

Bill as Introduced

HB 407 - AS INTRODUCED

2011 SESSION

11-0651
01/03

HOUSE BILL **407**

AN ACT establishing a committee to study the rising incidence of autism.

SPONSORS: Rep. S. Keans, Straf 1; Rep. Schlachman, Rock 13

COMMITTEE: Health, Human Services and Elderly Affairs

ANALYSIS

This bill establishes a committee to study the rising incidence of autism.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 Eleven

AN ACT establishing a committee to study the rising incidence of autism.

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

1 1 Statement of Intent. The general court recognizes that the incidence of autism has risen in
2 recent years from one in 160 individuals to one in 110 such individuals. The general court further
3 recognizes that the impact of autism on families and society could be catastrophic without early
4 identification and intervention. Therefore, the general court hereby establishes a committee to study
5 the rising incidence of autism and the supportive services that may be necessary to treat individuals
6 with autism.

7 2 Committee Established. There is established a committee to study the rising incidence of
8 autism.

9 3 Membership and Compensation.

10 I. The members of the committee shall be as follows:

11 (a) Three members of the house of representatives, appointed by the speaker of the
12 house of representatives.

13 (b) Two members of the senate, appointed by the president of the senate.

14 II. Members of the committee shall receive mileage at the legislative rate when attending to
15 the duties of the committee.

16 4 Duties. The committee shall study the rising incidence of autism, including but not limited to:

17 (a) The whole spectrum for accompanying medical conditions which could include
18 dyslexia, auditory processing disorder, and sensory integration dysfunction.

19 (b) Supportive services which may prove to have a mitigating influence on autism, such
20 as aquaholics and hippotherapy and how to increase the availability of such treatments.

21 (c) The financial effects of autism on families and society.

22 (d) Whether there will be enough trained health care providers to care for the rising
23 numbers of individuals with autism.

24 5 Chairperson; Quorum. The members of the study committee shall elect a chairperson from
25 among the members. The first meeting of the committee shall be called by the first-named house
26 member. The first meeting of the committee shall be held within 45 days of the effective date of this
27 section. Three members of the committee shall constitute a quorum.

28 6 Report. The committee shall report its findings and any recommendations for proposed
29 legislation to the speaker of the house of representatives, the president of the senate, the house
30 clerk, the senate clerk, the governor, and the state library on or before November 1, 2011.

31 7 Effective Date. This act shall take effect upon its passage.

Speakers

Hearing Minutes

HOUSE COMMITTEE ON HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

PUBLIC HEARING ON HB 407

BILL TITLE: establishing a committee to study the rising incidence of autism.

DATE: 2/8/11

LOB ROOM: 205 **Time Public Hearing Called to Order:** 10:45 am

Time Adjourned: 11:00

(please circle if present)

Committee Members: Reps. Reagan, Kotowski, Pilliod, Emerson, McMahon, Barry, Millham, Case, Cusson-Cail, Donovan, Fredette, LeBrun, S. Schmidt, MacKay, Merrick, DiPentima, Harding and Deloge.

Bill Sponsors: Rep. S. Keans, Straf 1; Rep. Schlachman, Rock 13

TESTIMONY

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

Rep. Sandie Keans – Supports Bill. Was not aware of an Autism Commission. Has three constituents that have children with autism.

Kathleen Murphy, NH DOE – Supports Bill. Serves on Autism Commission. Department of Education is training teachers, holding workshops, gathering data. NH Technical Institute is training firemen and policemen on autism. Rep. Harding – look at the people on this Bill to see if some could be incorporated into Commission? Need to get information out to the parents and schools. Rep. MacKay – issue a news release to market this Commission.

Rep. Donna Schlachman – Co-Sponsor of Bill. Early service – children slipping through the cracks. Look at the recommendation the Commission puts out and see what's being done.

Kirsten Murphy – Opposes Bill. RSA 171:A – President of the Autism Commission – Eighteen sit on Autism Council. No funding for this council. She is hired part-time. Eight separate working groups:

Collection of Data; National Rates; Diagnosing; Treat kids early enough – early intervention – it's treatable. Safety at Police Academy – two hour class. "Warning – there's a child with autism in this car."

1. Insurance – Conner's Law; 2. Reflects Best Practice; 3. Healthy Kids Silver & Gold; 4. Best Practice.

Resends Conner's Law in Commercew – (same Bill for Deaf Bill.)

*Samantha Bahis – (HB 396 in 2007; HB 1634). Has a son with autism. 3.2 million to treat a child through 12th grade. 250 families contacted her after WMUR TV did a story on her. Her son has not

received services since November, 2010. Has heart defect, stomach and gastrointestinal problems. Co-pay for insurance is \$15.00/month. ASD is not recognized. Wants teachers to have mandated teacher training.

