LEGISLATIVE COMMITTEE MINUTES

SB120

Bill as Introduced

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SB 120 - AS INTRODUCED

2021 SESSION

21-0885 10/04

SENATE BILL	120
AN ACT	relative to physician assistant medical services through the Manchester Veterans Administration Medical Center.
SPONSORS:	Sen. Sherman, Dist 24; Sen. Bradley, Dist 3; Sen. D'Allesandro, Dist 20; Rep. Marsh, Carr. 8; Sen. Gray, Dist 6; Sen. Soucy, Dist 18; Rep. Knirk, Carr. 3
COMMITTEE:	Health and Human Services

ANALYSIS

This bill modifies the requirements for out-of-state physician assistants and state-licensed physician assistants to offer medical services through the Veterans Administration Medical Center.

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removed from current law appears [in brackete and struckthrough.]Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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SB 120 - AS INTRODUCED

21-0885 10/04

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT

relative to physician assistant medical services through the Manchester Veterans Administration Medical Center.

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

Physician Assistants; Manchester Veterans Administration Medical Center. Amend RSA 328 D:2-a to read as follows:

3 328-D:2-a Licensure Requirements Suspended; Manchester Veterans Administration Medical
 4 Center.

I. New Hampshire state licensure laws, rules, and regulations for physician assistants are 5 hereby suspended for those physician assistants from other states [or countries] who are employed 6 by the United States Department of Veterans Affairs and who are offering medical services to 7 patients [of the Manchester] coordinated through the Veterans Administration Medical Center 8 (VAMC) at licensed medical facilities outside of the Manchester VAMC, provided that such physician 9 assistants are acting within the scope of their employment at the VAMC and possess a current 10 license in good standing in their respective state [or country] of licensure. New Hampshire 11 physician assistants who are employed by the United States Department of Veterans 12 Affairs and who are offering medical services to patients of the Veterans Administration 13 Medical Center (VAMC) and requesting licensure in New Hampshire may be supervised by 14 physicians from other states provided they possess a current license in good standing in 15 16 their respective state.

17 II. The acting director of the Manchester VAMC shall submit to the executive director of the 18 New Hampshire office of professional licensure and certification, or designee, a list of all out-of-state 19 [or-out of country] physician assistants offering services in the state of New Hampshire and out-of-20 state physicians accepting supervisory responsibility of New Hampshire physician 21 assistants.

22 III. Nothing in this section shall be construed to preempt or supplant an individual licensed 23 medical facility's policies regarding the emergency credentialing of physician assistants or any other 24 medical personnel.

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

SB 120 - AS AMENDED BY THE SENATE

2021 SESSION

21-0885 10/04

SENATE BILL 120

AN ACT relative to physician assistant medical services through the Manchester Veterans Administration Medical Center.

SPONSORS: Sen. Sherman, Dist 24; Sen. Bradley, Dist 3; Sen. D'Allesandro, Dist 20; Rep. Marsh, Carr. 8; Sen. Gray, Dist 6; Sen. Soucy, Dist 18; Rep. Knirk, Carr. 3

COMMITTEE: Health and Human Services

AMENDED ANALYSIS

This bill modifies the requirements for out-of-state or out-of country physician assistants and state-licensed physician assistants to offer medical services through the Veterans Administration Medical Center.

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17 II. The acting director of the Manchester VAMC shall submit to the executive director of the 18 New Hampshire office of professional licensure and certification, or designee, a list of all out-of-state 19 or out-of-country physician assistants offering services in the state of New Hampshire and out-of-20 state or out-of-country physicians accepting supervisory responsibility of New Hampshire 21 physician assistants.

