

Bill as  
Introduced

HB 1252 - AS INTRODUCED

2010 SESSION

10-2245

06/10

HOUSE BILL            **1252**

AN ACT            relative to the duration of medical payments coverage under motor vehicle liability policies.

SPONSORS:        Rep. Nixon, Hills 17; Rep. Craig, Hills 9; Rep. McEachern, Rock 16

COMMITTEE:      Commerce and Consumer Affairs

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ANALYSIS

This bill increases the duration of medical payments coverage under motor vehicle liability policies.

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Explanation:      Matter added to current law appears in ***bold italics***.  
                         Matter removed from current law appears [~~in brackets and struck through.~~]  
                         Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Ten*

AN ACT           relative to the duration of medical payments coverage under motor vehicle liability policies.

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

- 1           1 Medical Payments. Amend RSA 264:16, I to read as follows:
- 2           I. Any motor vehicle liability policy, as defined in RSA 259:61, covering a private passenger
- 3 automobile and issued with respect to any motor vehicle registered or principally garaged in this
- 4 state, shall provide medical payments coverage therein or supplemental thereto in an amount equal
- 5 to or greater than \$1,000 per person for medical costs incurred as a result of injuries sustained in an
- 6 accident involving the insured vehicle by the driver and passengers in said vehicle. Such coverage
- 7 shall apply only to medical costs incurred during [~~one-year~~] **3 years** following the date the injuries
- 8 are sustained.
- 9           2 Effective Date. This act shall take effect 60 days after its passage.

# Speakers



# Hearing Minutes

HOUSE COMMITTEE ON COMMERCE AND CONSUMER AFFAIRS

PUBLIC HEARING ON HB 1252

**BILL TITLE:** relative to the duration of medical payments coverage under motor vehicle liability policies.

**DATE:** 2-9-10

**LOB ROOM:** 302      **Time Public Hearing Called to Order:** 1405

**Time Adjourned:** 1435

(please circle if present)

**Committee Members:** Reps. Butler, DeStefano, Kopka, McEachern, Hammond, Nord, Winters, Meader, Gidge, Schlachman, D. Eaton, Hunt, Quandt, Belanger, D. Flanders, R. Holden, Dowling, Headd, Nevins and Palfrey **KEANS**

**Bill Sponsors:** Rep. Nixon, Hills 17; Rep. Craig, Hills 9; Rep. McEachern, Rock 16

TESTIMONY

\* Use asterisk if written testimony and/or amendments are submitted.

**Rep. David Nixon, prime sponsor** – Opened bill. Bill would change NH medical pay system; currently medical pay applies to one year. Bill would change coverage from one year to three years.

**Q: Rep. Donna Schlachman** – If we extend the period to three years on injured person probably not paying premiums.

**A:** I don't know.

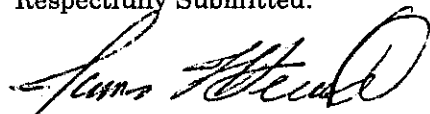
**Rep. Paul McEachern, co-sponsor** – Supports bill.

**David Withers, NH Insurance Dept.** – Insurance offers policies for three years. We do see period extended as increases in amount of coverage. I don't see this as a big expense. There is a time requirement to implement so extend the effective date out far enough for companies to comply.

**George Roussos, NH Assn. of Domestic Insurance Companies/ AIA** – Opposes the bill. "Time frame pickle is arbitrary. I think there is a cost to this. Insurance company has to keep file open; this cost money; one year is fine. I don't see any real problem here.

**Rep. Anthony DiFruscia** – Letter in file.

Respectfully Submitted:



James F. Headd, Clerk



Howe  
Libert  
M. A. Belf  
Hortford

HOUSE COMMITTEE ON COMMERCE AND CONSUMER AFFAIRS

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**Bill Sponsors:** Rep. Nixon, Hills 17; Rep. Craig, Hills 9; Rep. McEachern, Rock 16

TESTIMONY

\* Use asterisk if written testimony and/or amendments are submitted.

#1 Rep Dave Nixon opened Bill - Bill would change NH med pay system - currently med pay applies for 1 year - Bill would change coverage from 1 yr to 3 years -

Q Schlachman - if we extend period of three years on injured person possibly not paying premium  
A - I don't know

#2 Paul McEachern Co-sponsor - supports Bill

#3 DAVID WILSON. Ins Dept -  
FSO office policies do offer policies for 3 years -

3000  
net

#2

H 1252

No dr. see period extended  
as increase in Amount of  
coverage -

I don't see then as being  
expensive -

There is a time required  
to implement so extend the  
effective date out far enough for  
responses to company.

