in the affirmative to accept the petition by February 15;***

17

18 ***(b) The change being considered within the scope of the petition shall have a***
19 ***total adequacy dollar impact greater than \$10,000 for at least one municipality; and***

20

21 ***(c) The petition specifically identifies the municipality or municipalities***
22 ***requiring change in the final grant amount and the amount being modified.***

Sen. Lang, Dist 2
May 9, 2025
2025-2031s
07/11

Amendment to HB 2-FN-A-LOCAL

- 1 1 Education; District Taxes; Reports Required; Cities and School Districts. Amend RSA 198:4-d,
2 III-a to read as follows:
3 III-a. The department of education and the department of revenue administration together
4 shall develop and [recommmend] **maintain** school accounting standards[. The departments shall
5 report to the speaker of the house, the senate president, and the governor concerning such
6 accounting standards on or before December 1, 1999] **which shall be used by districts and**
7 **chartered public schools for financial reporting purposes.**

2025-2031s

AMENDED ANALYSIS

Add:

1. Requires the department of education and the department of revenue administration to develop and maintain school accounting standards for financial reporting purposes.

Amendment to HB 2-FN-A-LOCAL

- 1 Amend RSA 21-I:112, II as inserted by section 451 of the bill by replacing it with the following:
2
3 II. "Diversity, equity, and inclusion" or "DEI" shall mean any program, policy, training, or
4 initiative that classifies individuals based on a characteristic identified under RSA 345-A:1 for the
5 purpose of achieving demographic outcomes, rather than treating individuals equally under the law.
6
7 Amend RSA 186:71, I as inserted by section 452 of the bill by replacing it with the following:
8
9 I. "Diversity, equity, and inclusion" or "DEI" shall mean any program, policy, training, or
10 initiative that classifies individuals based on a characteristic identified under RSA 345-A:1 for the
11 purpose of achieving demographic outcomes, rather than treating individuals equally under the law.

Sen. Watters, Dist 4
Sen. Rosenwald, Dist 13
May 9, 2025
2025-2078s
09/08

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by deleting sections 451 and 452, relative to diversity, equity, and inclusion.

2025-2078s

AMENDED ANALYSIS

DELETE:

185. Prohibits all public entities from implementing, promoting, or otherwise engaging in any diversity, equity, and inclusion DEI-related initiatives, programs, training, or policies; requires each agency to report such contracts to the department of administrative services, which shall compile a consolidated report for submission to the governor, speaker of the house of representatives, and senate president; and provides for the amendment (i.e., removing DEI-related provisions) of non-compliant contracts.

186. Prohibits all public schools from implementing, promoting, or otherwise engaging in any DEI-related initiatives, programs, training, or policies and provides processes for the review and termination or amendment of non-compliant contracts and provides for funding halts in the event of a violation.

Sen. Lang, Dist 2
May 9, 2025
2025-2070s
06/05

Amendment to HB 2-FN-A-LOCAL

1 1 Appropriations. Any available funding, as of June 30, 2025, in the accounting units 06-56-56-
2 567010-3041, 06-56-56-567010-3046, 06-56-56-567010-3047, 06-56-56-562010-2503, 06-56-56-5660010-
3 6001, 06-56-56-560510-7007, 06-56-56-560510-6003, 06-56-56-567010-2171, 06-56-56-566510-3029,
4 and 06-56-56-566510-8679, shall be continually appropriated to the department of education, to
5 facilitate related expenditures, including but not limited to repairs, improvements, maintenance, to
6 technology, safety, security, and facility improvements, and shall not lapse until June 30, 2027.
7 2 Effective Date. Section 1 of this act shall take effect June 30, 2025.

2025-2070s

AMENDED ANALYSIS

Add:

1. Directs any available funding in certain accounts to be continually appropriated for the biennium to the department of education for expenditures related to repairs, improvements, maintenance, technology, safety, security, and facility upgrades.

