

Bill as Introduced

HB 1532 - AS INTRODUCED

2010 SESSION

10-2589

04/01

HOUSE BILL **1532**

AN ACT relative to the compilation of data on criminal substance abuse in New Hampshire.

SPONSORS: Rep. Tilton, Merr 6; Rep. Butynski, Ches 4

COMMITTEE: Health, Human Services and Elderly Affairs

ANALYSIS

This bill requires the commissioner of the department of health and human services to collect data from local and state law enforcement agencies and emergency medical services providers involving any criminal case involving a controlled drug as defined in RSA 318-B:1, and to consult with the director of the New Hampshire Poison Information Center to develop and maintain a centralized database of such information.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 compilation of data on criminal substance abuse in New Hampshire.

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

1 1 New Subdivision; Collections of Substance Abuse Data. Amend RSA 126-A by inserting after
2 section 49 the following new subdivision:

3 Collection of Substance Abuse Data

4 126-A:49-a Collection of Substance Abuse Data. The commissioner shall collect data from local
5 and state law enforcement agencies and emergency medical services providers involving any
6 criminal case involving a controlled drug as defined in RSA 318-B:1, and shall, in consultation with
7 the director of the New Hampshire Poison Information Center, develop a centralized database of
8 such information which includes, at a minimum, the name of the substance involved, the date,
9 location, and description of the offense, and the ages of all persons charged. The database shall not
10 include any personally identifiable information. The commissioner, in consultation with the director
11 of the New Hampshire Poison Information Center, shall determine the most appropriate method to
12 create and maintain the database as a resource for legislators, state agencies, and law enforcement
13 officials and as a resource to be used in developing policies and legislation to address substance
14 abuse issues in this state.

15 2 Effective Date. This act shall take effect 60 days after its passage.

Speakers

Hearing Minutes

HOUSE COMMITTEE ON HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

PUBLIC HEARING ON HB 1532

BILL TITLE: relative to the compilation of data on criminal substance abuse in New Hampshire.

DATE: January 12, 2010

LOB ROOM: 205 **Time Public Hearing Called to Order:** 2:12 PM

Time Adjourned: 2:40 PM

(please circle if present)

Committee Members: Reps. Rosenwald, Donovan, French, Schulze, Tilton, Butcher, Bridgham, E. Merrick, T. Russell, DiPentima, Miller, Batula, C. McMahon, Pilliod, Emerson, Case, Millham, Wells, Cebrowski and Kotowski.

Bill Sponsors: Rep. Tilton, Merr 6; Butynski, Ches 4

TESTIMONY

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

***Representative Joy Tilton, prime sponsor – supports.** See written testimony. Wants to hold de-identified information in a central location. It will help show we have a problem.

Representative Bill Butynski, co sponsor – supports. He supports the basic idea of collecting the data but would make some changes. He suggests the present task be given to the Governor's Commission on Alcohol & Drug Use. Give them a year to collect data or at least explore the collection of such data. It would better coordinate data across agencies.

Joe Harding, Director, Drug & Alcohol Services, DHHS – opposes. Uses the data to target services. The bill should have a fiscal note. Concerns regarding the actual ability of the department to do what the bill asks. The Governor's Commission may be the appropriate group to entertain the concept of this bill. Good data is important to develop good services.

Respectfully submitted,

Rep. Joan Schulze

Representative Joan Schulze, Clerk

HOUSE COMMITTEE ON HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

PUBLIC HEARING ON HB 1532

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Committee Members: Reps. Rosenwald, Danovan, French, Schulze, Tilton, Butcher, Bridgham, E. Merrick, T. Russell, Dr Pentima, Miller, Batula, C. McMahon, Elliod, Emerson, Case, William, Wells, Cebrowski and Kotowski

Bill Sponsors: Rep. Tilton, Merr 6; Butynski, Ches 4

TESTIMONY

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

- * Rep. Tilton - prime sponsor supports
Wants to hold deidentified information in a central location
- o It will help show we have a problem

Rep Bill Butynski supports the basic idea of collecting the data but would make some changes.
Suggest present task to Gov's ^{to give out} ~~task~~ ^{Commission} on alcohol & ~~Drug~~ ^{Drug} give them a year to collect data or at least explore the collection of such data.
It would ^(better) ~~be~~ ^{coordinated} data across agencies

Joe Harding - Director Drug & Alcohol Services DAHS
opposes this bill
Uses data to target services
The bill should have a fiscal note
Concern re: actual ability of the department to do what bill asks

The Governor's Commission may be the appropriate group to entertain the concept of this bill.