Respectfully submitted,


Susan Emerson, Clerk

Subcommittee

Kotowski

Emerson

Fredette

MacKay

HOUSE COMMITTEE ON HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

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Bill Sponsors: Rep. S. Keans, Straf 1; Rep. Schlachman, Rock 13

TESTIMONY

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

Rep. Dandie Keans -

Wasn't aware of an Autism Commission

has 3 constituents that have children w/autism

Kathleen Murphy - w/ Dept of Ed & is on the

Commission - Dept of Ed. is training teachers

holding work shops - gathering data - NH Sec Ins

is training fire men & police on Autism -

Rep Hardeck - look @ the people on this bill to

see if some could be incorporated into the

Commission - Need to get info out to the parents

& schools - Rep Mac Kay - put a news release

out to market this commission.
Rep. Donna Schlachman

Co sponsor of this bill - Early service - children slipping through the cracks. Cook @ the records the Commission puts out & see what's being done -

(No) Kirsten Murphy - RSA 17127
President of the Autism Comm.

18 sit on Autism Council - No funding for this council - She is hired part time - 8 separate working groups -

1. Collection of data - Nat'l rates - Diagnosing kids early enough - Early intervention is treatable - Softy @ Police Academy - 2 HRS. "Warning" class

There's a child w/ Autism in this car.

1. Insurance - Connors Law -
2. Reflects Best Practice
3. Healthy Kids Silver & Gold -
4. Best Practice

Resends Connors Law in Commerce - (same bill for Deaf Bill)

HB 396
2007

* Samatha BAHIS

son w/ Autism - 3.2 million in 20

1634 HB

treat a child through 12th grade. 250 families contacted her after WMUR

TV did a story on her. Her son has not received services since Nov 2010 - Has heart defect - Stomach & gastrointestinal problems. Co-pay for Ins. is 1500. a mo. ASD is not recognized - Wants teachers to have mandated Teacher Training

Sub-Committee Minutes

HOUSE COMMITTEE ON HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

SUBCOMMITTEE WORK SESSION ON HB 407

BILL TITLE: establishing a committee to study the rising incidence of autism.

DATE: 2/18/11

Subcommittee Members: Reps. Kotowski, Emerson, MacKay

Comments and Recommendations:

Recommend ITL

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

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

Moved by Rep. Kotowski

Seconded by Rep. Emerson

Vote: 3-0

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

Moved by Rep.

Seconded by Rep.

Vote:



Respectfully submitted,

Rep. Frank Kotowski
Subcommittee Chairman/Clerk

HOUSE COMMITTEE ON HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

SUBCOMMITTEE WORK SESSION ON HB 407

BILL TITLE: establishing a committee to study the rising incidence of autism.

DATE: 2/18/11

Subcommittee Members: Reps. KOTOWSKI - EMERSON - MACKAY

Comments and Recommendations: Recommend I.T.L.

Amendments: None

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

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

Moved by Rep. KOTOWSKI

Seconded by Rep. EMERSON

Vote: 3 0

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

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Rep.
Subcommittee Chairman/Clerk

Frank R. Kotowski

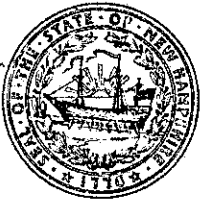
Notes
2/18/11

Subcommittee Work
Session on HB 407

Frank -
Made the motion to ITC
this bill - It is too much like
Rep Suzanna Beecher's Bill that
passed in 2010.
HB 569 passed 2010

* Catrina Watson
NH. Med. Society

Testimony



State of New Hampshire

HOUSE OF REPRESENTATIVES

CONCORD

February 8, 2011

Honorable members of the Health Human Services and Elderly Affairs Committee,

Due to public hearings in my own committee, I am unable to testify in person in **support of HB 407**, which I am proud to cosponsor.


This bill was submitted at the request of a constituent of Rep. Keans. I agreed to be a cosponsor because of what I learned in the hearings before the Commerce Committee last year concerning insurance coverage for children within the autism spectrum disorder.

It is clear that not only is the incidence of autism rising, our educators and educational systems are challenged to keep up with the supports and services that these children need to maximize their development and reduce their reliance on comprehensive services in adulthood.

While some of the most expert and capable minds in the fields of health and education sit on the *NH Commission on Autism Spectrum Disorders*, it is unclear how well NH has been able to implement the Commission's recommendations. It is important, from both human and economic perspectives, for the legislature to take a lead role in ensuring that we are keeping up with successful early intervention and educational strategies, and are not losing time that not only cannot be made up but can also have an irreversible negative impact on individual development and educational outcomes.

This study committee is a mechanism for ensuring the NH educators and schools are getting the training and supports needed to provide appropriate and necessary programs for these children.

Please join me in supporting HB 407.