Amendment to HB 2-FN-A-LOCAL

- 1 Amend the bill by replacing section 19 with the following:
2
- 3 19 Education; Education Freedom Accounts; Definitions. Amend RSA 194-F:1, VI to read as
4 follows:
- 5 VI. "Eligible student" means a resident of this state who is eligible to enroll in a public
6 elementary or secondary school ~~and whose annual household income at the time the student applies~~
7 ~~for the program is less than or equal to 350 percent of the federal poverty guidelines as updated~~
8 ~~annually in the Federal Register by the United States Department of Health and Human Services~~
9 ~~under 42 U.S.C. section 9902(2). No income threshold need be met in subsequent years, provided the~~
10 ~~student otherwise qualifies]. Students in the special school district within the department of~~
11 ~~corrections established in RSA 194:60 shall not be eligible students.~~
- 12 20 New Paragraphs; Education; Education Freedom Accounts; Application for an Education
13 Freedom Account. Amend RSA 194-F:1 by inserting after paragraph XII the following new
14 paragraphs:
- 15 XIII. "Priority Guidelines" means the ordered list:
- 16 (a) A student currently enrolled in the EFA program;
17 (b) A sibling of a student currently enrolled in the EFA program;
18 (c) A child with disabilities as defined by RSA 186-C:2;
19 (d) A student whose family income is less than or equal to 350 percent of the federal
20 poverty guidelines as updated annually by the United States Department of Health and Human
21 Services under 42 U.S.C. section 9902 (2).
- 22 XIV. "Enrollment Cap" means the total number of students that may be enrolled in the EFA
23 program in a given school year before further enrollment is closed to all but students meeting
24 priority guidelines, for whom enrollment is always open.
- 25 21 Education; Education Freedom Accounts; Application for an Education Freedom Account.
26 Amend RSA 194-F:3, I to read as follows:
- 27 I. A parent may apply to the scholarship organization to establish an EFA for an eligible
28 student. The scholarship organization shall accept and approve applications ~~for the fall and spring~~
29 ~~semesters] for enrollment on a rolling basis~~ each year and shall establish procedures for
30 approving applications *for enrollment in an expeditious manner. **Priority guideline students***
31 ***shall not be subject to the enrollment cap and shall be enrolled on a rolling basis.***

Amendment to HB 2-FN-A-LOCAL

- Page 2 -

1 22 Education; Education Freedom Accounts; Application for an Education Freedom Account.
2 Amend RSA 194-F:3, I to read as follows:

3 I. A parent may apply to the scholarship organization to establish an EFA for an eligible
4 student. The scholarship organization shall accept and approve applications for enrollment on a
5 rolling basis each year and shall establish procedures for approving applications for enrollment in an
6 expeditious manner. [~~Priority guideline students shall not be subject to the enrollment cap and shall~~
7 ~~be enrolled on a rolling basis.~~]

8 23 New Paragraphs; Education; Education Freedom Accounts; Application for an Education
9 Freedom Account. Amend RSA 194-F:3 by inserting after paragraph I the following new
10 paragraphs:

11 I-a. For the 2025-2026 school year, the enrollment cap shall be 10,000. For each subsequent
12 year, if the total enrollment of the prior year is greater than 90 percent of the prior year's enrollment
13 cap, then the enrollment cap shall be increased once by 25 percent when enrollment begins for the
14 year. The department of education shall publish on its website information identifying the
15 enrollment cap when it is increased pursuant to this paragraph.

16 I-b. The scholarship organization shall prioritize current EFA students for renewal in the
17 subsequent year by reserving space for them under that subsequent year's enrollment cap before
18 enrolling new EFA students in that subsequent year.

19 24 Repeal. The following are repealed:

20 I. RSA 194-F:1, XIII and XIV, relative to definitions related to education freedom accounts.

21 II. RSA 194-F:3, I-a and I-b, relative to education freedom account eligibility.

22 25 Contingency. Sections 22 and 24 of this act shall take effect on the date the department of
23 education certifies to the secretary of state and the director of the office of legislative services that
24 student applications for the education freedom account program have not exceeded the enrollment
25 cap for 2 consecutive school years.

26 26 Effective Dates.

27 I. Sections 22 and 24 of this act shall take effect as provided in section 25 of this act.

28 II. Sections 19-21, 23, and 25 of this act shall take effect upon its passage.

Amendment to HB 2-FN-A-LOCAL

- 1 Amend the bill by deleting section 329 and replacing sections 330-334 with the following:
2
- 3 330 Education; Adequate Education; Education Trust Fund; Annual Adjustment. Amend RSA
4 198:40-d to read as follows:
- 5 198:40-d Annual Adjustment. Beginning July 1, [2024] **2026** and every year thereafter, the
6 department of education shall adjust the following with an increase of 2 percent annually, **rounded**
7 **up to the nearest whole dollar**:
- 8 I. Per pupil costs in RSA 198:40-a, II; **and**
9 II. [~~Extraordinary need grant "grant floor," "grant ceiling," "factor," and "max grant" as~~
10 ~~defined in RSA 198:40-f, II, (a)-(d); and~~
11 ~~III.~~] Chartered public school additional grants under RSA 194-B:11, I(b)(1)(A) and (B).
12 331 Education; Adequate Education; Education Trust Fund; Extraordinary Need Grants RSA
13 198:40-f is repealed and reenacted to read as follows:
- 14 I. In addition to aid for the cost of the opportunity for an adequate education provided under
15 RSA 198:40-a, each year the commissioner shall calculate an extraordinary need grant for schools
16 and provide that amount of aid to a municipality's school districts as follows:
- 17 (a) A municipality with an equalized valuation per pupil eligible to receive a free or
18 reduced-priced meal of \$1,697,933 or less shall receive \$11,730 per pupil eligible to receive a free or
19 reduced-price meal in the municipality's ADMR.
- 20 (b) A municipality with an equalized valuation per pupil eligible to receive a free or
21 reduced-price meal between \$1,697,934 and \$7,003,972 shall receive a grant equal to \$0.00221069
22 for each dollar of difference between its equalized valuation per pupil eligible to receive a free or
23 reduced-price meal and \$7,003,972 for each pupil eligible to receive a free or reduced-price meal in
24 the municipality's ADMR.
- 25 (c) A municipality with an equalized valuation per pupil eligible to receive a free or
26 reduced-price meal of \$7,003,973 or more shall not receive an extraordinary need grant.
- 27 II. In this section:
- 28 (a) "Grant floor" means \$1,697,933 in equalized valuation per free or reduced-price meal
29 pupil.
30 (b) "Grant ceiling" means \$7,003,973 in equalized valuation per free or reduced-price
31 meal pupil.