III. Nothing in this section shall be construed to preempt or supplant an individual licensed
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SB 120 - AS AMENDED BY THE HOUSE

02/18/2021 0429s 3Jun2021... 1187h

2021 SESSION

21-0885 10/04

SENATE BILL	120
ANACT	relative to physician assistant medical services through the Manchester Veterans Administration Medical Center.
SPONSORS:	Sen. Sherman, Dist 24; Sen. Bradley, Dist 3; Sen. D'Allesandro, Dist 20; Rep. Marsh, Carr. 8; Sen. Gray, Dist 6; Sen. Soucy, Dist 18; Rep. Knirk, Carr. 3
COMMITTEE:	Health and Human Services

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STATE OF NEW HAMPSHIRE

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18 II. The acting director of the Manchester VAMC shall submit to the executive director of the 19 New Hampshire office of professional licensure and certification, or designee, a list of all out-of-state 20 or out-of-country *licensed* physician assistants offering services in the state of New Hampshire and 21 *out-of-state licensed physicians accepting supervisory responsibility of physician* 22 assistants.

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CHAPTER 151 SB 120 - FINAL VERSION

02/18/2021 0429s 3Jun2021... 1187h

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2021 SESSION

21-0885 _| 10/04

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COMMITTEE:	Health and Human Services

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CHAPTER 151 SB 120 - FINAL VERSION

02/18/2021 0429s 3Jun2021... 1187h

21-0885 10/04

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT relative to physician assistant medical services through the Manchester Veterans Administration Medical Center.

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III. Nothing in this section shall be construed to preempt or supplant an individual licensed
 medical facility's policies regarding the emergency credentialing of physician assistants or any other
 medical personnel.

151:2 Effective Date. This act shall take effect 60 days after its passage.

Approved: July 23, 2021 Effective Date: September 21, 2021

Committee Minutes

SENATE CALENDAR NOTICE Health and Human Services

Sen Jeb Bradley, Chair Sen James Gray, Vice Chair Sen Kevin Avard, Member Sen Tom Sherman, Member Sen Rebecca Whitley, Member

Date: February 10, 2021

HEARINGS

	Wednesday	02/10/20	02/10/2021		
(Day) Health and Human Services		(Date)	(Date)		
		REMOTE 000	8:30 a.m.		
(Name of	Committee)	(Place) (7			
8:30 a.m.	SB 120	relative to physician assistant medical services throug Manchester Veterans Administration Medical Center.			
8:45 a.m.	SB 121	relative to a state-based health exchange.			
9:00 a.m.	SB 123	relative to copayments for COVID-19 testing.			
9:30 a.m.	SB 132-FN	adopting omnibus legislation relative to COVID-19.			

Committee members will receive secure Zoom invitations via email.

Members of the public may attend using the following links:

1. Link to Zoom Webinar: https://www.zoom.us/j/99818019001

2. To listen via telephone: Dial(for higher quality, dial a number based on your current location):

1-301-715-8592, or 1-312-626-6799 or 1-929-205-6099, or 1-253-215-8782, or 1-346-248-7799, or 1-669-900-6833

3. Or iPhone one-tap: US: +16465588656,,99818019001# or +13017158592,,99818019001#

4. Webinar ID: 998 1801 9001

5. To view/listen to this hearing on YouTube, use this link:

https://www.youtube.com/channel/UCjBZdtrjRnQdmg-2MPMiWrA

6. To sign in to speak, register your position on a bill and/or submit testimony, use this link: <u>http://gencourt.state.nh.us/remotecommittee/senate.aspx</u>

The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: <u>remotesenate@leg.state.nh.us</u> or call (603-271-6931).

EXECUTIVE SESSION MAY FOLLOW

Sponsors: SB 120 Sen. Sherman Sen. Gray SB 121 Sen. Rosenwald Rep. Bartlett SB 123 Sen. Sherman Sen. Whitley SB 132-FN Sen. Prentiss

Sen. Bradley Sen. Soucy

Sen. Bradley Rep. Weber

Sen. Cavanaugh Sen. Hennessey Sen. D'Allesandro Rep. Knirk

Sen. Sherman Rep. Hunt

Sen. Perkins Kwoka Rep. Marsh Rep. Marsh

Rep. Marsh

Sen. Rosenwald Rep. Woods

Kirsten Koch 271-3266

<u>Jeb Bradley</u> Chairman

Senate Health and Human Services Committee Kirsten Koch 271-3266

SB 120, relative to physician assistant medical services through the Manchester Veterans Administration Medical Center.