#4

Geo Rousos - AFA -

oppose Bill -

time frame picked is arbitrary -

I think there is a cost to the

ins Co has to keep file open

this cost money - 1 year delay

- I don't see legal problem here -

Rep PITRUCCO sent and a  
letter - no file

# Voting Sheets

HOUSE COMMITTEE ON COMMERCE AND CONSUMER AFFAIRS

EXECUTIVE SESSION on HB 1252

**BILL TITLE:** relative to the duration of medical payments coverage under motor vehicle liability policies.

**DATE:** 2-11-10

**LOB ROOM:** 302

**Amendments:**

Sponsor: Rep.	OLS Document #:
Sponsor: Rep.	OLS Document #:
Sponsor: Rep.	OLS Document #:

**Motions:** OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

**Motions:** OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Nord

Seconded by Rep. Hammond

Vote: 9-7 (Please attach record of roll call vote.)

**CONSENT CALENDAR VOTE:** Consent of Regular (Circle One)

(Vote to place on Consent Calendar must be unanimous.)

**Statement of Intent:** Refer to Committee Report

Respectfully submitted,

Rep. James F. Headd, Clerk

HOUSE COMMITTEE ON COMMERCE AND CONSUMER AFFAIRS

EXECUTIVE SESSION on HB 1252

**BILL TITLE:** relative to the duration of medical payments coverage under motor vehicle liability policies.

**DATE:** 2-11-10

**LOB ROOM:** 302

**Amendments:**

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

**Motions:** OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

**Motions:** OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. *Noted*

Seconded by Rep. *Hammond*

Vote: *9-1* (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: *Regular*

(Vote to place on Consent Calendar must be unanimous.)

**Statement of Intent:** Refer to Committee Report

Respectfully submitted,

Rep. James F. Headd, Clerk

**CÔMMERCE AND CONSUMER AFFAIRS**

Bill #: HB 1252 Title: DURATION of med pay  
 PH Date: 1/1/10 Exec Session Date: 2/11/10

Motion: OTP Amendment #: \_\_\_\_\_

MEMBER	YEAS	NAYS
Butler, Edward A, Chairman	/	
Schlachman, Donna L, V Chairman		
DeStefano, Stephen T		
Kopka, Angeline A	✓	
Meador, David R	/	
McEachern, Paul	✓	
Hammond, Jill Shaffer	/	
Nord, Susi	✓	
Winters, Joel F		✓
Keans, Sandra B	✓	
Gidge, Kenneth N	/	
Hunt, John B		/
Quandt, Matt J		/
Belanger, Ronald J		
Flanders, Donald H		/
Holden, Rip		
Dowling, Patricia A		/
Headd, James F, Clerk		/
Nevins, Chris F	/	
Palfrey, David J		/
	9	7
TOTAL VOTE:		

# Committee Report

**REGULAR CALENDAR**

**March 3, 2010**

**HOUSE OF REPRESENTATIVES**

**REPORT OF COMMITTEE**

**The Majority of the Committee on COMMERCE AND  
CONSUMER AFFAIRS to which was referred HB1252,  
AN ACT relative to the duration of medical payments  
coverage under motor vehicle liability policies. Having  
considered the same, report the same with the  
recommendation that the bill OUGHT TO PASS.**

**Rep. Susi Nord**

**FOR THE MAJORITY OF THE COMMITTEE**



**MAJORITY  
COMMITTEE REPORT**

Committee: **COMMERCE AND CONSUMER AFFAIRS**

Bill Number: **HB1252**

Title: **relative to the duration of medical payments coverage under motor vehicle liability policies.**

Date: **February 16, 2010**

Consent Calendar: **NO**

Recommendation: **OUGHT TO PASS**

**STATEMENT OF INTENT**

This bill is a technical change to the Medical Payments portion of a person's car insurance. Currently most plans allow reimbursements for medical expenses related to a claim for up to 3 years after a qualifying incident. This bill would require all plans to adopt this time frame as a minimum standard. The Insurance Department assured the committee that this will not affect premiums, but will help those who need to use their Medical Payments Insurance to cover expenses for a long-term condition as a result of an accident. An example of where this could be helpful is for payment of co-pays for on-going physical therapy for an injury from a car accident.

Vote 9-7

Rep. Susi Nord  
FOR THE MAJORITY

Original: House Clerk  
Cc: Committee Bill File

## REGULAR CALENDAR

### COMMERCE AND CONSUMER AFFAIRS

**HB1252**, relative to the duration of medical payments coverage under motor vehicle liability policies. **OUGHT TO PASS.**

Rep. Susi Nord for the **Majority** of COMMERCE AND CONSUMER AFFAIRS. This bill is a technical change to the Medical Payments portion of a person's car insurance. Currently most plans allow reimbursements for medical expenses related to a claim for up to 3 years after a qualifying incident. This bill would require all plans to adopt this time frame as a minimum standard. The Insurance Department assured the committee that this will not affect premiums, but will help those who need to use their Medical Payments Insurance to cover expenses for a long-term condition as a result of an accident. An example of where this could be helpful is for payment of co-pays for on-going physical therapy for an injury from a car accident. **Vote 9-7.**

Original: House Clerk  
Cc: Committee Bill File

**Stapler, Carol**

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**From:** EdoftheNotch@aol.com  
**Sent:** Friday, February 12, 2010 12:06 PM  
**To:** Nord, Susi  
**Cc:** Stapler, Carol  
**Subject:** Re: Blurbs

Carol,

These are OK.