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

- 1 (c) “Factor” means \$0.00221069 for each dollar difference between equalized valuation
2 per free or reduced-price meal pupil.
- 3 (d) “Maximum grant” means \$11,730 per free or reduced-price meal pupil.
- 4 III. The extraordinary needs grants shall be calculated using the formula described in
5 paragraph I, however, beginning July 1, 2027, and every year thereafter, the grant floor, grant
6 ceiling, and maximum grant shall be increased by 2 percent. The factor shall be readjusted by
7 taking the newly adjusted maximum grant and dividing by the difference between the grant floor
8 and grant ceiling.
- 9 332 New Section; Adequate Education; Education Trust Fund; Fiscal Capacity
10 Disparity Aid. Amend RSA 198 by inserting after section 40-f the following new section:
11 198:40-g Fiscal Capacity Disparity Aid.
- 12 I. In addition to aid for the cost of the opportunity for an adequate education provided under
13 RSA 198:40-a, each year the commissioner shall calculate a fiscal capacity disparity aid grant for
14 schools and provide that amount of aid to a municipality’s school districts as follows:
- 15 (a) A municipality with an equalized valuation per pupil of \$1,000,000 or less shall
16 receive \$1,250 per pupil eligible in the municipality’s ADMR.
- 17 (b) A municipality with an equalized valuation per pupil between \$1,000,001 and
18 \$1,599,999 shall receive a grant equal to \$0.00208333 for each dollar of difference between its
19 equalized valuation per pupil and \$1,599,999, for each pupil the municipality’s ADMR.
- 20 (c) A municipality with an equalized valuation per pupil of \$1,600,000 or more shall not
21 receive a fiscal capacity disparity aid grant.
- 22 II. In this section:
- 23 (a) “Grant floor” means \$1,000,000 in equalized valuation per pupil.
- 24 (b) “Grant ceiling” means \$1,600,000 in equalized valuation per pupil.
- 25 (c) “Factor” means \$0.00208333 for each dollar difference between equalized valuation
26 per pupil.
- 27 (d) “Maximum grant” means \$1,250 per pupil.
- 28 III. The fiscal capacity disparity aid grants shall be calculated using the formula described
29 in paragraph I, however, beginning July 1, 2027, and every year thereafter, the grant floor, grant
30 ceiling, and maximum grant shall be increased by 2 percent. The factor shall be readjusted by
31 taking the newly adjusted maximum grant and dividing by the difference between the grant floor
32 and grant ceiling.
- 33 333 Education; Adequate Education; Education Trust Fund; Determination of Education
34 Grants. Amend RSA 198:41, I(a)-(c) to read as follows:
- 35 (a) Add the per pupil cost of providing the opportunity for an adequate education for
36 which each pupil is eligible pursuant to RSA 198:40-a, I-III, and from such amount;

- 1 (b) Subtract the amount of the education tax warrant to be issued by the commissioner
2 of revenue administration for such municipality reported pursuant to RSA 76:8 for the next tax year;
3 ~~and~~
4 (c) Add the municipality's extraordinary need grant pursuant to RSA 198:40-f~~];~~
5 **(d) Add the municipality's fiscal capacity disparity aid grant pursuant to RSA**
6 **198:40-g; and**
7 **(e) For municipalities with a total ADMR of 5,000 or more, subtract the amount**
8 **necessary to limit the total additional targeted aid to \$3,750 per pupil in the municipality's**
9 **ADMR. For the purpose of this paragraph, additional targeted aid shall be the sum of a**
10 **municipality's extraordinary needs grant and fiscal capacity disparity aid grant.**
11 334 Effective Date. Sections 330-333 of this act shall take effect July 1, 2026.