Hearing Date: February 10, 2021

Time Opened:8:35 a.m.Time Closed:8:41 a.m.

Members of the Committee Present: Senators Bradley, Gray, Avard, Sherman and Whitley

Members of the Committee Absent : None

Bill Analysis: This bill modifies the requirements for out-of-state physician assistants and state-licensed physician assistants to offer medical services through the Veterans Administration Medical Center.

Sponsors: Sen. Sherman Rep. Marsh Rep. Knirk

Sen. Bradley Sen. Gray Sen. D'Allesandro Sen. Soucy

Who supports the bill: Senator Sherman, District 24; Senator Gray, District 6; Kevin Grady, State Veterans Advisory Committee; Paula Minnehan, NH Hospital Association; Steven Alexakos, NH Society of Physician Assistants; Linda Martino, NHSPA/NHMS; Michael Padmore, NH Medical Society; Richard LaFlame.

Who opposes the bill: None.

Who is neutral on the bill: None.

Summary of testimony presented in support:

Senator Sherman, District 24

- Senator Sherman outlined the problem that this bill addresses:
 - The VA employs physicians from all over the country and they rotate through the VA facilities. Physician assistants (PA) work under physicians. There are physicians, with out of state licenses, supervising NH PAs. This bill addresses this issue in RSA: 328(d)(2)(a).
- This bill allows NH PAs to be supervised by physicians in the VA system with out-of-state licenses in good standing in their prospective state.

- Senator Bradley asked, would you believe your bill is an adjunct to a bill I sponsored a few years ago, to allow physicians to use their out of state license to practice in New Hampshire in the VA system?
- Senator Sherman said, yes, thank you for your work on that.

Linda Martino, NH Society of Physician Assistants & NH Medical Society

• Ms. Martino said she supported SB 120.

Kevin Grady, State Veterans Advisory Committee

• Mr. Grady said, this bill cleans up language and allows more medical professionals to practice in the VA system in New Hampshire. This bill would keep our medical professionals in compliance.

Steven Alexakos, NH Society of Physician Assistants (provided written testimony)

• Mr. Alexakos said he supported SB 120 and referred the committee members to his written testimony.

Richard LaFlame, Veteran

- Mr. LaFlame said he works at the VA in NH and that he was representing himself only, and not speaking on behalf of the VA.
- Mr. LaFlame said the VA needs more staff members to provide care and improve access to care.

Summary of testimony presented in opposition: None.

Neutral Information Presented: None.

KNK Date Hearing Report completed: February 12, 2021 Speakers

Name	Title	Representing	Position	Testifing
Grady Kevin	A Member of the Public	State Veterans Advisory Committee	Support	Yes
Sherman Senator Tom	An Elected Official	SD24	Support	Yes
Alexakos Steven	A Member of the Public	The New Hampshire Society of Physician Assistants and Myself	Support	Yes
Martino Linda	A Member of the Public	Myself NHSPA NHMS	Support	Yes
LaFlame Richard	A Member of the Public	Myself	Support	Yes
Minnehan Paula	A Lobbyist	NH Hospital Association	Support	No
Padmore Michael	A Lobbyist	NH Medical Society	Support	No
Gray Senator James	An Elected Official	Senate District 6	Support	No

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February 7, 2020

Senate Health and Human Services Committee Room 101 36 North State Street Concord, New Hampshire 03301

Dear Members of the Senate Health and Human Services Committee:

We thank you for taking the time to consider the proposed language changes to RSA 328-D:2-a,(I) as submitted in SB 120. As you are aware, New Hampshire is unique. We are proud that nearly one in ten of its citizens are veterans, and several thousand continue to serve in the Armed Forces. The lack of a full-service Veterans Administration Hospital or full-service military treatment facility requires much of the care to be performed by the dedicated multidisciplinary group of providers within the Manchester VAMC system.