Rep. Donna Schlachman
Commerce and Consumer Affairs Committee
Rockingham District #13
Exeter, No. Hampton, Stratham



The New Hampshire
Council on
Autism Spectrum Disorders

Putting the Pieces Together

Kirsten Murphy, *Administrative Director*

Kirsten.Murphy23@gmail.com
www.nhcouncilonasd.org

I am Samantha Battis, a voting constituent in
Rochester, NH.

HB 407

I appreciate the wisdom of the legislature creating the New Hampshire Commission on Autism Spectrum Disorders with HB 396 in June 2007. I appreciate the Commission's research and recommendations.

I appreciate the work of the New Hampshire Council on Autism Spectrum Disorders that was established with HB 1634 in 2008. I appreciate their website as a resource for families living with Autism Spectrum Disorders. I appreciate the New Hampshire Autism Registry established in 2006. I am thankful for their support for early screening, diagnosis and intervention. It took us 17 doctors before our son received his diagnosis. I thank Kirsten Murphy for her efforts on behalf of families living with ASD.

The responsibilities of the Council are broad and comprehensive. The financial burden on families, communities and state are overwhelming. In their 2008 *Findings and Recommendations* the Commission reports a Harvard School of Public Health study that found the individual estimated lifetime cost -both direct and indirect - associated with Autism to be \$3.2 million

As a parent of a child on the Autism Spectrum I share the Commission's mission as stated in their 2008 *Findings and Recommendations*:

"The Commission in its recommendations seeks to encourage the adoption of policies and practices that will reduce cost and increase the long-term economic independence, health and well-being of New Hampshire's citizens with Autism Spectrum Disorders." (ASD)

Like every parent I wish these things for my son. I am asking for your help to accomplish this - not just for our family, for all families living with ASD. Such as the 250 families that contacted me following the story by Jennifer Vaughn on WMUR about us and those who tell their stories on my website and ask for help.

and my T.V. programs

National health care guidelines that are endorsed by the New Hampshire Department of Health and Human Services and the Department of Education include "Educational Services should include a minimum of

25 hours a week/ 12 months a year in which the child is engaged in systematically planned, developmentally appropriate educational activity aimed toward identified objectives". (From National Research Council *Educating Children with Autism 2001*. This is a challenge for families and communities. My son has not received school services since November.

While ASD is not curable it is treatable. Any single individual with ASD will have a unique mix of symptoms (which may include other chronic conditions, including immune system and gastrointestinal disorders, seizures and psychiatric conditions such as anxiety and depression) within a complex array of Autistic Spectrum Disorders and this personal profile will change over time. My son has a heart defect, 2 growths on his Thalamus & gastrointestinal dysfunction.

Again, citing from the Commission's 2008 *Findings and Recommendations*, "Effective programming for children with Autism and their families requires that direct service providers (e.g., special education teacher, regular education teacher, early childhood teacher, speech and language pathologist) be part of a support system team, not an isolated individual that is struggling with complex neurological sociological, educational and behavioral problems." Again this is a challenge for families and communities as well as a financial burden.

The co-pays for my son's treatment average \$1500 per month. Our experience has shown us that most complications and disruptions have come from a lack of knowledge and understanding about ASD by the direct service providers in local schools – teachers, nurses and administrators even when the district's administration does have an understanding and is knowledgeable. ASD is a hidden disability and many interpret its symptoms as a behavior problem. Often that interpretation escalates the situation.

I encourage you to consider a proposal that would not add to the present financial burden, but would greatly benefit persons living with ASD, their families and the direct service providers that make up the support system team for persons living with ASD.

Currently some special ASD training is offered for paraprofessionals. Currently teachers are mandated to complete a specified number of hours of continuing education. I suggest to you that a minimum of 5% to 7% of those continuing education hours be mandated to be related to Autism Spectrum Disorders.

I believe that if the direct service providers in our life had received adequate training about ASD our life would have been very different.

Thank you for your time and your support for families living with Autism Spectrum Disorders.

Voting Sheets

HOUSE COMMITTEE ON HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

EXECUTIVE SESSION on HB 407

BILL TITLE: establishing a committee to study the rising incidence of autism.

DATE: 3/1/11

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. Case

Seconded by Rep. LeBrun

Vote: 16-0 (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.)