Lead data is important to develop good services.

Testimony

January 12, 2010

Introduction of House Bill 1532 relative to the compilation of data on criminal substance abuse in NH.

Prime Sponsor: Representative Joy K. Tilton

Good Afternoon Madam Chair and members of the Committee. I appreciate this opportunity to introduce House Bill 1532. Again today, for the record, I am Representative Joy K. Tilton and a *member of this committee. I am also Chair of the Caucus on Alcohol and Other Drug Problems.* I represent Merrimack County District 6 consisting of Andover, Boscawen, Canterbury, Loudon, Northfield and Salisbury and I live in Northfield

House Bill 1532 has been a small bee in my bonnet for a very long time. In 2005 when Methamphetamine was the main focus of the caucus, I was asked to speak at a luncheon meeting *of my area's Rotary Club. Wanting to be sure my statistical data was up to date on criminal cases related to "meth",* I contacted the appropriate office for the information and was told that the only data required to be reported "up-stairs" came from the DEA as a report of incident and action the DEA had taken. In other cases the data was kept by the appropriate office in the area where the criminal incident occurred. Having fumed and fussed, and fretted about what I *thought was important but others seemed indifferent to, I finally let go of "my cause" until recently.*

At an early fall meeting, the Caucus had a guest speaker from the Portland, Maine Prescription Drug Overdose Prevention Project. Following that, Dr. Seddon Savage, PhD and professor at Dartmouth gave a presentation on Prescription Drug Monitoring, and Melissa Heinan was our guest from the Poison Control Center. Our round-the-table discussion moved quickly to the need for one centralized location where all de-identified data on cases of criminal substance abuse in New Hampshire could be stored, maintained, and retrieved by legislators, state agencies and law enforcement officials. That evening I found myself engaging in a 7-way email discussion about *whether we could have such a statistical data base on NH criminal substance abuse cases, or be linked to an appropriate, existing data base for storage and retrieval of data needed by state agencies, law enforcement officials and state legislators.* It appeared that the Poison Control Center might be a feasible solution. Thus this bill.

While the Poison Control Center may or may not be the right answer for housing NH's criminal substance abuse de-identified data, with their capacity and separate storage for each of the three states - Maine, New Hampshire and Vermont, it certainly is a place of experience with a working program in place, which is why I believe at a time when the State Budget is so very tight, it is important for the discussion to begin with the Commissioner of DHHS and knowledgeable individuals at the Poison Control Center.

Thank you for your consideration of House Bill 1532.

Voting Sheets

HOUSE COMMITTEE ON HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

EXECUTIVE SESSION on HB 1532

BILL TITLE: relative to the compilation of data on criminal substance abuse in New Hampshire.

DATE: January 20, 2010

LOB ROOM: 205

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. S. Butcher

Seconded by Rep. R. Bridgham

Vote: 17-0 (Please attach record of roll call vote.)

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

Moved by Rep.

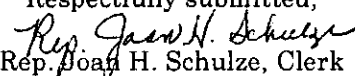
Seconded by Rep.

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

CONSENT CALENDAR VOTE: 17-0

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

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Joann H. Schulze, Clerk

HOUSE COMMITTEE ON HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

EXECUTIVE SESSION on HB 1532

BILL TITLE: relative to the compilation of data on criminal substance abuse in New Hampshire.

DATE: 1/20/2010

LOB ROOM: 205

Amendments:

Sponsor: Rep. OLS Document #:

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Sponsor: Rep. OLS Document #:

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

Moved by Rep. *Butcher*

Seconded by Rep. *Bridgman*

Vote: 17-0 (Please attach record of roll call vote.)

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

Moved by Rep.

Seconded by Rep.

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

CONSENT CALENDAR VOTE:

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

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Joan H. Schulze, Clerk

Consent

HEALTH, HUMAN SERVICES & ELDERLY AFFAIRS

Bill #: HB 1532

Title: relative to the compilation of data on criminal substance abuse in TX

PH Date: 1, 12, 2010

Exec Session Date: 1, 20, 2010

Motion: ITL

Amendment #: _____

MEMBER	YEAS	NAYS
Rosenwald, Cindy, Chairman	17	
Donovan, Thomas E, V Chairman	1	
French, Barbara C	2	
Schulze, Joan H, Clerk	3	
Tilton, Joy K	-	
Butcher, Suzanne S	4	
Bridgham, Robert G	5	
Merrick, Evalyn S	-	
Russell, Trinka T	6	
DiPentima, Rich T	7	
Miller, Kate W	8	
Batula, Peter L	9	
McMahon, Charles E	10	
Pilliod, James P	11	
Emerson, Susan	12	
Case, Frank G	13	
Millham, Alida I	14	
Wells, Roger G	15	
Cebrowski, John W	-	
Kotowski, Frank R	16	
		17 0
TOTAL VOTE:		