As you may know, RSA 328-D:2-a, (I) allows for Physician Assistants that are licensed in other states to work within the Manchester Veterans Affairs Medical Center (VAMC) system in NH under the jurisdiction of the federal government within the scope of their employment, and are not otherwise subject to New Hampshire state licensure laws for Physician Assistants. This meaningful statute was meant to improve access to care for our veterans and other at-risk populations by assisting in recruiting new staff and decreasing administrative burdens.

Unfortunately, the RSA does not allow for a federally-employed VA physician who is licensed outside of New Hampshire to serve as the Registered Supervising Physician (RSP) for a Physician Assistant working in the VAMC system who chooses to be licensed in New Hampshire (As per current Board of Medicine MED 600 rules, in order for a PA to maintain a valid NH license, they must have an RSP and ARSP who is licensed in NH). This small but impactful oversight has caused unforeseen hardship on a number of providers in the Manchester VAMC system who have found it difficult, if not impossible, to find NH licenced physicians within their specialties in the VA system to serve as their RSP/ARSP for the purposes of maintaining their NH license.

The proposed language changes in SB 120 will relieve the affected providers in the VA system of the unintended burdens caused by this oversight, while allowing the federally required collaborative relationships between them to continue without fear of liability.

We thank you for your consideration.

Respectfully,

Steve Alexakos, PA-C President New Hampshire Society of Physician Assistants Malcolm Hauthaway, PA-C Vice President

Dagan Cloutier, PA-C Immediate Past President

Deanne Chapman, PA-C Treasurer

Roseanne Washington, PA-C Secretary

Linda Martino, PA-C Legislative Co-chair Sarah Leslie, PA-C Legislative Co-Chair

Christina Dickey, PA-C Member at Large

Craig Hricz, PA-C Member at Large

Beth Geralds, PA-C Member at Large

Richard LaFlame Member at Large

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www.nh-spa.org

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PO Box 10743, Bedford, NH, 03110

nhspa.admin@gmail.com

Voting Sheets

Senate Health and Human Services Committee EXECUTIVE SESSION RECORD .

2021-2022 Session

	0 116 121		Bill# <	B 120		
Hearing D	· _					
Executive	Session Date: 2/10/21					
Motion:	OTP		Vot	te:5-O		
	Committee Member Sen. Bradley, Chair Sen. Gray, Vice Chair Sen. Avard Sen. Sherman Sen. Whitley	Present X X X X X	Made by	Second	Yes X X X	No
Motion:	Consent Calendar		Vot	te: <u>5-0</u>		
	Committee Member Sen. Bradley, Chair Sen. Gray, Vice Chair Sen. Avard Sen. Sherman Sen. Whitley	Present	Made by	Second	Yes X X X X X X	
Motion:			Voi	te:		
Motion:	Committee Member Sen. Bradley, Chair Sen. Gray, Vice Chair Sen. Avard Sen. Sherman Sen. Whitley	Present	Made by		Yes	No
Motion:	Sen. Bradley, Chair Sen. Gray, Vice Chair Sen. Avard Sen. Sherman					No
Motion:	Sen. Bradley, Chair Sen. Gray, Vice Chair Sen. Avard Sen. Sherman Sen. Whitley	Present		Second		

Committee Report

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STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE FOR THE CONSENT CALENDAR

Thursday, February 11, 2021

THE COMMITTEE ON Health and Human Services

to which was referred SB 120

AN ACT

relative to physician assistant medical services through the Manchester Veterans Administration Medical Center.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS

BY A VOTE OF: 5-0

Senator Tom Sherman For the Committee

This bill modifies the requirements for physician assistants to offer medical services through the Veterans Administration Medical Center. New Hampshire physician assistants who are employed by the United States Department of Veterans Affairs and who are offering medical services to patients of the Veterans Administration Medical Center (VAMC) and requesting licensure in New Hampshire may be supervised by physicians from other states provided that those physicians possess a current license in good standing in their respective state. This bill supports our veterans by ensuring that physician assistants working at the New Hampshire Veteran's Administration facilities have adequate supervision. It further addresses the current medical professional shortage by allowing for more physicians to participate in that required supervisory role of physician assistants in the VA system in New Hampshire.

