

# Committee Report

**CONSENT CALENDAR**

**February 3, 2021**

**HOUSE OF REPRESENTATIVES**

**REPORT OF COMMITTEE**

**The Committee on Health, Human Services and Elderly  
Affairs to which was referred HB 363,**

**AN ACT creating a committee to study appointing an  
inspector general for nursing homes in New Hampshire.**

**Having considered the same, report the same with the  
following resolution: RESOLVED, that it is  
INEXPEDIENT TO LEGISLATE.**

**Rep. Leah Cushman**

**FOR THE COMMITTEE**

## COMMITTEE REPORT

Committee:	<b>Health, Human Services and Elderly Affairs</b>
Bill Number:	<b>HB 363</b>
Title:	<b>creating a committee to study appointing an inspector general for nursing homes in New Hampshire.</b>
Date:	<b>February 3, 2021</b>
Consent Calendar:	<b>CONSENT</b>
Recommendation:	<b>INEXPEDIENT TO LEGISLATE</b>

### STATEMENT OF INTENT

This bill would create a commission to study creating an additional, redundant layer of regulation and oversight. Long-term care facilities are licensed, certified, and inspected by the federal government, state government, and the Office of Long-term Care Ombudsman. The County Delegations have additional oversight on the county nursing homes. The committee members agree that a commission to study creating a position of an Inspector General for Nursing Homes in New Hampshire is unnecessary, and gave the bill a unanimous recommendation of inexpedient to legislate.

Vote 21-0.

Rep. Leah Cushman  
FOR THE COMMITTEE

Original: House Clerk  
Cc: Committee Bill File

## CONSENT CALENDAR

Health, Human Services and Elderly Affairs

**HB 363**, creating a committee to study appointing an inspector general for nursing homes in New Hampshire. **INEXPEDIENT TO LEGISLATE.**

Rep. Leah Cushman for Health, Human Services and Elderly Affairs. This bill would create a commission to study creating an additional, redundant layer of regulation and oversight. Long-term care facilities are licensed, certified, and inspected by the federal government, state government, and the Office of Long-term Care Ombudsman. The County Delegations have additional oversight on the county nursing homes. The committee members agree that a commission to study creating a position of an Inspector General for Nursing Homes in New Hampshire is unnecessary, and gave the bill a unanimous recommendation of inexpedient to legislate.

**Vote 21-0.**

Original: House Clerk

Cc: Committee Bill File

# Voting Sheets

**HOUSE COMMITTEE ON HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS**

**EXECUTIVE SESSION on HB 363**

**BILL TITLE:** creating a committee to study appointing an inspector general for nursing homes in New Hampshire.

**DATE:** February 1, 2021

**LOB ROOM:** 306/308

**MOTIONS: INEXPEDIENT TO LEGISLATE**

Moved by Rep. Knirk

Seconded by Rep. Weber

Vote: 21-0

**CONSENT CALENDAR: YES**

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

Respectfully submitted,

Rep Beth Folsom, Clerk

STATE OF NEW HAMPSHIRE  
OFFICE OF THE HOUSE CLERK



1/22/2021 10:06:45 AM  
Roll Call Committee Registers  
Report

2021 SESSION

Health, Human Services and Elderly Affairs

Bill #: HB363 Motion: ITL AM #: \_\_\_\_\_ Exec Session Date: 2/1/2021

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Pearson, Mark A. Chairman	21		
Marsh, William M. Vice Chairman	1		
McMahon, Charles E.	2		
Nelson, Bill G.	3		
Acton, Dennis F.	4		
Gay, Betty I.	5		
Cushman, Leah P.	6		
Folsom, Beth A. Clerk	7		
Kelsey, Niki	8		
King, Bill C.	9		
Kofalt, Jim	10		
Weber, Lucy M.	11		
MacKay, James R.	12		
Snow, Kendall A.	13		
Knirk, Jerry L.	14		
Salloway, Jeffrey C.	15		
Cannon, Gerri D.	16		
Nutter-Upham, Frances E.	17		
Schapiro, Joe	18		
Woods, Gary L.	19		