Committee Report

CONSENT CALENDAR

January 27, 2010

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Committee on HEALTH, HUMAN SERVICES &
ELDERLY AFFAIRS to which was referred HB1532,**

**AN ACT relative to the compilation of data on criminal
substance abuse in New Hampshire. Having considered
the same, report the same with the following**

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

Rep. Suzanne S Butcher

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	HEALTH, HUMAN SERVICES & ELDERLY AFFAIRS
Bill Number:	HB1532
Title:	relative to the compilation of data on criminal substance abuse in New Hampshire.
Date:	January 20, 2010
Consent Calendar:	YES
Recommendation:	INEXPEDIENT TO LEGISLATE

STATEMENT OF INTENT

This bill would require the Department of Health and Human Services to collect data from law enforcement agencies and emergency medical services regarding criminal cases involving controlled drugs, and to develop and maintain a centralized database of such information. While data collection and statistical analysis may be useful, it is not clear how this would be implemented and at what cost. The committee recommends that the Governor's Commission on Alcohol & Drug Abuse Prevention, Intervention & Treatment assess the types of data that would be useful to its mission and work with the department and agencies to identify practical ways to gather the data.

Vote 17-0.

Rep. Suzanne S Butcher
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

HEALTH, HUMAN SERVICES & ELDERLY AFFAIRS

HB1532, relative to the compilation of data on criminal substance abuse in New Hampshire.
INEXPEDIENT TO LEGISLATE.

Rep. Suzanne S Butcher for HEALTH, HUMAN SERVICES & ELDERLY AFFAIRS. This bill would require the Department of Health and Human Services to collect data from law enforcement agencies and emergency medical services regarding criminal cases involving controlled drugs, and to develop and maintain a centralized database of such information. While data collection and statistical analysis may be useful, it is not clear how this would be implemented and at what cost. The committee recommends that the Governor's Commission on Alcohol & Drug Abuse Prevention, Intervention & Treatment assess the types of data that would be useful to its mission and work with the department and agencies to identify practical ways to gather the data. **Vote 17-0.**

Original: House Clerk
Cc: Committee Bill File

This bill would require the Department of Health and Human Services to collect data from law enforcement agencies and emergency medical services regarding criminal cases involving controlled drugs, and to develop and maintain a centralized database of such information. While data collection and statistical analysis may be useful, it is not clear how this would be implemented and at what cost. The committee recommends that the Governor's Commission on Alcohol & Drug Abuse Prevention, Intervention & Treatment assess the types of data that would be useful to its mission and work with the department and agencies to identify practical ways to gather the data.

CR

HB1532 relative to the compilation of data on criminal substance abuse in New Hampshire. **Inexpedient to Legislate.**

Rep. Suzanne Butcher for ~~the Majority of~~ Health, Human Services & Elderly Affairs: HB1532 would require the Department of Health and Human Services to collect data from law enforcement agencies and emergency medical services regarding criminal cases involving controlled drugs, and to develop and maintain a centralized database of such information. While data collection and statistical analysis may be useful, it is not clear how this would be implemented and at what cost. The Committee recommends that the Governor's Commission on Alcohol & Drug Abuse Prevention, Intervention & Treatment assess the types of data that would be useful to its mission and work with the Department and agencies to identify practical ways to gather the data. **Vote 17-0**

A handwritten signature in black ink, appearing to be the initials 'CB' followed by a horizontal line.

COMMITTEE REPORT

Butcher

COMMITTEE: HHS + E

BILL NUMBER: HB1532

TITLE: Relative to the compilation of data on criminal substance abuse in N.H.

DATE: 1-20-2010 CONSENT CALENDAR: YES NO

- OUGHT TO PASS
- OUGHT TO PASS W/ AMENDMENT
- INEXPEDIENT TO LEGISLATE
- INTERIM STUDY (Available only 2nd year of biennium)

Amendment No. _____

STATEMENT OF INTENT:

COMMITTEE VOTE: 17-0

RESPECTFULLY SUBMITTED,

- | |
|---|
| <ul style="list-style-type: none"> • Copy to Committee Bill File • Use Another Report for Minority Report |
|---|

Rep. *S. Butcher*
For the Committee