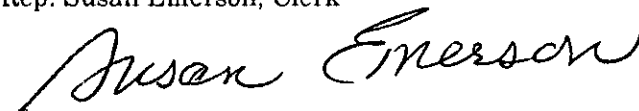
CONSENT CALENDAR VOTE: 16-0

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

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Susan Emerson, Clerk



HOUSE COMMITTEE ON HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

EXECUTIVE SESSION on HB 191

BILL TITLE: ~~relative to the community mental health system.~~ **AUTISM**

DATE: **3/1/11**

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. **Case**

Seconded by Rep. **Le Brun**

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

16 - 0

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. Susan Emerson, Clerk

Susan Emerson

*Sue Committee
KOTOWSKI*

HEALTH, HUMAN SERVICES & ELDERLY AFFAIRS

Bill #: 407 Title: ESTABLISHING A COMMITTEE TO STUDY THE RISING INCIDENCE OF AUTISM
 PH Date: 2, 8, 11 Exec Session Date: 3, 1, 11

Motion: ITL Amendment #: _____

MEMBER	YEAS	NAYS
Reagan, John M, Chairman		
Kotowski, Frank R, V Chairman	✓	
Pilliod, James P	✓	
Emerson, Susan	✓	
McMahon, Charles E	✓	
Barry, J. Gail	✓	
Millham, Alida I	✓	
Case, Frank G	✓	
Cusson-Cail, Kathleen J	✓	
Donovan, Daniel A	✓	
Fredette, Robert A	✓	
LeBrun, Donald L	✓	
Schmidt, Stephen J	✓	
MacKay, James R	✓	
Merrick, Evalyn S	✓	
DiPentima, Rich T	✓	
Harding, Laurie		
Deloge, Helen M	✓	
TOTAL VOTE:	16	0

Committee Report

CONSENT CALENDAR

March 2, 2011

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on HEALTH, HUMAN SERVICES & ELDERLY AFFAIRS to which was referred HB407,

AN ACT establishing a committee to study the rising incidence of autism. Having considered the same, report the same with the following Resolution:

RESOLVED, That it is INEXPEDIENT TO LEGISLATE.

Rep. Donald L LeBrun

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	HEALTH, HUMAN SERVICES & ELDERLY AFFAIRS
Bill Number:	HB407
Title:	establishing a committee to study the rising incidence of autism.
Date:	March 2, 2011
Consent Calendar:	YES
Recommendation:	INEXPEDIENT TO LEGISLATE

STATEMENT OF INTENT

After reviewing the testimony from the Public Hearing weighing the current situation, it was agreed that this issue is unlikely to be further helped by creating a second autism study committee. Reference HB 569, whereby the Commission on Autism Spectrum disorders was created in 2010.

Vote 16-0.

Rep. Donald L LeBrun
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

HEALTH, HUMAN SERVICES & ELDERLY AFFAIRS

HB407, establishing a committee to study the rising incidence of autism. **INEXPEDIENT TO LEGISLATE.**

Rep. Donald L LeBrun for HEALTH, HUMAN SERVICES & ELDERLY AFFAIRS. After reviewing the testimony from the Public Hearing weighing the current situation, it was agreed that this issue is unlikely to be further helped by creating a second autism study committee. Reference HB 569, whereby the Commission on Autism Spectrum disorders was created in 2010. **Vote 16-0.**

Original: House Clerk
Cc: Committee Bill File

COMMITTEE REPORT

COMMITTEE: HNS

BILL NUMBER: 407

TITLE: ESTABLISHING A COMMITTEE TO STUDY THE RISING INCIDENCE OF AUTISM

DATE: 2-2 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:

AFTER REVIEWING THE TESTIMONY FROM THE PUBLIC HEARINGS & WEIGHING THE CURRENT SITUATION, IT WAS AGREED THAT THIS ISSUE ~~WAS~~ IS UNLIKELY TO BE FURTHER HELPED BY CREATING A NEW STUDY COMMITTEE. REFERENCE H.B. 569 WHICH THE COMMISSION ON AUTISM SPECTRUM DISORDERS WAS CREATED IN 2010.

[Signature]

COMMITTEE VOTE: 3-0 *[initials]*

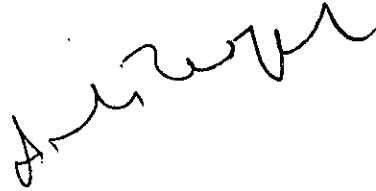
RESPECTFULLY SUBMITTED,

- Copy to Committee Bill File
- Use Another Report for Minority Report

Rep. *Frank R. Kotowski*
For the Committee

HB 407

After reviewing the testimony from the Public Hearing weighing the current situation, it was agreed that this issue is unlikely to be further helped by creating a second autism study committee. Reference HB 569, whereby the Commission on Autism Spectrum disorders was created in 2010.

A handwritten signature in black ink, appearing to be "A. Smith", written diagonally across the page.

HB 407

After reviewing the testimony from the Public Hearing weighing the current situation, it was agreed that this issue is unlikely to be further helped by creating a ~~new~~ study committee. Reference HB 569, whereby the Commission on Autism Spectrum disorders was created in 2010.

SECOND AUTISM

A handwritten signature in black ink, appearing to be "J. [unclear]".