STATE OF NEW HAMPSHIRE  
OFFICE OF THE HOUSE CLERK



1/22/2021 10:06:45 AM  
Roll Call Committee Registers  
Report

2021 SESSION

Health, Human Services and Elderly Affairs

Bill #: HB363 Motion: ITL AM #: \_\_\_\_\_ Exec Session Date: 2/1/2021

Merchant, Gary		20		
<b>TOTAL VOTE:</b>		21	0	0



# Hearing Minutes

**HOUSE COMMITTEE ON HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS**

**PUBLIC HEARING on Bill # HB 363**

**BILL TITLE:** An Act creating a committee to study appointing an inspector general for nursing homes in New Hampshire

**DATE:** 2/1/2021

**ROOM:** 206/8

**Time Public Hearing Called to Order:** 2:03 PM

**Time RECESSED:** 2:15 PM

**Committee Members Present:**

**In Room 206/8: Reps. M. Pearson, Folsom, McMahon, Gay, Cushman, B. King, MacKay  
On Zoom from home:**

**Marsh, Nelson, Acton, Kelsey, Kofalt, Snow, Knirk, Salloway, Cannon, Weber, Nutter-Upham, Schapiro, Woods and Merchant**

**TESTIMONY**

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

Representative Joe Alexander introduced bill

No demonstrated need.

It shows that legislators are taking an active role.

House Reps. already part of the county inspections

This is a different level of government.

Made up of only legislators - no stake holders.

Legislative committee can call witnesses, a commission can not.

Teresa Rosenberg

There are already many levels of oversight, ie. DHHS & Federal Agencies

Carolyn Vertae, Granite Case Management

in home community based care management. Please include this group if this bill moves forward.

## House Remote Testify

Health, Human Services and Elderly Affairs Committee Testify List for Bill HB363 on 2021-02-01

Support: 7 Oppose: 1 Neutral: 1 Total to Testify: 3

<u>Name</u>	<u>Email Address</u>	<u>Phone</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>Signed Up</u>
Fenton, Donovan	donovanfenton@gmail.com	603.313.7991	An Elected Official	Myself	Support	Yes (0m)	1/25/2021 3:29 PM
Alexander, Rep Joe	Joe.Alexander@leg.state.nh.us	603.856.5227	An Elected Official	Myself	Support	Yes (0m)	1/28/2021 3:59 PM
Rosenberger, Teresa	Trosenberger@bernsteinshur.com	603.396.6865	A Lobbyist	NH Healthcare Association	Neutral	Yes (0m)	2/1/2021 1:50 PM
Dewey, Karen	pkdewey@comcast.net	603.504.2813	A Member of the Public	Myself	Oppose	No	1/31/2021 1:22 PM
Rathbun, Eric	ericrathbun@gmail.com	860.912.3751	A Member of the Public	Myself	Support	No	1/31/2021 10:19 PM
Gorhan, Jessica	jessica@gorhanconsulting.com	603.748.9532	A Member of the Public	Greater Nashua Food Council	Support	No	2/1/2021 10:40 AM
McNutt, Doug	dmcnuttt@aarp.org	603.858.4640	A Lobbyist	AARP	Support	No	2/1/2021 11:49 AM
Plomp, Catharina	catharinaplomp@gmail.com	603.727.2231	A Member of the Public	Myself	Support	No	2/1/2021 12:49 PM
Dickinson, Jeff	jdickinson@gsil.org	603.410.6526	A Member of the Public	Granite State Independent Living	Support	No	2/1/2021 1:11 PM

# Testimony



## ASSOCIATION OF INSPECTORS GENERAL

524 West 59th Street, 53334HH  
New York, NY, 10019  
212-237-8001

Stephen B. Street, Jr.  
President

Gregory L. Hill  
Executive Director

Testimony on HB 363

By

Stephen Street, Louisiana State Inspector General and President - Association of Inspectors General

David McClintock, Jefferson Parish Inspector General and Chair - Governmental Relations Committee, Association of Inspectors General

To

New Hampshire House of Representatives  
Health, Human Services and Elderly Affairs Committee

February 1, 2021

The Association of Inspectors General is very appreciative of the opportunity afforded by Representative Fenton to submit testimony before the Health, Human Services and Elderly Affairs Committee on HB 363 - Creating a committee to study appointing an inspector general for nursing homes in New Hampshire.