Susi,

Thanks!

Ed

In a message dated 2/11/2010 9:47:05 P.M. Eastern Standard Time, stnord@yahoo.com writes:

Hi Ed and Carol-

Here are my blurbs. The second one is long, but I think that this bill is complicated and I want to be sure it is explained thoroughly.

Thanks,  
Susi

**HB 1252 – Ought to Pass**

This bill is a technical change to the Medical Payments portion of a person's car insurance. Currently most plans allow reimbursements for medical expenses related to a claim for up to 3 years after a qualifying incident. This bill would require all plans to adopt this time frame as a minimum standard. The Insurance Department assured the committee that this will not affect premiums, but will help those who need to use their Medical Payments Insurance to cover expenses for a long-term condition as a result of an accident. An example of where this could be helpful is for payment of co-pays for on-going physical therapy for an injury from a car accident.

**HB 1486 – Ought to Pass with Amendment**

This bill as amended does three things. First of all, it prevents the state from mandating fire sprinklers in one- or two-family homes through either the fire code or the building code. There are many reasons why mandating sprinklers in new and significantly remodeled homes is not nearly as simple as it might sound. Most importantly, the state must be very mindful of imposing mandates on our residents in the privacy of their own homes. Sprinklers can add significant cost to the price of a home, especially if the installation of a sprinkler system necessitates the installation of a water tank and pumping system sufficient to run the sprinklers for a set period of time. Additionally, there are many different types of homes that do not easily accommodate the infrastructure for sprinklers such as log homes which then need additional costly modifications. Addition of sprinklers to HUD coded manufactured homes can cause the builder to conflict with requirements of federal statute. These complications and expenses make workforce housing more costly and make the dream of home ownership more difficult to achieve for families of moderate means. The second thing the bill does is creates a study committee to review the current status of sprinkler requirements in one and two family homes at the federal, state and local level and make recommendations about what is appropriate for New Hampshire. Sprinklers can save lives and property and in areas with volunteer fire departments they can be part of the strategy to minimize expense for expanding safety infrastructure to remote areas. Finally the bill creates a cooling off period of three years so that the committee may do its work. Many towns have current regulations which are the result of study and

**REGULAR CALENDAR**

**March 3, 2010**

**HOUSE OF REPRESENTATIVES**

**REPORT OF COMMITTEE**

**The Minority of the Committee on COMMERCE AND  
CONSUMER AFFAIRS to which was referred HB1252,**

**AN ACT relative to the duration of medical payments  
coverage under motor vehicle liability policies. Having  
considered the same, and being unable to agree with  
the Majority, report with the following Resolution:**

**RESOLVED, That it is INEXPEDIENT TO LEGISLATE.**

**Rep. James F Headd**

**FOR THE MINORITY OF THE COMMITTEE**

**MINORITY  
COMMITTEE REPORT**

Committee: **COMMERCE AND CONSUMER AFFAIRS**

Bill Number: **HB1252**

Title: **relative to the duration of medical payments  
coverage under motor vehicle liability policies.**

Date: **February 16, 2010**

Consent Calendar: **NO**

Recommendation: **INEXPEDIENT TO LEGISLATE**

**STATEMENT OF INTENT**

The minority believes there is no need for this bill. The bill mandates coverage that most automobile insurance policies currently provide, and there was not testimony at the hearing that this bill addressed any real problem or that anyone would benefit from its passage. The bill would force those insurers which provide a different medical payments benefit period to submit a filing with the insurance department and, after that, to change their policy forms. This bill would create a law in an area where the private market is doing its job and a law is not needed.

Rep. James F Headd  
FOR THE MINORITY

Original: House Clerk  
Cc: Committee Bill File

REGULAR CALENDAR

COMMERCE AND CONSUMER AFFAIRS

**HB1252**, relative to the duration of medical payments coverage under motor vehicle liability policies.  
**INEXPEDIENT TO LEGISLATE.**

Rep. James F Headd for the **Minority** of COMMERCE AND CONSUMER AFFAIRS. The minority believes there is no need for this bill. The bill mandates coverage that most automobile insurance policies currently provide, and there was not testimony at the hearing that this bill addressed any real problem or that anyone would benefit from its passage. The bill would force those insurers which provide a different medical payments benefit period to submit a filing with the insurance department and, after that, to change their policy forms. This bill would create a law in an area where the private market is doing its job and a law is not needed.

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Cc: Committee Bill File

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~~\_\_\_\_\_~~

OK

EWB

Jim Head

HB 1252

MINORITY -

ITL