Kirsten Koch 271-3266

FOR THE CONSENT CALENDAR

HEALTH AND HUMAN SERVICES

SB 120, relative to physician assistant medical services through the Manchester Veterans Administration Medical Center. Ought to Pass, Vote 5-0. Senator Tom Sherman for the committee.

This bill modifies the requirements for physician assistants to offer medical services through the Veterans Administration Medical Center. New Hampshire physician assistants who are employed by the United States Department of Veterans Affairs and who are offering medical services to patients of the Veterans Administration Medical Center (VAMC) and requesting licensure in New Hampshire may be supervised by physicians from other states provided that those physicians possess a current license in good standing in their respective state. This bill supports our veterans by ensuring that physician assistants working at the New Hampshire Veteran's Administration facilities have adequate supervision. It further addresses the current medical professional shortage by allowing for more physicians to participate in that required supervisory role of physician assistants in the VA system in New Hampshire.

		Docket of sb120
01/29/2021	S	Introduced 01/06/2021 and Referred to Health and Human Services; SJ 3
02/05/2021	S	Remote Hearing: 02/10/2021, 08:30 am; Links to join the hearing can be found in the Senate Calendar; SC 10
02/11/2021	S	Committee Report: Ought to Pass, 02/18/2021; Vote 5-0; CC; So 11
02/18/2021	S	Sen. Sherman Moved to Remove SB 120 from the Consent Calendar; 02/18/2021; SJ 5
02/18/2021	S	Sen. Sherman Floor Amendment # 2021-0429s, RC 24Y-0N, AA 02/18/2021; SJ 5
02/18/2021	S	Ought to Pass with Amendment 2021-0429s, RC 24Y-0N, MA; OT3rdg; 02/18/2021; SJ 5
03/10/2021	. H	Introduced (in recess of) 02/25/2021 and referred to Health, Human Services and Elderly Affairs HJ 4 P. 48
04/06/2021	Н	Public Hearing: 04/13/2021 10:00 am Members of the public ma attend using the following link: To join the webinar: https://www.zoom.us/j/94103091494 / Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.
05/05/2021	Н	Committee Report: Ought to Pass with Amendment # 2021-118 (Vote 21-0; CC) HC 26 P. 8
06/03/2021	H	Amendment # 2021-1187h: AA VV 06/03/2021
06/03/2021	Н	Ought to Pass with Amendment 2021-1187h: MA VV 06/03/2021
06/10/2021	. S	Sen. Bradley Moved to Concur with the House Amendment, MA, VV; 06/10/2021; SJ 19
07/12/2021	Н	Enrolled (in recess of) 06/24/2021
07/12/2021	S	Enrolled Adopted, VV, (In recess 06/24/2021); SJ 20

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Other Referrals

Senate Inventory Checklist for Archives
Bill Number: SB 120 Senate Committee: HHS
Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside
Bill Hearing Documents: {Legislative Aides}
Bill version as it came to the committee
All Calendar Notices
All Calendar Notices Hearing Sign-up sheet(s) Prepared testimony, presentations, & other submissions handed in at the public hearing Hearing Report
Y Prepared testimony, presentations, & other submissions handed in at the public hearing
Hearing Report
Revised/Amended Fiscal Notes provided by the Senate Clerk's Office
Committee Action Documents: {Legislative Aides}
All amendments considered in committee (including those not adopted): NONL
amendment # amendment #
- amendment # amendment #
X Executive Session Sheet
Committee Report
Floor Action Documents: {Clerk's Office}
All floor amendments considered by the body during session (only if they are offered to the senate):
amendment # amendment #
amendment # amendment #
Post Floor Action: (if applicable) {Clerk's Office}
Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):
Enrolled Bill Amendment(s)
Governor's Veto Message
All available versions of the bill: {Clerk's Office}
$\underline{\swarrow}$ as amended by the senate $\underline{\checkmark}$ as amended by the house
Completed Committee Report File Delivered to the Senate Clerk's Office By:
Kirsten Koch 7/2/0/21
Committee Aide <u>The Contraction of the Contraction </u>
Senate Clerk's Office AL

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