The Association of Inspectors General (AIG) was formed in 1996 to foster and promote public accountability and integrity in the general areas of the prevention, examination, investigation, audit, detection, elimination and prosecution of fraud, waste and abuse. The AIG accomplishes this primarily through the issuance of the *Principles and Standards for Offices of Inspectors General*, known as the “Green Book”, and the establishment of professional qualifications, certification, and licensing.

Today, the AIG consists of more than 2,250 members from 29 states representing 550 federal, U.S. military, state, municipal agencies, state and private universities, law firms, private corporate auditing firms and three foreign countries. Our members operate across a diverse governmental landscape, although each is intended to serve in an independent and objective manner.

The AIG positively recommends that an OIG be formally created via charter, statute or ordinance. The authority should establish the OIG's mandate, authority and powers; provide for

confidentiality of records and proceedings; identify qualifications for the inspector general and staff; protect the office's independence; and provide protection to whistleblowers. The AIG has recognized that independence is especially important in the areas of appointment and removal, terms of appointment, organizational placement, funding and access to people and information.

Model legislation supporting the sound development of an OIG is available on our website, should that be of assistance in your efforts.<sup>1</sup> The AIG stands ready to serve as a continuing resource to the Health, Human Services and Elderly Affairs Committee, throughout their efforts to study and evaluate the appointment of an inspector general for nursing homes in New Hampshire.

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<sup>1</sup> <http://inspectorsgeneral.org/files/2011/01/IG-Model-Legislation.pdf>





## ASSOCIATION OF INSPECTORS GENERAL

524 West 59th Street, 53334HH  
New York, NY, 10019  
212-237-8001

Stephen B. Street, Jr.  
President

Gregory L. Hill  
Executive Director

### TRANSMITTAL OF WRITTEN TESTIMONY RE: HB363 (2021)

January 28, 2021

VIA E-MAIL ONLY:  
[hhsea@leg.state.nh.us](mailto:hhsea@leg.state.nh.us)

The Honorable Mark Pearson  
Health, Human Services and Elderly Affairs Committee  
107 North Main Street  
LOB Room 205  
Concord, NH 03301

Dear Chairman Pearson and Committee Members:

On behalf of the Association of Inspectors General, we the undersigned are pleased to provide the attached written testimony in support of HB 363, Creating a committee to study appointing an inspector general for nursing homes in New Hampshire. We hope that the committee finds the attached testimony helpful in its consideration of the proposed bill.

Respectfully submitted,

Stephen B. Street, Jr.  
President, Association of Inspectors General  
Louisiana State Inspector General

David McClintock  
Chair, Association of Inspectors General Governmental Relations Committee  
Inspector General, Jefferson Parish Office of Inspector General

Bill as  
Introduced



HB 363 - AS INTRODUCED

2021 SESSION

21-0306

08/10

HOUSE BILL           **363**

AN ACT                creating a committee to study appointing an inspector general for nursing homes  
in New Hampshire.

SPONSORS:           Rep. Fenton, Ches. 8; Rep. Alexander Jr., Hills. 6

COMMITTEE:         Health, Human Services and Elderly Affairs

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ANALYSIS

This bill creates a committee to study appointing an inspector general for nursing homes in New Hampshire.

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Explanation:         Matter added to current law appears in ***bold italics***.  
Matter removed from current law appears ~~[in brackets and struckthrough.]~~  
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 Twenty One*

AN ACT                    creating a committee to study appointing an inspector general for nursing homes in New Hampshire.

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

1            1 Committee Established. There is established a committee to study appointing an inspector  
2 general for nursing homes in New Hampshire.

3            2 Membership and Compensation.

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

5                    (a) Three members of the house of representatives, appointed by the speaker of the  
6 house of representatives.

7                    (b) Three members of the senate, appointed by the president of the senate.

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

10           3 Duties. The committee shall study appointing an inspector general for nursing homes in New  
11 Hampshire..

12           4 Chairperson; Quorum. The members of the study committee shall elect a chairperson from  
13 among the members. The first meeting of the committee shall be called by the first-named house  
14 member. The first meeting of the committee shall be held within 45 days of the effective date of this  
15 section. Four members of the committee shall constitute a quorum.

16           5 Report. The committee shall report its findings and any recommendations for proposed  
17 legislation to the speaker of the house of representatives, the president of the senate, the house  
18 clerk, the senate clerk, the governor, and the state library on or before November 1, 2021.

19           6 Effective Date. This act shall take effect upon its passage.